

Statutory Holidays Frequently Asked Questions

1. How many days of statutory holidays is an employee entitled to?

All employees covered by the Employment Ordinance, irrespective of their hours of work and length of service, are entitled to the following statutory holidays.

(1)	The first day of January
(2)	Lunar New Year's Day
(3)	The Second day of Lunar New Year
(4)	The Third day of Lunar New Year
(5)	Ching Ming Festival
(6)	Labour Day, being the first day of May
(7)	The Birthday of the Buddha
(8)	Tuen Ng Festival
(9)	Hong Kong Special Administrative Region Establishment Day, being the first day of July
(10)	The day following the Chinese Mid-Autumn Festival
(11)	National Day, being the first day of October
(12)	Chung Yeung Festival
(13)	Chinese Winter Solstice Festival or Christmas Day (at the option of the employer)
(14)	The first weekday after Christmas Day (<i>Newly added from 2024</i>) *

**Effective from 1 January 2024*

Note: According to the Employment Ordinance, an employer shall grant a statutory holiday to his employee on the day of the statutory holiday. If a statutory holiday falls on a rest day, the employee should be granted a holiday on the next day which is not a statutory holiday or an alternative holiday or a substituted holiday or a rest day.

In the event that the Lunar New Year's Day or the second or third day of Lunar New Year falls on a Sunday, the fourth day of Lunar New Year is designated as a statutory holiday in substitution. In the event that the day following the Chinese Mid-Autumn Festival falls on a Sunday, the day thereafter (i.e. the 17th day of the eighth month of the lunar calendar) is designated as a statutory holiday in substitution.

The additional statutory holidays from 2026 and thereafter are tabulated as follows:

Year	Newly added statutory holiday	Number of statutory holidays
From 2026	Easter Monday	15
From 2028	Good Friday	16
From 2030	The day following Good Friday	17

2. Are the statutory holidays with pay or without pay?

An employee having been employed under a “continuous contract” (has been employed continuously by the same employer for four weeks or more, with at least 18 hours worked in each week) for not less than three months is entitled to pay on statutory holidays.

3. How is statutory holiday pay calculated? When should it be paid?

The daily rate of statutory holiday pay is a sum equivalent to the average daily wages earned by an employee in the 12-month period preceding the day of the statutory holiday or the first day of the statutory holidays (if more than one consecutive statutory holiday). If an employee is employed for less than 12 months, the calculation shall be based on the shorter period.

In calculating the average daily wages, an employer has to exclude (i) the periods for which an employee is not paid his wages or full wages, including rest day, statutory holiday, annual leave, sickness day, maternity leave, paternity leave, sick leave due to work injuries or leave taken with the agreement of the employer, and any normal working day on which the employee is not provided by the employer with work; together with (ii) the sum paid to the employee for such periods. Statutory holiday pay should be paid to the employee not later than the day on which he is next paid his wages after that statutory holiday.

4. Can an employer require an employee to work on statutory holidays?

Yes. An employer is required to give his employee at least 48 hours' prior notice for work on a statutory holiday. The employer must then arrange an alternative holiday within 60 days before or after the statutory holiday. If the employer and employee agree, any day within 30 days of the statutory or alternative holiday may be taken by the employee as a substitute holiday. In this situation, an employer is advised to keep clear records of the alternative or substitute holiday taken by an employee.

5. Can an employer make payment to an employee in lieu of a statutory holiday?

No. An employer must not make any form of payment to an employee in lieu of a statutory holiday. The employer who contravenes this provision is liable to prosecution and, upon conviction, to a fine of HK\$50,000.