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Make provision for the prohibition of unpaid work experience exceeding four weeks; and for connected purposes.

BE IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Prohibition of unpaid work experience for a period exceeding four weeks

- (1) The National Minimum Wage Act 1998 is amended as follows.
- (2) After section 3(3) (exclusion of, and modifications for, certain classes of person) insert—

“(3A) No provision shall be made under subsection (2)(a) in respect of persons participating in a scheme designed to provide work experience for a continuous or non-continuous period which exceeds four weeks.” 5

- (3) After section 41 (power to apply Act to individuals who are not otherwise “workers”) insert—

“41A Application of this Act to persons undertaking work experience” 10

(1) The Secretary of State must, in exercise of the powers granted by section 41, provide that this Act applies to a person undertaking work experience with the same employer for a continuous or non-continuous period which exceeds four weeks.

(2) The Secretary of State must make regulations in accordance with subsection (1) within a period of six months, beginning with the day on which this Act is passed. 15

(3) Such regulations must provide that a person undertaking such work experience who has ceased to be of compulsory school age, but has not attained the age of 26, is eligible to receive the national minimum wage at the rate specified for workers of the person’s age. 20

(4) In this section—

“employer” has the meaning given to it by section 54(4) of this Act, and also includes any organisation which provides an individual with work experience; and

“work experience” means observing, replicating, assisting with and carrying out any task with the aim of gaining experience of a particular workplace, organisation, industry or work-related activity.”

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2 Extent, commencement and short title

- (1) This Act extends to England and Wales, Scotland and Northern Ireland.
- (2) This Act comes into force on the day on which it is passed.
- (3) This Act may be cited as the Unpaid Work Experience (Prohibition) Act 2020.

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Unpaid Work Experience (Prohibition) Bill [HL]

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To make provision for the prohibition of unpaid work experience exceeding four weeks; and for connected purposes.

Lord Holmes of Richmond

Ordered to be Printed, 13th January 2020

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