



I assent.

[L.S.]

K. K. T. MARA  
President

[9 November 1998]

## AN ACT

### TO AMEND THE TRADE DISPUTES ACT

ENACTED by the Parliament of the Fiji Islands—

*Short title etc.*

1.—(1) This Act may be cited as the Trade Disputes (Amendment) Act 1998.

(2) This Act commences on the date on which the Constitution Amendment Act 1997 (No. 13 of 1997) commenced.

(3) In this Act, “principal Act” means the Trade Disputes Act (Cap.97).

*Interpretation*

2. Section 2 of the principal Act is amended—

(a) by deleting the definition of “party” and substituting—

“party”, with reference to a trade dispute, means—

(a) a trade union of employees acting for all or any number of its members in the trade dispute;

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- (b) an employee acting for himself in the trade dispute;
  - (c) a trade union of employers acting for all or any number of its members in the trade dispute; or
  - (d) an employer acting for himself in the trade dispute;”;
- (b) by deleting the definition of “trade dispute” and substituting—
- “trade dispute” means any dispute or difference—
- (a) between any employer and a registered trade union recognised under the Trade Unions (Recognition) Act (Cap. 96A) and connected with the employment or with the terms of employment or the conditions of labour of any employee;
  - (b) between an employer and a registered trade union that has applied for recognition under the Trade Unions (Recognition) Act and connected with the termination of employment of any employee during the time when the application for recognition by the trade union is being processed; or
  - (c) between an employer and an employee who is a member of a registered trade union that has applied for recognition under the Trade Unions (Recognition) Act and connected with the termination of employment of that employee during the time when the application for recognition of the trade union is being processed;”.

*Reporting of trade disputes*

3. Section 3 of the principal Act is amended by adding to subsection (1) the following new paragraphs—

- “(c) a trade union of employees that has applied for recognition under the Trade Unions (Recognition) Act and which is a party to the dispute; or
- (d) an employee who is a member of a trade union that has applied for recognition under the Trade Unions (Recognition) Act and which is a party to the dispute.”.

*Settlement of disputes of rights*

4. Section 5A of the principal Act is amended by deleting paragraph (b) of subsection (2) and substituting—

“(b) a member appointed by the Permanent Secretary on the recommendation of the party affected by the dispute.”.

*Reference of trade disputes to Tribunal*

5. Section 6 of the principal Act is amended in subsection (4) by adding “or to a Disputes Committee” after “conciliation”.

Passed by the House of Representatives this 8th day of October 1998.

Passed by the Senate this 30th day of October 1998.