

Version No. 001
Victorian Workers' Wages Protection
(Exceptions) Regulations 2008

S.R. No. 154/2008

Version as at 2 December 2008

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**Victorian Workers' Wages Protection
(Exceptions) Regulations 2008**

S.R. No. 154/2008

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1 Objectives

The objective of these Regulations is to prescribe types of deductions from wages for the purposes of section 7(3) and section 8(3)(b) of the **Victorian Workers' Wages Protection Act 2007**.

2 Authorising provisions

These Regulations are made under section 24 of the **Victorian Workers' Wages Protection Act 2007**.

3 Definitions

In these Regulations—

publicly available goods or services means goods or services provided to an employee by his or her employer, or a related party of the employer, in the ordinary course of business of the employer or related party on terms and conditions that are—

- (a) the same as those on which the goods or services are offered to the general public; or

- (b) more favourable than those on which the goods or services are offered to the general public.

Example

Health fund membership provided to the employee of the health fund for a fee equal to or less than the fee charged to a member of the general public.

***the Act* means the Victorian Workers' Wages Protection Act 2007.**

4 Deductions from wages

For the purposes of section 7(3) of the Act, a deduction in respect of publicly available goods or services is a prescribed type of deduction.

Note

The requirement under section 7(2) of the Act for an employer to provide certain information to the employee before making a deduction that is for the direct or indirect benefit of the employer or a related party of the employer does not apply to this type of deduction.

5 Employee authorisation to make deductions

For the purposes of section 8(3)(b) of the Act, each of the following deductions is a prescribed type of deduction—

- (a) a deduction in respect of publicly available goods or services;
- (b) a deduction for the purpose of recovering overpaid wages;
- (c) a deduction for the purpose of recovering costs directly incurred by an employer as a result of the voluntary private use of the employer's property by the employee.

Example

A deduction by an employer to recover the costs of—

- (a) items purchased for the private use of an employee using a corporate credit card;

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- (b) personal calls made by an employee on a corporate mobile phone;
 - (c) petrol purchased for the private use of a company vehicle by an employee.

Note

The requirement under section 8(2) of the Act for an authorisation for the deduction from an employee's wages to specify the amount of each deduction does not apply to these types of deductions.

ENDNOTES

1. General Information

The Victorian Workers' Wages Protection (Exceptions) Regulations 2008, S.R. No. 154/2008 were made on 2 December 2008 by the Governor in Council under section 24 of the **Victorian Workers' Wages Protection Act 2007**, No. 71/2007 and came into operation on 2 December 2008.

The Victorian Workers' Wages Protection (Exceptions) Regulations 2008 will sunset 10 years after the day of making on 2 December 2018 (see section 5 of the **Subordinate Legislation Act 1994**).

2. Table of Amendments

There are no amendments made to the Victorian Workers' Wages Protection (Exceptions) Regulations 2008 by statutory rules, subordinate instruments and Acts.

3. Explanatory Details

No entries at date of publication.