

House of Assembly

As passed all stages and awaiting assent.

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South Australia

Fair Work (Miscellaneous) Amendment Bill 2015

A BILL FOR

An Act to amend the *Fair Work Act 1994*.

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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Fair Work (Miscellaneous) Amendment Act 2015*.

2—Commencement

This Act will come into operation on a day to be fixed by proclamation.

3—Amendment provisions

In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

Part 2—Amendment of *Fair Work Act 1994*

4—Amendment of section 4—Interpretation

- (1) Section 4(1), definition of *Employee Ombudsman*—delete the definition
- (2) Section 4(1), definition of *peak entity*, (d)—delete paragraph (d)

5—Amendment of section 7—Industrial authorities

- (1) Section 7(1)(d)—delete paragraph (d)
- (2) Section 7(5)—delete "Employee Ombudsman and the"

6—Amendment of section 39—Constitution of Full Commission

Section 39(3)—delete "one or more Commissioners" and substitute:
such number of Commissioners (if any) as directed by the President

7—Repeal of Chapter 2 Part 6 Division 1

Chapter 2 Part 6 Division 1—delete Division 1

8—Amendment of section 64—Who are inspectors

Section 64(1)(a)—delete paragraph (a)

9—Amendment of section 75—Who may make enterprise agreement

- (1) Section 75(5)—delete "the Employee Ombudsman or"
- (2) Section 75(6)—delete subsection (6)
- (3) Section 75(8)—delete subsection (8)

10—Amendment of section 76—Negotiation of enterprise agreement

Section 76(2)—delete "the Employee Ombudsman,"

11—Amendment of section 79—Approval of enterprise agreement

- (1) Section 79(1)(a)(ii)—delete "the Employee Ombudsman,"
- (2) Section 79(8)—delete subsection (8)

12—Amendment of section 80—Extent to which aspects of negotiations and terms of the agreement are to be kept confidential

Section 80(4)—delete "(but an order under this subsection cannot prevent disclosure of the agreement to the Employee Ombudsman)"

13—Amendment of section 150—Proceedings to be in public

Section 150(3)—delete "the Employee Ombudsman,"

14—Amendment of section 153—Intervention

Section 153(3)—delete "or the Employee Ombudsman"

15—Amendment of section 219—Confidentiality

Section 219(2)(b)—delete ", the Commission or the Employee Ombudsman" and substitute:

or the Commission

16—Amendment of section 223—Discrimination against employee for taking part in industrial proceedings etc

Section 223(1)(e)—delete paragraph (e)

17—Transitional provision

The person holding office as the Employee Ombudsman will cease to do so on the commencement of this section.