

REPUBLIC



OF CYPRUS

205(I) of 2002
191(I) of 2004
40(I) of 2006
176(I) of 2007
39(I) of 2009
150(I) of 2014
86(I) of 2021.

**THE EQUAL TREATMENT BETWEEN MEN AND WOMEN IN
EMPLOYMENT AND VOCATIONAL TRAINING LAW, 2002**

(English translation and Consolidation)

Office of the Law Commissioner

Nicosia,

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CONTENTS

	<u>Page</u>
Note for the Reader	iii
The Equal Treatment Between Men and Women in Employment and Vocational Training Law, 2002 (English translation and Consolidation)	1
Note	55

NOTE FOR THE READER

The publication at hand by the Office of the Law Commissioner is an English translation and Consolidation of Law No.205(I) of 2002, as amended by Laws 191(I) of 2004, 40(I) of 2006, 176(I) of 2007, 39(I) of 2009, 150(I) of 2014, 86(I) of 2021, enacted in Greek.

However useful the English translation of the Law is in practice, it does not replace the original text of the Law since only the text published in the Official Gazette of the Republic is authentic.

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205(l) of 2002
191(l) of 2004
40(l) of 2006
176(l) of 2007
39(l) of 2009
150(l) of 2014
86(l) of 2021.

THE EQUAL TREATMENT BETWEEN MEN AND WOMEN
IN EMPLOYMENT AND VOCATIONAL TRAINING
LAW OF 2002

Preamble.

For the purpose of harmonisation with the European
Community Acts with the title—

Official Journal
of the E.U: l39 of
14.2.1976, page
40.

(a) “Council Directive 76/207/EC of 09 February 1976,
on the implementation of the principle of equal
treatment for men and women as regards access to
employment, vocational training and promotion,
and working conditions” (OJ L 39 of 14.2.1976,
page 40); and

Official Journal
of the E.U: l4 of
20.1.1998, page 6.

(b) “Council Directive 97/80/EC of 15 December 1997,
on the burden of proof in cases of discrimination
based on sex” (OJ L 14 of 20.1.1998, page 6),

Official Journal of
the E.U: L.269.
5.10.2002, pages
15-20.

(c) “Directive 2002/73/EC of the European Parliament
and of the Council of 23 September 2002,
amending Council Directive 76/207/EEC on the
implementation of the principle of equal treatment
for men and women as regards access to
employment, vocational training and promotion,
and working conditions;

Official Journal of
the E.U: L.204, 2-
64.7.2006, pages
23-26.

(d) “Directive 2006/54/EC of the European Parliament and of the Council of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast).

The House of Representatives enacts as follows:

Short title.

19(I) of 2004
40(I) of 2006
176(I) of 2007
39(I) of 2009
150(I) of 2014
80(I) of 2022.

1. This Law may be cited as the Equal Treatment Between Men and Women in Employment and Vocational Training Law of 2002.

Interpretation.

2. For the purposes of this Law, unless the context otherwise requires -

“announcement” shall mean any notice of information, advertisement or other statement to the public or to a specific person or persons, irrespective of the way and the mean used to make such announcement;

“arrears of salary” shall mean the salary or wage and all other benefits provided, directly or indirectly, in cash or in kind, by the employer to the worker, due to the employment relationship, and of which the worker has been deprived due to the infringement of this law;

“actions” also includes any omission;

“competent authority” means the Minister of Labour and Social Insurance;

“Committee” means the Committee of Gender Equality in Employment and Vocational Training, formed under section 22 of this Law;

2 of 191(l) of 2004.

“Commissioner for Administration” shall mean the Commissioner for Administration in office from time to time under the Commissioner for Administration Law;

3 of 1991
98(l) of 1994
101(l) of 1995
1(l) of 2000
36(l) of 2004
158(l) of 2011
45(l) of 2014.

2(a) of 40(l) of 2006
2(b) of 39(l) of 2009.

“discrimination on grounds of sex” means any direct or indirect discrimination, including sexual harassment or harassment and any less favourable treatment based on a person’s rejection or submission to such contact, or harassment, as well as any less favourable treatment of a woman in relation to pregnancy, childbirth, breastfeeding, maternity or sickness due to pregnancy or childbirth, but not including positive actions, while any instruction or order to discriminate against persons on grounds of sex shall constitute discrimination on grounds of sex;

2(a) of 40(l) of
2006
2(a) of 39(l) of
2009.

“direct discrimination on grounds of sex” occurs where one person is treated less favourably, on grounds of sex, than another is, has been or would be treated in a comparable situation;

“dismissal” means the termination on behalf of the employer of the contract or the employment relationship or the termination of the employment, for any reason whatsoever, whether this reason concerns the employer or/and the worker, or it is irrelevant to them. The termination of the employment on behalf of the worker due to the employer’s behaviour also constitutes a dismissal.

“employment” means the provision of work or services in return for payment, based on an individual contract or working relationship or apprenticeship relationship or other individual contract or relationship, governed either by private or public law, in any sector or field of activity, private or public, including the Public Service, the Judicial Service, the Public Educational Service, the Local Administration Authorities, the legal entities or organisations of public or private law, the Armed Forces and the Security Forces;

“employer” shall mean the government of the Republic, the Local Authorities and every natural person or legal entity or organisation of public or

private law, in any public or private sector or field of activity, where workers work or worked;

“Government of the Republic” includes the Public Service, the Judicial Service, the Public Educational Service, the Armed Forces and the Security Forces;

2(b) of 40(l) of 2006.

“harassment” means unwanted conduct related to the sex of a person with the purpose or effect of violating the dignity of a person, in particular when creating an intimidating, hostile, degrading, humiliating or offensive environment;

2(a) of 40(l) of 2006.
2(c) of 39(l) of 2009.

“indirect discrimination on grounds of sex” occurs where an apparently neutral provision, criterion or practice would put persons of one sex at a particular disadvantage compared with persons of the opposite sex, unless that provision, criterion or practice is objectively justified by a legitimate aim and the means of achieving that aim are appropriate and necessary;

“industrial dispute” means any dispute arising from the implementation of this Law, as well as any supplementary or incidental issue (a) between workers or candidates for employment and employers or their successors, (b) between workers or their successors, (c) between trainees or candidates in vocational education or training and the

providers of vocational orientation, education or training or in any way those participating in their organisation, provision or financing or their successors, (d) between independent professionals or candidates for independent professions and the legal entities or organisation of public or private law regulating the access to the independent profession, the terms and conditions of practicing such profession or cessation of such profession or the access to education or training, including internship required for accessing and practicing such independent profession;

“Minister” means the Minister of Labour and Social Insurance.

