



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

**SHOP AND OFFICE EMPLOYEES
(REGULATION OF EMPLOYMENT AND
REMUNERATION) AND WAGES
BOARDS (AMENDMENT)
ACT, No. 36 OF 1982**

[Certified on 12th October, 1982]

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**Shop and Office Employees (Regulation of Employment
and Remuneration) and Wages Boards (Amendment)
Act, No. 36 of 1982**

[Certified on 12th October, 1982]

L. D.—O. 64/81

**AN ACT TO AMEND THE SHOP AND OFFICE EMPLOYEES
(REGULATION OF EMPLOYMENT AND REMUNERATION) ACT
AND THE WAGES BOARDS ORDINANCE.**

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

1. This Act may be cited as the Shop and Office
Employees (Regulation of Employment and Remuneration)
and Wages Boards (Amendment) Act, No. 36 of 1982.

Amendment
Short title. 10
1982

PART I

2. Section 52 of the Shop and Office Employees (Regu-
lation of Employment and Remuneration) Act is hereby
amended by the repeal of subsection (2) of that section and
the substitution therefor, of the following subsections:—

Amendment
of section 52
of Chapter
129.

“(2) On conviction of an employer under subsection
(1), the Court may, in addition to any other sentence,
order the employer to pay—

(a) where an employee has not been paid the amount
which ought properly to have been paid to that
employee, such sum as may be found by the court
to represent the difference between such amount
and the amount actually paid and the surcharge
referred to in subsection (2A) ; or

(b) where no portion of the remuneration due to that
employee has been paid, such sum as may be found
by the court to represent such remuneration and
the surcharge referred to in subsection (2A).

Any sum ordered to be paid under this subsection may
be recovered in the same manner as a fine.

(2A) The surcharge payable on any sum referred to in
paragraph (a) or paragraph (b) of subsection (2) shall
be calculated as follows:—

(a) where such sum is in arrear for a period exceeding
one month but not exceeding three months, a
surcharge of twenty per centum of such sum ;

(b) where such sum is in arrear for a period exceeding
three months but not exceeding six months, a
surcharge of thirty per centum of such sum ;

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(c) where such sum is in arrear for a period exceeding six months but not exceeding twelve months, a surcharge of forty per centum of such sum ;

(d) where such sum is in arrear for a period exceeding twelve months, a surcharge of fifty per centum of such sum."

Amendment
of section 4
of Chapter
136.

PART II

3. Section 4 of the Wages Boards Ordinance (in this Part referred to as the "principal enactment"), is hereby amended by the repeal of subsection (2) of that section and the substitution therefor, of the following subsections :—

" (2) On conviction of an employer under subsection (1) of an offence in respect of any worker, the court may, in addition to any other sentence, order the employer to pay—

(a) where a worker has not been paid the amount which ought properly to have been paid to that worker, such sum as may be found by the court to represent the difference between such amount and the amount actually paid and the surcharge referred to in subsection (2A) ; or

(b) where no portion of the wages due to that worker has been paid, such sum as may be found by the court to represent such wages and the surcharge referred to in subsection (2A).

Any sum ordered to be paid under this subsection may be recovered in the same manner as a fine.

(2A) The surcharge payable on any sum referred to in paragraph (a) or paragraph (b) of subsection (2) shall be calculated as follows :—

(a) where such sum is in arrear for a period exceeding one month but not exceeding three months, a surcharge of twenty per centum of such sum ;

(b) where such sum is in arrear for a period exceeding three months but not exceeding six months, a surcharge of thirty per centum of such sum ;

(c) where such sum is in arrear for a period exceeding six months but not exceeding twelve months, a surcharge of forty per centum of such sum ;

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- (d) where such sum is in arrear for a period exceeding twelve months, a surcharge of fifty *per centum* of such sum."

4. Section 44 of the principal enactment is hereby amended by the repeal of subsection (3) of that section and the substitution therefor, of the following subsection :—

Amendment
of section 44
of the
principal
enactment.

" (3) On conviction of an employer under subsection (1) or subsection (2), the court may in addition to any other sentence, order the employer to pay—

- (a) where a worker has not been paid the amount which ought properly to have been paid to that worker, such sum as may be found by the court to represent the difference between such amount and the amount actually paid and the surcharge calculated in the manner set out in subsection (2A) of section 4; or
- (b) where no portion of the wages due to that worker has been paid, such sum as may be found by that court to represent such wages and the surcharge calculated in the manner set out in subsection (2A) of section 4."