

Memorandum submitted to Cabinet by the Hon. Minister of Labour,  
Employment and Welfare

Amendment of the Conditions of Employment (Regulation) Act

The Conditions of Employment (Regulation) Act, 1952 applies International Labour Convention No.26 - Minimum Wage Fixing Machinery - which was ratified by Malta. However, the Committee of Experts of the International Labour Office who examine the reports on ratified Conventions have pointed out some sections of the Act which are not strictly in conformity with the requirements of the Convention and have requested Government to rectify them.

Occasion is being taken at the same time to introduce certain amendments which experience has shown to be necessary.

The Committee of Experts is requesting three amendments, viz.

- 1) To make illegal the payment of wages in any premises used for the sale of intoxicating liquor;
- 2) to make it illegal for an employer to impose any terms as to place in which or manner in which or the person with whom, any wages paid to an employee are to be expended;
- 3) to make the attachment or assignment of wages illegal.

Other amendments are deemed necessary:

- 1) To render a partnership, company or society of persons liable for acts or omissions under the Act;
- 2) to make provision for the appointment of a Deputy Chairman to Wages Councils and thus render work of the Councils easier;
- 3) to require employers to keep a record of the actual wages paid to employees;
- 4) to enlarge the list of information an employer may be required to give to the Director of Labour;
- 5) to ensure that payment in respect of holidays is given at the actual rate applicable to the employee;
- 6) to make it illegal for an employer to draw up a contract allowing privileges in the form of intoxicating liquor or noxious drugs;
- 7) to enable a committee or body of persons to be regarded as an employer for the purposes of imposing fines;
- 8) to enlarge the written information which an employer is bound to give an employee on engagement;
- 9) to enable an employer to dispense with the services of an employee who gives him notice by paying the employee an appropriate sum of money;
- 10) to require persons to answer or reply truly to the questions of Labour Inspectors, provided the person concerned is not required to incriminate himself;

/11) to obviate

- 11) to obviate the obstruction in any way of Inspectors in the performing of their duties;
- 12) to enable the Court to order compensation for paid holidays not allowed by an employer;
- 13) to limit the period in respect of which claims for arrears of wages, etc., may be made in terms of this Act, to twelve months;
- 14) to provide that recognised conditions of employment will include such conditions as will result from an industrial agreement;
- 15) to provide that no discharge of an employee may take place except for reason of redundancy, without a just cause.

Honourable Ministers are invited to agree to the amendments to the Conditions of Employment (Regulation) Act as proposed above.

LE 347/67

31.10.68.

L-Arkivj Nazzjonali ta' Malta