The Industrial Disputes (Special Provisions) Bill, which seeks to expedite the labor related concerns, passed in Parliament

Date : 21-06-2022

- **Code of Criminal Procedure (Amendment) Bill and the Code of Civil Procedure (Amendment) Bill Passed without debate in Parliament**

The Industrial Disputes (Special Provisions) Bill was passed with amendments in Parliament today.

The Bill provides that the Chairmen of the Labor Tribunals shall be treated as Additional Magistrates for the hearing, determination and conclusion of all criminal or civil cases under the provisions prescribed by law and shall provide for matters relating thereto.

At present, according to the Industrial Disputes Act, in cases where an employer has terminated the employment of an employee, only the process finalization of such termination is dealt with under a Labor Tribunal. In cases where the employers do not agree or violate the provisions of various Acts pertaining to the Employees' Provident Fund, wages, other terms and conditions, litigation will be instituted in the Magistrates Courts.

The main problem that arises here is that more than 16,000 cases have been filed in about 80 Magistrate Courts functioning island wide. It was also stated that it would take a long time for the aggrieved workers to get some justice and if the cases were referred to the 37 established tribunals island wide which are currently conducting very small proceedings, the aggrieved party would be able to expedite justice.

Therefore, it was emphasized that the Act would delegate the powers of prosecution to the Chairmen of Labor Tribunals. It was further stated that the Labor Tribunals had been given the aforesaid power in the past as well and that many cases could be settled expeditiously and those powers were later abolished.

The relevant link to this bill is as below:
http://documents.gov.lk/files/bill/2022/4/191-2022_E.pdf

The Code of Criminal Procedure (Amendment) and the Code of Civil Procedure (Amendment) Bills taken up from 11.00 am to 11.30 am, were passed without debate.

The Code of Criminal Procedure (Amendment) Bill amends Section 442 of the Code of Criminal Procedure Act No. 15 of 1979 and provides a free copy of the final order of the judgment or case report to each party in a case.

The relevant link to this bill is as below:
http://documents.gov.lk/files/bill/2022/3/182-2022_E.pdf

The Code of Civil Procedure (Amendment) Bill adds a new section 154 (a) to the Code of Civil Procedure and exempts certain documents from formal proof in certain legal proceedings.

The relevant link to this bill is as below:
http://documents.gov.lk/files/bill/2022/3/187-2022_E.pdf

Parliament convened today at 10.00 am and Hon. Hon. Mahinda Yapa Abeywardana, the Speaker announced to the House that he has received the determination of the Supreme Court on the "Twenty-first Amendment to the Constitution" Bill, which was challenged before the Supreme Court in terms of Article 121 (1) of the Constitution.

Hon. (Dr.) Wijeyadasa Rajapakshe, Minister of Justice, Prison Affairs and Constitutional Reforms introduced an amendment to the Criminal Procedure Code Amendment Bill for its First Reading. This Bill amends the Code of Criminal Procedure Act No. 15 of 1979 make provision for the court to pronounce the sentence as provided for in section 53 of the Penal Code (Chapter 19) in respect of a person who is under the age of eighteen years, at the time of commission by such person of an offence punishable by death.

The relevant link to this bill is as below:
https://www.parliament.lk/uploads/bills/gbills/gazette/english/6255.pdf

The Leader of the Opposition and other party leaders walked out of the House, announcing that the Opposition would boycott Parliament this week until a definite roadmap was presented pertaining to the current crisis in the country.

Due to this, the Members of the Government joined the debate on the Industrial Disputes (Special Provisions) Bill from 11.30 am to 4.30 pm.

Time was then allotted from 4.30 pm to 4.50 pm for Questions at the Adjournment Time and Hon. Manjula Dissanayake, Member of Parliament inquired from the Minister of Transport and Highways about the need to improve the transport system including railways.

The motion at the time of adjournment was then moved by Hon. Dullas Alahapperuma calling on all Members of Parliament as well as citizens to unite to remove obstacles barring the education of children, even during a crisis situation was held until 5.00 pm after which the Parliament was adjourned for the 22nd at 10.00 am.