

MONTSEERRAT

LABOUR CODE (AMENDMENT) ACT

No. 1 of 2023

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Montserrat
Labour Code (Amendment) Act, 2023
No. 1 of 2023

I ASSENT

(Sgd.) Sarah Tucker
Governor

DATE: 25.01.2023

M O N T S E R R A T

No. 1 of 2023

AN ACT TO AMEND THE LABOUR CODE (CAP. 15.03).

BE IT ENACTED by the King's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of Montserrat, and by the Authority of the same as follows:—

1. Short title

This Act may be cited as the Labour Code (Amendment) Bill, 2023.

2. PART 2A inserted

The Labour Code (Cap. 15.03) is amended by deleting sections 20 and 21 and inserting the following as PART 2A—

“PART 2A

MINIMUM WAGE

20. Power to set minimum wage

The Governor acting on the advice of Cabinet may by Order set the minimum wage.

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21. Posting of notices of minimum wage

An employer affected by an Order under section 20 shall post in a conspicuous place a notice fully informing the employees of the contents of the Order.

21A. Offence of failure to post notices or pay minimum wage

- (1) An employer who fails to comply with section 21 or who pays less than the minimum wage commits an offence and is liable on summary conviction to a fine of \$2,000 on first conviction and to a fine of \$5,000 for a subsequent conviction.
- (2) Where it is found that an employer has paid less than the minimum wage, the Court shall order the employer to pay to the employee the difference between the amount which should have been paid and the amount which was paid, together with interest, where appropriate.
- (3) Where it is alleged that an employer has paid less than the minimum wage, the burden of proof shall be on the employer to prove that there was no violation of an Order under section 20.”

(Sgd.) Charliena White
SPEAKER

Passed by the Legislative Assembly this 17th day of January, 2023.

(Sgd.) Judith Baker
CLERK OF LEGISLATIVE ASSEMBLY