

TASMANIA

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**INDUSTRIAL RELATIONS REGULATIONS 2025**  
**STATUTORY RULES 2025, No. 64**

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## **INDUSTRIAL RELATIONS REGULATIONS 2025**

I, the Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, acting with the advice of the Executive Council, make the following regulations under the *Industrial Relations Act 1984*.

Dated 1 December 2025.

B. BAKER  
Governor

By Her Excellency's Command,

GUY BARNETT  
Minister for Justice, Corrections and Rehabilitation

### **PART 1 – PRELIMINARY**

#### **1. Short title**

These regulations may be cited as the *Industrial Relations Regulations 2025*.

#### **2. Commencement**

These regulations take effect on  
23 December 2025.

#### **3. Interpretation**

(1) In these regulations –

*Act* means the *Industrial Relations Act 1984*;

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***appeal*** means an appeal under section 70(1) of the Act.

- (2) In these regulations a reference to a form by a number is taken to be a reference to the form so numbered in Schedule 1.

## **PART 2 – PROCEEDINGS BEFORE COMMISSION**

### **4. Stamp of Commission**

- (1) The Registrar is to keep a stamp bearing the words “The Stamp of the Tasmanian Industrial Commission”.
- (2) The Registrar is to cause the stamp to be affixed to all documents issued under the Act in relation to proceedings before the Commission.

### **5. Recording of proceedings**

In relation to proceedings before the Commission, the Registrar is to arrange for –

- (a) the recording of the proceedings as specified by the President; and
- (b) the retention of the recording for a period determined by the President.

### **6. Registrar to keep documents**

- (1) In relation to proceedings before the Commission in respect of an award, the Registrar is to keep the original of –
  - (a) the award; and
  - (b) the written statement of the Commission’s reasons referred to in section 37(3)(a) of the Act.

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- (2) In relation to the hearing of an appeal, the Registrar is to keep the original of –
- (a) any award, decision or declaration; and
  - (b) any directions made or given by a Full Bench –
- in relation to the subject matter of the appeal.

**7. Withdrawal of proceedings**

A party applying for proceedings before the Commission may withdraw that application or those proceedings with the leave of the Commission.

**8. Remuneration of witnesses**

- (1) A witness attending proceedings of the Commission is entitled to be paid –
- (a) \$32.63 for every half day's attendance or the amount of wages or other income actually lost while attending or travelling to and from the proceedings, whichever is the greater amount; and
  - (b) a travelling allowance in accordance with the award if required to be absent overnight from the witness's usual place of residence; and
  - (c) by way of reimbursement, an amount equal to fares incurred for use of appropriate public transport.

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(2) In this regulation –

***award*** means the Tasmanian State Service Award made under the Act and includes any award made in substitution for that award;

***half day*** means a morning or afternoon session of proceedings;

***witness*** means a person who attends proceedings before the Commission to give evidence when summoned to do so but who is not –

- (a) a private employer; or
- (b) a member of an association referred to in section 66(3) of the Act; or
- (c) an intervener.

**PART 3 – FORM OF APPLICATIONS, &C.**

**9. Application for award or variation of award**

An application for an award or the variation of an award under section 23(1)(a) of the Act is to be in accordance with Form 1.

**10. Industrial agreements**

- (1) A notice of intention to retire from an industrial agreement under section 55(8) of the Act is to be in accordance with Form 2.
- (2) A notice of intention to retire from an industrial agreement under section 55(9) of the Act is to be in accordance with Form 3.
- (3) A notice of intention to retire from an industrial agreement under section 55(10) of the Act is to be in accordance with Form 4.
- (4) A notice concurring with an industrial agreement under section 57 of the Act is to be in accordance with Form 5.

**11. Application for registration under section 63(1) of Act**

- (1) The Registrar, as far as practicable, is to deal with applications under section 63(1) of the Act in the order that they are received.
- (2) An application under section 63(1) of the Act is to be accompanied by an affidavit verifying that

the particulars contained in the application are true.

**12. Certificate of registration**

A certificate of registration of an organisation under section 64(1) of the Act is to be in accordance with Form 6.

**13. Application to alter rules or constitution of organisation**

An application for approval to alter the rules or constitution of an organisation under section 67(2) of the Act is to be in accordance with Form 7.

**14. Cancellation of registration of organisation**

A request to cancel a registration under section 68(1A) of the Act is to be made in writing to the Registrar.

**15. Declarations of secrecy**

- (1) A declaration of secrecy under section 77(3) of the Act is to be in accordance with Form 8.
- (2) A declaration of secrecy under section 83(1) of the Act is to be in accordance with Form 9.

**PART 4 – MISCELLANEOUS**

**16. Conditions in relation to power of inspection**

- (1) The following conditions are prescribed as the conditions subject to which an inspecting officer may exercise the power referred to in section 22(2) of the Act:
  - (a) before exercising the power, the inspecting officer is to show identification to the person in charge, or apparently in charge, of the place, premises, vehicle or vessel that the officer proposes to enter in the exercise of the power;
  - (b) in exercising the power, the inspecting officer is to have regard to the safety or health practices in respect of the place, premises, vehicle or vessel and is not to do anything that interferes unreasonably with the performance of any work.
- (2) An inspecting officer must comply with a condition prescribed by subregulation (1) when exercising the power referred to in section 22(2) of the Act.

