Western Australia

Industrial Relations Act 1979

Industrial Relations Commission Amendment Regulations (No. 3) 2025

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Industrial Relations Commission Amendment Regulations (No. 3) 2025

Made by the Chief Commissioner of The Western Australian Industrial Relations Commission.

1. Citation

These regulations are the *Industrial Relations Commission Amendment Regulations (No. 3) 2025*.

2. Commencement

These regulations come into operation as follows —

(a) regulations 1 and 2 — on the day on which these regulations are published on the WA legislation website;

(b) the rest of the regulations — on the day on which the *Industrial Relations Legislation Amendment Act 2024* section 99 comes into operation.

3. Regulations amended

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

4. Regulation 20 amended

Delete regulation 20(6).

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5. Regulation 34 amended

(1) Delete regulation 34(2) and insert:

(2) The Commission may, of its own motion or on an application by a party to proceedings, do any of the following by way of a telephone or video conference link-up —

(a) deal with applications;

(b) hold conferences;

(c) conduct a hearing.

(2) After regulation 34(5) insert:

(6) The Commission may limit oral arguments or decline to take oral submissions when written submissions have been filed.

6. Regulation 62G inserted

At the end of Part 5 insert:

62G. Breach of public sector standards claim

(1) This regulation applies if a person refers a breach of public sector standards claim to the Commission under section 29(1)(l) of the Act.

(2) The referral must be made by application that —

(a) is in the approved form; and

(b) identifies the public sector standard alleged to have been breached; and

(c) identifies the public sector body to which the breach of public sector standards claim was made; and

(d) includes a statement that clearly and concisely sets out the grounds of the referral; and

(e) is accompanied by a copy of the breach of public sector standards claim; and

(f) has attached to it the particulars approved by the Chief Commissioner from time to time.

(3) If the breach of public sector standards claim is referred to the Commission after the time required by section 29(2)(d) of the Act, the application must also have attached to it a statement from the applicant setting out the facts on which the applicant relies to show why it would be unfair for the Commission not to accept the referral.

(4) Unless the Commission otherwise directs, the Registrar must, as soon as practicable after the application is made, serve a copy of the application and any accompanying documents on the public sector body to which the breach of public sector standards claim was made.

(5) A public sector body that is served with a copy of the application and that wants to respond to the referral must file a response in the approved form within 21 days after being served with a copy of the application.

(6) A response must, in summary form, specify the facts on which the public sector body relies and specifically admit or dispute, either with or without qualification, each part of the application.

(7) Unless the Commission otherwise directs, the Registrar must, as soon as practicable after a response is filed, serve a copy of the response on the applicant.

S. KENNER, Chief Commissioner
The Western Australian Industrial Relations Commission

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