

**Act amending the Civil Code and Central and Local Government Personnel Act in connection with the prohibition on discrimination between employees on the basis of their working hours**

Act of 3 July 1996, amending the Civil Code and the Central and Local Government Personnel Act in connection with the prohibition on discrimination between employees on the basis of their working hours.

We Beatrix, by the grace of God Queen of the Netherlands, Princess of Orange-Nassau, etc., etc., etc.

Greetings to all who see or hear these presents! Be it known:

Whereas We have considered that it is desirable to make it unlawful to discriminate between employees on the grounds of their working hours and to amend the Civil Code and the Central and Local Government Personnel Act to this end;

We, therefore, having heard the Council of State, and in consultation with the States General, have approved and decreed as we hereby approve and decree:

**SECTION I**

[Amends Book 7A of the Civil Code.]

**SECTION II**

[Amends the Central and Local Government Personnel Act.]

**SECTION III**

1. It is forbidden to discriminate on the grounds of a difference in working hours in the conditions under which a contract of employment is entered into, continued or terminated, or in the conditions under which an appointment is made, extended or terminated, unless such discrimination is objectively justified.
2. Any provision that is contrary to subsection 1 is null and void.
3. The Institute referred to in section 1 of the Netherlands Institute for Human Rights Act may conduct an investigation to determine whether discrimination as referred to in subsection 1 has taken or is taking place. Sections 10, 11, 12, 13, 22 and 23 of the Netherlands Institute for Human Rights Act apply *mutatis mutandis*.

#### **SECTION IV**

[Amends Book 7 of the Civil Code.]

#### **SECTION V**

If a natural person, legal person or competent authority engages a person to perform work under their authority other than pursuant to a civil-law contract of employment or appointment as a public servant, article 648 of Book 7 of the Civil Code applies *mutatis mutandis*.

#### **SECTION VI**

[Amends to this Act.]

#### **SECTION VII**

This Act enters into force with effect from the first day of the fourth calendar month after the date of the Bulletin of Acts and Decrees in which it is published.

We order and command that this Act be published in the Bulletin of Acts and Decrees and that all ministries, authorities, bodies and officials whom it may concern diligently implement it.

Done at The Hague on 3 July 1996

Beatrix

A.P.W. Melkert

Minister of Social Affairs and Employment

W. Sorgdrager

Minister of Justice

H.F. Dijkstal

Minister of the Interior

Published on the sixteenth of July 1996

W. Sorgdrager

Minister of Justice