



New South Wales

Portable Long Service Leave Legislation Amendment Bill 2024

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The object of this Bill is to preserve the continuity of long service leave for certain workers who worked at a Commonwealth place within the meaning of the *Commonwealth Places (Application of Laws) Act 1970* within New South Wales (a **NSW Commonwealth place**) in the building and construction industry and the contract cleaning industry.

Outline of provisions

Clause 1 sets out the name, also called the short title, of the proposed Act.

Clause 2 provides for the commencement of the proposed Act.

Schedule 1 Amendments relating to building and construction industry

Building and Construction Industry Long Service Payments Act 1986 No 19

Schedule 1.1[2] provides that if the worker's registration is cancelled, the cancelled registration can be reinstated if—

- (a) the non-service days used as the basis for the cancellation included days (**Commonwealth place days**) on which the worker performed building and construction work at a NSW Commonwealth place, and
- (b) the registration would not have been cancelled if the Commonwealth place days were days of service.

Schedule 1.1[1] makes a consequential amendment.

Building and Construction Industry Long Service Payments Regulation 2022

Schedule 1.2 provides that a day on which a worker performs building and construction work at a NSW Commonwealth place is a non service day.

Schedule 2 Amendments relating to contract cleaning industry

Contract Cleaning Industry (Portable Long Service Leave Scheme) Act 2010 No 122

Schedule 2.1[2] provides that if a worker's registration is cancelled, the cancelled registration may be reinstated if—

- (a) non-service days used as the basis of the cancellation included days (*Commonwealth place days*) on which the worker performed cleaning work at a NSW Commonwealth place, and
- (b) the registration would not have been cancelled if the Commonwealth place days were excluded as non-service days.

Schedule 2.1[1] makes a consequential amendment.

Contract Cleaning Industry (Portable Long Service Leave Scheme) Regulation 2022

Schedule 2.2 provides that a day on which a worker performs cleaning work at a NSW Commonwealth place is a non-service day.