

EXPLANATORY STATEMENT

AUSTRALIAN CAPITAL TERRITORY

LONG SERVICE LEAVE
(BUILDING AND CONSTRUCTION INDUSTRY) (AMENDMENT)
ORDINANCE 1988

ORDINANCE NO. 22 OF 1988

The Long Service Leave (Building and Construction Industry) Ordinance 1981 ("the Principal Ordinance") provides for long service leave for employees and contractors in the building and construction industry. It establishes the Building and Construction Industry Long Service Leave Board ("the Board") to administer the scheme of benefits provided by the Principal Ordinance.

The Long Service Leave (Building and Construction Industry) (Amendment) Ordinance 1988 amends the Principal Ordinance to provide that a person may be appointed by the Minister to the Board (other than as Chairman) as a representative of either employee or employer organisations. This replaces the present system of appointment by the Minister from those nominated either by specific employer's organisations or the Trades and Labour Council. Complementary amendments are also made to the provisions for the appointment of acting members to the Board.

Certain procedural amendments are also made relating to quorums, voting and the election of persons to preside at meetings of the Board in the Chairman's absence.

The effect of each of the provisions of the Ordinance is outlined in the attachment.

ISSUED BY AUTHORITY OF THE MINISTER
OF STATE FOR THE ARTS AND
TERRITORIES

ATTACHMENT

**LONG SERVICE LEAVE (BUILDING AND CONSTRUCTION INDUSTRY)
(AMENDMENT) ORDINANCE 1988**

Section 1 cites the short title of the proposed Ordinance as the Long Service Leave (Building and Construction Industry) (Amendment) Ordinance 1988.

Section 2 defines the Principal Ordinance as the Long Service Leave (Building and Construction Industry) Ordinance 1981.

Section 3 amends section 8 of the Principal Ordinance which specifies how the Minister must choose the members of the Board so that the Minister, as well as appointing the Chairman, may appoint one member who represents employer organisations and another who represents employee organisations, rather than appointing one from nominees of three specific employer organisations and the other from persons nominated by the Trades and Labour Council of the ACT.

Section 4 introduces some consequential amendments to section 9 of the Principal Ordinance which deals with the appointment of acting members to the Board.

Section 5 repeals section 13 of the Principal Ordinance and substitutes a new section which provides that:

- the quorum for Board meetings is 2;
- the Board members may choose a member to preside at a meeting at which the Chairman is absent;
- the Board decides questions by majority vote;
- the person presiding at a Board Meeting has a casting vote if the vote is tied; and
- where only two members are present at a meeting and they differ on a question at that meeting, the question shall be deferred to a meeting at which more than two members are present.