

LONG SERVICE LEAVE ORDINANCE 1974

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No. 52 of 1974

An Ordinance to amend the *Long Service Leave Ordinance 1965* as amended

[Assented to 30 September 1974]

BE it ordained by the Legislative Council for the Northern Territory of Australia as follows:

1. This Ordinance may be cited as the *Long Service Leave Ordinance 1974*. Short title

2. The *Long Service Leave Ordinance 1965* as amended is in this Ordinance referred to as the Principal Ordinance. Principal Ordinance

3. Section 5 of the Principal Ordinance is repealed and the following section substituted:

“5. A worker who has been employed by an employer for a period of at least 10 years is entitled to a period of three-tenths of one month of long service leave in respect of each year of his period of service with that employer completed after the commencement of the *Long Service Leave Ordinance 1974*.”. Duration of long service leave

4.(1) Section 8 of the Principal Ordinance is amended by inserting after the word “employer” (first occurring) the words “and the period of long service leave due to him is not less than 3 months”. When a worker may take long service leave due to him

(2) Section 8(b) of the Principal Ordinance is amended by omitting all the words after “if the worker and the employer agree,” and substituting “in separate periods of not less than one month and not otherwise”.

5. Section 10 of the Principal Ordinance is amended—

(a) by omitting from paragraph (a) “or” and

(b) by omitting paragraph (b).

Long service leave accrued when worker's services are terminated otherwise than by death

Transitional

(1) Where a worker is, on the date of commencement of this Ordinance, employed by an employer and the services of the worker with the employer commenced more than 15 years before the date of commencement of this Ordinance, the worker is entitled to—

- (a) the period of long service leave, if any, that he was entitled to under the Principal Ordinance immediately before the commencement of this Ordinance; and
- (a) a period of long service leave that bears to 3 months the same proportion as the period of his service with the employer in the period from and including the date on which he last became entitled to long service leave before the date of commencement of this Ordinance, until but not including the anniversary of the day on which he commenced employment with the employer immediately preceding the date of commencement of this Ordinance, bears to 15 years.

(2) Where a worker is, on the date of commencement of this Ordinance, employed by an employer and the services of the worker with the employer commenced more than 10 but less than 15 years before the date of commencement of this Ordinance, the worker is entitled to a period of long service leave that bears to 3 months the same proportion as the period of his service with the employer in the period from and including the date on which he commenced employment with that employer until but not including the anniversary of the day on which he commenced employment with the employer immediately preceding the date of commencement of this Ordinance, bears to 15 years.

(3) Where a worker is, on the date of commencement of this Ordinance, employed by an employer and the services of the worker with the employer commenced more than one year but less than 10 years before the date of commencement of this Ordinance, he shall, if he continues in the service of that employer until the period of his services with that employer is 10 years, become entitled to a period of long service leave that bears to 3 months the same proportion as the period of his service with the employer in the period from and including the date on which he commenced employment with that employer until but not including the anniversary of the day on which he commenced employment with the employer immediately preceding the date of commencement of this Ordinance bears to 15 years.
