



Western Australia

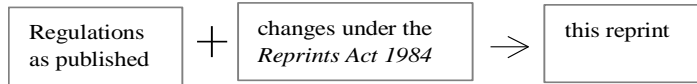
Minimum Conditions of Employment Act 1993

# **Minimum Conditions of Employment Regulations 1993**

**Reprint 1: The regulations as at 19 December 2003**

## Guide for using this reprint

### *What the reprint includes*



### *Endnotes, Compilation table, and Table of provisions that have not come into operation*

1. Details about the original regulations are shown in the Compilation table in endnote 1, at the back of the reprint. The table also shows any previous reprint.
2. A table of provisions that have not come into operation, to be found in endnote 1a if it is needed, lists any provisions that would amend the text if they were to come into operation. The table refers to another endnote setting out the text of the amendments in full.

### *Notes amongst text (italicised and within square brackets)*

Editorial notes show if something has been omitted under the *Reprints Act 1984* s. 7(4) (because, although still technically part of the text, it no longer has any effect).

The text of anything omitted can be found in an earlier reprint (if there is one) or the regulations as published.

### *Reprint numbering and date*

1. The reprint number (in the footer of each page of the document) shows how many times the regulations have been reprinted. For example, numbering a reprint as “Reprint 3” would mean that the reprint was the 3<sup>rd</sup> reprint since the regulations were published. Reprint numbering was implemented as from 1 January 2003.
2. The information in the reprint is current on the date shown as the date as at which the regulations are reprinted. That date is not the date when the reprint was published by the State Law Publisher and it is probably not the date when the most recent amendment had effect.

Western Australia

## Minimum Conditions of Employment Regulations 1993

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Reprinted under the  
*Reprints Act 1984* as  
at 19 December 2003

Western Australia

Minimum Conditions of Employment Act 1993

## Minimum Conditions of Employment Regulations 1993

### 1. Citation

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

### 2. Commencement

These regulations come into operation on the day on which the *Workplace Agreements Act 1993* comes into operation<sup>1</sup>.

### 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

**r. 4**

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(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**

- <sup>1</sup> This is a reprint as at 19 December 2003 of the *Minimum Conditions of Employment Regulations 1993*. The following table contains information about these regulations and any reprint.

#### **Compilation table**

<b>Citation</b>	<b>Gazettal</b>	<b>Commencement</b>
<i>Minimum Conditions of Employment Regulations 1993</i>	30 Nov 1993 p. 6449-50	1 Dec 1993 (see r. 2 and <i>Gazette</i> 30 Nov 1993 p. 6439)
<b>Reprint 1: The <i>Minimum Conditions of Employment Regulations 1993</i> as at 19 Dec 2003</b>		