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THE BALOCHISTAN GAZETTE
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NOTIFICATION.

Dated Quetta, the 21" October, 2015.

No. PAB/Legis:V(18)/2015/5447 The —_— Balochistan Industrial Relations (Amendment) Bill, 2015, (Bill No. 18 of 2015) having been passed by the Provincial Assembly of Balochistan on 09" October, 2015 and assented to by the Governor, Balochistan on 16" October, 2015 is hereby published as an Act of Balochistan Provincial Assembly.

THE BALOCHISTAN INDUSTRIAL RELATIONS (AMENDMENT)
Act, 2015(Act NO.XV OF 2015).

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to further amend the Balochistan Industrial Relations Act, 2010
(Act No. XIII of 2010)

Preamble. WHEREAS, it is expedient to further amend the Balochistan Industrial Relations Act, 2010 (Act No. XIII of 2010), in the manner hereinafter appearing;

It is hereby enacted as follows:

Short title and 1, (1) This Act shall be called the Balochistan Industrial Relations

Commencement. (Amendment) Act, 2015.

Amendment of (2) It shall come into force at once.

2. In the Balochistan Industrial Relations Act, 2010 { Balochistan Act

No. — XIII of 2010) hereinafter referred to as the said Act, in section 2 sub-section 4 after the words "or Industry" " the words including Fishing and Agriculture shall be inserted.

Amendment of 3. In the said Act, in section 2.

section 2, :

Act, XIII of 2010. (a) clause (e) shall be omitted:

(b) in clause (g), in sub-clause (i), for the word "Commission" the words "Labour Court" shall be substituted;

(c) in clause (h), in sub-clause (iii), the words "Federal Government or" shall be omitted: and

(d) in clause (h), under sub-clause (iv), in explanation, the words "Federal Government of" shall be omitted.

Amendment of 4, in the said Act, in section 15, in clause (b) the words "or Commission"

section 15, shall be omitted,

Act, XIII of 2010.

Omission of 5. in the said Act, sections 25 and 26 shall be omitted

section 25

and 26, Act XIII

of 2010

Amendment of 6. In the said Act, for section 27 with marginal heading, the following section 27, shall be substituted, namely —

Heh, NS AOS. - "27. Authorization of certain powers to the Registrar.—
Government may, by general or special order authorize a
Registrar to exercise the following powers:

(a) registration of Industry wise trade unions,
federation of such trade unions of
federations at the provincial level, including

i) registration of trade unions within the
collective bargaining units;

ii) determination of collective bargaining
agent from amongst the industry wise
trade unions federation of such trade
unions, or as the case may be,
-federation at the Provincial; and

determination of collective bargaining
agent from amongst the trade unions
registered within collective bargaining

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unit; and

(b) any other power which the Government may deem

Amendment of 7 In the said Act, for section 28, the following shall be substituted,
section 28, namely —
Act, Xill of 2010,

"28. Appeals— (1) —_ Notwithstanding anything contained
in this Act or in any other law, any person aggrieved by an order
determining a collective bargaining unit passed by the labour
Court may within thirty days of such order prefer an appeal to the
Labour Appellate Tribunal.

(2) An appeal preferred to the Labour Appellate Tribunal under
sub-section (1) shall be disposed of by the labour Appellate
Tribunal which shall have the power to confirm, set aside, vary or
modify such an order,"

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Omission of 8. _ in the said Act, section 29 shall be omitted.

Act, Xill of 2010.

Amendment of 9. in the said Act. for section 30 with" marginal heading, the following section 30, shall be substituted, namely:—

Section 30 Determination of collective bargaining unit— (1)

Where the Labour Court, on an application made in this behalf, by a trade union or a federation of such trade unions or an employer of on a reference made, by the Government, after holding such inquiry as it deems fit, is satisfied that for safeguarding the interest of the workmen employed in an establishment or group of establishments belonging to the same employer and the same industry, in relation to collective bargaining it is necessary, just and feasible to determine one or more collective bargaining units of such workmen in such establishment or group, it may, having regard to the distribution of workers, existing boundaries of the components of such establishment, or group, facilities of

bargaining units in such establishment or

(0) specify the modifications which,

workers management council of the
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decision:

(c) specify the date or dates from and the period.
for which all of any of such changes shall take

Omission of 10,

section 31,
Act, XIII of 2010.

Amendment of 11.

section 48,
Act, XIII of 2010,

effect but the date so specified shall not be a date failing within the period of two years specified in Sub Section 18 of Section 24 in its application to collective bargaining agent certified in respect of an establishment or group of establishments;

(d) stop or prohibit the proceedings to determine collective bargaining agent under section 24 for any establishment or group of establishment which is likely to be affected by a decision under this section; and

(e) take such measures or issues any directions to a Registrar as may be necessary to give effect to such modifications.

(2) Where the Labour Court issues any directions to a Registrar under this section, the Registrar shall comply with them within such period as the Labour Court may determine from time to time.

(3) After the certification of a collective bargaining union, no trade union shall be registered in respect of that union except for the whole of such unit and no certification or proceedings for determination of collective bargaining agent under section 24 shall take place for a part of a collective bargaining unit or a group of coactive bargaining units.

(4) Any order of the Labour Court under this section shall have effect notwithstanding anything to the contrary contained in this Act,"

in the said Act, section 31 shall be omitted.

in the said Act, in section 48,—

(a)

in the proviso under sub-section (3), the words and comma "in consultation with the Commission," shall be omitted; and

Amendment of
section 49,
Act, XLII of 2010.

Amendment of
section 51,
Act, XIII of 2010.

(b) in sub-sections (4), (5) and (6) the words and commas
“Commission or, as the case may be, the”, wherever it
appears, shall be omitted.

12. In the said Act, in section 49, in sub-section (1), for the word
‘Commission’, wherever it appears, the words Labour Court shall be
substituted.

13. In the said Act, in Section 51, in sub-section (1) and (2), for the word
‘Commission’. wherever it appears, the words Labour Court shall be
substituted.

MUHAMMAD AZAM DAWI,
Secretary
Balochistan Provincial Assembly.