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THE GAZETTE OF THE REPUBLIC OF SRI LANKA (CEYLON)

EXTRAORDINARY

අංක 243/32 — 1976 දෙසැම්බර් 17 වැනි සිකුරාදා — 1976.12.17

No. 243/32—FRIDAY, DECEMBER 17, 1976

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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 (Plantation Workers' Additional Special Allowance) Regulations.

2. (1) The Commissioner shall be the Competent Authority for the purposes of these regulations.

(2) The Competent Authority may delegate to any officer of the Labour Department any power, function or duty conferred or imposed on such authority by these regulations.

3. The provisions of these regulations shall have force and effect notwithstanding anything in any other written law, or in any contract of employment, whether oral, written, express or implied; and accordingly, in the event of any conflict or inconsistency between such provisions and any such other law or such contract, such provisions shall to the extent of such inconsistency prevail over any such law or such contract.

4. (1) Every employer of a worker in the Tea Growing and Manufacturing Trade or the Rubber Growing and Manufacturing Trade or the Coconut Growing Trade shall, with effect from November 1, 1972, pay to such worker an allowance hereinafter referred to as an "additional special allowance" as provided in the Schedule to these regulations.

(2) The additional special allowance payable under these regulations shall be in addition to the special allowance payable under any decisions made by the Wages Board for the Tea Growing and Manufacturing Trade, or the Rubber Growing and Manufacturing Trade or the Coconut Growing Trade under section 20 (2) (a) (ii) of the Wages Boards Ordinance.

5. The payment of the additional special allowance payable under these regulations to any worker in any trade specified in regulation 4 shall be deemed for all purposes to be a decision made by the Wages Board for that trade under the Wages Boards Ordinance, and accordingly the provisions of that Ordinance shall apply to and in relation to such payment in like manner as those provisions apply to any other decisions of a Wages Board.

6. Every worker who has been employed by any employer in any of the three trades referred to in regulation 4 on the day immediately prior to November 1, 1972, shall, for so long as he continues to be a worker of such employer, be so continued to be employed by such employer, on such terms and conditions relating to salary, allowance or other payments in money by whatsoever name or designation called, excluding the additional special allowance, as are not less favourable than those which such worker had enjoyed on the day immediately prior to November 1, 1972.

7. In these regulations unless the context otherwise requires—

- (a) “Commissioner”, “worker”, “employer”, “wages” and “trade” shall have the same meanings respectively as in the Wages Boards Ordinance (Chapter 136) ;
- (b) “Tea Growing and Manufacturing Trade”, and “Rubber Growing and Manufacturing Trade” and “Coconut Growing Trade” shall have the same meanings respectively as in the Order made by the Minister of Labour under section 6 of the Wages Boards Ordinance (Chapter 136) in respect of such trade ;
- (c) “Child worker” means a male worker under 16 years of age or a female worker under 15 years or age.

SCHEDULE

The additional special allowance payable under these regulations to a worker specified in Column I hereunder shall be at the rate set out in the corresponding entry in Column II hereunder:—

<i>Column I</i> <i>Class of Worker</i>		<i>Column II</i> <i>Additional special allowance for a normal working day</i>
Male worker not under 16 years of age	..	18 cents
Female worker not under 15 years of age	..	12 cents
Child worker	12 cents