

1. Citation.

These rules may be cited as the industrial court Rules, 1967, and shall be deemed to have come into force on the 24th day of August, 1967.

2. Interpretation.

In these rules, unless the context otherwise requires, words therein shall have the same meaning as given to them by the industrial Relations Act, 1967, and in addition:

“ Act ” means the industrial Relations Act, 1967;

“ Case ” means any trade dispute or matter referred to the court by the Minister and any other matter required to be determined or considered by the court under the provisions of the Act;

“ Form ” means the appropriate form set out in the Schedule to these Rules;

“ Premises of the court ” means the premises situated at Jalan Mahkamah Persekutuan, Kuala Lumpur or such other premises as the President may from time to time declare to be the premises of the court;

“ President ” means the President of the court appointed under the Act and includes, where the context and the Act so admit, the Chairman of a Division of the court constituted under section 23 of the Act.

3. Legal Practitioners.

Cases Referred

(1) Any party seeking, under the provisions of section 27 of the Act, the permission of the President to be represented at the proceedings before the court by a legal practitioner shall make application in *triplicate* in Part 1 of Form A.

(2) The Secretary shall serve a copy of Form A on the other party.

(3) Such other party may signify in Part 11 of the Form objections if any, to the application made in Part 1. If the Form be not returned to the Secretary at the premises of the court within five days of the date of service, no objections to the application made subsequent thereto will be entertained.

4. Warrant of Authority.

Cases Referred

(1) Any party who intends to be represented at the proceedings before the court by a representative under the provisions of section 27 of the Act shall sign a warrant of authority in favour of such representative in Form B.

(2) A party appearing before the court by a representative shall be bound by the acts of that representative.

5. Description of Parties.

Cases Referred

In all proceedings before the court, an employer who is a party and is represented by a trade union of employers and workmen who are parties and are represented by a trade union of workmen shall be described by the name of such trade union.

6. Submission of Collective Agreement for cognizance.

Upon a collective agreement being deposited with the Secretary under the provisions of section 16 (1) of the Act, the Secretary shall bring it to the notice of the court for cognizance in Form C.

7. Requirement to Amend.

(1) A requirement under the provisions of section 16 (2) (b) of the Act that such part of a collective agreement as does not comply with section 14 of the Act shall be amended in such manner as the court may direct shall be in Form D.

(2) The place, date and time for the parties to attend to carry out the directions of the court shall be fixed by the President and shall be endorsed on the requirement to amend.

(3) The Secretary shall serve such requirement to amend endorsed as aforesaid on the parties to the collective agreement.

(4) If any party objects to the amendments directed to be made, the President shall fix the date on which the matter will be heard.

(5) Upon such date being fixed, the Secretary shall serve notice thereof in Form E.

8. Fixing of dates for hearing.

Cases Referred

(1) Upon a case being brought before the court, the Secretary shall immediately serve notice in Form F of the place, date and time for mention of the case before the President.

(2) Notwithstanding the absence of any party at the place, date and time prescribed by paragraph (1), the President may fix dates for hearing of the case and no application for any alteration of the dates will be entertained except under very exceptional circumstances.

(3) Upon the dates for hearing being fixed, the Secretary shall serve notice thereof in Form G.

9. Statement of Case.

Cases Referred

(1) Upon a case being brought before the court, the Secretary shall immediately serve notice in Form H on one or other of the parties as the President shall direct to submit to the court a

(2) Within seven days from the date of service of such notice or within such extended time as may be permitted by the President, the party served (hereinafter referred to as "the first party") shall, in submitting his Statement of Case to the court, deliver to the Secretary at the premises of the court during office hours or forward to him at such premises by A.R. Registered Post six copies of such

(3) Such Statement of Case shall be confined to the issues which are included in the Case referred to the court by the Minister or in the matter required to be determined by the court under the provisions of the Act and shall contain:

(a) a statement of all relevant facts and arguments;

(b) particulars of decisions prayed for;

(c) an endorsement of the name of the first party and of his address for service; and

(d) as an appendix or attachment, a bundle of all relevant documents relating to the case.

