

IR301

WORKPLACE AGREEMENTS ACT 1993**WORKPLACE AGREEMENTS AMENDMENT REGULATIONS 1994**

Made by His Excellency the Governor in Executive Council.

Citation

1. These regulations may be cited as the *Workplace Agreements Amendment Regulations 1994*.

Regulation 7 inserted

2. After regulation 6 of the *Workplace Agreements Regulations 1993**, the following regulation is inserted—

“ Employers in the public sector

7. (1) This regulation—

- (a) applies to a workplace agreement to which a person who comes within section 43 (1) of the Act is a party; and
- (b) prescribes who is to be the employer of any such person for the purposes of section 44 (1) of the Act.

(2) If in law the person has a contract of employment the employer is the employer under that contract.

(3) If in law the person does not have a contract of employment the employer is the person who has power to appoint or employ the person or persons of the category to which the person belongs.

(4) If under subregulation (2) or (3) the Governor would otherwise be the employer, the employer is the Minister responsible for the administration of the government department, body, agency, or establishment in which the person principally carries out his or her duties.

(5) The fact that a person is prescribed as an employer by this regulation is not to be read as limiting the exercise of any power of delegation that the person has under a written law. ”.

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By His Excellency's Command,

D. G. BLIGHT, Clerk of the Council.