



New South Wales

Building and Construction Industry Amendment (Industrial Instruments) Regulation 2010

under the

Building and Construction Industry Long Service Payments Act
1986

Her Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Building and Construction Industry Long Service Payments Act 1986*.

PAUL LYNCH, MP
Minister for Industrial Relations

Explanatory note

The object of this Regulation is to update references to Commonwealth industrial awards and agreements that are relevant to the calculation of long service leave payments under the *Building and Construction Industry Long Service Payments Act 1986*.

This Regulation is made under the *Building and Construction Industry Long Service Payments Act 1986*, including section 65 (the general regulation-making power).

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Building and Construction Industry Long Service Payments Act 1986

1 Name of Regulation

This Regulation is the *Building and Construction Industry Amendment (Industrial Instruments) Regulation 2010*.

2 Commencement

This Regulation commences on 1 July 2010 and is required to be published on the NSW legislation website.

3 Amendment of Building and Construction Industry Long Service Payments Regulation 2006

Clause 4A

Insert after clause 4:

4A Commonwealth industrial instruments

For the purposes of the definition of *Commonwealth industrial instrument* in section 3 (1) of the Act, the following are prescribed:

- (a) a modern award under the *Fair Work Act 2009* of the Commonwealth,
- (b) an enterprise agreement under the *Fair Work Act 2009* of the Commonwealth,
- (c) a Division 2B State instrument under Schedule 3A to the *Fair Work (Transitional Provisions and Consequential Amendments) Act 2009* of the Commonwealth,
- (d) an instrument given continuing effect under Schedule 3 to the *Fair Work (Transitional Provisions and Consequential Amendments) Act 2009* of the Commonwealth.