

*Government Notice No. 202 of 2019***THE EMPLOYMENT RELATIONS ACT****Regulations made by the Minister under section 93 of  
the Employment Relations Act**

1. These regulations may be cited as the Attorneys' and Notaries' Workers (Remuneration) Regulations 2019.
2. In these regulations –
  - “clerk” means a person employed by an attorney or a notary for –
    - (a) the purpose of performing duties in connection with legal matters;
    - (b) attending courts and registration and mortgage office;
    - (c) performing such other duties relating or pertaining to the profession of attorney or notary;
  - “employee” –
    - (a) means a person employed by an attorney or a notary; but
    - (b) does not include an employee –
      - (i) whose basic wage or salary is at a rate exceeding 600,000 rupees in a year, except in relation to –
        - (A) paragraph 6 and Part II of the First Schedule; and
        - (B) sections 5, 26, 32, 33, 34, 49, 50, 52, 53, 54 and Parts VI, VII, VIII and XI of the Workers' Rights Act 2019;

- (ii) whose conditions of employment are governed by any other Remuneration Regulations;
- (iii) employed by a statutory body or a local authority, as the case may be, whose conditions of employment are governed by the recommendations made by the Pay Research Bureau, or a salary commission, by whatever name called;

“reasonable business grounds” means –

- (a) inability or impracticability to reorganise working arrangements of existing employees;
- (b) a detrimental effect on the ability to meet customers’ demand;

“secretary” means a person who is engaged, wholly or mainly, in typing documents according to given instructions and whose duties may include –

- (a) operating a telephone switchboard; and
- (b) receiving, recording and passing on telephone messages.

**3.** (1) Subject to the other provisions of this regulation and to regulation 5, every employee shall be –

- (a) governed by the conditions of employment specified in –
  - (i) the Workers’ Rights Act 2019; and
  - (ii) the First Schedule;
- (b) remunerated at the rate specified in the Second Schedule.

(2) Where the conditions of employment in the Workers' Rights Act 2019 are different from those in the First Schedule, the conditions specified in the First Schedule shall prevail.

(3) The rates specified in the Second Schedule include –

- (a) the appropriate national minimum wage payable under the National Minimum Wage Regulations 2017; and
- (b) the additional remunerations payable under the Additional Remuneration and Other Allowances (2018) Act 2017 and the Additional Remuneration and Other Allowances (2019) Act 2018.

(4) Subject to paragraph (5), where a salary scale applies to an employee, that employee shall be entitled to –

- (a) one increment for every year of service the employee reckons with his present employer in the same grade or category; and
- (b) one increment for every 2 years of service the employee reckons with his past employer in the same grade or category.

(5) Where a clerk passes the examination prescribed for ushers, that clerk shall, in addition to any increment payable under paragraph (4), be entitled to 2 increments.

4. Every employee shall be entitled to a rest of not less than 11 consecutive hours in any day.

5. Nothing in these regulations shall –

- (a) prevent an employer from –

- (i) providing the employee with conditions of employment which are more favourable than those specified in Part I of the First Schedule; or
  - (ii) remunerating an employee at a rate higher than that specified in the Second Schedule;
- (b) authorise an employer to –
- (i) reduce the wages of an employee; or
  - (ii) subject to section 57 of the Employment Relations Act, alter the conditions of employment of the employee so as to make them less favourable.

**6.** The Attorneys' and Notaries' Workers (Remuneration) Regulations 2010 are revoked.

**7.** These regulations shall come into operation on 24 October 2019.

Made by the Minister on 11 October 2019.

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**FIRST SCHEDULE**  
[Regulations 2, 3 and 5]

**CONDITIONS OF EMPLOYMENT**

**PART I – GENERAL CONDITIONS OF EMPLOYMENT**

**1. Normal working hours**

A normal working week of an employee shall –

- (a) consist of 32.5 hours of work, excluding time allowed for meal and tea breaks; and
- (b) be made up of 6.5 hours of work a day during 5 days of the week, other than a Saturday or a public holiday.

**2. Notional calculation of basic rate**

For the purpose of determining remuneration due for extra work or for any other reasons –

- (a) a month shall be deemed to consist of 22 days; and
- (b) a day shall be deemed to consist of 6.5 hours.

