



**AN BILLE LEICTREACHAIS (FORALACHA SPEISIALTA),
1966
ELECTRICITY (SPECIAL PROVISIONS) BILL, 1966**

*Mar a ritheadh ag dhá Theach an Oireachtais
As passed by both Houses of the Oireachtas*

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AN BILLE LEICTREACHAIS (FORALACHA SPEISIALTA),
1966
ELECTRICITY (SPECIAL PROVISIONS) BILL, 1966

BILL

entitled

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AN ACT TO MAKE PROVISION, DURING CERTAIN
SPECIAL PERIODS, FOR THE RATES OF REMUNERA-
TION AND CONDITIONS OF EMPLOYMENT OF
PERSONS EMPLOYED BY THE ELECTRICITY SUPPLY
BOARD, TO PROHIBIT CERTAIN STRIKES AGAINST
THAT BOARD WHICH MAY OCCUR DURING SUCH
PERIODS, TO PROHIBIT PICKETING IN CONNECTION
WITH THOSE STRIKES AND TO PROVIDE FOR
CERTAIN RELATED MATTERS.

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BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:—

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Commencement
and cesser.

1.—(1) This Act shall not come into or be in operation save
as and when and for so long as is provided by the subsequent
subsections of this section.

(2) Whenever and so often as the Government are satisfied
that, in consequence of a trade dispute, there is a serious
disruption of electricity supplies or imminent danger of such
disruption, the Government may by order declare that they are
satisfied as aforesaid and appoint a day on which this Act shall
come into operation.

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(3) Whenever and as often as the Government make an order
under *subsection (2)* of this section, this Act shall come into
operation on the day appointed for that purpose by the order.

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(4) Whenever and so often as the Government are satisfied, at
a time when an order under *subsection (2)* of this section is in
force, that this Act should cease to be in operation, the Government
shall by order revoke the order under the said *subsection (2)* and
thereupon this Act shall forthwith cease to be in operation.

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(5) If at any time when an order is made under *subsection (2)*
of this section, the Oireachtas or either House thereof stands
adjourned to a day and hour more than seven days after the
making of the order, the order shall be expressed and shall operate
to summon the Oireachtas or such House thereof, as the case may
be, to reassemble at a convenient hour to be specified in the order
on a convenient day to be similarly specified not less than three
nor more than five days after the making of the order, and in
every such case the Oireachtas or such House thereof, as the case
may be, shall reassemble on the day and at the hour so specified
as if it had stood adjourned to that day and hour.

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(6) Every order made under this section shall be laid before each House of the Oireachtas as soon as may be after it is made and, if a resolution annulling the order is passed by either such House within the next twenty-one days on which that House has sat after the order is laid before it, the order shall be annulled accordingly but without prejudice to the validity of anything previously done thereunder.

2.—In this Act—

Interpretation.

“ the Board ” means the Electricity Supply Board;

10 “ strike to which this Act applies ” means—

a cessation of work for the Board by a body of persons employed by the Board acting in combination, or a concerted refusal, or a refusal under a common understanding by any number of persons, to continue to work for the Board, being
15 a cessation or refusal in support of a claim for—

(a) the remuneration of any person employed by the Board at a rate other than the appropriate rate provided for in relation to that person under *section 3* of this Act, or

(b) the application to any such person by the Board of conditions of employment other than the appropriate conditions provided for in relation to that person under that
20 section;

“ trade union ” has the same meaning as in the Trade Union Acts, 1871 to 1952.

25 3.—(1) Subject to *subsection (2)* of this section, the rates of remuneration and the conditions of employment of persons in the employment of the Board shall be those obtaining immediately before the day appointed for the commencement of this Act by an order under *section 1 (2)* of this Act for the time being in force.

Remuneration and conditions of employment of persons employed by Board.

30 (2) Nothing in *subsection (1)* of this section shall prevent the variation of any rates or conditions referred to in that subsection in consequence of a determination of the tribunal established under section 9 of the Electricity Supply Board (Superannuation) Act, 1942, or the tribunal established under section 3 of the Electricity
35 (Supply) (Amendment) Act, 1949, a recommendation of the Labour Court or a determination of an arbitrator under *section 4* of this Act.

1942, No. 17.
1949, No. 12.

(3) It shall not be lawful for the Board to remunerate any person in its employment at a rate other than the appropriate
40 rate provided for under *subsections (1)* and *(2)* of this section in relation to that person or to apply to any such person conditions of employment other than the appropriate conditions provided for under those subsections in relation to that person.

45 4.—(1) Notwithstanding anything contained in section 11 of the Electricity Supply Board (Superannuation) Act, 1942, section 5 of the Electricity (Supply) (Amendment) Act, 1949, or section 67 of the Industrial Relations Act, 1946, a dispute specified in the said section 11 or the said section 5 shall, at the option of the party or parties (other than the Board) to the dispute be referred to
50 the Labour Court.

Reference of certain disputes to Labour Court or to arbitration.
1942, No. 17.
1949, No. 12.
1946, No. 26.

(2) Notwithstanding anything contained in the said section 11, the said section 5 or the said section 67, a dispute specified in the said section 11 or the said section 5 shall, if the Board or the other party or parties to the dispute so requests or request, be
55 referred to and determined by the arbitration of a person appointed by the Minister for Industry and Commerce.

