(2) Where before the coming into operation of these Regulations a wages council, or before the commencement of the principal Act a trade board, has sent to an employer of any worker who is affected thereby a notice of any wages regulation order or wages regulation proposals, or of any order which under section 20 (4) of the principal Act has effect as if it were a wages regulation order, that employer shall be under the like obligation to post up and keep posted up the said notice as if it were a notice to which paragraph (1) of this Regulation applies.

(3) Where any notice to which this Regulation applies refers to some prior notice or notices in such manner that, properly to be understood, it must be read in conjunction with such prior notice or notices or some part or parts thereof, a sufficient number of true copies of that notice and of the notice or notices to which it refers shall be posted up in the manner aforesaid together, so that that notice and the notice or notices or part or parts thereof to which it refers may be read and construed as one notice.

Dated this 29th day of May, 1951.

Alfred Robens,
Minister of Labour and National Service.

EXPLANATORY NOTE

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

These Regulations deal with the giving of notices by the Minister of Labour and National Service, wages councils and commissions of inquiry of matters under the Wages Councils Acts, and the posting of notices by employers.

They substantially re-enact the provisions of the Wages Councils and Commissions of Inquiry (Notices and Orders) Regulations, 1945, which they revoke. They omit, however, the provisions about the publication by the Minister of wages council orders and reports relating thereto in Regulation 2 (2) (*c*) and (*d*) of those Regulations, since, by reason of the amendments made in sections 5 and 6 of the Wages Councils Act, 1945 by section 5 (3) of the Wages Councils Act, 1948, there is now no requirement on the Minister to publish these orders and reports in a prescribed manner.

WAGES REGULATION ORDERS

The Aerated Waters Wages Council (England and Wales) Wages Regulation Order, 1951

1951 No. 653

Made - - - - 13*th April,* 1951
Coming into Operation 3*rd May,* 1951

A. (43)

Whereas the Minister of Labour and National Service (hereinafter in this Order referred to as " the Minister ") has received from the Aerated Waters Wages Council (England and Wales) (hereinafter in this Order referred to as " the Council ") the wages regulation proposals set out in the Schedule hereto, being proposals for fixing the remuneration to be paid by their employers

to workers in relation to whom the Council operates in substitution for the remuneration fixed for those workers by the Aerated Waters Wages Council (England and Wales) Wages Regulation Order, 1949(a), (hereinafter in this Order referred to as " Order A.(37) ") as amended by the Aerated Waters Wages Council (England and Wales) Wages Regulation Order, 1950(b), (hereinafter in this Order referred to as " Order A.(39) ");

Now, therefore, the Minister, by virtue of the powers conferred on him by section 10 of the Wages Councils Act, 1945(c), and of all other powers in that behalf, hereby makes the following Order:—

Short title and interpretation

1.—(1) This Order may be cited as the Aerated Waters Wages Council (England and Wales) Wages Regulation Order, 1951.

(2) In this Order the expression " the specified date " means the 3rd day of May, 1951, provided that where as respects any worker who is paid wages at intervals not exceeding seven days that date does not correspond with the beginning of the period for which the wages are paid, the expression " the specified date " means, as respects that worker, the beginning of the next such period following that date.

(3) The Interpretation Act, 1889(d), applies to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

Fixing of statutory minimum remuneration and revocation of Order A.(37) *and Order A.*(39)

2.—(1) Effect is hereby given to the said wages regulation proposals set out in the Schedule hereto.

(2) The provisions of the Schedule hereto shall have effect as from the specified date and as from that date Order A.(37)(a) and Order A.(39)(b) shall cease to have effect.

Signed by order of the Minister of Labour and National Service this 13th day of April, 1951.

Godfrey H. Ince,
Secretary,
Ministry of Labour and National Service.

SCHEDULE

The following minimum remuneration shall be substituted for the statutory minimum remuneration fixed by Order A.(37) as amended by Order A.(39).

STATUTORY MINIMUM REMUNERATION

PART I

GENERAL

Paragraph 1

(1) The minimum remuneration payable to a worker other than a driver-salesman or delivery worker to whom this Schedule applies for all work, except work to which a minimum overtime rate applies under Part V, is—

(*a*) in the case of a worker employed as a time worker, the hourly general minimum time rate applicable to the worker under the provisions of Part II or IV of this Schedule

(a) S.I. 1949 (No. 1348) I, p. 4127.
(b) S.I. 1950 No. (2002) II, p.1224.
(c) 8 & 9 Geo. 6. c. 17.
(d) 52 & 53 Vict. c. 63.

