



ORDINANCE NO. 8 OF 1960.
LABOUR (AMENDMENT) ORDINANCE, 1960.



I assent.

R. Talbot
Governor.

26th February, 1960.

BRITISH GUIANA.

Arrangement of Sections.

Section

1. Short title.
2. Amendment of section 18 of Chapter 103.
3. Amendment of section 19 of Chapter 103.
4. Amendment of section 38 of Chapter 103.
5. Insertion of section 38A in Chapter 103.
6. Insertion of section 39A in Chapter 103.
7. Amendment of section 40 of Chapter 103.
8. Amendment of section 48 of Chapter 103.
9. Amendment of section 49 of Chapter 103.
10. Repeal of sections 16, 27, 30 and 36 of Chapter 103.

AN ORDINANCE to amend the Labour Ordinance.

Enacted by the Legislature of British Guiana :—

A.D. 1960.

Short title.

Cap. 103.

1. This Ordinance may be cited as the Labour (Amendment) Ordinance, 1960, and shall be construed and read with the Labour Ordinance, hereinafter referred to as the Principal Ordinance, and any Ordinance amending the same.

Amendment
of section 18
of Chapter
103.

2. Section 18 of the Principal Ordinance is hereby amended —
- (a) by the insertion of the words “and particulars” between the words “Rates” and “of” in the marginal note thereof;
 - (b) by renumbering the section as section 18(1);
and
 - (c) by the addition thereafter of the following subsection —
“(2) Upon the payment to an employee of his wages, an employer shall inform the employee of the particulars of such wages in so far as such particulars may be subject to any change.”

Amendment
of section 19
of Chapter
103.

3. Section 19 of the Principal Ordinance is hereby amended by the addition thereto of the following subsections —

- “(3) Except where there is an agreement to the contrary, wages shall be paid at weekly, fortnightly or monthly intervals as the case may be.
- (4) Where the payment of wages is made in money such payment shall be made on working days only, and at or near the work place except where there exist more appropriate arrangements.”

Amendment of
section 38 of
Chapter 103.

4. Section 38 of the Principal Ordinance is hereby amended —
- (a) by the deletion of the words “to visit and inspect any premises in which labour is employed,” in paragraph (a) of subsection (1) and the substitution therefor of the words “whenever he has reasonable cause to believe that labour is employed in any premises, to enter, inspect and examine such premises and every part thereof at all reasonable times whether by day or by night;”;
 - (b) by the deletion of the word and figures “section 31” in paragraph (c) of subsection (1) and the substitution therefor of the words and figures “section 3 of the Accidents and Occupational Diseases (Notification) Ordinance, 1955;”;
 - (c) by the relettering of paragraphs (b) and (c) of subsection (1) as paragraphs (d) and (e) respectively and by the insertion after paragraph (a) of the following —

No. 46 of
1955.

“(b) to take with him a member of the police force if he has reasonable cause to apprehend any serious obstruction in the execution of his duty;

(c) to carry out any examination, test or enquiry which he may consider necessary in order to satisfy himself that the provisions of any law relating to the employment of persons are being strictly observed and, in particular to —

- (i) interrogate, alone or in the presence of witnesses, the employer or the staff of the undertaking on any matters concerning the application of any such law or to apply for information to any other person whose evidence he may consider necessary:

Provided that no person shall be required under this sub-paragraph to answer any question, or to give any evidence, tending to incriminate himself;

- (ii) require the production of any books, registers or other documents, the keeping of which is prescribed by any law relating to conditions of work, in order to see that they are in conformity with the provisions of such law and to copy such documents or make extracts from them or remove them to his office;
- (iii) enforce the posting of notices required by any law; and
- (iv) take or remove for purposes of analysis samples of materials and substances used or handled, subject to the employer or his representative being notified of any samples or substances taken or removed for this purpose;” and
- (d) by the renumbering of subsection (2) as subsection (4) and by the insertion after subsection (1) of the following —

“(2) The Commissioner, the Deputy Commissioner of Labour, and any Inspector or Assistant Inspector of Labour shall, when on an inspection visit, notify the employer or his representative of his presence, unless he considers that such notification may be prejudicial to the performance of his duties.

(3) Every employer shall grant to his workers and their representatives every facility for communicating freely with the Commissioner, the Deputy Commissioner of Labour, and any Inspector or Assistant Inspector of Labour when on a visit of inspection.”

5. The Principal Ordinance is hereby amended by the insertion after section 38 of the following —

“Certificate of appointment of Inspector and Assistant Inspector.

38A. (1) Every Inspector and every Assistant Inspector of Labour appointed under subsection (1) of section 3 of this Ordinance shall be furnished with a certificate of his appointment in the prescribed form.

(2) When visiting any premises in the execution of his duty under this Ordinance, every Inspector and every Assistant Inspector of Labour shall, if required so to do, produce the said certificate to the employer or his representative.”

6. The Principal Ordinance is hereby amended by the insertion after section 39 of the following —

“Offence to reveal information.

39A. (1) The Commissioner, the Deputy Commissioner of Labour and every Inspector or Assistant Inspector of Labour shall maintain, even after leaving the service of the Crown, any manufacturing or commercial secrets or working processes which may come to his knowledge in the course of his duties.

Insertion of section 38A in Chapter 103.

Insertion of section 39A in Chapter 103.

(2) Every person who wilfully acts in contravention of the provisions of this section shall be liable on summary conviction to a fine not exceeding two hundred and fifty dollars or to imprisonment with or without hard labour for any term not exceeding six months or to both such fine and imprisonment."

Amendment of section 40 of Chapter 103.

7. Section 40 of the Principal Ordinance is hereby amended by the deletion of paragraph (b) and the substitution therefor of the following —

"(b) prescribing or empowering the Commissioner to approve of the form or manner in which any pay-lists or statistics of earnings of employees and of deductions made therefrom shall be kept by any employer."

Amendment of section 48 of Chapter 103.

8. Section 48 of the Principal Ordinance is hereby amended by the deletion of the words and brackets "(including domestic and menial servants)".

Amendment of section 49 of Chapter 103.

9. Section 49 of the Principal Ordinance is hereby amended by the deletion of the words occurring after the words "such force".

Repeal of sections 16, 27, 30 and 36 of Chapter 103.

10. Sections 16, 27, 30 and 36 of the Principal Ordinance are hereby repealed.

Passed by the Legislative Council this twenty-sixth day of January, nineteen hundred and sixty.

i. d. L. J. King
Clerk of the Legislature.

(M.P. L. 56/7/18).
(Leg. Bill 3/1960).