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Enquiries: Labour Relations
Advisers

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CIRCULAR TO DEPARTMENTS AND AUTHORITIES NO. 10 OF 2006

2006 STATE WAGE ORDER – *MINIMUM CONDITIONS OF EMPLOYMENT ACT 1993*

On 22 August 2006 the Western Australian Industrial Relations Commission (WAIRC) determined that:

“ ... the Minimum Weekly Rate of Pay applicable under Section 12 of the *Minimum Conditions of Employment Act 1993*, to an employee:

- (a) who has reached 21 years of age; and
- (b) who is not an apprentice or trainee;

shall be \$504.40 per week on and from the commencement of the first pay period on or after 1 September 2006.”

The increase was made pursuant to the new Section 50A of the *Industrial Relations Act 1979*, giving the WAIRC the power to set the adult minimum wage under the *Minimum Conditions of Employment Act 1993*.

The WAIRC also determined wage rates for award free apprentices and trainees, aligning them to wage rates expressed in the *Metal Trades (General) Award 1966*. These changes are also operative from the first pay period on or after 1 September 2006.

A copy of the WAIRC's Order is at **Attachment A**.

The statutory adult minimum weekly wage for Western Australia for 1994 to 2006, inclusive is at **Attachment B**.

John Serich
A/Executive Director

15 September 2006

**STATE WAGE ORDER PURSUANT TO SECTION 50A(1)(A) OF THE ACT (OTHER
THAN FOR ADULT APPRENTICE RATES)**

WESTERN AUSTRALIAN INDUSTRIAL RELATIONS COMMISSION

PARTIES	(COMMISSION'S OWN MOTION)	APPLICANT
	-v-	
	MINISTER FOR CONSUMER AND EMPLOYMENT PROTECTION, TRADES AND LABOR COUNCIL OF WESTERN AUSTRALIA, AUSTRALIAN MINES & METALS ASSOCIATION INC, CHAMBER OF COMMERCE & INDUSTRY OF WESTERN AUSTRALIA	RESPONDENT
CORAM	CHIEF COMMISSIONER A R BEECH SENIOR COMMISSIONER J F GREGOR COMMISSIONER S J KENNER	
DATE	TUESDAY, 22 AUGUST 2006	
FILE NO	APPLA 66 OF 2006	
CITATION NO.	2006 WAIRC 05320	

Result	State Wage Order issued
Representation	Mr J Nicholas on behalf of Trades and Labor Council of Western Australia Ms J Gardner and with her Mr M Hammond on behalf of the Minister for Consumer and Employment Protection Mr P Robertson on behalf of Australian Mines and Metals Association Inc Mr D Jones on behalf of Chamber of Commerce and Industry of Western Australia

State Wage Order

THE COMMISSION IN COURT SESSION constituted for the purpose of section 50A of the *Industrial Relations Act, 1979* ("the Act") and having regard to the provisions of section 22 of the *Labour Relations Legislation Amendment Act, 2006*;

AND HAVING reviewed minimum weekly rates under section 50A(1)(a)(i), (ii) and (iii) of the Act in accordance with the requirements of section 50A of the Act and section 22 of the *Labour Relations Legislation Amendment Act, 2006*;

NOW THEREFORE the Commission in Court Session pursuant to section 50A(1)(a) of the Act hereby makes the following Orders:

1. THAT the Order which issued in matter No. 576 of 2005 that established the Minimum Weekly Rate of Pay under section 12 of the *Minimum Conditions of Employment Act, 1993* applicable to an employee who has reached 21 years of age and who is not an apprentice or trainee is rescinded with effect on and from the commencement of the first pay period on or after 1 September 2006.
2. THAT the Minimum Weekly Rate of Pay applicable under section 12 of the *Minimum Conditions of Employment Act, 1993* to an employee:
 - (a) who has reached 21 years of age; and
 - (b) who is not an apprentice or trainee,shall be \$504.40 per week on and from the commencement of the first pay period on or after 1 September 2006.
3. THAT the Order which issued in matter No. 576 of 2005 that established Minimum Weekly Rates of Pay under sections 14 and 15 of the *Minimum Conditions of Employment Act, 1993* to apprentices and trainees is rescinded with effect on and from the commencement of the first pay period on or after 1 September 2006.

