

Queensland



*Industrial Relations Act 1999*

# **INDUSTRIAL COURT (INDUSTRIAL ORGANISATIONS) RULES 1990**

**Reprinted as in force on 9 November 1999  
(includes amendments up to SL No. 152 of 1999)**

**Reprint No. 1C**

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## Information about this reprint

This rule is reprinted as at 9 November 1999. The reprint shows the law as amended by all amendments that commenced on or before that day (Reprints Act 1992 s 5(c)).

The reprint includes a reference to the law by which each amendment was made—see list of legislation and list of annotations in endnotes.

This page is specific to this reprint. See previous reprints for information about earlier changes made under the Reprints Act 1992. A table of earlier reprints is included in the endnotes.

**Also see endnotes for information about—**

- **when provisions commenced**
- **editorial changes made in earlier reprints.**

# Queensland



## INDUSTRIAL COURT (INDUSTRIAL ORGANISATIONS) RULES 1990

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## **INDUSTRIAL COURT (INDUSTRIAL ORGANISATIONS) RULES 1990**

[as amended by all amendments that commenced on or before 9 November 1999]

### **PART 1—PRELIMINARY**

#### **Purpose**

**1.(1)** The general purpose of these rules is to provide an orderly and coherent method of approach in relation to the range of matters likely to be dealt with thereunder.

**(2)** In particular these rules aim to encourage the effective disposition of the business of the Court, Commission, Industrial Magistrates and registrar by ensuring that—

- (a) the tribunals and the parties to the proceedings are apprised of any contentious issues involved without undue technical requirements; and
- (b) the parties have addressed the issues between them; and
- (c) the tribunal is apprised of those issues without delay.

#### **Short title**

**2.** These rules may be cited as the *Industrial Court (Industrial Organisations) Rules 1990*.

#### **Application**

**3.** These rules shall apply to all proceedings before the Court, the Commission, Industrial Magistrates (subject to the *Justices Act 1886*, and the *Magistrates Courts Act 1921* where relevant), and the registrar.

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### **Continuance of proceedings and appointments**

4. Any proceeding or appointment lodged or commenced prior to the commencement of these rules shall continue and/or may be acted upon as if they were lodged under these rules, notwithstanding any differences in form and procedure and shall be taken as always to have been valid and effectual for all purposes.

### **Interpretation**

#### **Definitions**

5. In these rules—

“**agent**” includes a natural person, an incorporated body and an authorised representative of a partnership or business registered in Queensland duly appointed in accordance with these rules.

“**appellant**” means a party appealing from or against a decision and subsequent order or judgment and subsequent order and includes, where necessary, any person directed by the Court or Commission, to have the carriage of the appeal, or a proceeding arising out of the appeal.

“**applicant**” means a party or person claiming relief.

“**filed**” means filed in the Office of the Registrar. A document is filed when the relevant fee (if any) is paid and the registrar or authorised officer marks upon it the registrar’s stamp.

“**form**” means a form contained in Schedule 2 or an approved form in accordance with these rules.

“**month**”, in any judgment or order and in any document in any proceeding, means calendar month.

“**officer of the Court**” means any person who acts under the direction of the Court, Commission, Industrial Magistrate or registrar.

“**respondent**” means a party against whom relief is claimed, or named as respondent in a proceeding or matter.

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“**sealed**” means marked with the seal of the Court or Commission.

“**stamped**” means marked with the stamp of the registrar.

### **Meaning ascribed**

6. Words and phrases used in these rules other than those herein defined shall unless the contrary intention appears, have the same meaning as ascribed thereto in the Act.<sup>1</sup>

### **Reckoning of time**

7. In all cases in which a particular number of days is prescribed for doing any act or for any other purpose, the same shall be reckoned in accordance with the *Acts Interpretation Act 1954*.

## **PART 68—MATTERS RELATING TO THE REGISTRATION OF INDUSTRIAL ORGANISATIONS**

### **Application for registration as an industrial organisation by an association of employers**

343. An application for registration as an industrial organisation by an association of employers shall be in substantial compliance with form 47.

### **Application for registration as an industrial organisation by an association of employees**

344. An application for registration as an industrial organisation by an association of employees shall be in substantial compliance with form 48.

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<sup>1</sup> The Act referred to in the rules of court is the *Industrial Relations Act 1999*.

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**Notice of opposition to bracketing of registration of an industrial organisation**

**345.** A notice of opposition to bracketing of registration of an industrial organisation shall be in substantial compliance with form 7 and shall additionally contain the facts and reasons upon which the opposition is made.

**Objection to an application for registration as an industrial organisation**

**346.** A notice of opposition to an application for registration as an industrial organisation shall be in substantial compliance with form 7 and additionally shall comply with section 9 of the regulation.

**Certificate of registration**

**347.** A certificate of registration of an industrial organisation shall be on form 49.

**Application for cancellation of registration**

**348.** An application for cancellation of registration of an industrial organisation shall comply with section 46 of the regulation and be in substantial compliance with form 2.

**PART 69—RULES OF INDUSTRIAL  
ORGANISATIONS**

**Application for exemption from s 340(1) of the Act**

**349.(1)** An application for exemption from the requirement to provide for elections by secret postal ballot shall be in substantial compliance with form 2.

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(2) Additionally the application shall contain—

- (a) the particulars of proposed alterations of the rules to provide for the conduct of elections by a secret ballot other than a postal ballot, for elections of a kind referred to in section 340(1) of the Act; and
- (b) a statement that the proposed alterations of the rules are not contrary to the Act (other than section 340(1) of the Act) or to law; and
- (c) a statement that the proposed alterations of the rules have been duly decided upon according to the rules of the industrial organisation; and
- (d) details of how it is believed that the taking of a ballot under the proposed rules will be likely to result in a greater participation by the members in the ballot than would result from a postal ballot; and
- (e) details of how it is believed that the taking of a ballot under the proposed rules will afford members entitled to vote with an adequate opportunity to voting without intimidation.

**Revocation of exemption issued under s 344(3) of the Act**

**350.** An application by an industrial organisation under section 344(6) of the Act to revoke an exemption from the requirement for postal ballots for elections to offices shall be in substantial compliance with form 2.

**Adoption of model rules under section 334 of the Act**

**Adoption of all model rules without modification**

**351.(1)** An application for adoption of all model rules without modification shall be in substantial compliance with form 2.

(2) Additionally the application shall—

- (a) have attached a resolution passed in accordance with the existing organisation's rules agreeing to such adoption; and

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- (b) have attached 2 copies of the rules with the relevant details inserted where applicable; and
- (c) be sealed with the common seal of the industrial organisation or be signed by 2 officers of the organisation who are authorised by the organisation to sign the application.

**Adoption of some model rules with or without modification**

**352.(1)** Adoption of some of the model rules with or without modification shall be in substantial compliance with form 2.

**(2)** Additionally the application shall—

- (a) have attached a resolution passed in accordance with the existing organisation's rules agreeing to such proposed rules; and
- (b) have attached 2 copies of the rules; and
- (c) include details of how the proposed rules differ from the model rules and details of where the model rules have been adopted without modification; and
- (d) include a statement that the proposed rules comply with the Act; and
- (e) include a statement that the existing rules of the industrial organisation have been complied with in making the new rules; and
- (f) be sealed with the common seal of the industrial organisation or be signed by 2 officers of the organisation who are authorised by the organisation to sign the application.

**Application for consent to the alteration of eligibility rules**

**353.(1)** An application for consent to the alteration of eligibility rules shall comply with section 345 of the Act and shall be in substantial compliance with form 2.

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(2) Additionally, the application shall—

- (a) have attached a resolution passed in accordance with the existing organisation's rules agreeing to such proposed rules; and
- (b) have attached a schedule divided into 3 columns containing—
  - (i) the present registered rule; and
  - (ii) an exact description of the alteration sought detailing the words or paragraphs to be deleted or inserted and including any consequential amendments (e.g. renumbering); and
  - (iii) such proposed new rule which incorporates the amendments detailed in column 2 and relates to the conditions of eligibility for membership and the description of industry (if any) in connection with which the organisation is registered; and
- (c) contain a description of the nature and effect of the alteration; and
- (d) include a statement that the proposed rules comply with the Act; and
- (e) include a statement that the existing rules of the industrial organisation have been complied with in making the new rules; and
- (f) be sealed with the common seal of the industrial organisation or be signed by 2 officers of the organisation who are authorised by the organisation to sign the application.

### **Objection to alteration of eligibility rules**

**354.** A notice of objection to an alteration of eligibility rules of an industrial organisation shall be in substantial compliance with form 7 and additionally shall comply with section 15 of the regulation.

### **Registration of rules**

**355.** Upon registration of the rules of an industrial organisation by the Industrial Registrar under section 346 of the Act, the registrar may supply the relevant organisation with a complete copy of the approved rules.

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### **Application for partial alteration of rules**

**356.(1)** Applications for partial alterations of an industrial organisation's rules, other than those specified in section 352 shall be in substantial compliance with form 2.

**(2)** Additionally the application shall—

- (a) have attached a resolution passed in accordance with the existing organisation's rules agreeing to such alterations; and
- (b) have attached a schedule divided into 3 columns containing—
  - (i) the present registered rule; and
  - (ii) an exact description of the alteration sought detailing the words or paragraphs to be deleted or inserted and including any consequential amendments (e.g. renumbering); and
  - (iii) the proposed new rule which incorporates the amendments detailed in column 2; and
- (c) include details of how the proposed rules differ from the model rules and details of where the model rules have been adopted without modification; and
- (d) include a statement that the proposed rules comply with the Act; and
- (e) include a statement that the existing rules of the industrial organisation have been complied with in making the new rules; and
- (f) be sealed with the common seal of the industrial organisation or be signed by 2 officers of the organisation who are authorised by the organisation to sign the application.

### **Copies of amended rules**

**357.** Upon registration of the amendments to the rules of an industrial organisation by the Industrial Registrar under section 346 of the Act, the registrar may supply the relevant organisation with a copy of the relevant amended pages to the approved rules.

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**Application for total replacement of an industrial organisation's rules**

**358.(1)** Applications for total replacement of an industrial organisation's rules, other than those specified in sections 351 and 352 shall be in substantial compliance with form 2.

**(2)** Additionally the application shall—

- (a) have attached a resolution passed in accordance with the existing organisation's rules agreeing to such replacement; and
- (b) have attached 2 copies of the proposed rules; and
- (c) include details of how the proposed rules differ from the model rules and details of where the model rules have been adopted without modification; and
- (d) include a statement that the proposed rules comply with the Act; and
- (e) include a statement that the existing rules of the industrial organisation have been complied with in making the new rules; and
- (f) be sealed with the common seal of the industrial organisation or be signed by 2 officers of the organisation who are authorised by the organisation to sign the application.

