

1992—No. 361

INDUSTRIAL RELATIONS ACT 1991—REGULATION

(Relating to savings and transitional provisions)

NEW SOUTH WALES



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HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Industrial Relations Act 1991, has been pleased to make the Regulation set forth hereunder.

JOHN FAHEY

Minister for Industrial Relations.

Commencement

1. Pursuant to clause 2 (2) of Part I of Schedule 2 to the Industrial Relations Act 1991, this Regulation is taken to have commenced on 31 March 1992 (the date on which that Act commenced).

Amendment

2. The Industrial Relations Regulation 1992 is amended by inserting after clause 126 the following clauses:

Savings with respect to associations relating to public vehicles and carriers

127. (1) Any association of employing contractors, contract drivers or contract carriers which was, immediately before the commencement of the Act, registered as such under the Industrial Arbitration Act 1940 is taken, on that commencement, to have been registered under Part 2 of Chapter 6 of the Act.

(2) Any application for registration of such an association which was pending immediately before the commencement of the Act is taken to have been made under Part 2 of Chapter 6 of the Act and is to be disposed of accordingly.

Union officials' rights of entry—transitional arrangements relating to existing authorities

128. (1) Any authority issued under section 129A of the Industrial Arbitration Act 1940 to an officer of an Industrial union of employees (within the meaning of that section) and in force immediately before the commencement of the Act is taken to be an authority issued under section 733 of the Act.

(2) Any such existing authority remains in force (subject to that section) until:

- (a) 30 September 1993; or
- (b) the date on which the registration of that Industrial union is confirmed by the industrial Registrar or (if not confirmed) the date on which recognition of that Industrial union is cancelled by the Industrial Registrar or
- (c) the date on which an authority under section 733 of the Act is issued to the officer holding the existing authority

whichever date is earliest.

EXPLANATORY NOTE

The objects of this Regulation are:

- (a) to make it clear that the registrations of associations of employing contractors, contract drivers and contract carriers under the Industrial Arbitration Act 1940 remain in force despite the repeal of that Act; and
 - (b) to provide specifically for the continuation in force of authorities issued under the repealed Act for trade union officials to enter work places. (The transitional period during which they are to remain in force corresponds with the transitional period during which the registration of trade unions remains in force.)
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