

AUSTRALIAN CAPITAL TERRITORY
ANNUAL HOLIDAYS ORDINANCE (NO.2) 1973

EXPLANATORY MEMORANDUM

The Annual Holidays Ordinance 1973 entitled all employees in the A.C.T. to a minimum of four weeks annual leave.

The Annual Holidays Ordinance (No.2) 1973 will clarify several matters arising under the original Ordinance and will ensure that the two Ordinances will be interpreted in effect as one Ordinance from the date of the original Ordinance (27 November 1973).

The Annual Holidays Ordinance (No.2) 1973 will:

- include a definition of "determination" within the meaning of an "award";
- redefine a "shift-worker" as a person who is a shift-worker within the meaning of an award or agreement or if a person is not covered by an award or agreement as a person who is rostered or required to commence work after eight o'clock in the evening or before half-past-six in the morning or who works after eight o'clock in the evening as part of his ordinary hours of work;
- remove reference to payment by the piece as this mode of payment is contrary to many award provisions and no longer exists in the Territory;
- limit to three months the period during which leave on workmen's compensation counts as service for the calculation of annual leave to accord with most awards; and
- ensure that any leave loading in an award or agreement applies to any extra leave granted by the original Ordinance.

The proposed Ordinance which has been considered by both employer and employee organisations has been prepared as a matter of urgency to ensure that it will, together with the original Ordinance, apply to the 1973 Christmas period.