

User Name: RDS 2

Date and Time: Monday, 20 July, 2020 6:25:00 PM MYT

Job Number: 121481377

Document (1)

1. [\(MY\) INDUSTRIAL COURT RULES 1967 \(P.U.\(A\) 406/1967\)](#)

Client/Matter: -None-

Search Terms: industrial relations act

Search Type: Natural Language

Narrowed by:

Content Type
MY Legislation

Narrowed by
-None-

(MY) INDUSTRIAL COURT RULES 1967 (P.U.(A) 406/1967)

Unannotated Statutes of Malaysia - Subsidiary Legislations

Unannotated Statutes of Malaysia - Subsidiary Legislations > **INDUSTRIAL COURT RULES 1967 (P.U.(A) 406/1967)**

INDUSTRIAL COURT RULES 1967 (P.U.(A) 406/1967)

INDUSTRIAL RELATIONS ACT 1967

INDUSTRIAL COURT RULES 1967

[P.U. (A) 406/1967]

ARRANGEMENT OF RULES

Rule

PRELIMINARY

- 1 Citation
- 2 Interpretation

REPRESENTATION IN COURT

- 3 Legal Practitioners
- 4 Warrant of Authority
- 5 Description of Parties
- 6 Submission of Collective Agreement for cognizance.

COLLECTIVE AGREEMENTS

- 7 Requirement to Amend

CASES BROUGHT BEFORE THE COURT

- 8 Fixing of dates for hearing
- 9 Statement of Case
- 10 Statement in Reply
- 11 Rejoinder

PARTY ADDED

- 12 Joinder or Substitution.
- 13 Statements upon party joined or substituted.

INTERPRETATION OR VARIATION

- 14 Interpretation or Award of Collective Agreement.
- 15 Variation of Award or Collective Agreement.

(MY) INDUSTRIAL COURT RULES 1967 (P.U.(A) 406/1967)

16 Summons.

SERVICE

17 Address for Service.

18 Service

19 Manner of Service

20 Substituted Service

21 Date of Service.

21A Procedure before hearing

21B Notice to produce documents.

PROCEDURE AT HEARING

22 Procedure at Hearing

23 Proceedings in Public

24 Oath or affirmation

24A Enforcement of award on non-compliance

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

FORMS

25 Forms not prescribed.

SCHEDULE

PRELIMINARY

In exercise of the powers conferred by section 25 of the **Industrial Relations Act**, 1967 [**Act** 35/1967], the President, with the approval of the Minister, makes the following rules governing the procedure and proceedings of the **Industrial** Court.

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 it 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;

(MY) INDUSTRIAL COURT RULES 1967 (P.U.(A) 406/1967)

“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**.

REPRESENTATION IN COURT

3. Legal Practitioners

(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 Register shall serve a copy of Form A on the other 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 be not returned to the Registrar 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

(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

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 Registrar under the provisions of [section 16\(1\)](#) of the **Act**, the Registrar shall bring it to the notice of the Court for cognizance in Form C.

COLLECTIVE AGREEMENTS

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 Registrar 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 Registrar shall serve notice thereof in Form E.

CASES BROUGHT BEFORE THE COURT

8. Fixing of dates for hearing

(1) Upon a case being brought before the Court, the Registrar 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 Registrar shall serve notice thereof in Form G.

9. Statement of Case

(MY) INDUSTRIAL COURT RULES 1967 (P.U.(A) 406/1967)

- (1) Upon a case being brought before the Court, the Registrar 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 Statement of Case.
- (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 Registrar at the premises of the Court during office hours or forward to him at such premises by AR Registered Post six copies of such Statement of Case.
- (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 Registrar 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 Registrar 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

- (1) Upon the Registrar 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 Statement in Reply.
- (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 Registrar at the premises of the Court during office hours or forward to him at such premises by AR Registered Post six copies of such Statement in Reply.
- (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 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.
- (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 Registrar 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 Registrar 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

- (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 AR Registered Post six copies of such Rejoinder.
- (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*.

(MY) INDUSTRIAL COURT RULES 1967 (P.U.(A) 406/1967)

PARTY ADDED

12. Joinder or Substitution

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 Registrar shall serve a summons in Form L on such party to appear before the Court.

