

**Trade Disputes Act  
(CHAPTER 331)**

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### **Legislative History**

# **TRADE DISPUTES ACT** **(CHAPTER 331)**

(Original Enactment: Ordinance 59 of 1941)

REVISED EDITION 2014

(31st October 2014)

An Act to control trade disputes and matters arising therefrom.

[5th December 1941]

### **Short title**

1. This Act may be cited as the Trade Disputes Act.

### **Interpretation**

2. In this Act —

“award” means an award made by an Industrial Arbitration Court and includes a collective agreement a memorandum of the terms of which has been certified by the President of the Industrial Arbitration Court in accordance with the provisions of the Industrial Relations Act (Cap. 136);

“industrial action” means —

- (a) any act or omission by a body of persons employed in any trade or industry, acting in combination or under a common understanding, which would result in any limitation or restriction on, or delay in, the performance of any duties connected with their employment; or
- (b) a strike, that is to say, the cessation of work by a body of persons

employed in any trade or industry acting in combination, or a concerted refusal, or a refusal under a common understanding of a number of persons who are, or who have been so employed, to continue to work or to accept employment;

“injury” means injury to a person in respect of his business, occupation, employment or other source of income and includes any actionable wrong;

“intimidate” means to cause in the mind of a person a reasonable apprehension of injury to him or to any member of his family or to any of his dependants or of violence or damage to any person or property;

“lock-out” means the closing of a place of employment or the suspension of work, or the refusal by an employer to continue to employ any number of persons employed by him in consequence of a trade dispute, done with a view to compelling those persons, or to aid another employer in compelling persons employed by him to accept terms or conditions of or affecting employment;

“maliciously” means the doing of a wrongful act intentionally without just cause or excuse;

“trade dispute” means any dispute between employers and employees or between employees and employees, or between employers and employers which is connected with the employment or non-employment, or the terms of employment or the conditions of labour, of any person.

[23/81]

## **Illegal industrial action and lock-out**

3.—(1) An industrial action shall be illegal if —

- (a) it has any other object than the furtherance of a trade dispute within the trade or industry in which the persons taking part in the industrial action are engaged;
- (b) it is in furtherance of a trade dispute of which an Industrial Arbitration Court has cognizance; or
- (c) it is designed or calculated to coerce the Government either directly or by inflicting hardship on the community.

[23/81]

(2) A lock-out shall be illegal if —

- (a) it has any other object than the furtherance of a trade dispute within the trade or industry in which the employers locking out are engaged;

- (b) it is in furtherance of a trade dispute of which an Industrial Arbitration Court has cognizance; or
- (c) it is designed or calculated to coerce the Government either directly or by inflicting hardship on the community.

### **When lock-out or industrial action not deemed to be illegal**

4. A lock-out in consequence of an illegal industrial action or an industrial action in consequence of an illegal lock-out shall not be deemed to be illegal.

### **Penalties in relation to illegal industrial action and lock-out**

5.—(1) Any person who commences, continues or otherwise acts in furtherance of an illegal industrial action shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$2,000 or to imprisonment for a term not exceeding 6 months or to both.

[\[23/81\]](#)

(2) Any person who commences, continues or otherwise acts in furtherance of an illegal lock-out shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 6 months or to both.

[\[23/81\]](#)

### **Penalty for instigation**

6. Any person who instigates or incites others to take part in or otherwise acts in furtherance of an illegal industrial action or lock-out or who instigates or incites a person bound by an award to take part in or otherwise act in furtherance of any industrial action shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 12 months or to both.

[\[23/81\]](#)

### **Penalty for giving financial aid to illegal industrial action or lock-out**

7. Any person who knowingly expends or applies any money in direct furtherance or support of any illegal industrial action or lock-out shall be guilty of an offence and shall be liable on conviction to a fine not exceeding \$5,000 or to imprisonment for a term not exceeding 12 months or to both.

[\[23/81\]](#)

### **Protection of persons refusing to take part in illegal industrial action or lock-out**

8.—(1) No person who refuses to take part in or to continue to take part in an illegal industrial action or lock-out shall, by reason of such refusal, be subject to expulsion from any trade union or to any fine or penalty, or to any deprivation of any right or benefit to