



Fair Entitlements Guarantee (Indexation of Maximum Weekly Wage) Regulations 2023

I, General the Honourable David Hurley AC DSC (Retd), Governor-General of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, make the following regulations.

Dated 30 March 2023

David Hurley
Governor-General

By His Excellency's Command

Tony Burke
Minister for Employment and Workplace Relations

Contents

1	Name.....	1
2	Commencement	1
3	Authority.....	1
4	Schedules	1
5	Definitions	1
6	Maximum weekly wage.....	1
7	Saving provision—indexation of maximum weekly wage in accordance with the repealed <i>Fair Entitlements Guarantee (Indexation of Maximum Weekly Wage) Regulation 2013</i>	2
	Schedule 1—Repeals	3
	<i>Fair Entitlements Guarantee (Indexation of Maximum Weekly Wage)</i>	
	<i>Regulation 2013</i>	3

1 Name

This instrument is the *Fair Entitlements Guarantee (Indexation of Maximum Weekly Wage) Regulations 2023*.

2 Commencement

- (1) Each provision of this instrument specified in column 1 of the table commences, or is taken to have commenced, in accordance with column 2 of the table. Any other statement in column 2 has effect according to its terms.

Commencement information		
Column 1	Column 2	Column 3
Provisions	Commencement	Date/Details
1. The whole of this instrument	The day after this instrument is registered.	31 March 2023

Note: This table relates only to the provisions of this instrument as originally made. It will not be amended to deal with any later amendments of this instrument.

- (2) Any information in column 3 of the table is not part of this instrument. Information may be inserted in this column, or information in it may be edited, in any published version of this instrument.

3 Authority

This instrument is made under the *Fair Entitlements Guarantee Act 2012*.

4 Schedules

Each instrument that is specified in a Schedule to this instrument is amended or repealed as set out in the applicable items in the Schedule concerned, and any other item in a Schedule to this instrument has effect according to its terms.

5 Definitions

In this instrument:

Act means the *Fair Entitlements Guarantee Act 2012*.

6 Maximum weekly wage

- (1) For the purposes of paragraph (b) of the definition of **maximum weekly wage** in section 5 of the Act, this section sets out the manner of indexing the amounts specified in that definition.
- (2) The maximum weekly wage for the year starting on 1 July 2022 is \$2,585.

Note: \$2,585 is the result of indexation of the maximum weekly wage in accordance with the *Fair Entitlements Guarantee (Indexation of Maximum Weekly Wage) Regulation 2013* before the repeal of that instrument.

Section 7

- (3) The maximum weekly wage for a year starting on 1 July 2023, or a later year starting on 1 July, is the maximum weekly wage for the previous year, indexed using the following steps.

Step	Indexation
Step 1	Identify the last assessment of current average weekly ordinary time earnings published by the Australian Statistician before 1 July of the year for which the calculation is being made. Note: This is the most recently published (before 1 July of the year for which the calculation is being made) amount of the average weekly ordinary time earnings, seasonally adjusted, for full-time adult employees of all employers in Australia.
Step 2	Divide it by the last assessment of current average weekly ordinary time earnings published by the Australian Statistician before 1 July of the previous year. Note: This is the most recently published (before 1 July of the previous year) amount of the average weekly ordinary time earnings, seasonally adjusted, for full-time adult employees of all employers in Australia.
Step 3	Round the result to 3 decimal places. If the fourth decimal place is 5 or above, round it up. If the rounded result is less than 1, the rounded result becomes 1. Multiply the maximum weekly wage for the previous year by the rounded result. If the result includes a number of cents, round the result to the nearest dollar. Round up an amount of 50 cents. The result is the maximum weekly wage for the year starting on 1 July for which the calculation is being made.

7 Saving provision—indexation of maximum weekly wage in accordance with the repealed *Fair Entitlements Guarantee (Indexation of Maximum Weekly Wage) Regulation 2013*

The repeal of the *Fair Entitlements Guarantee (Indexation of Maximum Weekly Wage) Regulation 2013* by Schedule 1 to this instrument does not affect the indexation, in accordance with that instrument before its repeal, of an amount specified in the definition of **maximum weekly wage** in section 5 of the Act.

Schedule 1—Repeals

Fair Entitlements Guarantee (Indexation of Maximum Weekly Wage) Regulation 2013

1 The whole of the instrument

Repeal the instrument.