
STATUTORY INSTRUMENTS

2001 No. 2763

TERMS AND CONDITIONS OF EMPLOYMENT

**The National Minimum Wage Regulations
1999 (Amendment) (No. 2) Regulations 2001**

Laid before Parliament in draft

Made - - - - 27th July 2001

Coming into force - - 1st October 2001

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

Now, therefore, the Secretary of State, in exercise of the powers conferred on her by section 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) (No. 2) Regulations 2001 and shall come into force on 1st October 2001.

(2) In these Regulations, “the principal regulations” means the National Minimum Wage Regulations 1999(b).

Amendments to the principal regulations: rates

2. In regulation 11(c) of the principal regulations (the rate of the national minimum wage), for “£3.70” substitute “£4.10”.

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

(a) in paragraph (1), for “£3.20” substitute “£3.50”, and

(b) in paragraph (2), for “£3.20” substitute “£3.50”.

(a) 1998 c. 39.

(b) S.I. 1999/584.

(c) Regulation 11 was amended, and the amount £3.70 substituted for £3.60, by the [National Minimum Wage Regulations 1999 \(Amendment\) Regulations 2000 \(S.I. 2000 No. 1989\)](#), regulation 3.

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

- (a) in sub-paragraph (a), (hourly amount), for “50p” substitute “57p”, and
- (b) in sub-paragraph (b), (daily amount, for “£2.85” substitute “£3.25”.

Further amendments to the principal regulations

5.—(1) In regulation 13(3) of the principal regulations (workers taking part in accredited training)

(a) for sub-paragraph (a) substitute—

“(a) training by means of a course which—

- (i) prepares students to obtain a vocational qualification which, immediately before 1st April 2001, was, or fell within a class, approved for the purposes of sub-paragraph (a) of Schedule 2 to the Further and Higher Education Act 1992(d), or
- (ii) leads to an external qualification approved under section 98 or 99 of the Learning and Skills Act 2000(e) for the purposes of section 97 of that Act;”

(b) in sub-paragraph (c), for the words from “approved by the Secretary of State” to the end, substitute

“which—

- (i) was, immediately before 1 April 2001, approved for the purposes of sub-paragraph (a) of Schedule 2 to the Further and Higher Education Act 1992, or
- (ii) is approved under section 98 or 99 of the Learning and Skills Act 2000 for the purposes of section 97 of that Act;”

(c) for sub-paragraph (e)(i) substitute—

“(i) in England and Wales, training by means of a course which—

- (a) prepares students to obtain a vocational qualification which, immediately before 1 April 2001, was, or fell within a class, approved for the purposes of sub-paragraph (a) of Schedule 2 to the Further and Higher Education Act 1992, or
- (b) leads to an external qualification approved under section 98 or 99 of the Learning and Skills Act 2000 for the purposes of section 97 of that Act;”

(2) In regulation 13(6) of the principal regulations (training in Northern Ireland)—

(a) in paragraph (a), for the words from “qualification approved by the Secretary of State” to the end, substitute

“qualification which—

- (i) was, immediately before 1st April 2001, approved for the purposes of sub-paragraph (a) of Schedule 2 to the Further and Higher Education Act 1992, or
- (ii) is approved under section 98 or 99 of the Learning and Skills Act 2000 for the purposes of section 97 of that Act;”

(b) in paragraph (c) for “for the time being” substitute “which was, immediately before 1st April 2001”.

Transitional provision

6. The amendments to the principal regulations made by regulations 2, 3, 4 and 5 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 2001.

27th July 2001

Alan Johnson
Minister of State for the Regions and
Employment Relations,
Department of Trade and Industry

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, which amend the National Minimum Wage Regulations 1999 and come into force on 1st October 2001, increase the minimum hourly rate of the national minimum wage from £3.70 to £4.10. They increase the rate to be paid to those (including workers aged between 18 and 21 inclusive) who qualify for the national minimum wage at a different rate, from £3.20 to £3.50. They also make a number of other amendments to the National Minimum Wage Regulations 1999.

The Regulations contain a transitional provision having the effect that the increased rates and other changes made by the Regulations apply in relation to pay reference periods beginning on or after 1st October 2001.

Regulatory Impact Assessments of the estimated costs and benefits of the rate increases have been placed in the Libraries of both Houses of Parliament. They are available to the public from Employment Relations S&P1, Department of Trade and Industry, 1 Victoria Street, London SW1H 0ET and on the DTI website at www.dti.gov.uk