

**SECOND SUPPLEMENT TO THE GIBRALTAR
GAZETTE**

No. 3688 of 4 December, 2008

LEGAL NOTICE NO. 93 OF 2008.

EMPLOYMENT ACT

**INDUSTRIAL TRIBUNAL (CALCULATION OF COMPENSATION)
(AMENDMENT) REGULATIONS 2008**

In exercise of the powers conferred on him by section 86 of the Employment Act and all other enabling powers, the Minister has made the following regulations—

Title.

1. These Regulations may be cited as the Industrial Tribunal (Calculation of Compensation) (Amendment) Regulations 2008.

Amendment of the Industrial Tribunal (Calculation of Compensation) Regulations 1992.

2. The Industrial Tribunal (Calculation of Compensation) Regulations 1992 are amended as follows—

(a) after regulation 1 insert—

“Interpretation.

1A. For the purposes of these Regulations—

“weekly minimum wage” means the amount prescribed as the minimum weekly remuneration payable under the Conditions of Employment (Standard Minimum Wage) Order 2001 as amended from time to time or under any such Order that prescribes the minimum weekly remuneration payable.”;

(b) in regulation 2, after “of the Act, shall be”, delete “not less than”; and

(c) in regulation 3–

(i) after “Act, shall be”, insert “the lesser of”; and

(ii) substitute for paragraph (b)–

“(b) the amount calculated as follows–

104 x (2 x the weekly minimum wage).”.

Dated 4th December, 2008.

L MONTIEL,

Minister with responsibility for Employment.

EXPLANATORY MEMORANDUM

These Regulations amend the Industrial Tribunal (Calculation of Compensation) Regulations 1992 in consequence of amendments to the standard minimum wage and, in particular, the repeal and replacement of the Conditions of Employment (Standard Minimum Wage) Order 1989. They also amend the basic award to a flat sum.