

Seychelles

Employment Act

Employment (National Consultative Committee on Employment) Regulations

Statutory Instrument 19 of 2010

Legislation as at 1 June 2020

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Employment (National Consultative Committee on Employment) Regulations
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Employment Act

Employment (National Consultative Committee on Employment) Regulations Statutory Instrument 19 of 2010

Not commenced

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

[SI. 19 of 2010]

1.

These Regulations may be cited as the Employment (National Consultative Committee on Employment) Regulations.

2.

In these Regulations—

"**Committee**" means the National Consultative Committee on Employment establishment under regulations 3;

"**member**" means a member of the Committee;

"**Minister**" means the Minister responsible for Employment and Human Resources Development and "Ministry" is construed accordingly;

"**Principal Secretary**" means the Principal Secretary of the Ministry of Employment and Human Resources Development.

3.

There is established a Committee which shall be known as the National Consultative Committee on Employment.

4.

The objects of the Committee are—

- (a) to provide, in the public interest, a regular and organised means by which representatives of the Government, and employers' and employees' organisations may consult on matters of industrial relations and employment of national concern;
- (b) to provide views and advice to the Government on matters of industrial relations and employment;
- (c) to discuss, and report to the Government on the formulation and implementation of national policies on matters of industrial relations and employment;
- (d) to initiate or undertake studies into socioeconomic issues;
- (e) to discuss the adoption of international standards of the International Labour Organisation and to provide views and advice to the Government on the adoption of such international standards;

- (f) to provide views and advice to the Government on matters to be discussed at an international labour conference of the International Labour Organisation or any other regional or international tripartite body;
- (g) to provide views and advice on any specific matter relevant to the objects of the Committee referred to the Committee by the Government.

5.

- (1) The Committee consists of the following members—
 - (a) the Minister, who shall be the Chairperson of the Committee;
 - (b) the Principal Secretary, who shall be the vice-chairperson of the Committee;
 - (c) 6 representatives of the Government Ministries;
 - (d) 3 representatives nominated by the most representative employers' organisation; and
 - (e) 3 representatives nominated by the most representative employees' organisation.
- (2) The members referred to in subparagraph (c) to (e) shall be appointed by the Minister.
- (3) The Minister shall cause a notice of the names of the members to be published in the *Gazette*.

6.

- (1) Each member shall hold office for a period of 3 years and be eligible to be re-appointed.
- (2) A member referred to in regulation 5(1) (c) to (e) may resign his membership in writing, signed by that member and delivered to the Minister, and such member shall cease to be a member of the Committee from the date that the Minister confirms receipt of such resignation in writing.
- (3) A member shall be deemed to have vacated office if that member has been absent without leave of the Committee from 3 consecutive meetings of the Committee.
- (4) The Minister shall, at any time, terminate the appointment of a member of the Committee if the member has been guilty of —
 - (a) any misconduct, default or breach of trust in the discharge of that member's duties; or
 - (b) an offence of such nature that calls into question the member's professional standing or the reputation of the Committee and warrants that the appointment of such member be terminated.
- (5) Where a member resigns, vacates office or has had his or her appointment terminated, then—
 - (a) if that member is a member referred to in regulation 5(1)(c), the Minister shall appoint a person to hold office for the remaining period of office of that member;
 - (b) if that member is a member referred to in regulation 5(1)(d), the employers' organization on the nomination of which that member was appointed shall nominate a person to hold office for the remaining period of office of that member;
 - (c) if that member is a member referred to in regulation 5(1)(e), the employees' organisation on the nomination of which that member was appointed shall nominate a person to hold office for the remaining period of office of that member.
- (6) The persons referred to in subregulation (5)(b) and (c) shall be appointed by the Minister.

7.

- (1) There shall be a meeting of the Committee at least once in every three months of the year.

- (2) The Minister shall preside at all meetings of the Committee at which the Minister is present, and in the absence of the Minister from a meeting, the vice-chairperson shall preside.
- (3) At a meeting of the Committee, 4 members of whom one shall be a member appointed under regulation 5(1)(c) and an equal number of members referred to in regulations 5(1) (d) and (1)(e), shall constitute a quorum.
- (4) All questions for determination at a meeting of the Committee shall be decided by a majority vote of members present at the meeting and voting thereon and each member shall have one vote.
- (5) The Minister shall convene an extraordinary meeting of the Committee whenever requested to do so by not less than 7 members of the Committee.
- (6) The members of the Committee shall be paid such allowances as the Minister may determine.

8.

The Minister may, in consultation with other members of the Committee, invite experts or advisors to a meeting of the Committee to give their expert views and opinions on matters referred to them by the Committee.

9.

- (1) The Committee shall at any time cause to be constituted specialised standing or ad-hoc committees to consider and report to the Committee on any matter relevant to the objects of the Committee referred to it by the Committee.
- (2) Such specialised standing or ad-hoc committees shall be composed of an equal number of representatives of employers and employees.
- (3) A decision of a committee constituted under subregulation (1) shall be acted upon without the approval of the Committee.

10.

- (1) There shall be a Secretariat of the Committee, to prepare all meetings of the Committee in consultation with its Chairperson and vice chairperson, to keep and maintain records of all its activities and of minutes of meetings and to do all such things as the Committee directs it to do.
- (2) There shall be a Secretary appointed by the Minister from among the senior officers of the labour administration of the Ministry to be the head of the Secretariat and Secretary to the Committee.

11.

Subject to regulation 7, the Committee and committees thereof shall regulate their own proceedings.

12.

These Regulations shall come into operation on such date as the Minister may, by notice in the *Gazette*, appoint.