

Employment Opportunities Bill

CONTENTS

- 1 Employment: unlawful prevention
- 2 National minimum wage opt out
- 3 Short title

A

B I L L

TO

Introduce more freedom, flexibility and opportunity for those seeking employment in the public and private sectors.

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 Employment: unlawful prevention

- (1) No person lawfully resident in the United Kingdom who has attained an age above compulsory school age shall be prevented from engaging in remunerated employment unless one or more of the following conditions apply. 5
- (2) The first condition is that the person is a foreign national and only lawfully resident by reason of a visitor's visa.
- (3) The second condition is that the person is a foreign national whose most recent application for entry into the United Kingdom has been refused.
- (4) The third condition is that the person is a foreign national whose most recent application to stay in the United Kingdom has been refused. 10

2 National minimum wage opt out

- (1) Any person who would otherwise qualify for entitlement to the national minimum wage, as defined in the National Minimum Wage Act 1998 (c. 39), may elect to opt out from such entitlement. 15
- (2) Any election to opt out under subsection (5) must be made by an employee in writing to that person's employer and signed by the employee and employer.
- (3) Any person who has elected to opt out of entitlement to the national minimum wage in accordance with subsection (6) may withdraw such election by giving notice to his employer in writing. 20

- (4) Any notice of withdrawal under subsection (7) shall take effect no earlier than three months from the date that it is given unless such period of minimum notice is waived by the employer.
- (5) For the avoidance of doubt, nothing in this Act shall require a person to take employment below the minimum wage and no person shall suffer any detriment to their entitlement to national insurance benefits by reason of their unwillingness to take employment below the minimum wage.

5

3 Short title

This Act may be cited as the Employment Opportunities Act 2009.

Employment Opportunities Bill

A

B I L L

To introduce more freedom, flexibility and opportunity for those seeking employment in the public and private sectors.

*Ordered to be brought in by
Mr Christopher Chope, Mr Peter Bone,
Philip Davies, Mr Nigel Evans,
Mr Greg Knight, Mr Edward Leigh,
Mr Ian Liddell-Grainger, Mr Brian Binley,
Mr William Cash, Mr Robert Syms
and Mr David Wilshire.*

*Ordered, by The House of Commons,
to be Printed, 10 February 2009.*

© Parliamentary copyright House of Commons 2009
*Applications for reproduction should be made in writing to the Information Policy Team,
Office of Public Sector Information, Kew, Richmond, Surrey TW9 4DU*

PUBLISHED BY AUTHORITY OF THE HOUSE OF COMMONS
LONDON – THE STATIONERY OFFICE LIMITED
Printed in the United Kingdom by
The Stationery Office Limited
£x.xx