THE GAZETTE OF THE DEMOCRATIC SOCIALIST REPUBLIC OF SRI LANKA

Part II of March 25, 2022

SUPPLEMENT

(Issued on 25.03.2022)



INDUSTRIAL DISPUTES (SPECIAL PROVISIONS)

A

BILL

to make special provisions to deem the Presidents of the labour tribunals as Additional Magistrates to hear, try, determine and dispose of all suits or prosecutions under the provisions of specified enactments and for matters connected therewith or incidental thereto

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AN ACT TO MAKE SPECIAL PROVISIONS TO DEEM THE PRESIDENTS OF THE LABOUR TRIBUNALS AS ADDITIONAL MAGISTRATES TO HEAR, TRY, DETERMINE AND DISPOSE OF ALL SUITS OR PROSECUTIONS UNDER THE PROVISIONS OF SPECIFIED ENACTMENTS AND FOR MATTERS CONNECTED THEREWITH OR INCIDENTAL THERETO.

BE it enacted by the Parliament of the Democratic Socialist Republic of Sri Lanka as follows: -

1. This Act may be cited as the Industrial Disputes Short title and of 2022 and shall come date of (Special Provisions) Act, No. 5 into operation on such date as the Minister may, in consultation with the Minister assigned the subject of Justice, appoint by Order published in the Gazette.

operation

2. (1) Every President of the labour tribunal established President of the under section 31A of the Industrial Disputes Act (Chapter labour tribunal

10 131) shall in addition to the powers and duties of a President an Additional of labour tribunal, be deemed to be an Additional Magistrate Magistrate for the purpose of enforcement of any award made by any arbitrator or industrial court or any order made by the labour tribunal under the provisions of the Industrial Disputes Act

- 15 (Chapter 131) or any decision of the Commissioner or recovery of payment upon a certificate issued by the Commissioner or implementation of the provisions of the enactments specified in the Schedule I hereto (in this Act referred to as the "specified enactments").
- (2) For the purposes of this Act, the jurisdiction of a 20 President of a labour tribunal shall, subject to the provisions of subsection (3), be limited to a judicial division of a Magistrate's Court as may be demarcated under subsection (3) of section 5 of the Judicature Act, No. 2 of 1978 where
- 25 the labour tribunal is situated.

to be deemed as

(3) The jurisdiction of a President of a labour tribunal referred to in Column I of the Schedule II hereto shall be limited to the judicial division of the Magistrate's Court referred to in the corresponding entry in Column II of that

5 Schedule.

(4) For the avoidance of doubt, it is hereby declared that the Magistrate's Court shall continue to exercise such powers as specified in the specified enactments in any judicial division of the Magistrate's Court including judicial division 10 specified in Column II of Schedule II.

3. (1) Where a President of labour tribunal acts as an Applicability of Additional Magistrate, such President shall have the power the provisions and authority to hear, try, determine and dispose of cases in a summary way by virtue of the provisions of the Code of Procedure Act,

- 15 Criminal Procedure Act, No. 15 of 1979 in relation to the No. 15 of 1979 enforcement of any award made by any arbitrator or industrial and Eviden Ordinance court or any order made by the labour tribunal under the (Chapter14) provisions of the Industrial Disputes Act (Chapter 131) or any decision of the Commissioner or recovery of payment
- 20 upon a certificate issued by Commissioner or implementation of the provisions of the specified enactments.

(2) The provisions of the Code of Criminal Procedure Act, No. 15 of 1979 and Evidence Ordinance (Chapter 14) shall mutatis mutandis apply to and in relation to the

25 procedure to hear, try, determine and dispose of the suits or prosecutions before the labour tribunal:

Provided that, the provisions of Evidence Ordinance (Chapter 14) shall not apply for the conduct of proceedings under section 31B of the Industrial Disputes Act (Chapter 30 131) by the labour tribunal.

4. In the event of any inconsistency between the Sinhala Sinhala text to and Tamil texts of this Act, the Sinhala text shall prevail.

of Code of Criminal and Evidence

prevail in case of inconsistency

Schedule I

[section 2(1)]

- 1. Allowances to Plantation Workers Act, No. 72 of 1981
- Budgetary Relief Allowance of Workers (No. 2) Law, No. 18 of 1978
- 3. Budgetary Relief Allowance of Workers Act, No. 36 of 2005
- 4. Budgetary Relief Allowance of Workers Act, No. 4 of 2016
- Budgetary Relief Allowance of Workers Law (No. 1) Law, No. 1 of 1978
- 6. Chauffeurs Regulation Ordinance (Chapter 73)
- 7. Control of Labour (Change of Designation) Ordinance, No. 22 of 1945
- 8. Diseases (Labourer's) Ordinance (Chapter 225)
- 9. Employees' Councils Act, No 32 of 1979
- 10. Employees' Holiday Act, No. 6 of 1959
- 11. Employees' Provident Fund Act, No. 15 of 1958
- Employees' Provident Fund (Special Provisions) Act, No. 6 of 1975
- 13. Employees' Trust Fund (Special Provisions) Act, No. 19 of 1993
- 14. Employees' Trust Fund Act, No. 46 of 1980
- 15. Employment of Trainees (Private Sector) Act, No. 8 of 1978
- Employment of Women, Young Persons and Children Act, No. 47 of 1956
- 17. Estate Labour (Indian) Ordinance (Chapter 133)
- 18. Estate Quarters (Special Provisions) Act, No. 2 of 1971
- 19. Factories Ordinance (Chapter 128)
- 20. Fuel Conservation Five Day Week Act, No. 11of 1978

