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WARTA KERAJAAN PERSEKUTUAN

FEDERAL GOVERNMENT GAZETTE

PERATURAN-PERATURAN PERHUBUNGAN PERUSAHAAN (PINDAAN) 2025

INDUSTRIAL RELATIONS (AMENDMENT) REGULATIONS 2025

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AKTA PERHUBUNGAN PERUSAHAAN 1967

PERATURAN-PERATURAN PERHUBUNGAN PERUSAHAAN (PINDAAN) 2025

PADA menjalankan kuasa yang diberikan oleh seksyen 62 Akta Perhubungan Perusahaan 1967 [*Akta 177*], Menteri membuat peraturan-peraturan yang berikut:

Nama dan permulaan kuat kuasa

1. (1) Peraturan-peraturan ini bolehlah dinamakan **Peraturan-Peraturan Perhubungan Perusahaan (Pindaan) 2025**.

(2) Peraturan-Peraturan ini mula berkuat kuasa pada 15 Mei 2025.

Penggantian peraturan 4

2. Peraturan-Peraturan Perhubungan Perusahaan 2009 [*P.U. (A) 356/2009*], yang disebut “Peraturan-Peraturan ibu” dalam Peraturan-Peraturan ini, dipinda dengan menggantikan peraturan 4 dengan peraturan yang berikut:

“Pengiktirafan sukarela

4. (1) Jika majikan atau kesatuan sekerja majikan berpuas hati bahawa skop keanggotaan kesatuan sekerja pekerja yang membuat tuntutan pengiktirafan untuk mewakili pekerja-pekerja atau kelas pekerja adalah selaras dengan perlembagaan kesatuan sekerja pekerja, majikan atau kesatuan sekerja majikan hendaklah secara sukarela memberi pengiktirafan kepada kesatuan sekerja pekerja tersebut dalam Borang AA.

(2) Satu salinan Borang AA di bawah subperaturan (1) hendaklah dihantar kepada Ketua Pengarah dalam masa empat belas hari dari tarikh Borang AA dikeluarkan.”.

Pindaan peraturan 8

3. Peraturan 8 Peraturan-Peraturan ibu dipinda dalam subperaturan (1) dengan menggantikan perkataan “memberikan arahan di bawah perenggan 6(b)” dengan perkataan “telah bertindak di bawah peraturan 6”.

Pindaan peraturan 13D

4. Peraturan 13D Peraturan-Peraturan ibu dipinda dengan memasukkan selepas subperaturan (1) subperaturan yang berikut:

“(1A) Jika mana-mana kesatuan sekerja pekerja yang bersaing bagi hak perundingan tunggal tidak hadir ke mesyuarat undi sulit selepas dua kali percubaan atau menyatakan hasratnya untuk tidak menyertai penentuan hak perundingan tunggal, kesatuan sekerja pekerja tersebut hendaklah dianggap tidak berminat dan tidak lagi menyertai penentuan hak perundingan tunggal.

(1B) Tertakluk kepada subperaturan (1A), Ketua Pengarah hendaklah memutuskan kesatuan sekerja pekerja yang memperoleh hak perundingan tunggal dalam Borang FI jika hanya terdapat satu kesatuan sekerja pekerja yang menyertai penentuan hak perundingan tunggal.”.

Peraturan baharu 13GA

5. Peraturan-Peraturan ibu dipinda dengan memasukkan selepas peraturan 13G peraturan yang berikut:

“Penentuan undi

13GA. (1) Kesatuan sekerja pekerja yang mendapat undi tertinggi dalam undi sulit hendaklah mempunyai hak perundingan tunggal bagi mewakili pekerja atau kelas pekerja tersebut.

(2) Sekiranya keputusan undi sulit di bawah subperaturan (1) menunjukkan seri, Ketua Pengarah hendaklah menjalankan undi sulit selanjutnya di kalangan kesatuan-kesatuan sekerja pekerja yang menerima

bilangan undian tertinggi yang sama sehingga suatu kesatuan sekerja pekerja memperoleh jumlah undian tertinggi.

(3) Dalam menjalankan apa-apa undi sulit selanjutnya di bawah subperaturan (2)—

- (a) Ketua Pengarah hendaklah memutuskan tarikh, masa, tempat undi sulit dan apa-apa perkara lain yang perlu bagi menjalankan undi sulit dalam Borang FF yang baharu;
- (b) majikan atau kesatuan sekerja majikan hendaklah meletakkan salinan notis undi sulit dalam Borang FG yang baharu di tempat yang mudah dilihat di premis majikan yang berkenaan sebagaimana yang ditentukan oleh Ketua Pengarah selama tujuh hari berturut-turut sebaik sebelum hari pembuangan undi sulit; dan
- (c) pekerja yang berhak mengundi adalah seperti yang disenaraikan dalam Lampiran 1 Borang FE atau Lampiran 1 Borang FF sedia ada, mengikut mana-mana yang berkenaan.”.