(*b*) in the case of a worker employed on piece work, piece rates each of which would yield, in the circumstances of the case, to an ordinary worker at least the same amount of money as the piece work basis time rate applicable to the worker under Part II of this Schedule, or where no piece work basis time rate is applicable at least the same amount of money as the hourly general minimum time rate which would be payable if the worker were a time worker.

(2) The minimum remuneration payable to a driver-salesman or delivery worker is the remuneration payable to the worker under the provisions of Part III of this Schedule.

(3) For the purposes of this Schedule the expression "hourly general minimum time rate" means the general minimum time rate applicable to the worker under Part II or IV of this Schedule divided by 48 in the case of a worker aged 16 years or over and by 44 in the case of a worker under 16 years of age.

PARTS II, III, IV

(New Parts II, III and IV substit. by S.I. 1951 No. 2163, p. 879 below.)

PART V

OVERTIME AND WAITING TIME

ALL WORKERS

MINIMUM OVERTIME RATES

Paragraph 9

Subject to the provisions of paragraph 6 of this Schedule and of this paragraph, overtime is payable at the following minimum rates:—

(1) To any worker other than a driver-salesman or delivery worker—	
(*a*) on a Sunday or customary holiday, for all time worked	Double Time
(*b*) on the weekly short day, for all time worked in excess of 4½ hours	Time-and-a-half
(*c*) in any week, exclusive of any time in respect of which a minimum overtime rate is payable under the foregoing provisions of this sub-paragraph—	
(i) for the first 2 hours worked in excess of 48 hours in the case of a worker aged 16 years or over, or 44 hours in the case of a worker under 16 years of age ..	Time-and-a-quarter
(ii) thereafter	Time-and-a-half
(2) To a driver-salesman or delivery worker—	
(*a*) on a Sunday, for all time worked	Double Time
(*b*) on a Saturday, for all time worked in excess of 4½ hours	Time-and-a-half
(*c*) in any week exclusive of any time in respect of which a minimum overtime rate is payable under (*a*) or (*b*) of this sub-paragraph—	
(i) for the first 8 hours worked in excess of 48 hours in the case of a worker aged 16 years or over, or 44 hours in the case of a worker under 16 years of age ..	Time-and-a-quarter
(ii) thereafter	Time-and-a-half

WAITING TIME

Paragraph 10

(1) A worker is entitled to payment of the minimum remuneration specified in this Schedule for all time during which he is present on the premises of his employer unless he is present thereon in any of the following circumstances:—

(*a*) without the employer's consent, express or implied;

(*b*) for some purpose unconnected with his work and other than that of waiting for work to be given to him to perform;

(*c*) by reason only of the fact that he is resident thereon;

(*d*) during normal meal times in a room or place in which no work is being done, and he is not waiting for work to be given to him to perform.

(2) The minimum remuneration payable under sub-paragraph (1) of this paragraph to a piece worker when not engaged on piece work is that which would be applicable if he were a time worker.

PART VI

DEFINITIONS

Paragraph 11

For the purposes of this Schedule—

"CARRYING CAPACITY" means the weight of the maximum load normally carried by a mechanically propelled vehicle, and such carrying capacity when so established shall not be affected either by variations in the weight of the load resulting from collections or deliveries or emptying of containers during the course of the journey, or by the fact that on any particular journey a load greater or less than the established carrying capacity is carried.

Where a trailer is attached to the vehicle the load shall be the loads of the vehicle and the trailer combined.

"CUSTOMARY HOLIDAY" means—

(*a*) Christmas Day (or, if Christmas Day falls on a Sunday, such week day as may be appointed by national proclamation, or if none is so appointed, the next following Tuesday), Boxing Day, Good Friday, Easter Monday, Whit Monday, August Bank Holiday and any day proclaimed as an additional Bank Holiday or public holiday, throughout England and Wales, or

(*b*) in the case of each of the said days such week day as may be substituted therefor, being either a day recognised by local custom as a day of holiday in substitution for the said day or a day agreed between the employer and the worker or his representative.

"DELIVERY WORKER" means a worker who normally is in charge of and wholly or mainly engaged in driving a mechanically propelled or horse drawn vehicle and in work in connection with the vehicle and its load (if any) while on the road and, if so required by the employer, in washing the vehicle when not on the road. Provided that where a worker who is not normally employed as a delivery worker is in any week called upon to perform the work of a delivery worker the worker shall for that week be regarded as a delivery worker.

"DRIVER-SALESMAN" means a worker who normally is wholly or mainly engaged in the duties of a delivery worker as defined above and in the sale of goods to and the collection of monies from customers. Provided that where a worker who is not normally employed as a driver-salesman is in any week called upon to perform the work of a driver-salesman the worker shall for that week be regarded as a driver-salesman.

