

First Schedule
[Subsection 2(1)]
Employee

Provision of the Act not applicable

1 Any person, irrespective of his occupation, who has entered into a contract of service with an employer under which such person's wages do not exceed [two thousand] ringgit a month.

2 Any person who, irrespective of the amount of wages he earns in a month, has entered into a contract of service with an employer in pursuance of which--

- (1) he is engaged in manual labour including such labour as an artisan or apprentice:
Provided that where a person is employed by one employer partly in manual labour and partly in some other capacity such person shall not be deemed to be performing manual labour unless the time during which he is required to perform manual labour in any one wage period exceeds one-half of the total time during which he is required to work in such wage period;
- (2) he is engaged in the operation or maintenance of any mechanically propelled vehicle operated for the transport of passengers or goods or for reward or for commercial purposes;
- (3) he supervises or oversees other employees engaged in manual labour employed by the same employer in and throughout the performance of their work;
- (4) he is engaged in any capacity in any vessel registered in Malaysia and who--
 - (a) is not an officer certificated under the Merchant Shipping Acts of the United Kingdom as amended from time to time;
 - (b) is not the holder of a local certificate as defined in Part VII of the Merchant Shipping Ordinance 1952 [FM 70/1952]; or
 - (c) has not entered into an agreement under Part III of the Merchant Shipping Ordinance 1952; or
- (5) he is engaged as a domestic servant.

Part XII

Sections 12, 14, 16, 22, 61 and 64, and Parts IX, XII and XIIA

3 For the purpose of this Schedule "wages" means wages as defined in section 2, but shall not include any payment by way of commission, subsistence allowance and overtime payment.