

holidays firstly being presented and read a first time together and a motion being put in regard to respectively the second readings, the committee's report stages and a third reading of the bills together and, secondly, the consideration of the bills separately in the committee of the whole.

Motion agreed to.

ANNUAL LEAVE BILL
(Serial 106)
LONG SERVICE LEAVE BILL
(Serial 107)
PUBLIC HOLIDAYS BILL
(Serial 108)

Bills presented together and read a first time.

Mr EVERINGHAM (Chief Minister): I move that the bills be now read a second time.

I should emphasise that, as I understand the purpose of this legislation, it provides minimal conditions for persons not covered by awards. These bills are the result of the report of the Commission of Inquiry into Leave of Absence for Employees in the Northern Territory. The inquiry was established by resolution of this Assembly to inquire into, report on and make recommendations concerning leave of absence for employees in the Northern Territory. The 3 bills propose the repeal and replacement of present legislation and, with minor exceptions, they carry out the recommendations of the commissioner. The legislation has been drafted as a minimal standard because it is considered that the interests of employees and employers are best protected if conditions of employment are prescribed by awards and determinations of arbitral tribunals or by agreements registered with them. As the legislation is intended to apply only to employees not covered by an award or by other legislation, this proposal should not be of such a high standard as to discourage employees from seeking award coverage nor to encourage those with award coverage to foresake it.

The Annual Leave Bill proposes the repeal of the Annual Holidays Act and its replacement by new legislation to provide for the grant of annual leave to certain employees. The bill incorporates proposals contained in recommendations 9(a) to 9(g) inclusive and annexure J of the report of the inquiry. The bill proposes that eligible employees would be entitled to 28 consecutive days annual leave for each 12 months continuous service with provision for continuity of service and for qualifying periods of service, for annual leave, for maintenance of leave records, for payment of leave bonuses of 17½% and for payments on a pro rata basis in lieu of leave at termination of employment or the death of an employee. The bill also provides for close-down situations where an employee upon notice may be required to take his annual leave at a particular time by reason of the closing down of the plant in which he works.

The main differences between the present legislation and proposals contained in the bill are as follows. The bill provides that payment for a period of leave should be at the rate the employee received at the time he commenced his leave plus 17½%. The present act requires the payment of the rate he would have received if he had not been on leave plus 17½% so that a person on higher duties at the time of the commencement of leave would be paid at that rate plus 17½% regardless of whether he would have continued to be paid at the higher rate during that period and afterwards had he stayed at work.