“negligence” has the meaning assigned to this term by the Civil Offences Law;

Cap.148
87 of 1973
54 of 1998
156 of 1985
41 of 1989
73(I) of 1992
101(I) of 1996
49(I) of 1997
29(I) of 2000.

“principle of equal treatment” means the absence of discrimination whatsoever on grounds of sex, either directly or indirectly, by reference in particular to marital or family status, in respect of any of the matters regulated by this Law;

“positive actions” means measures that, with a view to ensuring full and actual equality between men and women in professional life, provide for specific advantages for persons of the sex that is less represented in jobs or ranks of professional hierarchy or sectors of vocational education, mostly for women, in order to enable them to exercise a professional activity or, which prevent or compensate disadvantages in the professional career of such persons. Measures for the protection of women due to pregnancy, childbirth, breastfeeding or maternity do not constitute positive actions;

“practice” means any repeated unilateral action taken by any natural person or legal entity or organisation of public or private law, regardless the way it is manifested, which is relevant to the issues regulated by this Law;

“protective rules” means all rules of any nature and origin, including those included in the provisions of laws, administrative acts, internal rules of undertakings, job descriptions and collective agreements, protecting women from specific works or working conditions, other than the rules of protection of women due to pregnancy, childbirth, breastfeeding or maternity;

“sexual harassment” means any unwanted physical, verbal or non-verbal conduct of a sexual nature with the purpose or effect of violating the dignity of a person, in particular when creating an intimidating, hostile, degrading, humiliating or offensive environment, during employment or vocational education or training or when accessing employment or vocational education or training;

“Unilateral aggravated changes of employment conditions” means any act or omission or behaviour on behalf of the employer or another person, who is in charge of or responsible for setting out or amending the employment conditions, causing direct or indirect, material or moral damages to the worker or affects, in any way, the worker’s personality or dignity;

“vocational education/training” means any form of education or training aiming at acquiring a formal or substantial qualification or a particular skill for practicing a profession, for employment or work, regardless of age and level of training of the learners or trainees, even if the teaching programme includes parts of general education;

“worker” means any man and woman who works or is apprenticed full-time or part-time, for a specific or indefinite, continued or not, period of time, regardless of

the place of work, including those who work from home, but not including self-employed persons;

Scope.
3 of 39(I) of 2009.

3. This Law aims at the implementation of the principle of equal treatment between men and women as regards access to vocational orientation, education and training and the terms and conditions for their provision, the access to employment and independent professions, the terms and conditions of employment, including promotion, the terms and conditions of dismissal, as well as the membership and involvement in organisations of workers or employers.

Field of application and exemptions.

4.— (1) This Law shall apply to all workers, with regard to all activities related to employment.

3 of 40(I) of 2006.

(2) Occupational activities included in the Table, are exempted from the implementation of the provisions of paragraph (a) of subsection (1) and subsections (2) and (3) of section 7 of paragraph (a), subsection (1) and subsections (2) and (3) of section 8 and subsections (1), (2) and (3) of section 10, for the reason that a characteristic related to sex shall constitute a genuine and determining factor. The specific reasons of exemption for each activity, are also included in the said Table. These exemptions apply where the objective is legitimate, and the above requirement fulfils the objective of the principle of proportionality.

Table

(3) The exemptions referred to in subsection (2) of this section shall be revised by the competent authority, upon consultation with the Labour Advisory Board, at intervals not exceeding five years, in order to consider, taking into consideration the social development, whether they should be maintained. The results of this revision shall be notified to the European Commission periodically and in any event at least every eight (8) years.

(4) This Law shall apply without prejudice to the protection of woman, especially as regards to pregnancy, childbirth, breastfeeding and maternity. A woman on maternity leave shall be entitled, after the end of her period of maternity leave, to return to her job or to an equivalent post on terms and conditions which are no less favourable to her and to benefit from any improvement in working conditions to which she would have been entitled during her absence. This Law shall apply without prejudice to the provisions of the Parental Leave for Reasons of Force Majeure Law of 2002¹.

69(l) of 2002
111(l) of 2007
11(l) of 2010
47(l) of 2012.

2 of 176(l) of 2007. (5) Any less favourable treatment of a woman due to pregnancy or maternity leave within the meaning of the

100(l) of 1997
45(l) of 2000
64(l) of 2002
109(l) of 2007

¹ Law 69(l) of 2002 is repealed by section 22 of the Parental Leave and Leave for Reasons of Force Majeure Law of 2012, L.47(l) of 20012.

8(l) of 2008
43(l) of 2008
70(l) of 2011
175(l) of 2015
118(l) of 2016
116(l) of 2017
20(l) of 2018
11(l) of 2019
167(l) of 2021.

Protection of Maternity Law constitutes discrimination within the meaning of this Law.

Equal treatment between men and women – Conditions of liability of the offender

5 of 39(l) of 2009.

5.— (1) Men and women enjoy equal treatment as regards to the sectors of section 3 and any discrimination on grounds of sex is prohibited within the meaning of this Law, by reference in particular to marital or family status.

(2) The absence of fault does not exclude the illegal nature of the discrimination nor the liability of the person who infringes any provision of this Law.

(3) Direct discrimination, as opposed to indirect discrimination, cannot be justified.

Positive actions

6. Positive actions comply with this Law and serve its purpose. They may be the content of collective agreements or other agreements between employers and workers or the content of a programme of equal opportunities and treatment in an undertaking or service, public or private, for a trainee with the agreement of the employer and the representatives of workers.

Vocational guidance, education and training – Access and terms and

7.— (1) Men and women enjoy equal treatment and any discrimination on ground of sex shall be prohibited -

conditions for their provision.

6(α) του 39(Ι) του 2009
6(b) of 39(I) of 2009.

(a) as to the access to all types and levels of vocational guidance, vocational education and training or apprenticeship, vocational advanced training and retraining, education for change of profession or work, information of workers or candidates to employment or their families, including practical work experience, and in general programmes contributing to professional, financial and social progress and development of these persons,

(b) as to the terms and conditions of provision and the content of services referred to in subsection (1) of this section, the content and implementation of relevant programmes of theoretical and practical nature, the terms and conditions of their monitoring, as well as the provision, the content and the validity of the relevant diplomas or other certificates of attendance or completion of a course of education or training.

(2) The provision of subsection (1) of this section concerns mainly the content, formulation or/and implementation of provisions or terms of laws, administrative acts, job descriptions, internal rules of undertakings, and individual or collective agreements or agreements of any nature, notices or advertisements, relating to the issues referred to in paragraph (b) of subsection (1) of this section or relating to the system,

the criteria or the selection procedure, the qualifications of candidates, the terms and conditions of candidature or participation in the contest or other selection procedure, as well as any practice relating to these issues.