**Application for certificate that s 451(1) and (2) of the Act does not apply to industrial organisation**

**359.(1)** An application for a certificate under section 451(3) of the Act shall be by way of a letter signed by both the president and secretary of the relevant industrial organisation.

**(2)** Additionally, the letter shall contain—

- (a) details of the relevant rules; or
- (b) details of established practice not inconsistent with the rules, whereby the management and control of the assets of the organisation (including assets of the branches of the organisation) are vested in the committee of management, or details indicating where the committee of management has effective control over the financial management of the organisation; and

- (c) a statement that if section 451(1) and (2) of the Act did not apply in relation to the industrial organisation, it would be able to comply with the requirements of Part 14, Division 11 of the Act.

## **PART 70—INDUSTRIAL ORGANISATION AMALGAMATIONS**

### **Application for amalgamation ballot**

**360.** An application for approval for submission to ballot of an amalgamation shall be in substantial compliance with form 50.

### **Notice of objection to request for amalgamation ballot**

**361.** A notice of objection to an application for approval for submission to ballot of an amalgamation shall be in substantial compliance with form 7 and shall additionally comply with the requirements of sections 24 and 26 of the regulation.

### **Form of objection to exemption from amalgamation ballot**

**362.** An objection made under section 417(3) of the Act must be in form 55.

### **Form of amalgamation ballot papers**

### **No alternative proposal**

**363.** A ballot paper for a ballot on a proposed amalgamation where no alternative scheme is specified shall be in substantial compliance with form 51.

### **Alternative proposal**

**364.** A ballot paper for a ballot on a proposed amalgamation where a choice of schemes has been specified shall be in substantial compliance with form 52.

### **Application for inquiry into alleged irregularity**

**365.** An application for an inquiry into an alleged irregularity in connection with an amalgamation ballot shall be in substantial compliance with form 53.

## **PART 71—INDUSTRIAL ORGANISATIONS (GENERAL)**

### **Application to change callings**

**366.** An application to amend the registration of an industrial organisation in respect of the callings it represents shall—

- (a) be in substantial compliance with form 2; and
- (b) contain a description of the nature and effect of the alteration; and
- (c) have attached a resolution passed in accordance with the organisation's rules agreeing to such changes; and
- (d) include a statement that the existing rules of the industrial organisation have been complied with in making the changes.

### **Change of name under s 335 of the Act**

**367.(1)** All applications under section 335(2) of the Act shall be commenced in substantial compliance with form 2.

**(2)** Additionally the application should have attached a resolution passed in accordance with the organisation's rules agreeing to the change of name.

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### **Application for consent to change of name**

**368.(1)** An application for consent to the change of name of an industrial organisation shall comply with section 335 of the Act and shall be in substantial compliance with form 2.

**(2)** Additionally the application shall contain—

- (a) details of the nature and effect of the change; and
- (b) a statement that the proposed change was made in accordance with the rules of the organisation; and
- (c) a statement outlining the manner in which compliance with the rules of the organisation was attained; and
- (d) be sealed with the common seal of the industrial organisation or be signed by 2 officers of the organisation who are authorised by the organisation to sign the application.

### **Objection to change of name**

**369.** A notice of objection to a change of name of an industrial organisation shall be in substantial compliance with form 7 and additionally shall comply with section 15 of the regulation.

### **Application for election inquiry**

**370.** An application for an inquiry in respect of an election under section 367 of the Act, shall be in substantial compliance with form 54.

### **Conscientious objection to membership of industrial organisations**

**371.(1)** An application for exemption from membership of any industrial organisation of employees on the grounds of a person's conscientious beliefs shall be by way of a letter.

**(2)** Such letter shall contain—

- (a) the applicant's full name; and
- (b) the applicant's private address; and

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- (c) contact telephone numbers—both private and business; and
- (d) occupation; and
- (e) name and address of business or employer; and
- (f) grounds on which the application is made; and
- (g) whether the application is a renewal of a certificate issued within the previous 12 months; and
- (h) name of the industrial organisation covering the calling in which the applicant is, or is seeking to be, employed.

### **Certificate of exemption**

**372.** A certificate of exemption from membership of an industrial organisation shall be on form 44.

### **Returns and other statistical information required by the Court, Commission or registrar**

**373.(1)** The Court, Commission or registrar may require industrial organisations to file returns or other statistical information with the registrar.

**(2)** The requirement may be made in the way the Court, Commission or registrar considers appropriate.

### **Register of officers**

**374.** The copy of the register of officers required, under section 383 of the Act, to be filed with the Industrial Registrar, must be in form 46.

## SCHEDULE 1

### FEES IN THE COURT, COMMISSION OR REGISTRY

	section 33
	\$
<b>1. Industrial organisations—</b>	
(a) application for—	
(i) change of callings . . . . .	33.50
(ii) change of name . . . . .	33.50
(iii) exemption to conduct elections . . . . .	33.50
(iv) inquiry into disputed ballot for amalgamation . . . . .	33.50
(v) inquiry into disputed election . . . . .	33.50
(vi) amalgamation . . . . .	125.00
(vii) registration . . . . .	125.00
(viii) registration of—	
(A) new set of rules . . . . .	105.00
(B) partial alteration of rules . . . . .	51.00
(b) filing opposition or objection to an application for registration . . . . .	7.30

**SCHEDULE 2**  
**FORMS**

section 5 of the rules

Form 1  
BACKING SHEET FOR ALL MATTERS

APPLICATION No. OF 19

QUEENSLAND INDUSTRIAL COURT\*, QUEENSLAND INDUSTRIAL  
RELATIONS COMMISSION\*, QUEENSLAND INDUSTRIAL REGISTRAR\* Level  
14, Central Plaza 2, 66 Eagle Street (corner Creek and Elizabeth Streets), Brisbane,

*Industrial Relations Act 1990*

*[In succinct form—state object of process—include title of award/industrial  
agreement/certified agreement if relevant]*

TITLE OF MATTER

Filed by: *[Name of person filing and title of the corporation, industrial organisation,  
industrial association or other organisation]*

Contact name: *[Name of person conducting the matter—if different to the above]*

Address:

Phone:

Facsimile no:

Dx no:

NOTE: This address is the address for service of the above party.

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SCHEDULE 2 (continued)

Form 2
APPLICATION

QUEENSLAND INDUSTRIAL COURT\*
QUEENSLAND INDUSTRIAL RELATIONS COMMISSION\*
QUEENSLAND INDUSTRIAL REGISTRAR\*
INDUSTRIAL MAGISTRATES COURT HELD AT . . . . . \*
Industrial Relations Act 1990
(No. . . . . of 19 . . . . .)

APPLICATION

TO: The Industrial Registrar, Industrial Registrar's Office, Level 14, Central Plaza 2, 66 Eagle Street (corner Creek and Elizabeth Streets), Brisbane, and such other persons as the registrar may direct.\*

TO: The registrar of the Industrial Magistrates Court held at [insert address].\*

TAKE NOTICE THAT I . . . . .

[Name and address of applicant, agent or solicitor]

of . . . . .

[Name of firm—if applicable]

being authorised to represent . . . . .

[Name of person(s)/corporation(s)/industrial organisation(s)/industrial association(s)/organisation(s)/(etc.\*)]

1. Apply for . . . . .

[Briefly state object of application—Examples: new award, variation, interpretation, reinstatement, etc.]

to . . . . .

[State name of award/industrial agreement/certified agreement, (if applicable)—attach schedule if necessary] [Please underline name]

under . . . . .

[section/s of Act] and attach hereto as Schedule 1 to this application/herein make\* a full statement of my claim.

[Specify—

- (a) relief sought (i.e.: remedy or outcome sought by applicant); and
(b) concise statement of material facts relied upon to support the application; and
(c) the pertinent provisions of any legislation, award/industrial agreement/certified agreement said to be relevant. ([Only include for applications before the Court or involving contentious matters before the Commission or registrar].)

2.# Further I apply for directions as to the conduct of this application with respect to the following matters—

- (a) parties;
(b) service of documents;
(c) nature of hearing;
(d) place and time of hearing;
(e) such other matters as I may be advised.

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SCHEDULE 2 (continued)

Additionally, I make oath and swear as follows—

- 3. I am fully authorised in compliance with the Act and the rules of court to make this application.
- 4. The statement of material facts relied on to support this application is to the best of my knowledge, information and belief, true and correct.

.....  
[Signature of applicant]

.....  
[Title of office held]

Signed and sworn by the above-named deponent at .....  
this ..... day of ..... , 19 .....  
before me—

.....  
A justice of the peace/commissioner for declarations

NOTE 1: If there is no attendance before the Court/Commission/registrar\*, by the respondent or agent, counsel or solicitor at the time and place fixed by the registrar, the proceeding may be heard and the respondent will be liable to suffer judgment/decision\* or an order against such person in their absence.

\* Delete whichever is not applicable.

# Does not apply in the case of amended applications under Part 22 or appeals from Industrial Magistrates under Parts 56 and 59.

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SCHEDULE 2 (continued)

Form 6  
RESPONSE

QUEENSLAND INDUSTRIAL COURT\*  
QUEENSLAND INDUSTRIAL RELATIONS COMMISSION\*  
QUEENSLAND INDUSTRIAL REGISTRAR\*  
*Industrial Relations Act 1990*  
(No. .... of 19 . . . )  
RESPONSE AND/OR COUNTER PROPOSAL\*

TO: The Industrial Registrar, Industrial Registrar’s Office, Level 14, Central Plaza 2, 66 Eagle Street (corner Creek and Elizabeth Streets), Brisbane, and

TO: .....  
[Name and address of applicant, agent or solicitor]

TAKE NOTICE THAT I .....  
[Name and address of respondent]

of .....  
[Name of firm—if applicable]

being authorised to represent .....  
[Name of person(s)/corporation(s)/industrial organisation(s)/industrial association(s)/organisation(s)/etc.\*]

1. Have this day filed with the registrar a statement in response to the claims made by you in the above-numbered matter.
2. The particulars to the response are [give details in numbered paragraphs admitting or denying each claim made by the applicant—attach schedule if necessary] as follows—
  - (1) .....
  - (2) .....
  - (3) .....Etc.

AND/OR\*

3. I attach hereto as Schedule 1 to this response a counter proposal to your claim\*.

[Specify—

- (a) relief sought (i.e.: remedy or outcome sought by respondent); and
- (b) concise statement of facts relied upon to support the counter proposal; and
- (c) contentions justifying and supporting the relief sought including the pertinent provisions of any legislation, award, industrial agreement or certified agreement said to be relevant. (Only include for applications before the Court or involving contentious matters before the Commission or registrar.)]

Additionally, I make oath and swear as follows—

4. I am fully authorised in compliance with the Act and the rules of court to make this response.

Form 6 continues over page

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SCHEDULE 2 (continued)

5. The statement of material facts relied on to support this response is to the best of my knowledge, information and belief, true and correct.

