

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

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**INDUSTRIAL DISPUTES (SPECIAL PROVISIONS)**

**A**

**BILL**

**to make special provisions to deem the Presidents of the labour tribunals as Additional Magistrates to hear, try, determine and dispose of all suits or prosecutions under the provisions of specified enactments and for matters connected therewith or incidental thereto**

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*Presented by the Prime Minister and Minister of Economic Policies & Plan Implementation, Minister of Buddhasasana, Religious & Cultural Affairs and Minister of Urban Development & Housing on 08th of April, 2022*

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*Ordered by Parliament to be printed*

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**[Bill No. 114]**

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*Industrial Disputes (Special Provisions)* L.D.-O. 22/2020

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AN ACTTOMAKESPECIALPROVISIONSTODEEMTHE PRESIDENTS OFTHE LABOUR TRIBUNALSAS ADDITIONAL MAGISTRATES TOHEAR, TRY, DETERMINEANDDISPOSEOFALLSUITSOR

PROSECUTIONSUNDERTHEPROVISIONSOFSPECIFIED

ENACTMENTSANDFORMATTERSCONNECTEDTHEREWITHOR   
INCIDENTALTHERETO.

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

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| 5 | **1.** This Act may be cited as the Industrial Disputes | Short title and |
| (Special Provisions) Act, No. of 2022 and shall come | date of |
| operation |
| into operation on such date as the Minister may, in |

consultation with the Minister assigned the subject of Justice, appoint by Order published in the *Gazette*.

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| 10 | **2.** (1) Every President of the labour tribunal established | President of the |
| labour tribunal |
| under section 31A of the Industrial Disputes Act (Chapter |
| to be deemed as |
| 131) shall in addition to the powers and duties of a President |
| an Additional |
| of labour tribunal, be deemed to be an Additional Magistrate | Magistrate |

for the purpose of enforcement of any award made by any arbitrator or industrial court or any order made by the labour tribunal under the provisions of the Industrial Disputes Act

15 (Chapter 131) or any decision of the Commissioner or recovery of payment upon a certificate issued by the Commissioner or implementation of the provisions of the enactments specified in the Schedule I hereto (in this Act referred to as the “specified enactments”).

20 (2) For the purposes of this Act, the jurisdiction of a President of a labour tribunal shall, subject to the provisions of subsection (3), be limited to a judicial division of a Magistrate’s Court as may be demarcated under subsection (3) of section 5 of the Judicature Act, No. 2 of 1978 where 25 the labour tribunal is situated.

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(3) The jurisdiction of a President of a labour tribunal referred to in Column I of the Schedule II hereto shall be limited to the judicial division of the Magistrate’s Court referred to in the corresponding entry in Column II of that 5 Schedule.

(4) For the avoidance of doubt, it is hereby declared that the Magistrate’s Court shall continue to exercise such powers as specified in the specified enactments in any judicial division of the Magistrate’s Court including judicial division

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| 10 | specified in Column II of Schedule II. | Applicability of |
| **3.** (1) Where a President of labour tribunal acts as an |
| 15 | Additional Magistrate, such President shall have the power | the provisions |
| of Code of |
| and authority to hear, try, determine and dispose of cases in |
| Criminal |
| a summary way by virtue of the provisions of the Code of |
| Procedure Act, |
| Criminal Procedure Act, No. 15 of 1979 in relation to the | No. 15 of 1979 |
| and Evidence |
| enforcement of any award made by any arbitrator or industrial |
| Ordinance |
| court or any order made by the labour tribunal under the |
| (Chapter14) |

provisions of the Industrial Disputes Act (Chapter 131) or any decision of the Commissioner or recovery of payment 20 upon a certificate issued by Commissioner or implementation of the provisions of the specified enactments.

