

# General Synod – Long Service Leave (Revision of Entitlement) Canon 2015 Assenting Ordinance 2015

No 40, 2015

## Long Title

An Ordinance to assent to a bill for a canon pursuant to section 28A of the Constitution of the Anglican Church of Australia to amend the *Long Service Leave Canon 2010*.

The Standing Committee of the Synod of the Diocese of Sydney Ordains as follows.

### 1. Name

This Ordinance is the General Synod – Long Service Leave (Revision of Entitlement) Canon 2015 Assenting Ordinance 2015.

### 2. Assent to Bill No 02, 2015

The Standing Committee, pursuant to the delegation of power in clause 5(1)(e) of the Delegation of Powers Ordinance 1998, assents to Bill No 02, 2015 of the General Synod of the Anglican Church of Australia, the text of which is set out in the Schedule.

## Schedule

The General Synod prescribes as follows:

1. This canon may be cited as the *Long Service Leave (Revision of Entitlement) Canon 2015*.
2. This canon comes into force on the date provided for in section 28A(2) of the *Constitution*.
3. In this canon, the *Long Service Leave Canon 2010* is called the “principal canon”.
4. In section 1(1) of the Schedule to the principal canon, insert after the definition of “Qualifying Service”:
  - “ ‘Quarter’ means a period of three months ending on the last day of March, June, September or December;
  - ‘Revised Entitlement Date’ means the last day of the quarter in which this canon comes into force;”.
5. In section 33(1)(a) of the Schedule to the principal canon, delete subparagraph (ii) and substitute:
  - “(ii) at the rate of 13 weeks for 10 years qualifying service in respect of each year of qualifying service from and after the Commencement Date until and including the Revised Entitlement Date; and
  - (iii) at the rate of 10 weeks for 10 years qualifying service in respect of each year of qualifying service after the Revised Entitlement Date.”
6. In section 33(1)(b) of the Schedule to the principal canon, delete subparagraph (ii) and substitute:
  - “(ii) at the rate of 13 weeks for 10 years qualifying service in respect of each year of qualifying service from and after the Commencement Date until and including the Revised Entitlement Date; and
  - (iii) at the rate of 10 weeks for 10 years qualifying service in respect of each year of qualifying service after the Revised Entitlement Date.”
7. In section 35(1) of the Schedule to the principal canon, delete “13” wherever it occurs and substitute “10”.

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8. In section 45 of the Schedule to the principal canon, for subsection (1) substitute:  
“(1) When the qualifying service of a participant terminates by reason of the participant’s death then an amount for each completed year of service is to be paid, equal to –  
(a) one week for each year of qualifying service performed prior to the Commencement Date; and  
(b) 1.3 weeks for each year of qualifying service performed on or after the Commencement Date until and including the Revised Entitlement Date; and  
(c) one week for each year of qualifying service performed after the Revised Entitlement Date –  
of the notional stipend current at the date of the participant’s death together with a proportionate payment for any incomplete year of qualifying service rendered.”

9. In section 46 of the Schedule to the principal canon, for subsection (1) substitute:  
“When the qualifying service of a participant terminates other than by reason of the participant’s death and –  
(a) the participant has completed at least 5 years qualifying service; and  
(b) subsection 33(3) does not apply –  
then the participant is to be paid an amount equal to –  
(c) one week for each year of qualifying service performed prior to the Commencement Date; and  
(d) 1.3 weeks for each year of qualifying service performance on or after the Commencement Date until and including the Revised Entitlement Date; and  
(e) one week for each year of qualifying service performed after the Revised Entitlement Date –  
of the then current notional stipend and pro-rated for the nature of service together with a proportionate payment for any incomplete year of qualifying service rendered and pro-rated for the nature of service.”

10. In section 47 of the Schedule to the principal canon, for subsection (6) substitute:  
“The amount payable under this section is an amount equal to –  
(a) one week for each year of qualifying service performed prior to the Commencement Date; and  
(b) 1.3 weeks for each year of qualifying service performed on or after the Commencement Date until and including the Revised Entitlement Date; and  
(c) one week for each year of qualifying service performed after the Revised Entitlement Date –  
of the then current notional stipend and pro-rated for the nature of service together with a proportionate payment for any incomplete year of qualifying service rendered and pro-rated for the nature of service.”

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I Certify that the Ordinance as printed is in accordance with the Ordinance as reported.

R TONG  
Chair of Committees

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I Certify that this Ordinance was passed by the Standing Committee of the Synod of the Diocese of Sydney on 16 November 2015.

R WICKS  
Secretary

I Assent to this Ordinance.

GN DAVIES  
Archbishop of Sydney  
18/11/2015