



New South Wales

Industrial Relations (Child Employment) Amendment (Penalty Notices) Regulation 2006

under the

Industrial Relations (Child Employment) Act 2006

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Industrial Relations (Child Employment) Act 2006*.

JOHN DELLA BOSCA, M.L.C.,
Minister for Industrial Relations

Explanatory note

Section 16 of the *Industrial Relations (Child Employment) Act 2006* applies certain provisions of the *Industrial Relations Act 1996* (the **applied enforcement provisions**) to and for the purposes of the enforcement of Part 2 (Minimum conditions of employment for children) of the *Industrial Relations (Child Employment) Act 2006*. One of the applied enforcement provisions is section 396 of the *Industrial Relations Act 1996*. That section provides for penalty notices to be issued in respect of offences prescribed by the regulations.

The applied enforcement provisions have effect as if they formed part of the *Industrial Relations (Child Employment) Act 2006*, subject to certain modifications specified by or under section 16 of that Act. Section 16 provides that references in the applied enforcement provisions to the *Industrial Relations Act 1996* are to be read as references to Part 2 of the *Industrial Relations (Child Employment) Act 2006*. The section also provides that references in the applied enforcement provisions to the regulations are to be read as including references to the regulations under the *Industrial Relations (Child Employment) Act 2006* made for the purposes of Part 2 of that Act.

The object of this Regulation is to prescribe certain offences under Part 2 of the *Industrial Relations (Child Employment) Act 2006* to be penalty notice offences for the purposes of section 396 of the *Industrial Relations Act 1996* (as applied to and for the purposes of Part 2 by section 16 of the *Industrial Relations (Child Employment) Act 2006*).

This Regulation is made under the *Industrial Relations (Child Employment) Act 2006*, including sections 16 and 21 (the general regulation-making power).

2006 No 791

Clause 1

Industrial Relations (Child Employment) Amendment (Penalty Notices)
Regulation 2006

**Industrial Relations (Child Employment) Amendment
(Penalty Notices) Regulation 2006**

under the

Industrial Relations (Child Employment) Act 2006

1 Name of Regulation

This Regulation is the *Industrial Relations (Child Employment) Amendment (Penalty Notices) Regulation 2006*.

2 Amendment of Industrial Relations (Child Employment) Regulation 2006

The *Industrial Relations (Child Employment) Regulation 2006* is amended as set out in Schedule 1.

Schedule 1 Amendment

(Clause 2)

Part 3 and Schedule 1

Insert after Part 2:

Part 3 Penalty notices

6 Penalty notice offences and penalties

- (1) For the purposes of section 396 of the *Industrial Relations Act 1996* (as applied to and for the purposes of Part 2 of the Act by section 16 of the Act):
 - (a) each offence created by a provision specified in Column 1 of Schedule 1 is an offence for which a penalty notice may be served, and
 - (b) the penalty prescribed for each such offence is the amount specified opposite the provision in Column 2 of the Schedule.
- (2) If the reference to a provision in Column 1 of Schedule 1 is qualified by words that restrict its operation to specified kinds of offences, an offence created by the provision is a prescribed offence only if it is an offence of a kind so specified or committed in the circumstances so specified.

Schedule 1 Penalty notice offences

(Clause 6)

Column 1	Column 2
Provision	Penalty
Offences under the Act	
Section 6	\$220
Section 7 (5)	\$220
Section 11	\$220