

LEGISLATIVE COUNCIL

Transport Legislation Amendment Bill 2011

First Print

Proposed amendments

- No. 1 Page 15, Schedule 1 [28]. Insert after line 10:
- (3) In subsection (2) (a), a reference to an industrial instrument applicable immediately before the transfer of a staff member includes a reference to any subsequent industrial instrument that is applicable at any time after the transfer to the class of persons holding the position, or the class of positions, (whichever is applicable) from which the staff member was transferred.
- No. 2 Page 15, Schedule 1 [28]. Insert after line 23:
- (6) The terms and conditions of employment of a transferred staff member under this section must not be varied except with the consent of the staff member.
 - (7) In this section, *industrial instrument* includes an agreement or other instrument under the *Fair Work Act 2009* of the Commonwealth.
- No. 3 Page 16, Schedule 1 [29]. Insert after line 10:
- (3) The powers of the Director-General under subsection (1) are subject to section 67 and the provisions of the *Industrial Relations Act 1996*.
- No. 4 Page 18, Schedule 1 [29]. Insert after line 29:
- (2) This section does not prevent a member of the Transport Service from making an application under Part 6 of Chapter 2 of the *Industrial Relations Act 1996* in respect of a retirement under this section.