

Trade Unions (Amendment) Bill

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Bill No: 20/1982

Read the first time: 31st August 1982

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Trade Unions (Amendment) Bill

Bill No. 20/1982

Read the first time on 31st August 1982.

An Act to amend the Trade Unions Act (Chapter 129 of the Revised Edition).

Be it enacted by the President with the advice and consent of the Parliament of Singapore, as follows:

Short title and commencement

1. This Act may be cited as the Trade Unions (Amendment) Act, 1982, and shall come into operation on such date as the Minister may, by notification in the *Gazette*, appoint.

Amendment of section 2

2. Section 2 of the Trade Unions Act (referred to in this Act as the principal Act) is amended —

- (a) by deleting the definition of “trade union” and substituting the following definition:

“trade union” means any association or combination of workmen or employers, whether temporary or permanent, whose principal object is to regulate relations between

workmen and employers for any or all of the following purposes:

- (a) to promote good industrial relations between workmen and employers;
- (b) to improve the working conditions of workmen or enhance their economic and social status; or
- (c) to achieve the raising of productivity for the benefit of workmen, employers and the economy of Singapore,

and includes any federation of two or more trade unions;”;
and

- (b) by deleting the definition of “workman” and substituting the following definition:

““workman” means any person who has entered into or works under a contract of service or apprenticeship with an employer, whether the contract is for manual labour, clerical work or otherwise, is express or implied, oral or in writing.”.

Amendment of section 10

3. Section 10 of the principal Act is amended by inserting, immediately after the word “unlawful” in paragraph (b), the words “and that such rules and constitution are not oppressive or unreasonable”.

Amendment of section 14

4. Section 14 of the principal Act is amended —

- (a) by inserting, immediately after paragraph (b), the following paragraph:

“(c) if he is of the opinion that the constitution or any of the rules of the union is oppressive or unreasonable; or”; and

- (b) by re-lettering the existing paragraphs (c), (d) and (e) as paragraphs (d), (e) and (f), respectively.

Amendment of section 15

5. Section 15 of the principal Act is amended by deleting paragraph (b)(v) of subsection (1) and substituting the following sub-paragraph:

- “(v) that the trade union has rescinded any rule providing for any matter for which provision is required by section 39 or has wilfully and after notice from the Registrar —
 - (aa) contravened any provision of this Act or allowed any rule to continue in force which is inconsistent with any such provision; or
 - (bb) allowed any rule to continue in force which is in the opinion of the Registrar oppressive or unreasonable;”.

Repeal and re-enactment of section 17

6. Section 17 of the principal Act is repealed and the following section substituted therefor:

“Appeal to Minister

17. Any person aggrieved —

- (a) by the refusal of the Registrar to register a trade union;
- (b) by an order made by the Registrar under section 15; or
- (c) by the refusal of the Registrar to register a new rule or any alteration of any rule under section 39,

may appeal against such refusal or order to the Minister at any time within a period of thirty days reckoned from the date of such refusal or order.”.

Amendment of section 18

7. Section 18 of the principal Act is amended by inserting, immediately after the word “union” in the seventh line of subsection (1), the words “or to order the registration of any new rule or alteration of any rule”.

Amendment of section 20

8. Section 20 of the principal Act is amended —

- (a) by deleting the words “Consolidated Fund” in paragraph (b)(i) and substituting the words “Workers’ Fund established under the Workmen’s Compensation Act, 1975 (Act 25 of 1975)”; and
- (b) by renumbering the section as subsection (1) of that section, and by

inserting immediately thereafter the following subsection:

“(2) Where no direction is given by the Minister under subsection (1) and the surplus assets or part thereof cannot be distributed in accordance with the rules of the trade union either because the members cannot be found, or no meeting of the members is possible or for any other good and sufficient reason, such surplus assets shall be paid into the Workers’ Fund.”.

Repeal and re-enactment of sections 31 and 32

9. Sections 31 and 32 of the principal Act are repealed and the following sections substituted therefor:

“Officers of trade union

31.—(1) A person shall not act as an officer of a trade union or any branch thereof, And shall be disqualified for election as such officer if he has been convicted by any court of criminal breach of trust, extortion or criminal intimidation, or of any offence which, in the opinion of the Minister, renders him unfit to be an officer of a trade union.

(2) Subsection (1) shall not apply where the Minister is satisfied that the person so convicted has reformed and has become fit to be an officer of a trade union.

(3) No person who is not a citizen of Singapore shall act as an officer of a trade union or any branch thereof unless the prior written approval of the Minister has been obtained.

(4) Not less than two-thirds of the total number of the officers of every registered trade union shall be persons actually engaged or employed in a trade, occupation or industry with which the trade union is connected.

Employees of a trade union

32.—(1) A registered trade union may, subject to subsections (2) and (4) and to the rules of the union, employ and pay such persons as may be necessary for the purposes of the union.

(2) A person shall not be employed by a registered trade union under subsection (1) if he has been convicted by a court of a criminal offence and has not received a free pardon in respect thereof, and such conviction in the opinion of the Minister renders him unfit to be employed by a trade union.

(3) Subsection (2) shall not apply where the Minister is satisfied that the person so convicted has reformed and has become fit to be employed by a trade union.