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WELSH STATUTORY INSTRUMENTS

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**2023 No. 260**

**The Agricultural Wages (Wales) Order 2023**

**PART 5**

**Entitlement to time off**

**Timing of annual leave**

**35.**—(1) An agricultural worker may take annual leave to which they are entitled under this Order at any time within the annual leave year subject to the approval of their employer.

(2) An agricultural worker is not entitled to carry forward from one leave year to the next leave year any untaken annual leave entitlement without the approval of their employer.

(3) Where an employer has agreed that an agricultural worker may carry forward any unused annual leave entitlement, the balance carried forward may only be taken in the leave year to which it is carried forward.

(4) During the first 6 months in any annual leave year an employer may require an agricultural worker to take up to 2 weeks of their annual leave entitlement under this Order and may direct that the worker takes one of those 2 weeks of annual leave on days in the same week.

(5) During the second 6 months in any annual leave year an employer must permit an agricultural worker to take 2 weeks of the worker's annual leave entitlement under this Order in consecutive weeks.

(6) For the purpose of this article, 1 week of an agricultural worker's annual leave is equivalent to the number of days worked each week by the agricultural worker as determined in accordance with articles 32 and 33.