NOTICE

WESTERN AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

APPLICATION No. APPL 20 of 2025

Review of Children's Services (Private) Award 2006 scope clause pursuant to s 37D of the Industrial Relations Act 1979 (WA)

Notice is given of an application on the motion of the Western Australian Industrial Relations Commission to review the scope clause of the *Children's Services (Private)* ***Award*** *2006 w*ith a view to varying the Award in accordance with s 37D of the *Industrial Relations Act 1979* (WA).

Sections 37D(1) to (4) and (7) provide that the Commission may vary the scope of private sector awards of its own motion as follows:

> *(1) Except as provided in this section, the Commission may vary the scope of a private sector award of its own motion.*
>
> *(2) A variation must not be made in relation to —*
> *(a) an application under section 50(2) that does not seek the variation of the scope of the private sector award; or*
> *(b) a State Wage order under section 50A.*
>
> *(3) A variation must specify that the scope of the private sector award extends to and binds —*
> *(a) employers of a class or classes specified in the award, whether or not the employers are also specified by name in the award; and*
> *(b) employees —*
> *(i) of employers referred to in paragraph (a); and*
> *(ii) of a class or classes specified in the award.*
>
> *(4) For the purposes of subsection (3)(a) and (b)(ii), the class may be described by reference to —*
> *(a) a particular industry or part of an industry; or*
> *(b) a particular kind of work.*
>
> *…*
>
> *(7) If the Commission varies the scope of a private sector award under this section, the Commission may also make other changes to the award that are consequential on the variation of the scope.*

The purpose of the scope review is to determine whether the scope of the Award should be expanded to cover the scope of the following 4 awards with a view to those awards then being cancelled:

1. *Child Care (Out of School Care - Playleaders) Award*
2. *Child Care (Subsidised Centres) Award*
3. *Children's Services Consent Award 1984*
4. *Family Day Care Co-ordinators' and Assistants' Award, 1985*

A For Mention and Directions hearing has been listed before the Commission for the purpose of ascertaining who might seek to be heard in relation to the proposed variations to the Award, and what steps should be taken to ensure such parties may be heard in relation to the proposed variations. The hearing will take place:

AT: 11:00AM

ON: Monday, the 28th day of April 2025

AT: 111 St Georges Terrace, Perth, on Level 18.

Any person wishing to appear at this hearing should provide notice to the Senior Commissioner's Associate on (08) 9420 4455 or at chambers-cosentino@wairc.wa.gov.au by no later than **21 April 2025.** For further information, please contact the Senior Commissioner's Associate.

S. BASTIAN
REGISTRAR

4 April 2025