

A BILL

ENTITLED

AN ACT to Amend the Trade Union Act.

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BE IT ENACTED by The Queen's Most Excellent Majesty, by and with the advice and consent of the Senate and House of Representatives of Jamaica, and by the authority of the same, as follows:—

1. This Act may be cited as the Trade Union (Amendment) Act, 1998 and shall be read and construed as one with the Trade Union Act (hereinafter referred to as the principal Act) and all amendments thereto.

Short title
and con-
struction.

amendment
section
principal
Act.

2. Section 6 of the principal Act is amended—

- (a) in subsection (1) by deleting the words “fifty dollars, and to an additional penalty of the like amount for each week during which such omission continues” and substituting therefor the words “ten thousand dollars, and where the offence is continued after conviction the person shall be guilty of a further offence and shall be liable on summary conviction to a penalty of five hundred dollars for each week during which the offence is so continued”;
- (b) in subsection (4) by deleting the word “four” and substituting therefor the words “five hundred”.

amendment
section 12
principal
Act.

3. Section 12 of the principal Act is amended—

- (a) by deleting the words “forty dollars, together with costs not exceeding two dollars” and substituting therefor the words “twenty thousand dollars”;
- (b) by deleting the words “and costs aforesaid”.

amendment
section 15
principal
Act.

4. Section 15 of the principal Act is amended by deleting the word “ten” and substituting therefor the words “five hundred”.

amendment
section 16
principal
Act.

5. Section 16 of the principal Act is amended—

- (a) in subsection (4) by inserting immediately after the word “twenty” the word “thousand”;
- (b) in subsection (5) by deleting the word “four” and substituting therefor the words “five hundred”;
- (c) in subsection (6) by deleting the words “one hundred” and substituting therefor the words “fifty thousand”.

6. Paragraph (c) of section 20 of the principal Act is amended by deleting the word "twenty" wherever it appears and substituting therefor in each case the words "ten thousand".

Amendment
of section 20
of principal
Act.

7. Section 31 of the principal Act is amended—

Amendment
of section 31
of principal
Act.

(a) by inserting immediately after the word "two" the word "hundred";

(b) by deleting the word "ten" and substituting therefor the words "one thousand".

8. Subsection (1) of section 32 of the principal Act is amended by deleting the word "forty" and substituting therefor the words "twenty thousand".

Amendment
of section 32
of principal
Act.

9. Section 33 of the principal Act is amended in the proviso to subsection (1) and subsections (2) and (4) by deleting the word "forty" wherever it appears and substituting therefor in each case the words "ten thousand".

Amendment
of section 33
of principal
Act.

10. The principal Act is amended by deleting the First Schedule and substituting therefor the following—

Amendment
of First
Schedule to
principal
Act.

" FIRST SCHEDULE (Section 13 (f))

Fees

			\$
For registering trade union	1,000
For registering alteration in rules	500
For inspection of documents	100".

MEMORANDUM OF OBJECTS AND REASONS

As a part of the Labour Market Reform the Trade Union Act is being amended to increase the monetary penalties in relation to—

- (a) the non-registration of a trade union;
- (b) a member of a trade union taking part in any meetings or proceedings of a trade union which is not registered;
- (c) the misapplying of property etc., of a trade union;
- (d) a trade union not having a registered office;
- (e) the non-compliance—
 - (i) with an order of the Registrar in respect of the statement of accounts and audit certificate; and
 - (ii) with an order of a Resident Magistrate;
- (f) a wilful false declaration;
- (g) the failure to give notice or send any document required by the Act to be sent;
- (h) the intimidation or annoyance by any person;
- (i) picketing.

The opportunity is also being taken to increase the fees payable in respect of registration of a trade union.

PORTIA SIMPSON-MILLER,
Minister of Labour, Social Security and Sport.

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As introduced by the Honourable Minister of
Labour, Social Security and Sport.