



Queensland

# **Industrial Relations Amendment Act 2009**

**Act No. 15 of 2009**





## Queensland

# Industrial Relations Amendment Act 2009

## Contents

---

		Page
1	Short title . . . . .	4
2	Act amended . . . . .	4
3	Amendment of s 75 (Conciliation before application heard) . . . . .	4
4	Amendment of s 160 (When an agreement passes the no-disadvantage test) . . . . .	4
5	Amendment of s 209 (When does a QWA pass the no-disadvantage test) . . . . .	4
6	Insertion of new s 246A . . . . .	4
	246A Functions of president . . . . .	5
7	Amendment of s 264 (Administrative responsibilities for the commission and registry) . . . . .	5
8	Amendment of s 269 (Vice president to consider efficiencies that may be achieved by using dual commissioners) . . . . .	6
9	Amendment of s 270 (Reallocation of commission's work) . . . . .	6
10	Amendment of s 299 (Functions and powers of registrar) . . . . .	6
11	Amendment of s 708 (Approved forms) . . . . .	6
12	Insertion of new ch 20, pt 8 . . . . .	6
	Part 8 Transitional provision for Industrial Relations Amendment Act 2009	
	756 Delegations by vice president . . . . .	7
13	Amendment of sch 2 (Appointments) . . . . .	7
<b>Schedule</b>	<b>Minor amendments</b> . . . . .	<b>8</b>





Queensland

## **Industrial Relations Amendment Act 2009**

**Act No. 15 of 2009**

---

**An Act to amend the Industrial Relations Act 1999, for particular purposes  
[Assented to 12 June 2009]**

## **The Parliament of Queensland enacts—**

### **1 Short title**

This Act may be cited as the *Industrial Relations Amendment Act 2009*.

### **2 Act amended**

This Act amends the *Industrial Relations Act 1999*.

### **3 Amendment of s 75 (Conciliation before application heard)**

Section 75(6), ‘vice president’—  
*omit, insert—*  
‘president’.

### **4 Amendment of s 160 (When an agreement passes the no-disadvantage test)**

Section 160(5), ‘vice president’—  
*omit, insert—*  
‘president’.

### **5 Amendment of s 209 (When does a QWA pass the no-disadvantage test)**

Section 209(4), ‘vice president’—  
*omit, insert—*  
‘president’.

### **6 Insertion of new s 246A**

Chapter 8, part 1, division 2, after section 246—

*insert—*

### **‘246A Functions of president**

‘The president is responsible for ensuring that the court, the commission and the registry perform their functions and exercise their powers in a way that—

- (a) is efficient; and
- (b) adequately serves the needs of employers and employees throughout Queensland.’

## **7 Amendment of s 264 (Administrative responsibilities for the commission and registry)**

- (1) Section 264(1), (2) and (3), ‘vice president’—

*omit, insert—*

‘president’.

- (2) Section 264(4) and (5)—

*omit, insert—*

- ‘(4) The president is to be assisted by the vice president in performing responsibilities under subsection (1) or (2).

- ‘(4A) The president may delegate a power under subsection (3)—

- (a) to the vice president; or
- (b) if the vice president is not available—to 1 or more deputy presidents.

- ‘(5) A commissioner must comply with a direction of the president, the vice president or a deputy president given for the performance of responsibilities under subsection (1) or (2).’

- (3) Section 264(6) and (7)(b), ‘vice president’—

*omit, insert—*

‘president’.

**8 Amendment of s 269 (Vice president to consider efficiencies that may be achieved by using dual commissioners)**

(1) Section 269, heading, ‘Vice president’—

*omit, insert—*

**‘President’.**

(2) Section 269, ‘vice president’—

*omit, insert—*

‘president’.

**9 Amendment of s 270 (Reallocation of commission’s work)**

Section 270, ‘vice president’—

*omit, insert—*

‘president’.

**10 Amendment of s 299 (Functions and powers of registrar)**

Section 299(3), ‘or vice president’—

*omit.*

**11 Amendment of s 708 (Approved forms)**

Section 708(1A)—

*omit.*

**12 Insertion of new ch 20, pt 8**

After section 755—

*insert—*





## **Schedule**                      **Minor amendments**

section 2

- 1**            **Chapter 2, part 3, division 1, heading, ‘pt’—**  
*omit, insert—*  
**‘part’.**
- 2**            **Sections 50(1)(a) and 137(1)(a), ‘; or’—**  
*omit, insert—*  
**‘;’.**
- 3**            **Section 71(9), ‘subsections’—**  
*omit, insert—*  
**‘subsection’.**
- 4**            **Section 72(2)(b), ‘subsection’—**  
*omit, insert—*  
**‘subsections’.**
- 5**            **Section 73(2)(f)(ii), after ‘the’—**  
*insert—*  
**‘repealed’.**
- 6**            **Section 75(3)(b), before ‘inform’—**  
*insert—*  
**‘must’.**

**7 Section 115(2)(b)(i), after ‘because’—***insert—*

‘of’.

**8 Section 143(2)(a), ‘and’—***omit.***9 Section 203(2)(b), before ‘the’—***insert—*

‘give’.

**10 Section 273(3)—***omit.***11 Section 403(1)(b)(ii), before ‘has’—***insert—*

‘the mortgagee’.

**12 Section 518(4)(a), after ‘extension’—***insert—*

‘is made’.

**13 Section 534(b), ‘, the person’—***omit.***14 Section 606(2)(b), before ‘an’—***insert—*

‘of’.

- 15 Section 607(1), ‘a person’—**  
*omit.*
- 16 Section 607(1)(a), before ‘was’—**  
*insert—*  
‘a person’.
- 17 Section 641(3)(a), after ‘amendments’—**  
*insert—*  
‘of’.
- 18 Section 670(1)(b)(ii), second mention—**  
*renumber* as section 670(1)(b)(iii).
- 19 Schedule 5, definition *audit report*—**  
*omit, insert—*  
‘*audit report*, for chapter 12, see section 558(1)(b).’.
- 20 Schedule 5, definitions *employee* and *employer*, ‘means’—**  
*omit.*
- 21 Schedule 5, definition *industrial action*, ‘means’—**  
*omit.*
- 22 Schedule 5, definition *industrial action*, paragraph (a), before ‘a’—**  
*insert—*  
‘means’.

- 23**    **Schedule 5, definition *industrial relations commission*—**  
          ~~omit, insert—~~  
          ‘*industrial relations commission* means the Queensland Industrial Relations Commission established under section 255.’.
- 24**    **Schedule 5—**  
          ~~insert—~~  
          ‘*registry* see section 294.’.

© State of Queensland 2009