

South Australia

# Statutes Amendment (Industrial Relations Portfolio) Act 2024

An Act to amend the *Fair Work Act 1994*, the *Public Holidays Act 2023* and the *Work Health and Safety Act 2012*.

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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 *Statutes Amendment (Industrial Relations Portfolio) Act 2024*.

### 2—Commencement

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

## Part 2—Amendment of *Fair Work Act 1994*

### 3—Amendment of section 4—Interpretation

Section 4(1), definition of *Fair Work Australia*—delete the definition and substitute:

*Fair Work Commission* means the Fair Work Commission established under the Commonwealth Act (or an industrial authority that takes the place of the Fair Work Commission under Commonwealth law);

### 4—Amendment of section 92—Retrospectivity

Section 92(2)(c)—delete "Fair Work Australia" and substitute:

the Fair Work Commission

### 5—Amendment of section 100—Adoption of principles affecting determination of remuneration and working conditions

Section 100(1)—delete "Fair Work Australia" and substitute:

the Fair Work Commission

## Part 3—Amendment of *Public Holidays Act 2023*

### 6—Amendment of section 3—Days fixed as public holidays

(1) Section 3(1)(a)—after "1 January" insert:

*(New Year's Day)*

(2) Section 3(1)(b)—after "26 January" insert:

*(Australia Day)*

(3) Section 3(1)(c)—after "March" insert:

*(Adelaide Cup Day)*

(4) Section 3(1)(d) to (g)—delete paragraphs (d) to (g) (inclusive) and substitute:

(d) the Friday publicly observed as Good Friday (*Good Friday*);

(e) the day after Good Friday (*Easter Saturday*);

(f) the Sunday following Good Friday (*Easter Sunday*);

(g) the Monday following Good Friday (*Easter Monday*);

(5) Section 3(1)(h)—after "25 April" insert:

*(ANZAC Day)*

(6) Section 3(1)(i)—after "June" insert:

(the *Sovereign's Birthday*)

(7) Section 3(1)(j)—after "October" insert:

*(Labour Day)*

- (8) Section 3(1)(k)—after "25 December" insert:  
*(Christmas Day)*
- (9) Section 3(1)(l)—after "26 December" insert:  
*(Proclamation Day holiday)*
- (10) Section 3(2)—delete "25 December or 1 January" and substitute:  
Christmas Day or New Year's Day
- (11) Section 3(3)—delete "26 December" and substitute:  
Proclamation Day holiday
- (12) Section 3(4)—delete "26 January" and substitute:  
Australia Day

#### **7—Amendment of section 4—Part-day public holidays**

- (1) Section 4(a)—after "24 December" insert:  
*(Christmas Eve)*
- (2) Section 4(b)—after "31 December" insert:  
*(New Year's Eve)*

### **Part 4—Amendment of *Work Health and Safety Act 2012***

#### **8—Amendment of section 117—Entry to inquire into suspected contraventions**

Section 117—delete "Executive Director" wherever occurring and substitute in each case:

regulator

#### **9—Amendment of section 277—Reviews**

Section 277(2)—delete "Executive Director" and substitute:

regulator