



LAWS OF MALAYSIA

Act A1615

**INDUSTRIAL RELATIONS (AMENDMENT)
ACT 2020**

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Act A1615

INDUSTRIAL RELATIONS (AMENDMENT) ACT 2020

An Act to amend the Industrial Relations Act 1967.

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ENACTED by the Parliament of Malaysia as follows:

Short title and commencement

1. (1) This Act may be cited as the Industrial Relations (Amendment) Act 2020.

(2) This Act comes into operation on a date to be appointed by the Minister by notification in the *Gazette* and the Minister may appoint different dates for the coming into operation of different provisions of this Act.

Amendment of section 2

2. The Industrial Relations Act 1967 [*Act 177*], which is referred to as the “principal Act” in this Act, is amended in section 2, by substituting for the definition of “President” the following definition:

“President” means the President of the Court appointed under paragraph 21(1)(a) and includes the Deputy President of the Court appointed under paragraph 21(1)(aa);’.

Amendment of section 8**3.** Section 8 of the principal Act is amended—

- (a) in subsection (2), by substituting for the words “shall notify the Minister” the words “may, if he thinks fit, refer the complaint to the Court for hearing”; and
- (b) by deleting subsection (2A).

Amendment of heading of Part III**4.** The heading of Part III of the principal Act is amended by inserting after the words “**TRADE UNIONS**” the words “**AND SOLE BARGAINING RIGHTS**”.**Amendment of section 9****5.** Section 9 of the principal Act is amended—

- (a) by deleting subsection (1c);
- (b) in subsection (1D), by substituting for the words “Upon receipt of the notification under subsection (1c), the Minister” the words “Where the matter is not resolved under subsection (1B), the Director General”;
- (c) in paragraph (3)(a), by inserting after the words “accord recognition” the words “subject to the scope of membership of the trade union of workmen concerned as on the date of claim and in accordance with the constitution of the trade union of workmen making the claim”;
- (d) in paragraph (4A)(a), by substituting for the words “the competence of the trade union of workmen concerned” the words “the scope of membership of the trade union of workmen concerned as on the date of claim, whether it is in accordance with the constitution of the trade union of workmen making the claim”;
- (e) in paragraph (4A)(b), by substituting for the words “who are members of” the words “to indicate support for”;

- (f) by deleting paragraph (4B)(b);
- (g) by deleting subsection (4c);
- (h) by substituting for subsection (5) the following subsection:

“(5) Upon ascertaining the matter under subsection (4A), the Director General shall give his decision. Where the Director General decides that recognition is to be accorded, such recognition shall be deemed to be accorded by the employer or trade union of employers concerned, as the case may be, from such date as the Director General may specify.”; and
- (i) by deleting subsection (6).

Amendment of section 10

6. Section 10 of the principal Act is amended—

- (a) in subsection (1), by substituting for the word “Minister” the words “Director General”; and
- (b) in paragraph (2)(b), by substituting for the word “Minister” the words “Director General”.

Amendment of section 10A

7. Section 10A of the principal Act is amended by substituting for the word “Minister” the words “Director General”.

Amendment of section 11

8. Section 11 of the principal Act is amended—

- (a) by substituting for the word “Minister” the words “Director General”; and
- (b) by substituting for the words “three years” the words “one year”.