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SOCIALIST REPUBLIC OF
SRI LANKA**

Part II of March 25, 2022

SUPPLEMENT

(Issued on 25.03.2022)



INDUSTRIAL DISPUTES (SPECIAL PROVISIONS)

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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**

Ordered to be published by the Minister of Labour

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Industrial Disputes (Special Provisions)

L.D.-O. 22/2020

AN ACT 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.

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 (Special Provisions) Act, No. of 2022 and shall come
5 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*.
2. (1) Every President of the labour tribunal established under section 31A of the Industrial Disputes Act (Chapter
10 131) shall in addition to the powers and duties of a President of labour tribunal, be deemed to be an Additional 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.

Short title and
date of
operation

President of the
labour tribunal
to be deemed as
an Additional
Magistrate

(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
10 specified in Column II of Schedule II.

3. (1) Where a President of labour tribunal acts as an Additional Magistrate, such President shall have the power and authority to hear, try, determine and dispose of cases in a summary way by virtue of the provisions of the Code of
15 Criminal Procedure Act, No. 15 of 1979 in relation to the 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 (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.

Applicability of the provisions of Code of Criminal Procedure Act, No. 15 of 1979 and Evidence Ordinance (Chapter 14)

(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
30 131) by the labour tribunal.

4. In the event of any inconsistency between the Sinhala and Tamil texts of this Act, the Sinhala text shall prevail.

Sinhala text to prevail in case of inconsistency

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 1979
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. 11 of 1978

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21. 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

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)]

<i>No.</i>	<i>Column I</i>	<i>Column II</i>
	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

10.	Labour Tribunal No. 24, Gampaha	Magistrate's Court, Gampaha
11.	Labour Tribunal No. 31, Wattala	Magistrate's Court, Wattala
12.	Labour Tribunal No. 21, Negombo and No. 21/ Additional, Negombo	Magistrate's Court, Negombo
13.	Labour Tribunal No. 25, Panadura	Magistrate's Court, Pananura
14.	Labour Tribunal No. 18, Kalutara	Magistrate's Court, Kalutara
15.	Labour Tribunal No. 04, Galle	Magistrate's Court, Galle
16.	Labour Tribunal No. 26, Matara	Magistrate's Court, Matara
17.	Labour Tribunal No. 34, Kotapola	Magistrate's Court, Morawaka
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.	Labour Tribunal No. 10, Hatton	Magistrate's Court, Hatton
23.	Labour Tribunal No. 09, Nuwara-Eliya	Magistrate's Court, Nuwara- Eliya
24.	Labour Tribunal No. 05, Badulla	Magistrate's Court, Badulla
25.	Labour Tribunal No. 36, Bandarawela	Magistrate's Court, Bandarawela
26.	Labour Tribunal No. 44, Ampara	Magistrate's Court, Ampara
27.	Labour Tribunal No. 06(R), Ratnapura	Magistrate's Court, Ratnapura
28.	Labour Tribunal No. 40, Balangoda	Magistrate's Court, Balangoda

29.	Labour Tribunal No. 06(E), Embilipitiya	Magistrate's Court, Embilipitiya
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, Kuliyaipitiya	Magistrate's Court, Kuliyaipitiya
33.	Labour Tribunal No. 28, Chilaw	Magistrate's Court, Chilaw
34.	Labour Tribunal No. 27, Anuradhapura	Magistrate's Court, Anuradhapura
35.	Labour Tribunal, Trincomalee	Magistrate's Court, Trincomalee
36.	Labour Tribunal No. 22, Batticaloa	Magistrate's Court, Batticaloa
37.	Labour Tribunal, Jaffna	Magistrate's Court, Jaffna

