

Passed by both Houses



New South Wales

Industrial Relations Further Amendment (Jurisdiction of Industrial Relations Commission) Bill 2009

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I certify that this public bill, which originated in the Legislative Assembly, has finally passed the Legislative Council and the Legislative Assembly of New South Wales.

*Clerk of the Legislative Assembly.
Legislative Assembly,
Sydney, , 2009*



New South Wales

Industrial Relations Further Amendment (Jurisdiction of Industrial Relations Commission) Bill 2009

Act No , 2009

An Act to amend the *Industrial Relations Act 1996* to make further provision with respect to the jurisdiction of the Industrial Relations Commission when constituted by Commissioners; and to amend other related legislation by way of statute law revision.

I have examined this bill and find it to correspond in all respects with the bill as finally passed by both Houses.

Assistant Speaker of the Legislative Assembly.

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Industrial Relations Further Amendment (Jurisdiction of Industrial Relations Commission) Act 2009*.

2 Commencement

- (1) This Act commences on a day to be appointed by proclamation, except as provided by subsection (2).
- (2) An amendment made by Schedule 2 to a provision of the *Industrial Relations Amendment (Jurisdiction of Industrial Relations Commission) Act 2009* commences immediately before the commencement of the provision.

Schedule 1 Amendment of Industrial Relations Act 1996 No 17

[1] Section 153 Jurisdiction of Commission in Court Session

Insert “379 or” after “section” in section 153 (1) (g).

[2] Section 364 Definitions

Insert after paragraph (a) of the definition of *industrial court* in section 364 (1):

- (a1) in the case of proceedings under section 379 (Small claims procedure)—a Commissioner who is an Australian lawyer (in addition to the Commission in Court Session and the Local Court referred to in paragraph (c)), or

Schedule 2 Amendment of Industrial Relations Amendment (Jurisdiction of Industrial Relations Commission) Act 2009 No 32

- [1] **Schedules 1 and 2 (except Schedule 2.2 [1] and 2.14 [1])**
Omit “a Local Court” wherever occurring. Insert instead “the Local Court”.
- [2] **Schedule 1 [12]**
Omit “dealing with those proceedings” from proposed section 371 (4).
- [3] **Schedule 1 [14]**
Omit “court” wherever occurring in proposed section 380 (5A).
Insert instead “Court”.
- [4] **Schedule 2.2 [1] and 2.14 [1]**
Omit “a Local Court constituted by a Magistrate sitting alone” wherever occurring.
Insert instead “the Local Court”.
- [5] **Schedule 2.7 and 2.11 [3]**
Insert “a Local Court” before “constituted” wherever occurring.
- [6] **Schedule 2.7 and 2.11 [3]**
Insert “the Local Court” before “sitting” wherever occurring.
- [7] **Schedule 2.10**
Omit “a local court”. Insert instead “the Local Court”.
- [8] **Schedule 2.14 [4]**
Omit “constituted by a Magistrate sitting alone”.
Insert instead “the Local Court”.

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Amendment of Industrial Relations Amendment (Jurisdiction of Industrial Relations Commission) Act 2009 No 32

Schedule 2

[9] Schedule 2.14 [4]

Insert “the Local Court” before “sitting at a designated place”.