

Employment Relations (Protection of Young Workers) Amendment Bill

Member's Bill

Explanatory note

General policy statement

The purpose of this Bill is to provide that all persons aged 16 and under who perform labour for remuneration in New Zealand are to be regarded as employees, with all the rights that such status confers.

Clause by clause analysis

Clause 1 is the Title clause.

Clause 2 is the commencement clause and provides for the Bill to come into force on the day after the date on which it receives the Royal assent.

Clause 3 provides that the Bill amends the Employment Relations Act 2000 (the **principal Act**).

Clause 4 sets out the purpose of the Bill.

Clause 5 inserts *new paragraph (ab)* into section 6 of the principal Act.

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The Parliament of New Zealand enacts as follows:

- 1 Title**
This Act is the Employment Relations (Protection of Young Workers) Amendment Act **2012**.

- 2 Commencement** 5
This Act comes into force on the day after the date on which it receives the Royal assent.

- 3 Principal Act** 10
This Act amends the Employment Relations Act 2000 (the **principal Act**).

4 Purpose

The purpose of this Act is to amend the Employment Relations Act 2000 to provide that all persons aged 16 and under who perform labour for remuneration in New Zealand are to be regarded as employees, with all the rights that such status confers. 5

5 Section 6 amended (Meaning of employee)

After section 6(1)(a), insert:

“(ab) notwithstanding any other provision in this or any other enactment, or any other rule of law, in the case of any person aged 16 or under, who performs labour in exchange for remuneration, means any worker employed or engaged by a person to do any work for hire or reward under a contract of service, or contract for services, provided that the labour is not for the person’s personal, domestic, household use or consumption; and” 10 15
