

# **Long Service Leave (Commonwealth Employees) Regulations (Amendment) 1991 No. 264**

## **EXPLANATORY STATEMENT**

### **Statutory Rules 1991 No. 264**

Long Service Leave (Commonwealth Employees) Act 1976

Long Service Leave (Commonwealth Employees) Regulations (Amendment)

(Issued by the Authority of the Minister for Industrial Relations)

Section 26 of the Long Service Leave (Commonwealth Employees) Act 1976 (the Act) provides that the Governor-General may make regulations for the purposes of the Act.

Section 11 of the Act provides that the period of service of an employee for long service leave purposes is the period during which the employee has been employed continuously in Government Service.

Pursuant to subsection 7(1) of the Act, regulations may provide that a person, authority, institution or body (including a company), whether incorporated or not, may be deemed to be, or have been, an authority of a State. Such persons, authorities, institutions or body corporates are listed in Schedule 1 of the Regulations.

Knowledge Victoria Limited (KVL) (or Beave Pty. Ltd. as it was previously known) was originally established under the Companies (Victorian) Code on 17 October 1985 and has since changed its name and status, becoming a public company on 8 May 1987. To alleviate doubt as to whether KVL, a Victorian Government-owned company, is an Authority of a State under paragraph 6(1)(a) of the Act, KVL is deemed an authority of a State, pursuant to subsection 7(1) of the Act.

In relation to a separate matter, the Hospital and Charities Act 1958 (Vic), has been repealed and replaced by the Health Services Act 1988 (the Health Services Act) on 1 July 1988. The proposed amendment to the Regulations provides for this change by listing the Health Services Act as a new item in Schedule 1 of the Regulations.

The proposed amendment also deletes the words "as amended", as they relate to State Acts, from Schedule 1 of the Regulations. Section 10A of the Acts Interpretation Act 1901 provides that such references are unnecessary as the reference shall be construed as a reference to that law as originally enacted or made and as amended from time to time.