1952 No. 1558

The Retail Food Trades Wages Council (England and Wales) Wages Regulation Order, 1952

Made - - - - *22nd August,* 1952

Coming into Operation *19th September,* 1952

Whereas the Minister of Labour and National Service (hereinafter in this Order referred to as "the Minister") has received from the Retail Food Trades Wages Council (England and Wales) the wages regulation proposals set out in the First and Second Schedules hereto;

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

1. This Order may be cited as the Retail Food Trades Wages Council (England and Wales) Wages Regulation Order, 1952.

2.—(1) In this Order the expression "the specified date" means the 19th day of September, 1952, 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.

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

3. The wages regulation proposals set out in the First and Second Schedules hereto shall have effect as from the specified date and as from that date the Retail Food Trades Wages Council (England and Wales) Wages Regulation Order, 1951(c) shall cease to have effect.

Signed by order of the Minister of Labour and National Service this 22nd day of August, 1952.

Guildhaume Myrddin-Evans,
Deputy Secretary,
Ministry of Labour and National Service.

FIRST SCHEDULE

The following minimum remuneration shall be substituted for the statutory minimum remuneration fixed by the Retail Food Trades Wages Council (England and Wales) Wages Regulation Order, 1951. (Order R.F.C. (9)).

(a) 8 & 9 Geo. 6. c. 17. (b) 52 & 53 Vict. c. 63. (c) S.I. 1951/1103; 1951 II, p. 1206.

STATUTORY MINIMUM REMUNERATION

Paragraph 1

Subject to the provisions of paragraphs 6, 10 and 11 of this Schedule, the minimum remuneration payable to workers to whom this Schedule applies is the remuneration set out in paragraphs 2, 3, 4 and 5 of this Schedule.

Any increase in remuneration payable under the provisions of paragraph 4 or paragraph 5 of this Schedule shall become effective on the first day of the first full pay week following the date upon which the increase would otherwise become payable under those provisions.

BRANCH SHOP MANAGERS AND BRANCH SHOP MANAGERESSES

Paragraph 2

Subject to the provisions of this paragraph, the weekly minimum remuneration payable to Branch Shop Managers and Branch Shop Manageresses employed in the areas specified in Column 2 of the next following table is the amount appearing in the said Column 2 against the amount of weekly trade (as hereinafter defined) shown in Column 1 of the said table.

Column 1	Column 2					
	London Area per week		Provincial A Area per week		Provincial B Area per week	
	Male	Female	Male	Female	Male	Female
WEEKLY TRADE:—	*s. d.*	*s. d.*	*s. d.*	*s. d.*	*s. d.*	*s. d.*
Under £50	*128 0*	*112 0*	*124 0*	*108 0*	*118 0*	*101 0*
£50 and under £60 ...	*129 0*	*113 0*	*125 0*	*109 0*	*119 0*	*102 0*
£60 „ „ £70 ...	*130 0*	*114 0*	*126 0*	*110 0*	*120 0*	*103 0*
£70 „ „ £80 ...	*131 0*	*115 0*	*127 0*	*111 0*	*121 0*	*104 0*
£80 „ „ £90 ...	*133 0*	*117 0*	*129 0*	*113 0*	*123 0*	*106 0*
£90 „ „ £100 ...	*135 0*	*119 0*	*131 0*	*115 0*	*125 0*	*108 0*
£100 „ „ £120 ...	*144 0*	*128 0*	*140 0*	*124 0*	*134 0*	*117 0*
£120 „ „ £140 ...	*147 0*	*131 0*	*143 0*	*127 0*	*137 0*	*120 0*
£140 „ „ £160 ...	*149 0*	*133 0*	*145 0*	*129 0*	*139 0*	*122 0*
£160 „ „ £180 ...	*150 0*	*134 0*	*146 0*	*130 0*	*140 0*	*123 0*
£180 „ „ £200 ...	*151 0*	*135 0*	*147 0*	*131 0*	*141 0*	*124 0*
£200 „ „ £210 ...	*154 0*	*138 0*	*150 0*	*134 0*	*144 0*	*127 0*
£210 „ „ £220 ...	*155 0*	*139 0*	*151 0*	*135 0*	*145 0*	*128 0*
£220 „ „ £230 ...	*156 0*	*140 0*	*152 0*	*136 0*	*146 0*	*129 0*
£230 „ „ £240 ...	*157 0*	*141 0*	*153 0*	*137 0*	*147 0*	*130 0*
£240 „ „ £250 ...	*158 0*	*142 0*	*154 0*	*138 0*	*148 0*	*131 0*
£250 „ „ £260 ...	*159 0*	*143 0*	*155 0*	*139 0*	*149 0*	*132 0*
£260 „ „ £270 ...	*160 0*	*144 0*	*156 0*	*140 0*	*150 0*	*133 0*
£270 „ „ £280 ...	*161 0*	*145 0*	*157 0*	*141 0*	*151 0*	*134 0*
£280 „ „ £290 ...	*162 0*	*146 0*	*158 0*	*142 0*	*152 0*	*135 0*
£290 „ „ £300 ...	*163 0*	*147 0*	*159 0*	*143 0*	*153 0*	*136 0*
£300 „ „ £310 ...	*164 0*	*148 0*	*160 0*	*144 0*	*154 0*	*137 0*
£310 „ „ £320 ...	*165 0*	*149 0*	*161 0*	*145 0*	*155 0*	*138 0*
£320 „ „ £330 ...	*166 0*	*150 0*	*162 0*	*146 0*	*156 0*	*139 0*
£330 „ „ £340 ...	*167 0*	*151 0*	*163 0*	*147 0*	*157 0*	*140 0*
£340 „ „ £350 ...	*168 0*	*152 0*	*164 0*	*148 0*	*158 0*	*141 0*
£350 „ „ £370 ...	*169 0*	*153 0*	*165 0*	*149 0*	*159 0*	*142 0*

Column 1	Column 2					
	London Area per week		Provincial A Area per week		Provincial B Area per week	
	Male	Female	Male	Female	Male	Female
WEEKLY TRADE:—	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
£370 „ „ £390 ...	170 0	154 0	166 0	150 0	160 0	143 0
£390 „ „ £410 ...	171 0	155 0	167 0	151 0	161 0	144 0
£410 „ „ £430 ...	172 0	156 0	168 0	152 0	162 0	145 0
£430 „ „ £450 ...	173 0	157 0	169 0	153 0	163 0	146 0
£450 „ „ £470 ...	174 0	158 0	170 0	154 0	164 0	147 0
£470 „ „ £490 ...	175 0	159 0	171 0	155 0	165 0	148 0
£490 „ „ £510 ...	176 0	160 0	172 0	156 0	166 0	149 0
£510 „ „ £530 ...	177 0	161 0	173 0	157 0	167 0	150 0
£530 „ „ £550 ...	178 0	162 0	174 0	158 0	168 0	151 0
£550 „ „ £570 ...	179 0	163 0	175 0	159 0	169 0	152 0
£570 „ „ £590 ...	180 0	164 0	176 0	160 0	170 0	153 0
£590 „ „ £610 ...	181 0	165 0	177 0	161 0	171 0	154 0
£610 „ „ £630 ...	182 0	166 0	178 0	162 0	172 0	155 0
£630 „ „ £650 ...	183 0	167 0	179 0	163 0	173 0	156 0
£650 „ „ £670 ...	184 0	168 0	180 0	164 0	174 0	157 0
£670 „ „ £690 ...	185 0	169 0	181 0	165 0	175 0	158 0
£690 „ „ £710 ...	186 0	170 0	182 0	166 0	176 0	159 0
£710 „ „ £730 ...	187 0	171 0	183 0	167 0	177 0	160 0
£730 or over	188 0	172 0	184 0	168 0	178 0	161 0

