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*Changes to legislation: There are currently no known outstanding effects for the Employment Protection Act 1975, Paragraph 2. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 10

#### <sup>M1</sup>AMENDMENTS OF AGRICULTURAL WAGES (SCOTLAND) ACT 1949

**Marginal Citations**

**M1** 1949 c. 30.

### PART II

#### MINOR AND CONSEQUENTIAL AMENDMENTS

- 2 [F1(1) In section 5 (permits to infirm and incapacitated persons), after subsection (2) there shall be inserted the following subsection:—
- “(2A) If on application in that behalf the Secretary of State is satisfied that a worker employed or desiring to be employed is so affected by any physical injury or mental deficiency, or any infirmity due to age or any other cause, as to make it inappropriate for any terms and conditions of employment (other than those with respect to wages and holidays) fixed by an order under this Act to apply to him, the Secretary of State shall grant him, subject to any conditions he may determine, a permit dispensing, as from the date of the application or a later date specified in the permit, with a term or condition specified in the order, and while the permit is in force and any conditions to which the permit is subject are complied with, the terms and conditions fixed by the order shall be deemed to be observed.”
- (2) In section 5(3) (revocation of permit), after the words “subsection (1)”, in both places where they occur, there shall be inserted the words “or (2A)”.
- (3) In section 5(4) (variation of condition of permit),
- (a) after the words “subsection (1)” there shall be inserted the words “or (2A)”;  
(b) at the end there shall be inserted the words “and, in the case of variation caused by a change made by an order under this Act in the minimum rates of wages, that variation shall take effect from a date specified in the direction, not being earlier than the date of the change”.
- (4) In section 5(4A), after the words “subsection (1)” there shall be the words inserted “or (2A)”.
- (5) After section 5(4A) there shall be inserted the following subsection:—
- “(4B) Any increase of wages payable by virtue of a variation of a permit under subsection (4) of this section in respect of any time before the date of the variation shall be paid by the employer within a period specified in the order being—

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- (a) in the case of a worker who is in the employment of the employer on the date on which notice of the variation is given in accordance with subsection (5) of this section a period beginning with that date;
- (b) in the case of a worker who is no longer in the employment of the employer on the date referred to in the last preceding paragraph, a period beginning with that date or the date on which the employer receives from the worker or a person acting on his behalf a request in writing for those wages, whichever is the later".]

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**Textual Amendments**

**F1** Sch. 10 para. 2 repealed (S.) (1.10.2004) by [Agricultural Wages \(Permits to Infirm and Incapacitated Persons\) \(Repeals\) \(Scotland\) Regulations 2004 \(S.S.I. 2004/384\)](#), reg. 1(1), **Sch.**

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**Modifications etc. (not altering text)**

**C1** The text of ss. 97(1)–(4), 111(1), 114–116, 125(3), Sch. 9 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 10 Pt. I, Pt. II paras. 2(1)–4(3), 6, Sch. 13 paras. 1, 2, 3(1)–(3), 4–7, Sch. 14 paras. 3, 6, Sch. 15 paras. 1–14, 15(1) (2), 16(1)–(4), 17, 18(1)(2), 19–21, Sch. 16 Pt. III paras. 1–3, 5–7, 31–33, Pt. IV paras. 2(1)–(4), 3(1) (2)(4), 4(1)–(5), 6, 7(a)(b), 9(1)–(4), 10(1)–(3), 12(1)–(3), 13(1), 17, 18(1)–(3), Sch. 18 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

**Changes to legislation:**

There are currently no known outstanding effects for the Employment Protection Act 1975, Paragraph 2.