(2) The provisions of the Code of Criminal Procedure Act, No. 15 of 1979 and Evidence Ordinance (Chapter 14) shall *mutatis mutandis* apply to and in relation to the 25 procedure to hear, try, determine and dispose of the suits or prosecutions before the labour tribunal:

Provided that, the provisions of Evidence Ordinance (Chapter 14) shall not apply for the conduct of proceedings under section 31B of the Industrial Disputes Act (Chapter

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| 30 | 131) by the labour tribunal. | Sinhala text to |
| **4.** In the event of any inconsistency between the Sinhala |
| and Tamil texts of this Act, the Sinhala text shall prevail. | prevail in case |
| of |

inconsistency

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Schedule I

[section 2(1)]

1. Allowances to Plantation Workers Act, No. 72 of 1981

2. Budgetary Relief Allowance of Workers (No. 2) Law, No. 18 of

1978

3. Budgetary Relief Allowance of Workers Act, No. 36 of 2005

4. Budgetary Relief Allowance of Workers Act, No. 4 of 2016

5. Budgetary Relief Allowance of Workers Law (No. 1) Law,

No. 1 of 1978

6. Chauffeurs Regulation Ordinance (Chapter 73)

7. Control of Labour (Change of Designation) Ordinance, No. 22

of 1945

8. Diseases (Labourer’s) Ordinance (Chapter 225)

9. Employees’ Councils Act, No 32 of !979

10. Employees’ Holiday Act, No. 6 of 1959

11. Employees’ Provident Fund Act, No. 15 of 1958

12. Employees’ Provident Fund (Special Provisions) Act, No. 6 of

1975

13. Employees’ Trust Fund (Special Provisions) Act, No. 19 of 1993

14. Employees’ Trust Fund Act, No. 46 of 1980

15. Employment of Trainees (Private Sector) Act, No. 8 of 1978

16. Employment of Women, Young Persons and Children Act,

No. 47 of 1956

17. Estate Labour (Indian) Ordinance (Chapter 133)

18. Estate Quarters (Special Provisions) Act, No. 2 of 1971

19. Factories Ordinance (Chapter 128)

20. Fuel Conservation Five Day Week Act, No. 11of 1978

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| --- | --- | --- |
| 4 | 21. | *Industrial Disputes (Special Provisions)* |
| Holiday Act, No. 29 of 1971 |
| 22. | Indian Immigrant Labour Ordinance (Chapter 132) |
| 23. | Industrial Disputes Act (Chapter 131) |
| 24. | Inspector of Labour (Change of Designation) Act, No. 7 of 1958 |
| 25. | Interim Devaluation Allowance of Employees Act, No. 40 of |

1968

26. Labour Inspections (Maintenance of Secrecy) Act, No. 13 of

1972

27. Maternity Benefits Ordinance (Chapter 140)

28. Medical Wants Ordinance (Chapter 223)

29. Mines (Prohibition of Female Labour Underground) Ordinance

(Chapter 130)

30. Mines and Minerals Law, No. 4 of 1973

31. Mines Quarries and Minerals Ordinance (Chapter 210)

32. Minimum Retirement Age of Workers Act, No. 28 of 2021

33. Minimum Wages (Indian Labour) Ordinance (Chapter 135)

34. National Apprenticeship Act, No. 49 of 1971

35. National Minimum Wages of Workers Act, No. 3 of 2016

36. Payment of Gratuities & Other Monetary Benefits to Indian

Repatriates (Special Provisions) Act, No. 34 of 1978

37. Payment of Gratuity Act, No. 12 of 1983

38. Privilege Leave (Private) Law, No. 14 of 1976

39. Registration of Domestic Servants Ordinance (Chapter 137)

40. Service Contracts Ordinance (Chapter 72)

41. Shop & Office Employees (Regulation of Employment &

Remuneration) Act (Chapter 129)

42. Special Allowances of Workers Law, No. 17 of 1978

43. Supplementary Allowances of Workers Act, No. 65 of 1979

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44. Termination of Employment of Workmen (Special Provisions)

Act, No. 45 of 1971

45. Trade Union Ordinance (Chapter 138)

46. Trade Union Representatives (Entry into Estates) Act, No. 25 of

1970

47. Tundu Prohibition Ordinance (Chapter 134)

48. Wages Boards Ordinance (Chapter 136)

49. Workmen’s Compensation Ordinance (Chapter 139)

Schedule II

[section 2(3)]

