



Agricultural Wages Act 1948

1948 CHAPTER 47 11 and 12 Geo 6

Supplementary

^{F2}[12 ^{F1}Powers of officers]

^{F3}[^{F4}^{F5}(1).....

^{F3}(2).....

- (3) An officer [^{F6}acting for the purposes of this Act] shall have power—
- (a) after giving reasonable notice, to require the production of and to inspect and take copies of wages sheets or other records of wages paid to workers employed in agriculture [^{F7}and records of terms and conditions of employment of such workers.]
 - (b) to enter at all reasonable times any premises or place for the purpose of such inspection or for the enforcement of this Act, but in the case of a dwelling-house not without giving reasonable notice; and
 - (c) to require any such worker, or the employer of any such worker, or any agent of the employer, to give any information which it is in his power to give with respect to the employment of the worker or the wages paid to him.
- (4) An officer [^{F8}acting for the purposes of this Act] shall have power, in pursuance of any special or general directions of the Minister, to take proceedings in respect of offences against this Act and may, although not a barrister or solicitor, prosecute or conduct before a court of summary jurisdiction any proceedings arising under this Act.
- (5) Where it appears to an officer [^{F9}acting for the purposes of this Act]—
- (a) that a sum is due from an employer to a worker ^{F10}. . . by reason of a direction given under subsection (1) of section eight of this Act by an agricultural wages committee for the payment of an additional sum by way of wages for piece work; or
 - (b) that a sum is due from an employer on account of the receipt of a premium in contravention of subsection (5) of section six of this Act;

the officer (if he is authorised in that behalf by special or general directions of the Minister) may institute, on behalf of or in the name of the worker, civil

Status: Point in time view as at 01/10/2013.

Changes to legislation: There are currently no known outstanding effects for the Agricultural Wages Act 1948, Cross Heading: Supplementary. (See end of Document for details)

proceedings before any competent court of jurisdiction for the recovery of the sum in question,^{F11}

^{F12}(5A) Where it appears to an officer [^{F13}acting for the purposes of this Act] that a term or condition of employment fixed by order of the Board is not being complied with by an employer, the officer (if he is authorised as aforesaid) may institute, on behalf or in the name of the worker, civil proceedings in respect of the failure to comply with the term or condition.

(5B) In any civil proceedings instituted by an officer by virtue of this section the court shall, if the officer is not a party to the proceedings, have the same power to make an order for the payment of costs by the officer as if he were a party to the proceedings.]

^{F14}(6) Nothing in subsection (5) or (5A) of this section shall be taken to exclude the bringing otherwise than in accordance with either of those subsection of proceedings of any description mentioned in those subsections.]

(7) If any person—

- (a) hinders or molests an officer acting in the exercise of his powers under subsection (3) of this section; or
- (b) refuses to produce any document or given any information which an officer so acting lawfully requires him to produce or give; or
- (c) produces or causes to be produced or knowingly allows to be produced to an officer so acting any wages sheet, record or other document which is false in a material particular, knowing the document to be false; or
- (d) furnishes to an officer so acting any information knowing it to be false,

he shall be liable on summary conviction to a fine not exceeding twenty pounds or to imprisonment for a term not exceeding three months, or to both such fine and such imprisonment.

^{F15}[(8) The powers conferred by subsections (3) and (4) of this section are not exercisable in any case where corresponding or similar powers conferred by any of the enforcement provisions of the National Minimum Wage Act 1998, as they have effect for the purposes of this Act, are exercisable by virtue of section 3A of this Act.

(9) In subsection (8) of this section, “ the enforcement provisions of the National Minimum Wage Act 1998 ” has the same meaning as in subsection (1) of section 3A of this Act.]]]]

Textual Amendments

- F1** S. 12 substituted (6.4.2005) by [Employment Relations Act 2004 \(c. 24\)](#), **ss. 47(2)(a)**, 59(3); S.I. 2005/872, art. 4, Sch.
- F2** Ss. 6-16 repealed (25.6.2013 for the purpose of the repeal of ss. 6(8), 7(1), 16) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), s. 103(3), **Sch. 20 para. 2**; S.I. 2013/1455, art. 2(c), Sch. 1 (with art. 4(1)(2)) (as amended (7.9.2013) by S.I. 2013/2271, art. 2 and (14.9.2014) by S.I. 2014/2481, art. 3)
- F3** S. 12(1)(2) repealed (6.4.2005) by [Employment Relations Act 2004 \(c. 24\)](#), **ss. 47(2)(b)**, 59(3), **Schs. 2**; S.I. 2005/872, art. 4, Sch.; S.I. 2005/872, art. 4, Sch.
- F4** S. 12 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(1)(2)) (as amended (7.9.2013) by S.I. 2013/2271, **art. 2** and (14.9.2014) by S.I. 2014/2481, **art. 3**)

Text here

Status: Point in time view as at 01/10/2013.

