
INDUSTRIAL RELATIONS

IR301*

Industrial Relations Act 1979

**Industrial Relations Commission Amendment
Regulations (No. 2) 2009**

Made by the Chief Commissioner of the Western Australian Industrial Relations Commission after consulting the members of the Commission.

1. Citation

These regulations are the *Industrial Relations Commission Amendment Regulations (No. 2) 2009*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on the day after that day.

3. Regulations amended

These regulations amend the *Industrial Relations Commission Regulations 2005*.

4. Regulation 101 amended

- (1) Delete regulation 101(1) and (2) and insert:

- (1) An appeal to the Commission made under the *Vocational Education and Training Act 1996* section 60F(8) or 60G(4) or under regulations made under section 60(f)(ii) of that Act may be commenced by lodging in the office of the Registrar a notice of appeal in the form of Form 9A.
- (2) The notice of appeal must be lodged within 14 days from the date of the decision against which the appeal is brought or such longer period as the Commission may allow.

- (3A) The Registrar is to —
 - (a) serve a copy of the notice of appeal on each of the parties, other than the appellant; and
 - (b) forward the notice of appeal to the Chief Commissioner for allocation, together with proof of service under paragraph (a).
- (3B) The appeal is not to be listed for hearing until subregulation (3A) has been complied with.
- (3C) An appeal against a decision does not stay the operation of the decision unless the Commission orders otherwise.

(2) Delete regulation 101(5) and insert:

- (5) On determination of the appeal the Registrar is to notify the parties to the appeal of the Commission’s decision.

Note: The heading to amended regulation 101 is to read:

Appeal under Vocational Education and Training Act 1996

5. Schedule 1 amended

After Schedule 1 Form 8 insert:

Form 9A — Notice of appeal under Vocational Education and Training Act 1996

[r. 101(1)]

Industrial Relations Act 1979

In the Western Australian Industrial Relations Commission

No. of 20.....

Notice of appeal under Vocational Education and Training Act 1996

To:
.....
(name, address and telephone number of respondent/s)

TAKE NOTICE THAT
.....
(name, address and telephone number of appellant/s)

has this day instituted an appeal to the Commission against the decision given on the day of 20.....
by the chief executive officer of the department principally assisting the Minister to administer the *Vocational Education and Training Act 1996*
or

.....
(state title of person who gave decision)

in respect of—

.....
.....

(state briefly the subject matter of the decision)

on the ground/s set out in the attached schedule.

.....
(signature of appellant/s)

This form must be completed by the appellant, sealed and, where necessary, sealed by him or her and a statement of the grounds of appeal must be attached.

(Stamp of Commission)

A. R. BEECH, Chief Commissioner,
Western Australian Industrial Relations Commission.

Date: 11 June 2009.