

# THIRD SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 4938 GIBRALTAR 17 February 2022

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B. 3/22

## BILL

FOR

AN ACT to amend the Employment (Bullying at Work) Act 2014.

ENACTED by the Legislature of Gibraltar.

### Short title.

1. This Act may be cited as the Employment (Bullying at Work) (Amendment) Act 2022.

### Commencement.

2. This Act comes into operation on the day of publication.

### Amendments to Act.

3.(1) The Employment (Bullying at Work) Act 2014 is amended in accordance with the provisions of this section.

(2) In section 4-

(a) in subsection (2) for the words “includes” substitute “means”;

(b) after subsection (2) insert the following subsection-

“(2A) For the purposes of subsections 4(2)(b), (c) and (d), the conduct in question must include behaviour which is offensive, intimidating, abusive, malicious or insulting.”.

(3) After section 7 insert the following section-

“7A. Anything done by a person in the course of his employment shall be treated for the purposes of this Act as done by his employer as well as by him, whether or not it was done with the employer’s knowledge or approval.”.

**EXPLANATORY MEMORANDUM**

This Bill amends the Employment (Bullying at Work) Act 2014 following the Court of Appeal judgment in *Lawrence Stagnetto & (1) Dr Daniel Cassaglia and (2) Gibraltar Health Authority, 2022/GCA/01*.

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