(4) Should a Statement of Case fail to comply with the provisions of the preceding paragraph, it may be rejected by the President whereupon the Secretary shall serve notice in Form 1 on the first party to submit a fresh Statement of Case and the provisions of paragraphs (2) and (3) of this rule shall apply.

(5) The Secretary shall serve a copy of the Statement of Case or fresh Statement of Case, as the case may be, on the opposite party.

10. Statement in Reply.

Cases Referred

(1) Upon the Secretary serving a copy of a Statement of Case on the opposite party, he shall also serve notice in Form J on such party to submit to the court a

(2) Within seven days from the date of service of such notice or within such extended time as may be permitted by the President, the opposite party shall, in submitting his Statement in Reply to the court, deliver to the Secretary at the premises of the court during office hours or forward to him at such premises by A.R. Registered Post six copies of such

(3) Such Statement in Reply shall be confined to the matters raised in the Statement of Case and to any issues which are included in the case referred to the court by the Minister or in the matter required to be determined by the court under the provisions of the Act and which may have been omitted from the Statement of Case and shall contain:

(i) a statement of all relevant facts and arguments;

(ii) particulars of decisions prayed for;

(iii) an endorsement of the name of the opposite party and of his a address for service; and

(iv) as an appendix or attachment, a bundle of all relevant documents relating to the case and which have not already been included in the Statement of Case.

[(3)(b) Deleted PU(A) 175/1991]

(4) Should a Statement in Reply fail to comply with the provisions of the preceding paragraph (3), it may be rejected by the President whereupon the Secretary shall serve notice in Form K on the opposite party to submit a fresh Statement in Reply and the Provisions of the preceding paragraphs (2) and (3) of this rule shall apply.

(5) The Secretary shall serve a copy of the Statement in Reply or fresh Statement in Reply, as the case may be, on the first party.

11. Rejoinder.

Cases Referred

(1) The first party may and, if directed by the President, shall submit to the court a Rejoinder to the Statement in Reply within seven days from the date of service on him of the Statement in Reply by delivering to the Secretary at the premises of the court during office hours or forwarding to him at such premises by A.R. Registered Post six copies of such

(2) Such Rejoinder shall relate only to such of the matters as have been raised or alluded to in the Statement in Reply, and in other respects the provisions of Rule 10 (Statement in Reply) shall apply *mutatis mutandis*.

12. Joinder Substitution.

Cases Referred

Whenever in any case the court has, under the provisions of section 29 (a) of the Act, ordered that any party be joined or substituted, the Secretary shall serve a summons in Form L on such party to appear before the court.

13. Statements upon party joined or substituted.

Cases Referred

Upon a party being joined or substituted, he shall submit to the court a Statement of Case or Statement in Reply, as the case may be, and the provisions of Rule 9 (Statement of Case), Rule 10 (Statement in Reply) and Rule 11 (Rejoinder) shall apply *mutatis mutandis*.

14. Interpretation of Award or Collective Agreement.

Cases Referred

(1) An application made under section 33 (1) of the Act for a decision on any question arising as to the interpretation of any award or collective agreement taken

cognisance of by the court shall be made by delivering to the Secretary at the premises of the court during office hours or forwarding to him at such premises by A.R. Registered Post six copies of the application in Form M.

(2) The place, date and time for the hearing of the parties on the question shall be fixed by the President and notified to the parties by the Secretary by endorsement on the application.

(3) The Secretary shall serve copies of such application endorsed as aforesaid on the parties bound by the award or collective agreement.

15. Variation of Award or Collective Agreement.

Cases Referred

(1) An application made under section 33 (2) of the Act for the variation of any of the terms of an award or collective agreement shall be made by delivering to the Secretary at the premises of the court during office hours or forwarding to him at such premises by A.R. Registered Post six copies of the application in Form N.

(2) The place, date and time for the hearing of the parties on the application shall be fixed by the President and notified to the parties by the Secretary by endorsement on the application.

(3) The Secretary shall serve copies of such application endorsed aforesaid on the parties bound by the award or collective agreement.