(3) Where a dispute is referred to the Labour Court under this section, the Labour Court shall investigate the dispute.

Prohibition of strikes to which this Act applies.

5.—(1) It shall not be lawful and shall be actionable wrongful for any person to initiate, take part in or assist a strike to which this Act applies. 5

1871, c. 31.

(2) Section 9 of the Trade Union Act, 1871, is hereby extended so as to enable a trustee referred to therein to be sued in accordance with that section where any actionable wrong specified in the foregoing subsection is done by or on behalf of the trade union.

Prohibition of certain picketing.

6.—It shall not be lawful for a person, wrongfully and without legal authority and in contemplation or furtherance of a strike to which this Act applies, to watch or beset the house or other place where any person resides or works or carries on business or happens to be or the approach to such house or place with a view to compelling or inducing that person to abstain from doing or to do any act which that person has a legal right to do or abstain from doing. 10 15

Restriction on application of funds of trade union.

7.—(1) The funds of a trade union may not be applied in furtherance or support of a strike to which this Act applies.

(2) Without prejudice to the right of any person having a sufficient interest in the relief sought to sue or apply for an injunction to restrain any application of the funds of a trade union in contravention of the foregoing subsection, an injunction restraining any application of the funds of a trade union in contravention of that subsection may be granted at the suit of the Attorney General. 20

Exclusion of application of certain provisions of Trade Disputes Act, 1906.

8.—The provisions of sections 1, 3 and 4 of the Trade Disputes Act, 1906, and of subsection (1) of section 2 of that Act shall not apply to any act done by a person in contemplation or furtherance of a strike to which this Act applies. 25

1906, c. 47.

Offences, prosecutions and punishments.

9.—(1) Every person who contravenes (whether by act or omission) or attempts to contravene any provision of this Act shall be guilty of an offence. 30

(2) Every person who aids, abets, assists, counsels or procures another person, or conspires with another person, to commit an offence under this Act shall himself be guilty of an offence.

(3) Where an offence is committed by a body corporate or an unincorporated body of persons and is proved to have been so committed with the consent or approval of, or to have been facilitated by any neglect on the part of, any director, manager, secretary, member of any committee or official of such body, such person shall also be guilty of an offence. 35 40

(4) Every person who commits an offence under this Act shall be triable, at the election of the prosecution, either summarily or on indictment and shall be liable—

(a) on summary conviction, to a fine not exceeding twenty-five pounds, together with, in the case of a continuing offence, a further fine not exceeding five pounds for every day on which the offence is continued, or 45

(b) on conviction on indictment, to a fine not exceeding five thousand pounds, together with, in the case of a continuing offence, a further fine not exceeding one hundred pounds for every day on which the offence is continued. 50

(5) Where, on conviction on indictment of a person acting on behalf of a trade union of an offence under this Act, a fine is imposed under this section on the person, the fine shall be paid by the trade union, the person shall not be liable for the payment thereof and the trade union shall, for the purposes of the payment and enforcement of payment of the fine, be deemed to have been convicted of the offence in respect of which the fine was imposed.

(6) Where it is proposed to proceed under this section by way of indictment in relation to an offence alleged to have been committed by a person acting on behalf of a trade union, the trade union concerned shall be notified in writing of the proceedings and of the date on which the taking of depositions in the District Court in relation to the alleged offence will commence.

10.—(1) A body corporate may be prosecuted on indictment for an offence under this Act and any unincorporated body of persons may be prosecuted as if it were a body corporate. Prosecution of bodies of persons.

(2) Provision may be made by regulations made by the Minister for Justice for the trial on indictment of any such body and for enforcing the payment of any fine imposed on any such body on conviction, whether summarily or on indictment, of an offence under this Act, out of any of its assets or funds, wherever found.

11.—The expenses incurred in the administration of this Act shall, to such extent as may be sanctioned by the Minister for Finance, be paid out of moneys provided by the Oireachtas. Expenses.

12.—This Act may be cited as the Electricity (Special Provisions) Act, 1966. Short title.

BILLE

dá ngairtear

Acht do dhéanamh soerú, ar feadh tréimhsí speisialta áirithe, le haghaidh rátaí luach saothair agus coinníollacha fostaíochta daoine atá ar fostú ag Bord Soláthair an Leictreachais, do chur toirmise ar stailceanna áirithe, in aghaidh an Bhoird sin a d'fhéadfadh tarlú i rith na dtréimhsí sin, do chur toirmise ar phicéadú i ndáil leis na stailceanna sin agus do dhéanamh soerú le haghaidh nithe gaolmhara áirithe.

*Rite ag dhá Theach an Oireachtais,
8 Meitheamh, 1966*

BAILE ÁTHA CLIATH:
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR.

Le ceannach díreach ón Oifig Dhíolta Foilseachán Rialtais An Stuaara, Árd-Oifig an Phoist, Baile Átha Cliath, nó trí aon díoltóir leabhar.

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[*Luach: Naoi bPingin Glan*]

BILL

entitled

An Act to make provision, during certain special periods, for the rates of remuneration and conditions of employment of persons employed by the Electricity Supply Board, to prohibit certain strikes against that Board which may occur during such periods, to prohibit picketing in connection with those strikes and to provide for certain related matters.

*Passed by both Houses of the Oireachtas,
8th June, 1966*

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