

1993—No. 368

INDUSTRIAL RELATIONS ACT 1991—REGULATION

(Relating to organisations de-registered under the Industrial Arbitration Act 1940)

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.

KERRY CHIKAROVSKI, M.P.,
Minister for Industrial Relations and Employment.

Commencement

1. This Regulation commences on 13 August 1993.

Amendment

2. The Industrial Relations Regulation 1992 is amended by inserting after clause 131 the following clause:

Recognition of certain de-registered organisations

132. (1) This clause applies to an industrial union of employers the name of which was ordered to be removed from the Register of Industrial Unions under section 8 (9) of the 1940 Act and in respect of which the Industrial Registrar has subsequently certified by order in writing published in the Gazette that he or she is satisfied has not ceased to exist.

(2) An organisation to which this clause applies is recognised as an industrial organisation of employers for the purposes of the 1991 Act.

(3) For the purposes of the application of Part 4 (Recognised organisations) of Chapter 5 of the 1991 Act, such an organisation is:

- (a) in the case of an organisation incorporated or taken to be incorporated under the Corporations Law or any other law—taken to be a continued incorporated industrial organisation within the meaning of that Part; and
- (b) in any other case—taken to be a continued unincorporated industrial organisation within the meaning of that Part.

(4) In this clause:

“the 1940 Act” means the Industrial Arbitration Act 1940;

“the 1991 Act” means the Industrial Relations Act 1991.

EXPLANATORY NOTE

The object of this Regulation is to recognise certain organisations as industrial organisations of employers for the purposes of the Industrial Relations Act 1991. The organisations concerned were de-registered under the Industrial Arbitration Act 1940 before the commencement of the 1991 Act because they were thought to be defunct but have subsequently been discovered to still be in existence.

Recognition of the organisations will apply certain transitional provisions of the 1991 Act to them under which existing industrial organisations become registered and incorporated under the 1991 Act.

The Regulation is made under sections 652 and 749 (the general regulation making power) of the Industrial Relations Act 1991.
