

Human Rights (Youth Equality) Amendment Bill

Member's Bill

Explanatory note

General policy statement

The purpose of this Bill is to remove the ability of employers, in determining the wage rates of employees, to discriminate based on age.

In 2008 the Minimum Wage Act 1998 was amended to require that employers pay a wage rate no lower than the adult minimum wage to all employees, other than to trainees and new entrants to the labour force.

However, section 30(2) of the Human Rights Act 1993 continues to permit employers to pay lower pay rates that discriminate on the basis of age to employees between the ages of 16 and 19 inclusive, provided such pay rates are at or above the statutory minimum wage.

This Bill will repeal sections 30(2) and 30(3) of the Human Rights Act 1993, thereby prohibiting employers to discriminate on the basis of age in determining the wage rates of employees over the age of 16.

Clause by clause analysis

Clause 1 is the Title clause.

Clause 2 is the commencement clause. The Bill comes into force 30 days after the date it receives the Royal assent.

Clause 3 amends the Human Rights Act 1993 (the **principal Act**).

Clause 4 sets out the purpose of the Bill.

Clause 5 repeals sections 30(2) and 30(3) of the principal Act.

Gareth Hughes

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Contents

The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Human Rights (Youth Equality) Amendment Bill **2010**.

2 Commencement

This Act comes into force 30 days after the date it receives the Royal assent.

3 Principal Act amended

This Act amends the Human Rights Act 1993.

4 Purpose

The purpose of this Act is to amend the Human Rights Act which currently permits employers to pay wages to workers between the ages of 16 and 19 inclusive at rates that discriminate on the basis of age.

5 Sections 30(2) and 30(3) repealed

Sections 30(2) and 30(3) are repealed.