



# Employment Relations Act 2004

## 2004 CHAPTER 24

### PART 4

#### ENFORCEMENT OF MINIMUM WAGE LEGISLATION

#### 45 Enforcement notices

- (1) Section 19 of the National Minimum Wage Act 1998 (c. 39) (enforcement notices) is amended as follows.
- (2) After subsection (2B) insert—
  - “(2C) Where an enforcement notice imposes a requirement under subsection (2) above, the amount specified in the notice as the sum due to the worker under section 17 above need not include any sum so due to him in respect of any very recent pay reference period (although the amount so specified may include any such sum).
  - (2D) In subsection (2C) above a “very recent” pay reference period means a pay reference period ending less than 3 months before the date on which the notice is served.”
- (3) In subsection (3) for “The same” substitute “ An ”.
- (4) Nothing in this section affects section 19 of the National Minimum Wage Act 1998 as it has effect for the purposes of the Agricultural Wages (Scotland) Act 1949 (c. 30).

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#### Commencement Information

**II** S. 45 in force at 6.4.2005 by S.I. 2005/872, art. 4, Sch. (with art. 15)

**Status:**

Point in time view as at 06/04/2005. This version of this provision has been superseded.

**Changes to legislation:**

There are currently no known outstanding effects for the Employment Relations Act 2004, Section 45.