

CYPRUS

**TRADE DISPUTES
(CONCILIATION, ARBITRATION
AND INQUIRY)**

CHAPTER 187 OF THE LAWS

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1959

CHAPTER 187.

TRADE DISPUTES.

ARRANGEMENT OF SECTIONS.

Section		Page
1	Short title	2
2	(1) Interpretation	2
	(2) Application of Law to the Crown	3
3	(1) Trade disputes may be reported to the Governor	3
	(2) Reference of disputes to arbitration tribunal and constitution of the Tribunal	3
	(3) Means of conciliation before reference to Tribunal	3
4	Vacancies on the Tribunal	4
5	Award of Tribunal not to conflict with any Law	4
6	Publication of the award	4
7	Interpretation of the award	4
8	Governor may inquire into trade disputes and power to appoint Board of Inquiry	4
9	Constitution of Board, Reports and publication thereof	5
10	Evidence	5
11	Appearance by advocate	6
12	(1) Sitings may be public or private	6
	(2) Publication of proceedings	6
13	Rules of procedure	6
14	Expenses	6

LAW TO MAKE PROVISION FOR THE PREVENTION AND SETTLEMENT OF TRADE DISPUTES AND TO PROVIDE FOR THE ESTABLISHMENT OF ARBITRATION TRIBUNALS AND BOARDS OF INQUIRY.

1949
Cap. 171.

[20th November, 1941.]

Short title.

1. This Law may be cited as the Trade Disputes (Conciliation, Arbitration and Inquiry) Law.

Interpre-
tation.

2. (1) In this Law—

“trade dispute” means any dispute or difference between employers and workmen, or between workmen and workmen, connected with the employment or non-employment, or the terms of the employment, or with the conditions of labour, of any person ;

“workman” means any person who has entered into or works under a contract with an employer whether the contract be by way of manual labour, clerical work, or otherwise, be expressed or implied, oral or in writing, and whether it be a contract of service or of apprenticeship or a contract personally to execute any work or labour.

(2) This Law shall not apply to persons in the naval, military or air services of the Crown, or to the Cyprus Police Force, but otherwise shall apply to workmen employed by or under the Crown in the same manner as if they were employed by or under a private person.

Application
of Law to
the Crown.

3. (1) Any trade dispute as defined by this Law, whether existing or apprehended, may be reported to the Governor by or on behalf of either of the parties to the dispute, and the Governor shall thereupon take the matter into his consideration and take such steps as seem to him expedient for promoting a settlement thereof.

Trade
disputes
may be
reported
to the
Governor.

(2) Where a trade dispute exists or is apprehended, the Governor may, subject as hereinafter provided, if he thinks fit and if both parties consent, refer the matter for settlement to an Arbitration Tribunal constituted of either—

Reference
of
disputes to
arbitration
tribunal and
constitution
of the
Tribunal.

- (a) a sole arbitrator appointed by the Governor ; or
- (b) an arbitrator appointed by the Governor, assisted by one or more assessors nominated by or on behalf of the employers concerned and an equal number of assessors nominated by or on behalf of the workmen concerned, all of whom shall be appointed by the Government :

Provided that the award shall be made and issued by the arbitrator only ; or

- (c) one or more arbitrators nominated by or on behalf of the employers concerned and an equal number of arbitrators nominated by or on behalf of the workmen concerned, and an independent chairman, all of whom shall be appointed by the Governor :

Provided that where all the members of the Tribunal are unable to agree as to their award, the matter shall be decided by the chairman as sole arbitrator.

(3) If there are existing in any trade or industry any arrangements for settlement by conciliation or arbitration of disputes in such trade or industry, or any branch thereof, made in pursuance of an agreement between organizations of employers and organizations of workmen representative respectively of substantial proportions of the employers and workmen engaged in that trade or industry, the Governor shall not, unless with the consent of both parties to the dispute and unless and until there has been a failure to obtain a settlement by means of those arrangements, refer

Means of
conciliation
before
reference to
Tribunal.

the matter for settlement in accordance with the foregoing provisions of this section.

Vacancies
on the
Tribunal.

4. (1) Whenever an Arbitration Tribunal consists of more than one arbitrator and any vacancy occurs in their number the Tribunal may, with the consent of the parties, act notwithstanding such vacancy.

(2) Whenever the Tribunal consists of an arbitrator assisted by assessors and any vacancy occurs in the number of assessors the Tribunal may in the discretion of the arbitrator either act notwithstanding such vacancy or consent to another assessor being nominated and appointed to fill such vacancy.

(3) No act, proceeding or determination of the Tribunal shall be called in question or invalidated by reason of any such vacancy, provided that in the circumstances referred to in subsection (1) of this section the required consent has been first obtained.

Award of
Tribunal not
to conflict
with any
Law.

5. Where any trade dispute referred to an Arbitration Tribunal involves questions as to wages, or as to hours of work, or otherwise as to the terms or conditions of or affecting employment which are regulated by any Law other than this Law, the Tribunal shall not make any award which is inconsistent with the provisions of that Law.

Publication
of the award.

6. Any award of an Arbitration Tribunal shall be submitted to the Governor who shall as soon as possible thereafter cause the same to be published in such manner as he thinks fit.

Interpre-
tation of the
award.

7. If any question arises as to the interpretation of any award of an Arbitration Tribunal, the Governor or any party to the award may apply to the Tribunal for a decision on such question, and the Tribunal shall decide the matter after hearing the parties, or without such hearing provided the consent of the parties has been first obtained. The decision of the Tribunal shall be notified to the parties and shall be deemed to form part of and shall have the same effect in all respects as the original award.

Governor
may
inquire into
trade
disputes
and power to
appoint
Board of
Inquiry.

8. Where any trade dispute exists or is apprehended the Governor may, if he thinks fit, whether or not the dispute is reported to him under this Law, exercise all or any of the following powers :—

(a) inquire into the causes and circumstances of the dispute ;