
STATUTORY INSTRUMENTS

1999 No. 584

The National Minimum Wage Regulations 1999

PART III

**WORKING TIME FOR THE PURPOSES
OF THE NATIONAL MINIMUM WAGE**

The hours worked in a pay reference period

Determining the hours of unmeasured work where there is a “daily average” agreement

29.—(1) In paragraph (2) the term “ascertained hours” means the number of hours of unmeasured work that would have been worked by the worker in a pay reference period if he had worked—

- (a) on each day worked by him in the pay reference period on which he was available to carry out his duties for at least the full amount of time contemplated by the contract, for the average daily number of hours specified in the agreement referred to in regulation 28(1); and
- (b) on each day worked by him in the pay reference period on which he was available to carry out his duties for only part of that amount of time, for the proportion of that average number of hours which the part bears to the full amount of time contemplated by the contract.

(2) Where the condition in regulation 28(1) is satisfied the hours of unmeasured work worked by a worker in the pay reference period shall be treated as being the ascertained hours.