



Long Service Leave (Commonwealth Employees) Regulations 1957

Statutory Rules 1957 No. 49 as amended

made under the

*Long Service Leave (Commonwealth Employees)
Act 1976*

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Contents

1	Name of regulations [see Note 1]	2
2	Interpretation	2
3	Declaration of body corporate — paragraph 4 (6) (c) of the Act	3
4	Emoluments included in salary	3
4B	Salary to include higher duties allowance	6
4C	Salary to include proficiency allowance	8
4D	Salary to include district allowance	9
4DA	Salary to include experience allowance	10
4DB	Salary to include tool allowance	11
4DC	Salary not to include certain payments	11
4E	Prescribed office	12
5	Prescribed class of seamen	13
7	Authorities etc deemed State authorities	15
8	Previous employment with prescribed authorities etc treated as employment in Government Service	16
Schedule 1A	Prescribed Authorities — Companies	17
Schedule 1		18
Schedule 2	Previous employment	28
Notes		37

1 Name of regulations [see Note 1]

These regulations are the *Long Service Leave (Commonwealth Employees) Regulations 1957*.

2 Interpretation

In these Regulations, *the Act* means the *Long Service Leave (Commonwealth Employees) Act 1976*.

3 Declaration of body corporate — paragraph 4 (6) (c) of the Act

A company referred to in column 2 of Schedule 1A is declared to be a body corporate to which paragraph 4 (6) (c) of the Act applies.

4 Emoluments included in salary

- (1) For the purposes of the Act, salary includes the following allowances:
- (a) an allowance in respect of the possession of certain qualifications;
 - (b) an allowance in respect of the performance of duties additional to the ordinary duties of an office or position, not being an allowance in respect of the performance of such duties for a temporary period;
 - (c) an allowance in lieu of quarters;
 - (d) an allowance payable to a person as an officer-in-charge;
 - (e) an allowance payable:
 - (i) to a motor lorry driver under paragraph (a) of clause 1 of Determination No. 30 of 1926 made by the Public Service Arbitrator, as varied by any subsequent determination;
 - (ii) to a mail officer in charge of a travelling post office van under clause 1 of the Determination No. 9 of 1928 made by the Public Service Arbitrator, as varied by any subsequent determination;
 - (iii) to a postal officer under clause 14 of Determination No. 30 of 1926 made by the Public Service Arbitrator, as varied by any subsequent determination;
 - (iv) under paragraph (c) of Schedule A to Determination No. 22 of 1935 made by the Public Service Arbitrator, as varied by any subsequent determination; or

Regulation T4T

- (v) under clause 14 of Determination No. 36 of 1952 made by the Public Service Arbitrator, as varied by any subsequent determination;
for not less than two-thirds of the working time of the recipient in the period of twelve months immediately preceding the date upon which his long service leave commences or payment is made in lieu of long service leave, as the case may be;
 - (f) an allowance payable to a Commonwealth employee, not being an allowance payable to a fruit inspector (supervising) in lieu of overtime, in respect of his possession of the same qualifications, or his compliance with the same conditions, as those specified in the Second Schedule to the Public Service Regulations in respect of the occupant of an office the designation of which is specified in that Schedule and the duties of which the Commonwealth employee is performing; and
 - (h) subject to the next succeeding subregulation, an allowance payable under clause 1 of Determination No. 13 of 1930 made by the Public Service Arbitrator, as varied by subsequent Determinations, to telephonists employed in the operation of the overseas radio telephone service.
- (1A) The conditions subject to which payments to a person in accordance with the Act are to include amounts payable by way of the allowance referred to in paragraph (h) of the last preceding subregulation are that the person has received the allowance for not less than two-thirds of his working time in the twelve months immediately preceding the date upon which his long service leave commences or payment is made in lieu of long service leave, as the case may be.
- (2) For the purpose of the Act, salary includes an allowance, in the succeeding subregulations of this regulation referred to as ***group incentive allowance***, payable to a person employed under the *Supply and Development Act 1939-1966* in pursuance of a scheme known as a group incentive scheme.
- (3) The conditions subject to which payments to a person in accordance with the Act are to include amounts by way of, or in respect of, group incentive allowance are:

- (a) that the person was employed under the *Supply and Development Act 1939-1966* throughout the period of twelve months immediately preceding the date upon which his long service leave commences or payment is made in lieu of long service leave, as the case may be; and
 - (b) that the person was not, at any time during that period of twelve months, employed in such a capacity that he was not a member of a class of persons so employed the members of which were eligible to be paid group incentive allowance.
- (4) Where the salary of a person employed under the *Supply and Development Act 1939-1966* includes group incentive allowance but the person was not paid that allowance at the same rate per week throughout the period of twelve months referred to in subregulation (3), an amount equal to the sum of the following amounts is to be the annual salary, for the purposes of the Act, of the person:
- (a) an amount equal to the annual salary of the person excluding any allowances that are to be included in his annual salary by virtue of these Regulations;
 - (b) an amount in respect of group incentive allowance equal to the sum of the amounts of the allowance referred to in subregulation (2) payable in pursuance of a group incentive scheme that were paid or are deemed to have been paid to the person each week during the period of twelve months referred to in subregulation (3); and
 - (c) an amount equal to the sum of the annual amounts payable to the person in respect of each other allowance that is included in the salary of the person by virtue of these Regulations.
- (5) A person employed under the *Supply and Development Act 1939-1966* who was a member of a class of persons so employed the members of which were eligible to be paid group incentive allowance, at a particular rate per week, in respect of a week but was not paid that allowance in respect of that week shall, for the purpose of the application of subregulation (4) in relation to the person, be deemed to have been paid that allowance in respect of that week at the same rate per week.

Regulation T4BT

- (7) A reference in this regulation to a class of persons employed under the *Supply and Development Act 1939-1966* shall be read as a reference to a class of persons so employed that constitutes a group of persons for the purpose of the scheme referred to in subregulation (2) of this regulation.

