

PARLIAMENT OF CEYLON

2nd Session 1966-67



Wages Boards (Amendment) Act, No. 24 of 1966

Date of Assent : October 11, 1966

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*Wages Boards (Amendment) Act,
No. 24 of 1966*

L. D.—O. 20/65.

— AN ACT TO AMEND THE WAGES BOARDS ORDINANCE.

Chapter 136.
Volume V,
Page 708.

[Date of Assent: October 11, 1966]

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 Wages Boards (Amendment) Act, No. 24 of 1966.

Short title.

2. Section 55 of the Wages Boards Ordinance (hereinafter referred to as the "principal enactment"), as amended by Act No. 27 of 1957, is hereby further amended in sub-section (1) of that section by the insertion, immediately after paragraph (e) of that sub-section, of the following new paragraphs:—

Amendment of
section 55 of
Chapter 136.

" (f) where any person has ceased to employ workers in any trade at any premises or place, to require the production of such register or record as is required to be maintained under this Ordinance in respect of the workers who had been employed at such premises or place;

(g) at a place and time to be specified by such officer, to call for, examine and make copies of any agreement for work in respect of any trade or class of trade or relating to outworkers;

(h) to require any person to be present on any day, at such time and place as may be notified to him in writing, and furnish such information or explanation as may be required by such officer and answer such questions as may be put to him by such officer for the purpose of ascertaining whether the provisions of this Ordinance had been complied with in relation to the employment of workers in any trade at any place or premises."

Insertion of
new section 59A
in the principal
enactment.

3. The following section is hereby inserted immediately after section 59, and shall have effect as section 59A, of the principal enactment:—

“ Special provisions applicable where persons are employed to do work under an arrangement made by way of trade or for any commercial purpose.

59A. (1) Where any person, by way of trade or for any commercial purpose, makes any arrangement, express or implied, with any other person for the execution by such other person of any work and where in pursuance of such arrangement such other person employs workers for the execution of such work, the Commissioner, after such inquiry as he may deem necessary, may, where he considers it expedient so to do—

(a) with the approval of the Minister, direct in writing such first-mentioned person to refrain from having such work executed under such arrangement; or

(b) direct in writing such first-mentioned person to furnish to the Commissioner before a specified date—

(i) where the aforesaid arrangement is in writing, a certified copy of such arrangement, specifying the names and addresses of the parties to the arrangement, together with such other information and particulars relating to such arrangement, and the work for the execution of which such arrangement was made, as the Commissioner may require; and

(ii) where the aforesaid arrangement is not in writing, such information and particulars relating to such arrangement and the work for the execution of which such

arrangement was made,
as the Commissioner may
require.

(2) Every person who makes default in complying with any direction given by the Commissioner under sub-section (1) shall be guilty of an offence and shall be liable to a fine not exceeding one thousand rupees or to imprisonment of either description for a term not exceeding six months or to both such fine and imprisonment, and shall, where the default is in respect of any direction given under paragraph (a) of sub-section (1), be liable in addition to a fine not exceeding one hundred rupees for each day on which the offence is committed after conviction.

(3) Where any person, by way of trade or for any commercial purpose, makes any arrangement, express or implied, with any other person for the execution by such other person of any work, then—

(a) the first-mentioned person shall ensure that wages in accordance with the provisions of this Ordinance are paid to any worker employed by such other person in the execution of such work; and

(b) where such other person fails to pay wages in accordance with the provisions of this Ordinance to any worker employed by him in the execution of such work, the first-mentioned person shall, unless he proves to the satisfaction of the court that he exercised all due diligence and took all practicable measures to ensure the payment of such wages by such other person, be liable to pay the wages due to that worker in accordance with the provisions of this Ordinance."