Provided that in branch shops where the sales of excisable liquors amount to 20 per cent. or more of the weekly trade, the minimum weekly remuneration of the Branch Shop Manager or Branch Shop Manageress shall be that specified in the foregoing table less the following amounts:—

Where the percentage of weekly trade from sales of excisable liquors amounts to—

	s. d.		s. d.
20% and under 30% ...	1 0	60% and under 70% ...	5 0
30% „ „ 40% ...	2 0	70% „ „ 80% ...	6 0
40% „ „ 50% ...	3 0	80% „ „ 90% ...	7 0
50% „ „ 60% ...	4 0	90% or over	8 0

For the purposes of this paragraph, "weekly trade" shall be calculated half-yearly and based on the period of twelve months immediately preceding the commencement of each half-year in the following manner:—

For the period of 26 weeks beginning (*a*) with the fifth week or (*b*) with the 31st week following the accounting date in any year, the weekly trade of a branch shop shall be 1/52nd of the amount of the total receipts for goods sold at that branch shop during the 52 weeks immediately preceding the accounting date (in the case of (*a*) hereof) or immediately preceding the 26th week following the accounting date (in the case of (*b*) hereof).

Except as provided as aforesaid, the weekly trade in respect of any week shall be the amount of the total receipts for goods sold at the branch shop in the preceding week.

In this paragraph the expression "accounting date" means that date in each year on which the books of accounts of a branch shop are closed for the purpose of preparing the annual accounts in respect of that branch shop, or, in the absence of any such date, the fifth day of April in any year.

TEMPORARY BRANCH SHOP MANAGERS AND TEMPORARY BRANCH SHOP MANAGERESSES

Paragraph 3

(1) Subject to the provisions of this paragraph the weekly minimum remuneration payable to Temporary Branch Shop Managers and Temporary Branch Shop Manageresses, for each continuous period of employment as Temporary Branch Shop Manager or Temporary Branch Shop Manageress (reckoned in accordance with the provisions of sub-paragraph (2) of this paragraph), shall be calculated in accordance with the following table:—

Table

(*a*) during the first two weeks ...	for each week, the minimum remuneration which would be payable to the worker under the provisions of paragraph 4 of this Schedule for work as a shop assistant for the number of hours worked in the week, plus one half of the difference between such remuneration and the appropriate minimum remuneration for a Branch Shop Manager or Branch Shop Manageress, as the case may be, under the provisions of paragraph 2 of this Schedule;
(*b*) thereafter	the appropriate weekly minimum remuneration for a Branch Shop Manager or Branch Shop Manageress, as the case may be, under the provisions of paragraph 2 of this Schedule.

(2) In reckoning any continuous period of employment as Temporary Branch Shop Manager or Temporary Branch Shop Manageress for the purposes of sub-paragraph (1) of this paragraph, no account shall be taken of any period of employment:—

(*a*) not exceeding two consecutive working days; or

(*b*) not exceeding a total of two weeks in any year, being a period when the Branch Shop Manager or Branch Shop Manageress is absent on holiday.

(3) The minimum remuneration payable to Temporary Branch Shop Managers and Temporary Branch Shop Manageresses for any period of employment mentioned in (*a*) or (*b*) of sub-paragraph (2) of this paragraph, shall be not less than the appropriate minimum remuneration for a Shop Assistant, under the provisions of this Schedule.

(4) For the purposes of this paragraph:—

(*a*) where a worker commences a period of employment as a Temporary Branch Shop Manager or Temporary Branch Shop Manageress within three months of the end of such a period of employment with the same employer, the two periods of employment (provided neither period is a period of employment mentioned in (*a*) or (*b*) of sub-paragraph (2) of this paragraph), shall be treated as continuous;

(*b*) "year" means the twelve months commencing with the 1st January and ending with the 31st December.

WORKERS OTHER THAN BRANCH SHOP MANAGERS, TEMPORARY BRANCH SHOP MANAGERS, BRANCH SHOP MANAGERESSES, TEMPORARY BRANCH SHOP MANAGERESSES AND TRANSPORT WORKERS

Paragraph 4

Subject to the provisions of paragraph 1 of this Schedule, the weekly minimum remuneration payable to male or female workers of the classes specified in Column 1 of the next following table employed in the London Area, Provincial A Area or Provincial B Area, as the case may be, is the appropriate amount set out in Column 2 of the said table.