4B Salary to include higher duties allowance

- (1) For the purposes of the Act, salary includes an allowance (in this regulation called *higher duties allowance*) payable to a person in respect of the performance of the duties of an office having a higher classification than his own.
- (2) The conditions subject to which the salary payable in accordance with section 20 of the Act to an employee in respect of any part of a period of long service leave granted to him under section 16 or 17 of the Act is to include an amount in respect of higher duties allowance are:
- (a) that the salary that has been paid or is payable to the employee in respect of his employment on the relevant day includes an amount in respect of higher duties allowance;
- (b) that the approving authority has certified in writing that, for the period specified in the certificate, being a period that is the same as, or includes, the part of the period of long service leave in respect of which the salary is payable, the employee could, if he were not absent on long service leave, reasonably have been expected to perform:
- (i) the duties that he was performing, or would, but for his absence on authorized leave, have performed on the relevant day; or
- (ii) where the employee has performed, or would, but for his absence on authorized leave, have performed, for periods that were continuous with one another and with the period of long service leave, the duties of 2 or more offices each of which has a higher classification than his own — the duties of the office, being one of those last-mentioned offices, specified in the certificate; and

- (c) that the period specified in the certificate referred to in paragraph (b) is a period that commences on the expiration of:
- (i) the relevant day; or
 - (ii) a period specified in a certificate given in accordance with paragraph (b) by the approving authority in respect of another part of the period of long service leave of the employee.
- (3) Where:
- (a) the salary payable in accordance with section 20 of the Act to an employee, being an employee referred to in subparagraph (2) (b) (ii), in respect of any part of a period of long service leave granted to him under section 16 or 17 of the Act is to include an amount in respect of higher duties allowance; and
 - (b) the approving authority has in accordance with paragraph (2) (b) specified in a certificate given in respect of that part of the period of long service leave of the employee an office other than the office the duties of which the employee was performing, or would, but for his absence on authorized leave, have performed on the relevant day; that amount is to be included in the salary payable to the employee in respect of that part of the period of long service leave to the extent only that it would be so included if the employee had performed on the relevant day the duties of the office specified in the certificate.
- (4) The condition subject to which a payment in accordance with subsection 16 (4) or 17 (2) of the Act to a person who ceases to be an employee is to include an amount in respect of higher duties allowance is:
- (a) that the person has, or would, but for his absence on authorized leave, have, during a continuous period of not less than 12 months ending on the expiration of the relevant day, performed the duties of a single office having a higher classification than his own; or
 - (b) that, immediately before he ceased to be an employee, the person has, or would, but for his absence on authorized leave, have performed the duties of 2 or more offices each

Regulation T4CT

of which has a higher classification than his own for periods that were continuous with one another and the aggregate of which is not less than 12 months.

(5) Where:

- (a) a payment in accordance with subsection 16 (4) or 17 (2) of the Act to a person who ceases to be an employee is to include an amount in respect of higher duties allowance; and
- (b) at any time during the period of 12 months immediately preceding the relevant day, the person (being a person referred to in paragraph (4) (b)) performed the duties of an office in respect of which higher duties allowance was payable to him at a rate that is lower than the rate of the allowance payable to him in respect of the duties performed by him on the relevant day;

that amount is to be included in the payment referred to in paragraph (a) to the extent only that it would be so included if the person had performed on the relevant day the duties in respect of which higher duties allowance was payable to him at the lower or lowest rate, as the case may be, at which such an allowance was payable to him during that period of 12 months.

(6) In this regulation, *relevant day*:

- (a) in relation to an employee who has been granted long service leave, means the day immediately preceding the day on which that leave commences; and
- (b) in relation to a person who ceases to be an employee, means the day on which he ceases to be an employee.

4C Salary to include proficiency allowance

- (1) For the purposes of the Act, salary includes the allowance, known as *proficiency allowance*, payable to persons employed under the *Snowy Mountains Hydro-electric Power Act 1949-1966*.
- (2) The condition subject to which payments to a person in accordance with the Act are to include amounts in respect of proficiency allowance is that the person was in receipt of that allowance immediately before his long service leave

commences or payment is made in lieu of long service leave, as the case may be.

- (3) Where a person is paid salary otherwise than by way of uniform amounts in respect of uniform periods by reason of the fact that he is not paid proficiency allowance at a uniform rate, an amount equal to the sum of the following amounts is to be the annual salary, for the purposes of the Act, of the person:
- (a) an amount equal to the annual salary of the person excluding any allowances that are to be included in his annual salary by virtue of these Regulations;
 - (b) an amount, in respect of proficiency allowance, equal to the amount of proficiency allowance that would be payable to the person in a year if he were entitled to be paid that allowance throughout the year at the rate at which it is payable to him immediately before he commences long service leave or payment is made in lieu of long service leave as the case may be; and
 - (c) an amount equal to the sum of the annual amounts payable to the person in respect of each other allowance that is to be included in the salary of the person by virtue of these Regulations.

4D Salary to include district allowance

- (1) For the purpose of section 20 of the Act, salary includes an allowance (in this regulation called *district allowance*) payable to a person by reason of the fact that he is required to perform his duties in a particular district in Australia or in a Territory of the Commonwealth.
- (2) The condition subject to which payments to a person in accordance with the provisions of the Act referred to in the last preceding subregulation are to include amounts in respect of district allowance is that the person remains in the district in respect of which the allowance is payable during the period of his long service leave or, if the person is a married person, his family remain in that district during any part of the period of his long service leave during which he is absent from that district.

Regulation T4DAT

(3) Where:

- (a) the salary of a person for the purpose of a provision of the Act referred to in subregulation (1) of this regulation includes, by virtue of that subregulation, a district allowance in relation to a particular district;
- (b) provision is made for that allowance to be payable at a particular rate, or in accordance with a particular scale of rates, in the case of persons:
 - (i) who are stationed at, or required to perform duty at, and to reside in, an established camp in the district; or
 - (ii) who are required, as members, whether regular or otherwise, of a camping party, to camp in the district elsewhere than at an established camp;

and at another rate, or in accordance with another scale of rates, in the case of other persons who are stationed at, and reside in, the district; and

- (c) the person is in receipt of that allowance at the rate, or in accordance with the scale of rates, applicable in the case of persons referred to in subparagraph (i) or (ii) of the last preceding paragraph;

that allowance is included in the salary of the person to the extent only that it would be included if he were stationed at, and residing in, the district but was not residing in an established camp in the district, or camping, as a member of a camping party, in the district elsewhere than at an established camp, as the case may be.

4DA Salary to include experience allowance

- (1) For the purposes of the Act, salary includes an allowance payable to an employee in respect of his experience as a tradesman, being experience gained while he was an employee.
- (2) In subregulation (1), *employee* means a person engaged as an employee by the Australian National Railways Commission.

