

THE TRADE DISPUTES ACT AMENDING LAW, 1963.

[THE UNION OF BURMA REVOLUTIONARY COUNCIL LAW NO. 20 OF 1963.]

The Chairman of the Union of Burma Revolutionary Council makes the following Law :—

1. (1) This Law may be called the Trade Disputes Act Amending Law, 1963.

(2) It shall come into force at once.

2. For section 8 of the Trade Disputes Act hereinafter referred to as the Act the following shall be substituted as sections 8, 8A, 8B and 8C, namely :—

“ 8. (1) The Government may constitute a Central Labour Committee as it thinks fit.

(2) The Central Labour Committee shall have all the powers of the Industrial Court and all references in this Act to the Industrial Court or the Court of Industrial Arbitration shall be deemed to be references to the Central Labour Committee.

(3) The Central Labour Committee shall also have such other powers as may be conferred upon it by the Government from time to time.

(4) The Central Labour Committee may appoint as many Labour Sub-Committees as it thinks fit and may delegate to them such of its powers and duties as it may deem necessary.

(5) Any person aggrieved by the decision of a Labour Sub-Committee may appeal to the Central Labour Committee within the prescribed period.

(6) The Central Labour Committee may appoint Committees to hear and decide such appeals against decisions of Labour Sub-Committees as it may transfer to the said Committees.

(7) The Central Labour Committee may revise any order passed by the Committees appointed under sub-section (6).

(8) Notwithstanding anything contained in this Act the Government may prescribe the procedure to be followed by the Central Labour Committee.

(9) No award or order passed by the Central Labour Committee shall be called in question in any civil or criminal Court or by a writ of *certiorari* in the Chief Court.

(10) Notwithstanding anything contained in section 6 of the Union Judiciary Act no appeal shall lie to the Chief Court against the decision of the Central Labour Committee.

8-A. (1) Notwithstanding anything contained in any other law for the time being in force the Government may by order direct any industry, business or undertaking to carry

on its work in accordance with the directions given to it by the Government or the Government may notify by order that it will undertake to carry on the work of any such industry, business or undertaking.

- (2) Notwithstanding anything contained in any other law for the time being in force the Government may by order take over any industry, business or undertaking and on such taking over all the assets of the said industry, business or undertaking shall together with such of its liabilities as may be declared in the said order vest in the Government.

8-B. Any employer who without reasonable cause commits any act or omission which adversely affects the production of goods or which adversely affects the benefit enjoyed by an employee shall be liable to pay such compensation as may be decided by the Central Labour Committee.

Such compensation may be recovered as if it were an arrear of land revenue due to the Government.

8C. Any person who contravenes any order passed by the Government or the Central Labour Committee, under this Act shall be liable to imprisonment which may extend to three years and shall also be liable to fine."

3 Section 14 of the Act *shall be deleted.*

4. All applications or other proceedings pending immediately before the commencement of this Law before the Court of Industrial Arbitration in the exercise of any jurisdiction vested in it by law shall be continued and concluded in the Central Labour Committee as if the same had been instituted in the said Central Labour Committee.