2019

The Parliament of the
Commonwealth of Australia

THE SENATE

Fair Work (Registered Organisations) Amendment (Ensuring Integrity) Bill 2019

(Amendments to be moved by Senator Faruqi, on behalf of the Australian Greens, in committee of the whole)

AMENDMENTS TO GOVERNMENT AMENDMENTS [SHEET RC114]

(1) Amendment (9), item 11, paragraph 223(1)(a), omit “a designated finding within the meaning of paragraph 9C(1)(a) (criminal) is made”, substitute “2 or more designated findings within the meaning of paragraph 9C(1)(a) (criminal) are made”.

(2) Amendment (9), item 11, subparagraph 223(1)(b)(i), substitute:

   (i) 2 or more designated findings within the meaning of paragraph 9C(1)(b) (civil) have been made against any organisation within the last 7 years in relation to conduct engaged in while the person is an officer of the organisation; and

(3) Amendment (9), item 11, subparagraph 223(1)(b)(ii), omit “least 180 penalty units”, substitute “least 210 penalty units”.

(4) Amendment (11), item 11, paragraph 223(3A)(a), substitute:

   (a) 2 or more designated findings within the meaning of paragraph 9C(1)(b) (civil) have been made against any organisation within the last 7 years in relation to conduct engaged in while the person is an officer of the organisation; and

(5) Amendment (11), item 11, paragraph 223(3A)(b), omit “least 900 penalty units”, substitute “least 1,100 penalty units”.

(6) Amendment (11), item 11, after subsection 223(3A), insert:

   (3B) For the purposes of paragraph (3)(c) or (3A)(c), in determining whether a person failed to take reasonable steps to prevent the conduct mentioned in paragraph (3)(a) or (3A)(a), regard must be had to the office held by the person in the organisation when the conduct occurred.