

MECA EMPLOYERS CONSULTING AGENCY SDN BHD

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Dear Members,

AGONG'S OFFICIAL BIRTHDAY MOVED FROM JULY 29TH 2017 TO SEPTEMBER 9TH 2017 FROM YEAR 2017 UNTIL 2021

Please be informed that the birthday celebration of Duli Yang Maha Mulia Seri Paduka Baginda Yang di-Pertuan Agong Sultan Muhammad V [referred to as "YDPA"] initially falls on the first Saturday of June. However, there was an earlier amendment made by the Federal Government that the official birthday of YDPA has been moved from the first Saturday of June to the last Saturday of July i.e on 29/7/2017.

Kindly take note that the Malaysian Government has agreed to move the birthday celebration of YDPA for this year from 29/7/2017 to 9/9/2017.

Hence, this new amendment will come into effect for the next five years under the rule of Sultan Muhammad V, the 15th YDPA, from the year 2017 until 2021. The YDPA's birthday will be on September 9th from year 2017 until 2021.

With this, the King's birthday for this year will be celebrated on Saturday, September 9th 2017.

Employees within the scope of the Employment Act 1955 are entitled to this public holiday. Since it is one of the compulsory gazetted public holidays, it cannot be substituted. All employees [under the scope of the Act] who are required to work on Saturday, September 9 shall be paid the holiday rate of pay.

If the employees are not under the scope of the Employment Act 1955, their respective company's internal policies will be applicable.

EMPLOYERS IN SARAWAK

It is to be noted that 9/9/2017 is the birthday of Yang di-Pertua Negeri Sarawak. By virtue of the new amendment, the YDPA's birthday falls on Yang di-Pertua Negeri Sarawak's birthday, i.e. on 9/9/2017.

Section 60D(1) of the Employment Act 1955 states that any public holiday that falls on another public holiday should be substituted to the next working day. Therefore, employers in Sarawak shall observe 11/9/2017 as a paid holiday in substitution for YDPA's birthday.

Should you require any clarification please do not hesitate to contact us.

Yours faithfully,

Nor Farah Ashikin
Legal Adviser