



# National Minimum Wage Act 1998

## 1998 CHAPTER 39

### *Agricultural workers*

#### **46 Relationship of this Act and agricultural wages legislation**

- (1) A person who has been prosecuted for an offence which falls within paragraph (a) or (b) below, that is to say—
  - (a) an offence under any provision of this Act in its application for the purposes of the agricultural wages legislation, or
  - (b) an offence under any provision of this Act in its application otherwise than for the purposes of the agricultural wages legislation,shall not also be liable to be prosecuted for an offence which falls within the other of those paragraphs but which is constituted by the same conduct or alleged conduct for which he was prosecuted.
- (2) No amount shall be recoverable both—
  - (a) under or by virtue of this Act in its application for the purposes of the agricultural wages legislation, and
  - (b) under or by virtue of this Act in its application otherwise than for those purposes,in respect of the same work.
- (3) Nothing in the agricultural wages legislation, or in any order under that legislation, affects the operation of this Act in its application otherwise than for the purposes of that legislation.
- (4) In this section “the agricultural wages legislation” means—
  - (a) the Agricultural Wages Act 1948;
  - (b) the Agricultural Wages (Scotland) Act 1949; and
  - (c) the Agricultural Wages (Regulation) (Northern Ireland) Order 1977.