
PRODUCTIVITY AND LABOUR

PB301

INDUSTRIAL RELATIONS ACT 1979**INDUSTRIAL RELATIONS (GENERAL) REGULATIONS 1997**

Made by the Governor in Executive Council.

PART 1 — PRELIMINARY**Citation**

1. These regulations may be cited as the *Industrial Relations (General) Regulations 1997*.

Commencement

2. These regulations come into operation on the day on which section 34 of the *Labour Relations Legislation Amendment Act 1997* comes into operation.

PART 2 — TIME AND WAGES RECORDS**Interpretation**

3. In this Part —

“**time and wages records**” means those records that an employer is required to keep or cause to be kept under an award, order or industrial agreement, and which detail the performance by the parties of their obligations under the award, order or industrial agreement.

Form of records

4. (1) An employer is to ensure that the time and wages records of the employer are kept —

- (a) by —
 - (i) making entries in the English language in or on a separate page of a bound or loose-leaf book kept specifically for that purpose; or
 - (ii) recording or storing the particulars required to be entered in the time and wages records by means of a mechanical, electronic or other device, but so that the particulars so recorded or stored will remain in the form in which they were originally recorded or stored and will be capable of being reproduced in written form in the English language;
- (b) with only one employee's records appearing on any one page;
- (c) so that the record for each pay period of each employee is identifiable; and
- (d) in a manner that enables compliance with the relevant award, order or industrial agreement to be readily ascertained.

- (2) A person is not to alter time and wages records unless the alteration is annotated so as to identify —

- (a) the nature of the alteration;

- (b) the person making the alteration; and
- (c) the date on which the alteration was made.

Penalty: \$40.

Extracts of records

5. (1) A representative of an organization may, within 48 hours of that representative requiring, and being refused, access to time and wages records, notify the Industrial Inspector, in a form approved by the chief executive officer, of —

- (a) the refusal;
- (b) the name of any member in respect of whom an extract of the records is required;
- (c) the employer or former employer of the member; and
- (d) the period of employment in respect of which an extract of the records is required.

(2) A notice under subregulation (1) is to include a declaration by the representative of the organization that —

- (a) the representative is authorized under the rules of the organization to inspect the time and wages records; and
- (b) any person specified in the notice as a member of the organization is, to the best of the representative's knowledge, information and belief, a financial member under the rules of the organization at the time the declaration is made.

(3) If a representative of an organization gives notice to an Industrial Inspector in accordance with subregulation (1), the Industrial Inspector is to give to the relevant organization extracts from the time and wages records produced to the Industrial Inspector of all the information in respect of a member, and the period, specified by the representative in the notice.

(4) An extract from time and wages records is to be made —

- (a) where practicable, by photocopying the relevant portions of the original records;
- (b) if it is not practicable to comply with paragraph (a) or where to do so would include information in respect of a person who is not a member of the relevant organization, by extracting the relevant matters and reproducing them in the same form; or
- (c) if it is not practicable to comply with paragraph (a) or (b), by extracting the information and reproducing the relevant matters.

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.