4DB Salary to include tool allowance

For the purposes of the Act, salary includes an allowance payable to an employee in respect of the supply and maintenance by the employee of tools and equipment ordinarily required by the employee for performance of the employee's work.

4DC Salary not to include certain payments

- (1) For the purposes of the Act:
 - (a) shift penalty payments, as defined in this regulation; and
 - (b) overtime payments, as so defined; and
 - (c) payments in the nature of a restriction, or on-call, allowance;
are not included in salary.
- (2) For the purposes of paragraph (1) (a), a payment is a shift penalty payment if it:
 - (a) does not come within a single overall rate of salary; and
 - (b) is in the nature of an allowance or payment that is additional to the relevant ordinary rate of salary; and
 - (c) satisfies the criteria stated in subregulation (3).
- (3) For the purposes of paragraph (2) (c), the following criteria are stated:
 - (a) the payment is payable because the employee to whom it is payable undertakes the employee's normal duties:
 - (i) outside the hours that are regarded in the relevant industry as the normal hours of work or the standard hours of work; or
 - (ii) from time to time during those normal hours of work but as part of a pattern of working hours that are outside those standard hours of work; and
 - (b) the payment is paid:
 - (i) to an employee for work that the employee has in fact undertaken; or

Regulation T4ET

- (ii) to all employees within a class of employees as a payment in the nature of a commuted allowance or penalty.
- (4) For the purposes of subparagraph (3) (b) (ii), a payment is a payment in the nature of a commuted allowance or penalty if it is paid on the basis of liability to undertake shift work (whether or not shift work is in fact undertaken to any particular extent, or at all) and instead of additional payment for shift work in fact undertaken.
- (5) For the purposes of paragraph (1) (b), a payment is an overtime payment if it is:
 - (a) a payment, however described, for overtime that has been undertaken; or
 - (b) a commuted overtime payment to all employees within a class of employees; or
 - (c) a payment to an employee for all of the employee's overtime work regardless of its length or frequency; or
 - (d) any other payment instead of a payment for overtime.

4E Prescribed office

- (1) An office in any of the following organizations is a prescribed office for the purposes of subsection 12 (11) of the Act:
 - (a) an organization, other than an organization of the kind specified in paragraph 12 (11) (a) of the Act, the membership of which includes employees;
 - (b) a council of organizations; or
 - (c) an authorised deposit-taking institution (**ADI**), within the meaning of section 5 of the *Banking Act 1959*, that:
 - (i) has been given consent by the Australian Prudential Regulation Authority, under subsection 66 (1) of the *Banking Act 1959*, to use the expression **building society**, **credit union** or **credit society** in relation to a financial business carried on by the ADI; and
 - (ii) conducts its business by or on behalf of an organisation for the benefit of its members or all employees; or
 - (d) a cooperative society, or similar body, that:

- (i) is registered or incorporated by or under a law of a State or Territory; and
 - (ii) conducts its business by or on behalf of an organisation for the benefit of its members or all employees.
- (2) In subregulation (1), **organization** has the same meaning as in paragraph 12 (11) (a) of the Act.

5 Prescribed class of seamen

- (1) For the purposes of section 15 of the Act, seamen included in any of the following descriptions are a prescribed class of seamen:
- (aa) deck officers;
 - (ab) engineer officers;
 - (a) able seamen;
 - (b) ordinary seamen;
 - (c) crew attendants;
 - (d) lamp trimmers;
 - (e) storekeepers;
 - (f) greasers;
 - (g) motormen;
 - (h) firemen;
 - (i) oil burners;
 - (j) trimmers;
 - (k) wipers;
 - (l) boatswains;
 - (m) donkeymen;
 - (n) deck boys;
 - (o) marine stewards; and
 - (p) marine cooks.
- (2) For the purposes of paragraph (o) of the last preceding subregulation, stewards holding any of the following classifications shall be taken to be marine stewards:
- (a) chief stewards;

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Regulation T5T

- (b) second steward, including the classification known as extra second steward;
 - (c) second class steward;
 - (d) assistant second steward;
 - (e) third class or cabin steward;
 - (f) pantryman first saloon;
 - (g) pantryman second class;
 - (h) nightwatchman;
 - (i) chief saloon waiter, including the classification known as head waiter;
 - (j) barman-storekeeper and storekeeper, including the classifications known as assistant bar and stores steward, linen-keeper, shop steward and milk bar steward;
 - (k) steward required to do printing;
 - (l) barman, steward and barman and steward, not being a linen-keeper only, placed in charge of linen;
 - (m) first grade steward, including the classifications known as bells steward, lounge steward, smokeroom steward, bedroom chief steward, captains' steward, assistant smokeroom steward, second pantryman, third pantryman, fourth pantryman, bridge utility steward, second waiter, third waiter, general utility steward and engineers' steward;
 - (n) second grade steward; and
 - (o) stewardess.
- (3) For the purposes of paragraph (p) of the last preceding subregulation, cooks holding any of the following classifications shall be taken to be marine cooks:
- (a) Chief cook;
 - (b) Senior second cook;
 - (c) Second cook;
 - (d) Extra second cook;
 - (e) Third cook, including the classification known as Fourth cook;
 - (f) Ship's cook;
 - (g) Assistant ship's cook;

- (h) Assistant cook;
 - (i) Baker, including the classification known as Chief baker;
 - (j) Second baker;
 - (k) Butcher, including the classification known as Chief butcher;
 - (l) Second butcher;
 - (m) Scullery man; and
 - (n) Cook's attendant.
- (4) For the purposes of paragraph (aa) of subregulation (1), officers holding any of the following classifications shall be taken to be deck officers:
- (a) master;
 - (b) first mate;
 - (c) second mate; and
 - (d) third mate, including the classification known as fourth mate.
- (5) For the purposes of paragraph (ab) of subregulation (1), officers holding any of the following classifications shall be taken to be engineer officers:
- (a) chief engineer;
 - (b) second engineer;
 - (c) third engineer;
 - (d) fourth engineer;
 - (e) fifth engineer;
 - (f) junior engineer;
 - (g) first electrician;
 - (h) second electrician; and
 - (i) third electrician.