(3) The provisions of this section shall apply to every employer, where he organises or provides or finances the services referred to in subsection (1) of this section or participates in any way in the organisation or provision or financing of these services, within or outside private or public education institutes, undertakings or services, including the schools or other training centres of the Armed Forces and Security Forces, as well as the private or public services of any nature or labour market agencies or/and the provisions of any support to unemployed. They also apply to every natural person or legal entity or organisation that publishes or publicly discloses, in any way and by any mean, notices or advertisements, originating from that person or from a third party, in relation to the issues regulated by this section.

Access to
employment,
terms and
conditions of
employment.
7 of 39(I) of 2009.

8.— (1) Men and women enjoy equal treatment and any discrimination on ground of sex shall be prohibited-

(a) as to the access to employment or a post, permanent or temporary, full-time or part-time, continuous or not, and in all ranks of professional hierarchy;

(b) as to the laying down and implementation of the terms and conditions of employment, including qualifications and other terms, conditions and criteria of placement, appointment, inclusion, transfer, movement, secondment or promotion.

(2) The provision of subsection (1) of this section is mainly about the content, formulation or/and implementation of provisions or terms of laws, administrative acts, job descriptions, internal rules of undertakings, and individual or collective agreements or agreements of any nature, notices or advertisements, relating to the description of duties of each job or work, the terms and conditions of its performance, the system and criteria of assessment or/and promotion, the working hours, all benefits or allowances connected to each post or rank of employment, the leaves for any reason, paid or unpaid, as well as any relevant practice connected to these issues.

(3) The provisions of this section shall apply to every employer, public or private services of any nature or labour market agencies, as well as to any natural person or legal entity or organisation that publishes or publicly discloses, in any way and by any mean, notices or

advertisements, originating from that person or from a third party, in relation to the issues regulated by this section.

Dismissal.
8 of 39(I) of 2009.

9.— (1) Men and women enjoy equal treatment and any discrimination on ground of sex shall be prohibited, as to the terms and conditions of dismissal from any job or work.

(2) This section shall apply to every employer and mainly concerns the content, formulation or/and implementation of provisions or terms of laws, administrative acts, job descriptions, internal rules of undertakings, individual or collective agreements, notices or advertisements, relating to the laying down or implementation of terms, conditions and procedures of dismissal, as well as any relevant practice connected to these issues.

Membership in an organisation of workers or employers.
9 of 39(I) of 2009.

9A. Men and women enjoy equal treatment and any discrimination on ground of sex as to their membership and participation in an organisation of workers or employers or any organisation whose members carry on a particular profession, including the benefits provided for by such organisations, shall be prohibited.

Access to liberal professions and their practice.
10 of 39(I) of 2009.

10.— (1) Men and women enjoy equal treatment and any discrimination on ground of sex as to the access to an independent profession, the terms and conditions of

the practice and termination thereof and the access to education or training, including the internship required to access such independent profession and its practice, shall be prohibited.

(2) This section mainly about the content, formulation or/and implementation of rules of any nature and origin, regulating the issues referred to in subsection (1) of this section and the notices and advertisements relating to these issues, as well as any practice relating to these issues.

(3) The provisions of this section shall apply to every natural person or legal entity or organisation of private or public law, responsible for the matters referred to in subsection (1) of this section.

Unfavourable treatment of pregnant women or mothers.

11.— (1) The provisions of sections 7, 8, 9 and 10 of this Law shall also apply to any direct or indirect unfavourable treatment of women due to pregnancy, childbirth, breastfeeding, maternity or sickness due to pregnancy or childbirth.

(2) The unfavourable treatment of a woman in one of the conditions referred to in the previous subsection shall be presumed to be due to one of these conditions, until there is evidence to the contrary.

12.-(1) Any act of any natural person or legal entity, either isolated or repeated, which constitutes harassment or sexual harassment or constitutes direct or indirect unfavourable treatment due to, in any way, repel or complaint for harassment or sexual harassment, with regard to the matters regulated by sections 7, 8, 9 and 10, is prohibited. A person's rejection of, or submission to, such conduct may not be used as a basis for any decision affecting that person.

(2) The employers and representatives of legal entities or organisations referred to in subsection (3) of sections 7, 8 and 10 should protect the workers, learners, trainees or candidates for employment, vocational education or training, from any act of their supervisor or the person who is responsible for the issues referred to in sections 7, 8, 9 and 10 or any other worker, learner or trainee, which constitutes discrimination based on sex and especially harassment or sexual harassment and from any act that constitutes direct or indirect unfavourable treatment due to, in any way, repel or complaint for harassment or sexual harassment.

(3) The employers and representatives of legal entities or organisations referred to in subsection (3) of sections 7, 8 and 10 are obliged, towards the person who was subjected to the harassment or sexual harassment or/and the direct or indirect unfavourable treatment due to repel or complaint for harassment or sexual harassment, by his/her supervisor or the person who is

responsible for the issues referred to in sections 7, 8, 9 and 10 or any other worker, learner or trainee, immediately after the specific harassment or sexual harassment or their consequences has come to their knowledge, to take all appropriate measures to stop it and make sure that it does not reoccur, as well as to lift their consequences. Otherwise, they shall be jointly and severally responsible with the supervisor or the person who is responsible for the matters referred to in sections 7, 8, 9 and 10 or the worker, the learner or trainee who committed the actions prohibited by subsection (1).

(4) The employers and representatives of legal entities or organisations referred to in subsection (3) of sections 7, 8 and 10 are obliged to take all appropriate and valid measures to prevent the acts referred to in subsection (1), occurring generally in the field of their competence, and, they shall be deemed to have taken such measures when they introduce a code of conduct against the acts referred to in subsection (1) and take sufficient practical measures for the implementation of the provisions of such code. Where this is not the case the acts prohibited by virtue of subsection (i) are committed by a supervisor or the person who is responsible for the issues referred to in sections 7, 8, 9 and 10 or any other worker, learner or trainee, they shall be jointly and severally responsible with such persons.

2 of 86(l) of 2021.

(5) Subject to the provisions of subsection (4), the code of conduct shall be prepared by the employers and/or

the representatives of legal entities or organisations provided for by the provisions of subsection (3) of section 7, subsection (3) of section 8 and subsection (3) of section 10:

Provided that social partners may set out the type of code of conduct under preparation, with reference to the provisions of subsection (2) and transmit it to their members.

