

**Minimum Wage (New Entrants)
Amendment Bill**

Member's Bill

As reported from the committee of the whole House

Key to symbols used in reprinted bill

As reported from a select committee

Struck out (majority)

Subject to this Act,

Text struck out by a majority

New (majority)

Subject to this Act,

Text inserted by a majority

~~Subject to this Act.~~

Words struck out by a majority

Subject to this Act.

Words inserted by a majority

As reported from the committee of the whole House

Struck out

Subject to this Act,

Text struck out

New

Subject to this Act,

Text inserted

~~(Subject to this Act.)~~

Words struck out

Sue Bradford

**Minimum Wage *<(Abolition of Age
Discrimination)> <(New Entrants)>*
Amendment Bill**

Member's Bill

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The Parliament of New Zealand enacts as follows:

1 Title

- (1) This Act is the Minimum Wage *<(Abolition of Age Discrimination)> <(New Entrants)>* Amendment Act **2005**.

Struck out (majority)

- (2) In this Act, the Minimum Wage Act 1983¹ is called “the principal Act”.

¹ 1983 No 115

2 Commencement

This Act comes into force *<30 days after the date on which it receives the Royal assent> <on 1 April 2008>*.

New (majority)

2A Principal Act amended

This Act amends the Minimum Wage Act 1983.

Struck out (majority)

3 Purpose

The purpose of this Act is to amend the principal Act to end age discrimination in employment by removing the ability of the Governor-General in Council to set minimum wage rates defined by reference to the age of workers.

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New (majority)

3 Purpose

The purpose of this Act is to amend the principal Act to provide expressly for a minimum rate of wages to be prescribed for new entrants, being workers who—

- (a) are 16 or 17 years of age; and
- (b) meet certain criteria.

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Struck out (majority)

4 Prescription of minimum wages

Section 4(1) of the principal Act is amended by—

- (a) omitting the words “either or both of the following”; and
- (b) repealing paragraph (a).

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New (majority)

4 Prescription of minimum wages

Section 4(1) and (2) are repealed and the following subsections substituted:

- “(1) The Governor-General may, by Order in Council, prescribe the minimum rate of wages payable to—

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Struck out

“(a) 1 or more classes of workers—

New (majority)

Struck out

- “(i) defined in the order by reference to the age of the workers; and
- “(ii) to whom **paragraph (b) or (c)** does not apply:

New

- “(a) workers—
- “(i) who are 16 years of age or older; and
- “(ii) to whom neither **paragraph (b) nor (c)** applies:

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Struck out

- “(b) workers who are new entrants, being workers who—
- “(i) are 16 or 17 years of age; and
- “(ii) meet criteria specified in the order relating to their employment experience, such as—
- “(A) a worker’s length of employment service:
- “(B) whether a worker has completed any specified length of employment service with 1 or more employers:
- “(C) the position held by a worker:

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New

- “(b) workers who are new entrants, being workers who are 16 or 17 years of age except workers—
- “(i) who have completed 3 months or 200 hours of employment, whichever is the shorter; or
- “(ii) who are supervising or training other workers; or
- “(iii) to whom **paragraph (c)** applies:

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- “(c) 1 or more classes of workers—

New (majority)

- “(i) defined in the order; and
“(ii) who are employed under contracts of service under which they are required to undergo training, instruction, or examination for the purpose of becoming qualified for the occupation to which their contract of service relates. 5
- “(2) A minimum rate of wages prescribed under **subsection (1)** may be prescribed as—
“(a) a monetary amount; or
“(b) a percentage of any other minimum rate prescribed under **subsection (1)**. 10
- “(3) However, a minimum rate prescribed for the purposes of **subsection (1)(b)** must not be less than 80% of any rate prescribed for the purposes of **subsection (1)(a)** (*that applies to workers who are 18 years of age*). 15

Struck out

- “(4) To avoid doubt, an order made under **subsection (1)(b)** may specify the extent to which the criteria specified in the order may be satisfied by circumstances occurring before the order is made.”

New

- (4) In **subsection (1)(b)(i), employment—** 20
(a) includes employment undertaken with more than 1 employer; and
(b) includes any employment undertaken before the commencement of the **Minimum Wage (New Entrants) Amendment Act 2005**; but 25
(c) does not include any employment undertaken before a new entrant turns 16 years of age.

Struck out (majority)

**5 Consequential amendments to Minimum Wage Order
2005**

The Minimum Wage Order 2005 is consequentially amended
in the manner indicated in the Schedule.

Struck out (majority)

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**Schedule
Consequential amendments to Minimum Wage
Order 2005**

Regulation 2

- (a) Amend the definition of **adult worker** by omitting the expression “18” and substituting the expression “16”; and 5
- (b) Revoke the definition of **youth worker**.

Regulation 5

Revoke regulation 5.

Legislative history

7 December 2005	Introduction (Bill 9–1)
22 February 2006	First reading and referral to Transport and Industrial Relations Committee
21 August 2006	Discharged from Transport and Industrial Relations Committee
30 August 2006	Referral to Transport and Industrial Relations Committee
29 June 2007	Reported from Transport and Industrial Relations Committee (Bill 9–2)
25 July 2007	Second reading
15 August 2007	Committee of the whole House (Bill 9–3)