



# Minimum Wage Order 2005

Silvia Cartwright, Governor-General

## Order in Council

At Wellington this 7th day of February 2005

Present:

Her Excellency the Governor-General in Council

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

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### Order

- 1 Title**  
This order is the Minimum Wage Order 2005.
- 2 Commencement**  
This order comes into force on 21 March 2005.

### 3 Interpretation

In this order, unless the context otherwise requires,—

**Act** means the Minimum Wage Act 1983

**adult worker**—

- (a) means a worker aged 18 years or more to whom the Act applies; but
- (b) does not include a trainee

**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

**trainee** means a worker—

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

**youth worker**—

- (a) means a worker aged 16 years or 17 years to whom the Act applies; but
- (b) does not include a trainee.

### 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, \$9.50 per hour or an equivalent amount having regard to the rate of production of the worker:
- (b) for an adult worker paid by the day,—
  - (i) \$76 per day; and
  - (ii) \$9.50 per hour for each hour exceeding 8 worked by a worker on a day:
- (c) in all other cases,—
  - (i) \$380 per week; and
  - (ii) \$9.50 per hour for each hour exceeding 40 worked by a worker in a week.

**5 Minimum youth rates**

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

- (a) for a youth worker paid by the hour or by piecework, \$7.60 per hour or an equivalent amount having regard to the rate of production of the worker:
- (b) for a youth worker paid by the day,—
  - (i) \$60.80 per day; and
  - (ii) \$7.60 per hour for each hour exceeding 8 worked by a worker on a day:
- (c) in all other cases,—
  - (i) \$304 per week; and
  - (ii) \$7.60 per hour for each hour exceeding 40 worked by a worker 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, \$7.60 per hour or an equivalent amount having regard to the rate of production of the trainee:
- (b) for a trainee paid by the day,—
  - (i) \$60.80 per day; and
  - (ii) \$7.60 per hour for each hour exceeding 8 worked by a trainee on a day:
- (c) in all other cases,—
  - (i) \$304 per week; and
  - (ii) \$7.60 per hour for each hour exceeding 40 worked by a trainee in a week.

**7 Revocation**

The Minimum Wage Order 2004 (SR 2004/20) is revoked.

Diane Morcom,  
Clerk of the Executive Council.

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**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 21 March 2005, revokes and replaces the Minimum Wage Order 2004. The order increases the minimum hourly rate payable to adult workers, youth workers, and trainees.

The increased minimum hourly rates are as follows:

- the rate for adult workers is increased from \$9.00 per hour to \$9.50 per hour; and
- the rate for youth workers and for trainees is increased from \$7.20 per hour to \$7.60 per hour.

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Issued under the authority of the Acts and Regulations Publication Act 1989.  
Date of notification in *Gazette*: 10 February 2005.  
This order is administered in the Department of Labour.

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