13. Statements upon party joined or substituted

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*.

INTERPRETATION OR VARIATION

14. Interpretation or Award of Collective Agreement

- (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 Registrar at the premises of the Court during office hours or forwarding to him at such premises by AR Registered Post six copies of the application in Form M.
- (2) The place, date and time for the hearing of the parties in the question 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 or collective agreement.

15. Variation of Award or Collective Agreement

- (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 Registrar at the premises of the Court during office hours or forwarding to him at such premises by AR 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 Registrar by endorsement on the application.
- (3) The Registrar shall serve copies of such application endorsed aforesaid on the parties bound by the award or collective agreement.

16. Summons

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.

SERVICE

17. Address for Service

(1) Every document which is delivered or forwarded to the Registrar 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 the address for service of that party.

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

18. Service

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

19. Manner of Service

(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:

(MY) INDUSTRIAL COURT RULES 1967 (P.U.(A) 406/1967)

- (a) leaving it with the person;
- (b) tendering it to that person; or
- (c) posting it by AR 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 AR 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 AR 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 AR 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 AR 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.

20. Substituted Service

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

21. Date of Service

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 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 the service of the affidavit, require the deponent of such affidavit to be present and be examined orally at the hearing.

(MY) INDUSTRIAL COURT RULES 1967 (P.U.(A) 406/1967)

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

21B. Notice to produce documents

- (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 summon to produce documents shall be in Form P.

PROCEDURE AT HEARING

22. Procedure at Hearing

- (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 by 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

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

24A Enforcement of award on non-compliance

- (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 the 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 Session 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

- (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.

FORMS

25. Forms not prescribed

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

(MY) INDUSTRIAL COURT RULES 1967 (P.U.(A) 406/1967)

President may direct or approve for the purposes of the particular case.

Form A

(Rule 3)

IN THE **INDUSTRIAL** COURT

Section 27 of the **Act**

APPLICATION FOR PERMISSION TO BE PRESENTED BY LEGAL PRACTITIONER

In the matter of **Industrial** Court Case No of 20.....

Between

.....

and

.....

PART I

To 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 20.....

.....

Signature of Applicant

Address:.....

.....

.....

PART II

I/We

object to the application made herein for the following reasons:

Dated this day of 20.....

.....

Signature of opposite party

Address:.....

.....

.....

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 triplicates 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

(Rule 4)

IN THE **INDUSTRIAL** COURT

Section 27 of the **Act**

WARRANT OF AUTHORITY

In the matter of **Industrial** Court Case No of 20.....

Between

.....

and

.....

I/We

hereby authoriseto represent me/us at the proceedings before the Court in this case.

He is *an official of the Trade Union

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

*a legal practitioner appearing by permission by the President.

Dated this day of 20.....

.....

Signature of person/Union authorising

Address:.....

.....

(MY) INDUSTRIAL COURT RULES 1967 (P.U.(A) 406/1967)

.....

Accepted:

.....

Signature of Representative

Address:.....

.....

.....

Form C

(Rule 6)

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 20.....

Between

..... of the one part,

and

..... of the other part.

Whereas the above-mentioned Collective Agreement was on the day of 20..... deposited with the Registrar under the provisions of section 16(1) of the **Act**, the Registrar hereby brings it to the notice of the Court for its cognizance.

Dated this day of 20.....

.....

(Seal)

Registrar

The Court *takes/refuses to take cognizance of the above-mentioned Collective Agreement on this day of 20.....

(Seal)

President

Industrial Court

Form D

(Rule 7(1))

(MY) INDUSTRIAL COURT RULES 1967 (P.U.(A) 406/1967)

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 20.....

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 at o'clock in the noon on the day of 20..... 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 20.....

.....

(Seal)

Registrar

To

.....

.....

.....

(Parties bound by the Agreement)

Form E

(Rule 7(5))

IN THE **INDUSTRIAL** COURT

NOTICE OF HEARING ON AMENDMENTS

In the matter of **Industrial** Court Case No of 20.....

In the matter of Section 16(10) of the **Act**, and

In the matter of a collective agreement made the day of 20.....

