

where there is collective agreement which regulates terms and conditions of employment in an enterprise or industry, the relevant Remuneration Regulations shall not apply to that enterprise or industry; and

- (2) in section 57 of the Employment Relations Act, to add after subsection (2), the following new subsection

*"(3) A collective agreement shall not be affected following the coming into operation of any enactment, except where both parties to the agreement consent to the variation thereof."*

- (b) To repeal the relevant provisions of the SIE Act in relation to the VRS/ERS (section 23 and 23(A)) so that sugar companies can proceed with the reduction of work force in accordance with section 39B of the Employment Rights Act 2008. It is to be noted that all sugar companies contribute to the Workfare Programme since its setting up as from 2009 just like any other enterprise in Mauritius, yet the workers are not entitled to the benefits of this scheme.
- (c) For any future closure of a sugar factory, the provision of the Blue Print on Centralization of Milling Activities shall no longer be applicable and the reduction of work force shall be in accordance with section 39 B of the Employment Rights Act 2008.
- (d) To repeal sections 20 and 21 of the SIE Act and Part VII of the Employment Rights Act concerning "Entitlement of workers in the Sugar Industry" which regulates the employment of seasonal workers and workers employed by job contractors, the objective being to create a level playing field for all sectors and to remove all restrictions regarding employment of seasonal labour, in particular during the crop season.
- (e) To amend the National Pensions Act to harmonize the rate of contributions of the sugar industry to the Fund to that of other sectors, i.e. 6% instead of a higher rate of 10.5%.
- (f) In order to provide work flexibility and facilitate the running of sugar factories on a regime of 7 days' week during the crop season, to amend paragraph 1 of the Second Schedule to the Sugar Industry (Agricultural) Remuneration Order and paragraph 2 of the Sugar Industry (Non-Agricultural) Remuneration Order