

## **Southland Anniversary Day.**

Controversy has always surrounded Southlands Anniversary Day especially on when and how to observe it. To come to grips with this we need to know what it is and what legislation surrounds it.

### **What is Anniversary Day?**

Anniversary Day is one of 11 paid public holidays legislated under the Holidays Act, for the purpose of recognising the day that a Provincial Government was established in the relevant province.

### **What is Provincial Government?**

In 1852 the New Zealand Constitutional Act was passed which created a government structure consisting of a Central Government and 6 provinces (later to become 9) each province was governed by a Superintendent and Provincial Council. The Provinces were responsible for many governmental functions including public works, surveys, land legislation, immigration, education and hospitals. Small- scale local works were delegated to boroughs and road boards which formed a “third tier” within the provincial and national structure. Provincial legislation could be repealed by the General Assembly, which also had the power to create new provinces or change the boundaries of existing ones. (The Provincial governments disappeared under the Abolition of the Provinces Act of 1875.)

### **Southland Provincial Government.**

On the passing of the New Zealand Constitutional Act the marked out area of the Southland District did not hold sufficient population or income to be selected as one of the 6 regions for Provincial Government and was considered for this purpose to be part of Otago, which makes the first Provincial Government to preside over Southland to be formed March 23<sup>rd</sup> 1852. (The date that Otago recognise as Anniversary Day)

Great effort was put in by the Southland forefathers to break away from Otago, including a 1860 ‘we want you’ campaign, that attracted enough interest to increase the population and district finances to petition the General Assembly and succeed in forming an independent Southland Provincial Government, which was officially recognised April 1<sup>st</sup> 1861.

Southland fortunes however did not hold, and the criteria for government lapsed when the population slid back and the region ran into financial difficulties. The only course of action available was to then revert back to once more becoming the Otago/Southland Provincial Government; this took place on October 6th 1870 but was only to last a short time due to the abolition of Provincial Government and the formation of one Central Government in 1875.

### **Southland Anniversary Day.**

Given the historic chain of events in the formation of Southland’s Provincial Government status, its furious independence, time spans between events and multiple dates, there continues to be debate over which date should be recognised as the Anniversary Day. Many diaries and calendars site January 17<sup>th</sup> as the relevant date but this is the date that Invercargill was gazetted as to be established as a town and is not relevant to the formation of the Southland Provincial Government. In brief the following would need to be considered for what ever reason by individuals, businesses or groups for their view, but a census has to date never been able to reach a conclusion.

23<sup>rd</sup> March 1852 first Presiding Provincial Government (Otago/Southland area)

17<sup>th</sup> January 1856 Otago Southland Provincial Government gazetted the intention to build the town of Invercargill.

25<sup>th</sup> March 1861 Southland Province was proclaimed.

1<sup>st</sup> April 1861 Southland forms independent Provincial Government breaking from Otago.

6<sup>th</sup> October 1870 Southland rejoins with Otago Provincial Government.

### **Current legislation**

The Holidays Act 2003 made some adjustments to previous entitlements to public holidays including Anniversary Day. In terms of the date to be recognised it simply states that, "*the day of the anniversary of a province or the day locally observed as that day.*" The Department of labour lists out the locally accepted days for Anniversary Day with the exception of Southland which it states as, "*The actual date of Southland Anniversary day is not clear.*" The previous 1981 Act provided for the Provincial Anniversary Day to be observed on the Monday closest to the historic date, but changes in the 2003 Act do not have this provision. Anniversary Day falls under the public category of "all other Holidays" which continues to make it compulsory to be observed, but it now allows it to be generally transferable. Information on Public holidays how they work, payments and entitlements visit the members section of Chamber Southlands web site [Commercesouth.com](http://Commercesouth.com).

Research and compiled by Richard Hay C.E.O January 2005

Ref: National register of Archives: Archives New Zealand