

A BILL

intituled

An Act to amend the Industrial Relations Act 1967.

[]

BE IT ENACTED by the Duli Yang Maha Mulia Sen Paduka Baginda Yang di-Pertuan Agong with the advice and consent of the Dewan Negara and Dewan Rakyat in Parliament assembled, and by the authority of the same, as follows:

1. (1) This Act may be cited as the Industrial Relations (Amendment) Act 1990.

Short title and commencement.

(2) This Act shall come into force on such date as the Minister may, by notification in the *Gazette*, appoint.

2. Section 14 of the Industrial Relations Act 1967, which in this Act is referred to as the "principal Act", is amended by substituting subsection (3) with the following:

Amendment of section 14. Act 177.

"(3) Any term or condition of employment, contained in a collective agreement, which is less favourable than or in contravention of the provisions of any written law applicable to workmen covered by the said collective agreement, shall be void and of no effect to that extent and the provisions of such written law shall be substituted therefor."

3. Section 27 of the principal Act is amended by inserting, immediately after the words "appear himself personally" in paragraph (c) of subsection (1), the words "or where he is a member of a trade union of workmen, be represented by an officer or employee of the trade union".

Amendment of section 27.

EXPLANATORY STATEMENT

This Bill seeks to amend the Industrial Relations Act 1967.

2. The existing section 14 (3) of the Act provides that a collective agreement shall not contain terms which are less favourable than the provisions of the Wages Council Act 1947 and the Employment Act 1955. *Clause 2* seeks to amend this section to remove any false impression that those two Acts are applicable to employees not covered by the said Acts or that the Employment Act 1955, which applies only in West Malaysia, extends to Sabah and Sarawak and thereby indirectly extending their scope of application.

3. *Clause 3* seeks to amend section 27 (1) (c) to allow workmen who are members of a trade union to be represented by their trade union in proceedings before the Industrial Court.

FINANCIAL IMPLICATIONS

This Bill will not involve the Government in any extra financial expenditure.
[PN. (U²) 1598.]