2 of 86(I) of 2021. (6) The code of conduct provided for by this section shall be prepared in a way that is understood by the parties concerned and include the following:

- (i) description of the scope of application thereof;
- (ii) definitions of the punishable actions of sexual harassment, harassment, unwanted behaviour and other similar behaviours;
- (iii) description of behaviours that constitute the constituent and subjective element of punishable actions;
- (iv) the possibility to submit a complaint to the competent bodies;
- (v) the relevant obligations of the employers, workers and trade unions;

(vi) the measures and procedure for dealing with behaviours that constitute punishable actions; and

(vii) anything else deemed necessary so the code can be effective and fulfil the object for which it was prepared:

2 of 86(l) of 2021.

Provided that in every legal entity or organisation there shall be a three-member committee responsible for the observance of the code of conduct and/or the regulation of any other issue arising from its implementation:

2 of 86(l) of 2021.

Provided further that where, due to the size of the legal entities or organisations, the establishment of a three-member committee is not enable in accordance with the above, the said competence responsibility shall be assigned to an officer appointed by them.

Information of workers and employers.

13.— (1) The competent authority should inform the workers and employers, as well as their organisations, regarding the provisions of this Law and the provisions adopted for their implementation, with printed material and any other appropriate mean.

(2) The organisations of the workers shall inform the workers about the content of this Law and the measures taken for its implementation and to ensure the implementation of the principle of equal treatment, with

written announcements on the relevant boards displayed in the workplace or by distributing printed material or and verbally in the workplace, outside business hours, or through any other appropriate mean.

(3) Employers should facilitate the organisations of workers to inform the workers as provided for by subsection (2) of this section.

Judicial protection
and the burden of
proof.
11 of 39(l) of
2009.

14.-(1) Every person who feels aggrieved by the infringement of this Law shall be entitled to pursue his/her rights before the competent Court, even upon the expiration of the relationship within the framework of which the infringement is alleged to have occurred, and use all appropriate means to establish the infringement and any loss he/she suffered due to this infringement.

(2) In every judicial proceeding, other than criminal, if the person who claims to feel aggrieved as a result of an infringement of the Law produces evidence on questions of fact from which the infringement is presumed, the Court shall require the respondent to prove that there was no such infringement.

Competent Courts
and penalties.

15.— (1) Without prejudice to the exclusive jurisdiction of the Supreme Court by virtue of Article 146 of the Constitution, and where this Law does not otherwise provide, the Industrial Disputes Tribunal shall have

jurisdiction to try trade disputes and other disputes of private law arising from the implementation of this Law.

(2) In case of an action before the District Court by virtue of paragraph 6 of Article 146 of the Constitution and provided that the conditions of the material right to a fair and reasonable damage is fulfilled, the competent District Court shall award to the beneficiary the greater of the following two amounts:

(a) the fair and reasonable damages awarded by virtue of paragraph 6 of Article 146; or

(b) the total actual loss, including the arrears of salary and compensation for any moral or bodily harm suffered by the plaintiff, caused by the decision, act or omission declared to be null and void, according to paragraph 4 of Article 146 of the Constitution. In any case, the above sum awarded shall also bear legal interest from the date the above loss or/and harm occurred to the date of full payment of damages.

(3) The Industrial Disputes Tribunal shall award fair and reasonable damages covering at least the whole actual loss, including the arrears of salary and compensation for any moral prejudice or injury suffered by the plaintiff, caused by the offender, and in any case the sum awarded shall also bear legal interest from the date the

above loss or/and damage occurred to the date of full payment of damages.

(4) In case of dismissal in violation of the provisions of this Law, the Industrial Disputes Tribunal, other than the damages awarded according to subsection (3) of this section, and without considering the good or bad faith of the employer, shall order the reinstatement of the worker and obliges the employer to accept his/her services, if requested by the worker as a relief:

Provided that in case of reinstatement the worker, where he is awarded the damages provided for by subsection (3) of this section, shall not be entitled to retrospective payment of salaries or other benefits, but the time period of dismissal shall be considered as service for all the other purposes.

(5) Notwithstanding the sanctions provided for in subsections (3) and (4) of this section, the Industrial Disputes Tribunal, where it deems necessary, shall make an order of binding recognition of the rights of the claimant in relation to the infringement for which the complaint has been filed.

(6) Without prejudice to the generality of subsection (1) of section 6 of the Termination of Employment Laws of 1967 to 2016, which applies in cases of dismissals made in violation of the provisions of this Law, during the

24 of 1967
17 of 1968
67 of 1972
6 of 1973
1 of 1975
18 of 1977

30 of 1979
57 of 1979
81 of 1979
92 of 1979
54 of 1980
12 of 1983
167 of 1987
37 of 1988
18 of 1990
203 of 1990
52(I) of 1994
61(I) of 1994
26(I) of 2001
111(I) of 2001
70(I) of 2002
79(I) of 2002
159(I) of 2002
212(I) of 2002
110(I) of 2003
111(I) of 2003
89(I) of 2016.

Some conditions do not apply to the liability of the offender.

Punitive actions against workers, learners or candidates.

hearing by the Industrial Disputes Tribunal of the disputes referred to in paragraph (1) of this article, paragraph (1) of section 14 of this Law shall also apply to the reversal of the burden of proof.

16.— (1) In case of infringement of this Law the provisions making the responsibility of the offender or/and the right of damages or other relief subject to a minimum number of workers with the same employer or a minimum period of employment or a minimum number of working hours of the worker, and the provisions setting out a maximum limit of damages shall not apply. Any agreement between the employer and the worker providing for such condition shall be null and void.

(2) The sum of damages which is awarded in any case of infringement of this Law, shall be paid in full by the employer or any other person responsible for the infringement of this Law.

17.—(1) Without prejudice to the provisions for damages under section 15 of this Law, the dismissal and any other harmful change in the working conditions of the worker who filed a complaint or protested in order to implement

the principle of equal treatment, including the complaints for infringement of this Law, or of an worker who repelled or reported a sexual harassment is absolutely null and void, unless the employer proves that the dismissal or the harmful change is due to a reason that is irrelevant to the complaint or protest or repel of the sexual harassment.

(2) There is infringement of this Law, which is subject to the sanctions provided for by section 15 of this Law and where-

(a) a candidate for employment, vocational guidance or vocational education or training, who filed a complaint or protested, invoking an infringement of this Law, or repelled or reported a sexual harassment, is not hired for employment or is not accepted for vocational guidance, education or training; or

(b) a learner or trainee who filed a complaint or protested, invoking an infringement of this Law, or repelled or reported a sexual harassment, is subjected to unfavourable treatment in relation to the issues referred to in paragraph (b) of subsection (1) of section 7 of this Law-

unless the employer or another natural person or legal entity or organisation referred to in subsection (3) of

sections 7 or 8 of this Law, as appropriate, proves that the unfavourable treatment referred to in paragraphs (a) or (b) of this subsection is due to a reason that is irrelevant to the complaint or protest or repel of the sexual harassment.

