(33) PLANT

The Control of Rates of Hire of Plant Order, 1950

1950 No. 2060

Made - - - -	18*th December*, 1950
Laid before Parliament	21*st December*, 1950
Coming into Operation	1*st January*, 1951

The Minister of Works, in exercise of the powers conferred on him by Regulations 55, 55AB and 98 of the Defence (General) Regulations, 1939, as having effect by virtue of the Supplies and Services (Transitional Powers) Act, 1945(**a**), as extended by the Supplies and Services (Extended Purposes) Act, 1947(**b**), and continued in force by the Supplies and Services (Continuance) Order, 1950(**c**), and of all other powers enabling him in that behalf, hereby makes the following Order:—

1. The Control of Rates of Hire of Plant Order, 1949(**d**), is hereby revoked.

2. No person shall let or take on hire, or agree or offer or invite any offer to let or take on hire, any item of plant or other item mentioned in the Schedule hereto, except at rates of hire not exceeding the rates of hire mentioned in the said Schedule (on the basis that the provisions and conditions contained in the said Schedule which are respectively applicable or applied thereby in relation to the rates of hire mentioned therein, apply and obtain in relation to such rates), and except in accordance with the said provisions and conditions.

3. Every person carrying on or employed in connection with any undertaking whose business, or part of whose business, is or involves the letting or taking on hire of any item of plant or other item mentioned in the Schedule hereto, shall at all times during normal business hours admit to any premises under his control where any such business of letting or taking on hire is carried on or such item of plant or other item is situate, or where any books, accounts or other documents relating to any such business or item are situate or kept, any person authorised by the Minister of Works to enter and inspect any such premises, and shall, if requested so to do by any person so authorised, produce to such person, or to a person of such class or description as may be mentioned in the request, such books, accounts or other documents relating to the undertaking, or furnish to him such estimates, returns or information relating to the undertaking, as may be mentioned or described in the request.

4. This Order shall not apply to the taking or agreeing or offering to take on hire from the Minister of Fuel and Power of or to the inviting of any offer to let on hire from the Minister of Fuel and Power, any item of plant or other item mentioned in the Schedule to this Order for the purpose of—

(*a*) searching and boring for coal with a view to working and getting such coal by opencast methods;

(*b*) working or getting coal by opencast methods.

5. This Order shall come into operation on the 1st day of January, 1951, and may be cited as the Control of Rates of Hire of Plant Order, 1950.

Dated this 18th day of December, 1950.

R. R. Stokes,
Minister of Works.

(**a**) 9 & 10 Geo. 6. c. 10; and S.R. & O. 1945 (Nos. 1611, 1618 and 1625) II, pp. 39, 48 and 56.
(**b**) 10 & 11 Geo. 6. c. 55.
(**c**) S.I. 1950 No. 1769, p. 51 above.
(**d**) S.I. 1949 (No. 567) II, p. 630.

THE SCHEDULE

PART I

RATES OF HIRE

Item of Plant	Description	Maximum Rates of Hire: Each	Period
	Capacity: Tons	£ s. d.	
CRANES Mobile Road	1	3 0 0	Per day of 8 hrs.
	2	4 0 0	do.
	Over 2 up to and including 4	4 18 0	do.
	Over 4 up to and including 6	5 16 0	do.
* CRAWLER EXCAVATORS AND EQUIPMENTS	Maker's Rated Capacity: Cubic Yards		
1. Excavators hired with a single Equipment (i.e., Excavators equipped with a single Shovel, Skimmer, Dragline, Backacter, or Crane Equipment)	$\frac{3}{8}$	25 2 4	Per week of 44 hrs.
	$\frac{1}{2}$	28 15 8	do.
	$\frac{5}{8}$	35 11 4	do.
	$\frac{3}{4}$	38 6 4	do.
	$\frac{7}{8}$	47 13 4	do.
	$1\frac{1}{4}$	62 10 4	do.

Note:—Crawler Excavators whose capacity is rated in cubic feet should be charged as follows:—
Of 11 cubic feet capacity as $\frac{3}{8}$ cu. yard.
Over 11 cu. ft. up to and including 15 cu. ft. as $\frac{1}{2}$ cu. yd.
Over 15 cu. ft. up to and including 18 cu. ft. as $\frac{5}{8}$ cu. yd.
Over 18 cu. ft. up to and including 21 cu. ft. as $\frac{3}{4}$ cu. yd.
Over 21 cu. ft. up to and including 26 cu. ft. as $\frac{7}{8}$ cu. yd.
Over 26 cu. ft. up to and including 34 cu. ft. as $1\frac{1}{4}$ cu. yds.

2. Extra and Independent Excavator Equipments:— (*a*) Complete Equipments:—		
Extra Excavator Equipments as above when hired with an Excavator	For each Equipment a weekly flat rate charge equal to $7\frac{1}{2}$ per cent. of the maximum rate of hire for an Excavator (of a capacity appropriate to the Equipment) when hired with a single Equipment.	Per week
Independent Excavator Equipments (the Equipments as above when hired without an Excavator except for Dragline Equipments hired for use on Opencast Coal Sites)	For each Equipment a sum equal to 15 per cent. of the maximum rate of hire for an Excavator (of a capacity appropriate to the Equipment) when hired with a single Equipment.	Per week of 44 hrs.
Independent Dragline Equipments when hired for use on Opencast Coal Sites	For each Equipment a sum equal to $22\frac{1}{2}$ per cent. of the maximum rate of hire for an Excavator (of a capacity appropriate to the Equipment) when hired with a single Equipment.	Per week of 44 hrs.