Changes to legislation: There are currently no known outstanding effects for the Agricultural Wages Act 1948, Cross Heading: Supplementary. (See end of Document for details)

- F5** S. 12 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(1)(2)) (as amended (7.9.2013) by S.I. 2013/2271, **art. 2** and (14.9.2014) by S.I. 2014/2481, **art. 3**)
- F6** Words in s. 12(3) substituted (6.4.2005) by Employment Relations Act 2004 (c. 24), **ss. 47(2)(c), 59(3)**; S.I. 2005/872, art. 4, **Sch.**
- F7** Words added by Employment Protection Act 1975 (c. 71), **Sch. 9 Pt. II para. 4(1)**
- F8** Words in s. 12(4) substituted (6.4.2005) by Employment Relations Act 2004 (c. 24), **ss. 47(2)(c), 59(3)**; S.I. 2005/872, art. 4, **Sch.**
- F9** Words in s. 12(5) substituted (6.4.2005) by Employment Relations Act 2004 (c. 24), **ss. 47(2)(c), 59(3)**; S.I. 2005/872, art. 4, **Sch.**
- F10** Words in s. 12(5)(a) repealed (1.4.1999) by 1998 c. 39, ss. 47(1), 53, **Sch. 2 Pt. I para. 7(2), Sch. 3** (with s. 36); S.I. 1999/685, art. 2, **Sch.** (with art. 3)
- F11** Words repealed by Employment Protection Act 1975 (c. 71), **Sch. 18**
- F12** S. 12(5A)(5B) inserted by Employment Protection Act 1975 (c. 71), **Sch. 9 Pt. II para. 4(2)**
- F13** Words in s. 12(5A) substituted (6.4.2005) by Employment Relations Act 2004 (c. 24), **ss. 47(2)(c), 59(3)**; S.I. 2005/872, art. 4, **Sch.**
- F14** S.12(6) substituted by Employment Protection Act 1975 (c. 71), **Sch. 9 Pt. II para. 4(3)**
- F15** S. 12(8)(9) added (1.4.1999) by 1998 c. 39, s. 47(1), **Sch. 2 Pt. I para. 7(3)** (with s. 36); S.I. 1999/685, art. 2, **Sch.** (with art. 3)

Modifications etc. (not altering text)

- C1** S. 12(7) amended by Employment Protection Act 1975 (c. 71, SIF 43:1), s. 97, **Sch. 9 Pt. II para. 5** and Criminal Justice Act 1982 (c. 48, SIF 39:1), **ss. 38** (increase of fines) and 46 (substitution of references to levels on the standard scale)

F2[13 Annual reports.

The Minister shall make an annual report to Parliament of his proceedings under this Act and of the proceedings of the Board and of agricultural wages committees, and for that purpose the Board and each committee shall, before such date in every year as the Minister may fix, send to the Minister a report of their proceedings under this Act during the preceding year.]

Textual Amendments

- F2** Ss. 6-16 repealed (25.6.2013 for the purpose of the repeal of ss. 6(8), 7(1), 16) by Enterprise and Regulatory Reform Act 2013 (c. 24), s. 103(3), **Sch. 20 para. 2**; S.I. 2013/1455, art. 2(c), **Sch. 1** (with art. 4(1)(2)) (as amended (7.9.2013) by S.I. 2013/2271, art. 2 and (14.9.2014) by S.I. 2014/2481, art. 3)

Modifications etc. (not altering text)

- C2** S. 13: Functions of the Secretary of State, the Secretary of State for Scotland or the Secretary of State for Wales transferred to the Minister of Agriculture, Fisheries and Food (27.12.1999) by S.I. 1999/3141, art. 2(1)(5), **Sch.** (with art. 3)

F2[14 Expenses.

