
WELSH STATUTORY INSTRUMENTS

2018 No. 433

The Agricultural Wages (Wales) Order 2018

PART 2

Agricultural workers

Apprentices

11.—(1) An agricultural worker is an apprentice employed under an apprenticeship if—

- (a) they are employed under either a contract of apprenticeship, an apprenticeship agreement within the meaning of section 32 of the Apprenticeships, Skills, Children and Learning Act 2009⁽¹⁾ or are treated as employed under a contract of apprenticeship; and
- (b) they are within the first 12 months after the commencement of that employment under 19 years of age.

(2) An agricultural worker must be treated as employed under a contract of apprenticeship if they are engaged in Wales under Government arrangements known as Foundation Apprenticeships, Apprenticeships or Higher Apprenticeships.

(3) In this article “Government arrangements” means arrangements made under section 2 of the Employment and Training Act 1973⁽²⁾ or under section 17B of the Jobseekers Act 1995⁽³⁾.

(1) 2009 c. 22.

(2) 1973 c. 50. Section 2 was amended by section 25 of the Employment Act 1988 (c. 19) and section 47 of the Trade Union Reform and Employment Rights Act 1993 (c. 19). Relevant functions of the Secretary of State, so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). The functions of the National Assembly for Wales transferred to the Welsh Ministers by virtue of section 162 of, and paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006 (c. 32).

(3) 1995 c. 18. Section 17B is repealed by section 147 of, and Part 4 of Schedule 14 to the Welfare Reform Act 2012 (c. 5). The repeal has effect for certain purposes pursuant to S.I. 2013/983, S.I. 2013/1511, S.I. 2013/2657, S.I. 2013/2846, S.I. 2014/209, S.I. 2014/1583, S.I. 2014/2321, S.I. 2014/3094, S.I. 2015/33, S.I. 2015/101, S.I. 2015/634, S.I. 2015/1537, S.I. 2015/1930, S.I. 2016/33 and S.I. 2016/407.