Apprentices

4. THAT the Minimum Weekly Rate of Pay applicable under section 14 of the *Minimum Conditions of Employment Act, 1993* to apprentices shall be:
 - (a) in relation to that class of apprentice to whom an award or a relevant award applies where an employer-employee agreement is in force, the minimum

weekly rate of pay shall be the rate of pay that applies to that class of apprentice under the award where the award applies or the relevant award where an employer-employee agreement is in force.

- (b) In relation to that class of apprentice to whom an award does not apply and to whom there is no relevant award to apply if an employer-employee agreement is in force or is subsequently entered into, the minimum weekly rate of pay shall be the rate of pay determined by reference to apprentices' rates of pay in the *Metal Trades (General) Award 1966* which operate on and from the commencement of the first pay period on or after 1 September 2006:

	<i>Total Rate per Week</i>
<i>Four Year Term</i>	
First year	\$251.24
Second year	\$329.01
Three year	\$448.65
Fourth year	\$526.42
<i>Three and a Half Year Term</i>	
First six months	\$251.24
Next year	\$329.01
Next year	\$448.65
Final year	\$526.42
<i>Three Year Term</i>	
First year	\$329.01
Second year	\$448.65
Third year	\$526.42

Trainees

5. THAT the Minimum Weekly Rate of Pay applicable under section 15 of the *Minimum Conditions of Employment Act, 1993* to trainees shall be:
- (a) in relation to that class of trainee to whom an award applies or a relevant award applies where an employer-employee agreement is in force, the minimum weekly rate of pay shall be the rate of pay that applies to that class

of trainee under the award where an award applies or the relevant award where an employer-employee agreement is in force.

- (b) In relation to that class of trainee to whom an award does not apply and to whom there is no relevant award to apply if an employer-employee agreement is in force or is subsequently entered into, the minimum weekly rate of pay at the relevant Industry/Skill level as determined by reference to Attachment A hereunder, shall be the rate of pay based on the *Metal Trades (General) Award 1966* contained in Table 1 as follows:

Table 1

The following rates of pay apply on and from the commencement of the first pay period on or after 1 September 2006.

Industry/Skill Level A			
School Leaver	Year 10 \$	Year 11 \$	Year 12 \$
	173.00	206.00	254.00
Plus 1 year out of school	206.00	254.00	294.00
Plus 2 years	254.00	294.00	342.00
Plus 3 years	294.00	342.00	392.00
Plus 4 years	342.00	392.00	
Plus 5 years or more	392.00		
Industry/Skill Level B			
School Leaver	Year 10 \$	Year 11 \$	Year 12 \$
	173.00	206.00	244.00
Plus 1 year out of school	206.00	244.00	279.00
Plus 2 years	244.00	279.00	327.00
Plus 3 years	279.00	327.00	374.00
Plus 4 years	327.00	374.00	
Plus 5 years or more	374.00		

Industry/Skill Level C			
School Leaver	Year 10 \$	Year 11 \$	Year 12 \$
	173.00	206.00	232.00
Plus 1 year out of school	206.00	232.00	261.00
Plus 2 years	232.00	261.00	293.00
Plus 3 years	261.00	293.00	329.00
Plus 4 years	293.00	329.00	
Plus 5 years or more	329.00		

- (c) For any class of trainees under this subclause undertaking a traineeship that is not provided for in Attachment A, the minimum weekly rate of pay shall be the rate of pay in Industry/Skill Level C.

Australian Qualification Framework (AQF)

- (d) For a trainee in this class undertaking an AQF4 traineeship the minimum weekly rate of pay shall be the weekly wage rate for an AQF3 trainee at Industry/Skill Levels A, B or C as applicable with the addition of 3.8 per cent of that wage rate.

Part-time and School Based Trainees

- (e) This provision shall apply to trainees who undertake a traineeship on a part-time basis, or as a School Based trainee, by working less than full-time hours and by undertaking the approved training at the same or lesser training time than a full-time trainee.
- (i) School Based trainees will receive the relevant wage rate at Skill/Industry Levels A, B and C as applicable, as for School Leavers.

