

JAMAICA

No. 7-2008

I assent,

[L.S.]

(Sgd) Prof Kenneth D. Hall
Governor-General

3rd July 2008

AN ACT to Amend the Employment (Termination and Redundancy Payments) Act.

[4th July 2008]

BE IT ENACTED by The Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Representatives of Jamaica, and by the authority of the same, as follows:—

1. This Act may be cited as the Employment (Termination and Redundancy Payments) (Amendment) Act, 2008, and shall be read and construed as one with the Employment (Termination and Redundancy Payments) Act (hereinafter referred to as the "principal Act") and all amendments thereto.

Short title
and con-
struction

Amendment
of section 9
of principal
Act

2. Section 9 of the principal Act is amended—

- (a) in subsection (2), by deleting the words “one hundred” and substituting therefor the words “two hundred and fifty thousand”; and
- (b) in subsection (3)—
 - (i) by deleting the words “one hundred” and substituting therefor the words “two hundred and fifty thousand”; and
 - (ii) by deleting all the words appearing after the words “three months”.

Amendment
of section 16
of principal
Act.

3. Subsection (2) of section 16 of the principal Act is amended by deleting the words “three hundred” and substituting therefor the words “two hundred and fifty thousand”.

Amendment
of section 17
of principal
Act

4. Section 17 of the principal Act is amended by—

- (a) renumbering the section as subsection (1); and
- (b) deleting from subsection (1) as renumbered the words “the amount claimed does not exceed seven thousand dollars” and substituting therefor the words “the amount of each claim does not exceed one million dollars”; and
- (c) inserting next after subsection (1) as renumbered the following as subsection (2)—

“ (2) The Minister may, by order subject to affirmative resolution, increase the amount specified in subsection (1).”.

Insertion of
new section
17A into
principal
Act.

5. The principal Act is amended by inserting next after section 17 the following as section 17A—

“ Minister may amend monetary penalties. 17A. The Minister may, by order subject to affirmative resolution, amend the monetary penalties specified in this Act.”.

6. Section 18 of the principal Act is amended by inserting next after subsection (2) the following as subsection (3)—

Amendment
of section 18
of principal
Act.

“ (3) Regulations made under this section may provide for the imposition of penalties on summary conviction before a Resident Magistrate, of a fine not exceeding one million dollars or imprisonment for a term not exceeding twelve months or of both such fine and imprisonment.”.

7. The Employment (Termination and Redundancy Payments) Regulations, 1974, are amended by—

Amendment
of Employ-
ment (Term-
ination and
Redundancy
Payments)
Regulations,
1974.

- (a) renumbering regulation 11 as regulation 12; and
- (b) inserting next after regulation 10 the following as regulation 11—

“Information
to Minister
re dismissal
on redun-
dancy.

11.—(1) An employer who dismisses or proposes to dismiss his employee by reason of redundancy shall submit to the Minister, in writing—

- (a) the effective date of the dismissal;
- (b) the name and address of the employee;
- (c) the amount which is payable to the employee;
- (d) the name, description and type of the employee’s post; and
- (e) a statement as to whether the employee is a member of a union and if so, the name of the union with which the employee is affiliated.

(2) The information referred to in paragraph (1) shall be submitted to the Minister within twenty-one days of the date the decision to dismiss was made.

(3) A person who contravenes this regulation commits an offence and shall be liable on summary conviction before a Resident Magistrate to a fine not exceeding two hundred and fifty thousand dollars or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.”.

Passed in the House of Representatives this 3rd day of June, 2008.

DELROY CHUCK,
Speaker.

Passed in the Senate this 13th day of June, 2008.

OSWALD HARDING, OJ, CD, QC,
President.

This printed impression has been carefully compared by me with the authenticated impression of the foregoing Act, and has been found by me to be a true and correct printed copy of the said Act.

Clerk to the Houses of Parliament.