



Industrial Relations Act 2016

Industrial Relations (Transitional) Regulation 2017

Current as at 1 March 2017

Reprint note

This is the last reprint before repeal. Repealed on 1 March 2018 by 2018 SL No. 19 s 149.

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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*.

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

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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.