.....  
[Signature of respondent]

.....  
[Title of office held]

Signed and sworn by the above-named deponent at .....  
this ..... day of ..... , 19 .....  
before me—

.....  
A justice of the peace/commissioner for declarations

\* Delete whichever is not applicable.

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SCHEDULE 2 (continued)

Form 31
GENERAL FORM OF AFFIDAVIT
QUEENSLAND INDUSTRIAL RELATIONS COMMISSION
Industrial Relations Act 1990
Affidavit

[Name of applicant]

AND

[Name of respondent]

(No. of 19)

[Title of award/agreement—if applicable]

I, A.B., of [state address], a [state occupation] (or we, A.B., of [state address], a [state occupation] and C.D., of [state address], a [state occupation], severally) make oath and say as follows—

(And I, the said A.B., for myself say—)

1. I am etc. [State the facts in consecutively numbered paragraphs]

(And I, the said C.D., for myself say—)

Deponent

Signed and sworn by the above-named deponent or by both (or all) of the abovenamed deponents at this day of 19 before me—

A justice of the peace/commissioner for declarations

Or

[Signature of A.B]

[Signature of C.D]

Signed and sworn by the above-named deponent A.B., at this day of , and by the above-named deponent C.D., at this day of , 19 before me—

A justice of the peace/commissioner for declarations

Or

[In the case of an illiterate or blind deponent],

[Signature/mark of A.B]

Sworn by the above-named deponent A.B., before me at this day of , and I certify that this affidavit was first read to the said A.B., in my presence, who seemed perfectly to understand the same, and who made this signature (or mark) before me—

A justice of the peace/commissioner for declarations

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SCHEDULE 2 (continued)

Form 32  
APPOINTMENT OF AGENT

QUEENSLAND INDUSTRIAL COURT\*  
QUEENSLAND INDUSTRIAL RELATIONS COMMISSION\*  
QUEENSLAND INDUSTRIAL REGISTRAR\*  
*Industrial Relations Act 1990 (s 105)  
Industrial Court Rules 1990 (s 9)*

Appointment of agent

INDUSTRIAL MAGISTRATES COURT HELD AT ..... \*

TO: The Industrial Registrar, Industrial Registrar's Office, Level 14, Central Plaza 2, 66 Eagle Street (corner Creek and Elizabeth Streets), Brisbane.\*

TO: The registrar of the Industrial Magistrates Court held at *[insert address]*.\*

TAKE NOTICE THAT .....  
*[Full name in block letters]*

of .....  
*[Title of corporation/industrial organisation/industrial association/organisation/etc.\*]*

.....  
*[Address]*  
is hereby authorised to make or sign any document, process or step and/or to appear and act for .....

*[Name of person/corporation/industrial organisation/industrial association/organisation/etc.\* for whom agent is appointed]*

of .....  
*[Address]*

as agent for the following matter/term\* .....  
*[Title and number of specific matter/time period/indefinite period]*

Dated at ..... this ..... day of ....., 19 .....

.....  
Signature of authorising party

\* Delete whichever is not applicable

*Industrial Court (Industrial Organisations)  
Rules 1990*

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SCHEDULE 2 (continued)

Form 34  
SUMMONS—GENERAL FORM

QUEENSLAND INDUSTRIAL COURT\*  
QUEENSLAND INDUSTRIAL RELATIONS COMMISSION\*  
QUEENSLAND INDUSTRIAL REGISTRAR\*  
*Industrial Relations Act 1990*

(No. . . . . of 19 . . . .)

SUMMONS

TO . . . . . of , . . . . .

IN THE MATTER OF . . . . .

You are hereby summoned to appear before the Queensland Industrial Court/the Queensland Industrial Relations Commission\* situated on the Level 14, Central Plaza 2, 66 Eagle Street (corner Creek and Elizabeth Streets), Brisbane, on the . . . . . day of . . . . ., 19 . . . . ., at . . . . . o'clock in the fore/after\* noon, or so soon thereafter as the Court/Commission\* may hear the summons upon the application of [*applicant*] in the matter of [*state nature of application*].

Dated at . . . . . this . . . . . day of . . . . ., 19 . . . . .  
[*Seal of the Court or Commission*]

. . . . .  
Signature of person issuing the summons

\*Delete whichever is not applicable

Industrial Court (Industrial Organisations)
Rules 1990

SCHEDULE 2 (continued)

Form 35
SUMMONS TO COMPULSORY CONFERENCE

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION\*

INDUSTRIAL MAGISTRATES COURT HELD AT ... \*
Industrial Relations Act 1990

(No. ... of 19 ... )

SUMMONS TO COMPULSORY CONFERENCE

TO: ... , ...
[Name] [Title]
of ... , ...
[Company etc.] [Address]

In the matter of a dispute between ... and ...

You are hereby summoned to attend at ... on the ... day of ... 19 ... at ... a.m./p.m.\* at a conference in the above matter, to be presided over by ... , a Commissioner of the Queensland Industrial Relations Commission/Industrial Magistrate\*.

Dated at ... this ... day of ... , 19 ...

[Seal of the Commission/stamp of Magistrate]\*

...
Industrial Registrar/Industrial Magistrate\*

(Note—Sections 321 and 564 of the Industrial Relations Act 1990, provides that any person summoned to a compulsory conference shall attend the conference and continue their attendance thereat as directed by such Commissioner/Industrial Magistrate\*, and in default shall be guilty of an offence, and shall be liable to a penalty not exceeding 40 penalty units)

\* Delete whichever is not applicable



*Industrial Court (Industrial Organisations)  
Rules 1990*

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SCHEDULE 2 (continued)

Form 37

NOTICE TO SHOW CAUSE UNDER SECTION 111(3) OF THE ACT

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION  
*Industrial Relations Act 1990 (s 111(3))*

TO: ..... of .....

IN THE MATTER OF .....

TAKE NOTICE THAT you are hereby called to show cause to the Full Industrial Court on the ..... day of ....., 19 ....., at ..... o'clock as to why you have failed to substantially comply with the order of the Queensland Industrial Relations Commission dated the ..... day of ....., 19 ....., and why you should not be dealt with under section 112 of the Act.

Dated at ..... this ..... day of ....., 19 .....

.....

Industrial Registrar

Industrial Court (Industrial Organisations)
Rules 1990

SCHEDULE 2 (continued)

Form 38
COMPLAINT

INDUSTRIAL MAGISTRATES COURT HELD AT ...
Industrial Relations Act 1990 (ss 74(a)(v), 543) \*
COMPLAINT AND SUMMONS ON AN APPLICATION FOR RECOVERY OF
WAGES ETC. DUE\*
COMPLAINT AND SUMMONS ON A CLAIM FOR DAMAGES FOR BREACH OF
AGREEMENT MADE UNDER AN AWARD/INDUSTRIAL
AGREEMENT/CERTIFIED AGREEMENT\*

In the Industrial Magistrates Court at ...
between ... complainant of ...
and ... defendant of ...
The complaint of ...
of ...
The above-named complainant [here state the subject matter, which should not allege
an offence]
Whereupon the said complainant applies to the Industrial Magistrate for an order
directing the said defendant to pay in full the amount payable, particulars of which
are hereto annexed.

[Signature of complainant]

[Signature of applicant]

[Title of office held]

Signed and sworn/made\* by the above-named complainant at ...
this ... day of ... , 19 ... before me—
A justice of the peace/commissioner for declarations

SUMMONS

To ... of ...
Whereas the above complaint has been sworn/made\* before me: You are hereby
commanded, in Her Majesty's name to appear before an Industrial Magistrate at the
Industrial Magistrates Court situated at ... ,
on the ... day of ... ,
19 ... , at ... o'clock in the fore/afternoon\* to answer the said complaint and to be
further dealt with according to law.

Given under my hand at ... , on the ... day of ... , 19 ...
A justice of the peace/commissioner for declarations

\* Delete whichever is not applicable

Industrial Court (Industrial Organisations)
Rules 1990

SCHEDULE 2 (continued)

OATH OF SERVICE

I, [full name], of [address], [occupation], do swear that on the ... day of ... 19 ... , I served the within named defendant with a copy of the within summons and copy of the complaint whereon the said summons was issued and particulars of claim, by—

- \*(a) delivering a copy thereof to the defendant ... personally;
\*(b) leaving a copy thereof with ... for the defendant, who could not be reasonably found, at ... being the defendant's place of residence\*/place of business last known to me\*/usual place of residence\*/usual place of business\*.
\*(c) leaving a copy thereof at the registered office of the company at ...
\*(d) certified mail/security post\* by so posting at ... a.m./p.m.\* on the above mentioned day, at the post office at ... a true copy of such summons addressed to the defendant at ... being the defendant's residence\*/place of business\* last known to the complainant, at least 21 days before the date on which the defendant is, by the summons, required to appear.

Deponent

Signed and sworn by the above-named deponent at ... in the State of ... this ... day of ... 19 ... before me—

A justice of the peace/commissioner for declarations

OATH BY COMPLAINANT

[To be completed when service is effected by paragraph (d) above]

I, [full name], the complainant, do swear that ... being the address to which the copy of the within summons was posted is the defendant's address last known to me by reason of information to my knowledge as the result of investigations—or [insert details]

Complainant

Signed and sworn by the above-named complainant at ... in the State of ... this ... day of ... 19 ... before me—

A justice of the peace/commissioner for declarations

\* Delete whichever is not applicable

*Industrial Court (Industrial Organisations)  
Rules 1990*

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SCHEDULE 2 (continued)

Form 44  
CERTIFICATE OF EXEMPTION

QUEENSLAND INDUSTRIAL REGISTRAR

INDUSTRIAL MAGISTRATES COURT HELD AT .....

*Industrial Relations Act 1990* (s 388)

CERTIFICATE OF EXEMPTION FROM MEMBERSHIP OF AN INDUSTRIAL  
ORGANISATION ON THE GROUNDS OF CONSCIENTIOUS BELIEFS

I, ....., the Industrial Registrar/an  
Industrial Magistrate\*, pursuant to section 388 of the Act of the *Industrial Relations  
Act 1990*, hereby certify that ..... is hereby  
exempted from membership of any industrial organisation of employees on the ground  
of his/her\* conscientious beliefs for a period of 12 months on and from the  
..... day of ....., 19 .....

Dated at ..... this ..... day of ....., 19 ....

.....  
Industrial Registrar/Industrial Magistrate\*

\* Delete whichever does not apply.

*Industrial Court (Industrial Organisations)  
Rules 1990*

SCHEDULE 2 (continued)

Form 46

REGISTER OF OFFICERS OF AN INDUSTRIAL ORGANISATION

QUEENSLAND INDUSTRIAL REGISTRAR

*Industrial Relations Act 1990 (s 383(2))*

REGISTER OF OFFICERS OF AN INDUSTRIAL ORGANISATION

TO: The Industrial Registrar, Industrial Registrar's Office, Level 14, Central Plaza 2, 66 Eagle Street (corner Creek and Elizabeth Streets), Brisbane.

