

Employment (Amendment) Bill

Table of Contents

Bill No: 43/1975

Read the first time: 19th August 1975

Long Title

Enacting Formula

1 Short title and commencement

2 Amendment of section 46

3 Amendment of section 48

4 Repeal of sections 49 and 50

5 Amendment of section 51

6 Repeal and re-enactment of sections 68 and 69

7 Repeal of sections 70 to 73

8 Repeal and re-enactment of section 75

9 Repeal of Part IX

10 Repeal of section 129

11 New section 143A

12 Amendment of section 148

13 New section 148A

Explanatory Statement

Expenditure of Public Money

Employment (Amendment) Bill

Bill No. 43/1975

Read the first time on 19th August 1975.

An Act to amend the Employment Act (Chapter 122 of the Revised Edition).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows: —

Short title and commencement

1.—(1) This Act may be cited as the Employment (Amendment) Act, 1975, and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

(2) The Minister may appoint different dates for the coming into operation of the different provisions of this Act.

Amendment of section 46

2. Section 46 of the Employment Act is hereby amended —

(a) by deleting paragraph (b) of subsection (5) thereof and substituting therefor the following: —

“(b) has not paid any bonus to his employees or has paid a bonus of one month's wages or less at any time prior to 1st July, 1972, the annual wage supplement to be payable by the employer may be equivalent to an amount not exceeding one month's wages of the employees.”;

(b) by deleting subsection (10) thereof and substituting therefor the following new subsections: —

“(10) Any person who, or any trade union of employees which, requests (whether orally or in writing) or invites negotiations for the payment by an employer —

- (a) of an annual wage supplement of an amount which is in excess of the amount specified in paragraph (a) or (b) of subsection (5) of this section; or
- (b) of an annual wage supplement, annual bonus or annual wage increases which is at variance with the decision of the employer in respect of the option referred to in subsection (2) of this section; or
- (c) of any money, in whatever way it may be described, in addition to the amount of annual wage supplement provided for in a contract of service or collective agreement; or
- (d) of an annual bonus in excess of the amount specified in paragraph (b) of subsection (1) of this section,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

(11) A contract of service or collective agreement which contains —

- (a) a provision for the payment of an annual wage supplement and an annual bonus shall not contain a provision for the payment of annual wage increases; and
- (b) a provision for the payment of an annual wage supplement and annual wage increases shall not contain a provision for the payment of an annual bonus,

and any contract of service or collective agreement made before, on or after the date of the commencement of the Employment (Amendment) Act, 1975 which is inconsistent with the provisions of this subsection shall be void to the extent of its inconsistency.

(12) Any employer who pays —

- (a) an annual wage supplement of an amount which is in excess of the amount specified in paragraph (a)

- or (b) of subsection (5) of this section; or
- (b) annual wage increases if he is already obliged under the provisions of a contract of service or a collective agreement to pay an annual wage supplement and an annual bonus; or
- (c) an annual bonus is he is already obliged under the provisions of a contract of service or a collective agreement to pay an annual wage supplement and annual wage increases; or
- (d) an annual bonus in excess of the amount specified in paragraph (a) or (b) of subsection (1) of this section,

shall be guilty of an offence and shall be liable on conviction to a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.

(13) No employer shall, without the written permission of the Minister for Finance, pay any money, in whatever way it may be described, in addition to the amount of annual wage supplement provided for in a contract of service or collective agreement.

(14) Any person who contravenes the provisions of subsection (13) of this section shall be guilty of an offence and shall be liable on conviction to a fine not exceeding five thousand dollars or to imprisonment for a term not exceeding six months or to both such fine and imprisonment.”; and

- (c) by re-numbering the existing subsection (11) as subsection (15) thereof.

Amendment of section 48

3. Section 48 of the Employment Act is hereby amended —

- (a) by deleting the expression “(4)” appearing in the first line of subsection (1) thereof and substituting therefor the expression “(3)”;
- (b) by deleting subsection (2) thereof; and
- (c) by re-numbering subsection (3) and (4) thereof as subsections (2) and (3) respectively.

Repeal of sections 49 and 50