

WESTERN AUSTRALIA
LEGISLATIVE COUNCIL
AMENDMENTS AND SCHEDULES
Supplementary Notice Paper No. 198
Issue No. 1
TUESDAY, 8 SEPTEMBER 2020

INDUSTRIAL RELATIONS LEGISLATION AMENDMENT BILL 2020
[198-2]

When in committee on the *Industrial Relations Legislation Amendment Bill 2020*
:

Clause 2

Hon Nick Goiran: To move –

1/2 Page 2, after line 8 — To insert:

(aa) section 63A — on the day after that day;

Hon Nick Goiran: To move –

2/2 Page 2, after line 10 — To insert:

(2) However —

- (a) if no day is fixed under subsection (1)(b) before the end of the period of 10 years beginning on the day on which this Act receives the Royal Assent, this Act is repealed on the day after that period ends; or
- (b) if paragraph (a) does not apply, and a provision of this Act does not come into operation before the end of the period of 10 years beginning on the day on which this Act receives the Royal Assent, the provision is repealed on the day after that period ends.

Clause 14

Hon Nick Goiran: To move –

3/14

Page 14, line 21 to page 15, line 22 — To delete the lines.

Clause 16

Hon Nick Goiran: To move –

4/16 Page 16, line 14 — To delete “, 37D(5)”.

Clause 22

Hon Nick Goiran: To move –

5/22 Page 24, lines 15 to 19 — To delete the lines.

Clause 23

Hon Nick Goiran: To move –

6/23 Page 25, lines 5 to 7 — To delete the lines and insert:

- (3) The Commission may make the order only if it is satisfied that —
 - (a) the owner or occupier of the habitation premises has had a chance to make representations to the Commission relating to the entry to the habitation premises; and
 - (b) the information sought by the authorised representative cannot be obtained in any manner other than entry to the habitation premises.

Clause 34

Hon Nick Goiran: To move –

7/34 Page 42, after line 27 — To insert:

- (3) The regulations may make a declaration only if the Minister is satisfied that the employer has consented to the declaration.

Clause 58

Hon Nick Goiran: To move –

8/58 Page 85, line 30 to page 86, line 3 — To delete the lines and insert:

proposed entry unless the Commission has made an order waiving the requirement under this subsection to give the notice.

Hon Nick Goiran: To move –

9/58 Page 86, lines 6 to 12 — To delete the lines and insert:

- (3C) The Commission may make the order only if it is satisfied that —
- (a) the owner or occupier of the industrial location or business premises has had a chance to make representations to the Commission relating to the entry to the location or premises; and
 - (b) the information sought by the industrial inspector cannot be obtained in any manner other than entry to the industrial location or business premises; and
 - (c) a notice under subsection (3A) would defeat the purpose for which the power in subsection (3)(a) is intended to be exercised.

Clause 63

Hon Nick Goiran: To move –

10/63 Page 90, line 19 — To delete “37D,”.

Hon Nick Goiran: To move –

11/63 Page 90, line 22 — To delete “37D,”.

New Clause 63A

Hon Nick Goiran: To move –

12/NC63A Page 90, after line 25 — To insert:

63A. Section 118 inserted

At the end of Part VII insert:

118. Review of Act

- (1) The Minister must review the operation and effectiveness of this Act, and prepare a report based on the review —
 - (a) as soon as practicable after the 5th anniversary of the day on which the *Industrial Relations Legislation Amendment Act 2020* section 63A comes into operation; and
 - (b) after that, at intervals of not more than 5 years.
- (2) The Minister must cause the report to be laid before each House of Parliament as soon as practicable after it is prepared, but not later than 12 months after the 5th anniversary or the expiry of the period of 5 years, as the case may be.
- (3) The Minister must transmit a copy of the report to the Clerk of a House of Parliament if —
 - (a) the report has been prepared; and
 - (b) the Minister is of the opinion that the House will not sit during the period of 21 days after the finalisation of the report.

- (4) A copy of the report transmitted to the Clerk of a House is taken to have been laid before that House.
- (5) The laying of a copy of a report that is taken to have occurred under subsection (4) must be recorded in the Minutes, or Votes and Proceedings, of the House on the first sitting day of the House after the receipt of the copy by the Clerk.

