

Long Service Leave (Commonwealth Employees) Regulations (Amendment) 1998 No. 130

EXPLANATORY STATEMENT

Statutory Rules 1998 No. 130

(Issued by authority of the Minister for Workplace Relations and Small Business)

Long Service Leave (Commonwealth Employees) Act 1976

Long Service Leave (Commonwealth Employees) Regulations (Amendment)

The *Long Service Leave (Commonwealth Employees) Act 1976* (the Act) makes provision for long service leave in respect of Commonwealth employees and certain other persons. The Act provides for persons employed 'in Government Service' to be granted long service leave or a payment in lieu where the period of service of the person is at least 10 years.

Section 26 of 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 is the period during which he or she has been employed continuously in Government Service. A person is taken to be employed in Government Service if the person is employed by the Commonwealth. In addition, subsection 7(2) of the Act allows the regulations to provide that previous employment of an employee in the service of a body referred to in the regulations shall be taken to be employment in Government Service.

Regulation 8 of the Long Service Leave (Commonwealth Employees) Regulations is made under subsection 7(2) and provides that the previous employment of an employee in the service of a person, authority, institution or body that is referred to in Schedule 2 shall be taken into account for the purposes of the Act as if it had been employment in Government Service.

The regulations amend Schedule 2 so as to enable an employee who is, or has been, transferred to:

- * Health Services Australia, and

- * Employment National (Administration) Pty Ltd,

by virtue of a declaration under section 81C(1) of the *Public Service Act 1922*, to count his or her period of service with those organisations as Government Service for long service leave purposes if they subsequently gain employment with other Commonwealth bodies bound by the Act.

Health Services Australia provides the full range of services previously provided by the Australian Government Health Service by staff employed under the *Public Service Act 1922*, including occupational health services such as independent health status assessments, workplace evaluations, vaccinations, and programs and seminars on workplace health issues.

Employment National (Administration) Pty Ltd provides supervisory, administrative, clerical and administrative support functions to Employment National Ltd, a Commonwealth owned company that is providing employment services from 1 May 1998.

The regulations commenced on the date of gazettal.

