

Industrial Relations (Amendment) Bill

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Bill No: 59/1965

Read the first time: 13th December 1965

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Industrial Relations (Amendment) Bill

Bill No. 59/1965

Read the first time on 13th December 1965.

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, 1965.

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 inserting immediately after the word “declared” appearing in the fifth line of the definition of “employee” therein the words “by notification in the *Gazette*”;
- (b) by deleting the words “but shall not include any individual agreement or contract of service between employer and employee relating to the employment or terms of employment of such employee” appearing at the end of the definition of “industrial matters” therein; and
- (c) by inserting immediately after the word “includes” appearing in the second line of the definition of “Registrar” therein the words “a Deputy Registrar and”.

Amendment of section 4

3. Section 4 of the Ordinance is hereby amended by deleting subsection (1) thereof and substituting therefor the following: —

“(1) The President of the Court shall not be deemed to be a public servant, but shall have the same rights, privileges, protection and immunity as a Judge of the Supreme Court and the provisions of the Constitution of Singapore relating to the tenure of office and the terms of office of Judges of the Supreme Court shall be deemed to apply to him as if he were a Judge of the Supreme Court.”.

Amendment of section 7

4. Section 7 of the Ordinance is hereby amended by inserting immediately after subsection (4) thereof the following new subsection: —

“(5) The Minister may exempt any person from the provisions of subsection (1) or (3) of this section.”.

Amendment of section 8

5. Section 8 of the Ordinance is hereby amended —

- (a) by deleting the words “three years” appearing in the third line thereof and

substituting therefor the words “one year”;

- (b) by deleting the full-stop appearing at the end thereof and substituting therefor a colon; and
- (c) by adding thereto the following proviso: —

“Provided that a panel member whose appointment expires during the course of any proceedings of the Court shall for the purposes of such proceedings and until their determination be deemed to remain a member of the Court.”.

Amendment of section 9

6. Subsection (2) of section 9 of the Ordinance is hereby amended by deleting the words “Yang di-Pertuan Negara” appearing in the first line thereof and substituting therefor the word “Minister”.

Amendment of section 15

7. Subsection (1) of section 15 of the Ordinance is hereby amended by inserting immediately after the word “such” appearing in the second line thereof the words “Deputy Registrars and”.

New section 15A

8. Part III of the Ordinance is hereby amended by inserting immediately before section 16 thereof the following new section: —

“Recognition of trade union of employees

15A.—(1) No trade union of employees which has not been given recognition by an employer in the prescribed manner may serve on that employer a notice under section 16 of this Ordinance.

(2) No trade union of employees whose constitution and rules do not permit it to admit as members any class of employees may seek recognition in respect of that class of employees or serve a notice under section 16 of this Ordinance in respect of such employees.

(3) Where an employer raises the objection that a trade union should not represent certain employees or a class of employees, the employer and the trade union shall make a joint application to the Court for the determination of the question and until the Court gives its decision, such employer shall recognise the trade union in respect of other employees or class of employees in respect of whom

the recognition of the trade union by the employer is not in dispute if the trade union represents the majority of such employees or class of employees.

(4) The powers of the Court under subsection (3) of this section shall be exercisable by the Court constituted by the President alone.”.

Amendment of section 16

9. Section 16 of the Ordinance is hereby amended by deleting the words “A trade union of employees may serve on an employer” appearing at the beginning thereof and substituting therefor the words “A trade union of employees which has been accorded recognition by an employer may serve on that employer”.

Amendment of section 18

10. Section 18 of the Ordinance is hereby amended —

- (a) by deleting subsection (3) thereof; and
- (b) by renumbering subsection (4) thereof as subsection (3).

Amendment of section 23

11. Section 23 of the Ordinance is hereby amended by deleting subsection (2) thereof and substituting therefor the following: —

“(2) The Court may in its discretion —

- (a) refuse to certify a memorandum delivered under subsection (1) of this section if it is of opinion that it is not in the public interest that the collective agreement shall be certified or if it is of opinion that the memorandum does not set out satisfactorily or adequately the terms of the collective agreement between the parties and shall refuse to do so if the agreement does not comply with subsection (3) of this section; and
- (b) before certifying a memorandum delivered under subsection (1) of this section, require that such part or parts thereof shall be amended satisfactorily or adequately in any manner which the Court considers expedient to comply with the provisions of this Ordinance or regulations made thereunder or any other written law or with any direction of the Court, and if any party to the collective agreement refuses to carry out such request the Court may, notwithstanding any other power exercisable under this Ordinance, amend the memorandum in the manner so required before proceeding to certify