THE LAW OF INDUSTRIAL RELATIONS IN SINGAPORE. Edited by KAN TING CHIU and others. [University of Singapore Law Society Publication. 1970. pp. iii + 187 inc. appendix]. Hardcover $11. Paperback $7.

Prior to the publication of this book the students doing Labour Law in the University would have had to refer to several books and journals for the articles touching on the law of industrial relations in Singapore, and management and labour in general might not have been aware of these articles which seek to explain the scope of the Industrial Relations Ordinance and other related ordinances and regulations and the operation and function of the Industrial Arbitration Court.

Problems arising from the existing legislations are also raised in some of the articles and suggested answers are given whenever possible by the authors. This effort therefore of the University of Singapore Law Society to incorporate some of the articles into a book will be welcomed, I am sure, by the students, management and labour.

The law of industrial relations in Singapore (which borrows from the English and Australian systems) in the main can be found in the Industrial Relations Ordinance (No. 20 of 1960, as amended by Ord. 25 of 1962, Act 27 of 1965 and Act 22 of 1968) and the Industrial Relations (Recognition of a Trade Union of Employees) Regulations, 1966, and the Industrial Relations (Referee Appeal) Regulations, 1966, all of which are reproduced in full in the appendix to the book. The other ordinances which bear on the subject would be the Trade Union Ordinance (Cap. 154), Trade Disputes Ordinance (Cap. 153), and the Employment Act (No. 17 of 1968, which repeals the Labour Ordinance, 1955, the Shop Assistants Employment Ordinance, 1957, and the Clerks Employment Ordinance, 1957).

The authors in their respective articles discuss *inter alia* the reason for the promulgation of the Industrial Relations Ordinance in 1960, the state of the law prior to 1965, the question of compulsory recognition and the machinery under the Recognition Regulations, the questions of "majority rule" and "successor union", the nature of the decisional process of the court and its role in Singapore's economic development. The reasons that gave rise to the passing of the Industrial Relations (Amendment) Act, 1968, and the Employment Act, 1968, are also considered.

The first article by D. J. M. Brown on "Initiation of collective bargaining under the Singapore Industrial Relations Ordinance" should be read with the second article by Tan Pheng Theng which is on "The establishment of bargaining relationship and successorship". The history leading up to the promulgation of the I.R.O. in 1960 is briefly traced and both agree that "arbitration was not intended to be the mainstay of the regulatory scheme ... that collective bargaining was intended to be the foundation of industrial relations in Singapore". In this respect, Brown points out that the machinery for initiating collective bargaining was brought into existence by an amendment to the I.R.O. in 1965 and supporting regulations.

His discussion of what constitutes a "successor union" and what criteria the arbitration court should adopt to determine a case of succession is most refreshing, and his submissions in relation to the issue whether or not the I.R.O. prescribes "majority rule" is deserving of attention. On this matter, however, Tan Pheng Theng argues the converse and disagrees that there is scope for adopting the "majority rule" in Singapore. In view of this difference in opinion between two lecturers in Labour Law at the University of Singapore it is surprising that the Government did not attempt to clarify the position in 1968 when it amended the I.R.O.

Writing on "The nature of the decisional process of the Industrial Arbitration Court", Chia Quee Khee notes that the procedure adopted in the arbitration court differs from that of the Supreme Court in that it is highly informal. Also, the court in determining a trade dispute may have regard in addition to the interests of the person immediately concerned, the interests of the community as a whole and the condition of the economy of Singapore. The court does however rely on legal principles and although not bound by its previous decisions or decisions of arbitration courts in foreign jurisdictions tend to follow applicable previous decisions. This is illustrated very recently in *Mercantile Bank Ltd.* v. *The Singapore Bank Employees' Union* [1967] 1 M.L.J. xli.

In "A commentary on some aspects of the work of the Industrial Arbitration Court", Lam Pin Foo considers the certification of collective agreements process. Combining his experience as Registrar of the Industrial Arbitration Court with a simple but concise writing style he traces the procedure leading up to a certification of the collective agreement. Lam advises that a collective agreement should be drafted in simple language which clearly expresses the intention of the parties. One way of achieving this is to make the collective agreement "short and concise" leaving out matters already covered by legislation but including mandatory provisions such as specifying the period of the award and a referee clause.

The other articles which are also of interest in the book are, "Singapore Industrial Arbitration Court: collective bargaining with compulsory arbitration" by Paul L. Kleinsorge where he considers the scope of the I.R.O. and operation of the I.A.C.; "The role of the I.A.C. in Singapore's economic development" by David Johnson and Robert Quek jointly. In this article several tables are reproduced. In his article on "Labour law changes and labour policies of the P.A.P." Tan Pheng Theng attempts to explain the rationale for the promulgation of the 1968 Amendment Act to the I.R.O. and the Employment Act. In his view the justification seems to be two-fold, *viz.,* to attract foreign capital and to standardise and regulate the terms of conditions of employment.

Although the effort of the University Law Society in publishing this book is to be applauded, it is indeed unfortunate that the Editorial Board has not deemed it appropriate to make separate comments on problems relating to "majority rule" and "successor union" and others raised in the various articles, and perhaps in relation to these to suggest recommendations to the Government. The Editorial Board which is to be complimented in updating the various articles to achieve its "humble objective" set out in the preface to the book, that is "to provide a commentary on the industrial relations system in Singapore *following the substantial changes brought about by the I.R. (Am.) Act 1968 and the Employment Act 1968,"* however, it made no separate study of the amendments as such, and thus lost the opportunity to include in the book the Society's Memorandum on the Employment Act. In this connection also, the Editorial Board should have been advised to include in the book a discussion of recent cases like, *The Singapore National Union of Journalists* v. *Nanyang Publications (Pte) Ltd.* [1969] 1 M.L.J. lii, and *Cycle & Carriage Company (M) Sdn. Bhd. & Ors.* v. *S.M.M.W.U.* [1969] 2 M.L.J. vii. Also the leaving out of the Employment Act from the appendix is misleading in that it tends to suggest that this Act is not relevant in a discussion of the law of industrial relations in Singapore.

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