



**STATE EMPLOYEES (LONG-SERVICE LEAVE)
 (TRANSFERRED TASMANIAN COLLEGE OF ADVANCED
 EDUCATION EMPLOYEES) ACT 1980**

No. 99 of 1980

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AN ACT to provide for the rights to long service leave of certain persons employed by the Council of Advanced Education who are transferred on 1st January 1981 to the employment of the Council of the University of Tasmania.

[Royal Assent 19 December 1980]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

1—This Act may be cited as the *State Employees (Long-Service Leave) (Transferred Tasmanian College of Advanced Education Employees) Act 1980*. Short title.

Commence-
ment.

2—This Act shall commence on 1st January 1981.

Principal Act.

3—In this Act, the *State Employees (Long-Service Leave) Act 1950** is referred to as the Principal Act.

Incorporation.

4—This Act is incorporated, and shall be read as one, with the Principal Act.

Interpretation.

5—In this Act, except in so far as the context or subject-matter otherwise indicates or requires—

“ first Council ” means the Council of Advanced Education;

“ prescribed date ” means 1st January 1981;

“ second Council ” means the Council of the University of Tasmania.

Preservation
of rights to
long service
leave of
certain
transferred
employees of
the Council of
Advanced
Education.

6—Where a person—

(a) is, on the prescribed date, transferred from employment by the first Council to employment by the second Council; and

(b) immediately before that date, is an employee within the meaning of the Principal Act,

the period of that person's continuous employment by the first Council that is terminated on his transfer to employment by the second Council shall, for the purpose of calculating his entitlement to long service leave under any scheme providing for the long service leave of a person employed by the second Council, be treated as a part of his period of continuous service as an employee of the second Council.

* No. 81 of 1950. For this Act, as amended to 1st August 1979, see the continuing Reprint of Statutes. Affected by No. 66 of 1979 and amended by No. 42 of 1980.

7—(1) Where a person who is transferred from employment by the first Council to employment by the second Council as mentioned in section 6 would, but for this section, be entitled to the payment of an allowance under section 7 of the Principal Act by reason of his being compulsorily retired from his employment with the first Council on account of—

Certain allowances not payable under the Principal Act.

(a) his position with the first Council having been abolished;
 or

(b) his services with that Council having become unnecessary, that person is not entitled to the payment of such an allowance if, on being so transferred to employment by the second Council, he is transferred—

(c) to a tenure of office for a period not less than that which he held with the first Council immediately before the prescribed date; and

(d) at a rate of salary not less than that which was paid to him by the first Council immediately before that date.

(2) For the purposes of subsection (1), a person is not transferred to employment by the second Council at a rate of salary not less than that to which he was paid by the first Council if he satisfies the Minister that, in a period not exceeding 2 years from the date of his transfer, he would, at the completion of that period, and by virtue of that transfer, be paid a rate of salary by the second Council less than that which he would, at the completion of that period, have been paid had he remained in the employment of the first Council.

