

**COAL MINING INDUSTRY LONG SERVICE LEAVE
(AMENDMENT BILL 1990)**

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

The Coal Mining Industry Long Service Leave Act 1950 provides for the reimbursement (from the Coal Mining Industry Long Service Leave Trust Fund) of employers in the coal mining industry for amounts paid by them in respect of long service leave to employees under and in accordance with awards of the Coal Industry Tribunal. The Act provides that an employer is entitled to be reimbursed for the amount paid under an award to an employee if the employer has obtained the approval of the Administrator of the Fund before making the payment. The Act defines "award" as an award, variation, order, decision or determination of the Tribunal set out in the Schedule to the Act. Although the Schedule has not been updated to include awards made since 1956, payments have been made as if the scheme provided by the Act applied in respect of awards made after that time.

The object of this Bill is to amend the Act:

- (a) to re-cast the definition of "award" so that all awards of the Coal Industry Tribunal are automatically covered by the Act; and
- (b) to validate any payments or approvals made in relation to awards of the Tribunal that were not included in the Schedule when the payments or approvals were made.

Clause 1 specifies the short title of the proposed Act.

Clause 2 provides that the proposed Act commences on the date of assent.

Clause 3 gives effect to the Schedule of amendments.

Schedule 1 contains the amendments described above.
