

South Australia

Fair Work (General) Variation Regulations 2009

under the *Fair Work Act 1994*

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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Fair Work (General) Variation Regulations 2009*.

2—Commencement

These regulations will come into operation on 1 January 2010.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Fair Work (General) Regulations 2009*

4—Insertion of regulation 12

After regulation 11 insert:

12—Continuity of industrial arrangements—National Industrial Relations System

- (1) Pursuant to clause 2(1)(b) of Schedule 2 of the Act, the following modifications are made to a federal industrial instrument within the operation of that Schedule (as it applies as an award or enterprise agreement under the Act):
 - (a) a reference to the *Workplace Relations Act 1996* of the Commonwealth or to the *Fair Work Act 2009* of the Commonwealth will be taken to be a reference to the *Fair Work Act 1994*;
 - (b) a reference to the Australian Industrial Relations Commission or to Fair Work Australia will be taken to be a reference to the Industrial Relations Commission of South Australia.
- (2) Pursuant to clause 3(1)(e) of Schedule 2A of the Act—
 - (a) the *Municipal Officers (SA) Award 1998* is excluded from the operation of subclause (1) of clause 3 of that Schedule; and
 - (b) the following modifications are made to a federal industrial instrument within the operation of that Schedule (as it applies as an award or enterprise agreement under the Act):
 - (i) a reference to the *Workplace Relations Act 1996* of the Commonwealth or to the *Fair Work Act 2009* of the Commonwealth will be taken to be a reference to the *Fair Work Act 1994*;
 - (ii) a reference to the Australian Industrial Relations Commission or to Fair Work Australia will be taken to be a reference to the Industrial Relations Commission of South Australia.

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor

with the advice and consent of the Executive Council
on 17 December 2009

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