**AMENDMENT OF ELIGIBILITY RULE**

INDUSTRIAL RELATIONS ACT 2016 – SECTION 662

INDUSTRIAL RELATIONS REGULATION 2018 – SECTION 17

INDUSTRIAL RELATIONS (TRIBUNAL) RULES 2011 – RULE 198

|  |
| --- |
| **Section 662 IR Act 2016** |
| The Commission is to be satisfied in accordance with the provisions of this section. |

|  |  |  |
| --- | --- | --- |
| **The Registrar must be satisfied:** | **Regulation** | √ or X or  n/a |
| The applicant *may* file a statement supporting the application when application is filed. | 17(2) |  |
| The applicant **must** publish notice of the application in the form decided by the Registrar within 21 days after the application is filed. | 17(3) |  |
| The applicant **must**, within 7 days of publication of the notice:   1. (a) Serve a copy of the notice on each organisation whose callings include the callings of the applicant’s members or relate to the applicant’s eligibility rules. 2. File in the registry a copy of the relevant section of any newspaper or publication in which the notice was published, showing the date and name of the newspaper or publication. | 17(5) |  |
|  |

|  |  |  |
| --- | --- | --- |
| **The application must:** | **Tribunal Rule** | √ or X or  n/a |
| Be in the Chapter 12 approved form (Form 56) | 198(1)(a) |  |
| Show how the amendment was proposed and approved in accordance with the rules. | 198(1)(b) |  |
| Describe the nature and effect of the amendment. | 198(1)(c) |  |
| Attach a copy of a resolution passed in accordance with the organisation’s rules agreeing to the amendment. | 198(1)(d) |  |
| Be under the seal, or signed by 2 authorised officers authorised to sign the application. | 198(1)(e) |  |
| Must have attached schedule divided into 3 columns containing:   1. the present eligibility rule in column 1; and 2. An exact description of the amendment sought in column 2 – detailing the words or paragraphs to be deleted or inserted and including any consequential amendments, for example, renumbering; and 3. The proposed new eligibility rule incorporating the amendment in column 3, | 198(2) |  |