7 Authorities etc deemed State authorities

- (1) An authority, institution or body referred to in column 2 of Schedule 1 shall, for the purposes of the Act, be deemed to be, or to have been, an authority of a State.

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Regulation T8T

- (2) Where, in column 3 of an item in Schedule 1, there is a reference to employment:
- (a) in specified cases or circumstances; or
 - (b) on or after a particular date, before a particular date or during a particular period;
- subregulation (1) has effect in respect only of employment in the service of the authority, institution or body referred to in column 2 of that item:
- (c) in those specified cases or circumstances; or
 - (d) on or after that particular date, before that particular date or during that particular period;
- as the case may be.

8 Previous employment with prescribed authorities etc treated as employment in Government Service

- (1) The previous employment of an employee in the service of a person, authority, institution or body that is referred to in column 2 of Schedule 2 shall be taken into account for the purposes of section 11 of the Act as if it had been employment in Government Service.
- (2) Where, in column 3 of an item in Schedule 2, there is a reference to employment:
- (a) in specified cases or circumstances; or
 - (b) on or after a particular date, before a particular date or during a particular period;
- subregulation (1) has effect in respect only of employment in the service of the authority, institution or body referred to in column 2 of that item:
- (c) in those specified cases or circumstances; or
 - (d) on or after that particular date, before that particular date or during that particular period;
- as the case may be.

Schedule 1A Prescribed Authorities — Companies

(regulation 3)

Column 1	Column 2
Item	Name of company
1	AIDC Limited
2	ANL Limited
4	Australian and Overseas Telecommunications Corporation Limited

Schedule 1

(regulation 7)

Column 1	Column 2	Column 3
Item	Name of authority, institution or body	Cases, circumstances or period of employment
	<i>New South Wales</i>	
1	A State Technical College or similar tertiary institution	
2	Board of Fire Commissioners of New South Wales	
3	Broken Hill Water Board	
3A	Charles Sturt University	
4	Hunter District Water Board	
5	Kosciusko State Park Trust	
6	Macquarie University	
7	Main Roads Board of New South Wales	
8	Maritime Services Board of New South Wales	
9	Metropolitan Meat Industry Commissioner of New South Wales	
10	Metropolitan Water Sewerage and Drainage Board	
11	New South Wales Ambulance Transport Service Board	Employment before 1 April 1952
12	A public hospital constituted as a body corporate under the Public Hospitals Act, 1929 of New South Wales	Employment of a person during the period during which the name of the hospital has been included in the Second Schedule to that Act

Column 1	Column 2	Column 3
Item	Name of authority, institution or body	Cases, circumstances or period of employment
13	Railway Commissioners for New South Wales	Employment during the period from 1 January 1912 to and including 1 January 1935
14	Royal Alexandra Hospital for Children	Employment during the period during which the name of that hospital has been included in the Third Schedule to the Public Hospitals Act, 1929 of New South Wales
15	Royal Prince Alfred Hospital (including the King George V Memorial Hospital)	Employment during the period during which the name of that hospital has been included in the Third Schedule to the Public Hospitals Act, 1929 of New South Wales
16	Rural Bank of New South Wales	
17	State Coal Mine, Lithgow	Employment before 16 December 1932
18	The Prince Henry Hospital	Employment during the period during which the name of that hospital has been included in the Third Schedule to the Public Hospitals Act, 1929 of New South Wales

Column 1	Column 2	Column 3
Item	Name of authority, institution or body	Cases, circumstances or period of employment
19	The South Sydney Women's Hospital	Employment during the period during which the name of that hospital has been included in the Third Schedule to the Public Hospitals Act, 1929 of New South Wales
20	The Sydney Hospital	Employment during the period during which the name of that hospital has been included in the Third Schedule to the Public Hospitals Act, 1929 of New South Wales
21	Totalizator Agency Board	
22	United Dental Hospital	Employment during the period during which the name of that hospital has been included in the Third Schedule to the Public Hospitals Act, 1929 of New South Wales
23	University of Newcastle	
24	University of New England	
25	University of New South Wales	
26	University of Sydney	
26A	University of Technology, Sydney	
26B	University of Western Sydney	
26C	University of Wollongong	
27	Water Conservation and Irrigation Commission	

Column 1	Column 2	Column 3
Item	Name of authority, institution or body	Cases, circumstances or period of employment
	<i>Victoria</i>	
27A	Ballarat University College	
28	Cancer Institute Board	
29	Council of Adult Education	
29A	Council of the Lincoln Institute of Health Sciences	
29B	Deakin University	
30	Farmers' Debts Adjustment Board of Victoria	
31	Gas and Fuel Corporation of Victoria	
32	Geelong Harbour Trust	
33	Geelong Waterworks and Sewerage Trust	
33A	Knowledge Victoria Limited	Employment on or after 8 May 1987
34	La Trobe University	
34A	Mayfield Centre, Malvern	
35	Melbourne Harbour Trust	
36	Melbourne and Metropolitan Board of Works	
37	Melbourne and Metropolitan Tramways Board	
38	Metropolitan Fire Brigades Board	
39	Mildura Vineyards Protection Board	
40	Monash University	
40A	Municipal Association of Victoria	
41	Portland Harbour Trust Commissioners	
42	A State Technical College or similar tertiary institution	

Column 1	Column 2	Column 3
Item	Name of authority, institution or body	Cases, circumstances or period of employment
43	A public hospital which is an incorporated institution under the Hospitals and Charities Act 1958 of Victoria or an unincorporated public hospital under that Act (not being a separate institution under that Act)	
43A	A public hospital that is incorporated under the <i>Health Services Act 1988</i> of Victoria	Employment on or after 1 July 1988
43B	Royal Melbourne Institute of Technology	
44	State Savings Bank of Victoria	
44A	Swinburne University of Technology	
45	University of Melbourne	
45A	Victoria University of Technology	
46	Victorian Civil Ambulance Service	
46A	Victorian College of Pharmacy	Employment after 4 July 1966
47	Victorian Inland Meat Authority	
48	Victorian State Coalmine, Wonthaggi	
49	Zoological Board of Victoria <i>Queensland</i>	
50	Bowen Harbour Board	
51	Bundaberg Harbour Board	
52	Cairns Harbour Board	
53	Committee of Direction of Fruit Marketing	
54	Darling Downs Institute of Advanced Education	
55	A District Fire Brigades Board	

