



## INDUSTRIAL RELATIONS

**No. 73 of 1976**

### ANALYSIS

1. Short title and citation.
2. Application of Division.  
General provisions as to contracts of service.
3. Repeal of *Master and Servant Act 1856*.
4. Powers of inspectors.

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**AN ACT to amend the Industrial Relations Act 1975 and to repeal the Master and Servant Act 1856.**

**[30 November 1976]**

**BE** it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

**1—(1)** This Act may be cited as the *Industrial Relations Act 1976*. Short title and citation.

(2) The *Industrial Relations Act 1975* is in this Act referred to as the Principal Act.

Application  
of Division.

**2** After section 37 of the Principal Act the following Division is inserted:—

“*Division IA—Provisions in respect of industries not otherwise subject to award*”

“37A This Division applies to the employment of any person in an industry that is not within the jurisdiction of a board, the terms or conditions of whose employment are not prescribed by or under or are not regulated by any Act or Commonwealth Act or any order, award, determination, or agreement having effect under any Act or Commonwealth Act.

General  
provisions as  
to contracts  
of service.

“37B—(1) Unless otherwise expressly agreed the wages payable in respect of employment to which this Division applies shall be deemed to be due and payable weekly.

“(2) A term or period of service of employment to which this Division applies that is of indefinite duration is terminable by either party by—

- (a) a week’s notice, if the wages are payable weekly;
- (b) a fortnight’s notice, if the wages are payable fortnightly; and
- (c) a month’s notice in any other case.”.

Repeal of  
*Master and  
Servant Act  
1856.*

**3** The *Master and Servant Act 1856* is repealed.

Powers of  
inspectors.

**4** Section 55 of the Principal Act is amended by omitting subsection (6) and substituting the following subsection:—

“(6) An inspector, exercising his powers under this section, may take with him an interpreter and, when he does so—

- (a) any question put, or requirement made, by the interpreter on behalf of the inspector shall be deemed to have been put or made by the inspector; and
- (b) a reply to a question or requirement made to the interpreter shall be deemed to have been made to the inspector.”.