

**A BILL FOR THE LONG SERVICE LEAVE (SABATICAL ALLOWANCE
AMENDMENT) CANON 2022****EXPLANATORY MEMORANDUM****General Background**

The Standing Committee approved this Bill for consideration at this General Synod after consideration of the report of the Long Service Leave Board dated 28 October 2021 on the proposal to extend the circumstances in which the sabbatical allowance would be payable to a participant (or the participant's estate) where the qualifying service of the participant terminates by reason of the participant's death or terminal medical condition. The Board proposed using the definition of Terminal Medical Condition used by the Australian Taxation Office for the purpose of allowing the member of a superannuation fund to access superannuation when they have a Terminal Medical Condition. Presently under section 45(2) of the schedule to the Long Service Leave Canon 2010 the amount payable where the qualifying service of a participant terminates by reason of the person's death is not to include the sabbatical allowance.

If this Bill were passed by the General Synod, pursuant to section 30 of the Constitution it would come into force on and from the date appointed by the President, being not later than one calendar month from the date upon which the canon was passed.

Notes on Clauses

- Clause 1 contains the title of the canon.
- Clause 2 provides for the commencement date of the canon in accordance with section 30 of the Constitution.
- Clause 3 provides that the principal canon is the Long Service Leave Canon 2010.
- Clause 4 makes a consequential change to the definition of Sabbatical Allowance and inserts a new definition of Terminal Medical Condition in section 1(1) of the Schedule to the principal canon.
- Clause 5 amends the heading to section 45 of the Schedule to the principal canon.
- Clause 6 amends section 45 of the Schedule to the principal canon to provide for payment of the Sabbatical Allowance on death or Terminal Medical Condition.
- Clause 7 makes a consequential amendment to section 46(1) of the Schedule to the principal canon.