

JAMAICA

No. 16—2002

I assent,

[L.S.]

H. F. COOKE,
Governor-General.

28th day of March, 2002.

AN ACT to Amend the Trade Union Act.

[28th March, 2002]

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, 2002 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 construction.

2. Section 2 of the principal Act is amended—

(a) by inserting next before the definition of “trade union” the following definition—

Amendment
of section
2 of principal Act.

“ “industrial dispute” means any dispute between employers and workers, or between workers and workers, which is connected with

the employment or non-employment, or the terms of employment, or with the conditions of labour, of any person;”;

- (b) in the definition of “trade union” by deleting the word “workmen” wherever it appears and substituting therefor in each case the word “workers”;
- (c) by deleting the definition of “trade dispute”;
- (d) in the definition of “workmen”—
 - (i) by deleting the word “workmen” and substituting therefor the word “workers”;
 - (ii) by deleting the words “trade dispute” and substituting therefor the words “industrial dispute”.

Amendment
of section 6
of prin-
cipal Act.

3. 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
of section
7 of prin-
cipal Act.

4. Section 7 of the principal Act is amended by deleting the words “not exceeding one acre,”.

Amendment
of section 12
of principal
Act.

5. 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”.

6. The principal Act is amended by inserting next after section 12 the following as section 12A—

Insertion of new section 12A in principal Act.

“Penalty for impersonating trade union officer.”

12A. Any person, who impersonates any officer of a trade union shall be guilty of an offence and shall be liable on summary conviction before a Resident Magistrate to a fine not exceeding one hundred thousand dollars or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.”.

7. Section 14 of the principal Act is amended in paragraph (b) by deleting the words “a sum not exceeding ten cents” and substituting therefor the words “such sum as from time to time may be determined by the trade union”.

Amendment of section 14 of principal Act.

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

Amendment of section 15 of principal Act.

9. Section 16 of the principal Act is amended—

Amendment of section 16 of principal Act.

(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”.

10. Section 16 of the principal Act is amended in subsection (1) (e) (ii) by inserting immediately after the word “officers” the words “and trustees”.

Amendment of section 16 of principal Act.

11. Paragraph (1) 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.

Amendment
of section 31
of principal
Act.

12. Section 31 of the principal Act is amended—

- (a) by inserting immediately after the word “two” the word “hundred”;
- (b) by deleting the word “ten” and substituting therefor the words “one thousand”.

Amendment
of section 32
of principal
Act.

13. Subsection (1) of section 32 of the principal Act is amended by deleting the words “trade dispute” and “forty” and substituting therefor the words “industrial dispute” and “twenty thousand”, respectively.

Amendment
of section 33
of principal
Act.

14. Section 33 of the principal Act is amended—

- (a) in subsection (1) and the proviso thereto and subsections (2) and (5) by deleting the words “trade dispute” wherever they appear and substituting therefor in each case the words “industrial dispute”;
- (b) 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”;
- (c) in subsection (2) (c) by deleting the word “workman” and substituting therefor the word “worker”.

Amendment
of section
34 of prin-
cipal Act.

15. Section 34 of the principal Act is amended by deleting the words “trade dispute” and substituting therefor the words “industrial dispute”.

Amendment
of section
35 of prin-
cipal Act.

16. Section 35 of the principal Act is amended—

- (a) in subsection (1) by deleting the word “workmen” and substituting therefor the word “workers”;
- (b) in subsection (2) by deleting the words “trade dispute” and substituting therefor the words “industrial dispute”.

17. The principal Act is amended by inserting next after section 35 the following as section 36—

Insertion of new section 36 in principal Act.

“Regulations. 36.—(1) The Minister may make regulations generally for carrying out the objects and purposes of this Act.

(2) Any person who contravenes any provisions of the regulations shall be guilty of an offence and shall be liable on summary conviction before a Resident Magistrate to a fine not exceeding fifty thousand dollars or to imprisonment for a term not exceeding three months or to both such fine and imprisonment.”.

18. 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”.