Name of industrial organisations .....

Address .....

Telephone number .....

Facsimile number .....

Name of officer [ <i>in full</i> ]	Title of office*	Last date of election/declaration/appointment	Residential address
	President Vice-President Vice-President Treasurer Secretary Trustee Trustee Trustee Asst. Secretary Additionally, insert other positions of "office" as defined by the Act.		

I certify that the above is a full and true list of the officers of the above-named industrial organisation as at / /19 and that all such officers are over the age of 18 years.

Dated at ..... this ..... day of ....., 19 .....

.....  
Secretary

NOTE 1: To be filed current at 31 December in each year.

NOTE 2: To be filed within 30 days of any appointments or resignations of officers.

\* Delete whichever does not apply, or, insert as applicable.

*Industrial Court (Industrial Organisations)  
Rules 1990*

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SCHEDULE 2 (continued)

Form 47

APPLICATION FOR REGISTRATION AS AN INDUSTRIAL ORGANISATION OF  
EMPLOYERS

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

*Industrial Relations Act 1990 (s 328(2))*

*Industrial Relations Regulation 1990 (s 3)*

TO: The Industrial Registrar, Industrial Registrar's Office, Level 14, Central Plaza 2, 66 Eagle Street (corner Creek and Elizabeth Streets), Brisbane.

Application is hereby made by [*insert name, address of association*] pursuant to the Act for registration of [*insert name of proposed organisation*] as an industrial organisation of employers and we state as follows—

1. enclosed herewith is the required fee of \$ \_\_\_\_\_ ;
2. the office of the proposed organisation is situated at [*insert address of the office of the organisation*];
3. that the association meets the criteria required by section 329(2)(a) and (f) to (h) of the Act based on the following facts and particulars—[*set out in respect of each of the paragraphs the facts and particulars on which the association relies*];
4. that the association's members who are employers have in the aggregate, employed on an average taken per month [*number of employees*] employees throughout the period of the last 6 months;
5. if the number of employees listed in paragraph 4 is less than 1 000, details of special circumstances which justify the association's registration are—[*complete the details*];
6. that annexed hereto are—
  - (a) a list [*marked "A"*] showing the particulars of the name of each employer who is a member of the association and of the place or places in which each such employer carries on business;
  - (b) a list [*marked "B"*] showing the names of persons holding appointments as officers of the association—namely the president, secretary, members of the committee of management or executive committee, trustees (if any) and any other officers and their official designations;
  - (c) 2 copies of the association's rules including the eligibility rule [*each marked "C"*] which—are a total adoption of the model rules with such modifications as are necessary or are in compliance with the requirements of the Act in relation to rules for industrial organisations\*;
  - (d) a copy of a resolution [*marked "D"*] passed in accordance with the association's rules, by a majority of the employers who are members of the association [*or by other competent authority within the association*] in favour of registration of the association under the Act;
  - (e) a list [*marked "E"*] of the callings in which employees are employed by the members of the association who are employers;

*Form 47 continues over page*

*Industrial Court (Industrial Organisations)  
Rules 1990*

SCHEDULE 2 (continued)

- (f) a statement [*marked "F"*] showing the particulars of the control of the association's property and of the investment of its funds, as distinct from the property and funds of the member/members\* of the association.

*Additionally—*

- 7. that I [*name of president*], president and I [*name of secretary*], secretary of the applicant association, do solemnly and sincerely declare that—
  - (a) we are fully authorised by the association in compliance with the Act and the rules of court to make this application;
  - (b) that all the statements made in this application and the annexed documents are to the best of our knowledge, information or belief true and correct in every particular.

And we make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the *Oaths Act 1867*.

.....  
President

.....  
Secretary

Taken and declared before me at ..... this ..... day of ....., 19 . . . .  
.....

A justice of the peace/commissioner for declarations

\* Delete whichever does not apply.

(NOTE: All attachments are to be signed and dated by the president and secretary at the time they sign the application.)

*Certificate of Certifying Barrister*

I certify that the rules of ..... are in conformity with the provisions of the Act and that the purposes of the industrial organisation are lawful.

Dated at ..... this ..... day of ....., 19 . . . .

.....  
Certifying Barrister

*Industrial Court (Industrial Organisations)  
Rules 1990*

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SCHEDULE 2 (continued)

Form 48

APPLICATION FOR REGISTRATION AS AN INDUSTRIAL ORGANISATION OF  
EMPLOYEES

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

*Industrial Relations Act 1990 (s 328(3))*

*Industrial Relations Regulation 1990 (s 3)*

TO: The Industrial Registrar, Industrial Registrar's Office, Level 14, Central Plaza 2, 66 Eagle Street (corner Creek and Elizabeth Streets), Brisbane.

Application is hereby made by [*insert name, address of association*] pursuant to the Act for registration of [*insert name of proposed organisation*] as an industrial organisation of employees and we state as follows—

1. enclosed herewith is the required fee of \$ \_\_\_\_\_ ;
2. the office of the proposed organisation is situated at [*insert address of the office of the organisation*];
3. that the association meets the criteria required by section 329(2)(a) and (f) to (h) of the Act based on the following facts and particulars—[*set out in respect of each of the paragraphs the facts and particulars on which the association relies*];
4. that the association consists of [*number of members*] members who are employees;
5. if the number of members listed in paragraph 4 is less than 1 000, details of special circumstances which justify the association's registration are—[*complete the details*];
6. that the association is an industry-based association based on the industry of [*insert type of industry*];
7. if the association is not an industry-based association then the special circumstances which justify the association's registration are—[*complete the details*];
8. that annexed hereto are—
  - (a) a list [*marked "A"*] showing the names of the members of the association;
  - (b) a list [*marked "B"*] showing the names of the persons holding appointments as officers of the association—namely the president, secretary, members of the committee of management or executive committee, trustees (if any) and any other officers and their official designations;
  - (c) 2 copies of the association's rules, including eligibility rules, [*each marked "C"*] which—are a total adoption of the model rules with such modifications as are necessary/are in compliance with the requirements of the Act in relation to rules for industrial organisations\*;

*Form 48 continues over page*

Industrial Court (Industrial Organisations)
Rules 1990

SCHEDULE 2 (continued)

- (d) a copy of a resolution [marked "D"] passed in accordance with the association's rules, by a majority of the members present at a general meeting of the association [or by other competent authority within the association] in favour of registration of the association under the Act;
(e) a list [marked "E"] of the callings of the members of the association or to which the eligibility rules relate;
(f) a list [marked "F"] of the name(s) of the localities in which the members exercise their callings.

Additionally—

- 9. that I [name of president], president and I [name of secretary], secretary of the applicant association, do solemnly and sincerely declare that—
(a) we are fully authorised by the association in compliance with the Act and the rules of court to make this application;
(b) that all the statements made in this application and the annexed documents are to the best of our knowledge, information or belief true and correct in every particular.

And we make this solemn declaration conscientiously believing the same to be true and by virtue of the provisions of the Oaths Act 1867.

.....
President
.....
Secretary

Taken and declared before me at ..... this ..... day of ....., 19 ...

.....
A justice of the peace/commissioner for declarations

\* Delete whichever does not apply.
(NOTE: All attachments are to be signed and dated by the president and secretary at the time they sign the application.)

Certificate of Certifying Barrister

I certify that the rules of ..... are in conformity with the provisions of the Act and that the purposes of the industrial organisation are lawful.

Dated at ..... this ..... day of ....., 19 ...

.....
Certifying Barrister

*Industrial Court (Industrial Organisations)  
Rules 1990*

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SCHEDULE 2 (continued)

Form 49  
CERTIFICATE OF REGISTRATION

QUEENSLAND INDUSTRIAL REGISTRAR

*Industrial Relations Act 1990 (s 333(4))*

CERTIFICATE OF REGISTRATION AS AN INDUSTRIAL ORGANISATION

I, ..... , Industrial Registrar,  
pursuant to section 333(4) of the *Industrial Relations Act 1990*, hereby certify that  
on the ..... day of ..... 19.....,  
..... was registered by that name as an industrial organisation  
of employers/employees\* in the State.

Dated at ..... this ..... day of ....., 19.....  
.....

Industrial Registrar

\* Delete whichever does not apply

*Industrial Court (Industrial Organisations)  
Rules 1990*

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SCHEDULE 2 (continued)

Form 50

APPLICATION FOR APPROVAL TO PUT A REQUEST FOR AMALGAMATION  
TO BALLOT

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

*Industrial Relations Act 1990 (s 391)  
Industrial Relations Regulation 1990 (s 20)*

TO: The Industrial Registrar, Industrial Registrar's Office, Level 14, Central Plaza 2, 66 Eagle Street (corner Creek and Elizabeth Streets), Brisbane.

Application is hereby made by [*insert name of existing registered industrial organisation/s\**] and (*insert name of unregistered association seeking registration*)+ for approval to put a request for amalgamation to ballot.

We hereby state as follows—

1. [*Name of organisation*] is authorised to receive on behalf of the applicants, service of documents in connection with the proposed amalgamation. In the event of that organisation ceasing to be an applicant, then [*name of organisation*] is authorised to receive on behalf of the remaining applicants, service of such documents.
2. [*Name of existing organisation*] is to become the proposed amalgamated industrial organisation.+
3. The proposed deregistering industrial organisations\* shall be [*insert name/s*].+
4. It is proposed that the name [*insert name of industrial organisation*] shall be changed to [*insert proposed name of industrial organisation*].+
5. All members of the proposed deregistering industrial organisation/s\* are to become, upon the coming into force of the amalgamation, without payment of an entrance fee, members of the proposed amalgamated industrial organisation.
6. The following arrangements shall exist in relation to the property of the proposed deregistering industrial organisation/s\*—[*insert details as to the relevant arrangements*].
7. The following arrangements shall exist in relation to the liabilities of the proposed deregistering industrial organisation/s\*—[*insert details as to the relevant arrangements*].
8. It is proposed to alter the eligibility rules of [*insert name of industrial organisation*] to those attached [*marked "A"*].+
9. Attached hereto are 2 copies of proposed alterations to the existing rules of [*insert name of industrial organisation*] [*marked "B"*].+
10. There is no proposed alternative amalgamation/The proposed alternative amalgamation is as follows—[*insert details of any proposed alternative amalgamation to form part of this request*]\*
11. The particulars of the differences between the proposed principal amalgamation and each alternative amalgamation are as follows—[*insert details as to how they differ*].+

*Form 50 continues over page*

*Industrial Court (Industrial Organisations)  
Rules 1990*

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SCHEDULE 2 (continued)

12. The particulars of the differences between the rules attached as referred to in paragraphs 9 and 13(d) of this application as a result of differences between the proposed principal amalgamation and each proposed alternative amalgamation are as follows—*[insert details as to how they differ]*.+
13. Matters relating to an unregistered association seeking registration—
- (a) it is proposed that the association *[insert name and address of association]* seeking registration as *[insert name of proposed organisation]* of employer/employees\*, is to become the proposed amalgamated industrial organisation.