- (ii) The minimum weekly rate of pay for part-time and School Based trainees shall be calculated by taking full-time rates expressed above multiplied by 1.25. This minimum weekly rate of pay for part-time School Based trainees is then divided by 38 in accordance with section 10 of the *Minimum Conditions of Employment Act, 1993* to produce a minimum hourly rate of pay.
- (f) In relation to that class of trainee to whom an award applies or a relevant award applies where an employer-employee agreement is in force and who has reached 21 years of age, the minimum weekly rate of pay is the rate of pay that applies to that class of trainee determined by reference to the highest weekly wage rate for the skill level relevant to the traineeship under the award or under the relevant award where an employer-employee agreement is in force.
- (g) In relation to that class of trainee to whom an award does not apply and to whom there is no relevant award to apply if an employer-employee agreement is in force or is entered in to and who has reached 21 years of age, the minimum weekly rate of pay shall be that determined by reference to the highest weekly wage rate for the skill level relevant to the traineeship set out below:

On and from the commencement of the first pay period on or after 1 September 2006 -

Industry/Skill Level A	\$392.00 per week
Industry/Skill Level B	\$374.00 per week
Industry/Skill Level C	\$329.00 per week

SCHEDULE

ATTACHMENT A

INDUSTRY / SKILL LEVEL A

TRAINEESHIP	CERTIFICATE LEVEL
<i>Administration/Business Services</i>	
Local Government (Governance & Administration)	II & III & IV
Business Administration	III & IV
Business	II & III & IV
Business (Legal Administration/Services)	III & IV
Business (Recordkeeping)	III & IV
Business (Marketing)	IV
Business (Human Resources)	IV
Business (Small Business Management)	IV
Business (Medical Administration)	III
Workplace Readiness	I
<i>Beauty</i>	
Beauty Services	III
Beauty Therapy	IV
<i>Civil Construction</i>	
Civil Engineering	IV
Plant Operations	III
Pipelaying	III
Road Construction and Maintenance	III
Bridge Construction & Maintenance	III
Trenchless Technology	III
Tunnel Construction	III
Foundation Work	III
Railway Construction and Maintenance	III
<i>Community Services</i>	
Career Development Officer	III & IV
Community Care Work	III
Community Services (Aged Care Worker)	III & IV
Community Services (Children's Services)	III
Community Services (Youth Work)	III
Community Services Work	II & III & IV
Bi-Lingual/Bi-Cultural Community Services Work	II & III
Disability Work	III & IV
Out of School Hours Care Work	IV
Social Housing Work	III & IV
Aboriginal Islander Education Worker	III & IV
Aboriginal Child Care Work	III
Community Services Contact Work	II
Community Services Support Work	II
Youth Work	IV
<i>Correctional Services</i>	
Correctional Practice (Custodial)	III & IV
Correctional Practice	III & IV

Financial Services	
Financial Services	III & IV
Financial Services (Accounts Clerical)	III
Financial Services (Financial Practice Support)	IV
Financial Services (Accounting)	IV
Insurance Services	III & IV
Floristry	
Floristry	III
Food Processing	
Food Processing	III
Food Processing (Wine)	III
Pharmaceutical Manufacturing	III
Gas Industry	
Gas Operations	III & IV
Hospitality	
Hospitality – (Accommodation Services)	III
Hospitality – (Food & Beverage)	III
Hospitality – (Operations)	III
Hospitality - Supervision	IV
Information Technology	
Information Technology	II
Information Technology (Applications)	II
Information Technology (General)	III
Information Technology (Network Administration)	III
Information Technology (Software Application)	III
Information Technology (Network Management)	IV
Information Technology (Website Design)	IV
Information Technology (Database Administration)	IV
Information Technology (Multimedia)	IV
Information Technology (Technical Support)	IV
Information Technology (Systems Analysis & Design)	IV
Information Technology & Telecommunication Services	II
Laboratory Operations	
Laboratory Skills	III
Laboratory Techniques	IV
Metal and Engineering	
Engineering Technician	III
Draftsperson	V
Production Systems (Surface Finishing)	III
Engineering – Higher Engineering Trade	IV
Production Systems (Foundry)	III
Museum and Library/Information Services	
Library and Information Services	II & III & IV
Museum Practice	II & III
Plastics, Rubber and Cablemaking/Process Manufacturing	
Plastics	III
Process Manufacturing	III
Polymer Technology	IV
Plastics – Film	III
Plastics – Blow Moulding	III
Plastics – Extrusion	III
Plastics – Fabrication	III
Plastics – Injection Moulding	III
Plastics – Thermoforming	III

