



Western Australia

Minimum Conditions of Employment Act 1993

## **Minimum Conditions of Employment Regulations 1993**

These regulations were repealed by the *Minimum Conditions of Employment Regulations 2022* r. 4 (SL 2022/86) on 20 Jun 2022 (see r. 2(b)).



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# Minimum Conditions of Employment Regulations 1993

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## **Minimum Conditions of Employment Regulations 1993**

**1. Citation**

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

**2. Commencement**

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

**3. Persons who are not employees for purposes of Act**

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.

**4. Keeping of employment records**

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

**1. Persons paid wholly by commission**

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

**2. Piece workers**

Persons whose services are remunerated wholly at piece rates.

**3. Persons with disabilities in supported employment**

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.

**4. Volunteers etc.**

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.

**5. National Trust (WA)**

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.).

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## Notes

This is a compilation of the *Minimum Conditions of Employment Regulations 1993* and includes amendments made by other written laws. For provisions that have come into operation, and for information about any reprints, see the compilation table.

### Compilation table

| Citation  | Published                 | Commencement  |
|---|---------------------------|---|
| <i>Minimum Conditions of Employment Regulations 1993</i>  | 30 Nov 1993<br>p. 6449-50 | 1 Dec 1993 (see r. 2 and <i>Gazette</i><br>30 Nov 1993 p. 6439) |
| <b>Reprint 1: The <i>Minimum Conditions of Employment Regulations 1993</i> as at 19 Dec 2003</b>  |                           |   |
| <b>These regulations were repealed by the <i>Minimum Conditions of Employment Regulations 2022</i> r. 4 (SL 2022/86) on 20 Jun 2022 (see r. 2(b))</b> |                           |   |