Column 1	Column 2					
	London Area per week		Provincial A Area per week		Provincial B Area per week	
	Male	Female	Male	Female	Male	Female
	s. d.	*s. d.*	*s. d.*	*s. d.*	*s. d.*	*s. d.*
(1) CLERK GRADE I, AGED 25 YEARS OR OVER	*125 6*	*93 0*	*121 6*	*89 0*	*115 6*	*82 0*
(2) CLERK GRADE I AGED UNDER 25 YEARS, CLERK GRADE II, SHOP ASSISTANT, STOCKMAN OR ORDERMAN, CANVASSER, VAN SALESMAN, CASHIER or CENTRAL WAREHOUSE WORKER:—						
Workers aged 24 years or over ...	*119 6*	*88 6*	*115 6*	*84 6*	*109 6*	*77 6*
,, ,, 23 ,, and under 24 ...	*114 6*	*83 6*	*110 6*	*79 0*	*104 6*	*73 6*
,, ,, 22 ,, ,, ,, 23 ...	*111 6*	*80 6*	*106 6*	*76 0*	*100 6*	*70 6*
,, ,, 21 ,, ,, ,, 22 ...	*107 6*	*78 0*	*101 6*	*73 6*	*95 6*	*68 0*
,, ,, 20 ,, ,, ,, 21 ...	*88 6*	*68 6*	*83 6*	*64 0*	*78 6*	*60 6*
,, ,, 19 ,, ,, ,, 20 ...	*78 6*	*62 6*	*73 6*	*58 0*	*68 6*	*54 6*
,, ,, 18 ,, ,, ,, 19 ...	*68 6*	*56 6*	*64 6*	*52 0*	*59 6*	*48 6*
,, ,, 17 ,, ,, ,, 18 ...	*58 6*	*48 6*	*53 6*	*44 0*	*49 6*	*40 6*
,, ,, 16 ,, ,, ,, 17 ...	*51 6*	*43 6*	*46 6*	*39 0*	*43 6*	*35 6*
,, ,, under 16 years	*46 6*	*38 6*	*41 6*	*34 0*	*38 6*	*30 6*
(3) ALL OTHER WORKERS (OTHER THAN TRANSPORT WORKERS):—						
Workers aged 24 years or over ...	*113 6*	*82 6*	*109 0*	*78 0*	*107 6*	*74 6*
,, ,, 23 ,, and under 24 ...	*111 6*	*80 6*	*107 6*	*76 0*	*101 6*	*70 6*
,, ,, 22 ,, ,, ,, 23 ...	*109 6*	*78 6*	*104 6*	*74 0*	*98 6*	*68 6*
,, ,, 21 ,, ,, ,, 22 ...	*105 6*	*76 0*	*99 6*	*71 6*	*93 6*	*66 0*
,, ,, 20 ,, ,, ,, 21 ...	*87 6*	*67 6*	*82 6*	*63 0*	*77 6*	*59 6*
,, ,, 19 ,, ,, ,, 20 ...	*77 6*	*61 6*	*72 6*	*57 0*	*67 6*	*53 6*
,, ,, 18 ,, ,, ,, 19 ...	*67 6*	*55 6*	*63 6*	*51 0*	*58 6*	*47 6*
,, ,, 17 ,, ,, ,, 18 ...	*57 6*	*47 6*	*52 6*	*43 0*	*48 6*	*39 6*
,, ,, 16 ,, ,, ,, 17 ...	*50 6*	*42 6*	*45 6*	*38 0*	*42 6*	*34 6*
,, ,, under 16 years	*45 6*	*37 6*	*40 6*	*33 0*	*37 6*	*29 6*

Provided that where a female shop assistant enters or has entered the retail food trades for the first time—

(*a*) at the age of not less than 20 and less than 21 years, the weekly minimum remuneration payable to her during her first three months of employment in those trades shall be that payable to a female shop shop assistant aged 19 and under 20 years, and during her second three months of such employment that payable to a female shop assistant one year her junior;

(*b*) at the age of not less than 21 and less than 24 years, the weekly minimum remuneration payable to her during her first three months of employment in those trades shall be that payable to a female shop assistant two years her junior and during her second three months of such employment that payable to a female shop assistant one year her junior;

(*c*) at or over the age of 24 years, the weekly minimum remuneration payable to her during her first three months of employment in those trades shall be that payable to a female shop assistant aged 22 and under 23 years and during her second three months of such employment shall be that payable to a female shop assistant aged 23 and under 24 years.

TRANSPORT WORKERS

Paragraph 5

Subject to the provisions of paragraph 1 of this Schedule, the weekly minimum remuneration payable to Transport Workers employed in the London Area, Provincial A Area or Provincial B Area as the case may be, is the appropriate amount set out in Column 3 of the next following table:—

Column 1	Column 2		Column 3		
	Type of vehicle				
Age of Transport worker	Mechanically propelled vehicle with carrying capacity (as defined) of	Horse drawn vehicle	London Area per week	Provincial A Area per week	Provincial B Area per week
			s. d.	*s. d.*	*s. d.*
21 years or over ...	1 ton or less	One-horse	*119 6*	*115 6*	*109 6*
20 and under 21 years			*95 6*	*93 6*	*89 6*
19 „ „ 20 „			*86 6*	*84 6*	*80 6*
18 „ „ 19 „			*77 6*	*75 6*	*71 6*
under 18 years ...			*68 6*	*66 6*	*62 6*
All ages	Over 1 ton and up to 2 tons	Two-horse	*125 6*	*121 6*	*115 6*
	Over 2 tons and up to 5 tons	—	*129 6*	*125 6*	*119 6*
	Over 5 tons	—	*133 6*	*129 6*	*123 6*

MINIMUM OVERTIME RATES

Paragraph 6

Subject to the provisions of this paragraph and of paragraph 10 of this Schedule, overtime is payable to any worker to whom this Schedule applies at the following minimum rates:—

A. (1) To any worker wholly engaged in the sale of excisable liquors in an undertaking with a 7-day Licence open on seven days in the week, for employment on a weekly rest day or customary holiday, or

(2) To any worker, other than a worker specified in A (1) or A (3) of this paragraph, for employment on a Sunday or customary holiday—

(*a*) where time worked does not exceed 4½ hours ... double time for 4½ hours

(*b*) where time worked exceeds 4½ hours but does not exceed 8 hours ... ... double time for 8 hours

(*c*) where time worked exceeds 8 hours—
for all time worked ... ... double time

(3) To any worker wholly engaged in the fish trade, for employment on a Sunday or customary holiday when the shop is not open for sale by retail—

(*a*) where time worked does not exceed 2 hours ... double time for 2 hours

(*b*) where time worked exceeds 2 hours but does not exceed 4½ hours ... ... double time for 4½ hours

(*c*) where time worked exceeds 4½ hours but does not exceed 8 hours ... ... double time for 8 hours

(*d*) where time worked exceeds 8 hours—
for all time worked ... ... double time

Provided that—

(i) Overtime rates in accordance with the foregoing provisions of this paragraph shall be payable to a Branch Shop Manager, Temporary Branch Shop Manager, Branch Shop Manageress or Temporary Branch Shop Manageress only if the overtime worked is specifically authorised in writing by the employer or his representative.

(ii) Where it is, or becomes, the established practice in a Jewish undertaking for the employer to require attendance on Sunday instead of Saturday, the foregoing provisions of this paragraph shall apply in like manner as if in such provisions the word "Saturday" were substituted for "Sunday," except where such substitution is unlawful.

B. To any worker, other than a Branch Shop Manager, Temporary Branch Shop Manager, Branch Shop Manageress or Temporary Branch Shop Manageress—

(1) On the weekly short day (not being a weekly short day to which (2) of this sub-paragraph applies)—
for all time worked after 1.30 p.m. ... ... time-and-a-half

(2) On the weekly short day in any week during which, under Section 40 of the Shops Act, 1950(a), the employer is relieved of his obligation to allow the worker a weekly half holiday—
for all time worked after 1.30 p.m. ... ... double time

(3) In any week, exclusive of any time in respect of which a minimum overtime rate is payable under the foregoing provisions of this paragraph—

(*a*) in the case of workers engaged whole-time in the sale of excisable liquors and employed in an undertaking with a 7-day Licence—

(i) for the first 2 hours worked in excess of 48 hours ... ... hourly rate

(ii) for the next 4 hours ... ... time-and-a-quarter

(iii) thereafter ... ... time-and-a-half

(*b*) in the case of workers employed in a shop which is wholly or mainly engaged in the sale of cooked meats or other cooked foods—

(i) for the first 4 hours worked in excess of 47 hours ... ... time-and-a-quarter

(ii) thereafter ... ... time-and-a-half

(a) 14 Geo. 6. c. 28.

