



# Agricultural Sector (Wales) Act 2014

2014 anaw 6

## *General*

### **15 Offences by bodies corporate**

- (1) This section applies where an offence under this Act is committed by a body corporate.
- (2) If the offence is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of—
  - (a) any director, manager or secretary of the body corporate, or
  - (b) any person who was purporting to act in any such capacity,that director, manager, secretary or person purporting to act as such (as well as the body corporate) is guilty of the offence and liable to be proceeded against and punished accordingly.
- (3) The reference to the director, manager or secretary of the body corporate includes a reference—
  - (a) to any similar officer of the body;
  - (b) where the body is a body corporate whose affairs are managed by its members, to any officer or member of the body.

### **16 Ancillary provision**

- (1) The Welsh Ministers may, by order, make such incidental, consequential, supplemental, transitional, transitory or saving provision as they consider appropriate for the purposes of, or in connection with, giving full effect to any provision made by or under this Act.
- (2) An order under this section may modify this or any other enactment.

### **17 Orders and regulations**

- (1) Any power of the Welsh Ministers to make an order or regulations under this Act is exercisable by statutory instrument and includes power to—

- (a) make such incidental, consequential, supplemental, transitional, transitory or saving provision as the Welsh Ministers consider necessary or expedient for the purposes of, or in connection with, this Act, and
  - (b) make different provision for different purposes.
- (2) A statutory instrument which contains (whether alone or with other provisions)—
- (a) an order under section 2,
  - (b) regulations under section 7,
  - (c) an order under section 14, or
  - (d) an order under section 16 which includes provision which adds to, amends or omits the text of an Act of Parliament or a Measure or Act of the National Assembly for Wales,
- is not to be made until a draft of the instrument has been laid before, and approved by resolution of, the National Assembly for Wales.
- (3) Any other statutory instrument containing an order or regulations under this Act is to be subject to annulment in pursuance of a resolution of the National Assembly for Wales.

## 18 Interpretation

In this Act, unless the context requires otherwise—

“1998 Act” (“*Deddf 1998*”) means the [National Minimum Wage Act 1998 \(c. 39\)](#)

;

“agricultural wages order” (“*gorchymyn cyflogau amaethyddol*”) is to be construed in accordance with section 3 (but see also section 12(3));

“agricultural worker” (“*gweithiwr amaethyddol*”) means a person employed in agriculture in Wales, whether or not the whole of the work undertaken by virtue of that employment is undertaken in Wales;

“agriculture” (“*amaethyddiaeth*”) includes—

- (a) dairy farming;
- (b) the production of any consumable produce for the purposes of a trade or business or any other undertaking (whether carried on for profit or not);
- (c) the use of land as grazing, meadow or pasture land;
- (d) the use of land for orchards, osier land or woodland;
- (e) the use of land for market gardens or nursery grounds;

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

“employment” (“*cyflogaeth*”) means employed under a contract of service or apprenticeship and “employed” (“*a gyflogir*”) and “employer” (“*cyflogwr*”) are to be construed accordingly;

“modify” (“*addasu*”), in relation to an enactment, includes amend or repeal;

“the national minimum wage” (“*isafswm cyflog cenedlaethol*”) has the meaning given by section 10.

## 19 Commencement

The provisions of this Act come into force on the day on which this Act receives Royal Assent.

**20 Short title**

The short title of this Act is the Agricultural Sector (Wales) Act 2014.