

**TASMANIAN INDUSTRIAL COMMISSION**

Industrial Relations Act 1984

**CORRECTION ORDER**

**WHEREAS** an error occurred in the order giving effect to the Commission's decision of 5 March 1992 (T.3638 of 1991) varying the **TEXTILE AWARD**, in accordance with Section 21(1) of the Act the Commission hereby rescinds the contents of Order No. 1 of 1992 and substitutes in lieu thereof the following:

The Textile Award is varied by inserting the following new Clause 48A - Occupational Superannuation -

**"48A. OCCUPATIONAL SUPERANNUATION**

(a) Definitions

**'The Fund'** shall mean TASPLAN, Australian Retirement Fund or an alternative fund as referred to in subclause (c) hereof provided that such alternative fund is approved in accordance with the Commonwealth Operational Standards for Occupational Superannuation Funds and endorsed by the Tasmanian Industrial Commission.

**'Eligible Employee'** shall mean an employee, whether weekly, part-time or casual, who has had at least 3 months continuous service with an employer subject to this award. Provided that in the case of an employee who has so qualified with one employer, that employee shall not be required to serve the qualifying period with any subsequent employer subject to this award.

**'Ordinary Time Earnings'** shall mean the classification rate including loadings for shift work, part-time or casual work and any permanent all purpose allowances but shall exclude overtime payments, leave loading, annual and/or long service leave payments on termination of employment and allowances in the nature of a reimbursement (such as meal money).

(b) Contributions

- (i) An employer shall, at least monthly, make a contribution equivalent to 3% of ordinary time earnings into the fund in respect of all eligible employees (as defined) as from 1 January 1992.
- (ii) In the case of eligible casual and part-time employees, contributions shall become payable following the completion of 38 hours work each calendar month.

(c) Alternative Funds

- (i) An employer shall be not be required to pay a contribution on behalf of any eligible employee into more than one fund for the same period of employment.
- (ii) Where an employer is already, at the time this clause is included in the award, paying on behalf of an eligible employee a contribution of not less than 3% of ordinary time earnings into an alternative fund (as referred to in subclause (a) hereof) then the employer may continue to use that fund provided that contributions are made in accordance with this clause.
- (iii) Where agreement is reached between an employer and a union, an alternative fund (as referred to in subclause (a) hereof) and endorsed by the Tasmanian Industrial Commission may be used for the purpose of contributions payable under this clause.

(d) Exemptions

For the purpose of subclause (c) hereof, the following companies are exempted from contributing to the nominated fund as defined in accordance with the approved funds set out below:

<u>Company</u>	<u>Fund</u>
Coats Patons Handknittings	Coats Patons (Australia) Employees' Retirement Fund
James Nelson (Tasmania) Pty Ltd	James Nelson Superannuation Fund

(e) Date of Operation

The provisions of this clause shall operate from, and contributions shall be payable from, the first pay period to commence on or after 1 January 1992."

**DATE OF OPERATION**

The foregoing amendments shall take effect from the first pay period on or after 1 January 1992.



14 May 1992