

# Closing Loopholes Bill No.2 receives Royal Assent

## Summary

The *Fair Work Legislation Amendment (Closing Loopholes No. 2) Bill 2024* received Royal Assent on 26 February (**Act**).

A detailed guide to the Act will be available to Members shortly.

Members can also contact the Ai Group Workplace Advice line for more information and are invited to a series of [in-person briefings](#) in March that will cover all of the changes introduced through the 'Closing Loopholes' tranche of legislative amendments.

## Background

The *Fair Work Legislation Amendment (Closing Loopholes No. 2) Bill 2024* received Royal Assent on 26 February 2024 (**Act**). The Act amends the *Fair Work Act 2009* (Cth) and related legislation.

Several changes commenced today. Changes relating to casual employment, the employment definition, regulated workers and the right to disconnect have delayed operative dates.

## What are the operative dates?

Subject to transitional provisions, the key operative dates are set out in the table below:

<b>27 February 2024</b>
Bargaining for franchisees
Changes to civil remedy provisions and lowering of serious contravention threshold
Changes to intractable bargaining workplace determinations
Compliance notices

<b>27 February 2024</b>
Defence to sham contracting narrowed (employment – ‘reasonable belief’)
De-merger provisions for registered unions
Opt-out notices for contractors relating to the statutory meaning of ‘employee’ and ‘employer’
Transitioning out of multi-enterprise agreements
Transitional provisions and technical amendments
<b>1 July 2024</b>
Exemption certificates for entry for suspected underpayments
<b>26 August 2024</b>
Changes to casual employment (definition, employee choice, sham arrangements, anti-avoidance and small claims proceedings)
Right to disconnect (except for small business employers)
<b>The date on which a proclamation is issued or 26 August 2024, whichever is earlier</b>
Meaning of ‘employee’ and ‘employer’ under the <i>Fair Work Act 2009</i> (Cth)
Regulated workers (employee-like and road transport provisions)
Unfair contract terms
Workplace delegates’ rights for regulated workers
<b>The date on which a proclamation is issued or 26 February 2025, whichever is earlier</b>
Model terms in enterprise agreements
<b>26 August 2025</b>
Right to disconnect for small business employers

## Where can I find further information?

Members are invited to a series of [in-person briefings](#) in March that will cover all of the changes introduced through the ‘Closing Loopholes’ tranche of legislative amendments.

A new detailed guide to the Act will be available [here](#).

Our previous advice to Members regarding the progression of the two Closing Loopholes Bills is below:

- [NAT 005/24 – Closing Loopholes Bill No.2 Passed by Parliament](#)
- [NAT 048/23 – Commencement of the Closing Loopholes Act; FWC statement about the impact of the changes & updated member resources available](#)
- [NAT 044/23 - The amended Closing Loopholes Bill passes the lower house and progresses to the Senate](#)
- [NAT 032/23 - Closing Loopholes Bill introduced to the lower house – proposes significant changes to the Fair Work Act 2009](#)

When the Act is registered, it can be accessed on the Federal Register of Legislation [here](#).

Further guidance on all the tranches of the legislative agenda on workplace relations can be accessed via a [dedicated page](#) on Ai Group's website. This will continue to be updated with additional resources and information for Members.

### What if I require further advice or assistance?

Members can contact the Ai Group Workplace Advice Line on **1300 55 66 77** to discuss any matters related to the 'Closing Loopholes' changes or any other workplace relations issue.

Members can also access more detailed advice and assistance regarding the contents of the Act or its potential implications for their organisation from Ai Group's national team of workplace relations lawyers by emailing [info@aigroupworkplacelawyers.com.au](mailto:info@aigroupworkplacelawyers.com.au).



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