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Designation of National Days and Observances in Canada

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(In Brief)

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DESIGNATION OF NATIONAL DAYS AND OBSERVANCES IN CANADA

1 INTRODUCTION

Scarcely a week goes by without some special day or observance being marked somewhere in Canada. From legal holidays like Victoria Day and Canada Day, to days recognizing specific individuals or groups, to religious and cultural occasions, the Canadian calendar is replete with celebrations and commemorations.

There is no central authority in Canada responsible for the proclamation of national days. Days declared special by any public body, including municipal, provincial or federal governments, or even international bodies, such as the United Nations, as well as any private association, cultural group or religious institution, can be recognized in Canada.

This paper describes the processes by which a day, week or month may be recognized in Canada. It also describes the difference between observances that are legal holidays, where employees are paid for time off, and those that receive symbolic recognition, with particular attention to designations at the federal level. Federal legal holidays are set out in the *Holidays Act*,¹ and the *Canada Labour Code*.² Most efforts to designate a national day or observance, including parliamentary and government initiatives, establish symbolic recognition and not legal holidays.

2 METHODS OF DESIGNATION

Methods of designating special observances include:

- parliamentary initiatives, such as legislation and parliamentary resolutions;
- government initiatives, such as orders in council and proclamations; and
- non-governmental initiatives, such as declarations by an organization or a religious or cultural group.

2.1 PARLIAMENTARY DESIGNATION

2.1.1 DESIGNATION BY LEGISLATION

Parliament can pass legislation proclaiming specific days as holidays or officially recognized days. A well-known example is Canada Day, celebrated on 1 July of each year. The legislation dates back to 1879, when *An Act to make the first day of July a public holiday by the name of Dominion Day* was given Royal Assent.³ Parliament passed an amendment in 1982 specifying that the day would be observed as “Canada Day.” In addition to being recognized as a legal holiday in the *Holidays Act*, Canada Day is recognized as a legal holiday in the *Canada Labour Code*, as well as in employment legislation in all provinces and territories.

Not all statutes that establish a national day also create a legal holiday. Indeed, most bills presented by senators and members of Parliament aim only to bestow a symbolic recognition on a particular day, week or month.

Any senator or member of the House of Commons may introduce a bill proclaiming a national day. If the bill, after being debated and passed by both chambers, receives Royal Assent, it is enacted as a statute of Canada, like any other piece of legislation. In most instances, bills to establish a national observance are introduced, not as government bills, but as Senate public bills in the Senate, and private members' bills in the House of Commons, with some differences in the procedures and scheduling between the two houses. Once enacted, these bills have the same legal effect as bills introduced by the government.⁴

Examples of national days established by Senate public bills include:

- Autism Awareness Day (2 April);⁵ and
- National Philanthropy Day (15 November).⁶

Some national observances established by House of Commons private members' bills include:

- Vimy Ridge Day (9 April);⁷ and
- National Peacekeepers' Day (9 August).⁸

2.1.2 DESIGNATION BY RESOLUTION

In some cases, a national day or observance is established as a result of a resolution of the Senate or the House of Commons.

In the House of Commons, many resolutions come about as a result of a private member's motion, which, once adopted by the members, constitutes a resolution of the House. Such a resolution expresses the opinion of the House or calls upon the government to do something, but the government is under no legal obligation to take any action as a result of the resolution. Some private members' motions are worded such that the motion itself expresses recognition of the national day or observance, while other motions call upon the government to bestow the appropriate recognition.

For example, Canadian Armed Forces Day is observed on the first Sunday in June as a result of a motion passed in the House of Commons on 25 April 2002. That motion read as follows:

That, in the opinion of this House, the government should, on an annual basis, proclaim the first Sunday in June "Canadian Forces Day" in recognition of the tremendous contribution by the Canadian Forces, both at home and abroad, in such areas as the defence of Canada, our NATO commitments, humanitarian assistance, disaster relief, search and rescue and peacekeeping.⁹

Ever since the first Sunday in June was recognized as Canadian Armed Forces Day, successive governments have issued statements marking the occasion each year.¹⁰

Not all resolutions of the House are the result of an item of private members' business. For example, Black History Month is recognized in February following a resolution put forward by the then parliamentary secretary to the prime minister on 14 December 1995. The resolution, passed unanimously by the House of Commons, read as follows:

