



Statutory Document No. 620/02

## THE MINIMUM WAGE ACT 2001

### THE MINIMUM WAGE COMMITTEE REGULATIONS 2002

*Approved by Tynwald*

*15<sup>th</sup> October 2002*

*Coming into operation*

*1<sup>st</sup> November 2002*

In exercise of the powers conferred on the Department of Trade and Industry by section 2(5) of the Minimum Wage Act 2001<sup>1</sup>, and of all other enabling powers, the following Regulations are hereby made:—

#### **1. Citation, commencement and interpretation**

(1) These Regulations may be cited as the Minimum Wage Committee Regulations 2002 and, subject to section 45 of the Act, shall come into operation on the 1<sup>st</sup> November 2002.

(2) In these Regulations —

"the Act" means the Minimum Wage Act 2001;

"the Committee" means the Minimum Wage Committee.

#### **2. Tenure of office**

(1) A member of the Committee shall go out of office —

(a) on the expiration of 3 years beginning with the date on which he was appointed; and

(b) if he becomes a member of the Council, the Keys, a Statutory Board or a local authority.

(2) The Department may at any time by notice in writing to a member of the Committee remove him from office.

(3) A member of the Committee may at any time resign on giving the Department notice in writing of his intention to do so.

---

<sup>1</sup> 2001 c.25

(4) A retiring member of the Committee shall be eligible to be re-appointed if he is otherwise qualified.

(5) Where a member of the Committee goes out of office under paragraph (1) he shall continue to be a member of the Committee for all purposes (except that of filling the vacancy) until his successor is appointed.

### **3. Vice-chairman**

The Committee shall elect one of its number to be vice-chairman —

- (a) at its first meeting; and
- (b) whenever the office of vice-chairman is vacant.

### **4. Meetings of the Committee**

(1) The Committee shall hold meetings for the transaction of business at such times as may be necessary for the proper exercise of its functions.

(2) A meeting of the Committee may be called at any time by the chairman.

(3) If the chairman —

- (a) refuses to call a meeting of a Committee on a request in writing for that purpose, signed by at least 2 members of the committee, or
- (b) without so refusing, does not call a meeting within 7 days after the request,

any 2 members of the Committee, on that refusal or on the expiration of those 7 days, as the case may be, may forthwith call a meeting of the Committee.

(4) No business shall be transacted at any meeting unless a quorum of members is present.

(5) The quorum necessary for the transaction of business by the Committee shall be 3 members, provided that at least one of the members referred to in section 2(3)(b)(i) and one of the members referred to in section 2(3)(b)(ii) of the Act are present.

(6) The chairman or, in his absence, the vice-chairman shall preside at every meeting of the Committee.

(7) Every question at a meeting shall be decided by a majority of the votes of the members present and voting on that question, and in the case of an equality of votes the person presiding at the meeting shall have a second or casting vote.

(8) Minutes of every meeting of the Committee shall be kept, and shall be signed at the same or next following meeting of the Committee by the person presiding at it.

(9) The names of the members present at every meeting shall be recorded in the minutes.

(10) A member shall be entitled to have his vote on any question recorded in the minutes.

**5. Standing orders**

Subject to the provisions of these Regulations, the Committee may make standing orders with respect to the summoning, notice, place, management and adjournment of its meetings, and generally with respect to the transaction and management of its business.

**6. Matters to be considered by the Committee**

In making recommendations under section 2(1) of the Act the Committee shall have regard in particular to —

- (a) the wider social and economic implications of any minimum wage to be prescribed under section 1(3) of the Act;
- (b) its likely effect on —
  - (i) employment, especially amongst disadvantaged groups;
  - (ii) inflation;
  - (iii) its impact on the costs and competitiveness of businesses;
  - (iv) the costs of industry and public authorities in the Island;
- (c) its impact on pay, employment, and competitiveness in low-paying sectors and small businesses;
- (d) its effect on different groups of workers;
- (e) the effect on pay structures;
- (f) the interaction between minimum wage rates and the tax and benefit systems.

**7. Supply of minutes to Department**

The Committee shall furnish the Department with a copy of the minutes of every meeting of the Committee.

MADE 6<sup>th</sup> September 2002

A F Downie MHK  
Minister for Trade and Industry

## EXPLANATORY NOTE

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

These Regulations make further provision as to the Minimum Wage Committee established by section 2 of the Minimum Wage Act 2001 to make recommendations as to the minimum wage. Provision is made for the tenure of office of members of the Committee (regulation 2), the election of a vice-chairman (regulation 3), the conduct of meetings of the Committee (regulation 4), standing orders (regulation 5), the matters to be considered by the Committee in making its recommendations (regulation 6) and the supply of minutes to the Department of Trade and Industry (regulation 7).