Column 1	Column 2	Column 3
Item	Name of authority, institution or body	Cases, circumstances or period of employment
56	Gladstone Harbour Board	
56A	Griffith University	
56B	James Cook University of North Queensland	
57	Mackay Harbour Board	
58	Metropolitan Public Abattoir Board	Employment before 1969 and during that part of 1969 when that Board was known as the Queensland Meat Industry Board
59	A public hospital conducted by a board constituted as a body corporate in accordance with The Hospitals Act of 1936 of Queensland	
60	A Queensland Ambulance Transport Brigade Area Committee established under section 19 of The Ambulance Services Act of 1967 of Queensland	Employment on or after 24 June 1967
61	A Queensland commodity board established under The Primary Producers' Organisation and Marketing Act of 1926 of Queensland	
62	Queensland Fish Board	
63	Queensland Institute of Medical Research	
64	Queensland State Wheat Board	
64A	Queensland University of Technology	
65	Rockhampton Harbour Board	
66	A State Technical College or similar tertiary institution	

Column 1	Column 2	Column 3
Item	Name of authority, institution or body	Cases, circumstances or period of employment
67	The State Council of the Queensland Ambulance Transport Brigade	Employment on or after 24 June 1967
68	The Sugar Experiment Stations Board	
69	Townsville Harbour Board	
69AA	University College of Central Queensland	
69A	University College of Southern Queensland	
70	University of Queensland <i>South Australia</i>	
71	Betting Control Board	Employment before 9 December 1965
72	Electricity Trust of South Australia	
73	Fire Brigades Board of South Australia	
74	Flinders University of South Australia	
75	A hospital other than a hospital registered as a private hospital or a maternity home under section 146 of the Health Act, 1935 of South Australia	
76	Institute of Medical and Veterinary Science	
76A	Local Government Association of South Australia	
77	Metropolitan and Export Abattoirs Board	
78	Municipal Tramways Trust of South Australia	
78A	The National Fitness Council of South Australia	
79	Renmark Irrigation Trust	

Column 1	Column 2	Column 3
Item	Name of authority, institution or body	Cases, circumstances or period of employment
80	Savings Bank of South Australia	
81	South Australian Housing Trust	
82	South Australian School of Mines	
83	A State Technical College or similar tertiary institution	
84	The Australian Mineral Development Laboratories	
85	The Public Examinations Board of South Australia	
86	The South Australian Egg Board	
87	University of Adelaide	
87A	University of South Australia <i>Western Australia</i>	
88	Commissioner of Main Roads	Employment of a person as a casual employee
88A	Curtin University of Technology	
88B	Edith Cowan University	
89	Fremantle Harbour Trust	
90	Kings Park Board	
91	Metropolitan (Perth) Passenger Transport Trust	
91A	Murdoch University	
92	National Parks Board of Western Australia	
93	A public hospital conducted by a hospital board constituted as a body corporate under the Hospitals Act, 1927 of Western Australia	

Column 1	Column 2	Column 3
Item	Name of authority, institution or body	Cases, circumstances or period of employment
94	State Gardens Board	Employment that is continuous with employment with the National Parks Board of Western Australia
95	A State Technical College or similar tertiary institution	
96	The Library Board of Western Australia	
97	The Motor Vehicle Insurance Trust (Western Australia)	
98	University of Western Australia	
98A	Wait-Aid Ltd	
99	Western Australia Egg Marketing Board	
100	Western Australian Potato Marketing Board	
	<i>Tasmania</i>	
101	Burnie Marine Board	
102	Circular Head Marine Board	
103	Commissioner for Railways	Employment before 1 July 1939
104	Devonport Marine Board	
105	Engineering Board of Management of Tasmania	
106	A Fire Brigade Board constituted under the Fire Brigades Act 1945 of Tasmania	
107	Flinders Marine Board	
108	Hobart Marine Board	
109	Hydro-Electric Commission (Tasmania)	
110	King Island Marine Board	
111	Launceston Marine Board	

Column 1	Column 2	Column 3
Item	Name of authority, institution or body	Cases, circumstances or period of employment
112	Metropolitan Transport Trust (Tasmania)	Employment at Hobart on or after 1 March 1955 and employment at Launceston on or after 1 July 1955
113	North Eastern Harbour Trust	
114	A public hospital conducted by a hospital board constituted as a body corporate under the Hospitals Act 1918 of Tasmania	
115	Smithton Harbour Trust	
116	A State Technical College or similar tertiary institution	
117	Strahan Marine Board	
118	Tasmanian College of Advanced Education	
119	Tasmanian Grain Elevators	
120	Tasmanian Grain Elevators Board	
121	Tasmanian Racing Commission	
122	Ulverstone Harbour Trust	
123	University of Tasmania <i>Northern Territory</i>	
124	Darwin Institute of Technology	
125	Northern Territory University	

Schedule 2 Previous employment

(regulation 8)

Column 1 Item	Column 2 Name of authority, institution or body	Column 3 Cases, circumstances or period of employment
1	Aboriginal Corporation of the National Aboriginal Conference	
2	Aboriginal Hostels Limited	
3	Acoustic Research Laboratories	Employment of a person whose services were taken over by the Commonwealth on 1 January 1947
4	Adelaide Symphony Orchestra Pty Ltd	Employment of a person who: (a) was compulsorily transferred from the Australian Broadcasting Corporation to the Adelaide Symphony Orchestra Pty Ltd on 1 July 1997; and (b) is subsequently employed in Government Service
5	Aerospace Technologies of Australia Pty Limited	
6	Air Queensland Ltd	Employment before 27 June 1985 of a person whose services were taken over by the Commonwealth on that date, including continuous service with Bush Pilots Airways Pty Ltd and Bush Pilots Airways Ltd Employment on or after 27 June 1985 until 25 March 1986