(3) The provisions of subsections (1) and (2) of this section shall apply wherever the complaint or protest was made, and in particular at the level of the undertaking or service or outside thereof, or at the level of the person or organisation referred to in subsection (3) of sections 7 or 8 of this Law, or outside thereof, to any natural person or legal entity or organisation or authority or any organisation, professional or non-professional, national or international they are addressed to and in any way or mean they were made, including hearings before a court or arbitration body.

(4) The provisions of this Law shall also apply accordingly and in favour of any person who assisted the worker, or any other person referred to in paragraph (a) or in paragraph (b) of subsection (2) of this section, in making or supporting the complaint or protest under this section, in any way, including judicial or extrajudicial evidence.

Extrajudicial
protection and the
burden of proof.
3 of 19(I) of 2004
12 of 39(I) of 2009

17A.-(1) Any person who feels aggrieved by the infringement of this Law shall have the right to be

2(a) of 150(l) of 2014.

protected by the Chief Inspector and the Inspectors and may file complaints with them under section 27.

42(l) of 2004.

(2) Any person who feels aggrieved by the infringement of the provisions of this Law shall be entitled, even upon the expiration of the relationship within the framework of which the discrimination is alleged to have occurred, to file a complaint to the Commissioner for Administration, who, to this purpose, has all the powers and responsibilities provided for by the Combating Racial and Certain Discrimination (Commissioner) Law.

2(b) of 150(l) of 2014.

(3) In any procedure that falls within subsection (2), if the person who claims to feel aggrieved by the infringement of the provisions of this Law invokes and produces evidence of the actual circumstances from which the infringement is presumed, the Commissioner for Administration shall request the respondent to prove that there was no such infringement of this Law.

Repeal or nullity of adverse regulations.

18.—(1)(a) At the entry into force of this Law, any existing provision of law which is contrary to the provisions of this Law, shall be repealed as to the part that contains a direct or indirect discrimination based on sex.

(b) If the discrimination referred to in paragraph (a) of this section consists in giving the right or another

advantage to the persons of a specific sex, this right and advantage shall be extended ex officio to the persons of the opposite sex too.

13(a) of 39(l) of 2009.

(2) The competent administrative authority should recall or amend accordingly any individual or regulatory administrative act which is contrary to the provisions of this Law.

(3) Without prejudice to the exclusive jurisdiction of the Supreme Court under Article 146 of the Constitution:

(a) in case of a doubt or questioning whether a law has been repealed or not, the matter shall be heard by the competent District Court and the procedure shall be initiated by filing originating summons;

(b) notwithstanding the procedure brought before the District Court, which is referred to in paragraph (a) of this section, each Court in exercising its own power may rule indirectly on the issue, if and where necessary for the handling of the procedure.

13(b) of 39(l) of 2009.

(4) Any regulation of collective agreement, individual employment contract, internal regulation of undertaking or rule of liberal profession or rule of organisation of employers or workers, existing at the moment this Law comes into force and being contrary to the provisions of

this Law shall be repealed as to its part that contains a direct or indirect discrimination based on sex. Paragraph (b) of section (1) of this section shall also apply accordingly to these cases.

13(c) of 39(l) of
2009.

(5) Any new regulation of collective agreement, individual employment contract, internal regulation of undertaking or rule of liberal profession or rule of organisation of employers or workers, which is contrary to the provisions of this Law shall be null and void as to its part that contains a direct or indirect discrimination based on sex. Paragraph (b) of subsection (1) of this section shall also apply accordingly to these cases.

(6) The final decisions made under subsection (3) of this section shall be applicable erga omnes. Decisions about collective agreements shall be notified by the Registrar of the Court to the competent organisations of employers and workers, which should note immediately in the text of the specific collective agreement and at the appropriate place the repeal, invalidity or extension noted.

(7) Where the repeal, invalidity or extension of a provision or regulation is not noted, its validity shall be examined indirectly on the occasion of the relevant hearing, by every competent District Court or the Industrial Disputes Tribunal which, if the discrimination consists in giving the right or another advantage to the

persons of a specific sex, orders its extension to the persons of the opposite sex too.

Representation by organisations.
5 of 40(I) of 2006
14 of 39(I) of 2009.

18A. Unions of persons, organisations of workers or other organisations or legal entities having, inter alia, as statutory objective the elimination of discrimination based on sex and the promotion of equality between men and women, may, upon authorisation of the person who is entitled to do so under this Law, exercise either in the name or in support of that person, the rights provided for by sections 14 and 17A and, in such case, the provisions of subsections (2) of section 14 on the burden of proof shall apply *mutatis mutandis*.

Promotion of social debate on the equal treatment between men and women.
5 of 40(I) of 2006.

18B. The organisations of employers and workers should hold a social debate aiming at promoting the equal treatment between men and women, and, inter alia, by monitoring the practices in the places of work, revising the collective agreements and codes of conduct, through research and by exchanging experiences and good practices, by entering into collective agreements containing rules against discrimination in the fields covered by this Law and respecting the minimum level of protection provided by this Law.

Revision and amendment or repeal of provisions of collective agreements.

19.— (1) Within three months as of the entry into force of this Law, the competent authority should invite the organisations of employers and workers to revise the

existing provisions of collective agreements, in order to find any direct or indirect discrimination against one specific sex, and amend them so this discrimination can be formally eliminated. At the same time, a deadline is set for carrying out this work, which shall not exceed one year.

(2) Where the deadline is expired without any results, the competent authority should apply to the Industrial Disputes Tribunal, within 6 months as of the expiration of the deadline, to justify the repeal of every regulation of collective agreements, which is contrary to the provisions of this Law, as to its part that contains a direct or indirect discrimination against a specific sex, where this justification is not in the meantime made according to the proceedings provided for by section 18 of this Law. The Industrial Disputes Tribunal justifies the repeal, after hearing the interested parties. If the discrimination consists in giving a right or another advantage to the persons of a specific sex, the Tribunal shall order its extension to the persons of the opposite sex too.

(3) The final decisions approving the applications referred to in subsection (2) of this section shall be applicable erga omnes, communicated by the Registrar of the Industrial Disputes Tribunal to the competent organisations of employers and workers, which should note immediately in the text of the specific collective

agreement and at the appropriate place the repeal, invalidity or extension justified.

(4) Where the repeal or invalidity of a provision is not noted or the extension of a provision is not ordered in accordance with subsection (2) of this section, its validity shall be examined indirectly on the occasion of the relevant hearing, by every competent District Court or the Industrial Disputes Tribunal which, if the discrimination consists in giving the right or another advantage to the persons of a specific sex, orders its extension to the persons of the opposite sex too.

