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**Changes to legislation:** Equality Act 2010, Paragraph 11 is up to date with all changes known to be in force on or before 24 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

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## SCHEDULES

### SCHEDULE 9 **E+W+S**

#### WORK: EXCEPTIONS

#### **PART 2** **E+W+S**

##### EXCEPTIONS RELATING TO AGE

###### *The national minimum wage: young workers*

- 11 (1) It is not an age contravention for a person to pay a young worker (A) at a lower rate than that at which the person pays an older worker (B) if—
- (a) the hourly rate for the national minimum wage for a person of A's age is lower than that for a person of B's age, and
  - (b) the rate at which A is paid is below the single hourly rate.
- (2) A young worker is a person who qualifies for the national minimum wage at a lower rate than the single hourly rate; and an older worker is a person who qualifies for the national minimum wage at a higher rate than that at which the young worker qualifies for it.
- (3) The single hourly rate is the rate prescribed under section 1(3) of the National Minimum Wage Act 1998.

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 40A inserted by [2023 c. 51 s. 1](#)
- s. 120(9) inserted by [2023 c. 51 s. 2\(b\)](#)
- s. 124A inserted by [2023 c. 51 s. 3](#)