

LEGISLATIVE ASSEMBLY

SINGAPORE, 2ND AUGUST, 1955

No. 10

10.00 a.m.

32

AT THE COMMENCEMENT OF PUBLIC BUSINESS

Notices of Introduction of Bills

1. The Minister for Health—
Medicines (Advertisement and Sale) Bill.
2. The Minister for Health—
Nurses Registration (Amendment) Bill.

ORDERS OF THE DAY AND NOTICES OF MOTIONS

- †1. Land Titles Bill—Second Reading.
- †2. Land Acquisition (Temporary Provisions) Bill—Second Reading.
- †3. School Crossing Patrols Bill—Second Reading.
- †4. Rubber Shipping and Packing Control (Amendment) Bill—Second Reading.
- †5. The Minister for Labour and Welfare to move—
That the order committing the Labour Bill to a Select Committee nominated by the Committee of Selection be discharged, and that the Bill be committed to a Committee of the whole House.
6. The Chief Secretary to move—

That this Assembly, in accordance with subsection (3) of section 3 of the Emergency Regulations Ordinance, 1948 (No. 17 of 1948), as amended by the Emergency Regulations (Amendment) Ordinance, 1948 (No. 39 of 1948), and the Emergency Regulations (Amendment) Ordinance, 1951 (No. 9 of 1951), adopts the Proclamation made by the Governor in Council on the 16th day of July, 1955, and published as Notification No. S 199 in the *Gazette* Supplement No. 58 of 22nd July, 1955, as contained in Sessional Paper No. S.L. 23 of 1955, prolonging for a further period of three months commencing the 22nd day of July, 1955, the period specified in the Proclamation of Emergency made on the 21st day of April, 1955, and published as Notification No. S 113 in the *Gazette* Supplement No. 30 of 21st April, 1955.

7. The Chief Minister to move—

That Standing Order 62 be suspended to enable the following motions to be made:

(a) That a Select Committee be appointed to enquire into, report upon, and make recommendations in respect of the staff at all levels in the employment of the Assembly, the methods of their appointment, their salaries and terms of service, and generally all matters relevant to the Assembly staff; and

(b) That the Select Committee do consist of the Speaker as Chairman and five Members to be nominated by the Committee of Selection.

8. The Attorney-General to move—

That this Assembly, pursuant to subsection (2) of section 3 of the Transfer of Powers and Interpretation Ordinance, 1949 (No. 9 of 1949), resolves that the Singapore Essential (Amendment) Regulations, 1955, published as Notification No. S 206 in the *Gazette Supplement* No. 60 of 23rd July, 1955, as contained in Sessional Paper No. S.L. 25 of 1955, be approved.

9. Mr. LEE KUAN YEW (Member for Tanjong Pagar) to move—

That this House deploras the continued detention without trial of Mr. Fong Swee Suan, Secretary of the Singapore Bus Workers' Union, and Mr. Yong Kok Kim, President of the Singapore Factory and Shop Workers' Union, and considers that the Government should either release them or give them an opportunity to answer the Government's allegations against them in open court.

10. Mr. LIM CHOON MONG (Member for Serangoon) to move—

That this House is of opinion that the appointment of more Assistant Ministers at the present time is undesirable.

NOTICES RELATING TO ORDERS OF THE DAY
1. *Land Titles Bill*—

Subject to the Bill passing its Second Reading, the Minister for Local Government, Lands and Housing will move the Committee stage and Third Reading.

The Minister for Local Government, Lands and Housing will move the following amendment to the Bill in Committee:—

That the First Schedule (as in the form appended) be inserted in the Bill immediately after clause 141:

FIRST SCHEDULE

<i>Certificate No.</i>	COLONY OF SINGAPORE	<i>Lot No.</i>
<i>Crown Title:</i>	(ROYAL ARMS)	Mukim/T.S.
	CERTIFICATE OF TITLE	
<i>Quit Rent:</i>	The Land Titles Ordinance, 1955 (No. of 1955)	<i>Short Description.</i>
	(Section 15)	
<i>History of Land:</i>	This is to certify that the proprietor shown herein holds a estate in the land herein described subject to such reservations covenants conditions and agreements expressed or implied in the Crown title referred to herein and subject to such encumbrances liens and interests as are notified herein.	<i>Area.</i> More particularly delineated on Plan No. filed in the Survey Office and shown on the Standard Map. No. Litho No.

Dated the day of 19 .

REGISTRAR OF TITLES
SINGAPORE

(Seal)

1. Easements and other appurtenant Rights.

2. Proprietorship:

3. Charges Encumbrances etc.

2. *Land Acquisition (Temporary Provisions) Bill—*

Subject to the Bill passing its Second Reading, the Minister for Local Government, Lands and Housing will move the Committee stage and Third Reading.