Promotion of equal treatment in the place of work. 6 of 40(I) of 2006.

19A. Employers should promote the equal treatment between men and women in the workplace in an organised and systematic way. To this end, they are encouraged to provide the workers or their representatives, at appropriate regular intervals, with proper information about equal treatment between men and women in the undertaking, which contains statistical data on the ratio of men and women on the various levels of hierarchy and the appropriate measures to improve the situation in cooperation with the representatives of the workers. A Code agreed by the social partners shall set out the details for the achievement of this goal.

Dialogue with non-governmental organisations (NGOs).

19B. The competent authority shall engage into a dialogue with the non-governmental organizations

which have a legitimate interest in contributing to the fight against discrimination on grounds of sex, with the objective aim of promoting the implementation of the principle of equal treatment between men and women.

Review and
revision or repeal
of protective rules.

20.— (1) The competent authority shall review, at intervals not exceeding five years, the protective rules that may be included in laws or administrative acts, in order to determine, after consulting with the Labour Advisory Board, whether the reasons justifying them still remain, and where these reasons ceased to exist, it shall propose their revision or repeal or their extension also to men or, where it has the authority, proceeds to the measures required for their revision, repeal or extension.

(2) The competent authority invites, at intervals not exceeding five years, the organisations of employers to review the protective rules that may be included in collective agreements, in order to note whether the reasons justifying them still remain. If it is noted that the reasons ceased to exist, they should proceed to their revision or extension to men too, setting out a deadline for the implementation of this project, which should not exceed one year. Where the deadline is expired without any results, the competent authority shall proceed to the review itself and to any measures required for the revision or repeal or extension to men too, of these protective rules.

More favourable regulations.

21. This Law shall be without prejudice to more favourable regulations of any provision of law, administrative act, collective agreement or individual employment contract, internal rules of undertakings or job description or statute of liberal profession.

Establishment of Committee.

22.-(1) A Gender Equality Committee in Employment and Vocational Education is hereby established and consists of: -

15 (a) of 39(l) of 2009.

(a) a chairman of high moral standing and recognised work and contribution in the field of the equality between men and women, appointed by the Minister;

(b) a representative of the Ministry of Labour and Social Insurance;

(c) a representative of the Ministry of Justice and Public Order;

(d) a representative of the Public Service and Personnel;

(e) a representative of each organisation of employers, which is a member of the Labour Advisory Board;

(f) a representative of each organisation of workers, which is a member of the Labour Advisory Board.

15(b) of 39(l) of
2009.

(1A) The Committee shall be adequately informed or/and trained as to the issues and developments connected to the equality between men and women.

(2) The representatives of the organisations of employers and workers referred to in subsection (1) of this section, shall be appointed by the Minister upon recommendation of their organisations:

Provided that, in case the organisations fail to indicate a representative within one month as of the date the Minister requests so, the Committee shall be deemed to be formed and act legally.

15(c) of 39(l) of
2009.

(3) The members of the Committee shall be appointed for a period not exceeding three years, but they can be reappointed upon expiry of their term of office.

15 (d) of 39(l) of
2009.

(4)(a) The office of the chairman or a member of the Committee shall become vacant-

(i) in case of death;

(ii) in case of resignation submitted in writing to the Minister;

(iii) in case of dismissal by the Minister under the provisions of paragraph (b) of this section.

(b) The Minister may dismiss the chairman or a member of the Committee -

(i) if that person is convicted for an offence involving dishonesty and moral turpitude;

(ii) if that person is sentenced to imprisonment for committing an offence;

(iii) due to sickness, disability, mental or physical incapacity, as would prevent him to perform effectively his competences, powers or duties of the office for the remaining of his term of office;

(iv) due to the revocation of the power of representation of a member of the Committee by the organisation represented in the Committee;

(v) due to abuse of position in such a way that the continuation of the term of office may be harmful to the public interest;

(vi) for any reason, only in relation to the members of the Committee representing the relevant Ministries.

(c) In case the office of the chairman or a member of the Committee becomes vacant prior to the expiry of

the term of office, the Minister shall appoint a new chairman or member, where appropriate, for the remaining term of office of the departing official.

15 (e) of 39(I) of 2009.

(5) The Committee shall regulate itself the matters relating to its functions, including the rental of necessary services aiming at supporting its task, for the better exercise of its responsibilities, as well as handling the procedures followed before it.

(6) The chairman and four of the members of the Committee, of which two should be State representatives, shall form a quorum:

15(f) of 39(I) of 2009.

Provided that, when a member of the Committee for serious reasons cannot be present at a meeting convened by the Committee, the member may be represented by his/her replacement, who shall be appointed to this end by the respective organisation or the Ministry represented by that member.

(7) The Ministry of Labour and Social Insurance shall provide secretarial and logistical assistance to the Committee.

15(g) of 39(I) of 2009.

(8) The expenses of the Committee are covered by a state budget, the amount of which is determined by the

Minister, after taking into consideration the Committee's proposals.

Competences of the Committee.

23.— (1) The Committee shall have competences to deal with the matters falling within the objects and scope of application of this Law.

(2) Notwithstanding the generality of the provisions of subsection (1) of this section, the Committee may:

(a) advise on the determination or revision of the national policy in the matters falling within the scope of its powers;

(b) advise or make recommendations for the introduction or revision of the relevant legislation;

(c) monitor the implementation of this Law by the competent Service of the Ministry of Labour and Social Insurance;

(d) make recommendations for the introduction of measures and the implementation of programmes for the promotion of the equality of genders within the scope of its powers;

(e) promote the carrying-out of studies and research, including the collection of statistical data on any matter falling within the scope of its powers;

(f) submit to the Minister the conclusions of its studies and research, and the recommendations that are based on these conclusions;

(g) give advice free of charge to any person who request it, on any matters related to the equality of genders, which fall within the scope of its powers;

(h) cooperate with the competent services of the Ministry of Labour and Social Insurance;

(i) draft and submit to the Minister an annual report of its activities;

(i) submit complaints ex officio, or receive complaints which are transmitted to the Chief Inspector for the appropriate handling and for which the Committee should constantly be informed:

16 of 39(l) of
2009.

Provided that, the above obligation to transmit to the Chief Inspector for the appropriate handling any complaint submitted to the Committee, does not apply in case the Committee provides independent

assistance to the victims of discrimination according to the provisions of paragraph (k) of this subsection;

3 of 176(l) of 2007.

(j) provide independent assistance to the victims of discrimination when they report a discrimination, without prejudice to the right of the victims, unions, organisations or other legal entities referred to in section 18A:

Provided that the nature, the type, the content and the procedure of independent assistance shall be determined by Regulations made under section 34, which are submitted to the House of Representatives for approval.

