

[Act 2001 No 26]



New South Wales

Long Service Leave Legislation Amendment Bill 2001

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The long service leave legislation provides for a pro rata payment for a proportionate amount of long service leave that would have accrued after 10 years of service for an employee whose employment terminates after 5 years of service but before the employee has served 10 years and becomes entitled to long service leave. The legislation provides that such an employee is only entitled to that pro rata payment if at least 5 years of that service was service as an adult.

The object of this Bill is to remove the requirement for at least 5 years of that service to be service as an adult.

The long service leave legislation concerned is as follows:

- (a) the *Long Service Leave Act 1955* (in the case of employees generally),
 - (b) the *Long Service Leave (Metalliferous Mining Industry) Act 1963* (in the case of employees employed in the metalliferous mining industry),
-

- (c) the *Public Sector Management Act 1988* (in the case of public servants),
- (d) the *Teaching Services Act 1980* (in the case of teachers).

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on a day or days to be appointed by proclamation.

Clause 3 is a formal provision giving effect to the amendments to the long service leave legislation set out in Schedules 1–4.

Schedule 1 amends the *Long Service Leave Act 1955* to give effect to the object outlined above.

Schedule 2 amends the *Long Service Leave (Metalliferous Mining Industry) Act 1963* to give effect to the object outlined above.

Schedule 3 amends the *Public Sector Management Act 1988* to give effect to the object outlined above.

Schedule 4 amends the *Teaching Services Act 1980* to give effect to the object outlined above.