

A BILL

i n t i t u l e d

An Act to amend the Industrial Relations Act 1967.

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ENACTED by the Parliament of Malaysia as follows:

Short title and commencement

1. (1) This Act may be cited as the Industrial Relations (Amendment) Act 2014.

(2) This Act comes into operation on a date to be appointed by the Minister by notification in the *Gazette*.

Amendment of section 2A

2. The Industrial Relations Act 1967 [*Act 177*], which is referred to as the “principal Act” in this Act, is amended in paragraph 2A(2)(*b*) by substituting for the words “Principal Assistant Directors of Industrial Relations,” the words “Deputy Directors of Industrial Relations, Principal Assistant Directors of Industrial Relations, Senior Assistant Directors of Industrial Relations,”.

Substitution of section 23A

3. The principal Act is amended by substituting for section 23A the following section:

“Qualification of President and Chairman of Industrial Court

23A. A person is qualified for appointment as President under paragraph 21(1)(a) and as Chairman under subsection 23(2) if, for the seven years preceding his appointment, he has been—

- (a) an advocate and solicitor within the meaning of the Legal Profession Act 1976 [*Act 166*];
- (b) an advocate within the meaning of the Advocates Ordinance of Sabah [*Sabah Cap. 2*];
- (c) an advocate within the meaning of the Advocates Ordinance of Sarawak [*Sarawak Cap. 110*]; or
- (d) a member of the judicial and legal service of the Federation or of the legal service of a State,

or sometimes one and sometimes another.”.

Amendment of section 56

4. Subsection 56(4) of the principal Act is amended by substituting for the words “may, at the request of either party, send a certified copy thereof” the words “shall, at the request of either party, send a certified copy of the order expeditiously and where practicable within seven days from the date of request”.

EXPLANATORY STATEMENT

This Bill seeks to amend the Industrial Relations Act 1967 (“Act 177”).

2. *Clause 1* contains the short title and provision on the commencement of the proposed Act.

3. *Clause 2* seeks to amend paragraph 2A(2)(b) of Act 177 to create the new posts of Deputy Directors of Industrial Relations and Senior Assistant Directors of Industrial Relations.

4. *Clause 3* seeks to amend section 23A of Act 177 to enable an advocate within the meaning of the Advocates Ordinance of Sabah [*Sabah Cap. 2*] or the Advocates Ordinance of Sarawak [*Sarawak Cap. 110*] to qualify for appointment as President under paragraph 21(1)(a) of Act 177 and as Chairman under subsection 23(2) of Act 177 if certain requirements are met. Currently, only an advocate and solicitor within the meaning of the Legal Profession Act 1976 [*Act 166*] and a member of the judicial and legal service of the Federation or of the legal service of a State are qualified for appointment as President or Chairman.

5. *Clause 4* seeks to amend subsection 56(4) of Act 177 to require the Registrar of the Court, at the request of either party, to send a certified copy of the order made under subsection 56(2) of Act 177 to the Senior Assistant Registrar of the High Court or the Registrar of the Sessions Court expeditiously and where practicable within seven days from the date of the request.

FINANCIAL IMPLICATIONS

This Bill will involve the Government in extra financial expenditure the amount of which cannot at present be ascertained.

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