

**COAL MINING INDUSTRY LONG SERVICE LEAVE  
(AMENDMENT) ACT 1990 No. 73**

**NEW SOUTH WALES**



**TABLE OF PROVISIONS**

1. Short title
2. Commencement
3. Amendment of Coal Mining Industry Long Service Leave Act 1950 No. 23

**SCHEDULE 1 - AMENDMENTS**

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**COAL MINING INDUSTRY LONG SERVICE LEAVE  
(AMENDMENT) ACT 1990 No. 73**

**NEW SOUTH WALES**



**Act No. 73, 1990**

An Act to amend the Coal Mining Industry Long Service Leave Act 1950 in respect of awards relating to long service leave payments to employees in the coal mining industry. [Assented to 4 December 1990]

**The Legislature of New South Wales enacts:**

**Short title**

1. This Act may be cited as the Coal Mining Industry Long Service Leave (Amendment) Act 1990.

**Commencement**

2. This Act commences on the date of assent.

**Amendment of Coal Mining Industry Long Service Leave Act 1950  
No. 23**

3. The Coal Mining Industry Long Service Leave Act 1950 is amended as set out in Schedule 1.

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**SCHEDULE 1 - AMENDMENTS**

(Sec. 3)

(1) Section 2 (**Definitions**):

From section 2 (1), omit the definition of "Award", insert instead:

**"Award"** means any award (or any variation or interpretation of an award), order, decision or determination made by the Coal Industry Tribunal (whether before or after the commencement of the Coal Mining Industry Long Service Leave (Amendment) Act 1990) relating to payments in respect of long service leave granted to employees in the coal mining industry.

(2) Section 14:

After section 13, insert:

**Validation of payments made and approvals given before commencement of amending Act**

14. (1) Any payment made or approval given in relation to an award (being an award relating to payments in respect of long service leave granted to employees in the coal mining industry) under this Act before the commencement of the amending Act that would have been validly made or given if the amending Act had then been in force is validated.

SCHEDULE 1 - AMENDMENTS - *continued*

(2) In this section:

"**amending Act**" means the Coal Mining Industry Long Service Leave (Amendment) Act 1990.

(3) The Schedule (**Awards etc. made by the Coal Industry Tribunal**):

Omit the Schedule.

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[*Minister's second reading speech made in -  
Legislative Assembly on 14 November 1990  
Legislative Council on 27 November 1990*]









FIRST PRINT

**COAL MINING INDUSTRY LONG SERVICE LEAVE  
(AMENDMENT) BILL 1990**

NEW SOUTH WALES



**EXPLANATORY NOTE**

**(This Explanatory Note relates to this Bill as introduced into Parliament)**

The Coal Mining Industry Long Service Leave Act 1950 provides for the reimbursement (from the Coal Mining Industry Long Service Leave Trust Fund) of employers in the coal mining industry for amounts paid by them in respect of long service leave to employees under and in accordance with awards of the Coal Industry Tribunal. The Act provides that an employer is entitled to be reimbursed for the amount paid under an award to an employee if the employer has obtained the approval of the Administrator of the Fund before making the payment. The Act defines "award" as an award, variation, order, decision or determination of the Tribunal set out in the Schedule to the Act. Although the Schedule has not been updated to include awards made since 1956, payments have been made as if the scheme provided by the Act applied in respect of awards made after that time.

The object of this Bill is to amend the Act:

- (a) to re-cast the definition of "award" so that all awards of the Coal Industry Tribunal are automatically covered by the Act; and
- (b) to validate any payments or approvals made in relation to awards of the Tribunal that were not included in the Schedule when the payments or approvals were made.

