

Draft Regulations laid before Parliament under section 51(5) of the National Minimum Wage Act 1998, for approval by resolution of each House of Parliament.

DRAFT STATUTORY INSTRUMENTS

2016 No. XXXX

TERMS AND CONDITIONS OF EMPLOYMENT

**The National Minimum Wage (Amendment) (No. 2)
Regulations 2016**

Made - - - - - *****
Coming into force - - - *1st October 2016*

A draft of these Regulations was laid before Parliament in accordance with section 51(5) of the National Minimum Wage Act 1998(a) and approved by a resolution of each House of Parliament.

The Secretary of State, in exercise of the powers conferred by sections 2, 3 and 51 of the National Minimum Wage Act 1998(b), makes the following Regulations.

Citation and commencement

1.—(1) These Regulations may be cited as the National Minimum Wage (Amendment) (No. 2) Regulations 2016.

(2) These Regulations come into force on 1st October 2016.

Amendments to the National Minimum Wage Regulations 2015

2.—(1) The National Minimum Wage Regulations 2015(c) are amended as follows.

(2) In regulation 4A(1) (workers who qualify for the national minimum wage at a different rate)—

- (a) for “£6.70” substitute “£6.95”;
- (b) for “£5.30” substitute “£5.55”;
- (c) for “£3.87” substitute “£4.00”; and
- (d) for “£3.30” substitute “£3.40”.

(3) In regulation 16(1) (amount for provision of living accommodation) for “£5.35” substitute “£6.00”.

Date *Name*
Minister of State for Skills
Department for Business, Innovation and Skills

(a) 1998 c.39.
(b) Section 3(1A) was inserted by S.I. 1999/583 and amended by S.I. 2007/2042; section 51(6) and (7) was amended by the Employment Act 2008 (c.24), sections 9(3) and 20 and Schedule, Part 2.
(c) S.I. 2015/621; amending instruments are S.I. 2015/1724 and 2016/68.

EXPLANATORY NOTE

(This note is not part of these Regulations)

These Regulations amend the National Minimum Wage Regulations 2015 (“the 2015 Regulations”). These Regulations come into force on 1st October 2016.

Regulation 2(2)(a) increases the rate of the national minimum wage for workers who are aged 21 or over (but not yet aged 25) from £6.70 to £6.95 per hour (regulation 4A(1)(a) of the 2015 Regulations).

Regulation 2(2)(b) increases the rate for workers who are aged 18 or over (but not yet aged 21) from £5.30 to £5.55 per hour (regulation 4A(1)(b) of the 2015 Regulations).

Regulation 2(2)(c) increases the rate for workers who are under the age of 18 from £3.87 to £4.00 per hour (regulation 4A(1)(c) of the 2015 Regulations).

The apprenticeship rate applies to workers within regulation 5(1)(a) and (b) of the 2015 Regulations. Regulation 2(2)(d) of these Regulations increases the rate for such workers from £3.30 to £3.40 per hour (regulation 4A(1)(d) of the 2015 Regulations).

Regulation 2(3) increases the accommodation amount which is applicable where any employer provides a worker with living accommodation from £5.35 to £6.00 for each day that accommodation is provided (regulation 16(1) of the 2015 Regulations).

A full impact assessment of the effect that this instrument will have on the costs of business and the voluntary sector is available from the Department for Business, Innovation and Skills and is annexed to the Explanatory Memorandum which is available alongside the instrument on www.legislation.gov.uk.

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£4.25

UK2016070410 07/2016 19585

<http://www.legislation.gov.uk/id/ukdsi/2016/9780111147986>

ISBN 978-0-11-114798-6



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