3. *School Crossing Patrols Bill—*

Subject to the Bill passing its Second Reading, the Minister for Communications and Works will move the Committee stage and Third Reading.

The Minister for Communications and Works will move the following amendment to the Bill in Committee:—

After definition of “road” in clause 2, add—

“school” includes a Children’s Social Centre run by the Department of Social Welfare, Singapore.

4. *Rubber Shipping and Packing Control (Amendment) Bill—*

To be withdrawn.

5. *Labour Bill—*

Subject to the motion (No. 5) being agreed to, the Minister for Labour and Welfare will move the following revised amendments to the Bill in Committee:—

Clause 2, page 1, lines 12 to 16: Delete “undertaking, either exclusively or in addition to or in conjunction with any other business, any constructional work and includes his heirs, executors, administrators, assigns and successors;” and substitute “firm, corporation or company who or which is established for the purpose of undertaking, either exclusively or in addition to or in conjunction with any other business, any type of constructional work, and who or which is carrying out such constructional work for or on behalf of some other person under a contract entered into by him or them with such other person, and includes his or their heirs, executors, administrators, assigns and successors;”.

Clause 2, page 2, after line 7: Insert after the definition of “Contract of service” a new definition “‘contractor’ means any person who contracts with a principal to carry out the whole or any part of any work undertaken by the principal in the course of or for the purposes of the principal’s trade or business;”.

Clause 2, page 3, after line 33: Insert after the definition of “place of employment” a new definition “‘principal’ means any person who in the course of or for the purposes of his trade or business contracts with a contractor for the execution by or under the contractor of the whole or any part of any work undertaken by the principal;”.

Clause 2, page 4, after line 27: Insert after the definition of "repatriation" two new definitions "sub-contractor" means any person who contracts with a contractor for the execution by or under the sub-contractor of the whole or any part of any work undertaken by the contractor for his principal, and includes any person who contracts with a sub-contractor to carry out the whole or any part of any work undertaken by the sub-contractor for a contractor;

"sub-contractor for labour" means any person who contracts with a contractor or sub-contractor to supply the labour required for the execution of the whole or any part of any work which a contractor or sub-contractor has contracted to carry out for a principal or contractor, as the case may be;"

Clause 2, page 5, line 8: Delete "labourers" and substitute "workmen".

Clause 2, page 5, line 35: Delete the colon and substitute a semi-colon.

Clause 2, page 5, lines 36, 37 and 38: Delete "And provided further that for the purposes of Part XVI "workman" shall include a sub-contractor for labour;"

Clause 36, page 14, lines 31 to 33: Delete sub-clause (2) and substitute—"(2) For the purposes of this section and of section 37 of this Ordinance "workman" shall be deemed to include sub-contractors for labour, clerks and watchmen and "wages" shall be deemed to include money due to a sub-contractor for labour."

Clause 37, page 14, lines 34 to 37: Delete the whole clause and substitute—

"Reference by the Courts to Commissioner.

37.—(1) For the purposes of ascertaining the amount due to any workman under section 36 of this Ordinance, the court may refer the matter to the Commissioner with a request that he hold an inquiry into such matter and forward his findings in respect thereof to the court, and the Commissioner shall comply with any such request.

(2) For the purposes of any inquiry under the preceding subsection the Commissioner shall have all the powers conferred upon him by section 153 of this Ordinance."

Clause 42, page 15, line 26: Delete "forty-eight" and substitute "forty-four".

Clause 42, page 15, line 41: Delete "forty-eight" and substitute "forty-four".

Clause 42, page 16, line 9: Delete "forty-eight" and substitute "forty-four".

Clause 42, page 16, lines 18 and 19: Delete "three hundred and thirteen" and substitute "two hundred and eighty-seven".

Clause 44, page 17, line 1: Delete "forty-eight" and substitute "forty-four".

Clause 44, page 17, line 3: Delete "forty-eight" and substitute "forty-four".

Clause 44, page 17, line 11: Delete "forty-eight" and substitute "forty-four".

Clause 46, page 18, line 5: Insert after "night" the words "or any part thereof".

Clause 46, page 18, line 7: Insert after "night" the words "or any part thereof".

Clause 54, page 19, line 24: Delete "147" and substitute "145".

Clause 62, page 21, lines 9 and 10: Delete "other person (in this section referred to as the "sub-contractor"))" and substitute "sub-contractor".

Clause 63, page 22, lines 9 and 10: Delete "person (in this section referred to as the "principal"))" and substitute "principal".

Clause 63, page 22, lines 12 and 13: Delete "other person (in this section referred to as "the contractor"))" and substitute "contractor".

Clause 96, page 28, line 16: Delete "of the date" and substitute "from the date".

