



GOVERNANCE RISK & OPERATIONS

Portable Long Service Leave: Your Whole Staff, Not Just Frontline Workers

In NSW, if your predominant purpose is community services, even admin and finance staff need registering. The NSW scheme started on 1 July 2025

A surprising rule sits inside the NSW portable long service leave scheme for the community services sector: where an association's predominant purpose is providing community services, all its workers must be registered, including administrative and finance staff who never deliver community services themselves. Other schemes define coverage differently. This catches associations that assume the scheme only applies to their front-line, service-delivery employees.

Which rules apply to your association?

The law depends on how your association is set up. A **company limited by guarantee** follows the Corporations Act 2001 (Cth) and its constitution. An **incorporated association** follows its state or territory associations Act and its rules. A **registered charity** also follows the ACNC Act and the ACNC Governance Standards, and some Corporations Act rules are replaced for charities that are companies. Check your own governing documents, and get advice before decisions with legal consequences.

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A Scheme Launch Worth Knowing

New South Wales launched its own community services sector portable long service leave scheme on 1 July 2025, joining community services schemes in the ACT (2010), Victoria (2019) and Queensland (2021). South Australia's scheme began on 1 October 2025. As at September 2025, Tasmania, Western Australia and the Northern Territory had no community services scheme, so check for any later change in your state or territory. These schemes exist specifically because community and social services employment is characterised by high staff mobility between employers, often driven by funding cycles, meaning workers frequently never accumulate enough tenure with any single employer to qualify for conventional long service leave. Portable schemes solve this by letting recognised service travel with the worker across employers within the covered industry.

The Specific, Easily Missed Registration Rule

The important, specific trap sits in how coverage is determined. In NSW, where an association's predominant purpose is to provide community services, the registration obligation extends to all its workers, not only those directly delivering that service. An association's finance officer, receptionist, or communications coordinator, none of whom provide community services personally, may still need to be registered simply because the organisation itself is predominantly a community service provider. An association assuming only its case workers or direct service staff fall within scope has likely misread the actual coverage rule. Coverage under the NSW scheme is determined by the organisation's overall predominant purpose, not by whether each individual employee personally delivers a community service. An admin assistant at a community-service-focused association in NSW can be captured by the scheme even though their own daily work looks nothing like frontline service delivery.

The Multi-Jurisdictional Variation Worth Confirming

Because each scheme operates under separate state or territory legislation, the specific industries covered, the definitions used, and the exact rules differ by jurisdiction. Queensland, for example, covers workers who do community services work or who support, supervise or manage it, rather than applying a predominant purpose test. An association operating across multiple states may need to register with more than one scheme, each with its own specific requirements, connecting directly to the multi-jurisdictional discipline this series has returned to repeatedly. How a portable scheme interacts with ordinary long service leave also differs by scheme. In NSW, employers must comply with both the scheme and the Long Service Leave Act 1955, so get advice before changing leave provisions in your accounts.

- Confirm whether your association is an eligible employer under each relevant scheme, including any exclusions such as government, residential aged care or early childhood services in NSW, rather than assuming this only applies to explicitly service-delivery organisations.
- In NSW, register all workers where your association's predominant purpose triggers coverage, including administrative and support staff who do not personally deliver community services, and check how any other relevant scheme defines coverage.
- Check the specific scheme rules in every state your association operates in, given these differ by jurisdiction and an association may need to register with more than one.
- Budget for the scheme levy, and confirm with your auditor how any remaining long service leave provision should be treated, since in NSW the scheme does not replace the Long Service Leave Act 1955.
- In NSW, register with the Long Service Corporation within one month of becoming an eligible employer and pay the levy each quarter. Other schemes set their own deadlines, and penalties apply for non-compliance.

Portable long service leave exists to give mobile community services workers the recognition their fragmented career paths would otherwise deny them. Getting the registration scope right, including whether it extends beyond direct service delivery staff to the whole organisation's workforce, is what determines whether your association is compliant or quietly exposed. This is one of the practical governance topics built into our Board Director course, alongside the papers, tools and frameworks that turn the principle into your board's actual practice. [Explore the course](#)

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BOARDROOM ACTION WORKSHEET

Portable Long Service Leave: Your Whole Staff, Not Just Frontline Workers

Turn the resource into evidence, a decision and an accountable next step. Keep the completed record in your association's approved board records system.

1 What is the issue or decision?

State the governance question in one clear sentence.

2 What evidence do we already have?

Record the facts, source documents and stakeholder evidence available now.

3 What evidence is still needed?

Identify the legal, regulatory, financial, member or operational information still required.

4 What is the agreed next action?

Capture the owner, timeframe and how the matter will return to the board.

Action owner	Review date	Board decision or resolution

General education, not legal, financial, tax, clinical or governance advice. Confirm specifics at the relevant primary source or with your own qualified adviser. Nexus Leadership is operated by Lipstick Consulting Pty Ltd · ABN 15 619 120 482.

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