

Seychelles

Employment Act

Employment (National Minimum Wage) Regulations, 2007 Statutory Instrument 55 of 2007

Legislation as at 1 June 2020

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Employment (National Minimum Wage) Regulations, 2007
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Seychelles

Employment Act

Employment (National Minimum Wage) Regulations, 2007

Statutory Instrument 55 of 2007

Commenced on 1 January 2008

[This is the version of this document at 1 June 2020.]

[Amended by [Employment \(National Minimum Wage\) \(Amendment\) Regulations, 2013 \(Statutory Instrument 52 of 2013\)](#) on 1 July 2013]

[Amended by [Employment \(National Minimum Wage\) \(Amendment\) \(No. 2\) Regulations, 2013, \(Statutory Instrument 79 of 2013\)](#) on 1 January 2014]

[Amended by [Employment \(National Minimum Wage\) \(Amendment\) Regulations, 2016 \(Statutory Instrument 16 of 2016\)](#) on 1 April 2016]

[Amended by [Employment \(National Minimum Wage\) \(Amendment\) Regulations, 2018 \(Statutory Instrument 93 of 2018\)](#) on 1 January 2019]

[Amended by [Employment \(National Minimum Wage\) \(Amendment\) Regulations, 2019 \(Statutory Instrument 62 of 2019\)](#) on 1 January 2020]

[SI. 55 of 2007; SI. 6 of 2008; SI. 90 of 2008; SI. 11 of 2010; SI. 28 of 2010; SI. 45 of 2010; SI. 102 of 2011; SI. 52 of 2013; SI. 79 of 2013; SI. 16 of 2016]

1.

These Regulations may be cited as the Employment (National Minimum Wage) Regulations, 2007, and shall come into operation on 1st January, 2008.

2.

In these Regulations—

“wage”:

- (a) means the payment made for work done by an employee, as provided by law or in terms of an agreement but not lower than the amount prescribed by law;
- (b) does not include:
 - (i) payment for overtime work or shift allowances;
 - (ii) benefits provided by employers such as housing, transport and food;

“worker” does not include a trainee.

3.

- (1) An employer shall pay to—
 - (a) a worker under a contract of continuous employment;
 - (b) a worker under a contract for a fixed term; or
 - (c) a part-time worker,a national minimum wage of R34.97 for every hour of service.

- (2) An employer shall pay to a casual worker a national minimum wage of R40.30 for every hour of service.

[regulation 3 amended by [SI 79 of 2013](#) with effect from 1 January 2014]

[regulation 3 amended by [SI 16 of 2016](#) w.e.f. 1 April 2016]

[regulation 3 amended by [SI 93 of 2018](#) w.e.f. 1 January 2019]

4.

A person shall not derogate from these Regulations by individual or collective agreement.

5.

- (1) An employer who—
- (a) contravenes regulation 3;
 - (b) victimizes a worker who has not been paid the minimum wage in accordance with these regulations and who has initiated the grievance procedure under the Act for the recovery of such wage.

Commits an offence and is liable on conviction to a fine of not less than R1000 and not more than R10000, and in the case of a continuing offence to an additional penalty of R200 in respect of each day that the regulation is contravened.

6.

The Minister may, by order published in the *Gazette* exempt—

- (a) any worker or category of workers;
- (b) any sector of the economy,

from the application of these Regulations subject to such conditions as the Minister may think fit.