

**HEARING COMMENCED 9.10am**

COMMISSIONER: I'll take appearances.

**MR I. PATERSON:** If the commission pleases, IAN PATERSON, appearing for the Australian Municipal Administrative, Clerical and Services Union. I also have an authority to appear on behalf of the  
5 Australian Liquor, Hospitality and Miscellaneous Workers Union.

COMMISSIONER: Thanks, Mr Paterson.

**MR D. DILGER:** If the commission pleases, DILGER D., for the Tasmanian Chamber of Commerce and Industry Limited, and I  
10 apologise for my lateness this morning, commissioner.

COMMISSIONER: Thanks, Mr Dilger. Will we let him off, Mr Paterson?

MR PATERSON: I'm not all that impressed by early starts at the best of times myself, commissioner, so I'm not particularly put out.

15 COMMISSIONER: The boot might be on the other foot another day.

MR PATERSON: If the commission pleases, I will just tender P.4, which was presented in the previous proceedings. For the record, this identifies the wage rates and the minimum rates adjustments for the four MRAs.

20 COMMISSIONER: We will call that **EXHIBIT P.4.**

MR PATERSON: And that's what we rely on and we have consent on and Mr Dilger has advised me prior to today's proceedings that he agrees that the draft order accompanying the application reflects the second MRA as per P.4. The only matter, I think, further is the  
25 operative date. As the commission will be aware, the making of the award in the previous matter had an operative date of 29 November 1999 which, in accordance with the structural efficiency and minimum rates adjustment principles, means that the second MRA was accessible no sooner than six months after that date. The previous  
30 proceedings were delayed in order that the clerical and administrative classifications could be rewritten.

We had sought in the application, as you can see, effect from 29 May, however, following discussions with the TCCI, I'd seek to amend that operative date to the first full pay period on or after today's date. In  
35 formal terms, I'd submit to you that this application to vary the Aerated Waters Award is consistent with the Wage Fixing Principles of the commission as recently determined and in origin, if you like, consistent with the previous minimum rates adjustment principles. I submit that it doesn't in any way offend the public interest to vary the award in this  
40 way. If the commission pleases.

COMMISSIONER: Thanks, Mr Paterson. Mr Dilger?

MR DILGER: Yes, thank you, commissioner. Yes, we do come in consent and I agree with the submissions put forward by Mr Paterson, with the alteration that the application take effect on or after the first  
5 full pay period after today's date. If the commission pleases.

COMMISSIONER: Thanks, Mr Dilger. This application is granted and I'll issue the order as soon as I can, operative from the first full pay period commencing on or after today's date.

Thank you, gentlemen.

10 **HEARING CONCLUDED 9.15am**