



Australian Capital Territory

Fire Brigade (Administration) Regulations 1980 No 12

made under the

Fire Brigade (Administration) Act 1974

Republication No 2

Republication date: 1 August 2002

Last amendment made by Act 2001 No 44

Amendments incorporated to 12 September 2001

Authorised by the ACT Parliamentary Counsel

About this republication

The republished law

This is a republication of the *Fire Brigade (Administration) Regulations 1980*, made under the *Fire Brigade (Administration) Act 1974* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 1 August 2002. It also includes any amendment, repeal or expiry affecting the republished law to 12 September 2001.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication includes amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

Penalties

The value of a penalty unit for an offence against this republished law at the republication date is—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.

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Australian Capital Territory

Fire Brigade (Administration) Regulations 1980

made under the

Fire Brigade (Administration) Act 1974

1 Name of regulations

These regulations are the *Fire Brigade (Administration) Regulations 1980*.

2 Meaning of *long service leave benefits*

In these regulations:

Note A definition applies except so far as the contrary intention appears (see *Legislation Act 2001*, s 155).

long service leave benefits means benefits of the kind provided under the *Commonwealth Employees' Furlough Act 1943* or the *Long Service Leave (Commonwealth Employees) Act 1976*, sections 16 and 17.

3 Long service leave benefits for certain persons

Subject to regulation 4, for the Act, section 16, the prescribed terms and conditions of employment of a person who became a member before 26 May 1978 (being terms and conditions relating to long service leave benefits) are, in relation to service on or after 25 November 1974, the terms and conditions specified in—

- (a) the Fire Brigade Employees (A.C.T.) Award 1975, clause 22 made by the Australian Conciliation and Arbitration Commission, being Award No C321 of 1975; or
- (b) the *Long Service Leave (Commonwealth Employees) Act 1976* (Cwlth);

whichever provides the greater long service leave benefits for the person.

4 Calculation of long service leave benefits due to certain persons

For the purpose of calculating the long service leave benefits due under regulation 3 (a) to a person who became a member before 26 May 1978 and who had, immediately before becoming a

member, been employed by the Board of Fire Commissioners of New South Wales—

- (a) a period of service that that board would have been required to take into account in calculating the long service leave benefits that would have been due by that board to the person immediately before the person became a member shall be deemed to have been a period of service of the person with the brigade, whether or not the period of service would, of itself, have entitled the person to the provision of long service leave benefits by that board; and
- (b) long service leave benefits enjoyed by the person in relation to a period of service referred to in paragraph (a) shall be deemed to have been enjoyed by the person in relation to service with the brigade.

Endnotes

1 About the endnotes

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws and expiries are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnote.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

If the republished law includes penalties, current information about penalty unit values appears on the republication inside front cover.

2 Abbreviation key

am = amended	ord = ordinance
amdt = amendment	orig = original
ch = chapter	p = page
cl = clause	par = paragraph
def = definition	pres = present
dict = dictionary	prev = previous
disallowed = disallowed by the Legislative Assembly	(prev...) = previously
div = division	prov = provision
exp = expires/expired	pt = part
Gaz = Gazette	r = rule/subrule
hdg = heading	reg = regulation/subregulation
IA = Interpretation Act 1967	renum = renumbered
ins = inserted/added	reloc = relocated
LA = Legislation Act 2001	R[X] = Republication No
LR = legislation register	s = section/subsection
LRA = Legislation (Republication) Act 1996	sch = schedule
mod = modified / modification	sdiv = subdivision
No = number	sub = substituted
num = numbered	SL = Subordinate Law
o = order	<u>underlining</u> = whole or part not commenced or to be expired
om = omitted/repealed	

3 Legislation history

These regulations were originally called the *Fire Brigade (Administration) Regulations* and were originally made under a Commonwealth ordinance—the *Fire Brigade (Administration) Ordinance 1974 No 52 (Cwlth)*.

The *Australian Capital Territory (Self-Government) Act 1988 (Cwlth)*, s 34 (4) converted most former Commonwealth ordinances in force in the ACT, and the regulations made under them, into ACT enactments. This allowed the ACT Legislative Assembly to amend and repeal the laws. The *Fire Brigade (Administration) Ordinance 1974* and the *Fire Brigade (Administration) Regulations* were converted into ACT enactments on 11 May 1989 (self-government day).

As with most ordinances in force in the ACT, the name of the ordinance was changed from *Ordinance* to *Act* by the *Self-Government (Citation of Laws) Act 1989 No 21*, s 5 on 11 May 1989 (self-government day).

These regulations were renamed as the *Fire Brigade (Administration) Regulations 1980* under the *Legislation Act 2001*.

Before 12 September 2001, regulations commenced on their notification day unless otherwise stated (see *Interpretation Act 1967 s 50*, *Subordinate Laws Act 1989 s 6*).

Legislation before becoming Territory enactment

Fire Brigade (Administration) Regulations 1980 No 12

notified 21 August 1980

commenced 21 August 1980

Legislation after becoming Territory enactment

as amended by

Fire Brigade (Administration) Regulations (Amendment) 1993 No 1

notified 15 January 1993

commenced 15 January 1993

Legislation (Consequential Amendments) Act 2001 No 44 pt 153

notified 26 July 2001 (Gaz 2001 No 30)

s 1, s 2 commenced 26 July 2001 (IA s 10B)

pt 153 commenced 12 September 2001 (s 2 and see Gaz 2001 No S65)

Endnotes

4 Amendment history

4 Amendment history

Name of regulations

reg 1 hdg am R2 LA
reg 1 am R2 LA

Meaning of *long service leave benefits*

reg 2 def *the Act* om Act 2001 No 44 amdt 1.1724

Long service leave benefits for certain persons

reg 3 orig reg 3 om Act 2001 No 44 amdt 1.1725
(prev reg 5) renum Act 2001 No 44 amdt 1.1726

Calculation of long service leave benefits due to certain persons

reg 4 orig reg 4 om Act 2001 No 44 amdt 1.1725
(prev reg 6) renum Act 2001 No 44 amdt 1.1726

Long service leave benefits for certain persons

reg 5 renum as reg 3

Calculation of long service leave benefits due to certain persons

reg 6 renum as reg 4

Confirmation of appointment as fourth class fireman

reg 7 om 1993 No 1 s 3

Promotion to third class fireman

reg 8 om 1993 No 1 s 3

Promotion to second class fireman

reg 9 om 1993 No 1 s 3

Promotion to first class fireman grade B

reg 10 om 1993 No 1 s 3

Promotion to first class fireman grade A

reg 11 om 1993 No 1 s 3

Promotion to senior fireman

reg 12 om 1993 No 1 s 3

Promotion to station officer

reg 13 om 1993 No 1 s 3

Promotion to district officer

reg 14 om 1993 No 1 s 3

Consequence of failing certain examinations

reg 15 om 1993 No 1 s 3

Satisfactory conduct and service

reg 16 om 1993 No 1 s 3

Seniority in relation to promotions

reg 17 om 1993 No 1 s 3

Syllabus for examinations

reg 18 om 1993 No 1 s 3

Acting appointments

reg 19 om 1993 No 1 s 3

5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (*) in column 1. Except for the footer, electronic and printed versions of an authorised republication are identical.

Republication No	Amendments to	Republication date
1	SL 1993 No 1	15 January 1993

Authorised when accessed at www.legislation.act.gov.au or in authorised printed form

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