Clause 96, page 28, line 18: Delete "of the end" and substitute "from the end".

Clause 97, page 28, lines 19 to 21: Delete the whole clause and substitute:—

"Death during benefit period.

97.—(1) If a female workman, after giving notice to her employer that she expects to be confined, abstains from work in expectation of her confinement and dies from any cause before her confinement the employer shall pay to the person nominated by her under section 102 of this Ordinance or, if there is no such person, to her legal representative, an allowance at the rate prescribed under section 94 from the day immediately following the last day on which she works to the day immediately preceding the day of her death:

Provided that in the circumstances mentioned in this subsection no employer shall be liable to pay such allowance in respect of a period exceeding thirty days.

(2) If a female workman dies from any cause on or after the day of her confinement and before any maternity allowance to which she is entitled has been paid to her the employer shall pay to the person nominated by her under section 102 of this Ordinance or, if there is no such person, to her legal representative, any maternity allowance to which she is on the day of her death entitled in respect of the period up to the day of confinement and in respect of the period after confinement up to the day preceding the day of her death".

Clause 98, page 28, line 26: Delete "of her confinement" and substitute "from her confinement".

Clause 102, page 29, line 7: Delete the expression "—(1)".

Clause 102, page 29, lines 15 to 21: Delete the whole of sub-clause (2).

Clause 110, page 30, line 23: Delete "of subsection (1)".

Clause 117, page 32, line 39: Delete "family" and substitute "dependants".

Clause 145, page 39, lines 8 to 18: Delete the whole of this clause and substitute—

"Commissioner's power to inquire into Complaints.

145—(1) The Commissioner may inquire into and decide any dispute between a workman and his employer or between a workman and any person liable under the provisions of this Ordinance to pay any wages due to such workman where such dispute arises out of any term in the contract of service between such workman and his employer or out of any of the provisions of this Ordinance, and in pursuance of such decision may make an order in the prescribed form for the payment by either party of such sum of money as he deems just without limitation of the amount thereof.

(2) The powers of the Commissioner under subsection (1) of this section shall include the power to hear and decide, in accordance with the procedure laid down in this Part, any claim by a sub-contractor for labour against a contractor or sub-contractor for any sum which the sub-contractor for labour claims to be due to him in respect of any labour provided by him under his contract with the contractor or sub-contractor and to make such consequential orders as may be necessary to give effect to his decision."

Clause 146, page 39, line 21: Delete "for the payment of wages to any workman" and substitute "or any person liable for the payment of any sum of money to any workman or sub-contractor for labour".

Clause 146, page 39, line 22: After the word "employer" insert "or person liable".

Clause 146, page 39, line 24: After the word "workman" insert "or sub-contractor for labour".

Clause 146, page 39, line 27: After the word "employer" insert "or person liable".

Clause 146, page 39, line 29: After the word "workman" insert "or sub-contractor for labour".

Clause 146, page 39, line 30: After the word "employer" insert "or person liable". Delete the full-stop and substitute a colon and add the following provisoes—

"Provided that where such other person admits to the Commissioner in writing that money is owing by him under such contract to the employer or person liable he need not be summoned before the Commissioner and the Commissioner may make such order in his absence:

Provided further that where such other person is liable as a principal under section 63 of this Ordinance to pay any wages due by the employer or person liable and where the money admitted by him to be owing to the employer or person liable is not sufficient to pay the whole of such wages nothing in this subsection shall relieve him of his liability for the balance of such wages up to the amount for which he is liable under the said section."

Clause 146, page 39, line 36: Delete "(2)" and substitute "(1)".

Clause 146, page 39, line 38: After the word "employer" insert "or person liable".

Clause 150, page 41, line 16: After the word "workman" insert "or sub-contractor for labour".

Clause 150, page 41, line 18: After the word "employer" insert "or person liable".

Clause 150, page 41, line 24: After the word "workman" insert "or sub-contractor for labour".

Clause 150, page 41, line 26: After the word "employer" insert "or person liable".

Clause 150, page 41, line 27: After the word "workman" insert "or sub-contractor for labour".

