
DRAFT STATUTORY INSTRUMENTS

2014 No.

The National Minimum Wage (Amendment) Regulations 2014

Amendments to the National Minimum Wage Regulations 1999

2.—(1) The National Minimum Wage Regulations 1999(1) are amended as follows.

(2) In regulation 12 (workers who do not qualify for the national minimum wage)—

(a) after paragraph (7) insert—

“(7A) A worker does not qualify for the national minimum wage for work done as part of that worker’s participation in a traineeship in England to which paragraph (7B) applies.

(7B) This paragraph applies to a traineeship consisting of a skills programme which meets the following conditions—

- (a) the programme includes a work experience placement and work preparation training;
- (b) the programme lasts no more than six months;
- (c) the programme is funded in whole or in part by the Secretary of State under section 14 of the Education Act 2002(2) or by the Chief Executive of Skills Funding(3); and
- (d) the programme is open only to persons aged on the first day of the traineeship—
 - (i) at least 16 years but under the age of 25 years; or
 - (ii) at least 16 years but under the age of 26 years in the case of persons subject to learning difficulty assessment within the meaning of section 13(4) and (5) of the Education Act 1996(4)

(1) S.I. 1999/584; relevant amending instruments are: S.I. 2000/1989, S.I. 2001/1108, S.I. 2004/1930, S.I. 2005/2019, S.I. 2007/2042, S.I. 2007/2318, S.I. 2008/1894, S.I. 2009/1902, S.I. 2010/1901, S.I. 2011/2345, S.I. 2011/2347 and S.I. 2012/2397.

(2) 2002 c.32; a number of amendments were made to section 14 of the Education Act 2002 by the Children Act 2004 (c.31), the Education Act 2005 (c.18), the Local Education Authorities and Children’s Services Authorities (Integration of Functions) Order 2010 (S.I. 2010/1158) and the Education Act 2011 (c.21).

(3) The office of Chief Executive of Skills Funding was established by section 81 of the Apprenticeships, Skills, Children and Learning Act 2009 (c.22).

(4) 1996 c.56.