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*Government Notice No. 217 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 Newspapers and Periodicals Employees (Remuneration) Regulations 2019.

2. In these regulations –

“accounts clerk” means an employee who performs one or more of the following duties –

- (a) receiving cash and keeping records;
- (b) preparing money for deposits in banks and arranging withdrawals;
- (c) effecting bank deposits and withdrawals;
- (d) making up wage packets and wage sheets;

“advertisement clerk” means an employee who performs one or more of the following duties –

- (a) liaising between a newspaper or periodical, or both, and advertising agents;
- (b) giving instructions relating to particulars of advertisements to the workshop of the undertaking;
- (c) preparing costs relating to advertisements;
- (d) attending to persons requesting advertisements;

“assistant documentalist” means an employee who assists a documentalist in his duties;

“caricaturist” means an employee who does one or more of the following duties –

- (a) creating cartoons to depict persons and events in caricature;
- (b) depicting any subject matter by means of a sequence of drawing or satirical or humorous portrayal;
- (c) preparing captions for cartoons;

“cashier” means an employee engaged wholly or mainly in dealing with cash or any currency and keeping books relevant to his duties;

“clerk” means an employee who performs clerical or similar duties;

“documentalist” means an employee who does one or more of the following duties –

- (a) collecting, organising and preserving records and historically valuable documents;
- (b) analysing and preparing brief descriptions of contents of documents available as reference material;
- (c) preparing indexes, bibliographies, microfilm copies of available documents and records and other reference aids;
- (d) assisting employees involved in research work;
- (e) assisting any person seeking information by making documents available to them;

“driver” means an employee who –

- (a) drives a motor vehicle for the transport of staff in the performance of their duties; or
- (b) drives a motor vehicle and distributes newspapers and periodicals to vendors, shops and stall holders;

“employee” –

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- (a) means a person employed in an undertaking publishing newspapers and periodicals; 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) 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;

“journalist” means an employee who performs one or more of the following duties –

- (a) interviewing persons, attending public functions and seeking information from other sources concerning his subject of interest;
- (b) writing reports and commentaries, interpreting the facts to give a personal assessment of their causes, consequences and likely implications;
- (c) specialising in a particular field relating to his employment;

“photographer” means an employee who –

- (a) takes photographs of events for use in newspapers and periodicals;

(b) develops films and makes prints and enlargements;

“proof reader” means an employee who performs one or both of the following duties –

- (a) comparing printers’ proofs with originals and marking errors for correction;
- (b) reading proof against copy and marking errors by means of a standardised code and returning marked proof for correction of type;

“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;

“receptionist/telephonist” means an employee who performs one or more of the following duties –

- (a) operating a telephone switchboard;
- (b) receiving, recording and passing telephone messages;
- (c) providing information to callers and directing them to persons called upon;
- (d) keeping records of callers;

“reporter” means an employee who performs one or more of the following duties –

- (a) collecting by interview, investigation, attendance at meetings, press conferences or by other means, relevant information for publication and undertaking special assignments;

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- (b) writing reports based on information collected;
  - (c) specialising in any particular type of news and being designated accordingly;

“*secrétaire de rédaction*” means an employee who, under the responsibility of an editor, performs one or more of the following duties –

- (a) checking and passing on instructions to the workshop of the undertaking and to proof readers;
- (b) deciding on the form, space and position allocated to articles;
- (c) planning page layout and checking final proof;
- (d) reading unsolicited manuscripts and making a selection from them for review by the editor;
- (e) replying to correspondence relating to publication matters;

“store clerk” means an employee who is responsible for the procurement, receipt, custody, issue and the keeping of records of goods in a store;

“trainee reporter” means an employee of at least 18 years of age employed for the purpose of learning the job of reporter and acquiring the appropriate skills;

“word processing operator” means an employee who performs one or more of the following duties –

- (a) typing and collating letters, memoranda and similar matters according to written, dictated or other information;
- (b) performing word processing and simple computer or data processing work or both;
- (c) operating a telefax and email services;

3. (1) Subject to the other provisions of this regulation and regulation 6, an 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) Where a salary scale applies to an employee, he shall be entitled to –

- (a) the initial salary specified in the scale which applies to him; and
- (b) one increment in respect of every year of service he reckons with his employer in the category in which he is employed.