Column 1 Item	Column 2 Name of authority, institution or body	Column 3 Cases, circumstances or period of employment
7	Air Queensland Pty Ltd	Employment on or after 26 March 1986 and before the commencement of Part 4 of the Schedule to the <i>Qantas Sale Act 1992</i>
8	Allambee Nursing Home	Employment of a person whose services were taken over by the Department of Health on 13 March 1975
9	Amalgamated Wireless (Australasia) Limited	Employment on or after 8 May 1922 of a person who transferred as an Aeradio Operator to the Department of Civil Aviation during 1939 or 1940
10	Applied Ecology Pty Ltd	
11	Army Health Benefits Society	
12	Australian Airlines Limited	Employment before the commencement of Part 4 of the Schedule to the <i>Qantas Sale Act 1992</i>
13	Australian Bicentennial Authority	
14	Australian Broadcasting Company Limited	Employment of a person whose services were taken over by the Australian Broadcasting Commission on 1 July 1932
15	Australian Conference of Principals of Colleges of Advanced Education	
16	Australian Council of Local Government Associations	
17	Australian Institute of Nuclear Science and Engineering	
18	Australian Institute of Sport	

Column 1 Item	Column 2 Name of authority, institution or body	Column 3 Cases, circumstances or period of employment
19	Australian Maritime College	
20	Australian National Airways Ltd	Employment of a person at the Annexe, Parafield, whose services were taken over by the Division of Aircraft Production, Department of Defence Production on 28 September 1945
21	Australian National Travel Association	Employment of a person whose services were taken over by the Australian Tourist Commission on 1 July 1967
22	Australian Railway Research and Development Organisation	
23	Australian Road Research Board	
24	Australian Vice-Chancellors' Committee	
25	British Commonwealth Pacific Airlines Limited	Employment of a person whose services were taken over by Qantas Empire Airways Limited on 14 March 1954
26	British Defence Research and Supply Staff (an agency of the Ministry of Technology)	Employment before 18 September 1970 of a person whose services were taken over by the Department of Supply on 28 September 1970
27	British Phosphate Commissioners	Employment before 1 July 1981 of a person whose services were taken over by the Australian Shipping Commission on that date
28	Calvary Hospital ACT Incorporated	
29	Canberra College of Advanced Education	

Column 1 Item	Column 2 Name of authority, institution or body	Column 3 Cases, circumstances or period of employment
30	Canberra Mothercraft Society	<p>Employment before 1 July 1969 of a person whose services were taken over by the Department of Health on that date</p> <p>Employment before 12 November 1973 of a person whose services were taken over by the Department of the Capital Territory on that date</p> <p>Employment of a person whose services were taken over by the Department of Health on 1 July 1969</p>
31	Canberra Tourist Bureau	Employment of a person whose services were taken over by the Department of the Interior on 1 July 1952
32	Church Missionary Society of Australia	Employment before 9 February 1970 of a person whose services were taken over by the Commonwealth on that date
33	Coal Mines Insurance Pty Limited	
34	Commonwealth Accommodation and Catering Services Limited	
35	Commonwealth Brickworks (Canberra) Limited	Employment before 21 September 1979
36	Commonwealth Collieries Pty Ltd	Employment on or after 8 March 1947
37	Commonwealth Funds Management Limited	
38	Commonwealth Hostels Limited	

Column 1 Item	Column 2 Name of authority, institution or body	Column 3 Cases, circumstances or period of employment
39	Darwin Community College	
40	Employment National (Administration) Pty Ltd	Employment of a person who was declared, under subsection 81C (1) of the <i>Public Service Act 1922</i> , to be in the employment of Employment National (Administration) Pty Ltd
41	Flax Fibres Proprietary Limited	Employment before 1 December 1940 of a person who commenced employment with the Flax Production Committee on that date
42	Grazcos Supplies Pty Limited	Employment of a person whose services were taken over by the Australian Wool Corporation on 1 July 1978
43	Guinea Airways Ltd	Employment at: (a) The Annexe, Parafield; (b) Engine Shop, Cavan; or (c) installations, Finsbury, of a person whose services were taken over by the Division of Aircraft Production, Department of Defence Production on 12 January 1945
44	Health Services Australia	Employment of a person who was declared, under subsection 81C (1) of the <i>Public Service Act 1922</i> , to be in the employment of Health Services Australia
45	International Development Program of Australian Universities and Colleges Limited	

Column 1 Item	Column 2 Name of authority, institution or body	Column 3 Cases, circumstances or period of employment
46	Joint Coal Board	
47	Legal Aid Committee of the Australian Capital Territory established by the Legal Aid Ordinance 1972 of that Territory	Employment that is continuous with employment with the Legal Aid Commission (ACT)
48	Magnetic Observatory Watheroo	Employment before 1 July 1947
49	Medibank Limited	Employment of a person who was taken to be engaged by Medibank Limited because of the operation of a declaration under section 21 of the <i>Health Insurance Commission (Reform and Separation of Functions) Act 1997</i>
50	Melbourne Symphony Orchestra Pty Ltd	Employment of a person who: <ul style="list-style-type: none"> (a) was compulsorily transferred from the Australian Broadcasting Corporation to the Melbourne Symphony Orchestra Pty Ltd on 1 July 1997; and (b) is subsequently employed in Government Service
51	National Aboriginal Sports Foundation Aboriginal Corporation	
52	National Institute of Dramatic Art	
53	National Oil Proprietary Limited	Employment before 17 August 1949 of a person whose services were taken over by the Commonwealth on that date

Column 1 Item	Column 2 Name of authority, institution or body	Column 3 Cases, circumstances or period of employment
54	The National Training Board Ltd	
55	North Australia District of the Methodist Overseas Mission of the General Conference of the Methodist Church of Australasia	Employment before 5 February 1968 of a person whose services were taken over by the Commonwealth on that date
56	NSW Mining Company Pty Ltd	
57	Phosphate Mining Company of Christmas Island Limited	
58	Postal Institute Cafeterias	Employment of a person transferred to the Food Services Branch of the Postmaster- General's Department
59	Qantas Airways Limited	Employment before the commencement of Part 4 of the Schedule to the <i>Qantas Sale Act 1992</i>
60	Science and Engineering Research Council	Employment with the Science and Engineering Research Council for the period spent with the United Kingdom Schmidt Telescope Unit before 15 June 1988 of a person whose services were taken over by the Anglo-Australian Telescope Board on that day
61	Shepherdson College	Employment before 1 February 1976 of a person whose services were taken over by the Department of Education on that date

