

METROPOLITAN TRANSPORT.

No. 55 of 1958.

AN ACT to amend the *Metropolitan Transport Act 1954.* [21 November 1958.]

BE it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

Short title, citation, and commencement.

1—(1) This Act may be cited as the *Metropolitan Transport Act 1958.*

(2) The *Metropolitan Transport Act 1954*, as subsequently amended, is in this Act referred to as the Principal Act.

(3) This Act shall commence on a date to be fixed by proclamation.

Secretary and other employees.

2 Section twenty-four of the Principal Act is amended—

(a) by omitting sub-paragraph (ii) of paragraph (a) of subsection (4); and

(b) by inserting after that subsection the following subsection:—

“(4A) The secretary and other officers and employees appointed by the Trust under this section, or transferred to the service of the Trust under section twenty-five, are entitled to long service leave as provided in section twenty-five A.”.

3 After section twenty-five of the Principal Act the following section is inserted in Division IV of Part II:—

Long service leave.

“25A—(1) Subject to this section, the secretary and the other officers and employees of the Trust are entitled to long service leave in accordance with the provisions of the *State Employees (Long-Service Leave) Act 1950*, and that Act applies to and in relation to the secretary and the other officers and employees of the Trust accordingly.

“(2) Notwithstanding anything in the *State Employees (Long-Service Leave) Act 1950*, in the case of a transferrèd employee—

(a) in computing the employee's length of service for the purposes of that Act, his continuous service as an employee of the municipal corporation by which he was employed immediately before the date of transfer shall be included;

- (b) any long service leave granted to him by that municipal corporation before the date of transfer, pursuant to the terms of any industrial award that was then applicable to him, shall be deemed to have been granted under that Act; and
- (c) where the length of service with reference to which the employee's entitlement to long service leave is computed includes any period of service as an employee of a municipal corporation, the period of long service leave that may be granted to him shall not exceed a number of days' leave calculated in accordance with the prescribed formula.

“(3) For the purposes of paragraph (c) of subsection (2) of this section, where the number of days calculated in accordance with the prescribed formula leaves a fraction remaining and—

- (a) the fraction so remaining is less than one-half of a day, the fraction so remaining shall be ignored; or
- (b) the fraction so remaining is one-half, or more than one-half, of a day, the number of days so calculated (less the fraction so remaining) shall be increased by one.

“(4) In this section—

- ‘date of transfer’, used in relation to a transferred employee, means the date on which the employee was transferred to the service of the Trust pursuant to section twenty-five;
- ‘prescribed formula’ means the formula that is set forth in the schedule;
- ‘transferred employee’ means an officer or an employee of a municipal corporation who has been transferred to the service of the Trust pursuant to section twenty-five, and who is employed by the Trust at the commencement of this section.”.

4 The Principal Act is amended by adding at the end thereof ^{The} the following schedule:— _{schedule.}

“THE SCHEDULE.

“(Section 25A.)

“The prescribed formula for the purposes of section 25A.

“1. For the purposes of paragraph (c) of subsection (2) of section 25A, the following formula is the prescribed formula:—

$$L = \frac{C \times 31}{10} + \frac{T \times 9}{1}$$

“2. For the purposes of this schedule—

- L represents the period of long service leave to which a transferred employee (within the meaning of section 25A) is entitled by virtue of paragraph (c) of subsection (2) of that section;
- C represents the employee's number of completed years' continuous service as an employee of a municipal corporation; and
- T represents the employee's number of completed years' continuous service as an employee of the Trust.”.