



ΠΑΡΑΡΤΗΜΑ ΠΡΩΤΟ
ΤΗΣ ΕΠΙΣΗΜΗΣ ΕΦΗΜΕΡΙΔΑΣ ΤΗΣ ΔΗΜΟΚΡΑΤΙΑΣ
Αρ. 3022 της 8ης ΔΕΚΕΜΒΡΙΟΥ 1995
ΝΟΜΟΘΕΣΙΑ

ΜΕΡΟΣ ΙΙΙ

Ο περί της Σύμβασης περί των Αντιπροσώπων των Εργαζομένων (Κυρωτικός) Νόμος του 1995 εκδίδεται με δημοσίευση στην Επίσημη Εφημερίδα της Κυπριακής Δημοκρατίας σύμφωνα με το Άρθρο 52 του Συντάγματος.

Αριθμός 30(ΙΙΙ) του 1995

**ΝΟΜΟΣ ΚΥΡΩΤΙΚΟΣ ΤΗΣ ΠΕΡΙ ΤΩΝ ΑΝΤΙΠΡΟΣΩΠΩΝ
ΤΩΝ ΕΡΓΑΖΟΜΕΝΩΝ ΣΥΜΒΑΣΗΣ ΤΟΥ 1971**

1. Ο παρών Νόμος θα αναφέρεται ως ο περί της Σύμβασης περί των Αντιπροσώπων των Εργαζομένων (Κυρωτικός) Νόμος του 1995. Συνοπτικός τίτλος.
2. Στον παρόντα Νόμο— Επιμνημία.
«Σύμβαση» σημαίνει την περί των Αντιπροσώπων των Εργαζομένων Σύμβαση του 1971, η οποία υιοθετήθηκε στη Γενεύη από τη Γενική Συνδιάσκεψη της Διεθνούς Οργάνωσης Εργασίας στις 23 Ιουνίου 1971.
«συντεχνία» σημαίνει την από τον περί Συντεχνιών Νόμο αναγνωρισμένη ως τέτοια. 71 του 1965
22 του 1970.
3. Με τον παρόντα Νόμο κυρώνεται η Σύμβαση της οποίας το αυθεντικό κείμενο στην αγγλική εκτίθεται στο Μέρος Ι του Πίνακα και σε ελληνική μετάφραση στο Μέρος ΙΙ αυτού: Κύρωση της Σύμβασης. Πίνακας, Μέρος Ι Μέρος ΙΙ.
Νοείται ότι, σε περίπτωση αντίφασης μεταξύ του κειμένου του Μέρους Ι και εκείνου του Μέρους ΙΙ του Πίνακα, θα υπερισχύει το κείμενο που εκτίθεται στο Μέρος Ι αυτού.

ΠΙΝΑΚΑΣ
(Αρθρο 3)

ΜΕΡΟΣ Ι

CONVENTION No. 135

Convention concerning Protection and Facilities to be Afforded
to Workers' Representatives in the Undertaking

The General Conference of the International Labour Organisation,
Having been convened at Geneva by the Governing Body of the International Labour
Office, and having met in its Fifty-sixth Session on 2 June 1971, and

Noting the terms of the Right to Organise and Collective Bargaining Convention, 1949,
which provides for protection of workers against acts of anti-union discrimination in
respect of their employment, and

Considering that it is desirable to supplement these terms with respect to workers'
representatives, and

Having decided upon the adoption of certain proposals with regard to protection and
facilities afforded to workers' representatives in the undertaking, which is the fifth item
on the agenda of the session, and

Having determined that these proposals shall take the form of an international
Convention,

adopts this twenty-third day of June of the year one thousand nine hundred and seventy-one
the following Convention, which may be cited as the Workers' Representatives Convention,
1971:

Article 1

Workers' representatives in the undertaking shall enjoy effective protection against any
act prejudicial to them, including dismissal, based on their status or activities as a workers'
representative or on union membership or participation in union activities, in so far as they
act in conformity with existing laws or collective agreements or other jointly agreed
arrangements.

Article 2

1. Such facilities in the undertaking shall be afforded to workers' representatives as may
be appropriate in order to enable them to carry out their functions promptly and efficiently.

2. In this connection account shall be taken of the characteristics of the industrial
relations systems of the country and the needs, size and capabilities of the undertaking
concerned.

3. The granting of such facilities shall not impair the efficient operation of the undertaking
concerned.

Article 3

For the purpose of this Convention the term «workers' representatives» means persons
who are recognised as such under national law or practice, whether they are—

(a) Trade union representatives, namely, representatives designated or elected by trade
unions or by the members of such unions; or

(b) elected representatives, namely, representatives who are freely elected by the
workers of the undertaking in accordance with provisions of national laws or

regulations or of collective agreements and whose functions do not include activities which are recognised as the exclusive prerogative of trade unions in the country concerned.

Article 4

National laws or regulations, collective agreements, arbitration awards or court decisions may determine the type or types of workers' representatives which shall be entitled to the protection and facilities provided for in this Convention.

Article 5

Where there exist in the same undertaking both trade union representatives and elected representatives, appropriate measures shall be taken, wherever necessary, to ensure that the existence of elected representatives is not used to undermine the position of the trade unions concerned of their representatives and to encourage co-operation on all relevant matters between the elected representatives and the trade unions concerned and their representatives.

Article 6

Effect may be given to this Convention through national laws or regulations or collective agreements, or in any other manner consistent with national practice.

Article 7

The formal ratifications of this Convention shall be communicated to the Director-General of the International Labour Office for registration.

Article 8

1. This Convention shall be binding only upon those Members of the International Labour Organisation whose ratifications have been registered with the Director-General.
2. It shall come into force twelve months after the date on which the ratifications of two Members have been registered with the Director-General.
3. Thereafter, this Convention shall come into force for any Member twelve months after the date on which its ratification has been registered.

Article 9

1. A Member which has ratified this Convention may denounce it after the expiration of ten years from the date on which the Convention first comes into force, by an act communicated to the Director-General of the International Labour Office for registration. Such denunciation shall not take effect until one year after the date on which it is registered.
2. Each Member which has ratified this Convention and which does not, within the year following the expiration of the period of ten years mentioned in the preceding paragraph, exercise the right of denunciation provided for in this Article, will be bound for another period of ten years and, thereafter, may denounce this Convention at the expiration of each period of ten years under the terms provided for in this Article.

Article 10

1. The Director-General of the International Labour Office shall notify all Members of the International Labour Organisation of the registration of all ratifications and denunciations communicated to him by the Members of the Organisation.
2. When notifying the Members of the Organisation of the registration of the second ratification communicated to him, the Director-General shall draw the attention of the Members of the Organisation to the date upon which the Convention will come into force.