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THE GAZETTE OF THE REPUBLIC OF SRI LANKA (CEYLON)

EXTRAORDINARY

අංක 243/19 — 1976 දෙසැම්බර් 17 වැනි සිකුරාදා — 1976.12.17

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PART I: SECTION (I) — GENERAL

Government Notifications

P. O. No. W. 68 (70)/76

THE PUBLIC SECURITY ORDINANCE (CHAPTER 40)

REGULATIONS made by the President under section 5 of the Public Security Ordinance, upon the recommendation of the Prime Minister.

W. GOPALLAWA,
President.

President's Office,
Colombo, December 17, 1976.

Regulations

1. These regulations may be cited as the Emergency (Fuel Conservation—Five Day Week) Regulations.

2. These regulations shall apply to all Government Departments, Corporations, Local Authorities, Private Sector Establishments and all trades, businesses, industries, undertakings, or institutions (hereinafter referred to as institutions to which these regulations apply) in which, prior to January 12, 1974, workers were employed in accordance with the terms of their employment for a fixed number of hours per day from Monday to Friday, a lesser fixed number of hours on every Saturday and did not work on Sundays :

Provided, however, that these regulations shall not apply to—

- (a) any institution concerned with or engaged in the growing, processing, manufacturing or export of any agricultural products ; and
- (b) any shop.

Provided, further, that the Competent Authority may by Order declare that any institution, trade, business, industry or undertaking, or any part thereof, to which these regulations do not apply, shall be subject to these regulations, or that any institution, or any part thereof to which these regulations apply, shall be exempt from the provisions of these regulations.

3. From and after January 12, 1974, in all institutions to which these regulations apply, Saturdays shall ordinarily not be treated as working days unless the Competent Authority directs otherwise.

4. The number of hours of work which a worker would, but for these regulations, have worked on Saturdays shall be performed by him during the days from Monday to Friday in such manner as the Competent Authority may by Order direct :

Provided, however, that the Competent Authority shall not compel such worker to commence work at a time earlier than he did prior to January 12, 1974, and further, that the Competent Authority shall distribute the extra hours of work to be performed by such worker as far as possible, equally, on the days from Monday to Friday:

Provided, further, that no such worker shall be entitled to the payment of any sum of money in the nature of an overtime payment in respect of such extra hours of work performed from Monday to Friday in pursuance of a direction by the Competent Authority, notwithstanding any law, custom or practice or any Collective Agreement under the Industrial Disputes Act to the contrary.

5. Unless the Competent Authority otherwise directs under regulation 4, in all institutions to which these regulations apply, all workers shall commence work at the time they did before January 12, 1974, and shall work for forty-five minutes more at the end of each day from Monday to Friday, in addition to the number of hours they worked before January 12, 1974.

6. (1) Every worker shall, for performing work in pursuance of these regulations and any directions given by the Competent Authority, receive the same remuneration for each week as he would have been entitled to receive prior to January 12, 1974.

(2) Where a worker to whom regulation 4 applies is, notwithstanding such regulation, required to work on a Saturday and accordingly does so, he shall be entitled to receive and shall be paid a sum of money in the nature of an overtime payment in respect of such work.

(3) Every worker who has been employed by any employer in any trade or office immediately before January 12, 1974, shall, subject to the provisions of other written laws, continue to be so employed on such terms and conditions relating to salary, allowances and any other payments of money (by whatever name called) which are not less favourable than those which such worker had enjoyed before January 12, 1974.

7. Every employer in any trade, shall take account of every Saturday in each week, as though every worker employed under him had worked on that day, for the purpose of computing the number of days worked for the grant of annual holidays to such worker in terms of the provisions of any decision of any Wages Board established under the Wages Boards Ordinance.

8. Except as provided in regulation 6 (3), these regulations shall have effect notwithstanding anything in any other law.

9. In these regulations—

“Competent Authority” means—

- (a) in relation to any Government Department or Corporation, the Secretary to the Ministry who is in charge of such Government Department or Corporation ;
- (b) in relation to any Local Authority, the Secretary to the Ministry of Public Administration, Local Government and Home Affairs ;
- (c) in relation to any private sector establishment the Commissioner of Labour or any Deputy, or Assistant Commissioner of Labour ;

“Private Sector Establishment” includes any office ;

“Local Authority” means any Municipal Council, Urban Council, Town Council or Village Council ;

“Corporation” means any body, corporate or unincorporate, whose capital is wholly or partly provided by the Government ;

“shop” and “office” shall have the same meanings respectively as in the Shop and Office Employees (Regulation of Employment and Remuneration) Act (Chap. 129) but shall not include any office which the Competent Authority may exempt from the provisions of these regulations ;

“Commissioner”, “worker” and “employer” shall have the same meanings respectively as in the Wages Boards Ordinance.