That this House take note of the important contribution of black Canadians to the settlement, growth and development of Canada, the diversity of the black community in Canada and its importance to the history of this country, and recognize February as black history month.¹¹

It was not until 2008 that a similar motion was passed by the Senate of Canada. The resolution, presented by then senator Donald Oliver, was passed unanimously:

That the Senate take note of the important contribution of black Canadians to the settlement, growth and development of Canada, the diversity of the black community in Canada and its importance to the history of this country, and recognize February as Black History Month.¹²

In his comments in support of the motion, Senator Oliver noted that the resolution passed by the House of Commons in 1995 had not, by itself, constituted a formal recognition on the part of the Parliament of Canada, since the Senate, being a component of Parliament, had not yet passed a resolution to establish Black History Month. He stated that his purpose in introducing in the Senate the motion to recognize Black History Month was to formalize the position of the Parliament of Canada.¹³

2.2 GOVERNMENTAL DESIGNATION

In some cases, it is the government, rather than Parliament, that establishes a national day or observance by way of a proclamation or order in council, with or without Parliament's approval. An order in council is made by the Governor General on the advice of the Privy Council. It is usually formulated by Cabinet or a committee of Cabinet and takes legal effect when signed by the Governor General. An example is the 1996 order in council proclaiming 21 June as National Aboriginal Day.¹⁴

Other national observances that have been declared by orders in council include:

- National Day of Remembrance for Victims of Terrorism (23 June); and¹⁵
- Canadian Multiculturalism Day (27 June).¹⁶

2.3 DESIGNATION BY AN ASSOCIATION OR ORGANIZATION

Many special days and observances have been declared by not-for-profit associations, organizations and international bodies. There is no official list of all such observances in Canada. Usually, when a special day is proclaimed, the public is invited to mark the occasion and to learn about the work or activities of the sponsoring body. Such occasions may also be observed in commemoration of an event or to encourage public awareness of a specific issue.

For example, 10 December is widely recognized as Human Rights Day, a day first declared by the United Nations and now marked in many countries around the world, including Canada.¹⁷ Although no law or resolution has been passed by Parliament to recognize Human Rights Day officially, it is typically marked by comments in the Senate and the House of Commons and by a statement by the foreign affairs minister. Many provincial governments, along with organizations, schools and universities, also recognize Human Rights Day, each in its own way.

Other special days and observances that are widely recognized in Canada include:

- International Women’s Day (8 March);¹⁸
- Daffodil Month in April;¹⁹ and
- Library month or week in October.²⁰

3 RELIGIOUS AND CULTURAL OBSERVANCES

Many special days and observances are religious or cultural occasions, and it is not uncommon for senators or members of the House of Commons to draw attention to them. Even when such occasions are not legal holidays, certain legislative provisions exist to ensure that they are respected.

For example, the *Canada Elections Act* includes a provision that allows the Chief Electoral Officer to avoid holding a federal election on the same day as a day of cultural or religious significance if, in his or her opinion, that would make the day unsuitable as a polling day.²¹

4 LEGAL HOLIDAYS

Most designations of national days, weeks or months do not create any legal effect or obligations and offer symbolic recognition only. Some statutes contain a provision specifying that the day “is not a legal holiday or non-juridical day.”²² Provisions such as these are included to make it clear that the day is not what is commonly known as a “statutory holiday” – a day off for employment or other purposes.

One example relates to Workers Mourning Day, 28 April. When a bill related to this day was introduced in 1988 by Member of Parliament Rod Murphy, it did not contain such a clause, and objections were raised that productivity would suffer if the day were designated as a new statutory holiday. That bill did not proceed past first reading, and when Mr. Murphy introduced it again in 1990, it included a clause to clarify that the day would not be a legal holiday; only then did members from all parties support the bill,²³ which was enacted as the *Workers Mourning Day Act* in 1991.

Nevertheless, even without such a clause, a statute marking a special day does not create a legal holiday unless an explicit provision to that effect is included. Indeed, since 1990, a number of such statutes have been enacted without the clause, and they have not created a legal holiday.

