



New South Wales

# Industrial Relations Further Amendment (Jurisdiction of Industrial Relations Commission) Act 2009 No 87

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New South Wales

# **Industrial Relations Further Amendment (Jurisdiction of Industrial Relations Commission) Act 2009 No 87**

Act No 87, 2009

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An Act to amend the *Industrial Relations Act 1996* to make further provision with respect to the jurisdiction of the Industrial Relations Commission when constituted by Commissioners; and to amend other related legislation by way of statute law revision. [Assented to 19 November 2009]

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**The Legislature of New South Wales enacts:**

**1 Name of Act**

This Act is the *Industrial Relations Further Amendment (Jurisdiction of Industrial Relations Commission) Act 2009*.

**2 Commencement**

- (1) This Act commences on a day to be appointed by proclamation, except as provided by subsection (2).
- (2) An amendment made by Schedule 2 to a provision of the *Industrial Relations Amendment (Jurisdiction of Industrial Relations Commission) Act 2009* commences immediately before the commencement of the provision.

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## **Schedule 1      Amendment of Industrial Relations Act 1996 No 17**

**[1]      Section 153 Jurisdiction of Commission in Court Session**

Insert “379 or” after “section” in section 153 (1) (g).

**[2]      Section 364 Definitions**

Insert after paragraph (a) of the definition of *industrial court* in section 364 (1):

- (a1) in the case of proceedings under section 379 (Small claims procedure)—a Commissioner who is an Australian lawyer (in addition to the Commission in Court Session and the Local Court referred to in paragraph (c)), or

## **Schedule 2      Amendment of Industrial Relations Amendment (Jurisdiction of Industrial Relations Commission) Act 2009 No 32**

- [1]    **Schedules 1 and 2 (except Schedule 2.2 [1] and 2.14 [1])**  
Omit “a Local Court” wherever occurring. Insert instead “the Local Court”.
- [2]    **Schedule 1 [12]**  
Omit “dealing with those proceedings” from proposed section 371 (4).
- [3]    **Schedule 1 [14]**  
Omit “court” wherever occurring in proposed section 380 (5A).  
Insert instead “Court”.
- [4]    **Schedule 2.2 [1] and 2.14 [1]**  
Omit “a Local Court constituted by a Magistrate sitting alone” wherever occurring.  
Insert instead “the Local Court”.
- [5]    **Schedule 2.7 and 2.11 [3]**  
Insert “a Local Court” before “constituted” wherever occurring.
- [6]    **Schedule 2.7 and 2.11 [3]**  
Insert “the Local Court” before “sitting” wherever occurring.
- [7]    **Schedule 2.10**  
Omit “a local court”. Insert instead “the Local Court”.
- [8]    **Schedule 2.14 [4]**  
Omit “constituted by a Magistrate sitting alone”.  
Insert instead “the Local Court”.

Industrial Relations Further Amendment (Jurisdiction of Industrial Relations Commission) Act 2009 No 87

Amendment of Industrial Relations Amendment (Jurisdiction of Industrial Relations Commission) Act 2009 No 32

Schedule 2

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**[9] Schedule 2.14 [4]**

Insert “the Local Court” before “sitting at a designated place”.

[Agreement in principle speech made in Legislative Assembly on 25 September 2009  
Second reading speech made in Legislative Council on 11 November 2009]

BY AUTHORITY