Between

.....

(MY) INDUSTRIAL COURT RULES 1967 (P.U.(A) 406/1967)

and

.....

Whereas objections has 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 20..... 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 20.....

.....

(Seal)

Registrar

To

.....

.....

.....

(Parties bound by the Agreement)

Form F

(Rule 8(1))

IN THE **INDUSTRIAL** COURT

NOTICE OF MENTION OF CASE

In the matter of **Industrial** Court Case No of 20.....

Between

.....

and

.....

Take notice that the parties will be mentioned before the President at the premises of the Court at Jalan Mahkamah Persekutuan, Kuala Lumpur on the day of 20..... 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.

(MY) INDUSTRIAL COURT RULES 1967 (P.U.(A) 406/1967)

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 20.....

.....

(Seal)

Registrar

To

.....

.....

.....

Form G

(Rule 8(3))

IN THE **INDUSTRIAL** COURT

NOTICE OF HEARING

In the matter of **Industrial** Court Case No of 20.....

Between

.....

and

.....

Take notice that the parties will be heard by the Court at the premises of the Court* onthe..... day of 20..... 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 20.....

.....

(Seal)

Registrar

*Jalan Mahkamah Persekutuan

(MY) INDUSTRIAL COURT RULES 1967 (P.U.(A) 406/1967)

50544 Kuala Lumpur

To

.....

.....

.....

Form H

(Rule 9(1))

IN THE **INDUSTRIAL** COURT

STATEMENT OF CASE

In the matter of **Industrial** Court Case No of 20.....

Between

.....

and

.....

Take notice that you are required, within seven days from the date of the 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 this 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 AR 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 20.....

.....

(Seal)

Registrar

To

.....

.....

.....

Rule9(3)—

Such Statement of Case shall be confined to the issues which are included in the case referred to the Court by the

(MY) INDUSTRIAL COURT RULES 1967 (P.U.(A) 406/1967)

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 decision 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

(Rule 9(4))

IN THE **INDUSTRIAL** COURT

FRESH STATEMENT OF CASE

In the matter of **Industrial** Court Case No of 20.....

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 the date of the service of this notice or within such extended 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 AR Registered Post ten 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 the 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 20.....

.....

(Seal)

To

.....

.....

.....

Rule9(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—

(MY) INDUSTRIAL COURT RULES 1967 (P.U.(A) 406/1967)

- (a) a statement of all relevant facts and arguments;
 - (b) particulars of decision 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

(Rule 10(1))

IN THE **INDUSTRIAL** COURT

STATEMENT IN REPLY

In the matter of **Industrial** Court Case No of 20.....

Between

.....

and

.....

Take notice that you are required, within seven days from the date of the 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 AR 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 the 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 20.....

.....

(Seal)

Secretary

To

.....

.....

.....

Rule10(3)—

(a) 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;

(MY) INDUSTRIAL COURT RULES 1967 (P.U.(A) 406/1967)

- (ii) particulars of decision prayed for;
- (iii) an endorsement of the name of the first party and of his 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.

Form K

(Rule 10(4))

IN THE **INDUSTRIAL** COURT

FRESH STATEMENT IN REPLY

In the matter of **Industrial** Court Case No of 20.....

Between

.....

and

.....

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 the date of the 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 Secretary at the premises of the Court at Jalan Mahkamah Persekutuan, Kuala Lumpur during office hours or by forwarding to him at such premises by AR 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 the 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 20.....

.....

(Seal)

Registrar

To

.....

.....

.....

Rule10(3)—

(a) 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

(MY) INDUSTRIAL COURT RULES 1967 (P.U.(A) 406/1967)

contain—

- (i) a statement of all relevant facts and arguments;
- (ii) particulars of decision prayed for;
- (iii) an endorsement of the name of the first party and of his 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.

Form L

(Rule 12)

IN THE **INDUSTRIAL** COURT

Section 29(a) of the **Act**

SUMMONS TO PARTY JOINED/SUBSTITUTED

In the matter of **Industrial** Court Case No of 20.....

Between

.....

and

.....

Take notice that by an order made by the Court on the day of 20..... 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 20..... 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 20.....

.....