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| *No.* | *Column I* | *Column II* |
|  | **Labour tribunal** | **Relevant jurisdiction of the**  **Magistrate’s Court** |
| 1. | Labour Tribunal No. 1 | Chief Magistrate’s Court, Colombo 12 |
| 2. | Labour Tribunal No. 2 | Chief Magistrate’s Court, Colombo 12 |
| 3. | Labour Tribunal No. 8 | Chief Magistrate’s Court, Colombo 12 |
| 4. | Labour Tribunal No. 13 | Chief Magistrate’s Court, Colombo 12 |
| 5 | Labour Tribunal No. 33, Maharagama | Magistrate’s Court, Homagama |
| 6. | Labour Tribunal No. 32, Ratmalana | Magistrate’s Court, Mount Lavinia |
| 7. | Labour Tribunal No. 1/ Additional and No. 2/ Additional, Battaramulla | Magistrate’s Court, Kaduwela |
| 8. | Labour Tribunal No. 30, Kaduwela | Magistrate’s Court, Kaduwela |
| 9. | Labour Tribunal No. 19, Avissawella | Magistrate’s Court, Avissawella |

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| 10. | 10. Labour Tribunal No. 24, Gampaha | Magistrate’s Court, Gampaha |
| 11. | 11. Labour Tribunal No. 31, Wattala | Magistrate’s Court, Wattala |
| 12. | 12. Labour Tribunal No. 21, Negombo and No. 21/ Additional, Negombo | Magistrate’s Court, Negombo |
| 13. | 13. Labour Tribunal No. 25, Panadura | Magistrate’s Court, Panadura |
| 14. | 14. Labour Tribunal No. 18, Kalutara | Magistrate’s Court, Kalutara |
| 15. | 15. Labour Tribunal No. 04, Galle | Magistrate’s Court, Galle |
| 16. | 16. Labour Tribunal No. 26, Matara | Magistrate’s Court, Matara |
| 17. | 17. Labour Tribunal No. 34, Kotapola | Magistrate’s Court, Morawaka |
| 18. | 18. Labour Tribunal No. 03, Kandy | Magistrate’s Court, Kandy |
| 19. | Labour Tribunal No. 39, Palapathwala | Magistrate’s Court, Matale |
| 20. | Labour Tribunal No. 38, Nawalapitiya | Magistrate’s Court, Nawalapitiya |
| 21. | Labour Tribunal No. 37, Thalawakele | Magistrate’s Court, Thalawakele |
| 22. | 22. Labour Tribunal No. 10, Hatton | Magistrate’s Court, Hatton |
| 23. | Labour Tribunal No. 09, Nuwara-Eliya | Magistrate’s Court, Nuwara-Eliya |
| 24. | 24. Labour Tribunal No. 05, Badulla | Magistrate’s Court, Badulla |
| 25. | Labour Tribunal No. 36, Bandarawela | Magistrate’s Court, Bandarawela |
| 26. | 26. Labour Tribunal No. 44, Ampara | Magistrate’s Court, Ampara |
| 27. | Labour Tribunal No. 06(R), Ratnapura | Magistrate’s Court, Ratnapura |
| 28. | 28. Labour Tribunal No. 40, Balangoda | Magistrate’s Court, Balangoda |

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| 29. | 29. Labour Tribunal No. 06(E), Embilipitiya | Magistrate’sCourt, Embilipitiya |
| 30. | 30. Labour Tribunal No. 42, Kegalle | Magistrate’s Court, Kegalle |
| 31. | Labour Tribunal No. 23, Kurunegala | Magistrate’s Court, Kurunegala |
| 32. | Labour Tribunal No. 46, Kuliyapitiya | Magistrate’s Court, Kuliyapitiya |
| 33. | 33. Labour Tribunal No. 28, Chilaw | Magistrate’s Court, Chilaw |
| 34. | 34. Labour Tribunal No. 27, Anuradhapura | Magistrate’s Court, Anuradhapura |
| 35. | 35. Labour Tribunal, Trincomalee | Magistrate’s Court, Trincomalee |
| 36. | 36. Labour Tribunal No. 22, Batticaloa | Magistrate’s Court, Batticaloa |
| 37. | 37. Labour Tribunal, Jaffna | Magistrate’s Court, Jaffna |

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| 8 | *Industrial Disputes (Special Provisions)* |

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