



**FIRST LEGISLATIVE ASSEMBLY
STATE OF SINGAPORE**

FIRST SESSION

ORDER PAPER SUPPLEMENT

Sup. No. 13

FRIDAY, 12TH FEBRUARY, 1960

49

**NOTICES OF AMENDMENTS TO BILLS
IN COMMITTEE**

INDUSTRIAL RELATIONS BILL [BILL NO. 61]

Clause 2:

Minister for Labour and Law:

- (i) **In page 2, lines 13 to 15:** to leave out "or of any department of Her Majesty's Government in the United Kingdom functioning within Singapore".
- (ii) **In page 2, lines 21 to 23:** to leave out "and any department of Her Majesty's Government in the United Kingdom functioning within Singapore".
- (iii) **In page 2:** to leave out lines 28 to 32 inclusive.
- (iv) **In page 2, line 37:** at end, to add—
"Industrial Relations Officer" means an Industrial Relations Officer appointed under section 26 of this Ordinance;.

Clause 4:

Mr. A. P. Rajah:

- In page 3, lines 27 and 28:** to leave out "not be deemed to be a public servant but" and insert "be deemed to be a public servant and".

Clause 7:

Minister for Labour and Law:

- (i) **In page 5, line 24:** to leave out "an order made under".

Tun Lim Yew Hock:

- (ii) **In page 5, line 29:** at end, to add—
"(f) is a committee member of a political party or of any of its branches,". *negated*

Note:—The following consequential amendments are to be made:—

- (1) **In page 5, line 26:** to leave out "or".
- (2) **In page 5, line 29:** to leave out the comma and insert
"; or".

Clause 9:

Tun Lim Yew Hock:

- (i) **In page 5, line 45:** at end, to add—
"(d) has become permanently incapable of discharging the functions of a member of the Court."

(ii) In page 6: to leave out lines 1 to 6 inclusive.

Note:—The following consequential amendments are to be made:—

- (1) In page 5, line 35: to leave out “—(1)”.
- (2) In page 5, line 40: to leave out “or”.
- (3) In page 5, line 45: to leave out the full-stop and insert “; or”.

Clause 11:

Minister for Labour and Law:

- (i) In page 6, line 17: to leave out “workmen” and insert “employees”.
- (ii) In page 6, line 20: to leave out “and trade unions of employers”.
- (iii) In page 6, line 23: to leave out “workmen” and insert “employees”.
- (iv) In page 6, lines 24 and 25: to leave out “and trade unions of employers”.
- (v) In page 6, line 33: to leave out “workmen” and insert “employees”.
- (vi) In page 6, lines 36 and 37: to leave out “, or trade unions of employers who represent the majority.”.

Clause 16:

Minister for Labour and Law:

- (i) In page 8, line 3: to leave out from “of” to the end of line 5 and insert “employees may serve on an employer and an employer may serve on a trade union of employees”.
- (ii) In page 8, lines 8 and 9: to leave out “employers or workmen” and insert “employees”.

Clause 17:

Tun Lim Yew Hock:

- In page 8, line 14: to leave out “employer or trade union” and insert “trade union or employer”.

Clause 18:

Minister for Labour and Law:

- (i) In page 8, line 27: to leave out from “employer” to the end of line 33 and insert—

“, the Commissioner is of the opinion that it is a factor influencing the employer in failing to accept an invitation to negotiate that the employer believes that a majority of the persons employed by the employer”.

- (ii) In page 8, line 35: to leave out from “notice” to the end of line 43 and insert—

“are not members of the trade union of employees by which the notice was served, the Commissioner may submit to a vote of the persons so employed taken by secret ballot the question whether they are members of the trade union.”.

- (iii) In page 9, lines 2 and 3: to leave out “or trade union of employers and the trade union of workmen” and insert “and the trade union of employees”.

Mr. A. P. Rajah:

- (iv) In page 9, line 8: to leave out “otherwise directs” and insert “acts under section 21 of this Ordinance”.

Clause 20:

Mr. A. P. Rajah:

In page 9, lines 36 and 37: to leave out "otherwise directs" and insert "acts under section 21 of this Ordinance".

Clause 21:

Minister for Labour and Law:

(i) In page 9, line 40: to leave out "19" and insert "20".

Tun Lim Yew Hock:

(ii) In page 9, line 40: to leave out "19" and insert "20".

