



Minimum Wage Order 2010

Anand Satyanand, Governor-General

Order in Council

At Wellington this 22nd day of February 2010

Present:

His Excellency the Governor-General in Council

Pursuant to section 4 of the Minimum Wage Act 1983, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following order.

Contents

		Page
1	Title	1
2	Commencement	2
3	Interpretation	2
4	Minimum adult rates	2
5	Minimum new entrant rates	3
6	Minimum training rates	3
7	Revocation	3

Order

- 1 Title**
This order is the Minimum Wage Order 2010.

2 Commencement

This order comes into force on 1 April 2010.

3 Interpretation

In this order, unless the context otherwise requires,—

Act means the Minimum Wage Act 1983

adult worker—

- (a) means a worker aged 16 years or more to whom the Act applies; but
- (b) does not include a trainee or a new entrant

industry training programme means an industry training programme that is registered on the National Qualifications Framework developed by the New Zealand Qualifications Authority pursuant to its functions under section 253 of the Education Act 1989

new entrant has the same meaning as in section 4(1) of the Act

trainee means a worker who is—

- (a) aged 16 years or more to whom the Act applies; and
- (b) required by his or her contract of service to undertake at least 60 credits a year of an industry training programme for the purpose of becoming qualified for the occupation to which the contract of service relates.

4 Minimum adult rates

The following rates are the minimum rates of wages payable to an adult worker:

- (a) for an adult worker paid by the hour or by piecework, \$12.75 per hour;
- (b) for an adult worker paid by the day,—
 - (i) \$102 per day; and
 - (ii) \$12.75 per hour for each hour exceeding 8 hours worked by a worker on a day;
- (c) in all other cases,—
 - (i) \$510 per week; and
 - (ii) \$12.75 per hour for each hour exceeding 40 hours worked by a worker in a week.

5 Minimum new entrant rates

The following rates are the minimum rates of wages payable to a new entrant:

- (a) for a new entrant paid by the hour or by piecework, \$10.20 per hour:
- (b) for a new entrant paid by the day,—
 - (i) \$81.60 per day; and
 - (ii) \$10.20 per hour for each hour exceeding 8 hours worked by a new entrant on a day:
- (c) in all other cases,—
 - (i) \$408 per week; and
 - (ii) \$10.20 per hour for each hour exceeding 40 hours worked by a new entrant in a week.

6 Minimum training rates

The following rates are the minimum rates of wages payable to a trainee:

- (a) for a trainee paid by the hour or by piecework, \$10.20 per hour:
- (b) for a trainee paid by the day,—
 - (i) \$81.60 per day; and
 - (ii) \$10.20 per hour for each hour exceeding 8 hours worked by a trainee on a day:
- (c) in all other cases,—
 - (i) \$408 per week; and
 - (ii) \$10.20 per hour for each hour exceeding 40 hours worked by a trainee in a week.

7 Revocation

The Minimum Wage Order 2009 (SR 2009/28) is revoked.

Rebecca Kitteridge,
Clerk of the Executive Council.

Explanatory note

This note is not part of the order, but is intended to indicate its general effect.

This order, which comes into force on 1 April 2010, revokes and replaces the Minimum Wage Order 2009.

The order increases the minimum rates of pay for adult workers, new entrants, and trainees.

The new minimum hourly rates of pay are as follows:

- \$12.75 per hour for adult workers (increased from \$12.50 per hour); and
- \$10.20 per hour for new entrants and trainees (increased from \$10.00 per hour).

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 25 February 2010.

This order is administered by the Department of Labour.
