

Industrial Relations (Amendment) Bill

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Bill No: 25/1968

Read the first time: 10th July 1968

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Expenditure of Public Money

Industrial Relations (Amendment) Bill

Bill No. 25/1968

Read the first time on 10th July 1968.

An Act to amend the Industrial Relations Ordinance, 1960 (No. 20 of 1960).

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

Short title

1. This Act may be cited as the Industrial Relations (Amendment) Act, 1968.

Amendment of section 2

2. Section 2 of the Industrial Relations Ordinance, 1960 (hereinafter in this Act referred to as “the Ordinance”) is hereby amended —

- (a) by deleting the definition of “Commissioner” appearing therein and substituting therefor the following: —

““Commissioner” means the Commissioner for Labour appointed under section 3 of the Employment Act, 1968 (Act of 1968), and includes a Deputy Commissioner for Labour, a Principal Assistant Commissioner for Labour and an Assistant Commissioner for Labour under that Act;”;

- (b) by inserting immediately after the word “Ordinance” appearing at the end of the definition of “employee” therein, the words “but does not include any person or class of persons whom the Minister may from time to time by notification in the *Gazette* declare not to be employees for the purposes of this Ordinance”;
- (c) by deleting the definition of “employer” appearing therein and substituting therefor the following: —

““employer” means any person who employs another person under a contract of service and includes —

- (i) the Government in respect of such categories, classes or descriptions of officers or servants of the Government as from time to time are declared by the President of Singapore to be employees for the purposes of this Ordinance;
 - (ii) a statutory authority;
 - (iii) a duly authorised agent or manager of an employer;
 - (iv) a person who owns, or is carrying on, or for the time being responsible for the management or control of a profession, business, trade or work in which an employee is engaged;”;
- (d) by deleting the expression “Labour Ordinance, 1955” appearing at the end of the definition of “Inspecting Officer” therein and substituting therefor the expression “Employment Act, 1968”.

Amendment of section 8

3. Section 8 of the Ordinance is hereby amended by inserting immediately after the word “member” appearing in the first line of the proviso thereto the words “who resigns or”.

Amendment of section 16

4. Section 16 of the Ordinance is hereby amended —

- (a) by inserting immediately after subsection (2) thereof the following new subsection: —

“(3) No trade union of employees the majority of whose

membership consists of employees in non-managerial or non-executive positions may seek recognition in respect of employees in managerial or executive positions or serve a notice under section 17 of this Ordinance in respect of such employees.”;

- (b) by deleting the expression “(3)” appearing in subsection (4) thereof and substituting therefor the expression “(4)”;
- (c) by renumbering the existing subsections (3) and (4) thereof as subsections (4) and (5), respectively.

Amendment of section 17

5. Section 17 of the Ordinance is hereby amended —

- (a) by renumbering the existing section as subsection (1); and
- (b) by inserting immediately after subsection (1) thereof the following new subsection: —

“(2) Notwithstanding the provisions of subsection (1) of this section, no trade union of employees may include in a notice setting out proposals for a collective agreement a proposal in relation to any of the following matters, that is to say: —

- (a) the promotion by an employer of any employee from a lower grade or category to a higher grade or category;
- (b) the transfer by an employer of an employee within the organisation of an employer’s profession, business, trade or work, provided that such transfer does not entail a change to the detriment of an employee in regard to his terms of employment;
- (c) the employment by an employer of any person that he may appoint in the event of a vacancy arising in his establishment;
- (d) the termination by an employer of the services of an employee by reason of redundancy or by reason of the reorganisation of an employer’s profession, business, trade or work or the criteria for such termination;
- (e) the dismissal and reinstatement of an employee by an employer in circumstances in which subsection (2) of section 34 of this Ordinance applies; or

- (f) the assignment or allocation by an employer of duties or specific tasks to an employee that are consistent or compatible with the terms of his employment.”.

Amendment of section 24

6. Section 24 of the Ordinance is hereby amended —

- (a) by inserting immediately after the word “delivered” appearing in the fourth line of subsection (1) thereof the words “within one week thereof”;
- (b) by inserting immediately after the word “section” appearing at the end of paragraph (a) of subsection (2) thereof the expression “or section 24A of this Ordinance”;
- (c) by deleting the words “eighteen months or more than three years” appearing in the third line of subsection (3) thereof and substituting therefor the words “three years or more than five years”; and
- (d) by deleting the words “eighteen months or more than three years” appearing in the second and third lines of paragraph (a) of subsection (5) thereof and substituting therefor the words “three years or more than five years”.

New section 24A

7. The Ordinance is hereby amended by inserting immediately after section 24 thereof the following new section: —

“Restrictions on collective agreements in certain new undertakings

24A.—(1) No collective agreement to which this section applies shall contain provisions with regard to terms and conditions of service that are more favourable to employees than those contained in Part IV of the Employment Act, 1968 (Act of 1968), unless such provisions are approved by the Minister after considering any representations in that regard made by an employer and a trade union representing his employees:

Provided that the Minister may, before making a decision on any such representations, by writing under his hand request the Court to inquire and report to him whether it is desirable that any such representations should be allowed and, if so, whether with or without modification.

- (2) This section applies to collective agreements made between an employer