16. Summons.

Cases Referred

A summons issued by the court requiring any party or person to appear before it or to produce documents under the provisions of paragraphs (b) and (c) of section 29 of the Act shall be in Form O.

17. Address for Service.

(1) Every document which is delivered or forwarded to the Secretary in connection with any matter before the court shall be endorsed with the name and address of the party delivering or forwarding the same and that address shall be taken to be the address for service of that party.

(2) For the purpose of these Rules, .document. includes a summons or notice.

[Ins. P.U.(A) 203/2007]

18. Service.

Any document required to be served may be served by the Registrar or by any person authorized by the President or Registrar.

[Subs. P.U.(A) 203/2007]

19. Manner of Service.

Cases Referred

- (1) Service of a document on a person other than a body corporate, firm, society, trade union or other unincorporated body may be effected by.**
 - (a) leaving it with the person;**
 - (b) tendering it to that person; or**
 - (c) posting it by A.R. Registered Post addressed to that person at his address for service.**

- (2) Service of a document upon a body corporate may be effected by.**
 - (a) leaving it with the President, Chairman, Secretary, Treasurer or any other officer responsible for the management of the body corporate;**
 - (b) tendering it to the President, Chairman, Secretary, Treasurer or any other officer responsible for the management of the body corporate; and**
 - (c) posting it by A.R. Registered Post addressed to the President, Chairman, Secretary, Treasurer or any other officer responsible for the management of the body corporate at the registered office or place of business of the body corporate or at its address for service.**

- (3) Service of a document on a firm, which is a partnership or sole proprietorship, may be effected by.**
 - (a) leaving it or tendering it with a partner of the firm or the sole proprietor, as the case may be; or**
 - (b) posting it by A.R. Registered Post addressed to the sole proprietor or a partner of the firm at the registered address or place of business of the firm.**

- (4) Service of a document on a trade union may be effected by.**
 - (a) leaving it with the President, the Secretary, the Treasurer or other officer of a trade union;**
 - (b) tendering it to the President, the Secretary, the Treasurer or other officer of the trade union; or**
 - (c) posting it by A.R. Registered Post addressed to the President, the Secretary, the Treasurer or other officer of trade union at the registered office for the trade union or at its address for service.**

- (5) Service of a document on a society or any other unincorporated body may be effected by.**

(a) leaving it or tendering it with the President, Chairman, Secretary, Treasurer or other similar officer thereof; or

(b) posting it by A.R. Registered Post addressed to the President, Chairman, Secretary, Treasurer or other similar officer thereof at its registered address or place of business or place where its activity or affairs are conducted.

[Subs. P.U.(A) 203/2007]

20. Substituted Service.

Cases Referred

The President may make such order for substituted service of any document as he may think fit.

[Am. P.U.(A) 203/2007]

21. Date of Service.

Cases Referred

The date of service of any document shall be taken to be the date on which such document has been left or tendered or posted or affixed in accordance with the provisions of Rule 19 or as ordered under the provisions of Rule 20.

21A. Procedure before hearing.

(1) Before the hearing, the President may call upon the parties to submit to the court, within fourteen days of the date fixed for hearing, an agreed bundle of documents relating to the case and an agreed statement of facts, if any. Such agreed bundle and agreed statement of facts shall form part of the documentary evidence.

(2) The President may, if he thinks fit, permit any party to state the evidence of its witness by way of affidavit and/or affidavit-in-reply at least one month before the date of hearing. If such a course of action is taken, the President shall, on an application to be made by the opposite party within fourteen days of service of the affidavit, require the deponent of such affidavit to be present and be-examined orally at the hearing.

(3) Such affidavit and examination arising therefrom shall form part of the record and proceedings of the court.

21B. Notice to produce documents.

Cases Referred

(1) The court may, if it appears desirable in the interests of justice and upon an application being made, order by way of summons any party:

(a) to state on oath orally or by affidavit about documents he has or he has had in his possession or power relating to the matters in question; and

(b) to produce any documents in his possession or power.

