

IR303

Minimum Conditions of Employment Act 1993

Minimum Conditions of Employment Regulations 2022

SL 2022/86

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Minimum Conditions of Employment Regulations 2022*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 20 June 2022.

3. Reasonable deductions for benefit of employer or related party (Act s. 17E(2))

- (1) For the purposes of section 17E(2) of the Act, a circumstance in which a deduction is reasonable is that —
 - (a) the deduction is made in respect of the provision of goods or services to an employee by an employer or a party related to the employer; and
 - (b) the goods or services are provided in the ordinary course of the business of the employer or related party; and
 - (c) the goods or services are provided to the employee on terms and conditions that are not less favourable than those on which the goods or services are provided to members of the public.

Examples for this subregulation:

1. A deduction, made by an employer that is a health fund, for a health insurance premium.
2. A deduction, made by an employer that is a financial institution, for a loan repayment.

- (2) For the purposes of section 17E(2) of the Act, a circumstance in which a deduction is reasonable is that the deduction is for the purpose of recovering costs directly incurred by the employer as a result of the voluntary private use of particular property of the employer by an employee (whether authorised or not).

Examples for this subregulation:

1. The cost of items purchased on an employer's credit card for personal use by the employee.
2. The cost of personal calls on an employer's mobile phone.
3. The cost of petrol purchased for the private use of an employer's vehicle by the employee.

**4. *Minimum Conditions of Employment Regulations 1993*
repealed**

The *Minimum Conditions of Employment Regulations 1993* are repealed.

V. MOLAN, Clerk of the Executive Council.