



Australian Capital Territory

Parental Leave (Private Sector Employees) Act 1992 No 59

Republication No 1

Republication date: 14 February 2002

Last amendment made by Act 2001 No 44

Amendments incorporated to 12 September 2001

Authorised by the ACT Parliamentary Counsel

About this republication

The republished law

This is a republication of the *Parental Leave (Private Sector Employees) Act 1992* as in force on 14 February. It includes any amendment, repeal or expiry affecting the republished law to 12 September 2001 and any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes).

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication includes amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

Modifications

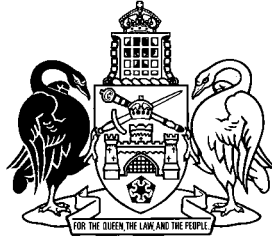
If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

Penalties

The value of a penalty unit for an offence against this republished law at the republication date—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.

Amendments incorporated to
12 September 2001



Australian Capital Territory

Parental Leave (Private Sector Employees) Act 1992

Contents

	Page
1 Short title	2
3 Definitions for Act	2
4 Persons to whom Act applies	3
5 Parental leave	3
 Endnotes	
1 About the endnotes	4
2 Abbreviation key	4
3 Legislation history	5
4 Amendment history	5

Amendments incorporated to
12 September 2001



Australian Capital Territory

Parental Leave (Private Sector Employees) Act 1992

An Act to make provision for parental leave in respect of certain employees

1 Short title

This Act may be cited as the *Parental Leave (Private Sector Employees) Act 1992*.

3 Definitions for Act

Note A definition applies except so far as the contrary intention appears (see *Legislation Act 2001*, s 155).

In this Act:

authority means—

- (a) a body (whether incorporated or not) established for a public purpose by or under a law of the Commonwealth, the Territory, a State or another Territory; or
- (b) the holder of an office established for a public purpose by or under a law of the Commonwealth, the Territory, a State or another Territory; or
- (c) an incorporated company over which the Commonwealth, the Territory, a State, another Territory or a body referred to in paragraph (a) is in a position to exercise control.

award—see the *Workplace Relations Act 1996* (Cwlth), section 4.

employee means a person who is employed—

- (a) under a contract of service or apprenticeship on a full-time or part-time basis; or
- (b) under a contract for services.

parental leave means an entitlement in respect of maternity leave, paternity leave or adoption leave, as the case requires, including an entitlement to engage in part-time employment in connection with the birth or adoption of a child, being an entitlement of the kind provided for in the parental leave case decision.

parental leave case decision means the decision of the Full Bench of the Australian Industrial Relations Commission given in Melbourne on 26 July 1990 in the Parental Leave Test Case.

relevant employer means a natural person, or a body or association (whether incorporated or not) that employs 1 or more employees in the ACT, but does not include the Commonwealth, the Territory, a State, another Territory or an authority.

4 Persons to whom Act applies

This Act applies to—

- (a) an employee of a relevant employer whose employment is not subject to an industrial award; and
- (b) an employee of a relevant employer whose employment is subject to an industrial award that—
 - (i) does not confer an entitlement to parental leave on employees to whom it applies; and
 - (ii) does not preclude such an entitlement.

5 Parental leave

An employee to whom this Act applies is entitled to the same entitlements in respect of parental leave as those provided for in the draft parental leave clause set out in the parental leave case decision, attachment A.

Endnotes

1 About the endnotes

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnotes.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

If the republished law includes penalties, current information about penalty unit values appears on the republication inside front cover.

2 Abbreviation key

am = amended	ord = ordinance
amdt = amendment	orig = original
ch = chapter	p = page
cl = clause	par = paragraph
def = definition	pres = present
dict = dictionary	prev = previous
disallowed = disallowed by the Legislative Assembly	(prev...) = previously
div = division	prov = provision
exp = expires/expired	pt = part
Gaz = Gazette	r = rule/subrule
hdg = heading	reg = regulation/subregulation
ins = inserted/added	renum = renumbered
LA = Legislation Act 2001	reloc = relocated
LR = legislation register	R[X] = Republication No
LRA = Legislation (Republication) Act 1996	s = section/subsection
mod = modified / modification	sch = schedule
No = number	sdiv = subdivision
o = order	sub = substituted
om = omitted/repealed	SL = Subordinate Law
	<u>underlining</u> = whole or part not commenced

3 Legislation history

Parental Leave (Private Sector Employees) Act 1992 No 59

notified 28 October 1992 (Gaz 1992 No S174)

s 1, s 2 commenced on 28 October 1992 (s 2 (1))

remainder commenced 3 December 1992 (s 2 (2) and Gaz 1992 No S226)

as amended by

Legislation (Consequential Amendments) Act 2001 No 44 pt 272

notified 26 July 2001 (Gaz 2001 No 30)

s 1, s 2 commenced 26 July 2001 (IA s 10B)

pt 272 commenced 12 September 2001 (s 2 and Gaz 2001 No S65)

4 Amendment history

Commencement

s 2 om 2001 No 44 amdt 1.3091

Authorised by the ACT Parliamentary Counsel—also accessible at
www.legislation.act.gov.au

© Australian Capital Territory 2002