

CHAPTER 38:01

EQUAL RIGHTS ACT

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
2. Equal rights and opportunities for women and men.
3. Penalty; civil liability.
4. Power to make regulations.

An Act to make provision for the enforcement of the principles enshrined in article 29 of the Constitution so as to secure equality for women and for matters connected therewith. 19 of 1990

[31ST DECEMBER, 1990]

1. This Act may be cited as the Equal Rights Act. Short title.
2. (1) Women and men have equal rights and the same legal status in all spheres of political, economic and social life. Equal rights and opportunities for women and men.
(2) All forms of discrimination against women or men on the basis of their sex or marital status are illegal.
(3) Women and men shall be paid equal remuneration for the same work or work of the same nature.
(4) No person shall be ineligible for, or discriminated against, in respect of any employment, appointment or promotion in, or to, any office or position on the ground only of sex.
(5) No person shall, on the ground only of sex, be denied—
 - (a) access to academic, vocational and professional training; or

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(b) equal opportunities in social, political or cultural activity.

(6) Without prejudice to the generality of the foregoing provisions of this section it shall be discriminatory against women where in relation to employment—

(a) in arrangements made for the purpose of determining who should be offered employment;

(b) in the terms on which employment is offered;

(c) by the refusal or deliberate omission to offer employment;

(d) in the way access is afforded to opportunities for promotion, transfer or training or to any other benefits, facilities or services,

men are afforded more favourable opportunities or conditions than women or preference is given to men.

(7) Nothing in this section shall be deemed to prevent any employer from making special labour and health protection measures for women, or from making provision for conditions enabling mothers to work or for material and moral support for mothers and children, including paid leave and other benefits for mothers and expectant mothers.

(8) Where any written law makes provision for the search of any person, a woman shall be searched only by another woman and a man shall be searched only by another man.

(9) This section shall have effect notwithstanding anything contained in any other written law or contract to the contrary.

(10) In this section “remuneration” means any money or other thing, whether called salary, wage, allowance or by any other name, had or contracted to be paid, delivered or given as a recompense, reward or remuneration for any work or labour done or to be done,

whether within a certain time or to a certain amount, or for a time or an amount uncertain, and includes merit increment or other increment in such remuneration.

3. Any person who contravenes section 2 (2), (3), (4), (5), (6) or (8) shall, without prejudice to any civil liability, be liable on summary conviction to a fine of fifteen thousand dollars and imprisonment for six months and in the case of a continuing offence to a further fine of one thousand dollars for each day, after the first day, during which the offence continues.

Penalty; civil liability.
[6 of 1997]

4. (1) The Minister may make regulations for carrying out the purposes of this Act.

Power to make regulations.

(2) Without prejudice to the generality of the foregoing, and in particular, the Minister may make regulations to provide for all or any of the following matters—

(a) the principles for determining whether any work is of the same nature as any other work, or specifying that any work is of the same nature as any other work;

(b) any other matter that is required to be, or may be, prescribed by the Minister by regulations made under this Act.