

LawNow Legislation

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Click on the **Legislation Tab**, and select LawNow from the Sources dropdown. Use the search fields provided to search across the legislation:

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Search Terms Allows you to specify words or terms to find within the legislation text.

Legislation Title Allows you to specify the title of the legislation required.

Select Version: Current and non-versioned This is the default option, searching legislation in any source which is either current or does not specify an in-force (version) date.

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Select Version: All Versions by Date Search for legislation as in force at a specific date or within a date span. Search legislation ON, FROM, BEFORE or AFTER the dates entered.

Defined Terms Enter a term or phrase to find a legislative definition.

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Thursday, July 02, 2009

LNAU: Employment Law

Cases

Federal Court

- Comcare v Commonwealth of Australia - [2009] FCA 700; BC200905634 - 30 Jun 2009**
[CaseBase](#)

The Commonwealth was ordered to pay \$210,000 for breaching the (CTH) Occupational Health and Safety Act 1991 s 16(1) after a 13-year-old boy died from anaphylactic shock after eating peanuts on a Scotch College cadet camp. The court strongly recommended that the Coroner conduct an inquiry into the role of Scotch College in the boy's death. On the same camp, six cadets were lost for 16 hours in the bush. The Commonwealth was granted an adjournment under Sch 2 cl 16(3) after providing appropriate undertakings to Comcare. It was the first time the court had considered this provision.

Legislation

Commonwealth

- CORPORATIONS AMENDMENT (IMPROVING ACCOUNTABILITY ON TERMINATION PAYMENTS) BILL 2009**
[LawNow](#)
Senate 25/6/2009 Referred to Standing Committee
This Bill is for an Act to amend the law relating to corporations, and for related purposes.
- FAIR WORK ACT 2009**
[LawNow](#)
Commencement: 1/7/2009 (Part)
- FAIR WORK REGULATIONS 2009**
[LawNow](#)
Commencement: 1/7/2009 (Part)

1. Jump back to the **Home Page** at any time, to browse or switch jurisdictions.
2. A **Bill Warning** alerts you to any forthcoming changes, and links to the Bill.
3. **Status Warnings** alert you to uncommenced provisions.
4. **Historical Versions** give you to the whole Act as in force on the date you need it.

FAIR WORK BILL 2008

Description of Bill

This Bill is for an Act to create a national workplace relations system that is fair to working people, flexible for business and promotes productivity and economic growth. The Bill implements the following major reforms: - it establishes a simple and stable safety net comprising the NES, which will apply to all employees and guarantee maximum weekly hours of work, a right to request flexible working arrangements; parental leave and related entitlements; annual leave; personal/carer's leave and compassionate leave; community service leave; long service leave; public holidays; notice of termination and redundancy pay; and provision of a Fair Work Information Statement.

This is a Government Bill.

Links to documents on Government Websites

Parliament of Australia

Text of bill

Explanatory Memorandum

Second Reading Speech

Progress in Parliament

House	Date	Description
Senate	20/3/2009	Bill passed all stages and awaiting assent

LawNow Home Page

FAIR WORK ACT 2009

Act No. 28, 2009

An Act relating to workplace relations, and for related purposes

Consolidated as in force on 1 July 2009 and remains current to the date of the last Government Gazette.

⚠ This item may be affected by FAIR WORK AMENDMENT (PAID PARENTAL LEAVE) BILL 2009
⚠ Some original provisions of this Act are not in force. Consult the Legislative History for details.

For further information, please select from the following:

[List of Provisions](#) | [Legislative History](#) | [Historical Versions](#) | [Defined Terms](#)

🔍 Click the Express Search icon to search all subscribed cases and commentary for the selected provision.

Subordinate Legislation
Amending Subordinate Law from 1996 are listed in the principal Subordinate Law history.
[FAIR WORK \(OATH AND AFFIRMATION\) REGULATIONS 2009](#)
[FAIR WORK REGULATIONS 2009](#)

Historical Versions
2009

25/6/2009 to 30/6/2009
7/4/2009 to 24/6/2009

List of provisions

Chapter 1—Introduction
Part 1-1—Introduction
Division 1—Preliminary

1	Short title
2	Commencement
3	Object of this Act
4	Guide to this Act
5	Terms and conditions of employment (Chapter 2)
6	Rights and responsibilities of employees, employers, organisations etc. (Compliance and enforcement (Chapter 4))
7	

5. **Express Search** icons appear at title level, provision level and within the legislation text. Click the **Express Search** icon to automatically search your subscribed cases & commentary sources for relevant legislation references. **Express Search** uses a smart segment search to find specific legislation references cited in cases & commentary, for example: **Fair Work Act 2009 w/s LEG-REF(5)**
- NEW!** Legislation with the same title in multiple jurisdictions now includes extra filters, for example: "w/s SA" or "w/s NT".
- NEW!** Orders, rules and codes are also uniquely searched, to help you get the best results from every search, every time.

6. Need an official version to hand up in court? The **Government Website** link takes you directly to the official source, in one click.
7. The **LawNow Legislative History** collates status and amending information for each item, including assent and commencement information, uncommenced provisions, repeals and amendments, with links to amending text.

LawNow Legislative History

The Bill

The ACT was created by the FAIR WORK BILL 2008.

Assent Information
Assent Date: 7/4/2009

Commencement Information

Start Date	Authority	Provisions	Exclusions
Assent (7/4/2009)	Item 1 Sec 2(1)	Sections 1 - 2 and anything in this Act not elsewhere covered by the table in Sec 2(1)	...

Uncommenced Provisions

Description	Date
Secs 44 - 46	1/1/2010
Secs 55 - 57A	1/1/2010
Secs 58 - 166	1/1/2010
Secs 167 - 209	1/1/2010
Secs 328 & 331	1/1/2010
Secs 741 - 768	1/1/2010

Laws Repealed
None.

Laws Amended
None.

Amendments to this Act
None.

This Act is amended by:

Amending Law	Source	Commencement Dates	Fully Proclaimed?
DISABILITY DISCRIMINATION AND OTHER HUMAN RIGHTS LEGISLATION AMENDMENT ACT 2009	Items 111 - 114 of Division 2 Part 1 Schedule 3	1/1/2010	Yes
FAIR WORK (TRANSITIONAL PROVISIONS AND CONSEQUENTIAL AMENDMENTS) ACT 2009	Part 3 of Schedule 6	1/1/2010	Yes
	NOTE: These amendments were specified to commence immediately after the commencement of Part 2-3 of the Fair Work Act 2009.		
	Items 92 - 95 of Part 4 of Schedule 22	1/7/2009	Yes

NEW! Links from Commentary Services

All commentary services now link directly to **LawNow** – just look for the **L** icon. The new links are also searchable, giving you more accurate search results when searching your commentary services and from **LawNow's Express Search**:

L Legislation cited in [4.054] below. LawNow subscribers click through for daily updates and historical versions.

(CTH) Corporations Act 2001 s 1335, s 459E.
(CTH) Trade Practices Act 1974.