



Australian Capital Territory

# **Fire Brigade (Administration) Regulations 1980 (repealed)**

**SL1980-12**

made under the

**Fire Brigade (Administration) Act 1974**

**Republication No 3**

**Effective: 1 July 2004**

Republication date: 1 July 2004

As repealed by A2004-28 s 203

Authorised by the ACT Parliamentary Counsel

## About this republication

### The republished law

This is a republication of the *Fire Brigade (Administration) Regulations 1980* (repealed), made under the *Fire Brigade (Administration) Act 1974*, including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes). It also includes any commencement, amendment, repeal or expiry affecting the republished law to 1 July 2004.

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](http://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 does not include 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.



Australian Capital Territory

# Fire Brigade (Administration) Regulations 1980 (repealed)

made under the

**Fire Brigade (Administration) Act 1974**

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Australian Capital Territory

# **Fire Brigade (Administration) Regulations 1980 (repealed)**

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made under the

**Fire Brigade (Administration) Act 1974**

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**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

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## 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.

### 2 Abbreviation key

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om = omitted/repealed	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



### 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

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as repealed by

### **Emergencies Act 2004 A2004-28 s 203**

notified LR 29 June 2004

s 1, s 2 commenced 29 June 2004 (LA s 75 (1))

s 203 commenced 1 July 2004 (s 2 (1) and CN2004-11)

## 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.

<b>Republication No</b>	<b>Amendments to</b>	<b>Republication date</b>
1	SL 1993 No 1	15 January 1993
2	A2001-44	1 August 2002

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