

TASMANIA

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**LONG SERVICE LEAVE (STATE EMPLOYEES)  
REGULATIONS 2024**

**STATUTORY RULES 2024, No. 84**

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## **LONG SERVICE LEAVE (STATE EMPLOYEES) REGULATIONS 2024**

I, the Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, acting with the advice of the Executive Council, make the following regulations under the *Long Service Leave (State Employees) Act 1994*.

Dated 2 December 2024.

B. BAKER  
Governor

By Her Excellency's Command,

GUY BARNETT  
Minister for Justice

### **1. Short title**

These regulations may be cited as the *Long Service Leave (State Employees) Regulations 2024*.

### **2. Commencement**

These regulations take effect on  
19 December 2024.

*Long Service Leave (State Employees) Regulations 2024*  
*Statutory Rules 2024, No. 84*

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**3. Interpretation**

In these regulations –

*Act* means the *Long Service Leave (State Employees) Act 1994*.

**4. Prescribed office**

For the purpose of paragraph (c) of the definition of *prescribed authority* in section 3 of the Act, the position of the General Manager of Corporate Services of the Department is a prescribed office.

**5. Holidays**

For the purposes of the Act –

- (a) a day that is a statutory holiday, within the meaning of the *Statutory Holidays Act 2000*, is prescribed as a holiday for the whole State; and
- (b) a day that is a statutory holiday, for an area of the State specified in column 3 of Part 1 of Schedule 1 to the *Statutory Holidays Act 2000*, is prescribed as a holiday for that area.

**6. Appeals**

- (1) An appeal under section 22 of the Act is to be instituted by a notice of appeal in accordance with Form 1 in Schedule 1.

- (2) On the hearing of such an appeal, evidence and matters not raised before a Commissioner may only be admitted by leave of the Full Bench hearing the appeal.
- (3) A Full Bench may determine whether it is to hear both evidence and argument in respect of the appeal.
- (4) On the hearing of the appeal, a Full Bench –
  - (a) is to act according to equity, good conscience and the merits of the matter without regard to technicalities or legal forms; and
  - (b) may direct itself by the best evidence it can obtain, whether that evidence is admissible in a court or not.
- (5) On the hearing of the appeal, a Full Bench is to consider any reason given by a Commissioner for any determination.
- (6) The provisions of sections 16, 22, 23, 25, 26 and 27 of the *Commissions of Inquiry Act 1995* apply in an appeal before the Full Bench as if –
  - (a) a reference to the Commission in those provisions were a reference to the Full Bench; and
  - (b) a reference to a Commissioner in those provisions were a reference to a member of the Full Bench.

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**SCHEDULE 1 – FORM**

Regulation 6

**Form 1**

Tasmania

*Long Service Leave (State Employees) Act 1994*

**NOTICE OF APPEAL**

To the Tasmanian Industrial Commission

I,  
.....  
(Full Name)

of .....  
(Address)

appeal to a Full Bench against an order under section 21(4) of the  
Act in the dispute between ..... and me.  
(Name of party to the dispute)

My grounds of appeal are as follows: (Briefly state grounds) .....  
.....  
.....  
.....

Notices and documents in connection with this appeal may be left  
for me at  
.....  
.....  
.....

Dated ..... 20.....

.....  
(Signature of appellant)

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Printed and numbered in accordance with the *Rules Publication Act 1953*.

Notified in the *Gazette* on 11 December 2024.

These regulations are administered in the Department of Justice.

**EXPLANATORY NOTE**

*(This note is not part of the regulations)*

These regulations –

- (a) prescribe certain offices and holidays for the purposes of the *Long Service Leave (State Employees) Act 1994*; and
- (b) prescribe the manner in which an appeal under that Act is to be instituted; and
- (c) are made consequentially on the repeal of the *Long Service Leave (State Employees) Regulations 2014* under section 11 of the *Subordinate Legislation Act 1992*.