

[Act 2000 No 74]



New South Wales

Industrial Relations Amendment (Council Swimming Centres) Bill 2000

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to revise the provisions of Schedule 1 to the *Industrial Relations Act 1996* that deem the managers or supervisors of public baths under the care and control of a local council to be employees of the local council even though they are not engaged by the local council under a contract of employment.

The Bill:

- (a) provides that contractors and others engaged by a local council are not deemed to be employees if they are bona fide contractors who employ labour to perform the work or if they are partners in a partnership engaged to perform the work, and
 - (b) describes the facilities concerned as swimming centres rather than public baths (that is, public facilities used predominantly for the purpose of swimming), and
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- (c) ensures that the deeming provision continues to apply only to persons managing or supervising swimming activities at the centre (and not to persons who are only engaged in connection with other activities at the centre), and
- (d) makes it clear that the deeming provision applies to swimming centres under the care and control of local councils even if they are managed by a committee representing the local council or councils concerned.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on a day to be appointed by proclamation.

Clause 3 is a formal provision giving effect to the amendments to the *Industrial Relations Act 1996* set out in Schedule 1.

Schedule 1 contains the amendments outlined above.