
EXPLANATORY NOTE

(This note is not part of the Order)

This Order revokes and replaces, subject to some changes and a transitional provision, the Agricultural Wages (Wales) Order 2016. This Order applies as if it had come into force on 1 April 2017.

Part 2 of the Order provides that agricultural workers are to be employed subject to the terms and conditions set out in Parts 2 to 5 of the Order (article 3) and specifies the different grades and categories of agricultural worker (article 5 to 11).

Part 3 makes provision about the minimum rates of remuneration that must be paid to agricultural workers (article 12). Provision is made for accommodation offset allowance which may be deducted from an agricultural worker's remuneration (article 15). Provision is also made for dog allowance, on-call allowance, night work allowance and birth and adoption grants which do not form part of an agricultural worker's remuneration (article 16).

Part 4 provides that an agricultural worker is entitled to agricultural sick pay in the circumstances specified (articles 18 to 21). Provision is made about calculating the amount of agricultural sick pay that a worker is entitled to (article 22). A payment of statutory sick pay is to count towards an agricultural worker's entitlement to agricultural sick pay (article 23).

Part 5 makes provision about an agricultural worker's entitlement to time off. Provision is made about an agricultural worker's entitlement to rest breaks (article 28). Provision is also made specifying the agricultural worker's annual leave year and about agricultural worker's entitlement to annual leave, holiday pay and about payment in lieu of annual leave (articles 29 to 36). Provision about an agricultural worker's entitlement to be paid bereavement leave is made in articles 39 to 41.

Part 6 contains a revocation and a transitional provision.

The Regulatory Impact Assessment applicable to this Order is obtainable from the Welsh Government at: Cathays Park, Cardiff, CF10 3NQ and on the Welsh Government website at www.gov.uk.