*Additionally*, attached hereto are—

- (b) a list *[marked “C”]* showing the names of the members of the association;
- (c) a list *[marked “D”]* showing the names of the persons holding appointments as officers of the association—namely the president, secretary, members of the committee of management or executive committee, trustees (if any) and any other officers and their official designations;
- (d) 2 copies of the association’s rules, including eligibility rules, *[each marked “E”]* which—are a total adoption of the model rules with such modifications as are necessary/are in compliance with the requirements of the Act in relation to rules for industrial organisations\*;
- (e) a copy of a resolution *[marked “F”]* passed in accordance with the association’s rules, by a majority of the members present at a general meeting of the association *[or by other competent authority within the association]* in favour of registration of the association under the Act;
- (f) a list *[marked “G”]* of the callings of the members of the association or to which the eligibility rules relate;
- (g) a list *[marked “H”]* of the name(s) of the localities within which the members exercise their callings.

*Additionally*—

14. That we, the undersigned do solemnly and sincerely declare that—
- (a) the committee of management of the respective industrial organisations (and associations)+ have passed a resolution approving the amalgamation (and all alternative amalgamations\*) listed in this application;
- (b) that any proposed alterations of rules of existing industrial organisations concerned in the amalgamation have been made under the rules of the industrial organisation;
- (c) we are officers of and are fully authorised in compliance with the Act and the rules of court to make this application on behalf of the respective industrial organisations (and associations)+;
- (d) that all the statements made in this application and the annexed documents are to the best of our knowledge, information or belief true and correct in every particular.

*Form 50 continues over page*

*Industrial Court (Industrial Organisations)  
Rules 1990*

SCHEDULE 2 (continued)

And we make this solemn declaration conscientiously believing the same to be true by virtue of the provisions of the *Oaths Act 1867*.

Signed .....	Signed .....
[ <i>Printed name</i> ] .....	[ <i>Printed name</i> ] .....
Designation .....	Designation .....
for and on behalf of .....	
[ <i>Name of industrial organisation/association</i> ]	
Taken and declared before me at .....	
..... day of ....., 19 .....	

.....  
A justice of the peace/commissioner for declarations

Signed .....	Signed .....
[ <i>Printed name</i> ] .....	[ <i>Printed name</i> ] .....
Designation .....	Designation .....
for and on behalf of .....	
[ <i>Name of industrial organisation/association</i> ]	
Taken and declared before me at .....	
..... day of ....., 19 .....	

.....  
A justice of the peace/commissioner for declarations

\* Delete whichever does not apply

+ Delete and/or complete as necessary

NOTE: All attachments must be signed by both signatories for the relevant industrial organisation/association\* at the time they sign the application.

*Certificate of Certifying Barrister*

I certify that the rules of ..... are in conformity with the provisions of the Act and that the purposes of the industrial organisation are lawful.

Dated at ..... this ..... day of ....., 19 .....

.....  
Certifying Barrister

*Industrial Court (Industrial Organisations)  
Rules 1990*

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SCHEDULE 2 (continued)

Form 51

BALLOT PAPER FOR AMALGAMATION—NO ALTERNATIVE PROVISION

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

*Industrial Relations Act 1990  
Industrial Relations Regulation 1990 (s 50)*

BALLOT OF MEMBERS OF

*[Initials, or facsimile of  
initials, of the person  
conducting the ballot]*

*[Name of organisation whose members are voting]*

BALLOT PAPER IN RESPECT OF PROPOSED  
AMALGAMATION

Directions to voter

1. Record your vote on the ballot paper as follows—
  - if you approve the amalgamation referred to in the question set out below, place a tick (“√”) or a cross (“X”) in the space provided opposite the word “YES”;
  - if you do not approve the amalgamation referred to in the question set out below, place a tick (“√”) or a cross (“X”) in the space provided opposite the word “NO”.
2. Do not place on this paper any mark or writing by which you may be identified.
3. Mark only ONE square.

QUESTION FOR VOTERS:

DO YOU APPROVE THE PROPOSED AMALGAMATION  
OF *[name of organisation whose members are voting]*  
WITH THE FOLLOWING ORGANISATION(S),  
NAMELY, *[name of organisation or each organisation with  
which amalgamation is proposed]*, IN ACCORDANCE  
WITH THE SCHEME FOR AMALGAMATION A COPY  
OF THE OUTLINE OF WHICH HAS BEEN SENT TO  
YOU WITH THIS BALLOT PAPER?

YES

NO

*Industrial Court (Industrial Organisations)  
Rules 1990*

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SCHEDULE 2 (continued)

Form 52

BALLOT PAPER FOR AMALGAMATION—ALTERNATIVE PROVISION

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION  
*Industrial Relations Regulation 1990 (s 50)*

BALLOT OF MEMBERS OF

*[Initials, or facsimile of  
initials, of the person  
conducting the ballot]*

*[Name of organisation whose members are voting]*

BALLOT PAPER IN RESPECT OF PROPOSED  
AMALGAMATION

Directions to voter

1. This paper contains [*number*] ballot papers. Record your vote on each ballot paper as follows—
  - if you approve the amalgamation referred to in the question set out in the ballot paper, place a tick (“√”) or a cross (“X”) in the space provided opposite the word “YES”;
  - if you do not approve the amalgamation referred to in the question set out in the ballot paper, place a tick (“√”) or a cross (“X”) in the space provided opposite the word “NO”.
2. Do not place on this paper any mark or writing by which you may be identified.
3. Mark only ONE square on each ballot paper.

QUESTION FOR VOTERS:

DO YOU APPROVE THE PROPOSED AMALGAMATION OF [*name of organisation whose members are voting*] WITH THE FOLLOWING ORGANISATION(S), NAMELY, [*name of organisation or each organisation with which amalgamation is proposed*], IN ACCORDANCE WITH THE SCHEME FOR AMALGAMATION A COPY OF THE OUTLINE OF WHICH HAS BEEN SENT TO YOU WITH THIS BALLOT PAPER?

YES

NO

QUESTION FOR VOTERS:

IF THE PROPOSED AMALGAMATION IN RESPECT OF WHICH YOU HAVE JUST RECORDED YOUR VOTE DOES NOT TAKE PLACE, DO YOU APPROVE THE AMALGAMATION OF [*name of organisation whose members are voting*] WITH THE OTHER ORGANISATION(S) CONCERNED IN THE AMALGAMATION WHOSE MEMBERS GIVE A SIMILAR APPROVAL?

YES

NO

Industrial Court (Industrial Organisations)
Rules 1990

SCHEDULE 2 (continued)

Form 53

INQUIRY INTO AMALGAMATION BALLOT IRREGULARITY

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION

Industrial Relations Act 1990 (s 422(1))

Industrial Relations Regulation 1990 (s 61)

APPLICATION FOR INQUIRY INTO AN AMALGAMATION BALLOT

TO: The Industrial Registrar, Industrial Registrar's Office, Level 14, Central Plaza 2, 66 Eagle Street (corner Creek and Elizabeth Streets), Brisbane.

TAKE NOTICE THAT I [Name and address of applicant]

being a member of [Name of organisation]

- (a) apply for an inquiry into the following irregularities that, I claim, have occurred in relation to the ballot specified in this application and attach as Schedule 1 to this application a full statement of my claim; and
(b) further apply for directions about the conduct of the application in relation to the following matters—
(i) parties;
(ii) service of documents;
(iii) nature of hearing;
(iv) place and time of hearing.

I make oath and swear that the statement of material facts relied on to support this application is to the best of my knowledge, information and belief, true and correct.

[Signature of applicant]

Signed and sworn by the deponent at this day of , 19 before me

A justice of the peace/commissioner for declarations

SCHEDULE 1

1. PARTICULARS OF BALLOT

Ballot of the members of [name of organisation] for the proposed amalgamation of that organisation with [name of organisation or each organisation with which amalgamation is proposed].

or

SCHEDULE 2 (continued)

Ballot of the members of [*name of organisation*] on the question whether, if the proposed amalgamation of that organisation with [*name of other organisation(s) concerned in the amalgamation*] does not take place, they approve the amalgamation of [*name of first mentioned organisation*] with the other organisation(s) concerned in the amalgamation whose members give an approval.

\*The ballot is uncompleted.

\*The ballot was completed on [*date*].

2. PARTICULARS OF CLAIMED IRREGULARITIES

[*Set out in numbered paragraphs particulars of claimed irregularity or irregularities*]

3. FACTS RELIED ON

[*Set out in numbered paragraphs the facts relied on in support of the application*]

\*Omit if inapplicable

Industrial Court (Industrial Organisations)
Rules 1990

SCHEDULE 2 (continued)

Form 54
APPLICATION FOR ELECTION INQUIRY

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION
Industrial Relations Act 1990 (s 367)

APPLICATION FOR INQUIRY INTO DISPUTED ELECTION IN AN INDUSTRIAL ORGANISATION

TO: The Industrial Registrar, Industrial Registrar's Office, Level 14, Central Plaza 2, 66 Eagle Street (corner Creek and Elizabeth Streets), Brisbane, and such other persons as the registrar may direct.

I, [insert full name of applicant] of [address] being a financial member/person who within the period of 12 months preceding the date hereof, has been a financial member\* of [insert name of industrial organisation], hereby make application for an inquiry by the Queensland Industrial Relations Commission into the irregularities which I allege have occurred in or in connection with the above referred election. Additionally, I solemnly and sincerely declare that—

PARTICULARS OF ELECTION

Name of industrial organisation and/or branch:
Office/s\* in respect of which election held—[insert title/s\* of position/s\*]
Has the result of the election been declared? [Answer "yes" or "no"]
If the result has been declared, the date of the declaration: [Date]

And,

PARTICULARS OF ALLEGED IRREGULARITIES

[Set out in numbered paragraphs particulars of the alleged irregularity or irregularities].

FACTS RELIED ON

[Set out in numbered paragraphs facts relied on in support of the application].
And I make this solemn declaration conscientiously believing the same to be true by virtue of the provisions of the Oaths Act 1867.

Signature of applicant

Taken and declared before me at . . . . . this . . . . . day of . . . . . , 19 . . . . .
A justice of the peace/commissioner for declarations

\* Delete whichever does not apply.

NOTE—This application must be made either before completion of the election or within 6 months following the declaration of the election.

Industrial Court (Industrial Organisations)
Rules 1990

SCHEDULE 2 (continued)

Form 55
OBJECTION TO EXEMPTION FROM BALLOT

QUEENSLAND INDUSTRIAL RELATIONS COMMISSION
Industrial Relations Act 1990 (s 417)

(No. . . . . of 19 . . . . .)

