Industrial Relations (Directions to Stop Industrial Action) Amendment Bill 1989
(Private Member’s Bill)

Date Introduced: 17 August 1989
House: House of Representatives
Presented by: Peter Reith, M.P.

Digest of Bill

Purpose
To allow the Industrial Relations Commission (the Commission) to issue
directions to stop industrial action and to issue injunctions to prevent the
breach of such directions.

Background
Refer to the Digest for the Industrial Relations (Directions to Stop

Main Provisions
Clause 3 will insert a new section 187 into the Industrial Relations Act
1988 (the Principal Act). Where industrial action is occurring, is threatening
or probable in relation to an industrial dispute for which the Commonwealth has
power, the Court may issue such directions as necessary to prevent or stop the
action. The direction may include to not engage in conduct that prevents the
observance of an award, the performance of work in accordance with an award or
the offering of work in accordance with an award.

Where the court is satisfied that a person will breach a direction, aid or
procure such a breach, or knowingly be concerned in such a breach, the court may
grant an injunction to direct the person not to perform those actions (proposed
section 187B).

Proposed section 187C provides that where a person has suffered loss as a
result of a breach of a direction issued under proposed section 187A, they may
recover the losses from the party that caused them by a breach of the direction.

Nothing in this Bill is to be taken to reduce a persons existing rights
(proposed section 187D).