

**FIRST SUPPLEMENT TO THE GIBRALTAR
GAZETTE**

No. 2,755 of 9th DECEMBER, 1993.

I ASSENT,

JOHN CHAPPLE

GOVERNOR.

9th December, 1993



GIBRALTAR

No. 21 of 1993.

AN ORDINANCE to amend the Employment Ordinance.

ENACTED by the Legislature of Gibraltar

Title and commencement.

1. This Ordinance may be cited as the Employment (Amendment) (No. 2) Ordinance 1993 and shall come into effect on such day as the Governor may, by notice in the Gazette, appoint and different days may be so appointed for different purposes.

Repeal and replacement of section 15.

2. Section 15 of the Employment Ordinance (hereinafter called "the principal Ordinance") including the marginal note thereto is repealed and replaced with the following new section-

"Keeping of registers.

15.(1) The Director may keep a register of employment vacancies in Gibraltar notified to him.

(2) The Director may, for the purposes of establishing the numbers of unemployed persons in Gibraltar, keep a register of those persons.

(3) The Governor may, by regulation, prescribe the method of keeping the registers the persons by whom information may or shall, as the case may be, be provided for the purposes of inclusion in the registers, the form of the registers and matters necessary and incidental to the keeping of the registers."

Amendment to Part III.

3. Part III of the principal Ordinance is amended by omitting the subheading appearing before section 18.

Amendment to section 18.

4. Section 18 of the principal Ordinance is amended in sub-section (1) by omitting the definitions "identity carnet" and "resident of Gibraltar".

Repeal and replacement of section 20.

5. Section 20 of the principal Ordinance is repealed and replaced by the following new section-

"Requirement in respect of work permits.

20. (1) The Director may require in circumstances prescribed by regulations and in relation to workers prescribed by regulations-

(a) notification to him of any employment vacancy before that vacancy may be filled;

(b) that an employer obtain permission from the Director prior to employing any worker (such permission hereinafter called "a permit").

(2) Regulations made for the purposes of sub-section (1) may-

(a) make different provisions in respect of different circumstances and different categories of workers;

(b) prescribe conditions to be met by employers and workers in respect of the filling of a vacancy;

(c) prescribe conditions to be met prior to the Director granting a permit;

(d) prescribe conditions to be met by an employer or a worker whilst the former is employing the latter under a permit;

(e) prescribe the circumstances in which the Director may, in his discretion, refuse to grant a permit;

(f) make provision for the period of validity of a permit and the circumstances in which and the period for which a permit may be renewed;

(g) provide for the circumstances in which the Director may revoke a permit and the procedures to be followed in respect of the intention to revoke a permit and the revocation of the permit;

(h) provide that a failure to comply with the requirements of any regulation, is an offence under this section;

(i) generally make provision in respect of notification and filling of vacancies and matters related to permits:

Provided that no provision shall be made in regulations under this section which is contrary to the requirements of Regulation 1612/ 68 of the European Community."

Amendment to section 24.

6. Section 24 of the principal Ordinance is amended by omitting the words "central employment exchange" and substituting therefor the word "Director".

Amendment to section 25.

7. Section 25 of the principal Ordinance is amended by omitting everything after the word "issued" and substituting therefor a fullstop.

Amendment to section 26.

8. Section 26 of the principal Ordinance is amended by omitting the words "identity carnet to the central employment exchange" and substituting therefor the words "civilian registration card issued under the Civilians Registration Ordinance to the Director".

Repeal of sections 14, 21, 22 and 23.

9. Sections 14, 21, 22 and 23 of the principal Ordinance are repealed.

Passed by the Gibraltar House of Assembly on the 3rd day of December, 1993.

D. REYES,
Acting Clerk to the Assembly.