SINGAPORE GOVERNMENT PRESS STATEMENT MC.DE.76/65(LABOUR)

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SPEECH BY THE MINISTER FOR LABOUR, MR. JEK YEUN THONG, WHEN HE MOVED THE SECOND READING OF THE INDUSTRIAL RELATIONS (AMENDMENT) BILL, 1965, IN PARLIAMENT ON THURSDAY, 30/12/65.

Mr. Speaker, Sir,

I beg to move, "That the Bill be now read a second time".

The purpose of the Bill is to make certain amendments to the Industrial Relations Ordinance, 1960. As Honourable Members are aware, the Industrial Relations Ordinance was enacted five years ago as one of the chief measures in the promotion of the Government's policy of industrial peace with justice. Ever since then, the Government has kept a careful watch on its operation to see whether it could be improved. Accordingly, a number of amendments were made to it in 1962, the most important of which was the setting up of the Second Industrial Arbitration Court. However, in the light of experience gained since then, it has become apparent that the Ordinance could be improved further in order to make it a more efficient instrument in the prevention and settlement of industrial disputes, that is to say, in the preservation of industrial peace. The amendments which are embodied in this Bill have, therefore, been made with this end in view. These amendments are the result of several months' hard work of the President of the Industrial Arbitration Court, the representatives of the N.T.U.C., the representatives from the Singapore Employers' Federation and officials and my Ministry and I would like to take this opportunity to thank them for their contributions to this Bill.

Sir, I should like to draw the attention of the House to the principal changes.

Clause 5 reduces the period of the appointment of a panel member from three years to one year. Although there are ten members on each of the two panels, in practice, the burden of constituting the court has fallen on only a few of them, as employers and trade unions of employees who are parties to trade disputes, have invariably restricted their choice to these few. The proposed amendments would help to remove this tendency by enabling the Minister to replace any panel members who are seldom selected to constitute the court.

Clauses 8 and 23 introduce new provisions on union recognition because it has been found that one of the major causes of a trade dispute has been over this matter. Experience has shown that the existing provisions of the Ordinance are inadequate for dealing with this area of dispute between employers and trade unions of employees. The purpose of the amendment is to remedy this situation. It is provided, inter alia, as a basic pre-condition for opening negotiations for collective agreement that a trade union of employees must first be recognised by the employer in the prescribed manner.

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Clause 11 deals with the certification of collective agreement by the court. At present if the parties to a collective agreement do not agree to alter or amend the agreement in accordance with the suggestio of the court, the court has no power to alter or amend the agreement and certify it. This state of affairs is unsatisfactory in that, until the parties agree to amend the agreement as directed by the court, there is no binding agreement. Therefore, this clause empowers the court to amend and certify a collective agreement where the parties refuse to do so on the direction of the court.

Clauses 12 and 16 expressly stipulate, inter alia, that a collective agreement or an award is binding on the successor to a trade union. Under the Ordinance, at present, a collective agreement or an award is binding on the successor to the business of an employer but not on the successor to a trade union. The proposed amendment remedies this anomaly.

Clause 15 seeks to remove the conflict between sections 16 and and 35(4) of the Ordinance. At present, when a union serves a notice under section 16 for negotiations on a new collective agreement on the expiry of the old one, the employer is at liberty to apply to the Court under section 35(4) for an order extending the old collective agreement. The court, in dealing with such application of an employer, has no power to take cognisance of the notice served under section 16. The proposed amendment empowers the court to take cognisance of, and to deal with, both the proposals for a collective agreement and the application for extension of an award under section 35(4), if the parties do not reach agreement on their own within a specific period.

To remove any ambiguity that may exist with regard to the power of the court to order the reinstatement of a dismissed employee, it is expressly provided in Clauses 17 and 21 that in making an award the court is empowers to take into cconsideration matters relating to the dismissal or reinstatement of an employee or class of employees; and to order the reinstatement of a dismissed employee or grant any suitable relief as it may consider desirable.

Clause 22 provides that the Commissioner for Labour may authorise a public officer to carry out investigations of complaints in respect of offences under the Ordinance and it sets out the powers of such officer. This has been done to ensure that speedy action is taken to investigate every complaint and to prosecute any offender if the investigation shows that the complaint is wellfounded.

Sir, I beg to move.

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