

## SCHEDULES

### SCHEDULE 2

#### AMENDMENTS RELATING TO REMUNERATION ETC OF AGRICULTURAL WORKERS

#### PART III

#### THE AGRICULTURAL WAGES (REGULATION) (NORTHERN IRELAND) ORDER 1977

##### *Article 6*

- 25 (1) Article 6 (permits exempting, in certain cases, payment of minimum rate) shall be amended as follows.
- (2) In paragraph (1), after “the employment of the worker from” there shall be inserted “(a)” and after “not less than the minimum rate” there shall be inserted the word “or” and the following sub-paragraph—
- “(b) any legal proceedings under section 31(1) of the National Minimum Wage Act 1998 as it applies for the purposes of this Order (offence of refusing or wilfully neglecting to pay worker at applicable rate),”.
- (3) After paragraph (1) there shall be inserted—
- “(1A) Every permit under paragraph (1) (whenever granted) shall be deemed to contain a condition that the worker to whom it is granted must at any time be paid at a rate which—
- (a) in the case of an hourly rate, is not less than the national minimum wage in force at that time, or
- (b) in the case of a rate other than an hourly rate, is such as to yield an amount of wages for each hour worked which is not less than the hourly amount of the national minimum wage in force at that time.
- (1B) The condition which a permit is deemed to contain by virtue of paragraph (1A)—
- (a) overrides any other condition which the permit contains as to payment of wages, to the extent that that other condition provides for payment of wages at any time at a lower rate; but
- (b) is without prejudice to any other condition which the permit contains as to payment of wages, to the extent that that other condition provides for payment of wages at any time at a higher rate.”
- (4) In paragraph (2), after “shall not be liable to” there shall be inserted “(a)” and after “less than the minimum rate,” there shall be inserted the word “or” and the following sub-paragraph—
- “(b) any legal proceedings under section 31(1) of the National Minimum Wage Act 1998 as it applies for the purposes of this Order,”.

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*Status: This is the original version (as it was originally enacted).*

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- (5) In paragraph (3), after “any legal proceedings” there shall be inserted “(a)” and after “under this Order” there shall be inserted the word “or” and the following sub-paragraph—
- “(b) under section 31(1) of the National Minimum Wage Act 1998 as it applies for the purposes of this Order.”.