(*c*) in the case of all workers other than those specified in B (3) (*a*) and (*b*) of this paragraph—

(i) for the first 4 hours worked in excess of 46 hours ... ... time-and-a-quarter

(ii) thereafter ... ... time-and-a-half

Provided that in any week which includes one customary holiday the periods of "46 hours", "47 hours" and "48 hours", where they appear in the foregoing provisions of this paragraph, shall be reduced by eight hours and, in any week which includes two customary holidays, by sixteen hours.

BENEFITS OR ADVANTAGES

Paragraph 7

(1) Subject to the provisions of this paragraph, the benefits or advantages set out in (*a*), (*b*), (*c*), (*d*) and (*e*) of this sub-paragraph, being benefits or advantages provided in pursuance of the terms and conditions of the employment of a worker to whom this Schedule applies, by the employer or by some other person under arrangements with the employer, are authorised to be reckoned as payment of wages by the employer in lieu of payment in cash in the following manner:—

(*a*) Dinner of good and sufficient quality and quantity provided on each day on which the worker normally works in the week, other than the weekly short day, as an amount of 7s. 6d. per week except in the circumstances provided for in (*d*) or (*e*) of this sub-paragraph.

(*b*) Tea of good and sufficient quality and quantity provided on each day on which the worker normally works in the week, other than the weekly short day, as an amount of 2s. 6d. per week except in the circumstances provided for in (*d*) or (*e*) of this sub-paragraph.

(*c*) Full board on Sunday and customary holidays, part board only on the other days of the week and lodging for the full week, as the appropriate amount set out in the table immediately below:—

In the case of a worker aged	London Area Per week	Provincial A Area Per week	Provincial B Area Per week
	s. d.	*s. d.*	*s. d.*
21 years or over	25 0	21 0	17 6
20 and under 21 years ...	23 0	19 0	15 6
19 ,, ,, 20 ,, ...	21 0	17 0	13 6
18 ,, ,, 19 ,, ...	19 0	15 0	11 6
17 ,, ,, 18 ,, ...	17 0	13 0	9 6
16 ,, ,, 17 ,, ...	15 0	11 0	7 6
Under 16 years	13 0	9 0	5 6

(*d*) Full board and lodging for the full week, as the appropriate amount set out in the table below:—

In the case of a worker aged	London Area Per week	Provincial A Area Per week	Provincial B Area Per week
	s. d.	*s. d.*	*s. d.*
21 years or over	32 6	28 6	25 0
20 and under 21 years ...	30 6	26 6	23 0
19 ,, ,, 20 ,, ...	28 6	24 6	21 0
18 ,, ,, 19 ,, ...	26 6	22 6	19 0
17 ,, ,, 18 ,, ...	24 6	20 6	17 0
16 ,, ,, 17 ,, ...	22 6	18 6	15 0
Under 16 years	20 6	16 6	13 0

(*e*) Full board (but not lodging) for the full week, as the appropriate amount set out in the table below:—

In the case of a worker aged	London Area Per week	Provincial A Area Per week	Provincial B Area Per week
	s. d.	*s. d.*	*s. d.*
21 years or over	18 6	18 6	16 6
20 and under 21 years ...	17 6	17 6	15 6
19 „ „ 20 „ ...	16 6	16 6	14 6
18 „ „ 19 „ ...	15 6	15 6	13 6
17 „ „ 18 „ ...	14 6	14 6	12 6
16 „ „ 17 „ ...	13 6	13 6	11 6
Under 16 years	12 6	12 6	10 6

Provided that where in any week the total amount which, in accordance with the foregoing provisions of this sub-paragraph, the employer would be entitled to reckon as payment of wages to a worker in lieu of payment in cash, exceeds the appropriate amount (according to the age of the worker and the area in which he is employed) set out in (*d*) of this sub-paragraph, then in the case of that worker the employer shall not be entitled in respect of that week, so to reckon as payment of wages as aforesaid, more than such appropriate amount set out in (*d*) of this sub-paragraph.

Provided also that where a worker is employed in a shop—

(i) which is registered under Section 53 of the Shops Act, 1950 (which relates to persons observing the Jewish Sabbath), this sub-paragraph in relation to such a worker shall have effect as if for the word "Sunday" in (*c*) thereof, there were substituted the word "Saturday".

(ii) situated in a district in which an order is in force under Section 54 of the Shops Act, 1950, authorising shops to be open for the service of customers on Sunday and which it is the practice to keep open on Sunday, this sub-paragraph in relation to such a worker shall have effect as if for the word "Sunday" there were substituted the words "the week-day upon which the shop in which the worker is employed must be closed in pursuance of an order made under Section 54 of the Shops Act, 1950".

(2) In this paragraph—

"PART BOARD" means breakfast and supper, being meals of good and sufficient quality and quantity;

"FULL BOARD" means breakfast, dinner, tea and supper, being meals of good and sufficient quality and quantity; and

"LODGING" means clean and adequate accommodation and clean and adequate facilities for eating, sleeping, washing and leisure.

(3) Nothing in this paragraph shall be construed as authorising the making of any deduction or the giving of remuneration in any manner which is illegal by virtue of the Truck Acts, 1831 to 1940, or of any other enactment.

WAITING TIME

Paragraph 8

A worker is entitled to payment of the minimum remuneration specified in this Schedule for all the time during which he is present on the premises of the employer, unless he is present thereon in any of the following circumstances, that is to say—

(*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 ; or

(*d*) during normal meal times, and he is not waiting for work to be given to him to perform.

WORKERS WHO ARE NOT REQUIRED TO WORK ON A CUSTOMARY HOLIDAY

Paragraph 9

Where a worker is not required to work on a customary holiday he shall be paid for the customary holiday not less than the amount to which he would have been entitled under the provisions of this Schedule had the day not been a customary holiday and had he worked the number of hours ordinarily worked by him on that day of the week ; provided that the worker (unless excused by the employer or absent by reason of the proved illness of, or accident to, the worker) has worked for the employer throughout the last working day on which work was available to him immediately prior to the customary holiday and that he presents himself for employment at the usual starting hour on the first working day following the holiday.

GUARANTEED WEEKLY REMUNERATION PAYABLE TO A FULL-TIME WORKER

Paragraph 10

(1) Notwithstanding the other provisions of this Schedule, where in respect of any week the total remuneration (excluding the amount specified in sub-paragraph (2) of this paragraph) payable to a full-time worker (as defined in paragraph 12 of this Schedule) ;

(*a*) under those other provisions ; and

(*b*) by way of holiday remuneration under a wages regulation order,

is less than the guaranteed weekly remuneration provided under this paragraph, the minimum remuneration payable to that worker for that week shall be that guaranteed weekly remuneration with the addition of any amount which may be payable in respect of remuneration excluded from the total remuneration referred to in this sub-paragraph.