Penalty: Fine not exceeding 5 penalty units.

**17. Record of employees**

- (1) A record made and maintained by an employer under section 75(1) of the Act is to contain the following information:

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- (a) the full name of the employer;
- (b) the full name and address of each employee;
- (c) the date of birth of each employee;
- (d) the nature of the contract of employment;
- (e) the classification and occupation of each employee and the name of the award, industrial agreement or enterprise agreement that applies to that occupation;
- (f) the number of hours worked by each employee for each day when the employee works flexible hours outside the ordinary hours of work;
- (g) if the relevant award, industrial agreement or enterprise agreement prescribes –
  - (i) a weekly, daily or hourly rate of wage, details of the rate of wages per week, per day or per hour at which each employee is paid; or
  - (ii) piecework rates, details of the piecework performed and the rate at which payment is made to each employee;
- (h) the gross and net amounts of wages paid to each employee and details of deductions made from those wages;

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- (i) the date on which each employee commenced employment and, where appropriate, the date of termination of the employment;
  - (j) details of recreation leave credited or granted, recreation leave payments, sick leave credited or granted and sick leave payments to each employee;
  - (k) details of any payments made by the employer into a superannuation fund prescribed by an award, industrial agreement or enterprise agreement on behalf of each employee;
  - (l) such other particulars as may be necessary to show that the hours of work, rates of pay and general conditions of employment prescribed by the relevant award, industrial agreement or enterprise agreement are being complied with.
- (2) The record –
- (a) may be incorporated with any other time and wage record ordinarily kept by an employer in relation to an employee; and
  - (b) in respect of a person who is currently employed, is to show the particulars specified in subregulation (1) for the preceding 12 months of the person's employment with the employer; and

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- (c) is to be retained for at least 12 months after the date on which the last entry was made in that record.
- (3) An employer who is required to make a record under subregulation (1) must enter daily in the record such of the particulars prescribed by that subregulation as are necessary to ensure that the record is maintained up to date.

Penalty: Fine not exceeding 5 penalty units.

**18. Right of entry of union official**

An officer of an organisation of employees may only enter premises, or part of premises, if the officer shows identification to the person in charge, or apparently in charge, of the premises or the part of the premises.

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**SCHEDULE 1 – FORMS**

Regulation 3(2)

**Form 1 – Application for Award or Variation of Award - Section 23(1)**

*Industrial Relations Act 1984*

**APPLICATION FOR AWARD OR VARIATION OF AWARD –  
SECTION 23(1)**

The President,  
Tasmanian Industrial Commission.

In the matter of the ..... (*award*)

The ..... (*organisation*)

applies for the

\* making

\* variation

of the abovementioned award.

Full particulars of the award, or variation, sought are attached.

Name: .....

Office or position: .....

Signature: .....

Date: .....

*\*Strike out if inapplicable*

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**Form 2 – Notice of Intention to Retire from Industrial Agreement - Section 55(8)**

*Industrial Relations Act 1984*

**NOTICE OF INTENTION TO RETIRE FROM INDUSTRIAL AGREEMENT – SECTION 55(8)**

The Registrar,  
Tasmanian Industrial Commission.

Notice of intention by –

\*a private employer: .....(*name of employer*)

\*an organisation: .....(*name of organisation*)

to retire from the ..... industrial  
agreement T. No. .... of ..... between  
(*year*)

..... and .....  
(*names of parties to the agreement*)

on the day on which it expires: ...../...../20.....

Name: .....

\*Office or position: .....

Signature: .....

Date: .....

*\*Strike out if inapplicable*

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**Form 3 – Notice of Intention to Retire from Industrial Agreement - Section 55(9)**

*Industrial Relations Act 1984*

**NOTICE OF INTENTION TO RETIRE FROM INDUSTRIAL AGREEMENT – SECTION 55(9)**

The Registrar,  
Tasmanian Industrial Commission.

Notice of intention by –

\*a private employer: .....(*name of employer*)

\*an organisation: .....(*name of organisation*)

to retire from the ..... industrial  
agreement T. No. .... of ..... between  
(*year*)

.....and.....  
(*names of parties to the agreement*)

which expires on ...../...../20....., 30 days after the filing of  
this notice in your office.

Name: .....

\*Office or position: .....

Signature: .....

Date: .....

*\*Strike out if inapplicable*

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**Form 4 – Notice of Intention to Retire from Industrial Agreement - Section  
55(10)**

*Industrial Relations Act 1984*

**NOTICE OF INTENTION TO RETIRE FROM INDUSTRIAL  
AGREEMENT – SECTION 55(10)**

The Registrar,  
Tasmanian Industrial Commission.

Notice of intention by – .....  
and .....,  
who are parties to the ..... industrial  
agreement T. No. .... of .....,  
*(year)*

to retire from that industrial agreement by mutual consent from the day on  
which their enterprise agreement commences.

