

L.N. 81 of 2015

**EMPLOYMENT AND INDUSTRIAL RELATIONS ACT
(CAP. 452)**

Overtime (Amendment) Regulations, 2015

IN exercise of the powers conferred by article 48 of the Employment and Industrial Relations Act, the Minister for Consumer Affairs, Social Dialogue and Civil Liberties has made the following regulations:—

1. The title of these regulations is the Overtime (Amendment) Regulations, 2015 and they shall be read and construed as one with the Overtime Regulations, hereinafter referred to as "the principal regulations".

Citation.

S.L. 452.110.

2. In regulation 4 of the principal regulations the words "discretion of the employer." shall be substituted by the words "discretion of the employer:" and immediately thereafter there shall be added the following new proviso:

Amends regulation 4 of the principal regulations.

"Provided that in a sector where there is no applicable Wages Council Wage Regulation Order, this regulation shall not affect any provision relating to overtime payment in an applicable collective agreement covering such a sector, whether this agreement was entered into prior to, or after, the entry into force of these regulations."

3. Subregulation (5) of regulation 5 of the principal regulations shall be amended as follows:

Amends regulation 5 of the principal regulations.

(a) in paragraph (b) thereof, the words "of the weekly hours to be worked in the following week as long as at least one week's written notice is given of such a change;" shall be substituted by the words "of the number of weekly hours and/or of the roster to be worked in a particular week as long as written notice of such a relative change is given at least forty-eight hours before such a change comes into effect;"

(b) in paragraph (g) thereof, the words "shall not be carried forward again; and" shall be substituted by the words "shall not be carried forward again:" and immediately thereafter there shall be added the following new proviso:

"Provided that if at the end of a calendar year it results that the employee has worked lesser hours than what he should have worked in terms of the applicable scheme of banking of hours, those hours shall be transferred to be worked during the next calendar year; and".