Under the *Canada Labour Code*, employees of federally regulated industries are entitled to certain days off with pay – New Year’s Day, Good Friday, Victoria Day, Canada Day, Labour Day, Thanksgiving Day, Remembrance Day, Christmas Day and Boxing Day.²⁴ In addition, collective agreements or employment contracts may provide for extra days or for days that are to be substituted for those holidays. Without an amendment to the *Canada Labour Code*, a statute declaring a national day or observance does not establish a day off with pay for federal employees.

It is important to note, however, that most employees in Canada are not employed in federally regulated industries, but are subject to provincial employment standards legislation. This means, for example, that while the federal *Holidays Act* establishes Canada Day, Remembrance Day and Victoria Day as holidays, the provinces are not required to establish the same holidays under provincial legislation. This explains, for example, why some provinces designate Remembrance Day as a legal holiday, while others do not.

Provinces and territories may also pass legislation creating legal holidays to be observed in their jurisdictions. Indeed, holidays can vary considerably from one province to the next. For example, some provinces have instituted a paid holiday on the first Monday in August, and a few have designated a date in February as Family Day. Quebec maintains Saint-Jean-Baptiste Day as the annual *Fête nationale* [national holiday]. No federal statutes, proclamations or parliamentary resolutions have any effect on any of these provincial holidays.

5 CONCLUSION

Some government departments provide a calendar of events for the year that shows special days, weeks and months.²⁵ In addition, the appendix to this paper includes a table showing national days and observances. Since there are so many special days observed in Canada, and since there is no central authority responsible for them, the table should be seen as a useful guide but not a comprehensive list of every special day observed in Canada.

NOTES

1. [Holidays Act](#), R.S.C. 1985, c. H-5.
2. [Canada Labour Code](#), R.S.C. 1985, c. L-2.
3. Government of Canada, [Dominion Day](#).
4. For an explanation of private members’ business and the procedures that govern it, see Parliament of Canada, “[21. Private Members’ Business](#),” *House of Commons Procedure and Practice*, 2nd ed., 2009.
5. [Bill S-206, An Act respecting World Autism Awareness Day](#), 1st Session, 41st Parliament (S.C. 2012, c. 21).
6. [Bill S-201, An Act respecting a National Philanthropy Day](#), 1st Session, 41st Parliament (S.C. 2012, c. 23).

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7. [Bill C-227, An Act respecting a national day of remembrance of the Battle of Vimy Ridge](#), 2nd Session, 37th Parliament (S.C. 2003, c. 6).
8. [Bill C-287, An Act respecting a National Peacekeepers' Day](#), 2nd Session, 39th Parliament (S.C. 2008, c. 27).
9. House of Commons, "Private Members' Business M-334," [Journals](#), 1st Session, 37th Parliament, 24 April 2002.
10. National Defence, "[Statement by Minister Sajjan on Canadian Armed Forces Day](#)," 5 June 2016.
11. House of Commons, [Debates](#), 1st Session, 35th Parliament, 14 December 1995.
12. Senate, [Debates](#), 2nd Session, 39th Parliament, 14 February 2008.
13. Ibid.
14. [Proclamation Declaring June 21 of Each Year as National Aboriginal Day](#), SI/96-55.
15. [Proclamation Requesting the People of Canada to Observe June 23 of Every Year as a National Day of Remembrance for Victims of Terrorism](#), SI/2005-65.
16. [Proclamation Declaring June 27 of each year as "Canadian Multiculturalism Day"](#), SI/2002-160.
17. United Nations, Office of the High Commissioner for Human Rights, [Human Rights Day](#).
18. United Nations, [International Women's Day: 8 March](#).
19. Canadian Cancer Society, "[Mighty daffodil packs a powerful punch since 1957](#)," News release, 30 March 2017.
20. See, for example, British Columbia, Education, "[It's October: happy Library Month!](#)," *BC Gov News*, News release, 6 October 2016; Association des bibliothèques publiques du Québec, "[À propos](#)," *Semaine des bibliothèques publiques*; New Brunswick Public Libraries, "[First New Brunswick Public Libraries Month to be celebrated in October](#)," News release, 30 September 2016.
21. [Canada Elections Act](#), S.C. 2000, c. 9, s. 56.2.
22. See, for example, [Workers Mourning Day Act](#), S.C. 1991, c. 15, s. 2(2).
23. House of Commons, [Debates](#), 2nd Session, 34th Parliament, 26 October 1990, pp. 14783–14787.
24. *Canada Labour Code*, s. 166.
25. See, for example, Government of Canada, [Important and commemorative days](#); and Health Canada, "[Calendar of Health Promotion Days](#)," *About Health Canada*.

