

**1999 No. 685 (C. 19)**

**TERMS AND CONDITIONS OF EMPLOYMENT**

**The National Minimum Wage Act 1998 (Commencement  
No. 2 and Transitional Provisions) Order 1999**

Made - - - - 9th March 1999

The Secretary of State, in exercise of the powers conferred on him by sections 51(1)(b) and 56(2) of the National Minimum Wage Act 1998(a), hereby makes the following Order:—

**Citation and interpretation**

**1.**—(1) This Order may be cited as the National Minimum Wage Act 1998 (Commencement No. 2 and Transitional Provisions) Order 1999.

(2) In this Order—

“the 1998 Act” means the National Minimum Wage Act 1998;

“the 1948 Act” means the Agricultural Wages Act 1948(b);

“the 1949 Act” means the Agricultural Wages (Scotland) Act 1949(c).

**Commencement**

**2.** The provisions of the 1998 Act specified in the Schedule to this Order shall come into force on 1st April 1999.

**Transitional provisions**

**3.**—(1) Neither the amendments made to the 1948 Act by Schedule 2 to the 1998 Act, nor the repeals relating to the 1948 Act contained in Schedule 3 to the 1998 Act, shall have effect in respect of work done before 1st April 1999.

(2) Neither the amendments made to the 1949 Act by Schedule 2 to the 1998 Act, nor the repeals relating to the 1949 Act contained in Schedule 3 to the 1998 Act, shall have effect in respect of work done before 1st April 1999.

(3) The amendments made to the Agricultural Wages (Regulation) (Northern Ireland) Order 1977(d) by Schedule 2 to the 1998 Act shall not have effect in respect of work done before 1st April 1999.

9th March 1999

*Ian McCartney*  
Minister of State,  
Department of Trade and Industry.

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(a) 1998 c. 39.  
(b) 1948 c. 47.  
(c) 1949 c. 30.  
(d) S.I. 1977/2151 (N.I. 22).

## SCHEDULE

Article 2

### PROVISIONS COMING INTO FORCE ON 1st APRIL 1999

|  |   |
|--|---|
| Section 46   | Relationship of the Act and agricultural wages legislation      |
| Section 47, in so far as not already in force  | Amendments relating to remuneration etc of agricultural workers |
| Section 53, in so far as it relates to the repeals in Schedule 3 specified in the table below  | Repeals and revocations   |
| Schedule 2 except, in each of paragraphs 3, 13, and 26, the words “(f) any reference to a pay reference period shall be disregarded” | Amendments relating to remuneration etc of agricultural workers |
| In Schedule 3 the repeals specified in the table below   | Repeals and revocations   |

**Table**

| <i>Reference</i>      | <i>Short Title</i>                          | <i>Extent of Repeal</i>   |
|-----------------------|---|---|
| 11 & 12 Geo. 6 c. 47. | The Agricultural Wages Act 1948.            | <p>In section 4, in subsection (1), paragraphs (a), (b) and (d) and the words from “and, in the case of an offence consisting of a failure to pay wages” onwards, subsection (2), in subsection (3), the words “has paid wages at not less than the minimum rate or” and “as the case may be”, and subsection (4).</p> <p>Section 7(2).</p> <p>Section 11(1)(a).</p> <p>In section 12(5)(a), the words “on account of the payment of wages to him at less than the minimum rate applicable or”.</p> |
| 12 & 13 Geo. 6 c. 30. | The Agricultural Wages (Scotland) Act 1949. | <p>In section 4, in subsection (1), paragraphs (a), (b) and (d) and the words “and, in the case of an offence consisting of a failure to pay wages” onwards, subsection (2), in subsection (3), the words “has paid wages at not less than the minimum rate of” and “, as the case may be” and subsection (4).</p> <p>Section 11(1)(a).</p> <p>Section 12(4)(a).</p>  |

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order brings into force the provisions of the National Minimum Wage Act 1998 contained in the Schedule to the Order on 1st April 1999.

Transitional provisions are set out in Article 3.

## NOTE AS TO EARLIER COMMENCEMENT ORDER

*(This note is not part of the Order)*

The following provisions of the National Minimum Wage Act 1998 were brought into force by the National Minimum Wage Act 1998 (Commencement No. 1 and Transitional Provisions) Order 1998 (S.I. 1998/2574).

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| <i>Provision</i>   | <i>Date of Commencement</i> |
|--|-----------------------------|
| Sections 5, 6, 7, 8, 13, 23, 24, 25, 26 (partially), 29, 30 (partially), 34, 35, 36, 37, 38, 39, 40, 43, 44, 45, 48, 49 (partially), 50, 52, 53 (partially), 54, 55, and Schedules 1, and 3 (partially).                               | 1st November 1998           |
| Sections 1 (in so far as not already in force), 10, 11, 12 (in so far as not already in force), 14, 15, 16, 17, 18, 19, 20, 21 (in so far as not already in force), 22, 27, 28, 30 (in so far as not already in force), 31, 32 and 33. | 1st April 1999              |

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Sections 1 (partially), 2, 3, 4, 9, 12 (partially), 21 (partially), 26 (partially), 41, 42, 47 (partially), 49 (partially), 51 and 56 of the National Minimum Wage Act 1998 came into force on Royal Assent.

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No. 2 and Transitional Provisions) Order 1999

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