



Fair Work Amendment (Minor and Technical Measures) Regulations 2024

I, the Honourable Sam Mostyn AC, Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 4 July 2024

Sam Mostyn
Governor-General

By Her Excellency's Command

Tony Burke
Minister for Employment and Workplace Relations

Contents

1	Name	1
2	Commencement.....	1
3	Authority	1
4	Schedules.....	1
Schedule 1—Minor and technical amendments		2
<i>Fair Work Regulations 2009</i>		2
Schedule 2—Small claims proceedings about casual employment		3
<i>Fair Work Regulations 2009</i>		3

1 Name

This instrument is the *Fair Work Amendment (Minor and Technical Measures) Regulations 2024*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. Sections 1 to 4 and anything in this instrument not elsewhere covered by this table	The day after this instrument is registered.	6 July 2024
2. Schedule 1	The day after this instrument is registered.	6 July 2024
3. Schedule 2	The later of: (a) the day after this instrument is registered; and (b) 26 August 2024.	26 August 2024 (paragraph (b) applies)

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *Fair Work Act 2009*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

Schedule 1—Minor and technical amendments

Fair Work Regulations 2009

1 Regulation 3.25 (table item 4)

Repeal the item, substitute:

- 4 (a) sections 49G and 49I to 49O of the *Industrial Relations Act 1979* (WA), but only to the extent to which those provisions provide for, or relate to, a right of entry to investigate a suspected contravention of the *Work Health and Safety Act 2020* (WA); and
 (b) the *Work Health and Safety Act 2020* (WA)

2 Schedule 6.3 (table item 5)

Repeal the item, substitute:

- | | | |
|---|---|--|
| 5 | A person employed under the <i>Members of Parliament (Staff) Act 1984</i> | The Minister administering the <i>Members of Parliament (Staff) Act 1984</i>

The employing individual (within the meaning of that Act) for the person |
|---|---|--|

Schedule 2—Small claims proceedings about casual employment

Fair Work Regulations 2009

1 Subregulation 4.01(1)

Omit “and (1B)(b)”, substitute “, (1B)(b) and (1C)(c)”.

2 Regulation 4.01

Omit “he or she” (wherever occurring), substitute “the person”.

3 In the appropriate position in Chapter 7

Insert:

Part 7-6—Amendments made by the Fair Work Amendment (Minor and Technical Measures) Regulations 2024

7.10 Definitions for this Part

In this Part:

amending instrument means the *Fair Work Amendment (Minor and Technical Measures) Regulations 2024*.

commencement day means the day on which Schedule 2 to the amending instrument commences.

7.11 Application of amendments—small claims proceedings

- (1) Regulation 4.01, as amended by Schedule 2 to the amending instrument, applies on and after the commencement day in relation to a dispute, commencing before, on or after the commencement day, that relates to the matter referred to in paragraph 548(1C)(b) of the Act.
- (2) Despite the amendments made by Schedule 2 to the amending instrument, regulation 4.01, as in force immediately before the commencement day, continues to apply on and after the commencement day for the purposes of section 548 of the Act as it is continued in operation by clause 102 of Schedule 1 to the Act.
- (3) The amendment of regulation 4.01 by Schedule 2 to the amending instrument does not affect the continuity of that regulation as it applies in relation to a dispute, commencing before, on or after the commencement day, that relates to a matter referred to in subparagraph 548(1B)(a)(v) or (vi) of the Act.