



No. 42 of 2005

I assent,

(SIR COLVILLE N. YOUNG)
Governor-General

29th November, 2005.

AN ACT to amend the Labour Act, Chapter 297 of the Laws of Belize, Revised Edition, 2000-2003, to increase the maternity leave entitlement of a female worker from twelve weeks to fourteen weeks on full pay; and to provide for matters connected therewith or incidental thereto.

(Gazetted 3rd December, 2005.)

BE IT ENACTED, by and with the advice and consent of the House of Representatives and the Senate of Belize and by the authority of the same, as follows: -

1. This Act may be cited as the

Short title.

LABOUR (AMENDMENT) ACT, 2005.

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and shall be read and construed as one with the Labour Act, which is hereinafter referred to as the principal Act.

Repeal and
replacement of
section 177.

2. Section 177 of the principal Act is hereby repealed and replaced by the following: -

Maternity
leave
entitlement.

"177. (1) In any public or private industrial or commercial undertaking or in any branch thereof, or in any agricultural undertaking or any branch thereof, a female worker shall be entitled to a total of fourteen weeks' maternity leave which shall be on full pay. Maternity leave shall be taken as follows: -

- (a) up to a maximum of seven weeks before the expected date of confinement on full pay;
- (b) the balance after the expected date of confinement on full pay;
- (c) two weeks before and seven weeks after the expected date of confinement shall be mandatory.

Provided that during the twelve months preceding her confinement she was employed by the same employer for a period of not less than one hundred and fifty days.

(2) Where, during the twelve months immediately preceding her expected date of confinement, a female worker was not employed by the same employer for a minimum period of one hundred and fifty days, she will be granted maternity leave without pay.

(3) In the case of a female worker who is entitled to maternity benefits under this section as well as under the Social Security Act, such worker shall receive maternity benefits under the Social Security Act, and in addition be entitled to be paid by her employer the difference, if any, between the maternity benefits under this section and those accruing under the Social Security Act.

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(4) No employer shall be liable to pay the medical expenses or any part thereof which have been incurred by a female worker during or attributable to her pregnancy or confinement.

(5) All applications for maternity leave shall be submitted at least ten weeks prior to the worker's expected date of confinement and shall be accompanied by a medical certificate from a qualified medical practitioner stating the expected date of confinement.

3. Section 178 of the principal Act is hereby amended by substituting the word and figure "section 177" for the words and figure "section 177 (1) (a) and (b)" occurring therein.

Amendment
of section 178.

4. This Act shall take effect from the 1st day of October, 2005.

Commencement.