The expenses of the Minister in carrying this Act into effect and any expenses authorised by the Minister to be incurred by the Board or an agricultural wages committee or sub-committee thereof, in each case up to an amount approved by the Treasury, shall be defrayed out of moneys provided by Parliament.]

Status: Point in time view as at 01/10/2013.

Changes to legislation: There are currently no known outstanding effects for the Agricultural Wages Act 1948, Cross Heading: Supplementary. (See end of Document for details)

Textual Amendments

- F2** Ss. 6-16 repealed (25.6.2013 for the purpose of the repeal of ss. 6(8), 7(1), 16) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), s. 103(3), **Sch. 20 para. 2**; S.I. 2013/1455, art. 2(c), Sch. 1 (with art. 4(1)(2)) (as amended (7.9.2013) by S.I. 2013/2271, art. 2 and (14.9.2014) by S.I. 2014/2481, art. 3)

^{F2}**15 Evidence of resolutions and orders of the Board and agricultural wages committees.**

In any legal proceedings the production of a document purporting to be a copy of a resolution or order passed or made by the Board or an agricultural wages committee and to be certified by the chairman or secretary of the Board or committee, as the case may be, to be a true copy shall be sufficient evidence of the order or resolution and, in the case of an order, that any notices required to be given by this Act in relation thereto have been duly given, and no proof shall be required of the handwriting or official position of the person certifying the truth of the copy.]

Textual Amendments

- F2** Ss. 6-16 repealed (25.6.2013 for the purpose of the repeal of ss. 6(8), 7(1), 16) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), s. 103(3), **Sch. 20 para. 2**; S.I. 2013/1455, art. 2(c), Sch. 1 (with art. 4(1)(2)) (as amended (7.9.2013) by S.I. 2013/2271, art. 2 and (14.9.2014) by S.I. 2014/2481, art. 3)

^{F2}**15A** ^{F16}**Information obtained by national minimum wage officers.**

- ^{F17}(1) This section applies to information which has been obtained by an officer acting for the purposes of the National Minimum Wage Act 1998.
- (2) This section does not apply to any information to the extent that the information relates to—
- (a) any failure to allow holidays directed to be allowed by an order under section 3 of this Act; or
 - (b) any terms and conditions of employment fixed by such an order by virtue of subsection (1)(c) of that section.
- (3) Information to which this section applies may, with the authority of the Secretary of State, be supplied to the relevant Minister for use for any purpose relating to this Act.
- (4) Information supplied under subsection (3) of this section shall not be supplied by the recipient to any other person or body unless—
- (a) it could be supplied to that person or body under that subsection; or
 - (b) it is supplied for the purposes of any civil or criminal proceedings relating to this Act;
- and shall not be supplied in those circumstances without the authority of the Secretary of State.
- (5) This section does not limit the circumstances in which information may be supplied or used apart from this section.

^{F18}(5A) Nothing in this section prevents a disclosure in accordance with section 16A of the National Minimum Wage Act 1998.]

Status: Point in time view as at 01/10/2013.

Changes to legislation: There are currently no known outstanding effects for the Agricultural Wages Act 1948, Cross Heading: Supplementary. (See end of Document for details)

- (6) In this section “ the relevant Minister ” means—
- (a) in relation to England, the Minister of Agriculture, Fisheries and Food; and
 - (b) in relation to Wales, the Minister of the Crown with the function of appointing officers under section 12 of this Act in relation to Wales.]]]

Textual Amendments

- F2** Ss. 6-16 repealed (25.6.2013 for the purpose of the repeal of ss. 6(8), 7(1), 16) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), s. 103(3), [Sch. 20 para. 2](#); S.I. 2013/1455, art. 2(c), [Sch. 1](#) (with art. 4(1)(2)) (as amended (7.9.2013) by S.I. 2013/2271, art. 2 and (14.9.2014) by S.I. 2014/2481, art. 3)
- F16** S. 15A and crossheading inserted (1.4.1999) by 1998 c. 39, s. 47, [Sch. 2 Pt. 1 para. 8](#) (with s. 36); S.I. 1999/685, art. 2, [Sch.](#) (with art. 3)
- F17** S. 15A 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(1)(2)) (as amended (7.9.2013) by S.I. 2013/2271, art. 2 and (14.9.2014) by S.I. 2014/2481, art. 3)
- F18** S. 15A(5A) inserted (6.4.2005) by [Employment Relations Act 2004 \(c. 24\)](#), s. 59(3), [Sch. 1 para. 1](#); S.I. 2005/872, art. 4, [Sch.](#)

^{F2}16 Power to give effect to, and modify, this Act as respects holidays and holiday remuneration.

