

**THE OFFICIAL GAZETTE 3RD APRIL, 2006
LEGAL SUPPLEMENT — C**

BILL No. 9 of 2006

Monday 3rd April, 2006

PARLIAMENT OFFICE
Public Buildings,
Georgetown,
Guyana.

3rd April, 2006.

The following Bill which will be introduced in the National Assembly is published for general information.

S. E. Isaacs,
Clerk of the National Assembly.



GUYANA

BILL No. 9 of 2006

**PUBLIC UTILITY UNDERTAKINGS AND PUBLIC HEALTH
SERVICES ARBITRATION (AMENDMENT) BILL 2006
ARRANGEMENT OF SECTIONS**

Section

1. Short title.
2. Amendment of section 2 of Principal Act.
3. Insertion of new section 2A into Principal Act.
4. Amendment of section 19 of Principal Act.
5. Substitution of Schedule to Principal Act.

SCHEDULE

**A BILL
Intituled**

AN ACT to amend the Public Utility Undertakings and Public Health Services Arbitration Act.

A.D. 2006 Enacted by the Parliament of Guyana:-

Short title. 1. This Act, which amends the Public Utility Undertakings and Public Health Services Arbitration Act, may be cited as the Public Utility Undertakings and Public Health Services Arbitration (Amendment) Act 2006.

Cap. 54:01

Amendment of Section 2 of the Principal Act. 2. Section 2 (1) of the Principal Act is amended by deleting the definition of "strike".

Insertion of new section 2A into Principal Act. 3. The Principal Act is amended by inserting, after section 2, the following section -

- "Meaning of "strike"
- 2A. (1) In this Act, "strike" -
- (a) means -
 - (i) any cessation of work;
 - (ii) any reduction of the normal output or normal rate of work;
 - (iii) any interruption of work;
 - (iv) any refusal to work;
 - (v) any refusal to continue to work; or
 - (vi) any refusal to take up work, by any number of workers, due to or arising out of a combination, agreement, common understanding, or concerted action, whether express or implied, made or entered into by the workers; and
 - (b) includes any action known as a "sick-out", "sit-down strike", or "go-slow"; but
 - (c) excludes a workers' meeting authorized -

- (i) by an employer;
- (ii) by agreement between the employer and the worker; or
- (iii) by any written law.

(2) In this Act, to strike includes being a party to a "strike."

Amendment
of section 19
of Principal
Act.

4. Section 19 of the Principal Act is amended by substituting, for subsection (1), the following subsection -

"(1) Every person who contravenes or fails to comply with section 12 commits an offence and is liable on summary conviction to -

- (a) a fine not exceeding thirty thousand dollars and imprisonment for a term not exceeding two months; and
- (b) if the offence is a continuing one, a further fine not exceeding one thousand dollars for every day or part of a day during which the offence continues."

Substitution
of Schedule
to Principal
Act.

5. The Principal Act is amended by substituting, for the Schedule to that Act, the Schedule to this Act.

SCHEDULE

- 1 Any dockage, wharfage, discharging, loading, or unloading of vessels, or related service.
- 2 Any direct or indirect production, storage, distribution, sale, delivery, or supply of potable water.
- 3 Any direct or indirect generation, storage, transmission, sale, or supply of electricity.
- 4 Any service operated by the Georgetown Public Hospital Board.
- 5 Any healthcare or related service operated by any other public corporation established under the Public Corporations Act 1988 (No. 21 of 1988), by any public hospital, or by the Government or any local authority.
- 6 Any air traffic control service.
- 7 Any service provided by the Transport and Harbours Department.
- 8 Any service provided by the National Drainage and Irrigation Board.

EXPLANATORY MEMORANDUM

This Bill seeks to amend the Public Utility Undertakings and Public Health Services Arbitration Act (Cap. 54:01).

Clause 1 sets out the short title.

Clauses 2 and 3 replace the definition of "strike" in the Principal Act with a wider definition more suited to current industrial relations.

Clause 4 increases the fine specified in the Principal Act (for an unlawful lockout or strike) to an amount more appropriate to the present and also inserts a penalty for continuing offences.

Clause 5 replaces the Schedule to the Principal Act with a new Schedule to comply with the International Labour Organisation's definition of "essential services".

J. J. Binault

Minister of Labour, Human Services, and Social Security.

