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THE GAZETTE OF THE REPUBLIC OF SRI LANKA (CEYLON)

EXTRAORDINARY

අංක 243/34 — 1976 දෙසැම්බර් 17 වැනි සිකුරාදා — 1976.12.17

No. 243/34 — FRIDAY, DECEMBER 17, 1976

(Published by Authority)

## 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.

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

W. GOPALLAWA,  
President.

#### Regulations

1. These regulations may be cited as the Emergency (Tea Estate Workers' Wage Supplement) 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 under these regulations.
3. The provisions of these regulations shall have force and effect notwithstanding anything in any other written law, or any contract of employment, whether oral, written, express or implied; and accordingly, in the event of any conflict or inconsistency between the provisions of these regulations and such other law or contract, the provisions of these regulations shall prevail over any such law or such contract.
4. On and after April 1, 1975, every employer of any worker employed in any tea estate not less than one hundred acres in extent shall pay to such worker, in respect of each day he works, a wage supplement computed in terms of the Schedule hereto.
5. Every worker referred to in regulation 4, who has been employed by any employer in the tea growing and manufacturing trade immediately prior to April 1, 1975, 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 payment in money by whatsoever name or designation called as are not less favourable than those which such worker had enjoyed on the day immediately prior to April 1, 1975, and the wage supplement payable under these regulations shall be in addition to such salary, allowance or other payment.
6. The wage supplement payable in terms of these regulations to any worker in the tea growing and manufacturing trade shall, for the purposes of any written law or any other purpose, be deemed to constitute part of his wages.
7. Upon conviction by a Court of an employer for an offence by reason of the failure of such employer to pay any sum required to be paid to a worker under regulation 4, the Court may, in addition to any other penalty it may impose for such offence, order such employer to pay such sum to such worker within a period specified in such order, and if such sum is not so paid, such sum may be recovered on the order of Court as though it were a fine imposed by the Court.

8. In these regulations, unless the context otherwise requires—

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

“ tea growing and manufacturing trade ” shall have the same meaning as in the Order made by the Minister of Labour under section 6 of the Wages Boards Ordinance in respect of such trade ;

“ the monthly average net sale price for all midgrown teas ” shall mean the monthly average net sale price for all midgrown teas at the Colombo Tea Auctions as shall be declared by the Commissioner of Labour and published in one Sinhala, one Tamil and one English newspaper.

SCHEDULE

<i>Column I</i>	<i>Column II</i>
Where the monthly average net sale price for all midgrown teas at the Colombo Tea Auctions for the previous month is—	The wage supplement payable per worker per day shall be—
(a) Rs. 2.50 to Rs. 2.74	10 cents
(b) Rs. 2.75 to Rs. 2.99	20 cents
(c) Rs. 3.00 or above	30 cents