" MATE " means a worker other than a driver-salesman or delivery worker who is required to travel on or to accompany a mechanically propelled or horse drawn vehicle for the purpose of assisting the driver-salesman or delivery worker in charge of the vehicle.

" TIME-AND-A-QUARTER ", " TIME-AND-A-HALF " and " DOUBLE TIME " mean respectively:—

(*a*) in the case of workers other than delivery workers and driver-salesmen—

one and a quarter times, one and a half times and twice the minimum remuneration payable to the worker for work to which a minimum overtime rate does not apply,

(*b*) in the case of delivery workers and driver-salesmen—

one and a quarter times, one and a half times and twice the rate obtained by dividing the remuneration specified in the table in paragraph 7 of this Schedule by 48 in the case of workers aged 16 years or over and by 44 in the case of workers under 16 years of age.

" WAGES REGULATION ORDER " means a wages regulation order for the time being in force made by the Minister to give effect to proposals of the Council.

" WEEK " means pay week.

" WEEKLY SHORT DAY " means Saturday or (except where in the case of a woman or young person such substitution is unlawful) any day, other than Sunday, which may be substituted therefor by agreement in writing between the employer and the worker.

PART VII

APPLICABILITY OF STATUTORY MINIMUM REMUNERATION

Paragraph 12

This Schedule applies to workers in relation to whom the Aerated Waters Wages Council (England and Wales) operates, that is to say, workers employed in England and Wales in the trade specified in the Schedule to the Aerated Waters Wages Council (England and Wales) (Variation) Order, 1948(a), that is to say:—

(1) The manufacture, wherever carried on, of mineral or aerated waters, non-alcoholic cordials, flavoured syrups, unfermented sweet drinks, and other similar beverages, and the manufacture in unlicensed premises of brewed liquors,

Including—

(*a*) the operations of bottle washing, bottling and filling, and all other operations preparatory to the sale of any of the aforesaid beverages or liquors in bottles, jars, syphons, casks, or other similar receptacles; and

(*b*) the transport and delivery of any of the aforesaid beverages or liquors (and operations incidental thereto including the collection of empty bottles or containers) when carried on as an activity of the undertaking engaged in the manufacture thereof, by persons in the employment of that undertaking, and operations involved in the sale by retail of any of such beverages or liquors when sold in the course of a delivery round by a driver-salesman or delivery salesman employed in the undertaking which manufactures the said beverages or liquors.

(a) S.I. 1948 (No. 705) I, p. 4395.

(2) The following operations when carried on in association or in conjunction with any of the operations specified in (*a*) of sub-paragraph (1) of this paragraph so as to form a common or interchangeable form of employment for workers and whether carried on simultaneously with those operations or not, that is to say all subsidiary operations preparatory to the sale in bottles, jars or other similar receptacles of cider, ale, stout, porter or other alcoholic beers, including the operations of bottle washing, bottling and filling.

EXPLANATORY NOTE

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

This Order which has effect from the 3rd May, 1951, sets out the statutory minimum remuneration payable to workers in relation to whom the Aerated Waters Wages Council (England and Wales) operates.

It supersedes Order A.(37) as amended by Order A.(39) which are revoked.

New provisions in the Schedule are printed in italics.

The Aerated Waters Wages Council (England and Wales) Wages Regulation (Amendment) Order, 1951

1951 No. 2163

Made - - - - 6*th December*, 1951

Coming into Operation 21*st December*, 1951

A. (45)

Whereas the Minister of Labour and National Service (hereinafter in this Order referred to as "the Minister") has received from the Aerated Waters Wages Council (England and Wales) (hereinafter in this Order referred to as "the Council") the wages regulation proposals set out in the Schedule hereto, being proposals for amending the Aerated Waters Wages Council (England and Wales) Wages Regulation Order, 1951(**a**) (hereinafter in this Order referred to as "Order A. (43)") which fixed the remuneration to be paid by their employers to workers in relation to whom the Council operates;

Now, therefore, the Minister, by virtue of the powers conferred on him by section 10 of the Wages Councils Act, 1945(**b**), and of all other powers in that behalf, hereby makes the following Order:—

Short title and interpretation

1.—(1) This Order may be cited as the Aerated Waters Wages Council (England and Wales) Wages Regulation (Amendment) Order, 1951.

(2) In this Order the expression "the specified date" means the 21st day of December, 1951, provided that where as respects any worker who is paid wages at intervals not exceeding seven days that date does not correspond with the beginning of the period for which the wages are paid, the expression "the specified date" means, as respects that worker, the beginning of the next such period following that date.

(3) The Interpretation Act, 1889(**c**), applies to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

(**a**) S.I. 1951 No. 653, p. 874 above. (**b**) 8 & 9 Geo. 6. c. 17. (**c**) 52 & 53 Vict. c. 63.