**REGISTRATION OF AN INDUSTRIAL ORGANISATION**

INDUSTRIAL RELATIONS ACT 2016 – s 602

INDUSTRIAL RELATIONS REGULATION 2018 – s 16, 17

INDUSTRIAL RELATIONS (TRIBUNAL) RULES 2011 – RULE 189

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| **Who may apply** | **Act section** | √ or X or  n/a |
| A registration application may only be made to the **Commission.** | 601 |  |
| An **association** may apply for registration as an employee or employer organisation. | 602(1) |  |
| A **corporation** may only apply for registration as an employer organisation. | 602(2) |  |

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| **A registration application must be:** | **Act section/ Regulation/ Tribunal Rule** | √ or X or  n/a |
| Signed by the applicant’s president and secretary | 603(1)(a) |  |
| Be in the form provided for in the rules of court – Form 56 | Reg 16(1)(b);  Rule 189 |  |
| State the facts and issues the applicant relies on to support the application | Reg 16(1)(c) |  |
| The applicant **may** file a statement supporting the application when the application is filed | Reg 17(2) |  |
| Each document accompanying an application for registration as an organisation must be signed and dated by the applicant’s president and secretary | Reg 17(7) |  |
| **And be accompanied by the following:** | **Act section** | |
| The proposed address under s 613(1) of the applicant’s proposed registered office; | 603(1)(b)(i) |  |
| 2 copies of the rules the applicant proposes to have as an organisation; | 603(1)(b)(ii) |  |
| A copy of the register that will, on its registration, be the applicant’s officers register; | 603(1)(b)(iii) |  |
| A list of any trustees of the applicant; | 603(1)(b)(iv) |  |
| The appropriate fee under the rules **(NIL).** | 603(1)(b)(v) | n/a |

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| **Additional requirements for employee organisation application – must be accompanied by the following:** | **Act section** | √ or X or  n/a |
| A copy of a resolution in favour of the applicant’s registration passed under the applicant’s rules: | 604(a) |  |
| By a majority of its members present at a general meeting; or | 604(a)(i) |  |
| In another way allowed under the applicant’s rules | 604(a)(ii) |  |
| A list stating the applicant’s members on the day the resolution was made | 604(b) |  |
| A list stating the callings of its members or callings to which its eligibility rules relate | 604(c) |  |
| A list stating each locality in which its members exercise their callings | 604(d) |  |

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| **Additional requirements for employer organisation application – must be accompanied by the following:** | **Act section** | √ or X or  n/a |
| A list stating the name of, and the place or places where business is carried on by, each employer member of the applicant | 605(1)(a) |  |
| If the applicant has more than 1 member, a copy of a resolution in favour of registration of the applicant passed under the applicant’s rules: | 605(1)(b) |  |
| By a majority of the employer members; or | 605(1)(b)(i) |  |
| In another way allowed under the applicant’s rules | 605(1)(b)(ii) |  |
| A list stating the callings in which employees are employed by the employer members | 605 (1)(c) |  |
| A statement of particulars of: | 605(1)(d) | |
| The control of the applicant’s property; and | 605(1)(d)(i) |  |
| Investment of its funds, as distinct from the property and funds of the members of the applicant | 605(1)(d)(ii) |  |
| In this section –  ***member*** includes shareholder.  ***rules*** includes constitution | 605(2) |  |

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| **s 603(2) of the Industrial Relations Act 2016 – Notice of the application must be published by the applicant in the way prescribed under a regulation.** | **Regulation** | √ or X or  n/a | |
| 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) |  |  |
| In a newspaper circulating throughout the State; and | 17(3)(a) |  | |
| If the Registrar considers it appropriate - | 17(3)(b) |  | |
| In another newspaper or publication; or | 17(3)(b)(i) |  | |
| On the QIRC website | 17(3)(b)(ii) |  | |
| The applicant **must**, within 7 days of publication of the notice- | 17(4) |  |  |
| 1. 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. | 17(4)(a) |  | |
| 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(4)(b) |  | |