

MINIMUM CONDITIONS OF EMPLOYMENT ACT 1993

MINIMUM CONDITIONS OF EMPLOYMENT REGULATIONS 1993

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Minimum Conditions of Employment Regulations 1993*.

Commencement

2. These regulations come into operation on the day on which the *Workplace Agreements Act 1993* comes into operation.

Persons who are not employees for purposes of Act

3. The classes of persons set out in Schedule 1 are prescribed as persons who are not to be treated as employees for the purposes of the Act.

Keeping of employment records

4. For the purposes of section 44 (3) (a) of the Act, records must be —

- (a) in a form that is legible and prepared using indelible material; or
- (b) stored in an electronic form that is capable of being reproduced in a legible printed format,

and made, in relation to each payment to the employee, within 14 days of the payment.

SCHEDULE 1

[reg. 3]

**PERSONS WHO ARE NOT EMPLOYEES FOR THE PURPOSES OF
THE ACT****Persons paid wholly by commission**

1. Persons whose services are remunerated wholly by commission or percentage reward.

Piece workers

2. Persons whose services are remunerated wholly at piece rates.

Persons with disabilities in supported employment

3. Persons —
 - (a) who receive a disability support pension under the *Social Security Act 1991* of the Commonwealth; and
 - (b) whose employment is supported by "supported employment services" within the meaning of the *Disability Services Act 1986* of the Commonwealth.

Volunteers etc.

4. Persons who are not entitled to be paid for work done by them but who receive some benefit or entitlement in relation to the work.

National Trust (WA)

5. Persons appointed under section 22 (1) of the *National Trust of Australia (W.A.) Act 1964* to carry out the duties of wardens in relation to property that is managed, maintained, preserved, or protected, whether solely or jointly, by the National Trust of Australia (W.A.).

By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.