

Long Service Benefits Portability Interim Regulations 2019

October 2019

Due to an administrative error in the making of the Long Service Benefits Portability Regulations 2019 (the Regulations), the Minister for Industrial Relations, Tim Pallas MP, has determined that the Regulations be revoked and re-made. The proposed re-made Regulations will be in the same form as the current Regulations and will be titled as the Long Service Benefits Portability Interim Regulations (the Interim Regulations).

The Subordinate Legislation Act 1994 and its Guidelines require consultation with any sector of the public on which a significant economic or social burden may be imposed by a proposed statutory rule so that the need for, and the scope of, the proposed statutory rule is considered. The Department of Premier and Cabinet seeks any comments on the draft Interim Regulations directed to this.

As it is not proposed to make any material changes to the Regulations currently in operation, the Minister has obtained a Premier's certificate under section 9 of the Subordinate Legislation Act 1994 to exempt the making of the Interim Regulations from the requirement to prepare a Regulatory Impact Statement.

This will mean that the Interim Regulations will operate for a period of up to 12 months. During this period, the Department of Premier and Cabinet will review the Interim Regulations. Stakeholders will have the opportunity to provide comments and submissions on a Regulatory Impact Statement in the lead-up to the making of permanent Regulations in the second half of 2020. The Department of Premier and Cabinet proposes to commence this process early in 2020.

More information, including the draft Interim Regulations, will be available shortly on the [Portable Long Service Authority website](#) and the [Engage Victoria website](#). Comments can be made through the Engage Victoria website at www.engage.vic.gov.au or directly to Industrial Relations Victoria at irv.info@dpc.vic.gov.au.

Any comments on the making of the Interim Regulations must be received by 5:00pm on Tuesday, 22 October 2019.

Please note: this consultation process does not affect the operation of the Portable Long Service Benefits Scheme. Employers must still register themselves, register their eligible employees, and submit quarterly returns. The Act and current Regulations remain in force.