3 of 86(l) of 2021.

(k) assist employers in preparing and adopting a code of conduct and investigates whether such code has been adopted and implemented by the employers and whether the workers have been informed;

3 of 86(l) of 2021.

(l) provide training to employers and workers on matters of their competences.

Implementation of the Law and appointment of the Chief Inspector and Inspectors.

24.— (1) The Minister shall be responsible for the implementation of this Law. He shall appoint the Inspectors required for the efficient implementation of the provisions of this Law, as well as other officers and the Chief Inspector who shall regulate the way in which the Inspectors and other officers shall execute the work

and exercise the powers and duties provided for in sections 25,26 and 27 of this Law.

(2) The Chief Inspector and Inspectors shall be permanent public officers and shall hold posts in the Ministry of Labour and Social Insurance.

(3) The Chief Inspector and Inspectors should have the appropriate qualifications and sufficient education for the performance of their duties, and constantly undergo advanced training and retraining. They should have the appropriate offices accessible to the public, sufficient secretarial, administrative, and other support and equipment, as well as sufficient transport means for the performance of their duties.

(4) The Chief Inspector and Inspectors should have special identity cards.

Main work of the Chief Inspector and the Inspectors.

25. The work of the Chief Inspector and the Inspectors shall mainly be: -

(a) ensuring full and efficient implementation of the provisions of this Law;

(b) providing information, advice and instructions to employers, workers and other natural persons or legal

entities or organisations covered by this Law, as to the most efficient way to observe the provisions of this Law;

(c) reporting to the Minister of any problems arising from the implementation of this Law and submitting proposals about the measures to be taken to address these problems.

Powers of Chief Inspector and Inspectors.

26.— (1) For the purposes of this Law, every Chief Inspector and every Inspector shall have the following powers:

(a) to enter, on presentation of his identity card, freely and without prior notice, at any time of the day or night, any workplace, other than a domestic household:

Provided that entry to a domestic household is permitted with the written consent of its occupier;

(b) to enter during the day any premises where he has reasonable cause to believe that they should be inspected. In the case of a domestic household paragraph (a) of this subsection shall also apply;

(c) to be accompanied by a police officer if he has reasonable cause to believe that he will be obstructed from exercising his powers or executing his duties. A

police officer shall be required to accompany the Chief Inspector if requested to do so;

(d) to be accompanied by any other person if deemed necessary;

(e) to carry out checks, inspections, enquiries, investigations or examinations that he deems necessary to ascertain whether the provisions of this Law are being implemented, and in particular:

(i) to require any person, whom he has reasonable cause to believe can furnish information in respect of any inspection about the implementation of the provisions of this Law, to reply to relevant questions alone or in the presence of any other person he may request or permit to be present, and require such person to sign a declaration of the truth of his replies;

(ii) to require the production of any book, register, certificate, document or information which is necessary for him to see for the purposes of monitoring the implementation of the provisions of this Law, and to inspect, examine and copy them wholly or partially;

(iii) to impose the display of announcements and other documents provided to this purpose by the competent

authority or organisation of workers under section 13 of this Law;

(iv) to require any person in the workplace to provide him with such facilities and assistance, on matters under the control or responsibility of such person, as shall be necessary to assist the Chief Inspector to exercise any of the powers given to him under this section;

(f) to request the assistance of any public service or authority, which shall be obliged to provide such assistance.

(2) During the inspection referred to in subsection (1) of this section, the Chief Inspector and the Inspector shall inform the employer or his representative about his presence, unless he thinks that this will adversely affect the execution of his duties.

Actions by the Chief Inspector and Inspector in case of a complaint.

27.— (1) The Chief Inspector and Inspector shall receive complaints for any infringement of this Law by any person who feels aggrieved by the infringement, as well as, on behalf of such person, by organisations of workers and non-governmental organizations aiming at promoting the equality between men and women or protecting human rights in general and as soon as such a complaint is received, he shall take the following

actions provided that the case has not been brought before the Court:

(a) In exercising the powers vested in him by section 26 of this Law and implementing subsection (2) of section 14 of this Law, he shall investigate by any appropriate means the allegations, and in particular he shall summon the person against whom the complaint is filed and any other person referred to in section 29 of this Law, as well as any other person who is competent or has responsibility for the allegations, to provide information, clarifications or any other evidence he has or is under his control, that may serve or facilitate the investigation of the complaint, and tries to settle the dispute:

Provided that all these persons shall have the duties provided for by section 29.

(b) Where he succeeds in settling the dispute, he shall prepare a conciliation settlement to be signed by both parties.

(c) Where he does not succeed in settling the dispute, he shall prepare minutes where he mentions all done and ascertained, and which can be used before a Court.

(2) Subject to the provisions of article 146 of the Constitution, from the day of filing a complaint under subsection (1) of this section to the day of drafting the minutes referred to in paragraph (c) of subsection (1) of this section, any deadline in force to bring an action to the Court by the complainant or on behalf of whom the complaint was filed shall be suspended, as well as any current period of limitation of his claim.

Obligations of
Chief Inspector
and Inspectors.

28. The Chief Inspector and the Inspectors shall -

(a) be prohibited from having direct or indirect interest in the undertakings under their control;

(b) observe the confidentiality, even after their retirement, of information and evidence brought to their attention in exercising their duties, as well as of sources of this information or evidence or of the complaints that are relevant to their duties, unless-

(i) the person in charge of the premises or the workplace from where information or evidence were collected, gives his consent; or

(ii) for the purposes of implementation of any provisions of this Law or Regulations made by virtue thereof; or

(iii) for the purposes of criminal proceedings for offences provided for by this Law or Regulations made by virtue thereof; or

(iv) for the purposes of any investigation carried out in relation to the implementation of any provisions of this Law or Regulations made by virtue thereof.

Duty to provide information.

29. Each employer or his representative and each worker of that employer should, when the Chief Inspector or Inspector so requires, provide any information, book, registry, certificate or other document or any other evidence in his possession in relation with the matters regulated by this Law. The employer, his representatives and every worker of that employer should in general provide the means requested by the Chief Inspector or Inspector, which are necessary to enter, inspect, examine, investigate or exercise any other power under this Law in relation to the employer's undertaking.

Offences and penalties for violation of sections 7 to 12 and 17. 4(a) of 86(l) of 2021.

30.— (1) Any person who intentionally contravenes any of the provisions of sections 7 to 12 and 17 of this Law, shall be guilty of an offence and shall be liable to a fine not exceeding ten thousand euro (€10,000) or to imprisonment not exceeding three (3) years or to both such penalties, provided that the act is not punished more severely by other provisions.

