DIRECTIONS

Fair Work Act 2009
s.156 - 4 yearly review of modern awards

4 yearly review of modern awards—Award stage – sub-group 3D
(AM2014/238)

DEPUTY PRESIDENT CLANCY MELBOURNE, 14 DECEMBER 2016

4 yearly review of modern awards - award stage - sub-group 3D – Nursery Award 2010.

Further to the conference on 9 August 2016 and Report to the Full Bench dated 25 August 2016, it is directed that:

1. On or before **4.00 pm on Tuesday 10 January 2017**, interested parties are to file in the Commission any comments they may have in relation to the accuracy of the further revised Summary of submissions published 22 July 2016 and the revised Exposure draft published 29 July 2016 in respect of the *Nursery Award 2010*. In doing so, interested parties are to identify:
    (i) which, if any, technical and drafting claims are still being pursued;
    (ii) which, if any, technical and drafting claims are now withdrawn (if not already so identified); and
    (iii) whether a party still contends that a clause in the revised Exposure draft has a different legal effect to the corresponding clause in the modern award.
2. Where an interested party still contends, pursuant to direction 1(iii), that a clause in the revised Exposure draft has a different legal effect to the corresponding modern award, and that clause is not already subject to separate Full Bench proceedings, that party is to specify:
    (i) the legal effect of the clause in the corresponding modern award;
    (ii) the legal effect of the clause in the revised Exposure Draft; and
    (iii) an explanation of how they differ.
3. On or before **4.00 pm on Friday 20 January 2017,** interested parties are to file written submissions and any evidence in support of the outstanding claims identified in their submissions filed in accordance with direction 1.
4. On or before **4.00 pm on Friday 3 February 2017,** interested parties are to file written submissions and any evidence in reply.

5. The Full Bench will determine the matters on the basis of the material filed pursuant to these directions without an oral hearing unless a hearing is requested by any party.

6. If a hearing in this matter is requested by any party, such request must be made in writing by no later than **4.00 pm on Tuesday 7 February 2017**.

7. All material should be sent to amod@fwc.gov.au.

8. Liberty to apply.

DEPUTY PRESIDENT

Printed by authority of the Commonwealth Government Printer