

LEGISLATIVE COUNCIL

Industrial Relations Amendment (Industrial Organisations) Bill 2012

First Print

Proposed Government amendments to Opposition amendments on sheet 2012-065A

- No. 1 Insert after proposed subsection (3) in Opposition amendment no 3:
- (4) If the Commission fails to make an order under subsection (3) for the appointment of an administrator for the organisation within 14 days of an application for a declaration under subsection (1), the Minister may exercise the functions of the Commission under this section with respect to the appointment of an administrator if the Minister is of the opinion that:
 - (a) it is likely that the basis for a declaration will be established by the application for the declaration or if a declaration has been made by the Commission, and
 - (b) it is in the interests of the members of the organisation or in the interests of justice that an administrator be appointed pending the approval of a scheme under this section.
- To avoid doubt, a decision of the Minister under this section may be subject to judicial review by the Supreme Court.
- No. 2 Insert “or (4)” after “subsection (3)” wherever occurring in Opposition amendment no. 3.
- No. 3 Omit “application under this section is determined” from proposed subsection (5) inserted by Opposition amendment no 3. Insert instead “a scheme is approved or refused under this section”.
- No. 4 Vote no to Opposition amendment no 5.