OBJECTION TO EXEMPTION FROM BALLOT—RECOGNITION OF FEDERAL
BALLOT

TO: The Industrial Registrar, Industrial Registrar’s Office, Level 14, Central
Plaza 2, 66 Eagle Street (corner Creek and Elizabeth Streets), Brisbane, and
TO: . . . . .
[name and contact address of proposed amalgamated organisation]

TAKE NOTICE THAT I . . . . .
[name of applicant]
of . . . . .
[address of applicant]
being a member of . . . . .
[name of industrial organisation]

- 1. Have this day filed with the registrar a statement of objection to the application
made by [names of industrial organisations proposing to amalgamate] in the
above numbered matter for an exemption for the requirement that a ballot of
members be held in relation to the amalgamation.
2. The ground of my objection is that the exemption would detrimentally affect
my interests in that—
[Specify— (a) each interest;
(b) particulars of each interest’s alleged detrimental effects;
(c) the facts and issues relied on in respect of each interest.]

Additionally, I make oath and swear as follows—

- 3. The statement of material facts relied on to support this objection is to the best
of my knowledge, information or belief true and correct.

[Signature of objector]

Signed and sworn by the above-named deponent at . . . . .
this . . . . . day of . . . . . 19 . . . . . before me . . . . .
A justice of the peace/commissioner for declarations

## ENDNOTES

### 1 Index to endnotes

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### 2 Date to which amendments incorporated

This is the reprint date mentioned in the Reprints Act 1992, section 5(c). Accordingly, this reprint includes all amendments that commenced operation on or before 9 November 1999. Future amendments of the Industrial Court (Industrial Organisations) Rules 1990 may be made in accordance with this reprint under the Reprints Act 1992, section 49.

*Industrial Court (Industrial Organisations)  
Rules 1990*

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### 3 Key

**Key to abbreviations in list of legislation and annotations**

AIA	=	Acts Interpretation Act 1954	prev	=	previous
amd	=	amended	(prev)	=	previously
amdt	=	amendment	proc	=	proclamation
ch	=	chapter	prov	=	provision
def	=	definition	pt	=	part
div	=	division	pubd	=	published
exp	=	expires/expired	R[X]	=	Reprint No.[X]
gaz	=	gazette	RA	=	Reprints Act 1992
hdg	=	heading	reloc	=	relocated
ins	=	inserted	renum	=	renumbered
lap	=	lapsed	rep	=	repealed
notfd	=	notified	s	=	section
o in c	=	order in council	sch	=	schedule
om	=	omitted	sdiv	=	subdivision
p	=	page	SIA	=	Statutory Instruments Act 1992
para	=	paragraph	SL	=	subordinate legislation
prec	=	preceding	sub	=	substituted
pres	=	present	unnum	=	unnumbered

### 4 Table of earlier reprints

TABLE OF EARLIER REPRINTS

[If a reprint number includes a roman letter, the reprint was released in unauthorised, electronic form only.]

Reprint No.	Amendments included	Reprint date
1	to SL No. 366 of 1994	24 February 1995
1A	to SL No. 146 of 1996	1 July 1996
1B	to SL No. 289 of 1997	3 October 1997

### 5 Tables in earlier reprints

TABLES IN EARLIER REPRINTS

Name of table	Reprint No.
Corrected minor errors	1
Obsolete and redundant provisions	1

## 6 List of legislation

### **Industrial Court (Industrial Organisations) Rules 1990 (prev Industrial Court Rules 1990)**

made by the President of the Industrial Court on 12 October 1990

pubd ind gaz 13 October 1990 pp 243–345

commenced on date of publication

SIA pts 5, 7 do not apply (see 1991 No. 68 s 118B(1) as ins 1998 No. 20 s 21)

**Note—(1)** Originally the Industrial Court (Industrial Organisations) Rules 1990 were in force under the repealed Industrial Relations Act 1990 and remained in force under the Workplace Relations Act 1997 (see 1997 No. 1 s 493(1)(b))

**(2)** On the repeal of the Workplace Relations Act 1997 (1999 SL No. 159) they will continue in force under the Industrial Relations Act 1999 (see 1999 No. 33 s 711(1)).

**(3)** The rules are to be read with the changes necessary to make it consistent with and adapt its operation to the Industrial Relations Act 1999 (see 1999 No. 33 s 711(2)).

as amended by—

#### **rules published industrial gazette—**

8 June 1991 p 161

commenced on 1 July 1991

4 June 1993 p 165

commenced on 1 July 1993

20 August 1993 pp 697–704

commenced on 1 September 1993

#### **Industrial Court Amendment Rules (No. 1) 1993 SL No. 431**

notfd gaz 26 November 1993 pp 1483–6

commenced on date of notification

#### **Industrial Court Amendment Rule (No. 1) 1994 SL No. 152**

notfd gaz 13 May 1994 pp 344–5

commenced on date of notification

#### **Industrial Court Amendment Rules (No. 2) 1994 SL No. 202**

notfd gaz 10 June 1994 pp 896–8

commenced 1 July 1994 (see s 2)

#### **Industrial Court Amendment Rule (No. 3) 1994 SL No. 366**

notfd gaz 14 October 1994 pp 651–3

commenced on date of notification

*Industrial Court (Industrial Organisations)  
Rules 1990*

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**Industrial Court Amendment Rules (No. 1) 1995 SL No. 191**

notfd gaz 16 June 1995 pp 1251–2  
 ss 1–2 commenced on date of notification  
 remaining provisions commenced 1 July 1995 (see s 2)

**Industrial Court Amendment Rules (No. 1) 1996 SL No. 146**

notfd gaz 21 June 1996 pp 1067–8  
 ss 1–2 commenced on date of notification  
 remaining provisions commenced 1 July 1996 (see s 2)

**Industrial Court Amendment Rule (No. 1) 1997 SL No. 197**

notfd gaz 27 June 1997 pp 1004–1010  
 ss 1–2 commenced on date of notification  
 remaining provisions commenced 1 July 1997 (see s 2)

**Industrial Court (Industrial Organisations) Amendment Rules (No. 1) 1997 SL No. 289**

notfd gaz 1 September 1997 pp 1–2  
 commenced on date of notification (see s 2)

**Industrial Court Legislation Amendment Rule (No. 1) 1999 SL No. 152 pts 1, 3**

notfd gaz 25 June 1999 pp 932–8  
 ss 1–2 commenced on date of notification  
 remaining provisions commenced 30 June 1999 (see s 2)

## 7 List of annotations

**This reprint has been renumbered—see table of renumbered provisions in endnote 8**

**Note**—All origin references were omitted by rule pubd gaz 20 August 1993 pp 697–704.

**Short title**

s 2 sub 1993 SL No. 431 s 3; 1997 SL No. 289 s 4

**Repeal**

s 1.4 om R1 (see RA s 40)

**Definitions**

s 5 def “**Oath**” and “**affidavit**” and “**swear**” om R1 (see RA s 39)  
 def “**The Act**” om R1 (see RA s 39)

**PART 2—REPRESENTATION**

pt hdg om 1997 SL No. 289 s 5

**Documents**

s 8 amd rule pubd ind gaz 20 August 1993 pp 697–704  
 om 1997 SL No. 289 s 5

**Appointment of agent**

hdg prec s 9 om 1997 SL No. 289 s 5

**Form 32**

s 9 om 1997 SL No. 289 s 5

**Exclusion**

s 10 om 1997 SL No. 289 s 5

**Continuing appointment**

s 11 om 1997 SL No. 289 s 5

**Specified matter, time or indefinitely**

s 12 om 1997 SL No. 289 s 5

**Signing of documents**

s 13 om 1997 SL No. 289 s 5

**Proceedings**

s 14 om 1997 SL No. 289 s 5

**Counsel or solicitor representation**

hdg prec s 15 om 1997 SL No. 289 s 5

**Prohibition**

s 15 om 1997 SL No. 289 s 5

**PART 3—FORMS AND MANNERS**

pt 3 (ss 16–21) om 1997 SL No. 289 s 5

**PART 4—FILING**

pt 4 (ss 22–31) om 1997 SL No. 289 s 5

**PART 5—FEES**

pt hdg om 1997 SL No. 289 s 5

**Collection**

s 32 om 1997 SL No. 289 s 5

**Table of fees**

s 33 om 1997 SL No. 289 s 5

**Fees in Industrial Magistrates Court**

s 34 amd rule pubd ind gaz 20 August 1993 pp 697–704  
om 1997 SL No. 289 s 5

**PART 6—PROCEDURE AND CONTENTS OF APPLICATIONS**

pt hdg om 1997 SL No. 289 s 5

**Commencement before the Court, Commission or registrar**

s 35 om 1997 SL No. 289 s 5

**Form 2**

s 36 om 1997 SL No. 289 s 5

**Prerogative writs**

s 37 om 1997 SL No. 289 s 5

*Industrial Court (Industrial Organisations)  
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**Offences before the Court**

s 38 om 1997 SL No. 289 s 5

**Contents of application**

s 39 om 1997 SL No. 289 s 5

**Nature of claim**

s 40 amd rule pubd ind gaz 20 August 1993 pp 697–704  
om 1997 SL No. 289 s 5

**Question for determination to be specified**

s 41 om 1997 SL No. 289 s 5

**Directions requests**

s 42 om 1997 SL No. 289 s 5

**Affidavit**

s 43 om 1997 SL No. 289 s 5

**Nature of affidavit**

s 44 amd rule pubd ind gaz 20 August 1993 pp 697–704  
om 1997 SL No. 289 s 5

**Other affidavits**

s 45 om 1997 SL No. 289 s 5

**Full Bench request**

s 46 om 1997 SL No. 289 s 5

**Note 1**

s 47 om 1997 SL No. 289 s 5

**PART 7—APPLICATIONS FOR INTERPRETATION**

pt hdg om 1997 SL No. 289 s 5

**Contents of application**

s 48 amd rule pubd ind gaz 20 August 1993 pp 697–704  
om 1997 SL No. 289 s 5

**PART 8—APPLICATIONS FOR REOPENINGS**

pt 8 (s 49) om 1997 SL No. 289 s 5

**PART 9—APPLICATIONS TO VARY OR VOID CONTRACTS**

pt hdg om 1997 SL No. 289 s 5

**Contents of application**

s 50 amd rule pubd ind gaz 20 August 1993 pp 697–704  
om 1997 SL No. 289 s 5

**PART 10—APPLICATIONS TO COMPEL COMPLIANCE WITH AN AWARD,  
INDUSTRIAL AGREEMENT OR CERTIFIED AGREEMENT, OR TO  
RESTRAIN BREACHES OF THE ACT**

