

Proclamation - Community Services Industry (Portable Long Service Leave) Act 2020

Explanatory notes for SL 2020 No. 182

made under the

Community Services Industry (Portable Long Service Leave) Act 2020

General Outline

Short Title

Proclamation made under the *Community Services (Portable Long Service Leave) Act 2020*.

Authorising law

Section 2 of the *Community Services Industry (Portable Long Service Leave) Act 2020*

Policy objectives and the reasons for them

The objective of the Proclamation is to commence all provisions in the *Community Services Industry (Portable Long Service Leave) Act 2020* (the Act) that have not yet come into force.

The Act provides the legislative foundation for the establishment of a portable long service leave (PLSL) scheme for Queensland's community services industry (the Scheme). The proclamation will bring into force provisions designed to support the operation of the Scheme including those parts that pertain to:

- registration of workers and employers;
- recording of service and payment of the levy that funds the Scheme;
- calculation, application and payment of an entitlement;
- reviews and appeals; and
- enforcement of compliance with the Act.

The specific provisions of the Act will commence on 1 January 2021.

Achievement of policy objectives

The policy objective of the Proclamation is to commence the majority of provisions of the Act.

The policy objective is achieved by fixing a commencement date of 1 January 2021.

Consistency with policy objectives of authorising law

The Proclamation is consistent with the objectives of the Act.

Inconsistency with policy objectives of other legislation

There is no inconsistency with the policy objectives of other legislation.

Alternative ways of achieving policy objectives

There are no alternative means of achieving the purpose of the Proclamation.

Benefits and costs of implementation

To fund the Scheme, industry employers will be required to pay a levy of 1.35 per cent on the wages of workers they engage. The costs of administering the Scheme will be offset by the levy.

Consistency with fundamental legislative principles

The Proclamation is consistent with Fundamental Legislative Principles.

Consultation

The development of the Act and Scheme has been informed by extensive stakeholder consultation, including employer and employee organisations, peak bodies and service providers in the sector.

Consultation included the release of a Consultation Regulatory Impact Statement (RIS) in September 2018 and the subsequent establishment of a Taskforce represented by industry stakeholders to further consider the details, operation and administration of a scheme. The Taskforce established general consensus for support of a PLSL scheme and for the elements of the proposed Scheme.

The Office of Best Practice Regulation was not consulted as the Proclamation is of a machinery nature and falls within the agency assessed exclusion category (g) under the Queensland Government Guide to Better Regulation.

No further consultation was undertaken on the Proclamation as it is of a machinery nature.