- Clause 150, page 41, line 28:* After the word "workman" insert "or sub-contractor for labour".
- Clause 152, page 41, line 31:* After the word "workman" insert "or sub-contractor for labour".
- Clause 152, page 41, line 33:* After the word "employer" insert "or person liable". Delete the words "of his wages" and substitute "of wages due to such workman or any money due to such sub-contractor for labour in respect of any labour provided by him".
- Clause 152, page 41, line 35:* After the word "workman" insert "or sub-contractor for labour".
- Clause 152, page 41, line 36:* After the word "employer" insert "or person liable".
- Clause 152, page 41, line 38:* After the word "wages" insert "or other money due" and after the word "are" insert "or is".
- Clause 152, page 41, line 39:* After the word "employer" insert "or person liable".
- Clause 152, page 41, line 41:* After the word "employer" insert "or person liable".
- Clause 152, page 41, lines 44 and 45:* Delete the words "of his workmen" and after the word "him" insert "of his workmen" and after the word "wages" insert "or of any sub-contractor for labour for money due in respect of any labour provided by him".
- Clause 152, page 42, line 1:* After the word "employer" insert "or person liable".
- Clause 152, page 42, line 4:* After the word "workmen" insert "or of any sub-contractor for labour".
- Clause 152, page 42, line 5:* After the word "employer" insert "or person liable".
- Clause 152, page 42, line 7:* After the word "workmen" insert "or of any sub-contractors for labour".
- Clause 152, page 42, line 10:* After the word "employer" insert "or person liable".
- Clause 152, page 42, line 13:* After the word "employer" insert "or person liable".
- Clause 152, page 42, line 14:* After the word "workman" insert "or sub-contractor for labour".
- Clause 152, page 42, lines 16 and 17:* Delete the word "employer" and substitute "person".
- Clause 152, page 42, line 19:* Delete the word "employer" and substitute "person".
- Clause 152, page 42, line 20:* Delete the word "employer" and substitute "person".
- Clause 152, page 42, line 24:* Delete "an employer" and substitute "any person".
- Clause 152, page 42, line 26:* After the word "workmen" insert "or money due to a sub-contractor for labour in respect of any labour provided by him" and after the word "are" insert "or is".

- Clause 152, page 42, line 28:* After the word "workman" insert "or sub-contractor for labour".
- Clause 152, page 42, line 31:* After the word "workman" insert "or sub-contractor for labour".
- Clause 152, page 42, line 36:* After the word "that" insert "all" and after the word "wages" insert "or money".
- Clause 153, page 42, line 41:* Delete "relating to employer and workman".
- Clause 153, page 43, line 3:* Delete "a workman" and insert "any person".
- Clause 153, page 43, line 5:* After the word "any" insert "other".
- Clause 154, page 43, line 23:* After the word "workman" insert "or sub-contractor for labour".
- Clause 154, page 43, line 24:* After the word "workman" insert "or sub-contractor for labour".
- Clause 154, page 43, line 25:* After the word "workmen" insert "or sub-contractors for labour".
- Clause 154, page 43, line 28:* After the word "workman" insert "or sub-contractor for labour" and after the word "workmen" insert "or sub-contractors for labour".
- Clause 154, page 43, lines 30 and 31:* After the word "workmen" insert "or sub-contractors for labour".
- Clause 155, page 43, line 43:* After the word "workman" insert "or sub-contractor for labour".
- Clause 155, page 43, line 44:* After the word "employer" insert "or person liable".
- Clause 155, page 44, line 1:* After the word "employer" insert "or person liable".
- Clause 155, page 44, line 2:* After the word "employer" insert "or person liable".
- Clauses 168 and 169, pages 47 and 48:* Delete the whole of these two clauses and substitute a new clause—

"Power to make reciprocal provisions between the Colony and the Federation for the service, execution and enforcement of summonses, warrants and orders.

168.—If the Governor in Council is satisfied that arrangements have been or will be made by or under any legislation in force in the Federation for the service, execution or enforcement in the Federation of summonses, warrants, or orders issued or made under this Ordinance he may, by regulations made under this Ordinance—

- (a) prescribe the procedure for sending such summonses, warrants and orders to the Federation for service, execution or enforcement, and specify the conditions under which any such summons shall be deemed to have been served; and
- (b) make reciprocal provisions for the service, execution or enforcement in the Colony of summonses, warrants or orders issued or made in the Federation under any corresponding or similar legislation in force therein."

Clause 170, page 49, line 1: Delete "170.—(1)" and substitute "169".

Clause 171, page 50, line 15: Delete "171" and substitute "170".

Clause 171, page 50, line 16: Delete "laid before" and substitute "presented to".

Clause 171, page 50, line 19: Delete "meeting at which they were first laid upon the table" and substitute "date on which they were so presented".

Page 51: Delete the whole of Schedule A and substitute—

"SCHEDULE A

(Section 45)

- (i) Chinese New Year's Day
- (ii) Thaipusam
- (iii) Good Friday
- (iv) Labour Day
- (v) Wesak Day
- (vi) Queen's Birthday
- (vii) Hari Raya Puasa
- (viii) Hari Raya Haji
- (ix) Prophet Mohamed's Birthday
- (x) Deepavali
- (xi) Christmas Day".

Schedule B, page 51: Delete the figure "172" and substitute the figure "171".
