



# National Minimum Wage (Enforcement Notices) Act 2003

## 2003 CHAPTER 8

### 1 Enforcement notices

In section 19 of the National Minimum Wage Act 1998 ([c. 39](#)) (power of officer to issue enforcement notice) after subsection (2) (previous underpayments to workers who qualify for the national minimum wage) insert—

“(2A) If an officer acting for the purposes of this Act is of the opinion that a worker who has at any time qualified for the national minimum wage has not been remunerated for any pay reference period (whether ending before or after the coming into force of this subsection) by his employer at a rate at least equal to the national minimum wage, the officer may serve on the employer an enforcement notice which imposes a requirement under subsection (2) above in relation to the worker, whether or not a requirement under subsection (1) above is, or may be, imposed in relation to that worker (or any other worker to whom the notice relates).

(2B) An enforcement notice may not impose a requirement under subsection (2) above in respect of any pay reference period ending more than 6 years before the date on which the notice is served.”