(2) A summons to produce documents shall be in Form P.

22. Procedure at Hearing.

Cases Referred

(1) At the hearing, the President shall call upon such party as he may think fit to state his case and to adduce evidence, if any, in support thereof.

(2) The opposite party shall thereafter state his case and adduce evidence, if any, in support thereof.

(3) The first party shall then be at liberty to reply to the matters raised by the opposite party and thereafter the opposite party shall be at liberty to reply to the matters raised by the first party in his reply.

(4) No further submissions or statements may be made except by leave of the President.

23. Proceedings in Public.

The proceedings before the court shall be held in public, provided that the court may, by virtue of its powers under section 29 (e) of the Act, direct that any witness shall be examined or its proceedings or any part thereof shall be conducted in private.

24. Oath or Affirmation.

Cases Referred

An oath shall be administered in Form Q and an affirmation in Form R.

24A. Enforcement of award on non-compliance.

Cases Referred

(1) A complaint of any term of any award or collective agreement which has been taken cognizance of by the court has not been complied with shall be lodged with the court in Form S.

(2) When the court makes an order of non-compliance against any party and such order has not been complied with, the Registrar of the court may, at the request of either party, send a certified copy of the order to the Senior Assistant Registrar of the High court or the Registrar of the Sessions court, as the case may be, and the said Senior Assistant Registrar or the Registrar shall cause a copy of such order to be recorded and thereafter the said order shall, for all purposes, be enforceable as a judgement of the High court or the Sessions court in accordance with the Rules of the High court or the Sessions court.

(3) The order of the court shall be in Form T.

24B. Reference to the High Court on a question of law.

Cases Referred

(1) An application made under section 33A of the Act for any question of law to be referred to the High court shall be in Form U.

(2) The place, date and time for the hearing of the application shall be fixed by the President and notified to the parties by the Registrar by endorsement on the

application.

(3) The Registrar shall serve copies of such application endorsed as aforesaid on the parties bound by the award.

25. Forms not prescribed.

Cases Referred

Where a form is not prescribed or where a prescribed form is not suitable to the circumstances of a particular case, forms prescribed may wherever possible be adapted to meet such case; otherwise the form shall be such as the President may direct or approve for the purposes of the particular case.

SCHEDULE 1

SCHEDULE

FORMS

FORM A

IN THE INDUSTRIAL COURT

Section 27 of the Act

APPLICATION FOR PERMISSION TO BE REPRESENTED BY A LEGAL PRACTITIONER

In the matter of Industrial Court Case No.....of 19.....

Between

.....

and

.....

PART I:

The President,

Industrial Court.

I/We.....

hereby apply for permission to be represented at the proceedings before the Court in this case by a legal practitioner.

My/Our reasons for the application are as follows:

Dated this..... day of.....19.....

.....

Signature of Applicant

Address:.....

.....

.....

PART II:

I/We..... do not/hereby
object to the application made herein for the following reasons:

Dated this..... day of.....19.....

.....

Signature of Opposite Party

Address:.....

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.....

Legal Practitioners

3 (1) Any party seeking, under the provisions of section 27 of the Act, the permission of the President to be represented at the proceedings before the Court by a legal practitioner shall make application in triplicate in Part I of Form A.

(2) The Registrar shall serve a copy of Form A on the opposite party.

(3) Such other party may signify in Part II of the Form objections, if any, to the application made in Part I. If the Form is not returned at the premises of the Court within five days of the date of service, no objections to the application made subsequent thereto will be entertained.

FORM B

IN THE INDUSTRIAL COURT

Section 27 of the Act

WARRANT OF AUTHORITY

In the matter of Industrial Court Case No.....of 19.....

Between

.....

and

.....

I/We.....
hereby authorise..... to
represent me/us at the proceedings before the Court in this case.

He is *an official of the Trade Union

*an official of the organization of employers/workmen duly registered
in Malaysia

*a legal practitioner appearing by permission of the President.

Dated this..... day of..... 19.....

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Signature of Person/Union authorizing

Address:.....

.....

