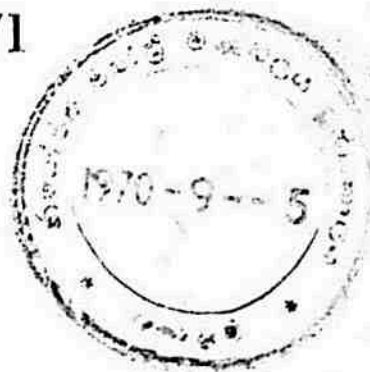


PARLIAMENT OF CEYLON

First Session 1970-71



Trade Unions (Amendment) Act, No. 24 of 1970

Date of Assent : August 20, 1970

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AN ACT TO AMEND THE TRADE UNIONS ORDINANCE.

[Date of Assent: August 20, 1970]

BE it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and the House of Representatives of Ceylon in this present Parliament assembled, and by the authority of the same, as follows:—

1. This Act may be cited as the Trade Unions (Amendment) Act, No. 24 of 1970. Short title.

2. Section 20 of the Trade Unions Ordinance, hereinafter referred to as the "principal enactment", is hereby amended by the substitution, for sub-section (2) thereof, of the following sub-section:— Amendment of
section 20
of Chapter
138.

(2) An association or combination consisting of—

- (a) judicial officers;
- (b) members of the Armed Forces;
- (c) police officers;
- (d) prison officers; or
- (e) members of any corps established under the Agricultural Corps Ordinance,

shall, notwithstanding anything in its objects, be deemed not to be a trade union, and nothing in this Ordinance shall apply to, or in relation to, any such association or combination.

In this sub-section—

- (a) "judicial officer" means a person holding judicial office, within the meaning of the Ceylon (Constitution) Order in Council, 1946;
- (b) "Armed Forces" means the Ceylon Army, the Royal Ceylon Navy and the Royal Ceylon Air Force;
- (c) "police officer" means a member of the police force established under the Police Ordinance; and
- (d) "prison officer" has the same meaning as in the Prisons Ordinance but does not include any medical officer or apothecary for the time being on the staff of any prison.

2 *Trade Unions (Amendment) Act, No. 24 of 1970*

Amendment of
section 21
of the
principal
enactment.

3. Section 21 of the principal enactment is hereby amended by the substitution, for sub-section (1) thereof, of the following sub-section:—

(1) The Registrar shall not register any trade union to which this Part applies unless the rules of the union contain the following provisions, that is to say:—

- (a) a provision restricting the eligibility for membership of the union or for any office whatsoever (whether paid or honorary, including that of patron) solely to public servants who are employed in any one specified department of Government or in any one specified service of the Government, or who, having regard to the nature of the work upon which they are engaged are of any specified class or category of public servants though employed in different departments of Government, provided however that such provision may permit two persons from outside the department or the class or category of public servants, as the case may be, to be elected at an annual general meeting of the union to be members or to hold office, one of such two persons being the President or the Secretary of the union, and the other being a member of the union; and
- (b) in the case of a union of peace officers or Government staff officers, in addition to the provision referred to in paragraph (a)—
 - (i) a provision declaring that the union shall not be affiliated to or amalgamated or federated with any other trade union whether of public servants or otherwise; and
 - (ii) a provision declaring that the union shall not have any political objects or political fund within the meaning of section 47 of this Ordinance.

In this sub-section and in section 23—

- (a) “ peace officer ” shall have the same meaning as in the Criminal Procedure Code, and

(b) "Government staff officer" shall mean a Government officer who holds an office the initial of the salary scale of which is not below five hundred and sixty rupees per month. "

4. Section 22 of the principal enactment is hereby amended in sub-section (1) thereof by the substitution, for all the words and figures from "court is satisfied—" to the end of that sub-section, of the following:—

Amendment of
section 22
of the
principal
enactment.

"court is satisfied that the rules of the union for the time being in force do not contain any of the provisions required by sub-section (1) of section 21 or that any such required provision which is contained in any rule of the union has been contravened with the knowledge, consent or connivance of any officer of the union. "

5. Section 23 of the principal enactment is hereby repealed and the following new section is hereby substituted therefor:—

Replacement
of section
23 of the
principal
enactment.

" Certain provisions of this Ordinance not to apply to certain trade unions.

23. (1) The provisions of section 32 shall not apply to any trade union to which this Part applies.

(2) The provisions of sections 34 and 47 shall not apply to any trade union of peace officers or Government staff officers. "