Pindaan Jadual

6. Peraturan-Peraturan ibu dipinda dalam Jadual—

- (a) dalam Borang FG, dengan menggantikan perkataan “[Subperaturan 19(1)]” dengan perkataan “[Subperaturan 13F(1)]”;
- (b) dalam Borang FH, berhubung dengan butiran B, dengan menggantikan perkataan “KERTAS UNDI YANG DIKELUARKAN” dengan perkataan “UNDI YANG DIBUANG”;
- (c) dalam Borang FI, dengan memasukkan sebelum perkataan “Peraturan 13i” perkataan “Subperaturan 13D(1B) dan”; dan

- (d) dalam Borang H, dengan menggantikan perkataan “enam puluh hari” dengan perkataan “tiga puluh hari”.

Dibuat 9 Mei 2025

[KSM.PUU(S)600-1/2/9/8(4); PN(PU2)198/JLD.20]

SIM CHEE KEONG
Menteri Sumber Manusia

INDUSTRIAL RELATIONS ACT 1967

INDUSTRIAL RELATIONS (AMENDMENT) REGULATIONS 2025

IN exercise of the powers conferred by section 62 of the Industrial Relations Act 1967 [Act 177], the Minister makes the following regulations:

Citation and commencement

1. (1) These regulations may be cited as the **Industrial Relations (Amendment) Regulations 2025**.

(2) These Regulations come into operation on 15 May 2025.

Substitution of regulation 4

2. The Industrial Relations Regulations 2009 [*P.U. (A) 356/2009*], which are referred to as the “principal Regulations” in these Regulations, are amended by substituting for regulation 4 the following regulation:

“Voluntary recognition

4. (1) If an employer or trade union of employers is satisfied that the scope of membership of a trade union of workmen making the claim for recognition to represent workmen or class of workmen is in accordance with the constitution of the trade union of workmen, the employer or trade union of employers shall voluntarily accord recognition to such trade union of workmen in Form AA.

(2) A copy of Form AA under subregulation (1) shall be sent to the Director General within fourteen days from the date of Form AA is issued.”.

Amendment of regulation 8

3. Regulation 8 of the principal Regulations is amended in subregulation (1) by substituting for the words “given direction under paragraph 6(b)” the words “acted under regulation 6”.

Amendment of regulation 13D

4. Regulation 13D of the principal Regulations is amended by inserting after subregulation (1) the following subregulations:

“(1A) Where any trade union of workmen competing for sole bargaining rights fails to attend the secret ballot meeting after two attempts or declares its intention to not participate in the determination of sole bargaining rights, the trade union of workmen shall be presumed uninterested and no longer participate in the determination of sole bargaining rights.

(1B) Subject to subregulation (1A), the Director General shall decide on the trade union of workmen that obtains the sole bargaining rights in Form F1 if there is only one trade union of workmen participating in the determination of sole bargaining rights.”.

New regulation 13GA

5. The principal Regulations are amended by inserting after regulation 13G the following regulation:

“Ascertaining votes

13GA. (1) The trade union of workmen which obtained the highest number of votes in the secret ballot shall have the sole bargaining rights to represent such workmen or class of workmen.

(2) In the event the result of the secret ballot under subregulation (1) shows a tie, the Director General shall carry out a further secret ballot among the trade unions of workmen receiving equivalent highest number of votes until a trade union of workmen obtained the highest number of votes.

(3) In carrying out any further secret ballot under subregulation (2)—

- (a)* the Director General shall decide the date, time, venue of secret ballot and any other matter which is necessary for the conducting of a secret ballot in a new Form FF;
- (b)* the employer or trade union of employers shall affix copies of the notice for secret ballot in a new Form FG at a conspicuous place in the premises of the employers concerned as determined by the Director General for seven consecutive days immediately preceding the day of the casting of the secret ballot; and
- (c)* workmen entitled to vote are as listed in the existing Appendix 1 of Form FE or Appendix 1 of Form FF, whichever is applicable.”.

Amendment of Schedule

6. The principal Regulations are amended in the Schedule—

- (a)* in Form FG, by substituting for the words “[Subregulation 19(1)]” the words “[Subregulation 13F(1)]”;
- (b)* in Form FH, in relation to item B, by substituting for the words “BALLOT PAPERS ISSUED” the words “VOTES CAST”;
- (c)* in Form FI, by inserting before the words “Regulation 13I” the words “Subregulation 13D(1B) and”; and
- (d)* in Form H, by substituting for the words “sixty days” the words “thirty days”.

Made 9 May 2025

[KSM.PUU(S)600-1/2/9/8(4); PN(PU2)198/JLD.20]

SIM CHEE KEONG
Minister of Human Resources