



Statutory Document No. 511/07

## THE MINIMUM WAGE ACT 2001

### **THE MINIMUM WAGE (YOUNG WORKERS ETC.) REGULATIONS 2007**

*Approved by Tynwald*

*12<sup>th</sup> June 2007*

*Coming into operation*

*1<sup>st</sup> October 2007*

In exercise of the powers conferred on the Department of Economic Development by sections 3(5) and 4(2) of the Minimum Wage Act 2001<sup>1</sup>, and of all other enabling powers, the following Regulations are hereby made:—

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

(1) These Regulations may be cited as the Minimum Wage (Young Workers etc.) Regulations 2007 and, subject to section 45 of the Minimum Wage Act 2001, shall come into operation on the 1<sup>st</sup> October 2007.

(2) In these Regulations —

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

"the principal Regulations" means the Minimum Wage Regulations 2001<sup>2</sup>.

(3) These Regulations apply only in relation to a pay reference period beginning on or after the commencement of these Regulations.

#### **2. Rates of minimum wage for young workers etc.**

(1) The hourly rate of the minimum wage is £4.67 for a worker who has attained the upper limit of the compulsory school age but not the age of 17.

(2) The hourly rate of the minimum wage is £5.24 for a worker who has attained the age of 17 but not the age of 18.

(3) The hourly rate of the minimum wage is £5.24 for a worker who —

(a) has attained the age of 18;

(b) is within the first 6 months after the commencement of his employment with an employer;

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

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

Price 65p

- (c) has not previously been employed either by that employer or by an associated employer 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 employment or, if later, the day upon which he entered into the agreement, and the end of the 6 month period referred to in sub-paragraph (b).

(4) For the purposes of paragraph (1), "the upper limit of the compulsory school age" has the meaning given by section 23 of the Education Act 2001<sup>3</sup>.

(5) For the purposes of paragraph (2)(3)(b) a worker does not commence employment with an employer where he 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<sup>4</sup> or any other enactment.

- (6) In paragraph (3)(d) "accredited training" means —
  - (a) training by means of a course approved by the Department;
  - (b) training provided by the worker's employer where —
    - (i) the training is recognised in England and Wales, both as being directed towards the achievement of a National Vocational Qualification at any level, and as including at least 50% of the requirements of the relevant level, by an awarding body accredited for this purpose by virtue of an accreditation agreement with the Qualifications and Curriculum Authority to which it is a party,
    - (ii) the training is recognised in Scotland, both as being directed towards the achievement of a Scottish Vocational Qualification at any level, and as including at least 50% of the requirements of the relevant level, by an awarding body accredited for this purpose by virtue of an accreditation agreement with the Scottish Qualifications Authority to which it is a party,
    - (iii) the training is recognised in Northern Ireland, both as being directed towards the achievement of a National Vocational Qualification at any level, and as included at least 50% of the requirements of the relevant level, by an awarding body accredited for this purpose by virtue of an accreditation agreement with the Qualifications and Curriculum Authority to which it is a party.

(7) Paragraphs (1) and (2) do 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. Amount permitted to be taken into account where living accommodation is provided**

(1) The amount referred to in regulations 30(d) and 31(1)(i) of the principal Regulations is whichever is the lesser of the following —

- (a) the amount resulting from multiplying the hours of work done in the pay reference period (determined in accordance with regulations 20 to

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<sup>3</sup> 2001 c.33

<sup>4</sup> 2006 c.21

29 of the principal Regulations) by 91p, and reducing that product by the proportion which the number of days (if any) in the pay reference period for which living accommodation was not provided bears to the total number of days in the pay reference period; or

(b) the amount resulting from multiplying the number of days in the pay reference period for which living accommodation was provided by £5.20.

(2) For the purposes of paragraph (1), living accommodation is provided for a day only if it is provided for the whole of a day from midnight to midnight.

#### **4. Revocation**

The Minimum Wage (Young Workers etc.) Regulations 2006<sup>5</sup> are revoked.

MADE : 10<sup>th</sup> July 2007

David Cretney

Minister for Trade and Industry

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#### EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations increase by 3.7% in respect of any pay reference period beginning on or after 1<sup>st</sup> October 2007, the rates of the minimum wage for workers under 18, and certain workers of 18 or over who are receiving accredited training.

In addition, the Regulations amend the per hour and per day value of the accommodation amount which is applicable where an employer provides a worker with living accommodation.

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<sup>5</sup> SD 445/06