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Accepted :

.....

Signature of Representative

Address:.....

.....

.....

* Delete words not applicable

FORM C

IN THE INDUSTRIAL COURT

Section 16 (1) of the Act

SUBMISSION OF COLLECTIVE AGREEMENT FOR COGNIZANCE

In the matter of a Collective Agreement made the.....
day of..... 19.....

Between

..... of the one part

and

..... of the other part.

Whereas the above-mentioned Collective agreement was on the..... day of..... 19..... deposited with the Registrar under the provision of section 16(1) pf the Act, the Registrar hereby brings it to the notice of the Court for its cognizance.

Dated this..... day of..... 19.....

.....

(Seal).

President Industrial Court

* Delete words not applicable

FORM D

IN THE INDUSTRIAL COURT

Section 16 (2) (b) of the Act

REQUIREMENT TO AMEND

In the matter of a Collective Agreement made the..... day of..... 19.....

Between

.....of the one part

and

.....of the other part.

Whereas in the opinion of the Court the above-mentioned Collective Agreement does not comply with section 16 of the Act, you are hereby directed by the Court to amend the Collective Agreement in the following manner:

Take notice that you are required to attend ato’clock in thenoon on the.....day of.....19..... at the premises of the Court

at Jalan Mahkamah Persekutuan, Kuala Lumpur in order to carry out the directions of the Court.

Dated this.....day of.....19.....

.....

(Seal)

Registrar

FORM E

IN THE INDUSTRIAL COURT

NOTICE OF HEARING ON AMENDMENTS

In the matter of Industrial Court Case No..... of 19.....

In the matter of Section 16 (1) of the Act, and

In the matter of a Collective Agreement made the..... day of
.....19.....

Between

.....

and

.....

Whereas objections have been made to the amendments directed by the Court to be made.

Take notice that the parties will be heard by the Court on such objections at the premises of the Court at Jalan Mahkamah Persekutuan, Kuala Lumpur on the..... day of..... 19..... at..... o’ clock in the forenoon and thereafter at the same place and time on the following days:

If you wish to be represented by a legal practitioner, you are required to apply to the President for permission in Form A.

If permission is so granted or you wish to appear by any other representative, you are required to deliver to the Registrar at the premises aforesaid a Warrant of Authority in Form B.

Dated this.....day of.....19.....

.....

(Seal)

Registrar

To:.....

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(Parties to the Agreement)

FORM F

IN THE INDUSTRIAL COURT

NOTICE OF MENTION OF CASE

In the matter of Industrial Court Case No.....of 19.....

Between

.....

and

.....

Take notice that this case will be mentioned before the President at the premises of the Court at Jalan Mahkamah Persekutuan, Kuala Lumpur on the.....day of..... 19..... at..... o’ clock in the forenoon.

Take further notice that notwithstanding your absence, the President may fix dates for the hearing of the case and no application for any alteration in such dates will be entertained, except under very exceptional circumstances. If you wish to be represented by a legal practitioner, you are required to apply to the President for permission in Form A.

If permission is so granted or you wish to appear by any other representative, you are required to deliver to the Registrar at the premises aforesaid a Warrant of Authority in Form B.

Dated this.....day of.....19.....

.....

(Seal)

Registrar

To:.....

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**FORM G
IN THE INDUSTRIAL COURT
NOTICE OF HEARING**

In the matter of Industrial Court Case No..... of 19.....

Between

.....

and

.....

Take notice that this case will be heard by the Court at the premises of the Court* on theday of..... 19..... at..... o’ clock in the forenoon and thereafter at the same place and time on the following days:

Take further notice that if you fail to appear, the Court may, pursuant to section 29 (d) of the Act, hear and determine the case notwithstanding your absence.

If you wish to be represented by a legal practitioner, you are required to apply to the President, if you have not already done so, for permission in Form A. If permission is so granted or you wish to be represented by any other representative, you are required to deliver to the Registrar at the premises aforesaid, if you have not already done so, a Warrant of Authority in Form B.

Dated this.....day of.....19.....

.....

