

## **EXPLANATORY STATEMENT**

Issued by the authority of the Minister for Employment and Workplace Relations

*Workplace Relations Amendment (A Stronger Safety Net) Act 2007*

### **Proclamation**

Subsection 2(1) of the *Workplace Relations Amendment (A Stronger Safety Net) Act 2007* (the Act) provides that:

- Schedule 1 (which amends the *Workplace Relations Act 1996* (the WR Act) to introduce a fairness test that would apply to workplace agreements, and variations to workplace agreements, lodged on or after 7 May 2007 that modify or exclude protected award conditions of employees working in industries or occupations usually regulated by awards);
- Schedule 2 (which amends the WR Act to establish the Workplace Authority Director as a statutory office holder, appointed by the Governor-General, and create the Workplace Authority as a statutory agency);
- Schedule 3 (which amends the WR Act to establish the Workplace Ombudsman as a statutory office holder, appointed by the Governor-General, and create the Office of the Workplace Ombudsman as a statutory agency); and
- Schedule 5 (which amends the WR Act to remove the requirement that federally registered organisations must have a majority of members in the federal system in order to become registered, or remain registered, under Schedule 1 of the WR Act);

commence on a day to be fixed by Proclamation.

However if any of the provisions do not commence within the period of 6 months beginning on the day on which the Act receives Royal Assent, they commence on the first day after the end of that period. The Act received Royal Assent on or before 28 June 2007.

This Proclamation fixes 1 July 2007 as the day on which Schedules 1, 2, 3 and 5 to the Act commences.

Subclause 2(1) of the Act also provides that sections 1, 2 and 3, and Schedule 4 (which amends the WR Act and the Workplace Relations Regulations 2006 so that bargaining services fees and other objectionable provisions are prohibited content for the purposes of workplace agreements) and Schedule 6 (which makes minor technical amendments) commence on Royal Assent.

The Proclamation would be a legislative instrument for the purposes of the *Legislative Instruments Act 2003*.