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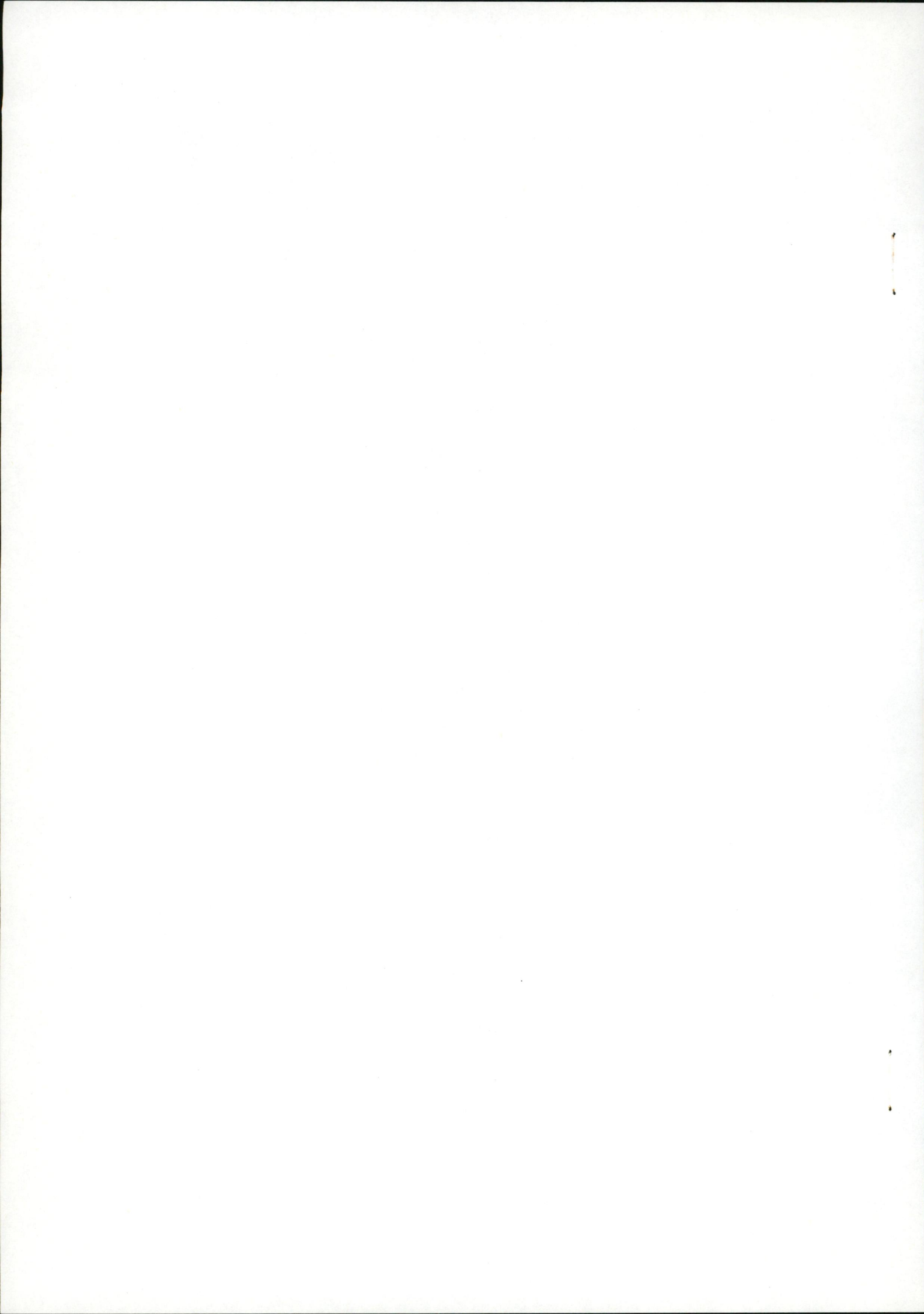
Clause 1 specifies the short title of the proposed Act.

Clause 2 provides that the proposed Act commences on the date of assent.

Clause 3 gives effect to the Schedule of amendments.

Schedule 1 contains the amendments described above.

