

(Reprint No. 1)

SOUTH AUSTRALIA

LOCAL GOVERNMENT (LONG SERVICE LEAVE) REGULATIONS, 1987

These regulations are reprinted pursuant to the Subordinate Legislation Act 1978 and incorporate all amendments in force as at 8 February 1995.

It should be noted that the regulations were not revised (for obsolete references, etc.) prior to the publication of this reprint.

SUMMARY OF PROVISIONS

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REGULATIONS UNDER THE LOCAL GOVERNMENT ACT, 1934

LOCAL GOVERNMENT (LONG SERVICE LEAVE) REGULATIONS, 1987

being

No. 14 of 1987: *Gaz.* 12 February 1987, p. 354

as varied by

No. 23 of 1991: *Gaz.* 7 March 1991, p. 829

NOTE:

- Asterisks indicate repeal or deletion of text.
- For the legislative history of the regulations see Appendix. Entries appearing in the Appendix in bold type indicate the amendments incorporated since the last reprint.

Short title

1. These regulations may be cited as the *Local Government (Long Service Leave) Regulations, 1987*.

Revocation of prior regulations

2. The *Local Government (Long Service Leave) Regulations, 1984*, previously made under the Act (see *Gazette*, 2 August, 1984, p. 455 and 10 October, 1985, p. 1091) are revoked.

Interpretation

3. In these regulations—

"**council**" has the same meaning as in section 72 of the Act:

"**ordinary pay**" has the same meaning as in the *Long Service Leave Act, 1967*:

"**the Act**" means the *Local Government Act, 1934*.

Authorities or bodies to which the Act applies

4. Section 72 of the Act applies to the following authorities and bodies:

- (a) a County Board of Health constituted under the *Health Act, 1935*;
- (b) any control board established under section 15 of the *Animal and Plant Control (Agricultural Protection and Other Purposes) Act 1986*;
- (c) the S.A. Local Government Group Training Scheme Inc.;
- (d) the Local Government Association of South Australia.

Calculation of amount of contribution

5. Where an officer or employee leaves the service of one council (Council A) and enters the service of another council (Council B) in circumstances in which the officer or employee is entitled to the benefit of section 72(1) of the Act, the contribution to be made by Council A to Council B is calculated in accordance with the following formula:

$$C = \frac{1.3 \times r \times n}{52}$$

where—

C is the amount of the contribution

r is the rate of ordinary pay of the officer or employee at the date of termination of employment with Council A

and

- n is the number of completed weeks of service of the officer or employee at the date of termination of employment with Council A, including any previous periods of service which are to be aggregated with the period of service with Council A so as to form a continuous period of service for the purposes of section 72(1) of the Act but not including a period of service in respect of which the officer or employee has been granted long service leave or received payment in lieu of long service leave.

Refund of contribution in certain circumstances

6. (1) Where—

- (a) a contribution is made under section 72 of the Act by one council to another council in respect of a particular officer or employee;

but

- (b) the service of the officer or employee ceases before an entitlement to long service leave or payment in lieu of long service leave arises, and the officer or employee does not within 13 weeks of the cessation of service again become entitled to the benefit of section 72(1),

the council that received the contribution must refund the amount of the contribution to the council by which the contribution was paid.

(2) If a council receives a refund under this regulation, but the council itself derived portion of the amount refunded from some other council, the council must refund that portion of the amount to that other council.

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APPENDIX

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Local Government (Long Service Leave) Regulations, 1987

APPENDIX

LEGISLATIVE HISTORY

Regulation 4:

varied by 23, 1991, reg. 2