(Seal)

Registrar

To

.....

.....

.....

(Party joined/substituted)

Form M

(Rule 14)

(MY) INDUSTRIAL COURT RULES 1967 (P.U.(A) 406/1967)

IN THE **INDUSTRIAL** COURT

Section 33(1) of the **Act**

APPLICATION FOR INTERPRETATION OF AWARD OR COLLECTIVE AGREEMENT

In the matter of *Award No in Case No of 20.....

Collective Agreement Cognizance No

Between

.....

and

.....

Application is hereby made by for an interpretation of the following provisions of the above-mentioned *Award/*Collective Agreement:

** The Applicant submits that the provisions should be interpreted in the following manner:

*

.....

(Signature of Applicant)

Address

.....

.....

Take notice that the above-mentioned application will be considered by the **Industrial** Court at o'clock in thenoon on the day of 20..... 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 intend 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 20.....

.....

(Seal)

Registrar

To

.....

(MY) INDUSTRIAL COURT RULES 1967 (P.U.(A) 406/1967)

.....

.....

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

Form N

(Rule 15)

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 20

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:

.....

(Signature of Applicant)

Address

.....

.....

Dated this day of 20

Form O

(Rule 16)

IN THE **INDUSTRIAL** COURT

Section 29(b) and (c) of the **Act**

SUMMONS

RDS 2

(MY) INDUSTRIAL COURT RULES 1967 (P.U.(A) 406/1967)

In the matter of **Industrial** Court Case No of 20.....

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 20.....at o'clock in theforenoon 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 20.....

.....

(Seal)

Registrar

To

.....

.....

.....

SCHEDULE

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

Form P

(Rule 21B)

IN THE **INDUSTRIAL** COURT

SUMMONS TO PRODUCE DOCUMENTS ONLY

In the matter of **Industrial** Court Case No of 20.....

Between

.....

and

.....

(MY) INDUSTRIAL COURT RULES 1967 (P.U.(A) 406/1967)

You are hereby summoned to produce before or send to the Court on or before the day of 20.....the following documents, namely:

Dated this day of 20.....

.....

(Seal)

Registrar

To

.....

.....

.....

Form Q

(Rule 21B)

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

(Rule 24)

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

(Rule 24A(1))

IN THE **INDUSTRIAL** COURT

Section 56(1) of the **Act**

COMPLAINT OF NON-COMPLIANCE

In the matter of **Industrial** Court Case No of 20.....

Between

(MY) INDUSTRIAL COURT RULES 1967 (P.U.(A) 406/1967)

.....

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

.....

.....

Form T

(Rule 24A(3))

IN THE **INDUSTRIAL** COURT

Section 56(4) of the **Act**

ORDER OF COURT

In the matter of **Industrial** Court Case No of 20.....

Between

.....

and

.....

Upon hearing the complaint of non-compliance against *Award/Collective Agreement this day of 20..... it is hereby ordered that do comply with the *Award/Collective Agreement on terms as below:

(MY) INDUSTRIAL COURT RULES 1967 (P.U.(A) 406/1967)

Dated this day of 20.....

.....

(Signature of Applicant)

Address

.....

.....

Form U

(Rule 24B)

IN THE **INDUSTRIAL** COURT

Section 33 of the **Act**

APPLICATION ON POINTS OF LAW

In the matter of **Industrial** Court Case No of 20..... and in the matter of Award No dated of 20.....

Between

.....

and

.....

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

Dated this day of 20.....

.....

(Seal)

Registrar

* Delete words not applicable.

** State appropriate paragraphs of the Award/Collective Agreement.

** Set out in numbered paragraphs the variations sought.

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

State shortly.

Made this 24th day of August, 1967,

(MY) INDUSTRIAL COURT RULES 1967 (P.U.(A) 406/1967)

By Command,

G.E.N. Oehlers,
President, Industrial Court

LIST OF AMENDMENTS

Amending law	Citation	In force from
P.U.(A) 175/1991	<u>Industrial</u> Court (Amendment) Rules 1991	01-05-1991
P.U.(A) 203/2007	<u>Industrial</u> Court (Amendment) Rules 2007	01-06-2007

End of Document