.....

Textual Amendments

- F2** Ss. 6-16 repealed (25.6.2013 for the purpose of the repeal of ss. 6(8), 7(1), 16) by [Enterprise and Regulatory Reform Act 2013 \(c. 24\)](#), s. 103(3), [Sch. 20 para. 2](#); S.I. 2013/1455, art. 2(c), [Sch. 1](#) (with art. 4(1)(2)) (as amended (7.9.2013) by S.I. 2013/2271, art. 2 and (14.9.2014) by S.I. 2014/2481, art. 3)

Modifications etc. (not altering text)

- C3** S. 16: Functions of the Secretary of State, the Secretary of State for Scotland or the Secretary of State for Wales transferred to the Minister of Agriculture, Fisheries and Food (27.12.1999) by S.I. 1999/3141, arts. 2(1)(5), [Sch.](#) (with art. 3)

17 Interpretation.

- (1) [^{F19}In this Act, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them, that is to say,—

“agriculture” includes dairy-farming, the production of any consumable produce which is grown for sale or for consumption or other use for the purposes of a trade or business or of any other undertaking (whether carried on for profit or not), and the use of land as grazing, meadow or pasture land or orchard or osier land or woodland or for market gardens or nursery grounds;

“consumable produce” means produce grown for consumption or for other use after severance from the land on which it is grown;

[^{F20}“county” means a county established by or under the ^{M1}Local Government Act 1972;]

Status: Point in time view as at 01/10/2013.

Changes to legislation: There are currently no known outstanding effects for the Agricultural Wages Act 1948, Cross Heading: Supplementary. (See end of Document for details)

“employment” means employment under a contract of service or apprenticeship, and the expressions “employed” and “employer” shall be construed accordingly;

“the Minister” means ^{F21}the Minister of Agriculture, Fisheries [and Food];

^{F22}^{F23}“the national minimum wage” means the single hourly rate for the time being in force by virtue of regulations under section 1(3) of the National Minimum Wage Act 1998, but this definition is subject to subsection (1A) of this section;]]

“prescribed” means prescribed by regulations made by the Minister by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament;

“worker” includes a boy, woman and girl.]

^{F24}[(1A) ^{F25}^{F26}If, in the case of persons of any description, regulations under subsection (2) of section 3 of the National Minimum Wage Act 1998—

- (a) prevent them being persons who (within the meaning of that Act) qualify for the national minimum wage, or
- (b) prescribe a rate (“the reduced rate”) for the national minimum wage other than the single hourly rate for the time being prescribed under section 1(3) of that Act,

this Act shall have effect in relation to persons of that description as if in a case falling within paragraph (a) above the national minimum wage were nil and in a case falling within paragraph (b) above the national minimum wage were the reduced rate.]]]

(2) ^{F27}

Textual Amendments

- F19** S. 17(1) 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(1)(2)) (as amended (7.9.2013) by S.I. 2013/2271, [art. 2](#) and (14.9.2014) by S.I. 2014/2481, [art. 3](#))
- F20** Definition substituted by S.I. 1974/514, [art. 3\(1\)\(a\)](#)
- F21** Words substituted by virtue of S.I. 1955/554 (1955 I, p. 1200), art. 3
- F22** Words in s. 17(1) 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](#) (as amended (7.9.2013) by S.I. 2013/2271, art. 2)
- F23** Definition of “the national minimum wage” inserted (1.4.1999) by 1998 c. 39, s. 47, [Sch. 2 Pt. I para. 9\(2\)](#) (with s. 36); S.I. 1999/685, [art. 2](#), [Sch.](#) (with art. 3)
- F24** S. 17(1A) inserted (1.4.1999) by 1998 c. 39, s. 47, [Sch. 2 Pt. I para. 9\(3\)](#) (with s. 36); S.I. 1999/685, [art. 2](#), [Sch.](#) (with art. 3)
- F25** S. 17(1A) 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(1)(2)) (as amended (7.9.2013) by S.I. 2013/2271, [art. 2](#) and (14.9.2014) by S.I. 2014/2481, [art. 3](#))
- F26** S. 17(1A) 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](#) (as amended (7.9.2013) by S.I. 2013/2271, art. 2)
- F27** S. 17(2)–(4) repealed by S.I. 1974/514, [art. 3\(1\)\(b\)](#)

Marginal Citations

- M1** 1972 c. 70.

