

# Industrial Relations Amendment (Council Swimming Centres) Act 2000 No 74

[2000-74]



New South Wales

## Status Information

### Currency of version

Repealed version for 8 November 2000 to 16 July 2001 (accessed 24 November 2024 at 23:50)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

### Provisions in force

The provisions displayed in this version of the legislation have all commenced.

### Notes—

- **Repeal**

The Act was repealed by Sch 4 of the [Statute Law \(Miscellaneous Provisions\) Act 2001 No 56](#) with effect from 17.7.2001.

### Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 17 July 2001

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# Industrial Relations Amendment (Council Swimming Centres) Act 2000 No 74



New South Wales

An Act to amend the *Industrial Relations Act 1996* with respect to persons engaged to manage or supervise swimming activities at swimming centres under the care and control of local councils.

## 1 Name of Act

This Act is the *Industrial Relations Amendment (Council Swimming Centres) Act 2000*.

## 2 Commencement

This Act commences on a day to be appointed by proclamation.

## 3 Amendment of *Industrial Relations Act 1996 No 17*

The *Industrial Relations Act 1996* is amended as set out in Schedule 1.

## Schedule 1 Amendments

(Section 3)

### [1] Schedule 1 Persons deemed to be employees

Omit clause 1 (j). Insert instead:

#### (j) Council swimming centre manager or supervisor

Any person (other than an excluded person) who performs the work of managing or supervising swimming activities at a swimming centre under the care and control of a local council pursuant to a contract with the local council. (In such a case, the local council is taken to be the employer).

### [2] Schedule 1

Insert after clause 2 (1):

(1A) For the purposes of clause 1 (j):

- (a) **excluded person** means:
- (i) a bona fide contractor employing labour for the purpose of performing the work referred to in clause 1 (j), or
  - (ii) a person who performs that work as a partner in a bona fide partnership (whether or not employing labour for the purpose), or
  - (iii) an employee of any such contractor or partnership.
- (b) **contract** includes any lease, licence or arrangement.
- (c) **swimming centre** means any public facility used predominantly for the purpose of swimming.
- (d) a swimming centre does not cease to be under the care and control of a local council or councils because it is managed on behalf of the council or councils by a committee appointed by the council or councils under the [Local Government Act 1993](#).