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FIRST PRINT

**COAL MINING INDUSTRY LONG SERVICE LEAVE  
(AMENDMENT) BILL 1990**

NEW SOUTH WALES

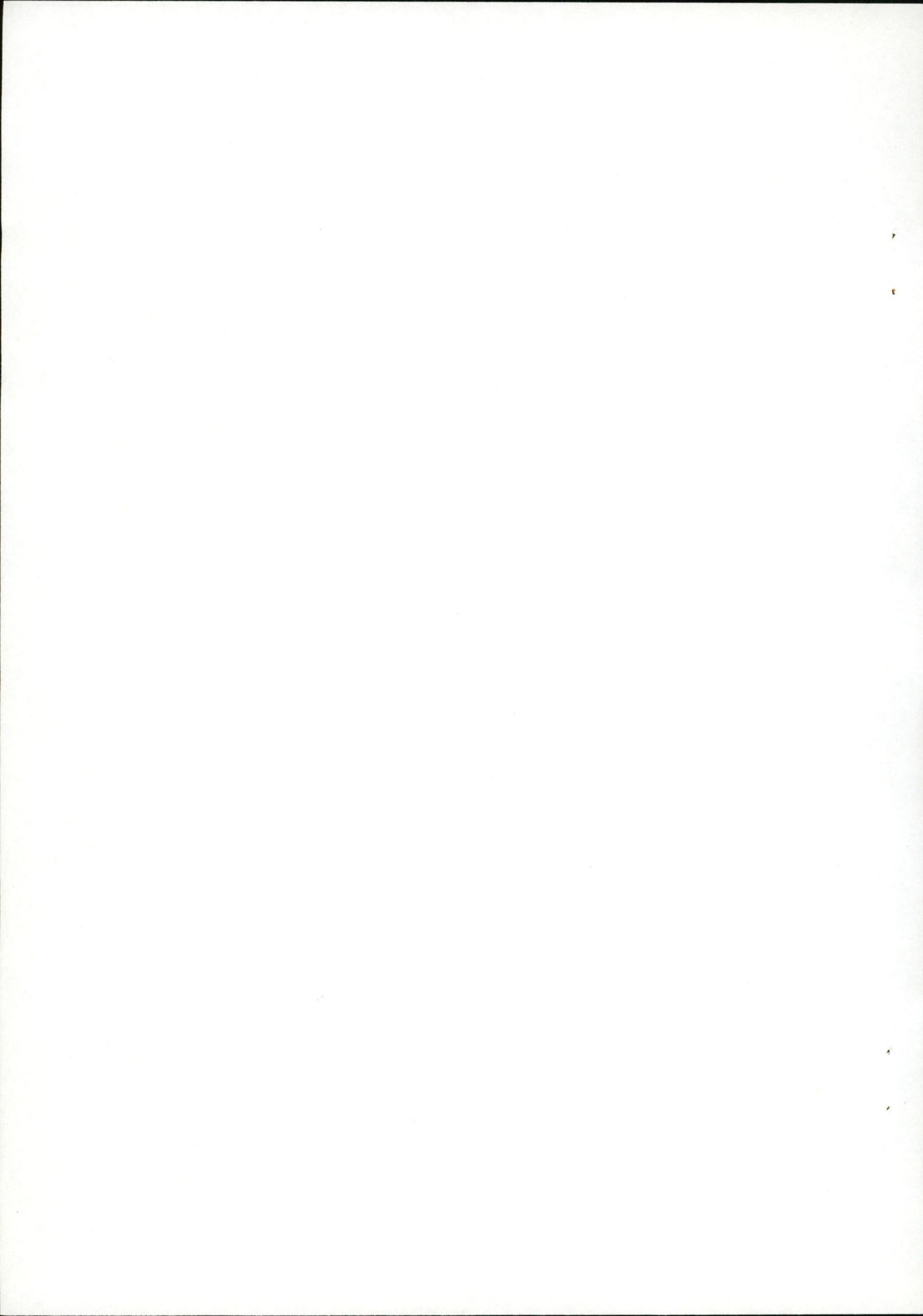


**TABLE OF PROVISIONS**

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SCHEDULE 1 - AMENDMENTS

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**COAL MINING INDUSTRY LONG SERVICE LEAVE  
(AMENDMENT) BILL 1990**

NEW SOUTH WALES



No. , 1990

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**A BILL FOR**

An Act to amend the Coal Mining Industry Long Service Leave Act 1950 in respect of awards relating to long service leave payments to employees in the coal mining industry.

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*Coal Mining Industry Long Service Leave (Amendment) 1990*

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**The Legislature of New South Wales enacts:**

**Short title**

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**Commencement**

2. This Act commences on the date of assent.

**Amendment of Coal Mining Industry Long Service Leave Act 1950 No. 23**

3. The Coal Mining Industry Long Service Leave Act 1950 is amended as set out in Schedule 1.

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**SCHEDULE 1 - AMENDMENTS**

(Sec. 3)

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(2) Section 14:

After section 13, insert:

**Validation of payments made and approvals given before commencement of amending Act**

14. (1) Any payment made or approval given in relation to an award (being an award relating to payments in respect of long service leave granted to employees in the coal mining industry) under this Act before the commencement of the amending Act that would have been validly made or given if the amending Act had then been in force is validated.

*Coal Mining Industry Long Service Leave (Amendment) 1990*

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SCHEDULE 1 - AMENDMENTS - *continued*

(2) In this section:

**"amending Act"** means the Coal Mining Industry Long Service Leave (Amendment) Act 1990.

(3) The Schedule (Awards etc. made by the Coal Industry Tribunal):

Omit the Schedule.

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