(2) The amount to be excluded from the total remuneration referred to in the last foregoing sub-paragraph is, in the case of all workers (other than workers wholly engaged in the sale of excisable liquors in an undertaking open on seven days in the week), the whole of the remuneration payable in respect of overtime for work on a Sunday or on the weekly short day (other than on a weekly short day occurring during the Christmas period) and one half of the remuneration payable in respect of overtime for work on a customary holiday.

(3) The guaranteed weekly remuneration payable in respect of any week to a full-time worker is the remuneration to which he would be entitled under paragraph 2, paragraph 3, paragraph 4 or paragraph 5 of this Schedule for work in his normal occupation for the number of hours specified in (*a*), (*b*), (*c*) or (*d*) of sub-paragraph (1) of paragraph 11 of this Schedule, as the case may be.

Provided that where the worker normally works for the employer on work to which this Schedule applies for less than 46 hours in the week (or, in the case of a worker under 16 years of age, for less than 44 hours) by reason only of the fact that he does not hold himself out as normally available for work for more than the number of hours he normally works in the week, and the worker has informed the employer in writing that he does not so hold himself out, the guaranteed weekly remuneration shall be the remuneration to which the worker would be entitled (calculated as in

paragraph 11 of this Schedule) for the number of hours in the week normally worked by the worker for the employer on work to which this Schedule applies.

Provided also that where in any week a worker at his request and with the consent of his employer is absent from work during any part of his normal working hours on any day (other than a holiday allowed in pursuance of a wages regulation order or a customary holiday or a holiday allowed to all persons in the undertaking or branch of an undertaking in which the worker is employed), the guaranteed weekly remuneration payable in respect of that week shall be reduced in respect of each day on which he is absent as aforesaid by one-sixth where the worker's normal working week is six days or by one-fifth where his normal working week is five days.

(4) Guaranteed weekly remuneration is not payable in respect of any week unless the worker throughout his normal working hours in that week (excluding any time allowed to him as a holiday or during which he is absent from work in accordance with the second proviso to sub-paragraph (3) of this paragraph) is

(*a*) capable of and available for work ; and

(*b*) willing to perform such duties outside his normal occupation as the employer may reasonably require if his normal work is not available in the establishment in which he is employed.

(5) Guaranteed weekly remuneration is not payable in respect of any week if the worker's employment is terminated before the end of that week.

(6) If the employer is unable to provide the worker with work by reason of a strike or other circumstances beyond his control and gives the worker four clear days' notice to that effect, guaranteed weekly remuneration shall not be payable after the expiry of such notice in respect of any week during which or during part of which the employer continues to be unable to provide work as aforesaid.

Provided that in respect of the week in which the said notice expires there shall be paid to the worker, in addition to any remuneration payable in respect of time worked in that week, any remuneration that would have been payable if the worker had worked his normal hours of work on every day in the week prior to the expiry of the notice.

BASIS OF REMUNERATION

Paragraph 11

(1) The weekly minimum remuneration specified in this Schedule relates—

(*a*) in the case of any worker aged 16 years or over engaged whole-time in the sale of excisable liquors in an undertaking with a 7-day Licence, to a week of 48 hours exclusive of overtime,

(*b*) in the case of any worker aged 16 years or over who is employed in a shop which is wholly or mainly engaged in the sale of cooked meats or other cooked foods, to a week of 47 hours exclusive of overtime,

(*c*) in the case of any other worker aged 16 years or over, to a week of 46 hours exclusive of overtime,

(*d*) in the case of any worker aged under 16 years, to a week of 44 hours exclusive of overtime,

and, except as provided in paragraph 10 (which deals with guaranteed weekly remuneration), is subject to a proportionate reduction according as the number of hours worked is less than 48, 47, 46 or 44, as the case may be.

(2) In calculating the remuneration for the purpose of this Schedule recognised breaks for meal-times shall, subject to the provisions of paragraph 8 hereof (which relates to waiting time), be excluded.

DEFINITIONS

Paragraph 12

For the purposes of this Schedule—

"BRANCH SHOP" means a branch of an undertaking being a shop engaged—

(i) wholly or mainly in the retail food trades; or

(ii) wholly or mainly in the retail food trades and one or more of the groups of retail distributive trades set out in the Appendix to paragraph 14 of this Schedule, and to a greater extent in the retail food trades than in any one of those groups.

"BRANCH SHOP MANAGER", "BRANCH SHOP MANAGERESS" means a worker who is employed at, and is normally immediately in charge of the operation of, a branch shop and who has immediate control of other workers employed at the branch shop, there being, where the branch shop is situate in the London Area or in the Provincial A Area, at least one other worker (whether a full-time worker or not) or, where the branch shop is situate in the Provincial B Area, at least one other worker being a full-time worker or two other workers being part-time workers; and for the purpose of this definition a worker shall not be deemed not to be immediately in charge of the operation of a branch shop by reason only of being subject to the supervision of the employer or some person acting on his behalf, being in either case a person who is not normally, during the hours when the branch shop is open to the public, wholly or mainly engaged in work at the branch shop.

"CANVASSER" means a worker wholly or mainly employed on canvassing for orders.

"CARRYING CAPACITY" means the weight of the maximum load normally carried by the 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.

"CASHIER" means a worker employed in a shop and engaged wholly or mainly in receiving cash and giving change or in the handling of ration coupons.

"CENTRAL WAREHOUSE WORKER" means a worker wholly or mainly employed in a central warehouse, that is to say, a warehouse from which an undertaking in the retail food trades supplies its branch shops.

"CHRISTMAS PERIOD" means the week in which Christmas Day falls and the week immediately preceding that week and the week immediately succeeding that week.

"CLERK GRADE I" means a worker engaged wholly or mainly on clerical work which includes responsibility for maintaining ledgers or wages books or for preparing financial accounts of the undertaking or of a branch or department thereof.

"CLERK GRADE II" means a worker, other than a Clerk Grade I, engaged wholly or mainly on clerical work.

"CUSTOMARY HOLIDAY" means—

Christmas Day (or, if Christmas Day falls on a Sunday, such weekday as may be prescribed by national proclamation or, if no such day is prescribed, 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 a general holiday; or where in any establishment it is not the custom or

practice to observe such days as holidays, such other days, not fewer in number, as may be substituted by agreement between the employer or his representative and the worker or his representative.

"FULL-TIME WORKER" means a worker who normally works for the employer for at least 36 hours in the week on work to which this Schedule applies.