(Seal)

Registrar

*Jalan Mahkamah Persekutuan,
50544 Kuala Lumpur

To:.....

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FORM H
IN THE INDUSTRIAL COURT
STATEMENT OF CASE

In the matter of Industrial Court Case No.....of 19.....

Between

.....

and

.....

Take notice that you are required, within seven days from date of service of this notice or within such extended time as may be permitted by the President, to submit to the Court a Statement of Case in relation to the case by delivering to the Registrar at the premises of the Court at Jalan Mahkamah Persekutuan, Kuala Lumpur during office hours or by forwarding to him at such premises by A.R. Registered Post six copies of such Statement of Case.

Take further notice that such Statement of Case shall comply with the provisions of paragraph (3) of rule 9 of the Industrial Court Rules 1967, failing which same may be rejected.

And take further notice that should you fail to submit your Statement of Case within the time prescribed, the Court may, pursuant to section 29 (d) of the Act, hear and determine the case notwithstanding such failure.

Dated this.....day of.....19.....

.....

(Seal)

To:.....

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Rule 9(3)

Such Statement of Case shall be confined to the issue which are included in the case referred to the Court by the Minister or in the matter required to be determined by the Court under the provisions of the Act and shall contain:

- (a) a statement of all relevant facts and arguments;
- (b) particulars of decisions prayed for;
- (c) an endorsement of the name of the first party and of his address for service; and
- (d) as an appendix or attachment, a bundle of all relevant documents relating to the case.

FORM I

IN THE INDUSTRIAL COURT

FRESH STATEMENT OF CASE

In the matter of Industrial Court Case No.....of 19.....

Between

.....

and

.....

Take notice that your Statement of Case has been rejected on the grounds that it does not comply with the provisions of paragraph (3) of rule 9 in the following respects:

Take further notice that you are required, within seven days from date of service of this notice or within such extend time as may be permitted by the President, to submit to the Court a Fresh Statement of Case in relation to the above-mentioned matter by delivering to the Registrar at the premises of the Court at Jalan Mahkamah Persekutuan, Kuala Lumpur during office hours or by forwarding to him at such premises by A.R. Registered Post six copies of such Fresh Statement of Case.

Take further notice that such Fresh Statement of Case shall comply with the provisions of paragraph (3) of rule 9 of the Industrial Court Rules 1967, failing which same may be rejected.

And take further notice that should you fail to submit such Fresh Statement of Case within the time prescribed, the Court may, pursuant to section 29 (d) of the Act, hear and determine the case notwithstanding such failure.

Dated this.....day of.....19.....

.....

(Seal)

To:.....

.....

.....

Rule 9 (3)

Such Fresh Statement of Case shall be confined to the issues which are included in the case referred to the Court by the Minister or in the matter required to be determined by the Court under the provisions of the Act and shall contain:

- (a) a statement of all relevant facts and arguments;
- (b) particulars of decisions prayed for;
- (c) an endorsement of the name of the first party and of his address for service; and
- (d) as an appendix or attachment, a bundle of all relevant documents relating to the case.

FORM J

IN THE INDUSTRIAL COURT

STATEMENT IN REPLY

In the matter of Industrial Court Case No.....of 19.....

Between

.....

and

.....

Take notice that you are required, within seven days from date of service of this notice or within such extended time as may be permitted by the President, to submit to the Court a Statement in Reply to the Statement of Case which is served herewith by delivering to the Registrar at the premises of the Court at Jalan Mahkamah Persekutuan, Kuala Lumpur during office hours or by forwarding to him at such premises by A.R. Registered Post six copies of such Statement in Reply.

Take further notice that such Statement in Reply shall comply with the provisions of paragraph (3) of rule 10 of the Industrial Court Rules 1967, failing which same may be rejected.

And take further notice that should you fail to submit your Statement in Reply within the time prescribed, the Court may, pursuant to section 29 (d) of the Act, hear and determine the case notwithstanding such failure.

Dated this.....day of.....19.....

.....

(Seal)

Registrar

To:.....

.....

.....

