Draft Regulations laid before Parliament in accordance with section 51(5) of the National Minimum Wage Act 1998 for approval by resolution of each House of Parliament

DRAFT STATUTORY INSTRUMENTS

2003 No.

TERMS AND CONDITIONS OF EMPLOYMENT

The National Minimum Wage Regulations 1999 (Amendment) Regulations 2003

Made - - - -	*2003*
Coming into force - -	*1st October 2003*

Whereas a draft of the following Regulations was laid before Parliament in accordance with section 51(5) of the National Minimum Wage Act 1998(**1**) and approved by resolution of each House of Parliament:

Now, therefore, the Secretary of State, in exercise of the powers conferred upon her by sections 1(3), 2, 3 and 51 of the National Minimum Wage Act 1998 hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the National Minimum Wage Regulations 1999 (Amendment) Regulations 2003 and shall come into force on 1st October 2003.

(2) In these Regulations, the "principal regulations" means the National Minimum Wage Regulations 1999(**2**).

Amendments to the Principal Regulations

2. In regulation 11(**3**) of the principal regulations (the rate of the national minimum wage), for "£4.20" substitute "£4.50".

3. In regulation 13 of the principal regulations (the rate for workers who qualify for the national minimum wage at a different rate)—

(a) in paragraph (1)(**4**), for "£3.60" substitute "£3.80"; and

(b) in paragraph (2)(**5**), for "£3.60" substitute "£3.80".

(**1**) 1998 c39.
(**2**) SI 1999/584.
(**3**) Regulation 11 was amended, and the amount increased, by S.I. 2000/1989, S.I. 2001/2763 and S.I. 2002/1999.
(**4**) Regulation 13(1) was amended, and the amount increased, by S.I. 2000/1411, S.I. 2001/2763 and S.I. 2002/1999.
(**5**) Regulation 13(2) was amended, and the amount increased, by S.I. 2001/2763 and S.I. 2002/1999.

4. For regulation 36(1) of the principal regulations (amount permitted to be taken into account where living accommodation is provided) substitute—

"(1) The amount referred to in regulations 30(d) and 31(1)(i) is the amount resulting from multiplying the number of days in the pay reference period for which accommodation was provided by £3.50."(**6**)

5. After regulation 36 of the principal regulations insert—

"**Determining the applicable living accommodation amount**

36A. Any amounts required to be determined for the purpose of regulations 30(d) or 31(1)(i) of these regulations in respect of any pay reference period shall be determined in accordance with the regulations as they are in force on the first day of the pay reference period."

Transitional Provision

6. The amendments to the principal regulations made by regulation 4 do not apply in relation to any pay reference period (within the meaning assigned to that expression by regulation 10 of the principal regulations) beginning before 1st October 2003.

Revocation Provision

7. The regulations specified in the first column of the Schedule to these Regulations are hereby revoked to the extent specified in the second column thereof.

Parliamentary Under Secretary of State for
Employment Relations, Competition and
Consumers

Department of Trade and Industry
2003

(**6**) Amendments were made to regulation 36(1) by S.I. 2001/2763.