"HOURLY RATE" in paragraph 6 B (3) of this Schedule means the rate obtained by dividing by 48 the weekly minimum remuneration to which the worker is entitled under the provisions of paragraph 4 or paragraph 5 of this Schedule.

"LONDON AREA", "PROVINCIAL A AREA" and "PROVINCIAL B AREA" have the meanings respectively assigned to them in paragraph 13 of this Schedule.

"SHOP ASSISTANT" means a worker wholly or mainly employed in the serving of customers.

"STOCKMAN OR ORDERMAN" means a worker employed in a shop, or in a warehouse carried on in conjunction with a shop and wholly or mainly engaged in the custody of goods or the receiving and checking of stock or the assembly of orders.

"TEMPORARY BRANCH SHOP MANAGER", "TEMPORARY BRANCH SHOP MANAGERESS" means a worker who is normally employed as a shop assistant and who, in the absence of the Branch Shop Manager or Branch Shop Manageress, as the case may be, is employed at and is temporarily immediately in charge of the operation of a branch shop, whilst the worker is so in charge; and for the purpose of this definition a worker shall not be deemed not to be immediately in charge of the operation of a branch shop by reason only of being subject to the supervision of the employer or some person acting on his behalf, being in either case a person who is not normally, during the hours when the branch shop is open to the public, wholly or mainly engaged in work at the branch shop.

"TIME-AND-A-QUARTER", "TIME-AND-A-HALF" and "DOUBLE TIME" mean respectively, one and a quarter times, one and a half times and twice the hourly rate obtained by dividing the weekly minimum remuneration to which the worker is entitled under the provisions of paragraph 2, paragraph 3, paragraph 4 or paragraph 5 of this Schedule—

(*a*) in the case of a worker aged 16 years or over engaged whole-time in the sale of excisable liquors in an undertaking with a 7-day Licence, by 48;

(*b*) in the case of a worker aged 16 years or over who is employed in a shop which is wholly or mainly engaged in the sale of cooked meats or other cooked foods, by 47;

(*c*) in the case of any other worker aged 16 years or over, by 46; and

(*d*) in the case of any worker aged under 16 years, by 44.

"TRANSPORT WORKER" means a male worker (other than a van salesman) engaged wholly or mainly in driving a mechanically propelled or horse drawn road vehicle for the transport of goods and on work in connection with the vehicle and its load (if any) while on the road.

"VAN SALESMAN" means a worker wholly or mainly employed in the sale of goods to customers from a van or other vehicle.

"WAGES REGULATION ORDER" means a wages regulation order made by the Minister to give effect to proposals submitted to him by the Retail Food Trades Wages Council (England and Wales).

"WATCHMAN" means a worker engaged in guarding the employer's premises for the prevention of theft, fire, damage or trespass.

"WEEK" means "pay week".

"WEEKLY REST DAY" means one day in each week which has been notified to the worker before the commencement of that week as a rest day or, failing such notification, Sunday.

"WEEKLY SHORT DAY" means that day in any week on which the worker is, in accordance with the provisions of Section 17 of the Shops Act, 1950, required not to be employed about the business of a shop after half past one o'clock in the afternoon, or, where there is no such day, a working day in the week, fixed by the employer and notified to the worker not later than the Saturday preceding the week during which it is to have effect; or, failing such notification, the last working day in the week.

AREAS

Paragraph 13

In this Schedule—

(*a*) "LONDON AREA" means the City of London and the Metropolitan Police District;

(*b*) "PROVINCIAL B AREA" means all areas other than those defined in sub-paragraphs (*a*) and (*c*) of this paragraph;

(*c*) "PROVINCIAL A AREA" means—

(i) all areas other than the London Area which according to the Registrar General's Statistical Review for 1945 were administered by County Borough, Municipal Borough or Urban District Councils and which had a population of ten thousand or more, and,

(ii) the areas administered by the following Municipal Boroughs and Urban District Councils which had a population in 1945 of less than ten thousand:—

ANGLESEY—
Holyhead

BEDFORDSHIRE—
Biggleswade
Kempston
Leighton Buzzard

BERKSHIRE—
Abingdon
Wokingham

BRECKNOCKSHIRE—
Brecknock
Brynmawr

BUCKINGHAMSHIRE—
Beaconsfield
Bletchley
Eton

CAERNARVONSHIRE—
Caernarvon
Conway

CARDIGANSHIRE—
Aberystwyth

CARMARTHENSHIRE—
Ammanford
Burry Port

CHESHIRE—
Alderley Edge
Bollington
Bowdon
Hoole
Knutsford
Lymm
Middlewich
Nantwich
Neston
Sandbach

CORNWALL—
Newquay
St. Ives
Saltash

CUMBERLAND—
Cockermouth
Keswick
Penrith

DENBIGHSHIRE—
Abergele
Denbigh

DERBYSHIRE—
Ashbourne
Clay Cross
Dronfield
New Mills

DEVONSHIRE—
Brixham
Dawlish
Ilfracombe
Sidmouth
Teignmouth

DORSETSHIRE—
Bridport
Portland
Swanage

ELY, ISLE OF—
Ely
Whittlesey

ESSEX—
Canvey Island
Epping
Frinton and Walton
Halstead
Harwich
Maldon
Rayleigh
Witham

FLINTSHIRE—
Connah's Quay
Holywell
Prestatyn

GLOUCESTERSHIRE—
Charlton Kings

GLAMORGANSHIRE—
Glyncorwg
Porthcawl

HAMPSHIRE—
Alton
Fleet
Petersfield
Romsey

HEREFORDSHIRE—
Leominster
Ross-on-Wye

HERTFORDSHIRE—
Tring
Ware

HUNTINGDONSHIRE—
Old Fletton

KENT—
Broadstairs and St. Peters
Hythe
Southborough
Swanscombe

LANCASHIRE
Abram
Adlington
Aspull
Barrowford
Billinge and Winstanley
Blackrod
Brierfield
Church
Clayton-le-Moors
Formby
Kearsley
Kirkham
Lees
Littleborough

LANCASHIRE—*cont.*
Little Lever
Longridge
Milnrow
Mossley
Orrell
Padiham
Poulton le Fylde
Preesall
Rainford
Rishton
Skelmersdale
Standish with Langtree
Tottington
Trawden
Ulverston
Upholland
Wardle
Whitworth
Withnell

