

2017-01-23

OBJECTS AND REASONS

This Bill would amend the *Labour Department Act, Cap. 23* to increase the penalties under the Act and to provide for related matters.

Arrangement of Sections

1. Short title
2. Amendment of Section 12 of Cap. 23
3. Savings

BARBADOS

A Bill entitled

An Act to amend the *Labour Department Act*.

ENACTED by the Parliament of Barbados as follows:

Short title

- 1.** This Act may be cited as the *Labour Department (Amendment) Act, 2017*.

Amendment of Section 12 of Cap. 23

2. *Section 12 of the Labour Department Act, Cap. 23 is deleted and the following is substituted:*

“Offences

12.(1) Every person who, being required in accordance with this Act to furnish information or particulars to the Chief Labour Officer, Deputy Chief Labour Officer or a Labour Officer, and who

- (a) wilfully refuses or without lawful cause neglects to furnish the information or particulars required within the time specified or in the form specified or prescribed or to authenticate the same in the prescribed manner or to deliver the same at the place or in the manner specified or described for the delivery thereof;
- (b) wilfully furnishes or causes to be furnished any false information or particulars lawfully requested;
- (c) refuses to answer or wilfully gives a false answer to any question necessary for the provision of any information or particulars required; or
- (d) hinders, obstructs or molests the Chief Labour Officer, Deputy Chief Labour Officer or a Labour Officer in the exercise of any of the powers conferred upon him by law,

is guilty of an offence and is liable on summary conviction to a fine of \$10 000, to imprisonment for a term of one year, or to both.

(2) Where a person is convicted of an offence under this Act and a fine is imposed, and that person fails to comply with the order of the court in respect of that fine, that person is liable to a further fine of \$500 for each day during which the failure to comply continues.”.

Savings

3. Notwithstanding section 2, where an offence committed under section 12 of the *Labour Department Act*, Cap. 23,

(a) is being tried under the *Magistrate's Courts Act*, Cap. 116A; or

(b) was to be tried under the *Magistrate's Courts Act*, Cap. 116A

before the commencement of this Act, the trial in respect of that offence shall be continued to its final determination in accordance with the provisions of the *Labour Department Act*, Cap. 23, as if this Act had not been enacted.

Read three times and passed the House of Assembly this
day of _____, 2017.

Speaker

Read three times and passed the Senate this _____ day of
, 2017.

President

LABOUR DEPARTMENT (AMENDMENT) ACT, 2017

EXPLANATORY MEMORANDUM

The An Act to amend the *Labour Department Act, Cap. 23* which was passed in 1943 to provide for the administration of the Labour Department in the Ministry of Labour.

- Clause 1:** provides a short title for the citation of the Act.
- Clause 2:** amends section 12 to increase the penalty for offences under the Act.
- Clause 3:** makes provision for offences that may be in the process of being tried at the time this Act takes effect.