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(5) The period of traineeship of a trainee reporter shall not exceed 2 years.

(6) The remuneration of employees specified in Group A of the Second Schedule shall be deemed to include, where applicable, payment for any overtime work and entertainment allowance.

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 an employee with conditions of employment which are more favourable than those specified in the First Schedule; or

(ii) remunerating the 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 Newspapers and Periodicals Employees (Remuneration Order) Regulations 2001 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(1)(a)(ii) and (2) and 5(a)(i)]

**CONDITIONS OF EMPLOYMENT****PART I – GENERAL CONDITIONS****1. Normal working hours**

(1) For employees of Group A of the Second Schedule, the following conditions shall apply –

- (a) the normal duty shall be of 5 days in a week, whether consecutive or not, including public holidays;
- (b) an employee shall be granted 2 days off duty every week to be mutually agreed between the employer and the employee or in default of agreement to be fixed by the employer; and
- (c) as far as convenient, public holiday work shall be fixed by rotation.

(2) For employees of Group B of the Second Schedule, the following conditions shall apply –

- (a) a normal working week shall consist of 45 hours; and
- (b) a normal day's work shall, excluding time allowed for meals, consist of 8 hours on each of 5 days of the week and 5 hours on one other day of the week.

**2. Extra work**

Every employee of Group B of the Second Schedule who –

- (a) works on a public holiday, shall be remunerated –



- (i) for the first 8 hours, at twice the basic rate; and
- (ii) thereafter, at 3 times the basic rate;
- (b) performs more than a normal day's work on any day other than a public holiday shall be remunerated at one and a half times the basic rate.

### **3. Notional calculation of basic rate for employees of Group A and B**

(1) A day's pay for an employee of Group A of the Second Schedule shall be deemed to be  $\frac{1}{22}$  of his appropriate monthly salary.

(2) For the purpose of determining remuneration payable to employees of Group B of the Second Schedule for extra work or for any other cause –

- (a) a month shall be deemed to consist of 26 days; and
- (b) a day shall be deemed to consist of 8 hours.

### **4. Meal allowance**

(1) Every employee of Group A of the Second Schedule shall be entitled to a meal allowance of 85 rupees when on assignment which lasts beyond 7 p.m..

(2) Every employee of Group B of the Second Schedule who is required to perform more than 2 hours' extra work after having completed his normal day's work on any day of the week, shall, in addition to any remuneration due for overtime work, be provided by the employer with an adequate free meal or be paid a meal allowance of 85 rupees.

(3) The meal allowance referred to in this paragraph shall be paid not later than on the last working day of the pay period.

## **5. Information technology allowance**

Every employee of Group A of the Second Schedule shall be entitled to an information technology allowance of 500 rupees per month.

## **6. Death grant**

(1) Where an employee who has remained in continuous employment with the same employer for not less than 12 consecutive months dies, the employer shall pay a death grant equivalent to one month's salary to –

- (a) his spouse; or
- (b) where the employee leaves no spouse, the person who satisfies the employer that he has borne the funeral expenses.

(2) In this section –

“spouse” means the person with whom the employee contracted a civil or religious marriage and with whom the employee was living under a common roof at the time of the employee's death.

## **7. Vacation leave to employees of Group B, reporter, caricaturist and photographer**

(1) Subject to subparagraphs (2) and (3), an employee of Group B, a reporter, caricaturist and photographer, 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

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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 the employee would have been eligible to take vacation leave under the revoked Newspapers and Periodicals Employees (Remuneration Order) Regulations 2001 prior to, or within a period of less than 5 years from, 24 October 2019, the employee shall, on 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) The 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 to by the employer.

(7) Where an employer cannot, on reasonable business grounds, accede to the request of the 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 in which the leave was due to start.

(8) Where the 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.

(9) (a) Subject to this paragraph, every employee of Group B of the Second Schedule, every reporter, caricaturist and photographer shall be entitled to passage benefits for foreign travel at the rate of 3 per cent of his annual wages.

(b) The foreign travel shall be at intervals of not less than 5 years.

(c) Every employee specified in sub subparagraph (a) not desirous of travelling abroad shall not be entitled to cash payment in lieu of passage benefits, but he shall be entitled to a maximum of 75 per cent of the accumulated passage benefits to be used to cover his expenses if he chooses to spend his vacation at a holiday resort in Mauritius.