Rule 10 (3)

Such Statement in Reply shall be confined to the matters raised in the Statement of Case and to any issues which are included in the case referred to the Court by the Minister or in the matter required to be determined by the Court under the provisions of the Act and which may have been omitted from the Statement of Case and shall contain:

(a) a statement of all relevant facts and arguments;

(b) particulars of decisions prayed for;

(c) an endorsement of the name of the opposite party and of his address for service; and

(d) as an appendix or attachment, a bundle of all relevant documents relating to the case and which have not already been included in the Statement of Case.

IN THE INDUSTRIAL COURT

FRESH STATEMENT IN REPLY

In the matter of Industrial Court Case No.....of 19.....

Between

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and

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Take notice that your Statement in Reply has been rejected on the grounds that it does not comply with the provisions of paragraph (3) of rule 10 in the following respects:

Take further notice that you are required, within seven days from date of service of this notice or within such extended time as may be permitted by the President, to submit to the Court a Fresh Statement in Reply in relation to the above-mentioned matter by delivering to the Registrar at the premises of the Court at Jalan Mahkamah Persekutuan, Kuala Lumpur during office hours or by forwarding to him at such premises by A.R. Registered Post six copies of such Statement in Reply.

Take further notice that such Fresh Statement in Reply shall comply with the provisions of paragraph (3) of rule 10 of the Industrial Court Rules 1967, failing which same may be rejected.

And take further notice that should you fail to submit such Fresh Statement in Reply within the time prescribed, the Court may, pursuant to section 29 (d) of the Act, hear and determine the case notwithstanding such failure.

Dated this.....day of.....19.....

.....

(Seal)

Registrar

To:.....

.....

.....

Rule 10 (3)

Such Fresh Statement in Reply shall be confined to the matters raised in the Statement of Case and to any issues which are included in the case referred to the Court by the Minister or in the matter required to be determined by the Court under the provisions of the Act and which may have been omitted from the Statement of Case and shall contain:

(a) a statement of all relevant facts and arguments;

(b) particulars of decisions prayed for;

(c) an endorsement of the name of the opposite party and of his address for service; and

(d) as an appendix or attachment, a bundle of all relevant documents relating to the case and which have not already been included in the Statement of Case.

FORM L

IN THE INDUSTRIAL COURT

Section 29 (a) of the Act

SUMMONS TO PARTY JOINED/SUBSTITUTED

In the matter of Industrial Court Case No.....of 19.....

Between

.....

and

.....

Take notice that by an order made by the Court on the.....day of19....., you have been joined/substituted as a party in the above-mentioned case.

You are hereby summoned to appear or be represented before the Court as a party at the premises of the Court at Jalan Mahkamah Persekutuan, Kuala Lumpur on the..... day of.....19.....at.....o’ clock in the forenoon.

Take notice that the case has been fixed for hearing on that day and on the following days.

Dated this.....day of.....19.....

.....

.....

* Delete words not applicable

**Share appropriate paragraphs of Award/Collective Agreement.

State shortly

Take notice that the above-mentioned application will be considered by the Industrial Court at.....o’ clock in the forenoon on the..... day of.....19.....at the premises of the Court at Jalan Mahkamah Persekutuan, Kuala Lumpur and that you shall then be afforded an opportunity to be heard.

Take further notice that should you be absent, the Court may hear and determine the application notwithstanding your absence.

If you intent to be heard by your representative, you are required to deliver to the Registrar before or at the date aforesaid a Warrant of Authority in Form B.

Dated this.....day of.....19.....

.....

(Seal)

Registrar

To:.....

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.....

.....

(Parties bound by the above-mentioned Award/Collective Agreement)

FORM N

IN THE INDUSTRIAL COURT

Section 33 (2) of the Act

APPLICATION FOR VARIATION OF AWARD OR COLLECTIVE AGREEMENT

In the matter of *Award No./Collective Agreement Cognizance No.....
in Case No..... of 19.....

Between

.....

and

.....