(iii) In page 10, line 1: to leave out "may be given orally or" and insert "shall be".

Clause 23:

Tun Lim Yew Hock:

(i) In page 10, line 27: after "writing", to insert "either in Malay, English, Chinese or Tamil,"

Minister for Labour and Law:

(ii) In page 10, line 39: to leave out "two years or more than five" and insert "eighteen months or more than three".

Clause 26:

Minister for Labour and Law:

(i) In page 11, line 33: after "Officers", to insert "or Industrial Relations Officers".

(ii) In page 11, line 38: to leave out "and of Conciliation" and insert "or Industrial Relations Officers and of Conciliation Officers and Industrial Relations".

Clause 27:

Tun Lim Yew Hock:

In page 11, line 42: after "Minister", to insert "for Finance"

Clause 28:

Minister for Labour and Law:

(i) In page 12, line 6: after "dispute", to insert "jointly"

Tun Lim Yew Hock:

(ii) In page 12, line 9: to leave out from "(b)" to the end of line 14 and insert "a trade dispute has been notified to the Registrar by the Commissioner in accordance with Part III of this Ordinance;"

Minister for Labour and Law:

(iii) In page 12: to leave out lines 9 to 14 inclusive.

Note:—The following consequential amendments are to be made: re-letter the succeeding paragraphs (c) and (d) as (b) and (c) respectively.

(iv) In page 12, lines 15 to 18: to leave out "certifies in respect of a trade dispute with regard to employment in, or in connection with the provision of, an essential service that it is in the public interest" and insert "directs".

Clause 29:

Minister for Labour and Law:

Note:—It is intended that the question “That the clause stand part of the Bill” be negatived.

Note:—Tun Lim Yew Hock has given notice that he will speak against the question “That the ~~clause stand~~ part of the Bill”.

Clause 31:

Minister for Labour and Law:

In page 13, line 14: after “Government”, to insert—

S.I. 1958
No.
1956.

“relating to any matter which would entail an expenditure of public funds or with regard to which the Yang di-Pertuan Negara is required under the provisions of the Singapore (Constitution) Order in Council, 1958, to act on the advice of the Public Service Commission or the Legal Service Commission”.

Note:—Tun Lim Yew Hock has given notice that he will speak against the question “That the clause stand part of the Bill”.

Clause 32:

Minister for Labour and Law:

In page 13, line 20: to leave out “shall” and insert “may”.

Clause 36:

Minister for Labour and Law:

- (i) **In page 14, line 3:** to leave out “five” and insert “three”.
- (ii) **In page 14, line 5:** to leave out “two years” and insert “eighteen months”.
- (iii) **In page 14, line 6:** to leave out from “(3)” to the end of line 22 and insert—

“Where some or all of the persons and trade unions bound by an award, by an agreement registered under section 23 of this Ordinance, agree that the award or the award as varied by the agreement shall continue in force for a period not being less than eighteen months or more than three years after the date on which it would otherwise cease to be in force, the award or the award as varied shall as between the parties to the agreement continue in force for such period.

(4) The Court may whether or not an award has ceased to be in force, on application by a person or trade union bound by the award, order that the award, or the award as varied by the order, shall continue in force for such period, not being less than eighteen months or more than three years, after the date on which it would otherwise cease to be in force, as is specified in the order.”.

10

15

Clause 42:

Minister for Labour and Law:

In page 17, line 11: to leave out “two years” and insert “eighteen months”.

Clause 45:

Tun Lim Yew Hock:

In page 17, line 36: after "by" where it first occurs, to insert "an employer or".

Clause 49:

Minister for Labour and Law:

(i) **In page 18, line 34:** after "union", to insert "or an employer".

(ii) **In page 18, line 35:** to leave out "an employer or".

Clause 50:

Minister for Labour and Law:

In page 19, line 10: to leave out "entitled to the benefit of" and insert "bound by".

Clause 51:

Minister for Labour and Law:

(i) **In page 19, lines 15 and 16:** to leave out "entitled to the benefit of an award and an employer bound by the" and insert "and an employer bound by an".

Mr. A. P. Rajah:

(ii) **In page 20, lines 5 and 6:** to leave out "the Minister, the Parliamentary Secretary to the Minister or to".

