2004-2005

The Parliament of the
Commonwealth of Australia

HOUSE OF REPRESENTATIVES

Presented and read a first time

Workplace Relations Amendment (Extended Prohibition of Compulsory Union Fees) Bill 2005

No. , 2005

(Employment and Workplace Relations)

A Bill for an Act to amend laws relating to workplace relations, and for related purposes

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A Bill for an Act to amend laws relating to workplace relations, and for related purposes

The Parliament of Australia enacts:

1 Short title

This Act may be cited as the *Workplace Relations Amendment (Extended Prohibition of Compulsory Union Fees) Act 2005*.

2 Commencement

(1) Each provision of this Act specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	**Column 2**	**Column 3**
Provision(s)	**Commencement**	**Date/Details**
1. Sections 1 to 3 and anything in this Act not elsewhere covered by this table	The day on which this Act receives the Royal Assent.	
2. Schedule 1	The day after this Act receives the Royal Assent.	

Note: This table relates only to the provisions of this Act as originally passed by the Parliament and assented to. It will not be expanded to deal with provisions inserted in this Act after assent.

(2) Column 3 of the table contains additional information that is not part of this Act. Information in this column may be added to or edited in any published version of this Act.

3 Schedule(s)

Each Act that is specified in a Schedule to this Act is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this Act has effect according to its terms.

Schedule 1—Extending the prohibition of compulsory union fees

Workplace Relations Act 1996

1 Subsection 298B(1) (definition of *bargaining services*)

Repeal the definition, substitute:

bargaining services means:

(a) services provided by (or on behalf of) an industrial association in relation to an agreement, or a proposed agreement, under Part VIB (including the negotiation, making, certification, operation, extension, variation or termination of the agreement); or

(b) services provided by (or on behalf of) an industrial association in relation to a State employment agreement, or a proposed State employment agreement (including the negotiation, making, certification, operation, extension, variation or termination of the agreement).

2 At the end of section 298Y

Add:

(3) A provision of a State employment agreement to which a constitutional corporation is a party is void to the extent that it requires payment of a bargaining services fee.

(4) In this section:

permits includes:

(a) purports to permit; and

(b) has the effect of permitting; and

(c) purports to have the effect of permitting.

requires includes:

(a) purports to require; and

(b) has the effect of requiring; and

(c) purports to have the effect of requiring.

3 Application

The amendment made by item 2 applies in relation to State employment agreements entered into on or after the commencement of the item.