APPENDIX – NATIONAL DAYS AND OBSERVANCES IN CANADA

The following table shows the national days and observances established under federal statutes, orders in council and resolutions of the Senate or of the House of Commons, as well as certain days recognized by federal government departments or other bodies. It does not include religious observances or provincial holidays, except those also established by a federal statute, order in council or parliamentary resolution. Because of the large number of special days observed in Canada, and the fact that there is no central authority responsible for them, the table should be seen as a useful guide, not as a comprehensive list of every special day observed in Canada.

Table 1 – National Days and Observances in Canada

Date	National Day or Observance	Authority	Further Information
1 January	New Year's Day	Canada Labour Code , R.S.C. 1985, c. L-2, s. 166.	
11 January	Sir John A. Macdonald Day	Sir John A. Macdonald Day and the Sir Wilfrid Laurier Day Act , S.C. 2002, c. 2.	Government of Canada, Sir John A. Macdonald Day, January 11.
17 January	Raoul Wallenberg Day		Justin Trudeau, Prime Minister of Canada, " Statement by the Prime Minister of Canada on Raoul Wallenberg Day ," News, 17 January 2017.
21 January	Lincoln Alexander Day	Lincoln Alexander Day Act , S.C. 2014, c. 30.	
February	Black History Month	House of Commons, Debates , Motion, 1 st Session, 35 th Parliament, 14 December 1995 (Ms. Jean Augustine, Parliamentary Secretary to the Prime Minister); and Senate, Debates , Motion, 2 nd Session, 39 th Parliament, 14 February 2008 (Hon. Donald H. Oliver).	Government of Canada, Black History Month.
15 February	National Flag of Canada Day	Office of the Prime Minister of Canada, Declaration, National Flag of Canada Day , 15 February 1996.	Government of Canada, February 15 is National Flag of Canada Day.
8 March	International Women's Day		Status of Women Canada, International Women's Day.
Second Monday in March	Commonwealth Day		Government of Canada, Commonwealth Day.
20 March	Journée internationale de la Francophonie		Organisation internationale de la Francophonie, 20 mars 2017 – Journée internationale de la Francophonie.
21 March	International Day for the Elimination of Racial Discrimination		United Nations, International Day for the Elimination of Racial Discrimination: 21 March.