(iii) **In page 20, lines 9 and 10:** to leave out "the Minister, the Parliamentary Secretary to the Minister or".

(iv) **In page 20, line 12:** to leave out "the Minister, the Parliamentary Secretary to the Minister or".

(v) **In page 20, lines 15 and 16:** to leave out "the Minister, the Parliamentary Secretary to the Minister or".

(vi) **In page 20, line 21:** to leave out "Minister, the Parliamentary Secretary to the Minister or the".

(vii) **In page 20, lines 31 and 32:** to leave out "informed by the Minister or by the Parliamentary Secretary to the Minister or is".

Clause 54:

Minister for Labour and Law:

In page 22, line 28: at end, to add—

"(5) Where the Court punishes as contempt a failure by a person to comply with an order of the Court, that person shall, during a period of two years from the date on which the punishment is imposed, or such lesser period as the Court may determine, be ineligible to be nominated for election as an officer of a trade union or a branch of a trade union or a federation of trade unions or to act as such an officer.

(6) A person who acts as an officer of a trade union, or a branch of a trade union or a federation of trade unions while he is ineligible by reason of subsection (5) of this section shall be guilty of an offence and shall be liable on conviction by a District Court to imprisonment for a term not exceeding twelve months or to a fine not exceeding two thousand dollars or to both such imprisonment and fine and for a second or subsequent offence shall be liable to imprisonment for a term not less than six months and not exceeding three years."

Clause 55:

Minister for Labour and Law:

In page 22, line 29: to leave out from "Court" to the end of line 43 and insert—

"that a number of members of a trade union sufficiently large to form a substantial part of its membership refuse to accept employment in accordance with an award the Court may, subject to such conditions as it thinks fit, by order cancel or suspend for such period as it thinks fit all or any of the terms of the award so far as the award applies to or is in favour of the trade union or its members."

Clause 56:

Minister for Labour and Law:

Note:—It is intended that the question "That the clause stand part of the Bill" be negatived.

Clause 59:

Minister for Labour and Law:

In page 25, line 9: after "interest", to insert—

"or that, having regard to the provisions of any relevant award made by the Court or made under the Industrial Courts Ordinance or of any relevant collective agreement registered under this Ordinance or made before the coming into operation of this Ordinance and not so registered, the trade dispute or matter or part thereof ought to be dismissed".

Clause 62:

Minister for Labour and Law:

(i) **In page 25, line 38:** after "union", to insert—

"or, in the case of a trade union of employees, by an officer of the trade union or by an Industrial Relations Officer selected by the trade union".

Tun Lim Yew Hock:

(ii) **In page 26:** to leave out lines 3 to 7 inclusive and insert "but may be represented by an advocate and solicitor if so desired."

Minister for Labour and Law:

(iii) **In page 26, lines 9 to 11:** to leave out "a person in the employment of a trade union as a full-time secretary or assistant secretary" and insert—

"for the purposes of any proceedings before the Court a person appointed by the body, by whatever name called, to which the management of the affairs of the union is entrusted, to represent the trade union in those proceedings".

Tun Lim Yew Hock:

(iv) **In page 26:** to leave out lines 12 to 17 inclusive.

Note:—The following consequential amendments are to be made:—

- (1) **In page 26, line 8:** to leave out the dash.
- (2) **In page 26, line 9:** to leave out "(a)".
- (3) **In page 26, line 11:** to leave out "; and" and insert a full-stop.

Clause 65:

Tun Lim Yew Hock:

In page 27, line 32: after "which", to insert "he knows".

Clause 66:

Minister for Labour and Law:

In page 27, line 45: at end, to add—

"(3) The decision of the Court upon a trade dispute or matter shall be given within two weeks after the completion of the hearing of the dispute or matter or within such extended time as in special circumstances the Court considers to be required for the proper consideration of the dispute or matter."

Clause 70:

Minister for Labour and Law:

In page 29, line 18: at end, to add—

"Provided that where evidence is taken in private a person representing a party to the proceedings shall have the right to be present unless the Court otherwise orders."

Note:—In page 29, line 18: to leave out the full-stop and insert a colon.

Clause 77:

Minister for Labour and Law:

In page 32, line 20: at end, to add—

"Provided that it shall not be an offence for an employer to require as a condition of the appointment or promotion of a person to a managerial position that that person shall not continue to be an officer or member of a particular union."

