

96B. Certain requirements relating to membership of organizations to have no effect

- (1) An award, industrial agreement or order under this Act, or any arrangement between persons relating to employment must not —
 - (a) require a person —
 - (i) to become or remain a member of an organization;
 - (ii) to cease to be a member of an organization;
 - (iii) not to become a member of an organization; or
 - (iv) to treat another person less favourably or more favourably according to whether or not that other person is, or will become or cease to be, a member of an organization;
 - or
 - (b) confer on any person by reason of that person's membership or non-membership of an organization any right to preferential employment or to be given preference in any aspect of employment.
- (2) The prohibition in subsection (1) extends to awards, industrial agreements, orders and arrangements that are in force at the commencement of section 28 of the *Industrial Relations Amendment Act 1993*¹.
- (3) A requirement that is contrary to this section is of no effect.

[Section 96B inserted by No. 15 of 1993 s.28.]