



DETERMINATION

Fair Work Act 2009

s 160—Variation a modern award to remove ambiguity or uncertainty or correct error

Variation of modern awards on the Commission’s own motion – junior rates

(AM2023/27)

RESTAURANT INDUSTRY AWARD 2020

[MA000119]

Restaurants

JUSTICE HATCHER, PRESIDENT

SYDNEY, 19 DECEMBER 2023

Section 160 of the Fair Work Act 2009 (Cth) – variation on the Commission’s own motion – junior rates – Restaurant Industry Award 2020

A. Further to the decision issued by the Fair Work Commission on 19 December 2023 [\[\[2023\] FWC 3393\]](#), the above award is varied as follows:

1. By deleting the words “16 years of age and under” appearing in the table in clause 18.2(a) and inserting the words “Under 17 years of age”.
2. By deleting the words “16 years of age and under” wherever they appear in clause B.2.2 and inserting the words “Under 17 years of age”.
3. By deleting the words “16 years of age and under” wherever they appear in clause B.2.3 and inserting the words “Under 17 years of age”.
4. By deleting the words “16 years of age and under” wherever they appear in clause B.2.4 and inserting the words “Under 17 years of age”.

5. By deleting the words “16 years of age and under” wherever they appear in clause B.2.5 and inserting the words “Under 17 years of age”.

B. This determination comes into operation on 31 December 2023. In accordance with s 165(3) of the *Fair Work Act 2009* (Cth) this determination does not take effect in relation to a particular employee until the start of the employee’s first full pay period that starts on or after 31 December 2023.



PRESIDENT

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