

**EMPLOYMENT (AMENDMENT) BILL, 2021**

*(Bill No. 39 of 2021)*

**EXPLANATORY STATEMENT OF THE OBJECTS OF AND  
REASONS FOR THE BILL**

This Bill seeks to —

- (a) permit a worker to make a written declaration stipulating that benefits arising out of the worker's employment and due and payable on the worker's demise be paid or distributed to a person or persons designated by the worker in the written declaration; and
- (b) give the Minister responsible for employment matters powers to make regulations in regard thereto.

**Dated this 17th day of August, 2021.**

**FRANK D.R. ALLY  
ATTORNEY-GENERAL**

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**ARRANGEMENT OF SECTIONS**

**Section**

1. Short title
2. Amendment of Cap 69 as last amended by Act 20 of 2020
3. Commencement
4. Amendment of section 62A(3)
5. Insertion of a new section 70A
6. Amendment of section 71

**EMPLOYMENT (AMENDMENT) BILL, 2021**

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**A BILL**

**FOR**

**AN ACT to amend the Employment Act, Cap 69, to permit a worker to make a written declaration for the payment or distribution of the worker's employment benefits on the death of the worker to a beneficiary designated by the worker in the written declaration and to give the Minister power to make regulations in this regard; and for matters incidental thereto.**

**ENACTED** by the President and the National Assembly.

**Short title and commencement**

**1.** This Act may be cited as the Employment (Amendment) Act, 2021.

## **Amendment of Cap 69 as last amended by Act 20 of 2020**

2. This Act amending the Employment Act, Cap. 69, shall be read and construed as one with the Employment Act, Cap.69, which as amended, is hereinafter referred to as the “principal Act” that was last amended by Act 20 of 2020.

### **Commencement**

3. This Act shall come into operation on such date as the Minister may, by Notice published in the *Gazette*, appoint.

### **Amendment of section 62A(3)**

4. Section 62A(3) of the principal Act is amended by repealing the words “legal representative” and substituting therefor the words “estate or succession of a worker or in accordance with a declaration made by a worker under section 70A, as the case may be,”

### **Insertion of a new section 70A**

5. The principal Act is amended by inserting immediately after section 70 the following new section —

**“70A** Notwithstanding any law, a worker may make a declaration stipulating that benefits arising out of his employment with his employer and standing to his credit with his employer on the date of his death be paid or distributed by his employer upon his death to a person designated by the worker in the declaration made by the worker.”

### **Amendment to section 71**

6. Section 71 is amended as follows —

(a) by inserting a new subsection (h) as follows —

“(h) prescribing the manner, circumstances and forms for a worker to make a declaration for the payment

or distribution by an employer of benefits of a worker on death of the worker to a designated beneficiary;”

- (b) by renumbering paragraphs (h) and (i) of this section as paragraphs (i) and (j) respectively.