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BRITISH GUIANA

REGULATIONS

. Made Under

THE WAGES COUNCILS ORDINANCE, 1956.

(No. 51 of 1956)

UNDER SECTION 19, PARAGRAPHS 7 and 8 OF THE FIRST SCHEDULE, AND PARAGRAPH 7 OF THE SECOND SCHEDULE OF THE WAGES COUNCILS ORDINANCE, 1956, IN ACCORDANCE WITH ARTICLE 22 OF THE CONSTITUTION OF BRITISH GUIANA, AND BY VIRTUE AND IN EXERCISE OF ALL POWERS ENABLING HIM IN THAT BEHALF, THE FOLLOWING REGULATIONS HAVE BEEN MADE BY THE GOVERNOR:—

1. These Regulations may be cited as the Wages Councils Regulations, 1962. Short title.

2. In these Regulations —

“the Ordinance” means the Wages Councils Ordinance, 1956; “wages council” and “commission of enquiry” shall respectively have the same meanings as in the Ordinance. Interpretation.
No. 51 of 1956.

3.(1) Every notice required by subsection (2) of section 9 of the Ordinance to be published by a commission of enquiry shall be published in the Gazette, and, during a period of two consecutive weeks, in three issues of at least one daily newspaper circulating in the colony. Publication of notices by commissions of enquiry.

(2) The date of the publication of the notice referred to in paragraph (1) of this regulation shall, for the purposes of the Ordinance, be the date of the Gazette in which it is published.

4.(1) Every notice required by subsection (3) of section 10 of the Ordinance to be published by a wages council shall be published in the Gazette, and, during a period of two consecutive weeks, in three issues of at least one daily newspaper circulating in the colony. Publication of notices by wages councils.

(2) The date of publication of the notice referred to in paragraph (1) of this regulation shall, for the purposes of the Ordinance, be the date of the Gazette in which it is published.

5. A wages council upon receiving notice in accordance with subsection (5) of section 10 of the Ordinance that a wages regulation order has been made, shall cause a notice to be published in the Gazette and in three consecutive issues of a daily newspaper circulating in the Colony — Publication of wages council order.

- (a) stating the fact that the wages council has received notice that a wages regulation order has been made by the Governor under the provisions of the Ordinance;
- (b) setting forth the text of the order so made;
- (c) specifying a place or places where copies of the notice, including the text of the order, may be obtained, and the price, if any, to be paid for such copies.

Wages regulation proposals and orders to be displayed by employer.

6.(1) The employer of any workers to whom wages regulation proposals or a wages regulation order apply or applies shall post a copy of such proposals or order as the case may be in a conspicuous position where such proposals or order may be readily read by employees on all premises at which he employs workers to whom the proposals or order apply or applies and shall keep a copy of the order so posted for as long as it remains in force.

(2) It shall also be the duty of the employer to bring to the attention of every worker employed by him and to whom wages regulation proposals or a wages regulation order apply or applies, by adequate notice in writing at one of the times at which wages are paid, that such wages regulation proposals or wages regulation order as the case may be are or is posted at certain places mentioned in the notice, on the premises for the information of the worker.

Meetings and procedure of wages councils.

7.(1) Notice of a meeting of a wages council shall be deemed to be sufficiently given to a member thereof, if sent by ordinary post to his usual or last known address, but the accidental omission to give notice of a meeting to, or the non-receipt of the notice of a meeting by, a member shall not invalidate the proceedings at such meeting.

(2) No meeting of a wages council shall be held unless there shall be present at least one of the members appointed by the Governor as being independent persons (in this regulation referred to as "independent members"), and at least one-third of the number of members appointed by the Governor as representing employers and workers (in this regulation referred to as "representative members").

(3) Every member of a wages council shall have one vote: Provided that the Chairman, or, in his absence, the Deputy Chairman, may, if he thinks it desirable, and shall, at the request of not less than one-half of the members present representing employers or of not less than one-half of the members representing workers take the vote of the representative members by sides, and in such a case the vote of the majority of members on either side present and voting, shall be the vote of that side. In such division the independent members shall not vote, but in the event of the division resulting in a disagreement between the two sides, the question may be decided by the majority vote of the independent members, or, if one only is present by the vote of that independent member.

Meetings and procedure of commissions of enquiry.

8.(1) Notice of the meeting of a commission of enquiry shall be deemed to be sufficiently given to a member thereof, if sent by ordinary post to his usual or last known address, but the accidental

omission to give notice of a meeting to, or the non-receipt of notice of a meeting by, a member shall not invalidate the proceedings at such meeting.

(2) No meeting of a commission of enquiry shall be held unless there shall be present at least one of the members appointed by the Governor as being independent persons, at least one of the members appointed by the Governor to represent employers and at least one of the members chosen by the Governor to represent workers.

(3) Every member of a commission of enquiry shall have one vote and where the votes are equally divided, the Chairman, or in his absence, the Deputy Chairman shall have, in addition to his original vote, a casting vote.

9.(1) Any person may, by notice in writing signed by the Chairman of a wages council or of a commission of enquiry, as the case may be, be required — Powers to summon and examine witnesses.

- (a) to attend any meeting of a wages council or a commission of enquiry and give evidence before the said council or commission; or
- (b) to attend any meeting of a wages council or a commission of enquiry and produce any document which, in the opinion of the council or of the commission, is relevant to the subject matter being considered by the council or the commission; or
- (c) to furnish in such manner as may be specified such particulars as may be required by the council or commission.

(2) Any person who fails to comply with the provisions of any notice given under the provisions of paragraph (1) of this regulation shall be liable on summary conviction to a penalty not exceeding twenty-four dollars:

Provided always that, if any witness objects to answer any question or to produce any document on the ground that the answer or production will tend to incriminate him or subject him to any penalty, he shall not be required to answer the question or produce the document.

10. Any person appointed as a member of a wages council shall hold office subject to the following conditions — Conditions of office of members of wages councils.

- (a) The Governor may determine the appointment of any such member appointed as being an independent person if in the opinion of the Governor he has ceased to be an independent person.
- (b) The Governor may determine the appointment of any member appointed to represent employers or workers, if in the opinion of the Governor he has ceased to be so representative.

- (c) If a member fails to attend one-half of the meetings of a wages council in any period of six months, or should only one meeting be held during any period of six months, two consecutive meetings, the Governor may, after giving such member an opportunity to be heard, determine his appointment.
- (d) If the Governor is of the opinion that any member is incapable for any reason of acting as a member, he may determine the appointment of such member.
- (e) Every member shall notify the secretary of the wages and by reason thereof is unable to summon such member council of which he is a member of any change of his address. If the secretary does not receive such notification, to attend meetings of the wages council, he shall notify the Governor, who may, after making such enquiries as he may deem necessary, determine the appointment of such member.

11. The Wages Councils Regulations, 1957, are hereby revoked.

Made this 10th day of November, 1962.

D. A. Murphy,
Acting Governor.

(M.P.L: 56/7/19 II).