

1999 No. 712

TERMS AND CONDITIONS OF EMPLOYMENT

**The Agricultural Wages Act 1948 (Amendment)
Regulations 1999**

<i>Made - - - -</i>	<i>10th March 1999</i>
<i>Laid before Parliament</i>	<i>10th March 1999</i>
<i>Coming into force</i>	<i>1st April 1999</i>

The Minister of Agriculture, Fisheries and Food and the Secretary of State acting jointly, in consequence of the National Minimum Wage Act 1998(a) and of the National Minimum Wage Regulations 1999(b), in exercise of the powers conferred on them by section 47(2) of the National Minimum Wage Act 1998, and of all other powers enabling them in that behalf, hereby make the following Regulations—

Citation and commencement

1.—(1) These Regulations may be cited as the Agricultural Wages Act 1948 (Amendment) Regulations 1999 and shall come into force on 1st April 1999.

Amendment of the Agricultural Wages Act 1948

2.—(1) The Agricultural Wages Act 1948(c) shall be further amended in accordance with this regulation.

(2) Section 3A(3)(f) shall be omitted.

(3) After section 3A(3) there shall be inserted—

“(3A) In the application of section 17 of the National Minimum Wage Act 1998 by subsection (1) of this section—

(a) for subsection (2) there shall be substituted the following subsection—

“(2) That amount is the difference between—

(a) the remuneration received by the worker as a worker employed in agriculture for the pay reference period from his employer; and

(b) the amount which he would have received as a worker employed in agriculture for that period had he been remunerated by the employer at the minimum rate applicable under this Act;”

(b) subsection (3) shall be disregarded.”

10th March 1999

Donoghue
Parliamentary Secretary,
Ministry of Agriculture, Fisheries and Food

(a) 1998 c.39.
(b) S.I. 1999/584.
(c) c. 47.

Signed by authority of the Secretary of State for Wales

9th March 1999

Jon Owen Jones
Parliamentary Under Secretary of State,
Welsh Office

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations further amend the Agricultural Wages Act 1948 (“the 1948 Act”). Paragraph 3 of Schedule 2 to the National Minimum Wage Act 1998 (“the 1998 Act”) amended the 1948 Act so as to apply the enforcement provisions of the 1998 Act for the purposes of that Act. The effect of these Regulations is to specify the additional remuneration to which a worker is entitled for agricultural work where his employer has paid him at a rate less than the minimum rate applicable under the 1948 Act. The amount is the difference between what the worker received from his employer for agricultural work in the pay reference period and what he would have received if he had been paid at the minimum rate. The expression “pay reference period” is defined in the National Minimum Wage Regulations 1999.

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