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No. S 383

TRADE UNIONS ACT 1940

TRADE UNIONS (GOVERNMENT EMPLOYEES — EXEMPTION) NOTIFICATION 2022

ARRANGEMENT OF PARAGRAPHS

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In exercise of the powers conferred by section 28(4) of the Trade Unions Act 1940, the President makes the following Notification:

Citation

1. This Notification is the Trade Unions (Government Employees — Exemption) Notification 2022.

Definitions

2. In this Notification —

“auxiliary member” and “volunteer ex-NSman” have the meanings given by section 2 of the Civil Defence Act 1986;

“defined Government employee” means an employee of the Government who is not any of the following:

- (a) a police officer;
- (b) a member of the Civil Defence Force, other than an auxiliary member, a national serviceman or a volunteer ex-NSman;
- (c) a regular serviceman in the Singapore Armed Forces;

(d) an employee appointed to the Prisons Service or the Narcotics Service;

(e) an employee prohibited by an Act (other than the Act) from being a member of a trade union;

“Government-aided school” means a school that —

(a) is established by any person other than the Government; and

(b) is in receipt of any grant-in-aid from the Government under the Education (Grant-in-Aid) Regulations (Rg 3),

but is neither an independent school nor a specified educational institution;

“independent school” means a school that —

(a) is conducted by a governing board established by section 3(1) of the School Boards (Incorporation) Act 1990; or

(b) is set out in Part I of the Schedule to the Education Endowment and Savings Schemes (Edusave Pupils Fund) Regulations (Rg 1);

“national serviceman” and “regular serviceman” have the meanings given by section 2 of the Enlistment Act 1970;

“police officer” has the meaning given by section 2(1) of the Police Force Act 2004;

“specified educational institution” means a school that is set out in Part III of the Schedule to the Education Endowment and Savings Schemes (Edusave Pupils Fund) Regulations.

Exemption for defined Government employees

3.—(1) Section 28(3) of the Act does not apply to prevent a defined Government employee joining or being a member of, or being accepted as a member of, a trade union —

(a) that has a membership confined to all or any of the individuals mentioned in sub-paragraph (2); and

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- (b) that is an affiliate only of or only federates with —
- (i) any other trade union whose membership is also so confined; or
 - (ii) any other trade union, or any federation, that has the approval of the Minister.

(2) For the purpose of sub-paragraph (1)(a), the individuals are the following:

- (a) a defined Government employee;
- (b) an employee of the person conducting a Government-aided school;
- (c) an employee of a body corporate established or constituted by or under a public Act for the purposes of a public function, except the following:
 - (i) a Town Council established by section 4 of the Town Councils Act 1988;
 - (ii) the Singapore Accountancy Commission established by section 3 of the Singapore Accountancy Commission Act 2013;
 - (iii) the Singapore Institute of Legal Education established by section 3 of the Legal Profession Act 1966;
 - (iv) the Law Society of Singapore established by section 37 of the Legal Profession Act 1966.

Exemption for tradesmen or professional persons

4. Section 28(3) of the Act does not apply to and in relation to a defined Government employee who —

- (a) is a tradesman or professional person in respect of joining or being a member of or being accepted as a member of a trade union confined to craftsmen or members following a professional occupation, as the case may be; and

(b) has the approval of the Minister charged with the responsibility for the public sector to join or be a member of the trade union.

Cancellation

5. The Trade Unions (Government Officers — Exemption) Notification (N 2) is cancelled.

Made on 9 May 2022.

By Command,

TAN KEE YONG
*Secretary to the Cabinet,
Singapore.*

[RTU 24:2; AG/LEGIS/SL/333/2015/1 Vol. 1]