21. Holiday Act, No. 29 of 1971

- 22. Indian Immigrant Labour Ordinance (Chapter 132)
- 23. Industrial Disputes Act (Chapter 131)
- 24. Inspector of Labour (Change of Designation) Act, No. 7 of 1958
- 25. Interim Devaluation Allowance of Employees Act, No. 40 of 1968
- 26. Labour Inspections (Maintenance of Secrecy) Act, No. 13 of 1972
- 27. Maternity Benefits Ordinance (Chapter 140)
- 28. Medical Wants Ordinance (Chapter 223)
- 29. Mines (Prohibition of Female Labour Underground) Ordinance (Chapter 130)
- 30. Mines and Minerals Law, No. 4 of 1973
- 31. Mines Quarries and Minerals Ordinance (Chapter 210)
- 32. Minimum Retirement Age of Workers Act, No. 28 of 2021
- 33. Minimum Wages (Indian Labour) Ordinance (Chapter 135)
- 34. National Apprenticeship Act, No. 49 of 1971
- 35. National Minimum Wages of Workers Act, No. 3 of 2016
- Payment of Gratuities & Other Monetary Benefits to Indian Repatriates (Special Provisions) Act, No. 34 of 1978
- 37. Payment of Gratuity Act, No. 12 of 1983
- 38. Privilege Leave (Private) Law, No. 14 of 1976
- 39. Registration of Domestic Servants Ordinance (Chapter 137)
- 40. Service Contracts Ordinance (Chapter 72)
- 41. Shop & Office Employees (Regulation of Employment & Remuneration) Act (Chapter 129)
- 42. Special Allowances of Workers Law, No. 17 of 1978
- 43. Supplementary Allowances of Workers Act, No. 65 of 1979

- 44. Termination of Employment of Workmen (Special Provisions) Act, No. 45 of 1971
- 45. Trade Union Ordinance (Chapter 138)
- 46. Trade Union Representatives (Entry into Estates) Act, No. 25 of 1970
- 47. Tundu Prohibition Ordinance (Chapter 134)
- 48. Wages Boards Ordinance (Chapter 136)
- 49. Workmen's Compensation Ordinance (Chapter 139)

Schedule II

[section 2(3)]

No.	Column I	Column II
	Labour tribunal	Relevant jurisdiction of the Magistrate's Court
1.	Labour Tribunal No. 1	Chief Magistrate's Court, Colombo 12
2.	Labour Tribunal No. 2	Chief Magistrate's Court, Colombo 12
3.	Labour Tribunal No. 8	Chief Magistrate's Court, Colombo 12
4.	Labour Tribunal No. 13	Chief Magistrate's Court, Colombo 12
5	Labour Tribunal No. 33, Maharagama	Magistrate's Court, Homagama
6.	Labour Tribunal No. 32, Ratmalana	Magistrate's Court, Mount Lavinia
7.	Labour Tribunal No. 1/ Additional and No. 2/ Additional, Battaramulla	Magistrate's Court, Kaduwela
8.	Labour Tribunal No. 30, Kaduwela	Magistrate's Court, Kaduwela
9.	Labour Tribunal No. 19, Avissawella	Magistrate's Court, Avissawella

10.	Labour Tribunal No. 24, Gampaha	Magistrate's Court, Gampaha
11.	Labour Tribunal No. 31, Wattala	Magistrate's Court, Wattala
12.	Labour Tribunal No. 21, Negombo and No. 21/ Additional, Negombo	Magistrate's Court, Negombo
13.	Labour Tribunal No. 25, Panadura	Magistrate's Court, Panadura
14.	Labour Tribunal No. 18, Kalutara	Magistrate's Court, Kalutara
15.	Labour Tribunal No. 04, Galle	Magistrate's Court, Galle
16.	Labour Tribunal No. 26, Matara	Magistrate's Court, Matara
17.	Labour Tribunal No. 34, Kotapola	Magistrate's Court, Morawaka
18.	Labour Tribunal No. 03, Kandy	Magistrate's Court, Kandy
19.	Labour Tribunal No. 39, Palapathwala	Magistrate's Court, Matale
20.	Labour Tribunal No. 38, Nawalapitiya	Magistrate's Court, Nawalapitiya
21.	Labour Tribunal No. 37, Thalawakele	Magistrate's Court, Thalawakele
22.	Labour Tribunal No. 10, Hatton	Magistrate's Court, Hatton
23.	Labour Tribunal No. 09, Nuwara-Eliya	Magistrate's Court, Nuwara- Eliya
24.	Labour Tribunal No. 05, Badulla	Magistrate's Court, Badulla
25.	Labour Tribunal No. 36, Bandarawela	Magistrate's Court, Bandarawela
26.	Labour Tribunal No. 44, Ampara	Magistrate's Court, Ampara
27.	Labour Tribunal No. 06(R), Ratnapura	Magistrate's Court, Ratnapura
28.	Labour Tribunal No. 40, Balangoda	Magistrate's Court, Balangoda

29.	Labour Tribunal No. 06(E), Embilipitiya	Magistrate'sCourt, Embilipitiya
30.	Labour Tribunal No. 42, Kegalle	Magistrate's Court, Kegalle
31.	Labour Tribunal No. 23, Kurunegala	Magistrate's Court, Kurunegala
32.	Labour Tribunal No. 46, Kuliyapitiya	Magistrate's Court, Kuliyapitiya
33.	Labour Tribunal No. 28, Chilaw	Magistrate's Court, Chilaw
34.	Labour Tribunal No. 27, Anuradhapura	Magistrate's Court, Anuradhapura
35.	Labour Tribunal, Trincomalee	Magistrate's Court, Trincomalee
36.	Labour Tribunal No. 22, Batticaloa	Magistrate's Court, Batticaloa
37.	Labour Tribunal, Jaffna	Magistrate's Court, Jaffna

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