Plastics – Rotational Moulding	III
Plastics – Polystrene	III
Rubber	III
Rubber - Injection Moulding	III
Rubber - Belt Splicing	III
Rubber – Rubber Lining	III
Process Manufactured Mineral Products	III & IV
Process Plant Operations	III
Process Plant Technology	IV
Process Support	III
Public Services/Public Safety	
Policing	III
Firefighting Operations	III
Government	II & III & IV
Government – Fraud Control Investigation	IV
Government – Fraud Control Prevention/Detection	IV
Retail	
Retail Operations	III
Retail Supervision	III
Community Pharmacy	III
Telecommunications	
Telecommunications	II & III
Telecommunications Cabling	II
Telecommunications (Access Network)	II
Telecommunications (Cabling & Customer Premises Equipment)	III
Customer Contact	III & IV
Textile Clothing and Footwear	
Textile Fabrication	III
Textile Production	III
Laundry Operations	III
Clothing Production	III & IV
Dry Cleaning Operations	III
Early Stage Wool Processing	III
Hide Skin Leather Processing	III
Footwear Repair	III
Tourism	
International Retail Travel Sales	III
Tourism (Attractions and Theme Parks)	II
Tourism (Guiding)	II & III & IV
Tourism (Sales/Office Operations)	II
Tourism (Visitor Information Services)	III
Transport and Distribution	
Integrated Rating	III
Transport Administration	III
Transport and Distribution (Cash in Transit)	III
Transport and Distribution (Marine Engine Driving)	III
Transport and Distribution (Maritime Operations)	III
Transport and Distribution (Mobile Cranes)	III
Transport and Distribution (Rail Civil Infrastructure)	III
Transport and Distribution (Rail Operations)	III & IV
Transport and Distribution (Road Transport)	III & IV
Transport and Distribution (Stevedoring)	III
Transport and Distribution (Warehousing)	III & IV
Transport and Distribution (Aviation Flight Operations)	III
Transport and Distribution (Aviation Ground Operations)	III

<i>Water Industry</i>	
Water Operations	III & IV
<i>Wholesale Training Package</i>	
Wholesale Operations	III
<i>Other</i>	
Client/Patient Support Services	II & III
Allied Health Assistance	III
Health Support Services	III
Health Service Assistance (Client Patient Services)	III
Health Service Assistance (Sterilisation Services)	III
Soft Furnishing	III
General Construction	II
General Construction (Demolition)	III
Concreting	III
Dogging	III
Scaffolding	III
Rigging	III
Steel fixing	III
Aboriginal Environmental Health	II & III
Property Management	IV

INDUSTRY / SKILL LEVEL B

TRAINEESHIP	CERTIFICATE LEVEL
<i>Aeroskills Industry</i>	
Aeroskills (Aircraft Mechanical)	II
<i>Asset Maintenance</i>	
Asset Maintenance (Cleaning Operations)	II & III
Asset Maintenance (Waste Management)	II & III
<i>Asset Security</i>	
Technical Security	II & III
<i>Automotive Industry/Retail Service and Repair</i>	
Automotive (Administration)	II
Automotive Electrical Technology	II
Automotive (Mechanical)	II
Automotive (Sales)	II & III
Automotive (Vehicle Body)	II
Automotive Aftermarket Warehousing Distribution Ops	II & III
Bicycles Services	II
Marine	II
Outdoor Power Equipment	II
Vehicle Servicing	II
<i>Beauty</i>	
Make-Up Services	II
Nail Technology	II
Retail Cosmetic Services	II
<i>Caravan Industry</i>	
Caravan Park Operations	II & III
<i>Civil Construction</i>	
Civil Construction	II & III
<i>Entertainment/Film TV Radio & Multimedia</i>	
Broadcasting (Radio)	II & III & IV
Broadcasting (Remote Area Operations)	III
Broadcasting (Television)	III & IV
Costume for Performance	IV
Entertainment (Front of House)	II
Live Production Theatre & Events	II
Live Production Theatre & Events (Lighting)	III & IV
Live Production Theatre & Events (Vision Systems)	III & IV
Live Production Theatre & Events (Audio)	III & IV
Screen	IV
Multimedia	II & III & IV
<i>Extractive Industries/Metalliferous</i>	
Drillers Assistant	II
Driller	III
Metalliferous Mining Operations (Open Cut)	II & III & IV
Metalliferous Mining Operations (Processing)	II & III & IV
Metalliferous Mining Operations (Underground)	II & III & IV
Extractive Industries Operator	II & III
<i>Floristry</i>	
Floristry	II
<i>Food Processing Industry</i>	
Food Processing	II
Food Processing (Wine)	II