pt hdg sub rule pubd ind gaz 20 August 1993 pp 697–704  
om 1997 SL No. 289 s 5

*Industrial Court (Industrial Organisations)  
Rules 1990*

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**Form 2**

**s 51**      amd rule pubd ind gaz 20 August 1993 pp 697–704  
om 1997 SL No. 289 s 5

**Notice**

**s 52**      om 1997 SL No. 289 s 5

**Commencement by an industrial organisation**

**s 53**      om 1997 SL No. 289 s 5

**PART 11—APPLICATION FOR ORDER SETTING MINIMUM WAGE**

**pt hdg**    ins 1994 SL No. 152 s 3  
om 1997 SL No. 289 s 5

**Form of application**

**s 54**      ins 1994 SL No. 152 s 3  
om 1997 SL No. 289 s 5

**Affidavit to be filed with application**

**s 55**      ins 1994 SL No. 152 s 3  
om 1997 SL No. 289 s 5

**Notice of hearing**

**s 56**      ins 1994 SL No. 152 s 3  
om 1997 SL No. 289 s 5

**Publication of order**

**s 57**      ins 1994 SL No. 152 s 3  
om 1997 SL No. 289 s 5

**PART 12—APPLICATION FOR ORDER ENSURING EQUAL  
REMUNERATION FOR WORK OF EQUAL VALUE**

**pt hdg**    ins 1994 SL No. 152 s 3  
om 1997 SL No. 289 s 5

**Form of application**

**s 58**      ins 1994 SL No. 152 s 3  
om 1997 SL No. 289 s 5

**Affidavit to be filed with application**

**s 59**      ins 1994 SL No. 152 s 3  
om 1997 SL No. 289 s 5

**Notice of hearing**

**s 60**      ins 1994 SL No. 152 s 3  
om 1997 SL No. 289 s 5

**Publication of order**

**s 61**      ins 1994 SL No. 152 s 3  
om 1997 SL No. 289 s 5

**PART 13—APPLICATION FOR AMENDMENT OF AWARD TO GIVE EFFECT TO AGREEMENT NEGOTIATED UNDER ENTERPRISE FLEXIBILITY PROVISION**

**pt hdg** ins 1994 SL No. 152 s 3  
om 1997 SL No. 289 s 5

**Form of application**

**s 62** ins 1994 SL No. 152 s 3  
om 1997 SL No. 289 s 5

**Affidavit to be filed with application**

**s 63** ins 1994 SL No. 152 s 3  
om 1997 SL No. 289 s 5

**PART 14—APPLICATION FOR EMPLOYMENT TERMINATION ORDER CREATING RULES OF GENERAL APPLICATION**

**pt hdg** ins 1994 SL No. 152 s 3  
om 1997 SL No. 289 s 5

**Form of application**

**s 64** ins 1994 SL No. 152 s 3  
om 1997 SL No. 289 s 5

**Affidavit to be filed with application**

**s 65** ins 1994 SL No. 152 s 3  
om 1997 SL No. 289 s 5

**Notice of hearing**

**s 66** ins 1994 SL No. 152 s 3  
om 1997 SL No. 289 s 5

**Publication of order**

**s 67** ins 1994 SL No. 152 s 3  
om 1997 SL No. 289 s 5

**PART 15—APPLICATION FOR ORDER WHEN EMPLOYER DOES NOT CONSULT INDUSTRIAL ORGANISATION ABOUT PROPOSED DISMISSALS**

**pt hdg** ins 1994 SL No. 152 s 3  
om 1997 SL No. 289 s 5

**Form of application**

**s 68** ins 1994 SL No. 152 s 3  
om 1997 SL No. 289 s 5

**PART 16—APPLICATION FOR STAY OF DECISION ETC. PENDING APPEAL TO FULL BENCH**

**pt 16 (ss 69–70)** om 1997 SL No. 289 s 5

**PART 17—CARRIAGE OF PROCEEDINGS**

**pt 17 (ss 71–72)** om 1997 SL No. 289 s 5

**PART 18—DIRECTIONS ORDERS**

**pt hdg** om 1997 SL No. 289 s 5

**Issuing of directions orders**

s 73 om 1997 SL No. 289 s 5

**Contents of directions orders**

s 74 om 1997 SL No. 289 s 5

**Additional requirements**

s 75 amd rule pubd ind gaz 20 August 1993 pp 697–704  
om 1997 SL No. 289 s 5

**Draft directions order**

s 76 om 1997 SL No. 289 s 5

**Further directions**

s 77 om 1997 SL No. 289 s 5

**Hearing of parties**

s 78 om 1997 SL No. 289 s 5

**PART 19—SERVICE**

pt 19 (ss 79–91) om 1997 SL No. 289 s 5

**PART 20—APPLICATION FOR AND NOTICE OF HEARING**

pt 20 (ss 92–94) om 1997 SL No. 289 s 5

**PART 21—RESPONSE**

pt 21 (ss 95–99) om 1997 SL No. 289 s 5

**PART 22—AMENDMENTS**

pt 22 (ss 100–114) om 1997 SL No. 289 s 5

**PART 23—PRACTICES OF THE COURT, COMMISSION AND REGISTRY**

pt hdg om 1997 SL No. 289 s 5

**Sittings**

s 115 om 1997 SL No. 289 s 5

**Notice of sittings**

s 116 om 1997 SL No. 289 s 5

**Chambers**

s 117 om 1997 SL No. 289 s 5

**Recording devices**

s 118 om 1997 SL No. 289 s 5

**Vacations**

hdg prec s 119 sub rule pubd ind gaz 20 August 1993 pp 697–704  
om 1997 SL No. 289 s 5

**Court and Commission**

s 119 ins rule pubd ind gaz 20 August 1993 pp 697–704  
om 1997 SL No. 289 s 5

*Industrial Court (Industrial Organisations)  
Rules 1990*

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**Vacation business**

**s 120** ins rule pubd ind gaz 20 August 1993 pp 697–704  
om 1997 SL No. 289 s 5

**Practice notes**

**s 121** om 1997 SL No. 289 s 5

**Assignment**

**hdg prec s 122** om 1997 SL No. 289 s 5

**Court**

**s 122** om 1997 SL No. 289 s 5

**Commission**

**s 123** amd rule pubd ind gaz 20 August 1993 pp 697–704  
om 1997 SL No. 289 s 5

**Joinder**

**hdg prec s 124** om 1997 SL No. 289 s 5

**Where matters may be joined**

**s 124** amd rule pubd ind gaz 20 August 1993 pp 697–704  
om 1997 SL No. 289 s 5

**Re-allocation**

**s 125** prev s 18.8.2 (now s 125) renum as s 18.8.3 (now s 126) rule pubd ind gaz  
20 August 1993 pp 697–704  
pres s 18.8.2 (now s 125) ins rule pubd ind gaz 20 August 1993 pp  
697–704  
om 1997 SL No. 289 s 5

**Consent**

**s 126** prev s 18.8.3 (now s 126) renum as s 18.8.4 (now s 127) rule pubd ind gaz  
20 August 1993 pp 697–704  
pres s 18.8.3 (prev 18.8.2) (now s 126) amd rule pubd ind gaz 20 August  
1993 pp 697–704  
om 1997 SL No. 289 s 5

**Application**

**s 127** prev s 18.8.4 (now s 127) renum as 18.8.5 (now s 128) rule pubd ind gaz  
20 August 1993 pp 697–704  
pres 18.8.4 (prev s 18.8.3) (now s 127) renum rule pubd ind gaz 20 August  
1993 pp 697–704  
om 1997 SL No. 289 s 5

**Application to separate matters**

**s 128** pres 18.8.5 (prev s 18.8.4) (now s 128) renum rule pubd ind gaz 20 August  
1993 pp 697–704  
om 1997 SL No. 289 s 5

**Commission acting on own motion**

**s 129** om 1997 SL No. 289 s 5

*Industrial Court (Industrial Organisations)  
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**Extension or abridgment of time**

**s 130** om 1997 SL No. 289 s 5

**Seal**

**hdg prec s 131** om 1997 SL No. 289 s 5

**Court**

**s 131** om 1997 SL No. 289 s 5

**Commission**

**s 132** amd rule pubd ind gaz 20 August 1993 pp 697–704  
om 1997 SL No. 289 s 5

**Exhibits**

**s 133** om 1997 SL No. 289 s 5

**Inaccurate descriptions**

**hdg prec s 134** sub rule pubd ind gaz 20 August 1993 pp 697–704  
om 1997 SL No. 289 s 5

**Awards etc.**

**s 134** ins rule pubd ind gaz 20 August 1993 pp 697–704  
om 1997 SL No. 289 s 5

**Certified agreements**

**s 135** ins rule pubd ind gaz 20 August 1993 pp 697–704  
om 1997 SL No. 289 s 5

**Continuance of proceedings**

**s 136** om 1997 SL No. 289 s 5

**Reserved decision**

**s 137** om 1997 SL No. 289 s 5

**Publication of decisions etc.**

**s 138** amd rule pubd ind gaz 20 August 1993 pp 697–704  
om 1997 SL No. 289 s 5

**Powers and duties of officers of the Court and Commission**

**s 139** prev s 18.17 om 1993 SL No. 431 s 4  
pres s 18.17 (prev s 18.19) (now s 139) renum 1993 SL No. 431 s 5  
om 1997 SL No. 289 s 5

**Register of officers**

**s 18.18** om 1993 SL No. 431 s 4

**Powers and duties of officers of the Court and Commission**

**s 18.19** s 18.19 renum as s 18.17 (now s 139) 1993 SL No. 431 s 5

**PART 24—REGISTERING AN INDUSTRIAL AGREEMENT**

**pt hdg** om 1997 SL No. 289 s 5

**Record**

**s 140** om 1997 SL No. 289 s 5

*Industrial Court (Industrial Organisations)  
Rules 1990*

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**Form 8**

**s 141** amd rule pubd ind gaz 20 August 1993 pp 697–704  
om 1997 SL No. 289 s 5

**Accompanying letter**

**s 142** om 1997 SL No. 289 s 5

**Commission endorsement**

**s 143** amd rule pubd ind gaz 20 August 1993 pp 697–704  
om 1997 SL No. 289 s 5

**Publication**

**s 144** om 1997 SL No. 289 s 5

**PART 25—CONCURRENCE WITH AN INDUSTRIAL AGREEMENT**

**pt 25 (s 145)** om 1997 SL No. 289 s 5

**PART 26—RETIREMENT FROM INDUSTRIAL AGREEMENT**

**pt 26 (ss 146–147)** om 1997 SL No. 289 s 5

**PART 27—APPLICATION TO HAVE INDUSTRIAL AGREEMENT  
DECLARED A COMMON RULE**

**pt 27 (ss 148–151)** om 1997 SL No. 289 s 5

**PART 28—NEW OR REPLACEMENT CERTIFIED AGREEMENT**

**pt hdg** ins rule pubd ind gaz 20 August 1993 pp 697–704  
sub 1994 SL No. 152 s 4  
om 1997 SL No. 289 s 5

**Records**

**s 152** ins rule pubd ind gaz 20 August 1993 pp 697–704  
sub 1994 SL No. 152 s 4  
om 1997 SL No. 289 s 5

**Filing**

**s 153** ins rule pubd ind gaz 20 August 1993 pp 697–704  
sub 1994 SL No. 152 s 4  
om 1997 SL No. 289 s 5

**New agreements**

**s 154** ins 1994 SL No. 152 s 4  
om 1997 SL No. 289 s 5

**New certified agreements**

**s 22A.3.1** ins rule pubd ind gaz 20 August 1993 pp 697–704  
om 1994 SL No. 152 s 4

**Substituted certified agreements**

**s 22A.3.2** ins rule pubd ind gaz 20 August 1993 pp 697–704  
om 1994 SL No. 152 s 4

*Industrial Court (Industrial Organisations)  
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**Replacement agreements**

