

SEAL NO 135/75.



GUYANA

ACT No. 8 of 1975

LABOUR (AMENDMENT) ACT 1975

I assent.


A. CHUNG,
President.
18th March, 1975.

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.
2. Repeal and re-enactment of section 4 of the Labour Act.

AN ACT to amend the Labour Act.

A. D. 1975. Enacted by the Parliament of Guyana:—

Short title. 1. This Act, which amends the Labour Act, may be cited as
 Cap. 98:01 the Labour (Amendment) Act 1975.

Repeal and re-enactment of section 4 of the Labour Act. 2. Section 4 of the Principal Act is hereby repealed and the following section substituted therefor —

“Powers of Minister in case of trade disputes. 4. (1) Where a difference exists or is apprehended between an employer or any class of employers, and employees, or between different classes of employees, the Minister may, if he thinks fit, exercise all or any of the following powers, namely —

- (a) inquire into the causes and circumstances of the difference;
- (b) take such steps as to him may seem expedient for the purpose of promoting a settlement of the difference;
- (c) with the consent of both parties to the difference, or of either of them, or without their consent, refer the matter for settlement to the arbitration of an arbitration tribunal consisting of one or more persons appointed by the Minister;

Provided that the Minister shall not refer a difference for settlement to arbitration otherwise than with the consent of both parties to the difference, unless he notifies the parties that he is satisfied that the continuance of the difference is likely to be gravely injurious to the national interest.

(2) If a tribunal is so appointed, it shall inquire into the causes and circumstances of the difference by communication with the parties and otherwise shall endeavour to bring about a settlement of the difference, including the making of its award as required by this section, and shall report its proceedings to the Minister.

(3) If a settlement of the difference is effected either under subsection (1) (b) or by arbitration upon a reference made with the consent of both parties to the difference, a memorandum of the terms thereof shall be drawn up and signed by the parties or their representatives, and a copy thereof shall be delivered to, and kept, by the Minister.

(4) With respect to any reference to arbitration otherwise than with the consent of both parties to the difference, the following provisions of this subsection shall apply —

- (a) upon the appointment of the tribunal, the Minister shall furnish the tribunal with its terms of reference containing a statement of the causes and circumstances of the difference between the parties into which the tribunal is required to inquire;
- (b) the tribunal shall, in respect of any matter referred to it, make its award thereon as soon as practicable and every award so made shall be notified by the tribunal to the Minister and to the parties to the difference :

Provided that if the Minister so requests, the tribunal shall as soon as conveniently possible make an interim award with respect to any matter referred to it;

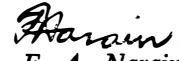
- (c) the award made by the tribunal shall be binding on the parties to whom it relates and as from the date of such award or as from such other date having retrospective effect as may be specified therein it shall be an implied term of the contract between the employer and employees to whom the award relates that the rate of wages to be paid and the conditions of employment to be observed under the contract shall be in accordance with such award until varied by a subsequent agreement or award.

(5) Any employer who fails to comply with an award made by a tribunal in pursuance of a reference made to it otherwise than with the consent of both parties to the difference, shall be liable on summary conviction to a fine of one thousand dollars, and in the case of a continuing offence to a further fine of one hundred dollars for each day on which the offence continues.

(6) A copy of the award of a tribunal certified by the Permanent Secretary shall be conclusive evidence in all courts of the terms of the award therein contained.

(7) In paragraph (c) of subsection (4) and in subsections (5) and (6) "award" includes an interim award."

Passed by the National Assembly on the 17th of March, 1975.



F. A. Narain,
Clerk of the National Assembly.

(Bill No. 12/1975).