Signed for the Parties:

Name: .....	Name: .....
*Office or position: .....	*Office or position: .....
*Organisation: .....	*Organisation: .....
Signature: .....	Signature: .....
Date: .....	Date: .....

*\*Strike out if inapplicable*

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**Form 5 – Notice Concurring with Industrial Agreement - Section 57**

*Industrial Relations Act 1984*

**NOTICE CONCURRING WITH INDUSTRIAL AGREEMENT –  
SECTION 57**

The Registrar,  
Tasmanian Industrial Commission.

Notice of concurrence by –

\*a private employer: .....(*name of employer*)

\*an organisation: .....(*name of organisation*)

with the ..... industrial  
agreement T. No. .... of .....  
(*year*)

between the undermentioned parties who have specified their agreement to the  
applicant becoming a party to that agreement.

Name: .....

\*Office or position: .....

Signature: .....

Date: .....

We, the original parties to the ..... industrial  
agreement T. No. .... of ....., agree to the applicant  
(*year*)

becoming a party to the agreement.

Names and addresses of parties

Signature and office or position of  
parties or agents

.....	.....
.....	.....
.....	.....

Date: .....

*\*Strike out if inapplicable*

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**Form 6 – Certificate of Registration - Section 64(1)**

*Industrial Relations Act 1984*

**CERTIFICATE OF REGISTRATION – SECTION 64(1)**

It is certified that the .....  
is registered as an organisation of .....  
under Part V of the *Industrial Relations Act 1984* and that a Commissioner of  
the Tasmanian Industrial Commission has determined that it has an interest in  
the awards listed below.

Dated ..... 20.....

Registrar,  
Tasmanian Industrial Commission.

*Awards*

.....  
.....

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**Form 7 – Application for Approval to Alter Rules or Constitution of  
Organisation - Section 67(2)**

*Industrial Relations Act 1984*

**APPLICATION FOR APPROVAL TO ALTER RULES OR  
CONSTITUTION OF ORGANISATION – SECTION 67(2)**

The Registrar,  
Tasmanian Industrial Commission.

Application by –

..... (*name of registered organisation*)

for approval to alter its *\*rules/\*constitution*, the alteration effecting a change in the persons eligible to be members of the organisation.

*\*Copies of the existing rule(s) and the proposed new rule(s) are attached.*

*\*Copies of the existing provision of the constitution and the proposed new provision are attached.*

The proposed new *\*rule(s)/\*provision(s)* are made in accordance with the existing *\*rules/\*constitution* of the organisation.

The grounds for the alteration of the *\*rule(s)/\*constitution* are as follows:

.....  
.....

Name: .....

*\*Office or position:* .....

Signature: .....

Date: .....

*\*Strike out if inapplicable*

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**Form 8 – Declaration of Secrecy - Section 77(3)**

*Industrial Relations Act 1984*

**DECLARATION OF SECRECY – SECTION 77(3)**

I, .....

of ..... (*address*),

being an officer of the organisation of employees known as .....

..... (*name of registered organisation*),

declare that I will not divulge to any person the contents of any record produced by an employer for my inspection under the provisions of section 77 of the *Industrial Relations Act 1984*, except as relevant in the hearing of a matter before the Tasmanian Industrial Commission, or as required for the purpose of taking proceedings for an offence against that Act or by reference to an inspector under that Act.

Declared at .....

this ..... day of ..... 20.....

.....  
(*Signature of Declarant*)

Before me,

.....  
(*Justice of the Peace*)

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**Form 9 – Declaration of Secrecy - Section 83(1)**

*Industrial Relations Act 1984*

**DECLARATION OF SECRECY – SECTION 83(1)**

I, .....  
of ..... (*address*),  
being –

- \*a Commissioner under the *Industrial Relations Act 1984*
- \*a person appointed under section 10(2) of the *Industrial Relations Act 1984*
- \*an officer under the *Industrial Relations Act 1984*
- \*an inspector under the *Industrial Relations Act 1984*

declare that I will not divulge to any person the contents of any information relating to any matter that comes to my knowledge in consequence of my position under the *Industrial Relations Act 1984*, except in the performance of my duties under that Act or if ordered by a court or by any other body or person authorised by law to question witnesses for the purpose of investigating breaches or suspected breaches of the law or to report a breach of the law to any such court, other body or person.

Declared at .....

this ..... day of ..... 20.....

.....  
(*Signature of Declarant*)

Before me,

.....  
(*Justice of the Peace*)

*\*Strike out if inapplicable*

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Printed and numbered in accordance with the *Rules Publication Act 1953*.

Notified in the *Gazette* on 10 December 2025.

These regulations are administered in the Department of Justice.

**EXPLANATORY NOTE**

*(This note is not part of the regulations)*

These regulations –

- (a) provide, for the purposes of the *Industrial Relations Act 1984* –
  - (i) directions in relation to, and the recording of, proceedings before the Tasmanian Industrial Commission; and
  - (ii) various forms in respect of awards, industrial agreements and enterprise agreements under that Act; and
  - (iii) various other matters arising under that Act; and
- (b) are made consequentially on the repeal of the *Industrial Relations Regulations 2015* under section 11 of the *Subordinate Legislation Act 1992*.