- s 155** ins rule pubd ind gaz 20 August 1993 pp 697–704  
sub 1994 SL No. 152 s 4  
om 1997 SL No. 289 s 5

**Affidavits**

- s 156** ins 1994 SL No. 152 s 4  
om 1997 SL No. 289 s 5

**Notice of hearing**

- s 157** ins 1994 SL No. 152 s 4  
om 1997 SL No. 289 s 5

**Commission's endorsement**

- s 158** ins 1994 SL No. 152 s 4  
om 1997 SL No. 289 s 5

**Publication of agreement**

- s 159** ins 1994 SL No. 152 s 4  
om 1997 SL No. 289 s 5

**Record of replacement of certified agreement**

- s 160** ins 1994 SL No. 152 s 4  
om 1997 SL No. 289 s 5

**PART 29—AMENDMENT OF A CERTIFIED AGREEMENT**

- pt hdg** ins rule pubd ind gaz 20 August 1993 pp 697–704  
sub 1994 SL No. 152 s 4  
om 1997 SL No. 289 s 5

**Form of application**

- s 161** ins rule pubd ind gaz 20 August 1993 pp 697–704  
sub 1994 SL No. 152 s 4  
om 1997 SL No. 289 s 5

**Amended certified agreement**

- s 162** ins rule pubd ind gaz 20 August 1993 pp 697–704  
sub 1994 SL No. 152 s 4  
om 1997 SL No. 289 s 5

**Notice of hearing**

- s 163** ins 1994 SL No. 152 s 4  
om 1997 SL No. 289 s 5

**Commission's endorsement**

- s 164** ins 1994 SL No. 152 s 4  
om 1997 SL No. 289 s 5

**Publication of agreement**

- s 165** ins 1994 SL No. 152 s 4  
om 1997 SL No. 289 s 5

*Industrial Court (Industrial Organisations)  
Rules 1990*

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**Records of amendment of certified agreement**

**s 166** ins 1994 SL No. 152 s 4  
om 1997 SL No. 289 s 5

**PART 30—EXTENSION OF CERTIFIED AGREEMENTS**

**pt hdg** ins rule pubd ind gaz 20 August 1993 pp 697–704  
sub 1994 SL No. 152 s 4  
om 1997 SL No. 289 s 5

**Form of application or notice**

**s 167** ins rule pubd ind gaz 20 August 1993 pp 697–704  
sub 1994 SL No. 152 s 4  
om 1997 SL No. 289 s 5

**Affidavit to be filed with application or notice**

**s 168** ins 1994 SL No. 152 s 4  
om 1997 SL No. 289 s 5

**Notice of hearing**

**s 169** ins 1994 SL No. 152 s 4  
om 1997 SL No. 289 s 5

**PART 31—RETIREMENT FROM A CERTIFIED AGREEMENT**

**pt hdg** ins rule pubd ind gaz 20 August 1993 pp 697–704  
sub 1994 SL No. 152 s 4  
om 1997 SL No. 289 s 5

**Form of notice**

**s 170** ins rule pubd ind gaz 20 August 1993 pp 697–704  
sub 1994 SL No. 152 s 4  
om 1997 SL No. 289 s 5

**Copy of notice**

**s 171** ins 1994 SL No. 152 s 4  
om 1997 SL No. 289 s 5

**PART 32—WITHDRAWAL FROM CERTIFIED AGREEMENT**

**pt hdg** ins 1994 SL No. 152 s 4  
om 1997 SL No. 289 s 5

**Form of notice**

**s 172** ins 1994 SL No. 152 s 4  
om 1997 SL No. 289 s 5

**Affidavit to be filed with notice**

**s 173** ins 1994 SL No. 152 s 4  
om 1997 SL No. 289 s 5

**Copy of notice**

**s 174** ins 1994 SL No. 152 s 4  
om 1997 SL No. 289 s 5

*Industrial Court (Industrial Organisations)  
Rules 1990*

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**PART 33—WITHDRAWAL FROM CERTIFIED AGREEMENT BY PARTY  
AFFECTED BY INDUSTRIAL ACTION**

**pt hdg** ins 1994 SL No. 152 s 4  
om 1997 SL No. 289 s 5

**Form of application**

**s 175** ins 1994 SL No. 152 s 4  
om 1997 SL No. 289 s 5

**Copy of notice**

**s 176** ins 1994 SL No. 152 s 4  
om 1997 SL No. 289 s 5

**Notice of hearing**

**s 177** ins 1994 SL No. 152 s 4  
om 1997 SL No. 289 s 5

**PART 34—TERMINATION OF A CERTIFIED AGREEMENT**

**pt hdg** ins 1994 SL No. 152 s 4  
om 1997 SL No. 289 s 5

**Form of application**

**s 178** ins 1994 SL No. 152 s 4  
om 1997 SL No. 289 s 5

**Affidavit to be filed with notice**

**s 179** ins 1994 SL No. 152 s 4  
om 1997 SL No. 289 s 5

**PART 35—AMENDMENT OR TERMINATION OF A CERTIFIED  
AGREEMENT BY A FULL BENCH**

**pt hdg** ins 1994 SL No. 152 s 4  
om 1997 SL No. 289 s 5

**Form of application**

**s 180** ins 1994 SL No. 152 s 4  
om 1997 SL No. 289 s 5

**Copy of notice**

**s 181** ins 1994 SL No. 152 s 4  
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**s 182** ins 1994 SL No. 152 s 4  
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**PART 36—NOTICE OF INITIATION OF BARGAINING PERIOD**

**pt hdg** ins 1994 SL No. 152 s 4  
om 1997 SL No. 289 s 5

**Form of notice**

**s 183** ins 1994 SL No. 152 s 4  
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**Particulars**

**s 184** ins 1994 SL No. 152 s 4  
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**PART 37—NOTICE TO REGISTRAR OF AUTHORITY TO ENGAGE IN INDUSTRIAL ACTION**

**pt hdg** ins 1994 SL No. 152 s 4  
om 1997 SL No. 289 s 5

**Form of notice**

**s 185** ins 1994 SL No. 152 s 4  
om 1997 SL No. 289 s 5

**PART 38—APPLICATION TO SUSPEND OR TERMINATE BARGAINING PERIOD**

**pt hdg** ins 1994 SL No. 152 s 4  
om 1997 SL No. 289 s 5

**Form of application**

**s 186** ins 1994 SL No. 152 s 4  
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**PART 39—NEW OR REPLACEMENT ENTERPRISE FLEXIBILITY AGREEMENT**

**pt hdg** ins 1994 SL No. 152 s 4  
om 1997 SL No. 289 s 5

**Record of enterprise flexibility agreements**

**s 187** ins 1994 SL No. 152 s 4  
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**Filing**

**s 188** ins 1994 SL No. 152 s 4  
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**s 189** ins 1994 SL No. 152 s 4  
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**s 190** ins 1994 SL No. 152 s 4  
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**s 192** ins 1994 SL No. 152 s 4  
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**Commission's endorsement**

**s 193** ins 1994 SL No. 152 s 4  
om 1997 SL No. 289 s 5

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**Publication of agreement**

**s 194** ins 1994 SL No. 152 s 4  
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**Record of replacement of enterprise flexibility agreement**

**s 195** ins 1994 SL No. 152 s 4  
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**PART 40—AMENDMENT OF AN ENTERPRISE FLEXIBILITY AGREEMENT**

**pt hdg** ins 1994 SL No. 152 s 4  
om 1997 SL No. 289 s 5

**Form of application**

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**s 197** ins 1994 SL No. 152 s 4  
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**Record of amendment of enterprise flexibility agreement**

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**PART 41—APPLICATION FOR EXTENSION OF AN ENTERPRISE FLEXIBILITY AGREEMENT**

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**s 202** ins 1994 SL No. 152 s 4  
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**Affidavit to be filed with application**

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s 205 ins 1994 SL No. 152 s 4  
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**PART 42—RETIREMENT FROM AN ENTERPRISE FLEXIBILITY AGREEMENT**

pt hdg ins 1994 SL No. 152 s 4  
om 1997 SL No. 289 s 5

**Form of application**

s 206 ins 1994 SL No. 152 s 4  
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s 207 ins 1994 SL No. 152 s 4  
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**PART 43—WITHDRAWAL FROM AN ENTERPRISE FLEXIBILITY AGREEMENT**

pt hdg ins 1994 SL No. 152 s 4  
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s 208 ins 1994 SL No. 152 s 4  
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**PART 44—WITHDRAWAL FROM AN ENTERPRISE FLEXIBILITY AGREEMENT BY PARTY AFFECTED BY INDUSTRIAL ACTION**

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s 212 ins 1994 SL No. 152 s 4  
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s 213 ins 1994 SL No. 152 s 4  
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**Notice of hearing**

s 214 ins 1994 SL No. 152 s 4  
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**PART 45—TERMINATION OF AN ENTERPRISE FLEXIBILITY AGREEMENT**

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**s 215** ins 1994 SL No. 152 s 4  
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**Affidavit to be filed with notice**

**s 216** ins 1994 SL No. 152 s 4  
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**s 217** ins 1994 SL No. 152 s 4  
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**s 218** ins 1994 SL No. 152 s 4  
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**PART 46—AMENDMENT OR TERMINATION OF AN ENTERPRISE FLEXIBILITY AGREEMENT BY A FULL BENCH**

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**s 220** ins 1994 SL No. 152 s 4  
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**s 221** ins 1994 SL No. 152 s 4  
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**s 223** ins 1993 SL No. 366 s 3  
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**Confirmation in writing**

s 225 om 1997 SL No. 289 s 5

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s 226 amd rule pubd ind gaz 20 August 1993 pp 697–704  
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s 229 om 1997 SL No. 289 s 5

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pt hdg sub rule pubd ind gaz 20 August 1993 pp 697–704  
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s 230 sub rule pubd ind gaz 20 August 1993 pp 697–704  
om 1997 SL No. 289 s 5

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s 231 ins rule pubd ind gaz 20 August 1993 pp 697–704  
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**PART 50—MEDIATION CONFERENCES**

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