

Industrial Relations Amendment Regulation (No. 1) 2015

Explanatory notes for SL 2015 No. 113

made under the

Industrial Relations Act 1999

General Outline

Short Title

Industrial Relations Amendment Regulation (No. 1) 2015

Authorising law

Section 692 of the *Industrial Relations Act 1999* (IR Act).

Section 145I of the *Industrial Relations Regulation 2011* (IR Regulation).

Policy objectives and the reasons for them

The objective of the *Industrial Relations Amendment Regulation (No. 1) 2015* (Amendment Regulation) is to amend the *Industrial Relations Regulation 2011* (IR Regulation) to revoke a declaration that the Queensland Training Assets Management Authority (QTAMA) is not a national system employer.

The IR Act provides that a regulation may declare an employer otherwise covered by the *Fair Work Act 2009* (Cwlth) not to be a national system employer for the purposes of the Commonwealth Act. The IR Act also provides that a regulation may revoke such a declaration.

Achievement of policy objectives

On 1 July 2014, QTAMA was established as a statutory body under the *Queensland Training Assets Management Authority Act 2014*, to manage the State's vocational and education training assets in accordance with commercial principles. The *Industrial Relations and Another Regulation Amendment Regulation (No. 1) 2014* declared QTAMA not to be a national system employer for the purposes of the Commonwealth Act (i.e. it remained under Queensland's industrial relations jurisdiction).

The *Queensland Training Assets Management Authority Repeal Act 2015* (Repeal Act) commenced by proclamation on 14 August 2015. The Repeal Act abolishes QTAMA and transfers its assets and liabilities to the Department of Education and Training. Therefore, the Amendment Regulation provides for the revocation of the declaration that QTAMA is not a national system employer.

Consistency with policy objectives of authorising law

The Amendment Regulation is consistent with the policy objectives of the Act. The principal object of the Act is to provide a framework for industrial relations that supports economic prosperity and social justice.

Inconsistency with policy objectives of other legislation

The Amendment Regulation is not inconsistent with the policy objectives of any other legislation.

Benefits and costs of implementation

The Amendment Regulation removes a provision of the IR Regulation that is now unnecessary as the agency to which it refers has been abolished. There are no costs associated with the Amendment Regulation.

Consistency with fundamental legislative principles

The Amendment Regulation is consistent with fundamental legislative principles.

Consultation

The Office of Best Practice Regulation (OBPR), the Department of the Premier and Cabinet and the Department of Education and Training were consulted on the Amendment Regulation. All parties consulted agreed with the proposed action. OBPR advised that the amendments were exempted from Regulatory Impact Statement requirements.