Item of Plant	Description	Maximum Rates of Hire: Each	Period
(*b*) Dragline Buckets only (either Extra or Independent)—			
when hired for use on Opencast Coal Sites	For each Bucket a sum equal to 15 per cent. of the maximum rate of hire for an Excavator (of a capacity appropriate to the Bucket) when hired with a single Equipment.		Per week of 44 hrs.
when hired for use on sites other than Opencast Coal Sites	For each Bucket a sum equal to 7½ per cent. of the maximum rate of hire for an Excavator (of a capacity appropriate to the Bucket) when hired with a single Equipment.		Per week of 44 hrs.
		£ s. d.	
CRAWLER TRACTORS, TRACTOR EQUIPMENTS AND SCRAPERS			
	Maker's Rated Drawbar Horse-Power		
Crawler Tractors	35 to 44·9	0 18 0	Per hour
	45 to 65·9	1 3 3	do.
	66 to 89·9	1 11 3	do.
	90 and over	2 0 9	do.
* Crawler Tractors with Bull or Angle-Dozer or Scarifier (Ripper)	35 to 44·9	1 1 9	Per hour
	45 to 65·9	1 8 3	do.
	66 to 89·9	1 17 9	do.
	90 and over	2 10 3	do.
	Maker's Rated Capacity: Cubic Yards		
* Scrapers	4	0 9 6	Per hour
	6	0 11 6	do.
	8/9	0 12 6	do.
	12	0 17 0	do.
MECHANICAL TRENCHERS (DIGGERS)	Maker's Rated Horse-Power		
	Up to 20	19 5 0	Per week of 44 hrs.
	40 to 49·9	33 0 0	do.
	50 and over	47 13 4	do.

* Wire Ropes for these machines to be paid for as consumable stores.

PART II

CONDITIONS

1. HIRE RATES, NET COST ITEMS AND CONSUMABLE STORES

(*a*) The rates set out in Part I of this Schedule (hereinafter called "the Schedule rates") include the provision of the plant, spare parts, and labour on repairs.

(*b*) The Schedule rates do not include the cost of fuel, lubricating oils, grease, drivers or operators; and the cost of such goods and services when provided by the letter on hire shall be charged at net cost or at an agreed estimate of net cost. Charges for wire ropes to be paid for as consumable stores shall be at net cost or at an agreed estimate of net cost. Net cost of drivers and operators includes any sums properly and customarily paid for overtime, travelling and subsistence as well as National Insurances.

2. GUARANTEED PERIODS OF HIRE

Plant shall be paid for at the Schedule rates for a minimum of 44 hours per week, or if hired for less than one week for a minimum of 8 hours per day; provided that any idle-time so paid for shall be at 2/3rds of the Schedule rates. Plant shall not be hired for a shorter total period than that set out in the fourth column of Part I.

3. OVERTIME AND IDLE-TIME

Except in the case of Extra Excavator Equipments for which a weekly flat rate charge is payable irrespective of hours worked—

(*a*) payment for overtime shall be made, based on a working week of 44 hours, and any time for which plant is working in excess of 44 hours per week shall be paid for pro rata, the hourly rate being 1/44th of the weekly rate;

(*b*) in computing idle-time, periods of shorter duration than those for which the Schedule rates are quoted shall be treated as working-time; an idle period of less than a week shall be treated as working-time in the case of items of plant quoted in the fourth column of Part I as " per week of 44 hours ", and in any event idle-time of less than one day shall be treated as working-time.

4. BREAKDOWNS

Hire shall not be paid during breakdowns, nor when plant is idle owing to obvious inefficiency of the plant due to incompleteness unless caused by the negligence of the taker on hire.

5. TRANSPORT

The rates do not include the cost of carriage of plant to or from the site or otherwise in connection with the works. Time spent in transporting plant to and from the site of a contract, up to a limit of one day each way shall not be charged for; but if more than one day is properly and unavoidably so occupied, a hiring charge at two-thirds of the Schedule rates shall be payable for each extra day; provided that in the case of plant hired for a total period of less than one week, hire shall be paid from depot to depot. Excepting that in the case of plant travelling under its own power time properly and unavoidably spent in travelling shall be paid as working time.

EXPLANATORY NOTE

(This Note is not part of the Order, but is intended to indicate its general purport.)

This Order supersedes the Control of Rates of Hire of Plant Order, 1949 (S.I. 1949 No. 567). The principal changes are:—

(*a*) The control is confined to Cranes (Mobile Road), Crawler Excavators and certain Excavator Equipments, Crawler Tractors and certain Tractor Equipments (including Scrapers) and Mechanical Trenchers (Diggers), and the conditions of hire have been amended accordingly.

(*b*) The maximum rates of hire for the items of plant and equipment included in the Order have been revised.

(*c*) The provision for reduced rates for plant hired from the main Contractor, which was contained in paragraph 6 of Part II of the Schedule to the previous Order, has been omitted.