

Industrial Relations (Miscellaneous Amendments) Bill

EXPLANATORY NOTES

Clause 1 specifies the purpose of the Bill.

Clause 2 provides for operation of the Bill by proclamation.

Clause 3 inserts a definition of chairperson.

Clause 4 amends the structure of the Industrial Relations Commission and provides certain transitional provisions.

Clause 5 consequential amendment following clause 4.

Clause 6 amends the way in which the Commission in full session is constituted. The reference to a chairperson in section 10 (2) (b) is deleted from the Act.

Clause 7 clarifies the grounds of appeal against a decision by a member of the Commission sitting alone.

Clause 8 provides a separate section for the powers of Commission in Court Session.

Clause 9 provides a separate section describing the powers of a member of the Commission sitting alone. A new section is also inserted which allows the Commission to call compulsory conferences.

Clause 10 notes those proceeding of the Commission which are to be held in public unless the President or Deputy President declares otherwise. The provision shall not apply to proceedings of Conciliation and Arbitration boards.

Clause 11 repeals a section of the Act which prevented Commissioners from determining questions of law.

Clause 12 provides more comprehensive powers to the Commission when dealing with awards referred to it by the Minister.

Clause 13 provides more comprehensive powers to the Commission when dealing with matters referred to it by the Minister.

Clause 14 makes clear that section 21 of the Act is concerned with matters of intention or effect of awards.

Clause 15 provides for the President to appoint Commissioners to the role of chairpersons of boards when new boards are created under section 24 of the Act.

Clause 16:

Paragraph (a) removes reference in the Act to a panel of chairpersons.

Paragraph (b) allows the President to assign Commissioners to existing boards.

Paragraph (c) gives the President power to re-assign Commissioners to boards for both temporary and permanent assignments.

Paragraph (d) removes sub-sections which become superfluous due to previous amendments in this Bill.

Clause 17 gives the Commission power to remove a member of a board.

Clause 18 amends the grounds on which a deputy may be appointed to a board.

Clause 19 allows the President to direct a board to meet.

Clause 20 corrects terminology and allows a chairperson power to call a compulsory conference.

Clause 21 alters the minimum quorum for certain board meetings.

Clause 22 allows the President to hear applications for board hearings to be referred to the Commission, and to make reference orders.

Clause 23 allows the President to hear applications for certain matters to be referred to the Commission, and to make reference orders.

Clause 24 specifies the circumstances giving rise to a chairperson not approving an award.

Clause 25 and *Clause 26* extend and clarify the forms in which the Commission may participate in joint sittings with the Federal Conciliation and Arbitration Commission.

Clause 27 amends provisions concerning appeals to the Commission relating to recognition of associations.