Column 1 Item	Column 2 Name of authority, institution or body	Column 3 Cases, circumstances or period of employment
62	Symphony Australia Holdings Pty Ltd	Employment of a person who: (a) was compulsorily transferred from the Australian Broadcasting Corporation to Symphony Australia Holdings Pty Ltd on 1 July 1997; and (b) is subsequently employed in Government Service
63	Telecom Australia (International) Limited	
64	The Anzac Agency for the Pacific Region of the Commonwealth War Graves Commission (an agency of a body corporate established by royal charter)	Employment of a person whose services were taken over by the Department of the Special Minister of State on 1 January 1975
65	The Australian Institute of Agricultural Science	Employment of a person whose services were taken over by the Commonwealth Scientific and Industrial Research Organization on 1 January 1976
66	The Australian National University	
67	The Council of the Canberra University College	
68	The Koomarri Training Centre	Employment before 25 January 1974 of a person whose services were taken over by the Department of Education on that date
69	The Queensland and Northern Territory Aerial Services Limited	Employment of a person whose services were taken over by Qantas Empire Airways Limited on 1 July 1947

Column 1 Item	Column 2 Name of authority, institution or body	Column 3 Cases, circumstances or period of employment
70	The Papua New Guinea University of Technology	Employment before 16 September 1975
71	The River Murray Commission	
72	The University of Papua New Guinea	Employment before 16 September 1975
73	Travelstrength Limited	
74	University of Canberra	
75	VIP Building Maintenance Contractors Pty Limited	Employment of a person whose services were taken over by the Department of Administrative Services on 1 June 1978
76	West Australian Symphony Orchestra Holdings Pty Ltd	Employment of a person who: (a) was compulsorily transferred from the Australian Broadcasting Corporation to West Australian Symphony Orchestra Holdings Pty Ltd on 2 March 1998; and (b) is subsequently employed in Government Service
77	Williamstown Dockyard	Employment of a person whose services were taken over by the Department of the Navy on 28 October 1942
78	Enterprise and Career Education Foundation Limited	Employment of a person whose services were taken over by the Department of Education, Science and Training on 1 October 2003

Notes to the *Long Service Leave (Commonwealth Employees) Regulations 1957*

Note 1

The *Long Service Leave (Commonwealth Employees) Regulations 1957* (in force under the *Long Service Leave (Commonwealth Employees) Act 1976*) as shown in this compilation comprise Statutory Rules 1957 No. 49 amended as indicated in the Tables below.

The *Long Service Leave (Commonwealth Employees) Regulations 1957* were amended by the *Qantas Sale Act 1992* (Act No. 196, 1992) as amended by the *Qantas Sale Amendment Act 1993* (Act No. 60, 1993) and the *Qantas Sale Amendment Act 1994* (Act No. 168, 1994). The amendment is incorporated in this compilation. For application, saving or transitional provisions relating to the amendment *see* subsection 23 (2) of the Act.

The *Long Service Leave (Commonwealth Employees) Regulations 1957* were amended by the *Snowy Mountains Engineering Corporation Limited Sale Act 1993* (Act No. 54, 1993). The amendment is incorporated in this compilation. For application, saving or transitional provisions relating to the amendment *see* subsection 6 (2) of the Act.

The *Long Service Leave (Commonwealth Employees) Regulations 1957* were amended by the *CSL Sale Act 1993* (Act No. 88, 1993). The amendment is incorporated in this compilation. For application, saving or transitional provisions relating to the amendment *see* subsection 10 (2) of the Act.

The *Long Service Leave (Commonwealth Employees) Regulations 1957* were amended by the *ANL Sale Act 1995* (Act No. 136, 1995). The *ANL Sale Act 1995* was repealed by section 79 of that Act before it came into operation.

Table of Statutory Rules

Year and number	Date of notification in Gazette	Date of commencement	Application, saving or transitional provisions
1957 No. 49	12 Sept 1957	12 Sept 1957	

Table of Statutory Rules

Year and number	Date of notification in Gazette	Date of commencement	Application, saving or transitional provisions
1967 No. 100	27 July 1967	27 July 1967	—
1968 No. 74	11 July 1968	11 July 1968	—
1969 No. 184	27 Nov 1969	R. 1: 19 Mar 1968 Remainder: 27 Nov 1969	—
1969 No. 195	8 Dec 1969	R. 1: 17 Nov 1967 Remainder: 8 Dec 1969	—
1970 No. 124	10 Sept 1970	10 Sept 1970	—
1972 No. 46	13 Apr 1972	13 Apr 1972	—
1972 No. 131	3 Aug 1972	3 Aug 1972	—
1973 No. 86	10 May 1973	10 May 1973	—
1974 No. 17	12 Feb 1974	12 Feb 1974	—
1976 No. 259	3 Dec 1976	3 Dec 1976	R. 2
1976 No. 267	14 Dec 1976	14 Dec 1976	—
1977 No. 58	9 May 1977	9 May 1977	—
1977 No. 73	7 June 1977	7 June 1977	—
1977 No. 134	17 Aug 1977	17 Aug 1977	—
1977 No. 155	15 Sept 1977	15 Sept 1977	—
1978 No. 26	28 Feb 1978	28 Feb 1978	—
1978 No. 73	24 May 1978	24 May 1978	—
1978 No. 110	4 July 1978	4 July 1978	—
1978 No. 111	4 July 1978	4 July 1978	—
1978 No. 269	21 Dec 1978	21 Dec 1978	—
1979 No. 32	7 Mar 1979	7 Mar 1979	R. 2
1979 No. 121	5 July 1979	5 July 1979	—
1980 No. 38	11 Mar 1980	11 Mar 1980	—
1980 No. 193	8 July 1980	8 July 1980	—
1980 No. 199	15 July 1980	15 July 1980	—
1980 No. 262	5 Sept 1980	5 Sept 1980	—
1981 No. 135	12 June 1981	12 June 1981	—
1981 No. 285	30 Sept 1981	30 Sept 1981	—
1981 No. 356	18 Dec 1981	18 Dec 1981	—
1981 No. 374	31 Dec 1981	31 Dec 1981	—
1982 No. 258	1 Oct 1982	1 Oct 1982	—
1982 No. 312	17 Nov 1982	17 Nov 1982	—
1982 No. 313	17 Nov 1982	17 Nov 1982	—
1983 No. 218	14 Oct 1983	14 Oct 1983	—
1984 No. 193	10 Aug 1984	10 Aug 1984	—
1985 No. 181	24 July 1985	24 July 1985	—

