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10d P 1972 (150)

TRINIDAD AND TOBAGO

**Act No. 42 of 1972**

[L.S.]

AN ACT to amend the Industrial Relations Act, 1972.

[Assented to 8th January, 1973]

BE IT ENACTED by the Queen's Most Excellent Majesty, by **Enactment** and with the advice and consent of the Senate and House of Representatives of Trinidad and Tobago, and by the authority of the same, as follows:—

**1.** This Act may be cited as the Industrial Relations **Short title** (Amendment) Act, 1972.

Act No. 23 of  
1972 amended

2. The Industrial Relations Act, 1972 is amended as follows:

(a) in section 34(3)—

(i) by substituting for paragraphs (b) and (c) thereof the following:

“(b)(i) the particular worker has become a member of the union after having paid a reasonable sum by way of entrance fee and has actually paid reasonable sums by way of contributions for a continuous period of eight weeks immediately before the application was made or deemed to have been made; or

(ii) the particular worker has actually paid reasonable sums by way of contributions for a continuous period of not less than two years immediately before the application was made or deemed to have been made;”;

(ii) by renumbering paragraphs (d) and (e) as (c) and (d) respectively; and

(iii) by substituting for the reference to paragraphs (b) and (c) occurring in paragraph (c) as renumbered a reference to paragraph (b);

(b) in section 85(5) by substituting for the words “shall be deemed to have been reported to the Board” occurring in line 5 thereof, the words “shall be deemed to be applications for certification of recognition made to the Board”;

(c) in section 86—

- (i) by substituting for the words “Where a collective agreement is,” occurring at the commencement of subsection (1) thereof, the words “Subject to this section, where a collective agreement is,”;
- (ii) by substituting for all the words occurring after the words “to hear and determine such question” in subsection (2) thereof, the words “in accordance with subsection (6)”;
- (iii) by adding the following new subsections thereto:—

“(5) For the purposes of subsection (1), if it appears to the Board that more than one trade union is a party to a collective agreement, deemed to have been registered under section 85(8), the Board shall determine the question as to which trade union is to be recognised for the purpose of this Act in accordance with subsection (6).

(6) In determining any question as to which trade union is to be recognised for the purpose of this Act under this section, the Board shall proceed on the assumption that each trade union concerned has as members in good standing more than fifty per cent of the workers comprised in the appropriate bargaining unit, and the provisions of section 34(2) shall apply accordingly.

(7) Section 48 shall have effect for the purpose of determining whether a trade union is a party to a collective agreement deemed to have been registered under section 85(8).”.

Commencement

**3.** This Act shall be deemed to have come into operation on the 31st day of July, 1972.

Passed in the House of Representatives this 8th day of December, 1972.

**J. E. CARTER**  
*Acting Clerk of the House*

Passed in the Senate this 19th day of December, 1972.

**R. L. GRIFFITH**  
*Acting Clerk of the Senate*