<i>Forest and Forest Products Industry</i>	
Forest and Forest Products (Forest Growing and Management)	II & III
Forest and Forest Products (Harvesting)	II & III
Forest and Forest Products (Sawmilling and Processing)	II & III
Forest and Forest Products (Timber Manufactured Products)	II & III
Forest and Forest Products (Timber Merchandising)	II & III
Forest and Forest Products (Wool Panel Products)	II & III
<i>Gas Industry</i>	
Gas Operations	II
<i>Hospitality Industry</i>	
Hospitality – (Asian Cookery)	II
Hospitality – (Catering Operations)	II
Hospitality – (Commercial Cookery)	II
Hospitality – (Patisserie)	II
Hospitality – (Operations)	II
<i>Laboratory Operations</i>	
Sampling and Measurement	II
<i>Meat</i>	
Meat Processing (Abattoirs)	II
Meat Processing (Boning)	III
Meat Processing (Food Services)	II
Meat Processing (General)	III
Meat Processing (Rendering)	III
Meat Processing (Smallgoods)	II & III
Meat Processing (Slaughtering)	III
Meat Processing (Quality Assurance)	IV
<i>Metal and Engineering</i>	
Engineering – Production	II
Aluminium Windows and Frames Manufacturing	II
<i>Outdoor Recreation/Community Recreation</i>	
Outdoor Recreation	III & IV
Community Recreation	II & III
<i>Plastics, Rubber and Cablemaking/Process Manufacturing</i>	
Process Manufacturing	II
Process Manufacturing (Cablemaking)	II
Plastics	II
Plastics – Film	II
Plastics – Blow Moulding	II
Plastics – Composites	II
Plastics – Extrusion	II
Plastics – Fabrication	II
Plastics – Injection Moulding	II
Plastics – Thermoforming	II
Plastics – Rotational Moulding	II
Plastics – Polystyrene	II
Rubber	II
Rubber – Rubber Lining	II
Rubber – Injection Moulding	II
Rubber - Belt Splicing	II
Process Manufactured Mineral Products	II
Process Plant Operations	II
Process Support	II
<i>Printing and Graphic Arts</i>	
Desktop Publishing	II
Print Production Support	II

Screen Printing	II
Small Offset Printing	II
Printing and Graphic Arts (Multimedia)	III & IV
Printing and Graphic Arts (Printing)	IV
Public Safety	
Public Safety – ATSI Police Liaison	II
Public Safety – ATSI Community Policing	II
Retail	
Retail Operations	II
Community Pharmacy	II
Sport Industry	
Fitness	III & IV
Career Orientated Participation	II & III
Sport and Recreation	II & III & IV
Textile, Clothing and Footwear	
Textile Production (Complex or Multiple Processes)	II
Dry Cleaning Operations	II
Laundry Operations	II
Footwear Repair	II
Transport and Distribution	
Transport Administration	II
Transport and Distribution (Aviation Flight Operations)	II
Transport and Distribution (Aviation Ground Operations)	II
Transport and Distribution (Marine Engine Driving)	II
Transport and Distribution (Maritime Operations)	II
Transport and Distribution (Rail Civil Infrastructure)	II
Transport and Distribution (Rail Operations)	II
Transport and Distribution (Road Transport)	II
Transport and Distribution – Stevedoring	II
Transport and Distribution (Warehousing)	II
Water Industry	
Water Operations	II
Veterinary Nursing	
Veterinary Nursing	IV
Wholesale Training	
Wholesale Operations	II
Other	
Conservation and Land Management	II & III & IV
Drainage	II
Paving	II
Animal Studies	II
Animal Technology	III
Captive Animals	III
Companion Animal Services	III & IV
Animal Control and Regulation	IV
Electrotechnology Data Communications	II & III
Electrotechnology Servicing	II
Electrotechnology Communications	III & IV
Electrotechnology Apparatus Servicing	IV
Electrotechnology Computer Systems	IV
Electrotechnology Entertainment and Servicing	IV
Electrotechnology Instrumentation	IV
Electrotechnology Refrigeration and Air Conditioning	IV
Electrotechnology Systems Electrician	IV
Electrotechnology Contracting	IV

