

**National Servicemen (Employment) Act
(CHAPTER 202)**

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NATIONAL SERVICEMEN (EMPLOYMENT) ACT

(CHAPTER 202)

(Original Enactment: Act 28 of 1970)

REVISED EDITION 1985

(30th March 1987)

An Act for securing the employment of persons who have completed national service and for matters connected therewith.

[2nd January 1971]

Short title

1. This Act may be cited as the National Servicemen (Employment) Act.

Interpretation

2. In this Act, unless the context otherwise requires —
 - “employee” includes any person seeking employment;
 - “employer” includes any person desiring to employ other persons;
 - “register” means the register established and maintained under section 4;
 - “registered person” means a person whose name appears for the time being in the register.

Appointment of Director and Assistant Directors

3.—(1) The Minister may appoint an officer to be styled the Director of Employment (referred to in this Act as the Director), and may appoint such number of Assistant Directors of Employment as he may think fit.

(2) The Director shall have superintendence of all matters relating to this Act, subject to the direction and control of the Minister.

(3) The Assistant Directors may perform all the duties imposed and exercise all the powers conferred on the Director by this Act.

(4) All appointments made under this section shall be published in the *Gazette*.

Register

4.—(1) The Director shall establish and maintain a register of persons who have completed full-time national service under any written law for the time being in force relating to national service or enlistment.

(2) The register shall be maintained in such form, and entries therein, and alterations and removals of those entries, shall be made in such manner as the Minister may determine.

Powers of Minister to make orders directing employment of registered persons

5.—(1) The Minister may, by order published in the *Gazette*, direct that, after such date as may be specified therein, an employer to whom the order applies shall not, except with the written consent of the Director, engage or re-engage any employee otherwise than from among registered persons.

(2) No order made under subsection (1) shall apply to an employer who takes or offers to take into his employment at any time a person whom apart from that subsection it would have been his duty to take into employment either —

- (a) by virtue or any written law; or
- (b) by virtue of any agreement made before the commencement of this Act.

(3) An order made under subsection (1) may be made so as to apply —

- (a) either to all employers or to such employers or class of employers as may be specified in the order; and
- (b) either to all employees or to such employees or class of employees as may be specified in the order,

and may provide that any directions contained in the order shall not apply in any specified circumstances.

(4) Any employer who contravenes the provisions of an order made under subsection (1) shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000, and in respect of each employee employed by him in contravention of any such provision, to a further fine not exceeding \$50 for every day on which that employee is so employed.

(5) Where, in respect of the employment of any person, there has been any contravention of the provisions of an order made under subsection (1), the person shall not, by reason only of that contravention, be deemed to be employed under an illegal contract of employment.

(6) Any order made under subsection (1) may be varied or revoked by a subsequent order of the Minister published in the *Gazette*.