## **8. Passage benefits to journalist and secrétaire de rédaction**

(1) Subject to this paragraph, every journalist and *secrétaire de rédaction* shall be entitled to passage benefits for foreign travel at the rate of 3 per cent of his annual wages.

(2) The passage benefits specified in subparagraph (1) shall accrue as from –

- (a) 1 January 1990 for journalist; and
- (b) 1 June 2001 for *secrétaire de rédaction*.

(3) The foreign travel shall be at intervals of not less than 5 years.

(4) Every journalist and *secrétaire de rédaction* proceeding abroad under subparagraph (1) shall be entitled to 2 months' leave with pay.

(5) A journalist and a *secrétaire de rédaction* not desirous of travelling abroad shall not be entitled to cash payments in lieu of passage benefits.

## **9. Refund to reporters, journalists and caricaturists**

Every reporter, journalist and caricaturist who takes photographs in the performance of his work shall be refunded the actual expenses incurred by him for such photographs.

## **10. Tape recorders**

(1) Every employer shall provide a tape recorder to every reporter or journalist.

(2) A tape recorder provided under subparagraph (1) shall remain the property of the employer.

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

### **11. Optical benefits**

(1) Every employee shall be provided, free of charge, by the employer with a pair of spectacles on the recommendation of an eye specialist.

(2) (a) The cost of spectacles up to a maximum of 2,000 rupees shall be refunded to the employee by the employer.

(b) The spectacles shall be renewed as and when they become unserviceable.

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**SECOND SCHEDULE**  
[Regulations 3(1)(b), (3) and (6) and 5(a)(ii)]

**GROUP A**

Category of employee	Year of service	Monthly salary (Rs)
Journalist, <i>Secrétaire de rédaction</i>	1st year	15,415
	2nd year	15,779
	3rd year	15,943
	4th year	16,254
	5th year	16,654
	6th year	17,069
	7th year	17,500
	8th year	17,946
	9th year	18,410
	10th year & thereafter	18,891
Reporter, Photographer, Caricaturist	1st year	11,362
	2nd year	11,543
	3rd year	11,730
	4th year	11,979
	5th year	12,164
	6th year	12,421
	7th year	12,626
	8th year	12,839
	9th year	13,060
	10th year	13,285
	11th year	13,514
	12th year	13,750

	13th year	13,992
	14th year	14,234
	15th year & thereafter	14,479
Trainee Reporter	1st year	9,860
	2nd year	9,996

### GROUP B

Category of employee	Year of service	Monthly salary (Rs)
Documentalist	1st year	12,151
	2nd year	12,420
	3rd year	12,639
	4th year	12,876
	5th year	13,115
	6th year	13,345
	7th year	13,591
	8th year	13,845
	9th year	14,112
	10th year & thereafter	14,370
Proof Reader	1st year	9,860
	2nd year	10,001
	3rd year	10,134
	4th year	10,285
	5th year	10,497
	6th year	10,657



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	7th year	10,857
	8th year	11,021
	9th year	11,187
	10th year & thereafter	11,248
Clerk/Word Processing Operator	} 1st year	9,708
	} 2nd year	9,854
	3rd year	10,006
	4th year	10,151
	5th year	10,316
	6th year	10,540
	7th year	10,715
	8th year	10,941
	9th year	11,110
	10th year & thereafter	11,194
Assistant Documentalist	1st year	9,795
	2nd year	9,891
	3rd year	9,998
	4th year	10,094
	5th year	10,203
	6th year	10,308
	7th year	10,482
	8th year	10,587
	9th year	10,708
	10th year & thereafter	10,871

Receptionist/Telephonist	1st year	8,980
	2nd year	9,072
	3rd year	9,153
	4th year	9,248
	5th year	9,333
	6th year	9,427
	7th year	9,531
	8th year	9,626
	9th year	9,733
	10th year & thereafter	9,831
Advertisement Clerk, Accounts Clerk, Store Clerk, Cashier	1st year	10,126
	2nd year	10,279
	3rd year	10,492
	4th year	10,656
	5th year	10,859
	6th year	11,025
	7th year	11,194
	8th year & thereafter	11,258
Driver	1st year	9,529
	2nd year	9,682
	3rd year	9,828
	4th year	9,980
	5th year & thereafter	10,125

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