To ensure that the staff representative on each Regional Council is elected by and from the officers and employees of the Trade Union Training Authority (the Authority) employed in relation to the relevant State.

Purpose

To ensure that the staff representative on each Regional Council is elected by and from the officers and employees of the Trade Union Training Authority (the Authority) employed in relation to the relevant State.

Background

The Authority was established by the Trade Union Training Authority Act 1975 (the Principal Act). One of its functions is to plan and develop trade union training programs in Australia. The administrative structure of the Authority consisted of an Australian Council for Trade Union Training and State Councils. Provision was also made for Councils in the Australian Capital Territory and the Northern Territory. The State Councils were responsible for ensuring that training provided by the Trade Union Centre for the particular State or Territory accorded with the policy formulated by the Australian Council.

The State Councils comprised representatives of the Department of Employment and Industrial Relations, the Minister, trade unions and the Confederation of Australian Industry.

The Principal Act was amended by the Statute Law (Miscellaneous Provisions) Act (No. 1) 1985 to change the name of the State Councils to Regional Councils and to place a representative of the Authority's employees on each Regional Council.
When it came to implementing the new provisions it was found that officers and employees of the Authority who were engaged at the national level could not be excluded from being elected to the position of staff representative on a Regional Council. It accordingly became necessary to amend the Principal Act to ensure that only those officers and employees of the Authority whose duties were concerned with the affairs of that region should be eligible for election to the position of staff representative on the Council for that Region.

Main Provisions

Clause 3 will substitute a new sub-section 20(1)(e) into the Principal Act. The new sub-section will ensure that the staff representative from the Authority to the Regional Council is elected from those officers and employees of the Authority who are employed in relation to that State, as opposed to those officers and employees who are engaged at the national level.

Clause 3 will also insert a new sub-section 20(5) into the Principal Act. The new provision sets out that an officer or employee of the Authority will be considered to be employed in relation to a State when the officer or employee's duties are usually performed within the State and are usually not concerned with a non-Regional Office nor with the Australian Trade Union Training College.

For further information, if required, contact the Law and Government Group.

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