Application is hereby made by..... for
the variation of the above-mentioned *Award or Collective Agreement in the
following respects:

**

The grounds upon which this application is made are as follows:

Dated this.....day of.....19.....

.....

(Signature of Applicant)

Address:.....

.....

.....

* Delete words not applicable

** Set out in numbered paragraphs the variations sought.

*** Set out in numbered paragraphs the grounds on which the application is made.

FORM O

IN THE INDUSTRIAL COURT

Section 29 (b) & (c) of the Act

SUMMONS

In the matter of Industrial Court Case No.....of 19.....

Between

.....
and
.....

You are hereby summoned to appear before the Court in person at the premises of the Court at Jalan Mahkamah Persekutuan, Kuala Lumpur on the..... day of.....19.....at.....o’clock in the forenoon to answer questions relating to the above-mentioned dispute and to produce before the court all books, papers, documents and things in your possession or under your control in any way relating to the said dispute, in particular the books, papers, documents and things specified in the Schedule below, and to continue to remain present until you are discharged.

Take notice that should you fail to obey this summons, you shall be guilty of an offence and shall on conviction be liable to imprisonment for a period not exceeding two years or to a fine not exceeding five thousand ringgit or to both such imprisonment and fine.

Dated this.....day of.....19.....

.....
(Seal)
Registrar

To:.....
.....
.....

SCHEDULE

Books, papers, documents and things required in particulars to be produced.

FORM P

IN THE INDUSTRIAL COURT

SUMMONS TO PRODUCE DOCUMENTS ONLY

In the matter of Industrial Court Case No.....Of 19.....

Between
.....

and

.....

You are hereby summoned to produce before or send to the Court on or before the.....day of.....19.....the following documents, namely:

Dated this.....day of.....19.....

.....

(Seal)

Registrar

To:.....

.....

.....

.....

FORM Q

IN THE INDUSTRIAL COURT

Section 29 (c) of the Act

OATH

I.....**SWEAR THAT THE EVIDENCE WHICH I SHALL GIVE IN THIS CASE SHALL BE THE TRUTH, THE WHOLE TRUTH AND NOTHING BUT THE TRUTH, SO HELP ME GOD.**

FORM R

IN THE INDUSTRIAL COURT

Section 29 (c) of the Act

AFFIRMATION

I.....**DO SOLEMNLY, SINCERELY AND TRULY DECLARE AND AFFIRM THAT THE EVIDENCE WHICH I SHALL GIVE IN THIS CASE SHALL BE THE TRUTH, THE WHOLE TRUTH AND NOTHING BUT THE TRUTH.**

FORM S

IN THE INDUSTRIAL COURT

Section 56 (1) of the Act

COMPLAINT OF NON-COMPLIANCE

In the matter of Industrial Court Case No.....of 19.....

Between

.....

and

.....

In the matter of * Award No.....in Case No.....

* Collective Agreement Cognizance No.....

Between

.....

and

.....

A complaint is hereby lodged by..... that the following provisions of the above-mentioned Award/Collective Agreement have not been complied with:

.....
(Signature of Applicant)

Address:.....
.....
.....

* Delete words not applicable

** State appropriate paragraphs of Award/Collective Agreement.

FORM T

IN THE INDUSTRIAL COURT

Section 56 (4) of the Act

ORDER OF COURT

In the matter of Industrial Court Case No.....of 19.....

Between

.....

and

.....

Upon hearing the complaint of non-compliance against *Award/Collective Agreement this.....day of.....it is hereby ordered that.....do comply with with the *Award/Collective Agreement on terms as below:

Dated this.....day of.....19.....

.....

(Seal)

Registrar

Industrial Court

* Delete words not applicable.

FORM U

IN THE INDUSTRIAL COURT

Section 33 of the Act

APPLICATION ON POINTS OF LAW

In the matter of Industrial Court Case No.....of 19.....and in the matter Award No.....dated.....of 19.....

Between

.....

and

.....

Application is hereby made by.....for the following questions of law to be referred to the High Court:

Dated this.....day of.....19.....

.....

(Signature of Applicant)

Address:.....

.....

.....

