



Australian Capital Territory

Annual Leave Amendment Act 2004

A2004-41

An Act to amend the *Annual Leave Act 1973*

The Legislative Assembly for the Australian Capital Territory enacts as follows:

1 Name of Act

This Act is the *Annual Leave Amendment Act 2004*.

2 Commencement

This Act commences on the day after its notification day.

Note The naming and commencement provisions automatically commence on the notification day (see Legislation Act, s 75 (1)).

3 Act amended

This Act amends the *Annual Leave Act 1973*.

4 Annual Leave Section 4 (3)

substitute

- (3) An employee is not entitled to annual leave for a year of employment if—
- (a) the employee received a pay loading for the year under an award or agreement; and
 - (b) the pay loading was in addition to the employee's base rate of pay and instead of annual leave for the year; and
 - (c) payment of the pay loading is identifiable in records kept, under section 13 (Annual leave records), by the employee's employer.
- (4) Subsection (3) does not affect any rights of the employee under an award or agreement.

Endnotes

1 Presentation speech

Presentation speech made in the Legislative Assembly on 25 September 2003.

2 Notification

Notified under the Legislation Act on 9 July 2004.

3 Republications of amended laws

For the latest republication of amended laws, see www.legislation.act.gov.au.

I certify that the above is a true copy of the Annual Leave Amendment Bill 2004, which originated in the Legislative Assembly as the Annual Leave Amendment Bill 2003 and was passed by the Assembly on 1 July 2004.

Acting Clerk of the Legislative Assembly

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