

EMPLOYMENT (AMENDMENT) ACT, 2021

(Act 38 of 2021)

ARRANGEMENT OF SECTIONS

SECTION

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EMPLOYMENT (AMENDMENT) ACT, 2021

(Act 38 of 2021)



I assent

A handwritten signature in black ink, appearing to read "Wavel".

Wavel Ramkalawan
President

16th September, 2021

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, that was last amended by Act 20 of 2020, and which, as amended, is hereinafter referred to as the “principal Act”.

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 of such worker” and substituting therefor the words “estate or succession of the worker or in accordance with a declaration made by the 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 —

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

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

I certify that this is a correct copy of the Bill which was passed by the National Assembly on 8th September, 2021.



Mrs. Tania Isaac
Clerk to the National Assembly