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TASMANIAN INDUSTRIAL COMMISSION

Industrial Relations Act 1984

s23 application for award or variation of award

Australian Liquor, Hospitality and Miscellaneous Workers Union
(T10410 of 2002)

AERATED WATERS AWARD
CHILD CARE AND CHILDREN'S SERVICES AWARD
CLEANING AND PROPERTY SERVICES AWARD
FIBREGLASS AND PLASTICS AWARD
HEALTH AND FITNESS CENTRES AWARD
ICE CREAM MAKERS AWARD
INDEPENDENT SCHOOLS (NON TEACHING STAFF) AWARD
LAUNDRY AND DRY CLEANING AWARD
LICENSED CLUBS AWARD
MISCELLANEOUS WORKERS AWARD
RESTAURANT KEEPERS AWARD
SECURITY INDUSTRY AWARD
SHIPPING AWARD

FULL BENCH:

PRESIDENT P L LEARY
DEPUTY PRESIDENT R J WATLING
COMMISSIONER T J ABEY

**Award variation - 9% superannuation - application approved - operative date
ffpp 25 November 2002**

ORDER BY CONSENT

CHILD CARE AND CHILDRENS SERVICES AWARD

Order No. 1 of 2003

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THE **CHILD CARE AND CHILDRENS SERVICES AWARD** IS VARIED IN THE FOLLOWING MANNER:

1. By deleting from Part III – Wage Rates and Related Matters, Clause 4 – SUPERANNUATION, and inserting in lieu thereof the following:

“4. SUPERANNUATION

Superannuation contributions shall be made in accordance with the *Superannuation Guarantee (Administration) Act 1992*, the *Superannuation Guarantee Charge Act 1992*, the *Superannuation Industry (Supervision) Act 1993* and the *Superannuation (Resolution and Complaints) Act 1993*.

This legislation, as varied from time to time, shall govern the superannuation, rights and obligations of the parties.

Fund

- (a) For the purposes of this award, contribution by employers shall be paid to the Treasurer of Tasplan or HESTA or any fund agreed between
- (b) All employers bound by this award shall become party to Tasplan or HESTA upon the acceptance of the Trustees of that scheme of an application to Become a Participating Employer of Tasplan, duly signed and executed by that employer. The fund adopted by each establishment shall be determined by agreement between the employer and employees. Where necessary the parties will abide by the award Disputes and Grievances procedure to finalise an agreement.
- (c) **PROVIDED** that employers shall make contributions on behalf of all eligible employees into only one of the above Funds.

Contributions

- (a) Contributions shall be paid by employers on the basis of 9% of ordinary time earnings for all eligible employees (as defined).
- (b) Subject to subclause (a) herein an eligible employee shall have a minimum contribution per week paid into the fund of \$1.40.
- (c) Contributions shall not be payable in respect of any unauthorised absences of at least one day’s duration, periods of unpaid leave or annual leave paid out on termination.

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- (d) Contributions to the fund shall be made by the employer on at least a calendar monthly basis unless there are circumstances for which the employer cannot be held responsible.

Exemption

The following businesses are exempt from the requirement to necessarily use the nominated funds referred to above, but may in the alternative use either the nominated funds or the funds hereinafter specified

Employer/Centre	Fund and who apply to
Centacare	Catholic Superannuation Fund
Exeter Child Care Centre	Hostplus Hospitality Super – for the one employee having contributions made to this fund as at 25 November 2002 SMF-Spectrum Plan – for other employees”

This variation shall come into operation from the first full pay period to commence on or after 25 November 2002.

RJ Watling
DEPUTY PRESIDENT

14 January 2003