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Date	National Day or Observance	Authority	Further Information
26 March	Purple Day	Purple Day Act , S.C. 2012, c. 13.	Purpleday.org .
2 April	Pope John Paul II Day	Pope John Paul II Day Act , S.C. 2014, c. 41.	
2 April	World Autism Awareness Day	World Autism Awareness Day Act , S.C. 2012, c. 21.	United Nations, World Autism Awareness Day: 2 April .
6 April	Tartan Day		Government of Canada, " The Maple Leaf Tartan ," <i>Official symbols of Canada</i> .
Second week in April	National Volunteer Week		Volunteer Canada, National Volunteer Week .
9 April	Vimy Ridge Day	Vimy Ridge Day Act , S.C. 2003, c. 6.	Government of Canada, " Vimy Ridge Day ," Statement.
Week of 10 April	National Wildlife Week	National Wildlife Week Act , R.S.C. 1985, c. W-10.	Canadian Wildlife Federation, Get Involved in National Wildlife Week .
Friday before Easter Sunday	Good Friday	Canada Labour Code , R.S.C. 1985, c. L-2, s. 166.	
23 April	World Book and Copyright Day		United Nations, World Book and Copyright Day: 23 April .
Last full week of April	National Organ and Tissue Donor Week	National Organ Donor Week Act , S.C. 1997, c. 4.	
28 April	Workers Mourning Day	Workers Mourning Day Act , S.C. 1991, c. 15.	Canadian Centre for Occupational Health and Safety, April 28: Day of Mourning .
A week following Passover	Holocaust Memorial Day – Yom HaShoah	Holocaust Memorial Day Act , S.C. 2003, c. 24.	Jewish Federation of Ottawa, Yom HaShoah .
30 April	Journey to Freedom Day	Journey to Freedom Day Act , S.C. 2015, c. 14.	
May	Asian Heritage Month		Government of Canada, Asian Heritage Month .
Week of the second Monday in May	National Mining Week	National Mining Week Proclamation , SI/95-64.	Natural Resources Canada, National Mining Week, May 9–15, 2016 .
18 May	International Museum Day		International Council of Museums, International Museum Day .
Monday preceding 25 May	Victoria Day	Holidays Act , R.S.C. 1985, c. H-5; and Canada Labour Code , R.S.C. 1985, c. L-2, s. 166.	Government of Canada, Victoria Day .
Third Saturday in May	National Fiddling Day	National Fiddling Day Act , S.C. 2015, c. 6.	Parliament of Canada, " The Sound of Strings Reverberated on the Hill on National Fiddling Day ," <i>SenCA Plus</i> , 19 May 2016.
June	National Aboriginal History Month	House of Commons, Debates , Motion, 2 nd Session, 40 th Parliament, 4 June 2009 (Ms. Jean Crowder).	Government of Canada, National Aboriginal History Month .
First Saturday in June	National Day to Promote Health and Fitness for all Canadians	National Health and Fitness Day Act , S.C. 2014, c. 34.	
First Sunday in June	Canadian Armed Forces Day	House of Commons, Debates , Motion No. 334, 1 st Session, 37 th Parliament, 25 April 2002 (Mr. Leon Benoit).	

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Date	National Day or Observance	Authority	Further Information
Week in which 5 June occurs	Canadian Environment Week	Canadian Environment Week Act , R.S.C. 1985, c. E-11.	
Wednesday of Canadian Environment Week	Clean Air Day Canada	Proclamation declaring the Wednesday of Canadian Environment Week in June of each year to be Clean Air Day Canada , SI/99-42.	
Week in which 14 June occurs	National Blood Donor Week	National Blood Donor Week Act , S.C. 2008, c. 4.	Canadian Blood Services, " To give life, become a blood donor ," News release, 13 June 2016.
Third week of June	National Public Service Week	National Public Service Week: Serving Canadians Better Act , S.C. 1992, c. 15.	Government of Canada, National Public Service Week .
Week leading up to Canada Day	Celebrate Canada		Government of Canada, Celebrate Canada .
21 June	National Aboriginal Day	Proclamation Declaring June 21 of Each Year as National Aboriginal Day , SI/96-55.	Government of Canada, National Aboriginal Day .
23 June	National Day of Remembrance for Victims of Terrorism	Proclamation Requesting the People of Canada to Observe June 23 of Every Year as a National Day of Remembrance for Victims of Terrorism , SI/2005-65.	Canadian Resource Centre for the Victims of Terrorism, National Day of Remembrance for Victims of Terrorism .
24 June	Saint-Jean-Baptiste Day/ Fête nationale du Québec		Government of Canada, "Saint-Jean-Baptiste Day on June 24: Fête nationale du Québec et de la Francophonie canadienne," Celebrate Canada activities .
27 June	Canadian Multiculturalism Day	Proclamation Declaring June 27 of each year as "Canadian Multiculturalism Day" , SI/2002-160.	Government of Canada, "Canadian Multiculturalism Day on June 27," Celebrate Canada activities .
1 July ¹	Canada Day	Holidays Act , R.S.C. 1985, c. H-5; and Canada Labour Code , R.S.C. 1985, c. L-2, s. 166.	Government of Canada, Canada Day .
1–7 July	Canada History Week		Government of Canada, Canada History Week (July 1–7) .
27 July	Korean War Veterans Day	Korean War Veterans Day Act , S.C. 2013, c. 17.	
28 July	A Day of Commemoration of the Great Upheaval	Proclamation Designating July 28 of Every Year as "A Day of Commemoration of the Great Upheaval", Commencing on July 28, 2005 , SI/2003-188.	
9 August	National Peacekeepers' Day	National Peacekeepers' Day Act , S.C. 2008, c. 27.	Veterans Affairs Canada, National Peacekeepers' Day .
15 August	National Acadian Day	National Acadian Day Act , S.C. 2003, c. 11.	
First Monday in September	Labour Day	Canada Labour Code , R.S.C. 1985, c. L-2, s. 166.	
3 September	Merchant Navy Veterans Day	Merchant Navy Veterans Day Act , S.C. 2003, c. 17.	

