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PART-IV

PROVINCIAL ASSEMBLY OF SINDH NOTIFICATION KARACHI, THE 12TH APRIL, 2016.

NO.PAS/Legis-B-04/2016-The Sindh Employees' Social Security Bill, 2016 having been passed by the Provincial Assembly of Sindh on 29th February, 2016 and assented to by the Governor of Sindh on 21st March, 2016 is hereby published as an Act of the Legislature of Sindh.

THE SINDH EMPLOYEES' SOCIAL SECURITY ACT, 2016.

SINDH ACT NO. VI OF 2016.

AN ACT

to introduce a scheme of Social Security for providing benefits to certain employees or their dependents in the event of sickness, maternity, employment, injury or death and for matters ancillary thereto.

Preamble.— WHEREAS it is expedient to introduce a scheme of Social Security for providing benefits to certain employees or their dependents in the event of sickness, maternity, employment, injury or death, and for matters ancillary thereto;

It is hereby enacted as follows:-

**CHAPTER-I
PRELIMINARY**

1. Short title, extent, commencement and application.— (1) This Act may be called the Sindh Employees' Social Security Act, 2016.

(2) It shall extend to the whole of the Province of Sindh.

(3) It shall come into force at once, but shall apply only to such areas, classes of persons, industries or establishments, from such date or dates, and with regard to the provision of such benefits as Government may, by notification, specify in this behalf.

2. Definitions.— In this Act, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them; that is to say—

(1) "appointed day" means in relation to any area, class of persons, industries, establishments or benefits, the day on which this Act is applied to such area or in respect of such class of persons, industries, establishments or benefits;

(2) "Chairman" means the Chairman of the Governing Body;

(3) "Commissioner" means the Commissioner of the Institution;

(4) "confinement" means labour resulting in the issue of a living child, or labour after twenty-six weeks of pregnancy resulting in the issue of a child, whether alive or dead;

(5) "contribution" means the sum of money payable to the Institution by an employer in respect of an employee, in accordance with the provisions of this Act;

(6) "dependent" means the wife or wives or a needy invalid husband, dependent parents and any unmarried children under the age of twenty-one years dependent upon the secured person :

Provided that such age limit shall not apply to unmarried dependent daughters;

(7) "disablement" means a condition caused by an employment injury which, as certified by a medical practitioner authorized for the purpose as provided in the regulations, has permanently reduced or is likely to reduce permanently a secured person's earning capacity, and disablement shall be "minor" where the loss of earning capacity is less than twenty per centum, "partial" where the loss of earning capacity ranges from twenty-one per centum to sixty-six per centum, and "total" where the loss of earning capacity is in excess of sixty-six per centum;

(8) "domestic servant" means any person working whole-time in connection with the work of any household for any consideration, whether in cash or in kind;

- (9) "employee" means any person employed, whether directly or through any other person for wages or otherwise to do any skilled or unskilled, supervisory, clerical, manual or other work in, or in connection with the affairs of an industry or establishment, under a contract of service or apprenticeship, whether written or oral, expressed or implied but does not include –
- (a) persons in the service of the State, including members of the Armed Forces, Police Force and Railway servants;
 - (b) persons employed in any undertaking under the control of any Defence Organization or Railway Administration;
 - (c) persons in the service of a local council, a municipal committee, a cantonment board or any other local authority;
 - (d) any person in the service of his father, mother, wife, son or daughter, or of her husband;
 - (e) any person employed on wages as determined under section 75;

Provided that an employee shall not cease to be an employee for the reason that his monthly wages exceed the wages determined under section 75;

- (10) "employer" means in the case of works executed or undertakings carried on by any contractor or licensee on behalf of the State, the contractor or licensee working for the State, and in every other case the owner of the industry, business, undertaking or establishment in which an employee works and includes any agent, manager or representative of the owner;
- (11) "employment injury" means a personal injury to a secured person caused by an accident or by such occupational disease as may be specified in the regulations, arising out of and in the course of his employment;
- (12) "establishment" means an organization, whether industrial, commercial, agricultural or otherwise;
- (13) "Fund" means the Employees' Social Security Fund set up under section 3;
- (14) "Governing Body" means the Governing Body of the Institution;
- (15) "Government" means the Government of Sindh;
- (16) "industry" means any business, trade, undertaking, manufacture or calling of employers, and includes any calling, service, employment, handicraft, industrial occupation or avocation of workmen;
- (17) "Institution" means the Employees' Social Security Institution established under section 3;
- (18) "Medical Advisor" means the Medical Advisor appointed under section 15;

