



**INDUSTRIAL AND EMPLOYEE RELATIONS (REGISTERED  
ASSOCIATIONS) AMENDMENT ACT 1997**

**No. 48 of 1997**

**SUMMARY OF PROVISIONS**

1. Short title
2. Amendment of sched. 1



ANNO QUADRAGESIMO SEXTO

**ELIZABETHAE II REGINAE**

A.D. 1997

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**No. 48 of 1997**

**An Act to amend the Industrial and Employee Relations Act 1994.**

[Assented to 31 July 1997]

The Parliament of South Australia enacts as follows:

**Short title**

1. (1) This Act may be cited as the *Industrial and Employee Relations (Registered Associations) Amendment Act 1997*.

(2) The *Industrial and Employee Relations Act 1994* is referred to in this Act as "the principal Act".

**Amendment of sched. 1**

2. Schedule 1 of the principal Act is amended by striking out subsections (2), (3) and (4) of section 16 and substituting the following subsection:

(2) No objection of a kind that was prevented by section 133(1) of the former Act immediately before the re-enactment of Part IX of that Act pursuant to section 41 of the *Industrial Conciliation and Arbitration (Commonwealth Provisions) Amendment Act 1991* (and then prevented by section 55 of that Amendment Act) may be taken in relation to an association registered under this Act immediately before the commencement of the *Industrial and Employee Relations (Registered Associations) Amendment Act 1997*.<sup>1</sup>

<sup>1</sup>Section 133(1) of the former Act provided as follows:

133. (1) *The legal existence or registration of an association, the membership of any member or any person claiming to be a member of an association, the validity of the appointment or election of any officer of an association or of any action or decision of such an officer, or the validity of any resolution passed or decision made at any meeting of an association or of any committee of the association, cannot be challenged, impugned or in any way affected, nor can the compliance of any rule or rules of an association with the prescribed conditions, or the observance or validity of any such rule or rules or the operation of any award or order made under this Act, be challenged, impugned or in any way affected by reason only that—*

- (a) *the association is also registered as an organisation pursuant to the Commonwealth Act, or is a branch or forms part of an organization so registered;*

- (b) *members of the association are also members of an organization registered under the Commonwealth Act, and no register of members separate and distinct from the register kept by the organization registered under the Commonwealth Act is kept by the association, or no application for membership or membership fee separate from the application or fee made and paid to the organization registered under that Commonwealth Act has been made or paid to the association by any member;*
- (c) *the association keeps and maintains no or insufficient books, accounts, records or rules which are separate and distinct from any books, accounts, records or rules kept and maintained by an organization registered under the Commonwealth Act, of which some or all of its members are members;*
- (d) *officers of the association have been elected or appointed by or are also officers of an organization registered under the Commonwealth Act; or*
- (e) *any matter consequential upon or arising out of the matters referred to in paragraphs (a) to (d).*

**In the name and on behalf of Her Majesty, I hereby assent to this Bill.**

**E. J. NEAL Governor**