Table of Statutory Rules

Year and number	Date of notification in Gazette	Date of commencement	Application, saving or transitional provisions
1986 No. 113	30 May 1986	30 May 1986	—
1987 No. 17	11 Feb 1987	11 Feb 1987	—
1987 No. 211	2 Oct 1987	2 Oct 1987	—
1988 No. 95	25 May 1988	25 May 1988	—
1988 No. 96	25 May 1988	25 May 1988	—
1988 No. 108	1 June 1988	30 Apr 1988	—
1988 No. 356	21 Dec 1988	1 Apr 1989 (see r. 1 and <i>Gazette</i> 1989, No. S92)	—
1989 No. 147	30 June 1989	1 July 1989	—
1989 No. 271	6 Oct 1989	6 Oct 1989	—
1990 No. 327	18 Oct 1990	18 Oct 1990	—
1991 No. 224	5 July 1991	1 Apr 1991	—
1991 No. 264	30 Aug 1991	30 Aug 1991	—
1991 No. 325	29 Oct 1991	29 Oct 1991	—
1992 No. 56	5 Mar 1992	5 Mar 1992	—
1992 No. 99	14 Apr 1992	14 Apr 1992	—
1992 No. 138	9 June 1992	9 June 1992	—
1992 No. 353	9 Nov 1992	9 Nov 1992	—
1992 No. 354	9 Nov 1992	9 Nov 1992	—
1992 No. 355	9 Nov 1992	9 Nov 1992	—
1993 No. 59	4 May 1993	30 July 1995 (see r. 1 and <i>Gazette</i> 1995 No. S324)	R. 2
1998 No. 19	25 Feb 1998	25 Feb 1998	—
1998 No. 130	9 June 1998	9 June 1998	—
1999 No. 85	4 June 1999	1 July 1998	—
2003 No. 348	23 Dec 2003	23 Dec 2003	—

Note: Section 3 of the *Long Service Leave (Commonwealth Employees) Act 1976* provides as follows:

- 3 (1) The following Acts are repealed:
Commonwealth Employees' Furlough Act 1943
Commonwealth Employees' Furlough Act 1944
Commonwealth Employees' Furlough Act 1951
Commonwealth Employees' Furlough Act 1953
Commonwealth Employees' Furlough Act 1958
Commonwealth Employees' Furlough Act 1959
Commonwealth Employees' Furlough Act 1967
Commonwealth Employees' Furlough Act 1968
Commonwealth Employees' Furlough Act (No. 2) 1968
Commonwealth Employees' Furlough Act 1973.

Table of Statutory Rules

- (2) The repeal of the Acts specified in subsection (1) does not affect a grant, under those Acts, before the commencement of this Act, of leave of absence for a period commencing after, or extending after, the commencement of this Act, and this Act applies to and in relation to any leave of absence so granted that occurs after the commencement of this Act as if it had been granted under this Act.
- (3) The repeal of the Acts specified in subsection (1) does not prevent:
 - (a) the giving, under those Acts, of a direction that the death of a person is to be presumed to have occurred on a date before the commencement of this Act; or
 - (b) the making, under those Acts, of any payment that could have been made if the direction had been given before the commencement of this Act.
- (4) Where it was provided by an Act in force immediately before the commencement of this Act that a body was an authority of the Commonwealth for the purposes of the *Commonwealth Employees' Furlough Act 1943*, that body is a public authority of the Commonwealth for the purposes of this Act.
- (5) Regulations made under the Acts repealed by subsection (1) and in force immediately before the commencement of this Act continue in force for the purposes of this Act as if they had been made under this Act, but may be repealed or amended by regulations made under this Act.

Table of Amendments**Table of Amendments**

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected	How affected
R. 1	rs. 1977 No. 58; 1999 No. 85
R. 2	rs. 1977 No. 58
R. 3	rep. 1968 No. 74 ad. 1988 No. 108 am. 1988 No. 356
R. 4	am. 1967 No. 100; 1969 No. 195; 1970 No. 124; 1973 No. 86; 1982 No. 258
R. 4A.....	ad. 1969 No. 184 am. 1974 No. 17; 1976 No. 259; 1982 No. 258 rep. 1993 No. 59
R. 4B.....	ad. 1970 No. 124 am. 1979 No. 32
R. 4C.....	ad. 1970 No. 124 am. 1982 No. 258
R. 4D.....	ad. 1970 No. 124 am. 1977 No. 58; 1982 No. 258; 1992 No. 99
R. 4DA	ad. 1982 No. 258
R. 4DB	ad. 1985 No. 181
R. 4DC	ad. 1992 No. 99
R. 4E.....	ad. 1981 No. 374 am. 1999 No. 85
R. 5	ad. 1968 No. 74 am. 1972 Nos. 46 and 131; 1977 No. 58
R. 6	ad. 1969 No. 195 rep. 1977 No. 58
R. 7	ad. 1976 No. 267
R. 8	ad. 1976 No. 267 am. 1977 No. 58
R. 9	ad. 1981 No. 356 rep. 1986 No. 113
Schedule 1A	
Schedule 1A	ad. 1988 No. 356 rs. 1989 No. 147 am. 1991 No. 224; 1992 No. 138; Act No. 196, 1992; Act Nos. 54 and 88, 1993
Schedule 1	
Schedule 1	ad. 1976 No. 267 am. 1977 No. 73; 1978 No. 269; 1979 No. 121; 1980 No. 199; 1984 No. 193; 1988 No. 95; 1991 Nos. 264 and 325; 1992 No. 353

Table of Amendments

ad. = added or inserted am. = amended rep. = repealed rs. = repealed and substituted

Provision affected

How affected

Schedule 2

Schedule 2..... ad. 1976 No. 267
am. 1977 Nos. 134 and 155
rs. 1978 No. 26
am. 1978 Nos. 73, 110, 111 and 269; 1979 No. 121; 1980
Nos. 38, 193, 199 and 262; 1981 Nos. 135, 285 and
374; 1982 Nos. 312 and 313; 1983 No. 218; 1984 No.
193; 1987 Nos. 17 and 211; 1988 No. 96; 1989 No. 271;
1990 No. 327; 1991 No. 325; 1992 Nos. 56, 353, 354
and 355; 1993 No. 59; 1998 Nos. 19 and 130
rs. 1999 No. 85
am. 2003 No. 348

Schedule 3

Schedule 3..... ad. 1981 No. 356
rep. 1986 No. 113
