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## STATUTORY INSTRUMENTS

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# 1977 No. 2151

## Agricultural Wages (Regulation) (Northern Ireland) Order 1977

### Interpretation

2.—(1) The Interpretation Act (Northern Ireland) 1954, except section 38, shall apply to Article 1 and the following provisions of this Order as it applies to a Measure of the Northern Ireland Assembly.

(2) In this Order—

“agriculture” includes horticulture, fruit growing, seed growing, dairy farming and livestock breeding and keeping, the use of land as grazing land, meadow land, market gardens and nursery grounds, the use of land for woodlands where that use is ancillary to the farming of land for other agricultural purposes, the scutching of flax and tow and any process preparatory to or connected with the scutching of flax or tow;

“the Board” means the Agricultural Wages Board for Northern Ireland;

“the Department” means the Department of Agriculture;

“employment” means employment under a contract of service or apprenticeship;

“holiday remuneration” has the meaning assigned to it by Article 8(5);

[<sup>F1</sup>“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 paragraph (2A);]

<sup>F1</sup>“prescribed” means prescribed by regulations made under this Order;

“regulations” means regulations made by the Department subject to negative resolution;

“special class of workers” means, in relation to an order or resolution fixing, varying or cancelling a rate of wages, such workers as are treated in the order or resolution as constituting a special class;

“statutory provision” has the meaning assigned to it by section 1(*f*) of the Interpretation Act (Northern Ireland) 1954.

[<sup>F1</sup>(2A) 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 Order shall have effect in relation to persons of that description as if in a case falling within sub-paragraph (a) the national minimum wage were nil and in a case falling within sub-paragraph (b) the national minimum wage were the reduced rate.]

<sup>F1</sup>(3) For the purposes of section 42(2) of the Northern Ireland Constitution Act 1973 (validity of Acts of the Parliament of Northern Ireland), provisions of this Order which re-enact provisions of an Act of the Parliament of Northern Ireland shall be deemed to be provisions of such an Act.

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**Changes to legislation:** *Agricultural Wages (Regulation) (Northern Ireland) Order 1977, Section 2* is up to date with all changes known to be in force on or before 28 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

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**F1** 1998 c. 39

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**Changes and effects yet to be applied to :**

- Instrument am. (prosp.) by [1998 c. 39 s.47Sch.2 Pt.III](#)
- Instrument excl. (prosp.) by [1998 c. 39 s.46\(3\)s.46\(4\)\(c\)](#)
- power to am. (prosp.) by [1998 c. 39 s.47\(2\)\(e\)\(3\)](#)