**Information Notice**

**Act Title** **Long Service Benefits Portability Act 2018**

**Information Title:** **Retrospective Commencement**

**Version:** **005**

The amendment by section 36 of the **Regulatory Legislation Amendment (Reform) Act 2022**, No. 13/2022to section 62(1) and (2) of the **Industrial Relations Legislation Amendment Act 2021**, No. 14/2021, which amended the **Long Service Benefits Portability Act 2018**, No. 44/2018 on 1 January 2022,is taken to have come into operation on 31 December 2021.

Section 36 of the **Regulatory Legislation Amendment (Reform) Act 2022** reads as follows:

 36 Who is an employee?

In section 62(1) and (2) of the **Industrial Relations Legislation Amendment Act 2021**, for "Schedule 2" **substitute** "Schedule 3".

Section 62(1) and (2) of the **Industrial Relations Legislation Amendment Act 2021**, as passed, read as follows:

 62 Who is an *employee*?

 (1) In clause 4(2)(a) of Schedule 2 to the **Long Service Benefits Portability Act 2018**, before "the individual's" **insert** "subject to subclause (2A),".

 (2) For clause 4(2)(b) of Schedule 2 of the **Long Service Benefits Portability Act 2018 substitute**—

 "(b) the individual is prescribed to be an excluded employee for the security industry; or

 (c) the individual is a member of a class prescribed to be an excluded class of employees for the security industry.".