**3. Study leave**

(1) Where an employee remains in continuous employment with the same employer for 12 consecutive months, that employee shall –

- (a) be entitled to leave on full pay for the purpose of sitting for a legal examination;
- (b) be given at least half day's time off with pay twice a week for tuition for the purpose of preparing for a legal examination;

- (c) subject to subparagraph (2), be entitled to one month's leave on half pay for the purpose of preparing for a legal examination.

(2) No employee shall be entitled to the leave specified under subparagraph (1)(c) for more than 3 attempts at the same legal examination.

#### **4. Allowance to clerk**

Where a clerk has to spend the day at a distance of 5 kilometres or over from the normal place of employment for the purpose of the employer's business, the clerk shall be entitled to an allowance of 50 rupees.

#### **5. Vacation leave**

(1) Subject to subparagraphs (2) and (3), an employee, other than a migrant employee, who remains in continuous employment with the same employer for a period of at least 5 consecutive years, shall be entitled to a vacation leave of not more than 30 days, whether taken consecutively or otherwise, for every period of 5 consecutive years, to be spent abroad, locally or partly abroad and partly locally.

(2) Subject to subparagraph (8), any subsequent eligibility period of 5 consecutive years shall be computed after the employee resumes work after the vacation leave under subparagraph (1).

(3) Where an employee would have been eligible to take vacation leave under the revoked Attorneys' and Notaries' Workers (Remuneration) Regulations 2010 prior to, or within a period of less than 5 years from, 24 October 2019, the employee shall, upon completion of the prescribed period in the revoked regulations, be entitled to the vacation leave under subparagraph (1).

(4) The vacation leave shall be –

- (a) for a period of not less than 6 consecutive days; and
- (b) with pay and such pay shall, in case the employee opts to spend the leave wholly or partly abroad, be effected at least 7 working days before the employee proceeds abroad.

(5) The vacation leave shall be deemed to constitute attendance at work and shall not be cumulative.

(6) An employee shall, except in special circumstances, give not less than 3 months' notice when applying for the vacation leave and the leave shall, subject to reasonable business grounds, be acceded thereto by the employer.

(7) Where an employer cannot, on reasonable business grounds, accede to the request of an employee under subparagraph (6) –

- (a) the employee and the employer may agree on another period when the vacation leave is to be taken; or
- (b) in default of an agreement, the employer shall, pay to the employee a normal day's wage in respect of each day's leave applied for and such payment shall be effected in the month the leave was due to start.

(8) Where an employee is paid wages in lieu of the vacation leave under subparagraph (7), any subsequent eligibility period of 5 consecutive years shall be computed as from the date of payment of the leave.

## **6. Provision of black coat**

(1) An employer shall, every 2 years, provide a black coat to every employee who is required to attend Court.

(2) The first issue of the black coat shall be effected not later than the first time the employee is required to attend court and, thereafter, at the beginning of the year when court resumes.

(3) The black coat shall remain the property of the employer.

## **PART II – HEALTH AND SAFETY CONDITIONS**

### **7. Medical facilities**

Every employee shall, on the recommendation of an eye specialist, be paid an allowance of 3,000 rupees for the purchase of spectacles, every 2 years.

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**SECOND SCHEDULE**  
[Regulations 3 and 5]

<b>Category of employee</b>	<b>Year of service</b>	<b>Monthly basic wage (Rs)</b>
Clerk	1st year	10,001
	2nd year	10,157
	3rd year	10,318
	4th year	10,480
	5th year	10,635
	6th year	10,843
	7th year	11,050
	8th year	11,158
	9th year	11,365
	10th year	11,572
	11th year	11,832
	12th year	12,091
	13th year	12,350
	14th year	12,609
	15th year	12,920
	16th year	13,232
	17th year	13,543
	18th year	13,854
	19th year	14,191
	20th year & thereafter	14,554
Secretary	1st year	10,001
	2nd year	10,157
	3rd year	10,318
	4th year	10,480
	5th year	10,635
	6th year	10,843

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7th year	11,050
8th year	11,158
9th year	11,365
10th year	11,572
11th year	11,832
12th year	12,091
13th year	12,350
14th year	12,609
15th year & thereafter	12,920

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