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Date	National Day or Observance	Authority	Further Information
8 September	International Literacy Day		United Nations Educational, Scientific and Cultural Organization (UNESCO), International Literacy Day .
21 September	International Day of Peace		United Nations, International Day of Peace: 21 September .
Third Saturday in September	National Hunting, Trapping and Fishing Heritage Day	National Hunting, Trapping and Fishing Heritage Day Act , S.C. 2014, c. 26.	Ontario Federation of Hunters and Anglers, National Hunting Trapping and Fishing Heritage Day – September 16, 2017 .
Last Sunday in September	Police and Peace Officers' National Memorial Day	Proclamation Declaring the last Sunday in September of each year to be "Police and Peace Officers' National Memorial Day" , SI/98-97.	The Memorial – La commémoration, Canadian Police And Peace Officer's Memorial .
October	Women's History Month	House of Commons, <i>Debates</i> , 3 rd Session, 34 th Parliament, 9 March 1992, pp. 7846–7847 (Hon. Mary Collins, Associate Minister of National Defence and Minister responsible for Status of Women), in Library of Parliament, House of Commons Debates, 34th Parliament, 3rd Session: Vol. 6 , Canadian Parliamentary Historical Resources (database), p. 1122.	Status of Women Canada, Celebrate Women's History Month .
1 October	National Seniors Day	Celebrating Canada's Seniors Act , S.C. 2010, c. 13.	Government of Canada, National Seniors Day .
Second Monday in October	Thanksgiving Day	Canada Labour Code , R.S.C. 1985, c. L-2, s. 166.	
11 October	International Day of the Girl Child		United Nations, International Day of the Girl Child: 11 October .
18 October	Persons Day		Status of Women Canada, Persons Day .
27 October	World Day for Audiovisual Heritage		UNESCO, " World Day for Audiovisual Heritage ," <i>Communication and Information</i> .
31 October	National UNICEF Day	Proclamation Declaring October 31st of each year to be "National UNICEF Day" , SI/2000-84.	UNICEF Canada, National UNICEF Day .
11 November	Remembrance Day	Holidays Act , R.S.C. 1985, c. H-5; and Canada Labour Code , R.S.C. 1985, c. L-2, s. 166.	Veterans Affairs Canada, A Day of Remembrance .
15 November	National Philanthropy Day	National Philanthropy Day Act , S.C. 2012, c. 23.	
20 November	Sir Wilfrid Laurier Day	Sir John A. Macdonald Day and the Sir Wilfrid Laurier Day Act , S.C. 2002, c. 2.	
20 November	Child Day	Child Day Act , S.C. 1993, c. 18.	UNICEF Canada, Celebrate National Child Day .
Fourth Saturday in November	Holodomor Memorial Day	Ukrainian Famine and Genocide ("Holodomor") Memorial Day Act , S.C. 2008, c. 19.	

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Date	National Day or Observance	Authority	Further Information
3 December	International Day of Persons with Disabilities		United Nations, International Day of Persons with Disabilities – 3 December .
6 December	National Day of Remembrance and Action on Violence Against Women	National Day of Remembrance Act , S.C. 1991, c. 36.	Status of Women Canada, The National Day of Remembrance and Action on Violence Against Women .
10 December	Human Rights Day		United Nations, Human Rights Day: 10 December .
11 December	Anniversary of the <i>Statute of Westminster</i>		Government of Canada, "The <i>Statute of Westminster, 1931</i> : Giving Canada Its Own Voice," Anniversary of the Statute of Westminster .
25 December	Christmas Day	Canada Labour Code , R.S.C. 1985, c. L-2, s. 166.	
26 December	Boxing Day	Canada Labour Code , R.S.C. 1985, c. L-2, s. 166.	

NOTES

1. Some statutes include provisions whereby the following Monday is recognized as a legal holiday if 1 July falls on a Saturday or a Sunday.