

# **Proclamation – Industrial Relations Act 2016**

Explanatory notes for SL 2017 No. 24

made under the

*Industrial Relations Act 2016*

## **General Outline**

### **Short title**

Proclamation commencing the *Industrial Relations Act 2016*

### **Authorising law**

Section 2 of the *Industrial Relations Act 2016*.

### **Policy objectives and the reasons for them**

Section 2 of the *Industrial Relations Act 2016* provides for the commencement of provisions of that Act that did not commence on assent, to commence on a day to be fixed by proclamation.

The purpose of the *Industrial Relations Act 2016* is to repeal the existing *Industrial Relations Act 1999* and replace it with new industrial relations legislation. The policy objective of matters contained in the *Industrial Relations Act 2016* are provided for in the Explanatory Notes accompanying that *Industrial Relations Bill 2016*. The policy objective of this Proclamation is to commence the provisions that did not commence on assent of the *Industrial Relations Act 2016*.

In addition to creating new industrial relations legislation, the *Industrial Relations Act 2016* amends the following Acts: the *Public Service Act 2008*; the *Anti-Discrimination Act 1991*; the *Holidays Act 1983*; the *Hospital and Health Boards Act 2011*; the *Magistrates Courts Act 1921*; the *Ombudsman Act 2001*; the *Public Guardian Act 2014*; and the *Workers' Compensation and Rehabilitation Act 2003*. The *Industrial Relations Act 2016* also makes minor and consequential amendments to other Acts identified in schedule 6 of the *Industrial Relations Act 2016*.

The majority of provisions, in the *Industrial Relations Act 2016* will commence on proclamation. The provisions that commenced on assent were certain amendments to the *Public Service Act 2008*. These were amendments to formally recognise the transfer of the public service appeals functions to the Queensland Industrial Relations Commission (QIRC) and the role of QIRC members to hear and decide public service

appeals. Other amendments to the *Public Service Act 2008* and all other provisions in the *Industrial Relations Act 2016* will commence on proclamation.

## **Achievement of policy objectives**

The policy objectives of the Proclamation of the *Industrial Relations Act 2016* will be achieved by commencement of these provisions.

## **Consistency with policy objectives of authorising law**

The Proclamation is consistent with the objectives of the *Industrial Relations Act 2016*.

## **Inconsistency with policy objectives of other legislation**

The Proclamation is not inconsistent with any policy objectives of other legislation.

## **Benefits and costs of implementation**

As indicated in the Explanatory Notes that accompanied the Industrial Relations Bill 2016, with the exception of the costs involved in making Easter Sunday a public holiday, the costs of implementing the *Industrial Relations Act 2016* are not expected to be significant to Government and will be accommodated within existing budget allocations.

Costs associated with making Easter Sunday a public holiday were identified in the Explanatory Notes accompanying the Industrial Relations Bill 2016.

## **Consistency with fundamental legislative principles**

Issues in relation to the *Industrial Relations Act 2016* which may infringe fundamental legislative principles were raised in the Explanatory Notes accompanying the Industrial Relations Bill 2016. The Proclamation raises no issues with regard to fundamental legislative principles.

## **Consultation**

Extensive consultation occurred with all relevant stakeholders in the preparation of the *Industrial Relations Act 2016* and prior to its passage. This consultation included the anticipated date of Proclamation. Further consultation in relation to the making of the Proclamation with the Queensland Council of Unions, Together Queensland, the Australian Workers' Union and the Local Government Association Queensland has been conducted. No party has objected.