



*Industrial Relations Act 2016*

# **Industrial Relations (Transitional) Regulation 2017**

**Current as at 1 March 2017**





Queensland

# Industrial Relations (Transitional) Regulation 2017

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# Industrial Relations (Transitional) Regulation 2017

## Part 1 Preliminary

### 1 Short title

This regulation may be cited as the *Industrial Relations (Transitional) Regulation 2017*.

### 2 Commencement

This regulation commences on 1 March 2017.

### 3 Declaration that regulation is a transitional regulation—Act, s 1085

This regulation is a transitional regulation.

*Note—*

Under section 1085(4) of the Act, this regulation expires 1 year after the day of the commencement of section 1085 of the Act.

### 4 Main purpose

The main purpose of this regulation is to provide for the continued operation of the *Industrial Relations Regulation 2011*, with particular changes necessary to enable its operation under the Act, for a transitional period after the repeal of the *Industrial Relations Act 1999*.



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**61 Continuation of old ss 847, 848 and 850**

- (1) This section applies in relation to a modern award to which new section 994 applies.
- (2) Old sections 847, 848 and 850 continue to apply to a certified agreement—
  - (a) that is a relevant certified agreement within the meaning of old section 839; and
  - (b) that is mentioned in new section 998(1); and
  - (c) for which the modern award is a prescribed modern award within the meaning of old section 847.
- (3) For subsection (2), old section 847(3) and (4) are taken to be replaced by the following subsections—
  - (3) On the variation day—
    - (a) the requirements under new section 169 for a proposed bargaining instrument are taken to have been satisfied; and
    - (b) the parties to the relevant certified agreement are taken to have started negotiating under new chapter 4.
  - (4) For subsection (3)(a), the proposed parties to the proposed bargaining instrument are—
    - (a) each party to the relevant certified agreement; and
    - (b) an employee organisation that could have been bound by the relevant certified agreement under old section 166(2).
- (4) Also—
  - (a) the reference in old section 848 to section 168 is taken to be a reference to new section 223; and
  - (b) in old section 850(1)(b), the words ‘an agreement is proposed under chapter 6’ are taken to be replaced with the words ‘negotiations have started under new chapter 4 for a proposed bargaining instrument’; and

[s 61]

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- (c) in old section 850(2)(a), the words ‘or make the proposed bargaining award’ are taken to appear after the words ‘proposed agreement’; and
  - (d) the reference in old section 850(2)(b) to section 150 is taken to be a reference to new section 180.
- (5) In this section—
- new*, in relation to a provision, means a provision of the Act.
- old*, in relation to a provision, means a provision of the repealed Act.



## 1 Index to endnotes

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## 2 Key

Key to abbreviations in list of legislation and annotations

Key	Explanation	Key	Explanation
<b>AIA</b>	= Acts Interpretation Act 1954	<b>(prev)</b>	= previously
<b>amd</b>	= amended	<b>proc</b>	= proclamation
<b>amd</b>	= amendment	<b>prov</b>	= provision
<b>t</b>			
<b>ch</b>	= chapter	<b>pt</b>	= part
<b>def</b>	= definition	<b>pubd</b>	= published
<b>div</b>	= division	<b>R[X]</b>	= Reprint No. [X]
<b>exp</b>	= expires/expired	<b>RA</b>	= Reprints Act 1992
<b>gaz</b>	= gazette	<b>reloc</b>	= relocated
<b>hdg</b>	= heading	<b>renu</b>	= renumbered
		<b>m</b>	
<b>ins</b>	= inserted	<b>rep</b>	= repealed
<b>lap</b>	= lapsed	<b>(retro</b>	= retrospectively
		<b>)</b>	
<b>notf</b>	= notified	<b>rv</b>	= revised version
<b>d</b>			
<b>num</b>	= numbered	<b>s</b>	= section
<b>o in</b>	= order in council	<b>sch</b>	= schedule
<b>c</b>			

<b>Key</b>	<b>Explanation</b>	<b>Key</b>	<b>Explanation</b>
<b>om</b>	= <b>omitted</b>	<b>sdiv</b>	= <b>subdivision</b>
<b>orig</b>	= <b>original</b>	<b>SIA</b>	= <b>Statutory Instruments Act 1992</b>
<b>p</b>	= <b>page</b>	<b>SIR</b>	= <b>Statutory Instruments Regulation 2012</b>
<b>para</b>	= <b>paragraph</b>	<b>SL</b>	= <b>subordinate legislation</b>
<b>prec</b>	= <b>preceding</b>	<b>sub</b>	= <b>substituted</b>
<b>pres</b>	= <b>present</b>	<b>unnu</b>	= <b>unnumbered</b>
		<b>m</b>	
<b>prev</b>	= <b>previous</b>		

### 3 Table of reprints

A new reprint of the legislation is prepared by the Office of the Queensland Parliamentary Counsel each time a change to the legislation takes effect.

The notes column for this reprint gives details of any discretionary editorial powers under the **Reprints Act 1992** used by the Office of the Queensland Parliamentary Counsel in preparing it. Section 5(c) and (d) of the Act are not mentioned as they contain mandatory requirements that all amendments be included and all necessary consequential amendments be incorporated, whether of punctuation, numbering or another kind. Further details of the use of any discretionary editorial power noted in the table can be obtained by contacting the Office of the Queensland Parliamentary Counsel by telephone on 3003 9601 or email [legislation.queries@oqpc.qld.gov.au](mailto:legislation.queries@oqpc.qld.gov.au).

From 29 January 2013, all Queensland reprints are dated and authorised by the Parliamentary Counsel. The previous numbering system and distinctions between printed and electronic reprints is not continued with the relevant details for historical reprints included in this table.

<b>Current as at</b>	<b>Amendments included</b>	<b>Notes</b>
1 March 2017	none	RA ss 7(1)(k), 40

## 4 List of legislation

### *Regulatory impact statements*

For subordinate legislation that has a regulatory impact statement, specific reference to the statement is included in this list.

### *Explanatory notes*

All subordinate legislation made on or after 1 January 2011 has an explanatory note. For subordinate legislation made before 1 January 2011 that has an explanatory note, specific reference to the note is included in this list.

### **Industrial Relations (Transitional) Regulation 2017 SL No. 25**

made by the Governor in Council on 23 February 2017

notfd <[www.legislation.qld.gov.au](http://www.legislation.qld.gov.au)> 24 February 2017

ss 1–2 commenced on date of notification

ss 3–4, pts 2–3 commenced 1 March 2017 (see s 2)

exp 1 March 2018 (2016 Act No. 63 s 1085(4))

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