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DRAFT STATUTORY INSTRUMENTS

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**2015 No.**

The National Minimum Wage Regulations 2015

PART 5

Hours Worked for the Purposes of the National Minimum Wage

CHAPTER 3

Time work

**Travelling treated as hours of time work**

**34.**—(1) The hours when a worker is travelling for the purposes of time work, where the worker would otherwise be working, are treated as hours of time work unless the travelling is between—

- (a) the worker's home, or a place where the worker is temporarily residing other than for the purposes of working, and
- (b) a place of work or a place where an assignment is carried out.

(2) In paragraph (1), hours treated as hours when the worker would "otherwise be working" include—

- (a) hours when the worker is travelling for the purpose of carrying out assignments to be carried out at different places between which the worker is obliged to travel, and which are not places occupied by the employer;
- (b) hours when the worker is travelling where it is uncertain whether the worker would otherwise be working because the worker's hours of work vary either as to their length or in respect of the time at which they are performed.