



## ST HELENA

### A BILL

### FOR

### AN ORDINANCE

**to amend the Employment Rights Ordinance, 2010, to further regulate the duties and functions of the Labour Regulating Authority and Employment Rights Committee; and for related and connected purposes.**

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Enacted by the Governor of St Helena with the advice and consent of the Legislative Council of St Helena.

#### **Short title and interpretation**

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

**(2)** In this Ordinance, “the principal Ordinance” means the Employment Rights Ordinance, 2010.

#### **Amendment of section 2 – Interpretation**

**2.** Section 2 of the principal Ordinance is amended by deleting the definition of “Regulator” and substituting:

“**“Regulator”** means the Labour Regulating Authority appointed under section 3;”.

#### **Amendment of section 3 – Labour Regulating Authority**

**3.** Section 3 of the principal Ordinance is amended by revoking subsection (2) and substituting the following:

“(2) The Governor may appoint—

(a) a deputy chairman, who must be a justice of the peace; and

(b) a clerk of the Labour Regulating Authority.”

## **Amendment of section 4 – Duties of Labour Regulating Authority**

- 4.** Section 4 of the principal Ordinance is amended—
- (a) by renumbering the existing text as subsection (1);
  - (b) by deleting paragraph (a);
  - (c) by deleting paragraph (d) and substituting the following:
    - “(d) to prepare and publish guidelines in the Gazette on best practice and codes of practice in employment protection for employers, employees and workers.”;
  - (d) by adding the following subsection:
    - “(2) Before publishing the guidelines under subsection (1)(d), the Labour Regulating Authority must consult the Executive Council.”.

## **Amendment of section 8 – Functions of Committee**

- 5.** Section 8 of the principal Ordinance is amended by adding the following subsection:
  - “(4) The Committee must promote the rights of employees granted under this Ordinance.”.

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### **EXPLANATORY NOTE**

*(This note is not part of the Ordinance)*

The purpose of the Bill is to amend the Employment Rights Ordinance, 2020, to make further provision with respect to the Labour Regulating Authority and Employment Rights Committee.

Clause 1 provides the short title of the Ordinance.

Clause 2 amends a definition in consequence of the amendment to the constitution of the Labour Regulating Authority.

Clause 3 makes provision for the appointment of a deputy chairman and clerk of the Labour Regulating Authority.

Clause 4 further regulates the duties of the Labour Regulating Authority.

Clause 5 further regulates the functions of the Committee.