Note:—In page 32, line 20: to leave out the full-stop and insert a colon.

Clause 79:

Minister for Labour and Law:

In page 33, lines 12 to 15: to leave out "not being a trade dispute as to which the President has signified his intention not to give a direction under section 28 of this Ordinance".

Clause 81:

Minister for Labour and Law:

In page 34, line 25: after "section", to insert "77,".

Clause 82:

Minister for Labour and Law:

Note:—It is intended that the question "That the clause stand part of the Bill" be negatived.

Clause 83:

Minister for Labour and Law:

Note:—It is intended that the question "That the clause stand part of the Bill" be negatived.

Clause 86:

Minister for Labour and Law:

In page 36, line 8: to leave out "two years" and insert "eighteen months".

New Clause:

Tun Lim Yew Hock:

"Directive
to Com-
missioner.

Where the Minister is of the opinion—

- (a) upon receiving a notification under section 18 or 20 of this Ordinance that it is unlikely that conciliation or further conciliation will assist the parties concerned to reach agreement; or
- (b) that the conference directed by him under section 21 of this Ordinance has failed to assist the parties concerned to reach agreement,

he shall direct the Commissioner to notify the Registrar that a trade dispute exists."

Note:—It is intended that this new clause be inserted after clause 21.

Consequential amendments:

Amendments to be made to the numbering of clauses consequent on the deletion of clauses and the addition of a new clause.

The Schedule:

Minister for Labour and Law:

Note:—It is intended that the question "That the Schedule stand part of the Bill" be negatived.

Clause 7 (by leave of the Chairman under S.O. 71 (11)):

Minister for Labour and Law:

In page 5, line 25: to leave out "56" and insert "54". (Amendment necessitated by amendment to clause 54 and the deletion of clause 56.)

TRADE DISPUTES (AMENDMENT) BILL [BILL NO. 62]**Clause 2:**

Minister for Labour and Law:

(i) **In page 1, line 18:** at end, to add—

'(b) by deleting from the definition of "trade dispute" appearing therein the word "workmen" wherever occurring and substituting therefor the word "employees"; and

(c) by deleting the definition of "workmen".

(ii) **In page 2:** to leave out lines 1 and 2.

Note:—The following consequential amendments are to be made:—

- (1) **In page 1, line 10:** after "amended", to insert "—(a)".
- (2) **In page 1, line 12:** to leave out "definitions" and insert "definition".
- (3) **In page 1, line 18:** at end, to insert inverted commas and a semi-colon.

Clause 3:

Note:—In page 2: marginal note to new section 3: to leave out “Unlawful” and insert “Illegal”.

Minister for Labour and Law:

- (i) In page 2: to leave out lines 13 to 16 inclusive.
- (ii) In page 2: to leave out lines 28 to 31 inclusive.

Note:—The following consequential amendments are to be made:—

In page 2, lines 17 and 32: to leave out “(d)” and insert “(c)” in each case.

Clause 4:

Note:—In page 2: marginal note to new section 3B: after “to”, to insert “illegal”.

Minister for Labour and Law:

- (i) In page 3, line 13: to leave out “an illegal” where those words secondly occur.
- (ii) In page 3, lines 40 and 41: to leave out “committee of management of a registered trade union” and insert “body, by whatever name called, to which the management of the affairs of a registered trade union is entrusted”.

Clause 7:

Minister for Labour and Law:

Note:—It is intended that the question “That the clause stand part of the Bill” be negatived.

New Clause:

Minister for Labour and Law:

Amendment of section 10. Section 10 of the principal Ordinance is hereby amended by deleting the word “workmen” appearing in the fourth line of subsection (1) thereof and substituting therefor the word “employees”.

Note:—It is intended that this new clause be inserted after clause 6.

Long Title (*Consequent on the deletion of clause 7*):

Minister for Labour and Law:

In page 1: to leave out “, and to repeal Part V of the Criminal Law (Temporary Provisions) Ordinance, 1955 (No. 26 of 1955)”.

TREASURY DEPOSIT RECEIPTS BILL [BILL NO. 59]

Clause 3:

Parliamentary Secretary to Minister for Finance:

- (i) **In page 2, line 4:** to leave out "one hundred" and insert "fifty".
 - (ii) **In page 2, line 5:** to leave out "one hundred" and insert "fifty".
-