

NATIONAL LABOUR CONSULTATIVE COUNCIL ACT 1977

No. 65 of 1977

An Act to establish a National Labour Consultative Council.

BE IT ENACTED by the Queen, and the Senate and House of Representatives of the Commonwealth of Australia, as follows:—

1. This Act may be cited as the *National Labour Consultative Council Act 1977*.¹ Short title.

2. This Act shall come into operation on the day on which it receives the Royal Assent.¹ Commencement.

3. In this Act, unless the contrary intention appears— Definitions.

“Council” means the National Labour Consultative Council established by this Act;

“member” means a member of the Council;

“Secretary” means the Secretary to the Department of Employment and Industrial Relations.

4. There is established by this Act a council by the name of the National Labour Consultative Council. National Labour Consultative Council.

5. (1) The purpose of the Council is to provide, in the public interest, a regular and organized means by which representatives of the Government of the Commonwealth, of employers and of employees may consult together on industrial relations matters, and manpower matters, of national concern. Purpose of Council.

(2) It is the intention of this Act that—

(a) meetings of the Council shall be conducted on a non-political basis;

(b) the Council will not interfere with the proper performance of the functions of industrial tribunals; and

(c) subject to the rights of members to report to the organizations by which they are nominated and to the right of the Council to make announcements that the members agree are in the public interest, the views of members expressed at meetings of the Council will be kept confidential.

- Membership of Council.** **6.** (1) The Council shall consist of 16 members, namely—
- (a) the Minister, who shall be the Chairman of the Council;
 - (b) the Secretary;
 - (c) a member chosen by the Minister to represent public authorities as employers;
 - (d) 6 members nominated by the National Employers' Policy Committee;
 - (e) 6 members nominated by the Australian Council of Trade Unions; and
 - (f) a member nominated by the Council of Australian Government Employee Organisations.
- (2) The members, other than the Minister and the Secretary, shall be appointed by the Minister.
- Resignation of members.** **7.** A member, other than the Minister or the Secretary, may resign his membership by writing signed by him and delivered to the Minister.
- Termination of appointment of members.** **8.** (1) If an organization referred to in sub-section 6 (1) requests the termination of the appointment of a member nominated by it, the Minister shall terminate the appointment of that member.
- (2) The Minister may terminate the appointment of the member referred to in paragraph 6 (1) (c).
- Travelling allowance for members.** **9.** A member is not entitled to remuneration, but is entitled, in the appropriate circumstances, to payment of travelling allowance as if he were an officer of the Second Division of the Australian Public Service.
- Substitute members.** **10.** (1) The Minister or the Secretary may nominate a person to attend a meeting of the Council in the place of the Minister or the Secretary, as the case may be.
- (2) Where a member of the Council, other than the Minister or the Secretary, is unable to be present at a meeting of the Council, then—
- (a) if that member is the member referred to in paragraph 6 (1) (c)—the Minister may nominate a person to attend that meeting in the place of that member; or
 - (b) if that member is a member referred to in paragraph 6 (1) (d), (e) or (f)—the organization on the nomination of which that member was appointed may nominate a person to attend that meeting in the place of that member.
- (3) A person nominated under sub-section (1) or (2) to attend a meeting of the Council in the place of a member of the Council has, and may exercise, at that meeting all the rights of that member.

11. (1) There shall be a meeting of the Council at least once in each quarter of the year. Meetings of Council.

(2) The Minister may, at any time, convene a meeting of the Council and shall do so whenever the holding of a meeting is necessary to comply with sub-section (1).

(3) The Minister shall convene a meeting of the Council whenever requested to do so by a majority of the members of the Council.

(4) The Minister shall preside at all meetings of the Council at which he is present, and, in his absence from a meeting, the person nominated under sub-section 10 (1) to attend that meeting in the place of the Minister shall preside.

(5) Subject to this section, the procedure to be followed at a meeting of the Council shall be determined by the Council.

(6) In this section, "quarter of the year" means a period of 3 months commencing on 1 January, 1 April, 1 July or 1 October.

12. (1) The Council may, at any time, cause to be constituted a committee to consider, and report to the Council on, any matter relevant to the purpose of the Council referred to it by the Council. Committees.

(2) A member of a committee is not entitled to remuneration, but is entitled, in the appropriate circumstances, to payment of travelling allowance as if he were an officer of the Second Division of the Australian Public Service.

NOTE

1. Act No. 65, 1977; assented to 16 June 1977.