

**1994**

**AUSTRALIAN CAPITAL TERRITORY LEGISLATIVE ASSEMBLY**

**LONG SERVICE LEAVE (BUILDING AND  
CONSTRUCTION INDUSTRY) (AMENDMENT) BILL 1994**

**EXPLANATORY MEMORANDUM**

**Circulated by Authority of the Minister for Education and Training**

**Bill Wood MLA**

## LONG SERVICE LEAVE (BUILDING AND CONSTRUCTION INDUSTRY)(AMENDMENT) BILL 1994

The Construction and Long Service Leave (Building and Construction Industry) (Amendment) Bill 1994 amends the *Construction and Long Service Leave (Building and Construction Industry) Act 1981* (the Principal Act) as a consequence of the new Construction Industry Training Fund Bill 1994.

The Principal Act currently has provisions which provide for the payment of 10% of the long service leave levy payments into a fund for the purposes of training in the building and construction industry. The Construction Industry Training Fund Bill 1994 will replace that scheme. This Bill amends those provisions to allow that scheme to be wound up.

Details of the Bill are as follows.

*Clauses 1, 2 and 3* are formal clauses providing for the citation, commencement and interpretation of the Bill. The commencement of the Act is linked to the commencement of the Construction Industry Training Fund Bill 1994 as this is the replacement scheme.

*Clause 4* amends section 19B of the Principal Act to replace the reference to payments being made into the Construction Industry Training Fund under subsection 19C(1) with a reference to payments being made under "this Act". This amendment is made as a consequence of the repeal of subsection 19C(1) by *clause 5* and as a consequence of the arrangements for the final payment into the Fund under *clause 6*.

*Clause 5* repeals subsection 19C(1). This is the operative provision for the payment of 10% of the long service levy into the Construction Industry Training Fund every 3 months.

*Clause 6* is a transitional provision to allow a final payment to be made to the Construction Industry Training Fund on commencement of the Act. The formula given is to allow 10% of the long service leave payments to be paid on a pro rata basis. This provision is necessary as the Construction Industry Training Fund Bill 1994 will not necessarily commence on the day on which a 3 month period for payment under subsection 19C(1) falls.