

## Northern Territory Industrial Relations

- The *Northern Territory (Self Government) Act 1978* provides that the Commonwealth *Workplace Relations Act 1996* applies in relation to industrial disputes in the Northern Territory.
- The Legislative Assembly of the Northern Territory has no ability to change either the *Self Government Act* or the *Workplace Relations Act*.
- The Commonwealth is using the authority of the *Corporations Power* (S.51(xx)) in the *Australian Constitution* to make a law to cover the vast majority of Australian workers and limit the current industrial relations law making power of the States.
- The *Workplace Relations Act* and the *Self Government Act* were amended in 2005 to implement a new system called Work Choices (*Workplace Relations Amendment (Work Choices) Act 2005*).
- The *Workplace Relations Amendment (Work Choices) Act 2005* commenced in March 2006.
- The Northern Territory does not have the ability to establish its own industrial relations system. This ability is retained by the Commonwealth.
- The new Australian Fair Pay Commission sets the minimum and award wages for the Northern Territory.
- The new law places a greater emphasis on direct bargaining between employers and employees. Information on the new law is available from [www.workchoices.gov.au](http://www.workchoices.gov.au).
- The Statehood Steering Committee has no view on *Workchoices*. However, when it comes to Statehood, industrial relations may be an issue if a High Court challenge determines States still have their own industrial relations powers.
- If the Northern Territory were to become a State what would the situation be?
- Given the most likely means for becoming a State is being admitted under terms and conditions decided by the Federal Parliament it appears unlikely the current Federal Parliament would agree to the Northern Territory establishing its own system upon Statehood.
- If that is the case, Statehood may not make any difference to the current industrial relations powers available to the Commonwealth and the Northern Territory.

You may tell us your views on this and other issues at [www.statehood.nt.gov.au](http://www.statehood.nt.gov.au).

