

House of Representatives

Supplementary Order Paper

Tuesday, 9 December 2003

Holidays Bill

Proposed amendments

Hon Margaret Wilson, in committee, to move the following amendments:

Clause 5

To omit, from the definition of **existing employment agreement** the words “the commencement of this Act” (lines 6 and 7 on page 5), and substitute the expression “**1 April 2004**”.

Clause 12(b)(ii)

To omit the word “corresponding” (line 14 on page 16).

Clause 27(1)(a)(ii)

To insert, after the words “irregular that” (line 2 on page 25), the word “it”.

New clause 34B

To insert, after *clause 34A* (after line 32 on page 30), the following clause:

34B Sickness, injury, or bereavement arising before scheduled annual holidays

- (1) This section applies if—
 - (a) an employee has been allowed to take annual holidays under this subpart; and
 - (b) before taking those holidays, the employee—
 - (i) becomes sick or injured; or
 - (ii) has a spouse or dependant who becomes sick or injured; or
 - (iii) suffers a bereavement as described in **section 62(2)**.
- (2) The employer must allow the employee to take—
 - (a) any period of sickness or injury that the employee would otherwise take as an annual holiday as sick leave;
 - (b) any period related to the bereavement that the employee would otherwise take as an annual holiday as bereavement leave.

Clause 47(1)

To omit the words “from the commencement of this Act” (line 10 on page 38), and substitute the words “after **1 April 2004**”.

Clause 47A(1)

To omit the words “the commencement of this Act” (line 25 on page 38), and substitute the expression “**1 April 2004**”.

Clause 47B(3)(b)

To omit the words “the commencement of this Act” (lines 12 and 13 on page 39), and substitute the expression “**1 April 2004**”.

Clause 79A(1)

To omit the word “Act” in both places where it appears (line 20 and line 22 on page 57), and substitute in each case the word “section”.

Clause 79B

To omit the word “Act” in both places where it appears (line 32 and line 34 on page 57), and substitute in each case the word “section”.

Clause 79C(1)

To omit the word “Act” in both places where it appears (line 8 and line 10 on page 58), and substitute in each case the word “section”.

Explanatory note

This Supplementary Order Paper amends the Holidays Bill to—

- insert new *clause 34B*, which clarifies that an employer must allow an employee who becomes sick or injured, has a spouse or dependent who becomes sick or injured, or who suffers a bereavement before his or her scheduled annual holidays to take any period of leave related to the sickness, injury, or bereavement as sick leave or bereavement leave (as the case may be); and
 - make minor drafting amendments.
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