



# National Minimum Wage Act 1998

## 1998 CHAPTER 39

### *Information*

#### **16 Information obtained by agricultural wages officers.**

- (1) This section applies to information which has been obtained by an officer acting for the purposes of any of the agricultural wages legislation.
  - (2) Information to which this section applies may, with the authorisation of the relevant authority, be supplied to the Secretary of State for use for any purpose relating to this Act.
  - (3) Information supplied under subsection (2) above may be supplied by the recipient to any Minister of the Crown, government department or other body if—
    - (a) arrangements made between the recipient and that Minister, department or body under section 13(1)(b) above are in force; and
    - (b) the information is supplied for any purpose relating to this Act.
  - (4) Except as provided by subsection (3) above, information supplied under subsection (2) or (3) above—
    - (a) shall not be supplied by the recipient to any other person or body unless it is supplied for the purposes of any civil or criminal proceedings relating to this Act; and
    - (b) shall not be supplied in those circumstances without the authorisation of the relevant authority.
  - (5) This section does not limit the circumstances in which information may be supplied or used apart from this section.
- [<sup>F1</sup>(5A) Nothing in this section prevents a disclosure in accordance with section 16A below.]
- (6) In this section—

“the agricultural wages legislation” means—

    - (a) [<sup>F2</sup>the <sup>M1</sup>Agricultural Wages Act 1948;]
    - (b) the <sup>M2</sup>Agricultural Wages (Scotland) Act 1949; and

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**Changes to legislation:** There are currently no known outstanding effects for the National Minimum Wage Act 1998, Section 16. (See end of Document for details)

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- (c) the <sup>M3</sup>Agricultural Wages (Regulation) (Northern Ireland) Order 1977; “relevant authority” means—
- (a) [<sup>F2</sup>in relation to information obtained by an officer acting in England, the Minister of Agriculture, Fisheries and Food;]
  - (b) [<sup>F2</sup>in relation to information obtained by an officer acting in Wales, the Minister of the Crown with the function of appointing officers under section 12 of the <sup>M4</sup>Agricultural Wages Act 1948 in relation to Wales;]
  - (c) [<sup>F2</sup>in relation to information obtained by an officer acting in an area which is partly in England and partly in Wales, the Ministers mentioned in paragraphs (a) and (b) above acting jointly;]
  - (d) in relation to information obtained by an officer acting in Scotland, the Minister of the Crown with the function of appointing officers under section 12 of the <sup>M5</sup>Agricultural Wages (Scotland) Act 1949; and
  - (e) in relation to information obtained by an officer acting in Northern Ireland, the Department of Agriculture for Northern Ireland.

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#### Textual Amendments

- F1** S. 16(5A) inserted (6.4.2005) by [Employment Relations Act 2004 \(c. 24\)](#), s. 59(3), **Sch. 1 para. 41**; [S.I. 2005/872](#), art. 4, [Sch.](#)
- F2** Words in s. 16(6) repealed (1.10.2013 for E.) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), s. 103(3), **Sch. 20 para. 2**; [S.I. 2013/1455](#), art. 3(b), [Sch. 2](#) (with art. 4(2)(4)) (as amended (7.9.2013) by [S.I. 2013/2271](#), art. 2)
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#### Modifications etc. (not altering text)

- C1** S. 16: transfer of certain functions (1.7.1999) by [S.I. 1999/672](#), **art. 2 Sch. 1**
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#### Marginal Citations

- M1** 1948 c. 47.  
**M2** 1949 c. 30.  
**M3** [S.I. 1977/2151 \(N.I.22\)](#).  
**M4** 1948 c. 47.  
**M5** 1949 c. 30.

**Changes to legislation:**

There are currently no known outstanding effects for the National Minimum Wage Act 1998, Section 16.