4(b) of 86(l) of 2021.

(2) Where the offence provided for by subsection (1) of this section is committed by a legal person or organisation, guilty shall be the managing director, chairman, director, secretary or other official of that legal entity or organisation, if proved that the offence has been committed with the consent, involvement as accessory or tolerance of any such person, who shall be sentenced as per subsection (1) of this section. The legal entity or organisation shall also be sentenced with a fine not exceeding twenty thousand euro (€20,000), provided that the act is not punished more severely by other provisions.

4(c) of 86(l) of 2021.

(3) Where the offence provided for by subsection (1) of this section is committed due to serious negligence, a fine of five thousand euro (€5,000) shall be imposed, provided that the act is not punished more severely by other provisions. If the offence is committed by a legal person or organisation, guilty shall be the managing director, chairman, director, secretary or other official of that legal entity or organisation, if proved that the offence has been committed with the consent, involvement as accessory or tolerance of any such person, and liable to a fine not exceeding five thousand euro (€5,000). The legal entity or organisation shall also be sentenced with a fine not exceeding ten thousand euro (€10,000).

Offences and penalties for obstructing the Chief Inspector or

31.— (1) Any person who intentionally -

Inspector in
exercising their
powers.

(a) obstructs any Chief Inspector or Inspector, in the exercise of any power conferred on him by this Law or by virtue of this Law;

(b) refuses to reply or replies falsely to any enquiry made under this Law or by virtue of this Law;

(c) fails to produce any register, certificate, book, notice or document that is required by this Law or by virtue of this Law;

(d) removes, causes damage to or defaces any document kept posted in accordance with this Law or by order of the Chief Inspector or Inspector;

(e) conceals or attempts to conceal or prevent any person from appearing before or being examined by any Chief Inspector or Inspector;

shall be guilty of an offence and liable to imprisonment not exceeding one year or to a fine not exceeding six thousand euro (€6,000) or to both such penalties, provided that the act is not punished more severely by other provisions.

5(a) of 86(l) of
2021.

5(b) of 86(l) of
2021.

(2) Where the offences provided for by subsection (1) of this section are committed by a legal person or organisation, the director, chairman, director, secretary or other similar official of that legal entity or organisation shall be guilty if proved that the offence has been committed with the consent, involvement as accessory, or tolerance of any such person, who shall be sentenced as per subsection (1) of this section. The legal entity or organisation shall also be sentenced with a fine not exceeding ten thousand euro (€10,000), provided that the act is not punished more severely by other provisions.

5(l) of 86(l) of
2021.

(3) Where the offences provided for by subsection (1) of this section are committed due to serious negligence, a fine of two thousand euro (€2,000) shall be imposed provided that the act is not punished more severely by other provisions. If the offences are committed by a legal person or organisation, then the managing director, chairman, director, secretary or other similar official of that legal entity or organisation shall be guilty if proved that the offence has been committed with the consent, involvement as accessory or tolerance of any such person, and liable to a fine not exceeding two thousand (€2,000). The legal entity or organisation shall also be sentenced with a fine not exceeding six thousand euro (€6,000).

Activity Reports.

32.— (1) The Inspectors shall submit to the Chief Inspector and the latter shall submit to the Minister

annual activity reports, based on which the Minister shall prepare and publish the Annual General Activities Report, a copy of which shall be transmitted to the International Labour Organisation, the Attorney General of the Republic, the House of Representatives, the Committee and the Labour Advisory Board.

(2) The annual reports and the Annual General Report on Activities referred to in subsection (1) of this section shall include at least the following:

(a) The provisions of this Law, as well as the Regulations and other regulatory administrative acts issued from time to time for its implementation, as well as any other provision relating to the work of the Chief Inspector and Inspectors, provided for by this Law;

(b) the number of Inspectors and the scope of competence of each one of them;

(c) statistical data and other information in relation to-

(i) the workplaces, education and training falling within the Inspector's responsibility;

(ii) the number and result of inspections carried out;

(iii) the number and object of complaints filed, infringement ascertained, and penalties inflicted;

(d) highlighting any problems in the implementation of the provisions referred to in subsection (a) of this section, which were encountered and any proposals for addressing these problems, as well as the more efficient fulfilment of the Chief Inspector and Inspectors' duties.

Transmission of information to the Commission of the European Communities.
7 of 40(l) of 2006
17 of 39(l) of 2009

32A.-(1) The competent authority shall transmit by 15 February 2011 to the Commission of the European Communities all necessary information regarding the implementation of this Law.

6 of 86(l) of 2021.

(2) Without prejudice to the provisions of subsection (1), the competent authority shall transmit every four years to the Commission of the European Communities and the House of Representatives, the texts of laws, regulations and administrative provisions on the positive actions, as well as a report on the implementation of these measures, especially those in favour of women.

The provisions of this Law shall prevail against other laws.

33. In case of a dispute or conflict between the provisions of this Law and the provisions of the Termination of Employment Law of 1967 to 2016, the provisions of this Law shall prevail.

Regulations.

34.— (1) For the better carrying of this Law into effect, the Council of Ministers may make Regulations.

(2) Without prejudice to the generality of subsection (1) of this section, Regulations made by the Council of Ministers may contain provisions on the specific conditions, the scope, the way and time of implementation and the duration of the measures of positive action in favour of underrepresented sex, as well as the competent, for this purpose, bodies, as to the matters regulated by sections 7 and 8 of this Law.

Entry into force of this Law.

35. This Law shall enter into force on the 1st January 2003.

TABLE

(Article 4(2))

Professional activities exempted from the scope of application of this Law

1. The employment in a specific job when for physiology reasons (other than physical strength or stamina) or for reasons of authenticity, in case of cultural events, the filling of the post with a person of the opposite sex would create a significant difference in the nature of the post.

2. The employment in a specific job when the duties of the job include the provision of services outside Cyprus, to a State where the legislation and the mores are such that the specific services cannot be reasonably provided by a person of the opposite sex.

3. The employment in a specific job when the duties of the job include personal services and it is required that people of both sexes are employed in these services.
4. The employment in a specific job, when the job is about providing personal services, such as the home care of elderly or disabled persons.
5. The employment of men as prison guards in women's prisons and the employment of women as prison guards in men's prisons.
6. The employment in the Security Forces or private security agencies—
 - (a) in special corps the mission of which has to do with the control and disarmament of violent individuals, the suppression of riots and the release of hostages or other people illegally detained;
 - (b) in jobs where the employment of a man or woman is imposed for ethical reasons or reasons of respect of the individual's personality.
7. The employment of women in underground works in mines.

NOTE

4 of N.191(I)/2004. **4.** This Law shall enter into force on the date of accession of the Republic to the European Union.