Electrotechnology Explosion Protection	IV
Electrotechnology Radar Systems	IV
Furnishing (Flooring)	II
Furnishing (Polishing)	II
Furnishing (Upholstery)	II
Furniture Making	II
Picture Framing	III
Soft Furnishing	II
Glass and Glazing	II
Electrotechnology Remote Essential Services Operations	II
ESI Generation (Operations)	III & IV
ESI Generation (Mechanical)	III & IV
ESI Generation (Electrical/Electronic)	IV
ESI Generation (Fabrication)	III
ESI Generation (Systems Operations)	IV
ESI Distribution (Powerline)	III

INDUSTRY / SKILL LEVEL C

TRAINEESHIP	CERTIFICATE LEVEL
<i>Agriculture/Rural</i>	
Agriculture	II & III & IV
Agriculture (Beef Cattle Production)	III & IV
Agriculture (Dairy)	III
Agriculture (Goat Production)	III
Agriculture (Grain Production)	III
Agriculture (Horse Breeding)	III
Agriculture (Horticulture Production)	II & III
Agriculture (Pig Production)	III
Agriculture (Sheep and Wool)	III
Agriculture (Rural Merchandising)	III
Advanced Wool Handling	III
Irrigation	II & III & IV
Shearing	II & III & IV
Wool Handling	II
Wool Clip Preparation	III
Wool Classing	IV
<i>Horticulture</i>	
Horticulture	II & III & IV
Horticulture (Arboriculture)	II & III & IV
Horticulture (Floriculture)	II & III & IV
Horticulture (Landscape)	II & IV
Horticulture (Retail Nursery)	II & III & IV
Horticulture (Wholesale Nursery)	II & IV
Horticulture (Parks and Gardens)	II & IV
Horticulture (Turf)	II & IV
Rural Operations	II & III
<i>Music</i>	
Music	III & IV
Music Industry (Foundation)	II
Music Industry (Technical Production)	III & IV
Music Industry (Business)	III
<i>Racing Industry</i>	
Racing - Stablehand	II
Racing - Advanced Stablehand	III
Racing - Trackrider	III
Racing - Jockey	IV
Racing - Harness Driver	III
<i>Seafood Industry</i>	
Seafood Processing (Operations)	II & III
Seafood Processing (Seafood Sales and Distribution)	II & III
Seafood (Aquaculture)	II & III & IV
Seafood (Fishing Operations)	II & III
Seafood (Fisheries Compliance)	III

WESTERN AUSTRALIAN STATUTORY MINIMUM ADULT WEEKLY WAGE

1994 – 2006, inclusive

Year	Minimum Adult Wage *	Effective Date	Application No.	Reference
2006	\$504.40	01/09/2006	66 of 2006	<i>To be published</i>
2005	\$484.40	07/07/2005	576 of 2005	85 WAIG 2083
2004	\$467.40	04/06/2004	570 of 2004	84 WAIG 1521
2003	\$448.40	19/06/2003	569 of 2003	83 WAIG 1914
2002	\$431.40	01/08/2002	N/A	<i>Labour Relations Reform Act 2002 (s.168)</i>
2002	\$413.40	29/04/2002	N/A	Government Gazette 2002 Volume 77, page 2181
2001	\$400.40	22/03/2001	N/A	Government Gazette 2001 Volume 60, page 1475
2000	\$368.00	01/03/2000	N/A	Government Gazette 2000 Volume 38, page 1007
1999	\$346.70	<i>No change</i>	N/A	N/A
1998	\$346.70	07/12/1998	N/A	Government Gazette 1998 Volume 39, page 6545
1997	\$335.00	10/11/1997	N/A	Government Gazette 1997 Volume 197, page 6203
1996	\$332.00	29/10/1996	N/A	Government Gazette 1996 Volume 161, page 5753
1995	\$317.10	29/09/1995	N/A	Government Gazette 1995 Volume 134, page 4697
1994	\$301.10	29/08/1994	N/A	Government Gazette 1994 Volume 122, page 4465

* Applicable for non-Award employees who have reached 21 years of age, and are not apprentices or trainees.