

Statutory Document No. 2019/0253

*Minimum Wage Act 2001*

## MINIMUM WAGE (YOUNG WORKERS ETC) REGULATIONS 2019

*Approved by Tynwald:* 18 June 2019  
*Coming into Operation:* 1 October 2019

The Department for Enterprise makes the following Regulations under section 4(2) of the Minimum Wage Act 2001.

### 1 Title

These Regulations are the Minimum Wage (Young Workers Etc) Regulations 2019.

### 2 Commencement

If approved by Tynwald<sup>1</sup>, these Regulations come into operation on 1 October 2019.

### 3 Interpretation

In these Regulations –

“**pay reference period**” has the meaning given by regulation 10(1) of the principal Regulations;

“**the principal Regulations**” means the Minimum Wage Regulations 2001<sup>2</sup>; and

“**the upper limit of compulsory school age**” is a person’s 16th birthday, except where on his or her 16th birthday the person is, or has been during any year beginning on the 1st September, a registered pupil at a school in the Island in which case he or she attains the upper limit on the Friday before the last Monday in May that year.

### 4 Application

These Regulations apply only in relation to a pay reference period beginning on or after 1 October 2019.

<sup>1</sup> As required by section 45 of the Minimum Wage Act 2001

<sup>2</sup> SD 397/01

## **5 Rates of minimum wage for young workers**

- (1) The hourly rate of the minimum wage is £6.15 for a worker who has attained the upper limit of compulsory school age but who has not attained the age of 18.
- (2) Paragraph (1) does not apply in relation to a worker who, by virtue of regulation 12 of the principal Regulations, does not qualify for the minimum wage.

## **6 Rate of minimum wage for development workers**

- (1) The hourly rate of the minimum wage is £7.30 for a development worker.
- (2) Paragraph (1) does not apply in relation to a worker who, by virtue of regulation 12 of the principal Regulations, does not qualify for the minimum wage.
- (3) In this regulation, “a development worker” is a worker who –
  - (a) has attained the age of 18;
  - (b) is within the first 6 months after the commencement of his or her employment with an employer;
  - (c) has not previously been employed either by that employer or by an associated employer (within the meaning of section 173(7) of the Employment Act 2006) of that employer; and
  - (d) has entered into an agreement with the employer requiring the worker to take part in accredited training on at least 26 days between the commencement of his or her employment or, if later, the day upon which he or she entered into the agreement, and the end of the 6 month period referred to in paragraph (b).
- (4) For the purposes of paragraph (3)(b) a worker does not commence employment with an employer where he or she has previously been employed by another employer and continuity of employment is preserved between the 2 employments by Schedule 5 to the Employment Act 2006 or any other enactment.
- (5) In paragraph (3)(d) “accredited training” means training –
  - (a) provided to a recognised industry standard; and
  - (b) approved by the Department of Education, Sport and Culture.

## **7 Revocation**

The Minimum Wage (Young Workers) Regulations 2018<sup>3</sup> are revoked.

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<sup>3</sup> SD 2018/0176

**MADE 23 MAY 2019**

**LAWRIE HOOPER**

*Member of the Department for Enterprise*

*Signed by authority of the Minister for Enterprise*

***EXPLANATORY NOTE***

*(This note is not part of the Regulations)*

These Regulations revoke and replace the Minimum Wage (Young Workers) Regulations 2018. The Regulations make the following changes in respect of any pay reference period beginning on or after 1 October 2019.

The hourly rate of pay for those who have attained the upper limit of compulsory school age (usually 16) but are not yet 18 is increased to £6.15.

The hourly rate of pay for “development workers” in accredited training is increased to £7.30.