LEICESTERSHIRE—
Ashby de la Zouch
Ashby Woulds
Market Harborough
Oadby
Shepshed

LINCOLNSHIRE—
Louth
Skegness
Sleaford

MERIONETHSHIRE—
Ffestiniog

MONMOUTHSHIRE—
Abergavenny
Bedwas and Machen
Blaenavon
Monmouth
Rhymney

NORFOLK—
East Dereham

NORTHAMPTONSHIRE—
Daventry
Desborough
Irthlingborough
Raunds
Rothwell

NORTHUMBERLAND—
Hexham
Morpeth
Newbiggin by the Sea
Prudhoe

NOTTINGHAMSHIRE—
Eastwood

OXFORDSHIRE—
Henley-on-Thames
Witney

PEMBROKESHIRE—
Haverfordwest
Milford Haven

SHROPSHIRE—
Bridgnorth
Dawley
Ludlow
Whitchurch

SOMERSETSHIRE—
Burnham-on-Sea
Clevedon
Keynsham
Minehead
Wells

STAFFORDSHIRE—
Amblecote
Lichfield
Rugeley
Stone
Tettenhall
Uttoxeter

SUFFOLK—
Felixstowe
Newmarket

SUSSEX—
East Grinstead
Newhaven
Seaford
Shoreham-by-Sea
Southwick

WARWICKSHIRE
Kenilworth

WESTMORLAND
Windermere

WIGHT, ISLE OF—
Ventnor

WILTSHIRE—
Devizes
Warminster

YORKSHIRE—
Baildon
Cudworth
Darfield
Denby Dale
Denholme
Dodworth
Driffield
Earby
Filey
Guisborough
Hebden Royd
Heckmondwike
Horbury
Knaresborough
Knottingley
Loftus
Meltham
Northallerton
Penistone
Queensbury and Shelf
Ripon
Ripponden
Royston
Saltburn and Marske by the Sea
Scalby
Selby
Silsden
Stocksbridge
Whitby

APPLICABILITY OF STATUTORY MINIMUM REMUNERATION

Paragraph 14

(1) (i) Subject to the provisions of sub-paragraph (2) of this paragraph the workers to whom this Schedule applies are all workers employed in England and Wales in any undertaking or any branch or department of an undertaking being an undertaking, branch or department engaged—

(*a*) wholly or mainly in the retail food trades ; or

(*b*) wholly or mainly in the retail food trades and one or more of the groups of retail distributive trades set out in the Appendix hereto, and to a greater extent in the retail food trades than in any one of those groups.

Provided that if a branch or department of an undertaking is not so engaged, this Schedule shall not apply to workers employed in that branch or department (notwithstanding that the undertaking as a whole is so engaged), except in the case of workers as respects their employment in a department of that branch if that department is so engaged.

(ii) For the purposes of this sub-paragraph

(*a*) in determining the extent to which an undertaking or branch or department of an undertaking is engaged in a group of trades, regard shall be had to the time spent in the undertaking, branch or department on work in that group of trades ;

(*b*) an undertaking or branch or department of an undertaking which is engaged in any operation in a group of trades shall be treated as engaged in that group of trades.

(2) This Schedule does not apply to any of the following workers in respect of their employment in any of the following circumstances, that is to say:—

(i) workers in relation to whom any Wages Council operates (other than the Retail Food Trades Wages Council (England and Wales)) in respect of any employment which is for the time being within the field of operation of that Wages Council ;

(ii) workers in relation to whom any Wages Board established under the Catering Wages Act, 1943(a), operates in respect of any employment which is for the time being within the field of operation of that Wages Board ;

(iii) workers in relation to whom the Road Haulage Wages Council operates in respect of any employment which is within the field of operation of that Council ;

(iv) workers employed on post office business ;

(v) workers for whom minimum rates of wages are fixed by the Agricultural Wages Board ;

(vi) workers employed on the maintenance or repair of buildings, plant, equipment or vehicles (but not including workers employed as cleaners) ;

(vii) workers employed in any ship (which includes every description of vessel used in navigation) ;

(a) 6 & 7 Geo. 6. c. 24.

(viii) workers employed as watchmen for any time during which they are so employed.

(3) For the purpose of this Schedule the retail food trades do not include the sale by retail of bread, pastry or flour confectionery (other than biscuits or meat pastries) or the sale by retail of meat (other than bacon, ham, pressed beef, sausages, or meat so treated as to be fit for human consumption without further preparation or cooking) or the sale by retail of milk (other than dried or condensed milk) or the sale by retail of ice-cream, aerated waters, chocolate confectionery or sugar confectionery, or the sale of food or drink for immediate consumption, but save as aforesaid consist of the sale by retail of food or drink for human consumption and operations connected therewith including:—

(i) operations in or about the shop or other place where the food or drink aforesaid is sold, being operations carried on for the purpose of such sale or otherwise in connection with such sale;

(ii) operations in connection with the warehousing or storing of such food or drink for the purpose of sale by retail, or otherwise in connection with such sale, where the warehousing or storing takes place at a warehouse or store carried on in conjunction with one or more shops or other places where such food or drink is sold by retail;

(iii) operations in connection with the transport of such food or drink when carried on in conjunction with its sale by retail or with the warehousing or storing operations specified in (ii) of this sub-paragraph; and

(iv) clerical or other office work carried on in conjunction with the sale by retail aforesaid and relating to such sale or to any of the operations in (i) to (iii) of this sub-paragraph;

and for the purpose of this definition "sale by retail" includes any sale of food or drink to a person for use in connection with a catering business carried on by him, when such sale takes place at or in connection with a shop engaged in the retail sale of food or drink to the general public.

APPENDIX TO PARAGRAPH 14

Groups of Retail Distributive Trades

Group 1. The Retail Furnishing and Allied Trades, that is to say—

(1) the sale by retail of the following articles:—

(*a*) household and office furniture, including garden furniture, mattresses, floor coverings and mirrors, but excluding billiard tables, clocks, pianos, gramophones and pictures;

(*b*) ironmongery, turnery and hardware, of kinds commonly used for household purposes, including gardening implements;

(*c*) hand tools;

(*d*) woodware, basketware, glassware, potteryware, chinaware, brassware, plasticware and ceramic goods, being articles or goods of kinds commonly used for household purposes or as household ornaments;

(*e*) electrical and gas appliances and apparatus, of kinds commonly used for household purposes (excluding clocks), and accessories and component parts thereof;

(*f*) heating, lighting and cooking appliances and apparatus, of kinds commonly used for household purposes, and accessories and component parts thereof;

(*g*) radio and television sets and their accessories and component parts;

(*h*) pedal cycles and their accessories and component parts;

(*i*) perambulators, push chairs and invalid carriages;

(*j*) toys, indoor games, requisites for outdoor games, gymnastics and athletics, but excluding billiard tables and sports clothing;

(*k*) saddlery, leather goods (other than articles of wearing apparel and ladies' handbags) and travel goods;

(*l*) paint, distemper and wallpaper, and oils of kinds commonly used for household purposes (excluding petrol and lubricating oils);

(*m*) brushes, mops and brooms, used for household purposes, and similar articles;

(*n*) disinfectants, chemicals, candles, soaps and polishes of kinds commonly used for household purposes;

(2) operations in or about the shop or other place where any of the articles specified in (1) above are sold by retail, being operations carried on for the purpose of such sale or otherwise in connection with such sale;

(3) operations in connection with the warehousing or storing of any of the articles specified in (1) above for the purpose of the sale thereof by retail, or otherwise in connection with such sale, where the warehousing or storing takes place at a warehouse or store carried on in conjunction with one or more shops or other places where the said articles are sold by retail;

(4) operations in connection with the transport of any of the articles specified in (1) above when carried on in conjunction with their sale by retail or with the warehousing or storing operations specified in (3) above; and

(5) clerical or other office work carried on in conjunction with the sale by retail of any of the articles specified in (1) above and relating to such sale or to any of the operations specified in (2) to (4) above;

and for the purpose of this definition the sale by retail of any of the articles specified in (1) above does not include sale by auction (except where the auctioneer sells articles by retail which are his property or the property of his master) but includes the sale of any of the articles therein specified to a person for use in connection with a trade or business carried on by him if such sale takes place at or in connection with a shop engaged in the retail sale to the general public of any of the said articles.