Status: Point in time view as at 01/10/2013.

Changes to legislation: There are currently no known outstanding effects for the Agricultural Wages Act 1948, Cross Heading: Supplementary. (See end of Document for details)

[17A ^{F28}Relationship between this Act and the National Minimum Wage Act 1998.

[^{F29}(1) Except so far as expressly provided by this Act, nothing in the National Minimum Wage Act 1998 or in regulations made under that Act affects the operation of this Act.

(2) This Act is subject to—

- (a) section 46 of the National Minimum Wage Act 1998; and
- (b) section 47 of that Act and any regulations made under that section.]]

Textual Amendments

F28 S. 17A inserted (1.4.1999) by 1998 c. 39, s. 47, **Sch. 2 Pt. I para. 10** (with s. 36); S.I. 1999/685, art. 2, **Sch.** (with art. 3)

F29 Ss. 17A-19 repealed (1.10.2013 for E. for the purpose of the repeal of s. 17A) 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 (as amended (7.9.2013) by S.I. 2013/2271, art. 2)

[^{F30}18 London.

[^{F29}Such portions of Greater London as the Minister may by order made by statutory instrument define shall, for the purposes of this Act, be deemed to be included in such counties as may be specified in the order.]]

Textual Amendments

F29 Ss. 17A-19 repealed (1.10.2013 for E. for the purpose of the repeal of s. 17A) 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 (as amended (7.9.2013) by S.I. 2013/2271, art. 2)

F30 S. 18 substituted by **S. I. 1965/654, art. 3(12)**

19 Isles of Scilly.

[^{F29}For the purposes of this Act, the Isles of Scilly shall be deemed to be a county.]

Textual Amendments

F29 Ss. 17A-19 repealed (1.10.2013 for E. for the purpose of the repeal of s. 17A) 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 (as amended (7.9.2013) by S.I. 2013/2271, art. 2)

20 Repeal and savings.

(1) ^{F31}

(2) Nothing in this Act shall affect any order, regulation or complaint made, permit granted, resolution passed, direction, certificate or approval given, application made or granted, notice served or given, date fixed or any other thing done, under an enactment repealed by this Act, but any such order, regulation, complaint, permit, resolution, direction, certificate, approval, application, notice, date or thing shall, if in force at the passing of this Act, continue in force, and so far as it could have been made, granted,

Status: Point in time view as at 01/10/2013.

Changes to legislation: There are currently no known outstanding effects for the Agricultural Wages Act 1948, Cross Heading: Supplementary. (See end of Document for details)

passed, given, served, fixed or done under the corresponding provision of this Act, it shall have effect as if it had been made, granted, passed, given, served, fixed or done under that corresponding provision and, in the case of an approval, had been given for the purposes of that provision.

- (3) Any document referring to an enactment repealed by this Act shall be construed as referring to the corresponding provision of this Act.

^{F32}(4)

^{F32}(5)

^{F32}(6)

- (7) The mention of particular matters in this section shall not be taken to affect the general application of [^{F33}sections 16(1) and 17(2)(a) of the ^{M2}Interpretation Act 1978,] with regard to the effect of repeals.

Textual Amendments

F31 S. 20(1), Sch. 5 repealed by [Statute Law Revision Act 1950 \(c. 6\)](#)

F32 S. 20(4)-(6) repealed (22.7.2004) by [Statute Law \(Repeals\) Act 2004 \(c. 14\)](#), [Sch. 1 Pt. 2](#) Group 2

F33 Words substituted by virtue of [Interpretation Act 1978 \(c. 30\)](#), [s. 25\(2\)](#)

Marginal Citations

M2 [1978 c. 30](#).

21 Short title and extent.

- (1) This Act may be cited as the Agricultural Wages Act 1948.
- (2) This Act shall not extend to Scotland or to Northern Ireland.

Status:

Point in time view as at 01/10/2013.

Changes to legislation:

There are currently no known outstanding effects for the Agricultural Wages Act 1948, Cross Heading: Supplementary.