

Queensland



Subordinate Legislation 2000 No. 35

Electricity Act 1994

**ELECTRICITY AMENDMENT REGULATION
(No. 1) 2000**

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Short title

1. This regulation may be cited as the *Electricity Amendment Regulation (No. 1) 2000*.

Regulation amended

2. This regulation amends the *Electricity Regulation 1994*.

Amendment of s 4 (How purposes are to be achieved)

3. Section 4—

insert—

- ‘(i) providing for award conditions and entitlements of employment for State electricity entities and their electricity industry employees.’.

Replacement of ch 6, pt 1, hdg

4. Chapter 6, part 1, heading—

omit, insert—

**‘PART 1—GENERAL EMPLOYMENT CONDITIONS
AND ENTITLEMENTS*****‘Division 1—Preliminary*****‘Definitions for pt 1**

‘298G. In this part—

“EGTS award” means the Electricity Generation Transmission and Supply Award—State.

“electricity industry employee”, for a state electricity entity, means a person—

- (a) who is employed by the entity; and

(b) whose employment is—

- (i) in, or relates to, the electricity industry; and
- (ii) under a classification and salary level or point mentioned in the ESIE award or EGTS award.¹

“ESIE award” means the Electricity Supply Industry Employees Award—State.

“industrial instrument” means an industrial instrument under the Industrial Relations Act.

“relevant award” see section 298J.

“translation principles” means part 3.2 of the document called *Implementation Guide for Award Restructuring in the Queensland Electricity Supply Industry*, issued by the former Queensland Electricity Commission on 21 November 1994.²

‘Division 2—Award conditions and entitlements for electricity industry employees

‘Purpose of div 2

‘298H. This division provides for the conditions and entitlements of employment for State electricity entities and their electricity industry employees by reference to an award under the Industrial Relations Act.

‘Application of div 2 to Ergon Energy Pty Ltd

‘298I. This division does not apply to the State electricity entity Ergon Energy Pty Ltd (A.C.N. 078 875 902) and its electricity industry employees until 6 months after this section commences.

¹ See the ESIE award, part 3 (Definition, wages, allowances) and the EGTS award, part 3 (Definitions, salaries, allowances).

² *Implementation Guide for Award Restructuring in the Queensland Electricity Supply Industry*, part 3.2 (Translation principles). For where the principles may be inspected, see section 298N (State electricity entity must display translation principles).

‘Relevant award

‘**298J.(1)** This section fixes the award (the “**relevant award**”) that contains the conditions and entitlements for an electricity industry employee of a State electricity entity.

‘**(2)** If the employee has, under the translation principles, chosen to be bound by the ESIE award, the ESIE award is the relevant award.

‘**(3)** Otherwise, the EGTS award is the relevant award.

‘Relevant award is binding

‘**298K.** The relevant award for an electricity industry employee of a State electricity entity binds the entity and the employee.

‘Relevant award subject to Industrial Relations Act

‘**298L.** Subject to section 298M, the Industrial Relations Act applies to the relevant award for an electricity industry employee of a State electricity entity as if the relevant award were an award under that Act that binds the entity and the employee.³

*‘Division 3—Miscellaneous***‘Chapter 6 prevails over industrial instruments**

‘**298M.** If there is any inconsistency between this chapter and the relevant award or another industrial instrument that applies to electricity industry employees of State electricity entities, this chapter prevails to the extent of the inconsistency.

³ The Industrial Relations Act provides for the making, amendment and repeal of awards and for their relationship with other types of industrial instruments. Generally, see chapters 5 (Awards) and 6 (Agreements), and also section 165 (Certified agreement’s effect on awards, agreements or orders) of that Act.

‘State electricity entity must display translation principles

‘298N.(1) This section applies to a workplace where a relevant award has application.⁴

‘(2) A State electricity entity bound by the relevant award must display the translation principles in a conspicuous place at the workplace where they may easily be read by the entity’s electricity industry employees in the workplace.

‘(3) However, a contravention of this section is not an offence.’.

Amendment of sch 8 (Dictionary)**5. Schedule 8—**

insert—

‘“EGTS award”, for chapter 6, part 1, see section 298G.

“electricity industry employee”, for a State electricity entity, see section 298G.

“ESIE award”, for chapter 6, part 1, see section 298G.

“industrial instrument”, for chapter 6, part 1, see section 298G.

“Industrial Relations Act” means the *Industrial Relations Act 1999*.

“relevant award”, for chapter 6, part 1, see section 298J.

“translation principles”, for chapter 6, part 1, see section 298G.’.

ENDNOTES

1. Made by the Governor in Council on 9 March 2000.
2. Notified in the gazette on 10 March 2000.
3. Laid before the Legislative Assembly on . . .
4. The administering agency is the Department of Mines and Energy.

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⁴ See also the Industrial Relations Act, section 697 (Copy of award and certified agreement to be displayed).