

PRACTICE NOTE NO. 3

First Issue Date:

16 December 1998

Re-Issue Date:

1 February 2010

Re-issued pursuant to Section 185A of the *Industrial Relations Act* 1996 and Section 15 of the *Civil Procedure Act* 2005.

CERTIFICATION OF ENTERPRISE AGREEMENTS

- (1) The purpose of this Practice Note is to provide for certification of enterprise agreements and the provision on request of certified copies.
- (2) This Practice Note has effect from the date of re-issue.
- (3) Where, in any proceedings before the Industrial Relations Commission of New South Wales ("the Commission") for approval of an enterprise agreement after the commencement of this Practice Note, a party makes application for a certificate to be issued pursuant to this Practice Note, the Industrial Registrar shall, not later than 28 days from the date of approval of the enterprise agreement, issue to the parties a certificate in terms of Schedule A hereto.
- (4) Where the Commission has, at any time, approved an enterprise agreement, any party to the application for approval of that agreement may apply to the Industrial Registrar for the issue of a certificate pursuant to this Practice Note. The Industrial Registrar shall, within 28 days of the receipt of the application for a certificate, or within 28 days from the date of the enterprise agreement being entered into the Register pursuant to section 45 of the Industrial Relations Act 1996 (whichever is later), issue a certificate in terms of Schedule A hereto.
- (5) Paragraphs (3) and (4) are subject to any directions of the Member of the Commission made during the hearing of the proceedings for approval of the enterprise agreement.
- (6) A party requesting the certificate shall supply to the Industrial Registrar such number of copies of the agreement as the Industrial Registrar directs and shall supply such copies in a form that satisfies the Industrial Registrar that they are true copies of the agreement approved by the Commission.
- (7) Unless the requirements of paragraph (6) are satisfied, provision of the certificate is subject to payment of the fees for copies of documents set out in Schedule 1 of the Industrial Relations (General) Regulation 1996.

Boland J, President

1 February 2010

SCHEDULE A

In accordance with Practice Note No. 3, the Industrial Registrar certifies that the Industrial Relations Commission of New South Wales did on [date] approve the [name] Enterprise Agreement, a sealed copy of which is attached hereto and marked "A".

Signed
Seal of Industrial Registrar

Notation

Section 45 of the *Industrial Relations Act* 1996 requires that details of each enterprise agreement be published in the Industrial Gazette as soon as practicable after the agreement is approved.