
Changes to legislation: There are currently no known outstanding effects for the Agricultural Wages (Scotland) Act 1949. (See end of Document for details)

SCHEDULES

FIRST SCHEDULE

Section 1.

CONSTITUTION AND PROCEEDINGS OF THE SCOTTISH AGRICULTURAL WAGES BOARD

- 1 The Board shall consist of—
 - (a) six persons representing employers and six persons (of whom one at least shall be a woman) representing workers in agriculture to be nominated in the prescribed manner or elected in the prescribed manner according as may be prescribed; and
 - (b) five persons to be appointed by the Secretary of State.
- 2 The Secretary of State shall designate as chairman of the Board one of the members thereof appointed by him.
- 3 At every meeting of the Board the chairman, if present, shall preside and, if he is absent, such of the other members appointed by the Secretary of State as the members of the Board then present choose shall preside.
- 4 The Secretary of State may appoint a secretary for the Board.
- 5 The Board may, in accordance with regulations made by the Secretary of State by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament, appoint one or more committees consisting of members representing employers and members representing workers in agriculture in equal proportions, and of one or more of the appointed members, and may refer to any such committee for report and recommendations any matter which they think it expedient so to refer, and may also, if they think fit, delegate to any such committee any of their powers and duties under this Act other than a power or duty to fix, cancel or vary minimum rates of wages or to direct that workers shall be entitled to be allowed holidays.
- 6 The proceedings of the Board or of a committee thereof shall not be invalidated by a vacancy therein or by a defect in the nomination, election or appointment of the chairman or other member of the Board or of a member of the committee.
- 7 The Secretary of State may, by statutory instrument which shall be subject to annulment in pursuance of a resolution of either House of Parliament, make regulations with respect to the proceedings and meetings of the Board and of any committee thereof, including the appointment of the chairman of the Board and the term of office of the chairman and other members of the Board and the members of committees, the method of voting and the number of members necessary to form a quorum, and any such regulations as to committees may be made so as to apply generally to the procedure of all committees or specially to the procedure of any particular committee; but subject to the provisions of this Schedule and to any regulations so made, the Board and any committee thereof may, respectively, regulate the proceedings in such manner as they think fit.
- 8 The Secretary of State may, out of moneys provided by Parliament, pay to the members of the Board such allowances by way of compensation for expenses

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incurred and time lost by them in the performance of their duties as he may, with the consent of the Treasury, determine.

^{F1}SECOND SCHEDULE

Textual Amendments

F1 Ss. 1(2), 2, 6(1)–(4)(8), 8, 9(2), Sch. 2 repealed by [Agriculture \(Miscellaneous Provisions\) Act 1972 \(c. 62\), Sch. 6](#)

^{F1}

THIRD SCHEDULE

ORDERS OF THE SCOTTISH AGRICULTURAL WAGES BOARD

1 Where the Board propose to make an order under any provision of this Act, the Board shall—

- (a) give, in such manner as appears to the Board requisite for informing persons concerned, public notice of the proposed order and of the manner in which and the time (not being less than fourteen days from the date of the notice) within which objections to the proposals may be lodged;

- (b) ^{F2}

and shall consider any objections to the proposals which may be lodged in accordance with the notice.

Textual Amendments

F2 Para. 1(b) repealed by [Agriculture \(Miscellaneous Provisions\) Act 1972 \(c. 62\), Sch. 6](#)

Modifications etc. (not altering text)

C1 Para. 1 restricted by [Equal Pay Act 1970 \(c. 41\), s. 5\(2\)](#)

2 After considering any such objections the Board may make an order in accordance with their original proposals or with those proposals as modified in such manner as appears to the Board expedient having regard to any objections lodged:

Provided that where it appears to the Board that, having regard to the nature of any modifications which they propose to make in their original proposals, opportunity should be given for the consideration thereof by persons concerned, the Board shall again give and serve notice under the foregoing paragraph, and this paragraph shall apply accordingly.

Modifications etc. (not altering text)

C2 Para. 2 restricted by [Equal Pay Act 1970 \(c. 41\), s. 5\(2\)](#)

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- 3 Notwithstanding anything in the foregoing paragraphs of this Schedule, where the Board are satisfied that on the ground of the limited application of a proposed order it is unnecessary to comply with the provisions of those paragraphs and certify accordingly, the Board may, instead of complying with those provisions, give notice of the proposed order in such manner as appears to the Board expedient in the circumstances, and may make the order at any time after the expiration of seven days from the giving of the notice.
- 4 As soon as may be after the Board have made an order under any provision of this Act they shall give public notice of the making of the order and of the contents thereof in such manner as appears to the Board requisite for informing persons concerned, . . . ^{F3}

Textual Amendments

F3 Words repealed by [Agriculture \(Miscellaneous Provisions\) Act 1972 \(c. 62\)](#), [Sch. 6](#)

- 5 An order of the Board under any provision of this Act may apply either universally to all workers employed in agriculture [^{F4}or to any class of workers (as defined in the order) or to any area or to any such class in any area], subject in each case to any exceptions specified in the order; and an order of the Board fixing or varying a minimum rate of wages so as to secure that workers employed in agriculture receive remuneration calculated by reference to periods during the currency of their employment may make alternative provisions applying according to different circumstances arising during the currency of a worker's employment or in connection with the termination thereof.

Textual Amendments

F4 Words substituted by [Agriculture \(Miscellaneous Provisions\) Act 1972 \(c. 62\)](#), [Sch. 5](#)

Modifications etc. (not altering text)

C3 [Para. 5](#) amended by [Agriculture Act 1967 \(c. 22\)](#), [s. 67\(2\)\(6\)\(c\)](#)

- 6 . . . ^{F5}, an order of the Board made under any provision of this Act may be varied or revoked by a subsequent order made in the like manner and subject to the like conditions.

Textual Amendments

F5 Words repealed by [Employment Protection Act 1975 \(c. 71\)](#), [Sch. 18](#)

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FOURTH SCHEDULE

Section 18.

ENACTMENTS REPEALED.

Modifications etc. (not altering text)

- C4** The text of s. 18(1), Sch. 4 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Session and Chapter.	Short Title.	Extent of Repeal.
1 Edw. 8 & 1 Geo. 6. c. 53	The Agricultural Wages (Regulation) (Scotland) Act, 1937.	The whole Act.
1 & 2 Geo. 6. c. 70.	The Holidays with Pay Act, 1938.	Sections one, two, three and five so far as they relate to workers employed in agriculture.
10 & 11 Geo. 6. c. 15.	The Agricultural Wages (Regulation) Act, 1947.	The whole Act.

Changes to legislation:

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