

**PARLIAMENT OF THE DEMOCRATIC SOCIALIST REPUBLIC OF**   
**SRI LANKA**

**INDUSTRIAL DISPUTES (AMENDMENT) ACT, No. 22 OF 2022**

**[Certified on 16th of September, 2022]**

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*Industrial Disputes (Amendment)*   
*Act, No. 22 of 2022*

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[Certified on 16th of September, 2022]

L.D.-O. 25/2021

AN ACTTOAMENDTHE INDUSTRIAL DISPUTES   
ACT (CHAPTER 131)

BE it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows:-

**1.** This Act may be cited as the Industrial Disputes Short title (Amendment) Act, No. 22 of 2022.

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| **2.** Section 31DD of the Industrial Disputes Act (Chapter 131) (hereinafter referred to as the “principal enactment”) is hereby amended by the insertion immediately | Amendment | of |
| section 31DD of Chapter 131 | |

after subsection (1) of that section of the following new subsections:–

“(1A) Where an employer who is dissatisfied with   
a final order of a High Court established under Article   
154P of the Constitution which is in favour of a workman   
on an apeal made by such workman against any order   
of a tribunal, appeals to the Supreme Court against such   
order, he shall furnish to the President of such tribunal,   
a security in cash, where the order which is the subject   
of such appeal directs–

(*a*) only the payment of a sum of money to the   
 workman of an amount equal to such sum;

(*b*) both the payment of a sum of money to the   
workman and re-instatement of such worker,   
of an amount equal to such sum and twelve   
times the monthly salary or wages of such   
workman at the time his services were   
terminated.

(1B) Every appeal preferred under subsection (1A),   
shall be supported by a certificate under the hand of the

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| 2 | *Industrial Disputes (Amendment) Act, No. 22 of 2022* |

President of the Tribunal to the effect that the security   
as specified in subsection (1A) has been duly furnished   
by the employer.

(1C) The President of every Tribunal shall cause   
all moneys furnished as security under subsection (1A)   
to be deposited in an account bearing interests, in any   
approved bank in Sri Lanka.”.

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| Insertion of new  section 31DDDDD in the principal  enactment | **3.** The following new section is hereby inserted immediately after section 31DDDD of the principal enactment and shall have effect as section 31DDDDD of that enactment:– | | |
| “Employer to | 31DDDDD. (1) Where an application is | |
| furnish a  security in  respect of an application to | | preferred by an employer to the Court of Appeal, for the issue of an order in the nature of a writ, against an award made by an arbitrator |
| the Court of Appeal | under section 17(1) or by an industrial court under section 24, the Court of Appeal shall | |

entertain such application upon furnishing a   
securtiy by such employer, in cash to the   
Commissioner-General, where such award   
which is subject to such application directs the   
payment of a sum of money to the worker, of   
an amount equal to such sum.

(2) The Commissioner-General shall cause   
to be deposited the sum as specified in   
subsection (1) in an account bearing interests,   
maintained by the Commissioner-General, in   
any approved bank in Sri Lanka.

(3) Every application preferred under this   
subsection, shall be supported by a certificate   
under the hand of the Commissioner-General   
to the effect that the security as specifed in   
subsection (1) has been duly furnished by such   
employer.”.

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| *Industrial Disputes (Amendment)* | | 3 | Insertion of section 33A in the principal enactment |
| *Act, No. 22 of 2022*   **4.** The following new section is hereby inserted immediately after section 33 of the principal enactment and shall have effect as section 33A of that enactment:– | | |
| “Employer to | 33A. (1) Where an employer who is | |
| furnish a  security in  respect of an | dissatisfied with an order of a Magistrate’s Court on any written complaint made by the | |
| application to  the High Court | Commissioner-General under section 136B of the Code of Criminal Procedure Act, No. 15 of | |

1979 against such employer, due to any failure   
to comply with an order of a tribunal, an award   
of an industrial court or an arbitrator which has   
been made in favor of a workman, makes an   
application to invoke the revisionary   
jurisdiction of the High Court establisded under   
Article 154P of the Constitution, in respect of   
such order, shall at the time of such application   
furnish to the relevant Magistrate’s Court, a   
security of an amount equal to such sum in cash,   
where the order which is the subject of such   
application directs the payment of a sum of   
money to the worker.

(2) The Registrar of the Magistrate’s Court   
shall cause all moneys furnished as security   
under subsection (1), to be sent to the   
Commissioner-General to deposit in an account   
bearing interests, maintained by the   
Commissioner-General, in any approved bank   
in Sri Lanka.

(3) Every application made under subsection   
(1) shall be supported by a certificate under the   
hand of the Registrar of the relevant   
Magistrate’s Court to the effect that the security   
as specified in subsection (1) has been duly   
furnished by such employer.

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| 4 | *Industrial Disputes (Amendment) Act, No. 22 of 2022* |

(4) The Commissioner-General shall refund   
the sum furnished under subsection (1) together   
with the interest on that sum to the relevant   
party in accordance with the final order of the   
High Court established under Article 154p, the   
Court of Appeal or the Supreme Court, as the   
case may be.”.

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| Sinhala text to  prevail in case of inconsistency | **5.** In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail. |

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| *Industrial Disputes (Amendment) Act, No. 22 of 2022* | 5 |

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