Group 2. The Retail Drapery, Outfitting and Footwear Trades, that is to say—

(1) the sale by retail of the following articles:—

(*a*) wearing apparel of all kinds (including footwear, headwear and handwear) and accessories, trimmings and adornments for wearing apparel (excluding jewellery and imitation jewellery);

(*b*) haberdashery;

(*c*) textile fabrics in the piece, leather cloth, plastic cloth and oil cloth (but not including carpets, linoleum and other kinds of floor covering);

(*d*) knitting, rug, embroidery, crochet and similar wools or yarns;

(*e*) made-up household textiles (but excluding mattresses and floor coverings);

(*f*) umbrellas, sunshades, walking sticks, canes and similar articles;

(*g*) ladies' handbags;

(2) operations in or about the shop or other place where any of the articles included in (1) above are sold by retail, being operations carried on for the purpose of such sale or otherwise in connection with such sale;

(3) operations in connection with the warehousing or storing of any of the articles included in (1) above for the purpose of the sale thereof by retail or otherwise in connection with such sale, where the warehousing or storing takes place at a warehouse or store carried on in conjunction with one or more shops or other places where the said articles are sold by retail;

(4) operations in connection with the transport of any of the articles included in (1) above when carried on in conjunction with their sale by retail or with the warehousing or storing operations specified in (3) above; and

(5) clerical or other office work carried on in conjunction with the sale by retail of any of the articles included in (1) above and relating to such sale or to any of the operations specified in (2) to (4) above;

and for the purpose of this definition the sale by retail of any of the articles in (1) above includes the sale of that article to a person for use in connection with a trade or business carried on by him if such sale takes place at or in connection with a shop engaged in the retail sale to the general public of any of the articles included in (1) above.

Group 3. The Retail Bookselling and Stationery Trades, that is to say—

(1) the sale by retail of the following articles:—

(*a*) books (excluding printed music and periodicals);

(*b*) all kinds of stationery including printed forms, note books, diaries and similar articles, and books of kinds used in an office or business for the purpose of record;

(*c*) pens, pencils, ink, blotting paper and similar articles;

(*d*) maps and charts;

(*e*) wrapping and adhesive paper, string, paste and similar articles;

(2) operations in or about the shop or other place where any of the articles specified in (1) above are sold by retail, being operations carried on for the purpose of such sale or otherwise in connection with such sale;

(3) operations in connection with the warehousing or storing of any of the articles specified in (1) above for the purpose of the sale thereof by retail or otherwise in connection with such sale, where the warehousing or storing takes place at a warehouse or store carried on in conjunction with one or more shops or other places where the said articles are sold by retail;

(4) operations in connection with the transport of any of the articles specified in (1) above when carried on in conjunction with their sale by retail or with the warehousing or storing operations specified in (3) above; and

(5) clerical or other office work carried on in conjunction with the sale by retail of any of the articles specified in (1) above and relating to such sale or to any of the operations specified in (2) to (4) above.

Group 4. The Retail Newsagency, Tobacco and Confectionery Trades, that is to say—

(1) the sale by retail of the following articles:—

(*a*) newspapers, magazines and other periodicals;

(*b*) tobacco, cigars, cigarettes, snuff and smokers' requisites;

(*c*) articles of sugar confectionery and chocolate confectionery, and ice-cream;

(2) operations in or about the shop or other place where any of the articles specified in (1) above are sold by retail, being operations carried on for the purpose of such sale or otherwise in connection with such sale;

(3) operations in connection with the warehousing or storing of any of the articles specified in (1) above for the purpose of the sale thereof by retail or otherwise in connection with such sale, where the warehousing or storing takes place at a warehouse or store carried on in conjunction with one or more shops or other places where the said articles are sold by retail;

(4) operations in connection with the transport of any of the articles specified in (1) above when carried on in conjunction with their sale by retail or with the warehousing or storing operations specified in (3) above; and

(5) clerical or other office work carried on in conjunction with the sale by retail of any of the articles specified in (1) above and relating to such sale or to any of the operations specified in (2) to (4) above.

SECOND SCHEDULE

HOLIDAYS AND HOLIDAY REMUNERATION

The Retail Food Trades Wages Council (England and Wales) Wages Regulation (Holidays) Order, 1949(a) (Order R.F.C. (4)) shall have effect as if in the Schedule thereto the following proviso were added at the end of paragraph 8 (which relates to accrued holiday remuneration payable on termination of employment):—

"Provided also that where a worker is employed under a contract of service under which he is required to give not less than one week's notice before terminating his employment and the worker without the consent of his employer terminates his employment without having given not less than one week's notice or before one week has expired from the beginning of such notice, the amount of accrued holiday remuneration payable to the worker shall be the amount payable under the foregoing provisions of this paragraph less an amount equal to the statutory minimum remuneration which would be payable to him at the termination date for one week's work if working his normal week and the normal number of daily hours worked by him."

EXPLANATORY NOTE

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

This Order has effect from the 19th September, 1952. The First Schedule sets out the statutory minimum remuneration payable in substitution for that fixed by the Retail Food Trades Wages Council (England and Wales) Wages Regulation Order, 1951, (Order R.F.C. (9)), which is revoked. New provisions are printed in italics.

The Second Schedule amends the Retail Food Trades Wages Council (England and Wales) Wages Regulation (Holidays) Order, 1949, (Order R.F.C. (4)). It provides the method of calculating the amount of accrued holiday remuneration payable to a worker on the termination of his employment when he leaves his employment in certain circumstances specified in the Schedule.

1952 No. 2028

The Retail Food Trades Wages Council (England and Wales) Wages Regulation (Amendment) Order, 1952

Made - - - - *24th November,* 1952
Coming into Operation *15th December,* 1952

Whereas the Minister of Labour and National Service (hereinafter in this Order referred to as "the Minister") has received from the Retail Food Trades Wages Council (England and Wales) the wages regulation proposals set out in the Schedule hereto;

(a) S.I. 1949/2030; 1949 I, p. 4533.