1952 No. 1625

The Retail Newsagency, Tobacco and Confectionery Trades Wages Council (Scotland) Wages Regulation Order, 1952

Made - - - - 4*th September*, 1952

Coming into Operation 26*th September*, 1952

Whereas the Minister of Labour and National Service (hereinafter in this Order referred to as "the Minister") has received from the Retail Newsagency, Tobacco and Confectionery Trades Wages Council (Scotland) 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 Newsagency, Tobacco and Confectionery Trades Wages Council (Scotland) Wages Regulation Order, 1952.

2.—(1) In this Order the expression "the specified date" means the 26th 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 Newsagency, Tobacco and Confectionery Trades Wages Council (Scotland) Wages Regulation Order, 1950(c) and the Retail Newsagency, Tobacco and Confectionery Trades Wages Council (Scotland) Wages Regulation (Amendment) Order, 1951(d) shall cease to have effect.

Signed by order of the Minister of Labour and National Service this 4th day of September, 1952.

H. H. Wiles,
Deputy Secretary,
Ministry of Labour and National Service.

(a) 8 & 9 Geo. 6. c. 17.
(b) 52 & 53 Vict. c. 63.
(c) S.I. 1950/937; 1950 II, p. 1468.
(d) S.I. 1951/1115; 1951 II, p. 1259.

FIRST SCHEDULE

The following minimum remuneration shall be substituted for the statutory minimum remuneration fixed by the Retail Newsagency, Tobacco and Confectionery Trades Wages Council (Scotland) Wages Regulation Order, 1950 (Order R.N.T.S. (6)) as amended by the Retail Newsagency, Tobacco and Confectionery Trades Wages Council (Scotland) Wages Regulation (Amendment) Order, 1951 (Order R.N.T.S. (8)).

STATUTORY MINIMUM REMUNERATION

Paragraph 1

Subject to the provisions of paragraphs 4, 5, 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 and 3 of this Schedule. Provided that any increase in remuneration payable under the provisions of the said paragraphs 2 and 3 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.

MANAGERS AND MANAGERESSES

Paragraph 2

Subject to the provisions of this paragraph, the weekly minimum remuneration payable to managers and manageresses is—

(*a*) in the case of a worker aged 20 years or over, the weekly minimum remuneration payable in accordance with the provisions of (B) of paragraph 3 of this Schedule to a worker of the same age and sex employed in the same area ; or

(*b*) in the case of a worker aged less than 20 years the weekly minimum remuneration payable in accordance with the provisions of (B) of paragraph 3 of this Schedule to a worker of the same sex aged 20 years and employed in the same area ;

with the addition in either case of the amounts specified in the following table:—

Where the number of staff (exclusive of the manager or manageress) normally employed under his or her direct control is:	Addition
One or none	10*s.* per week
Two	15*s.* per week
Three or more	20*s.* per week

In computing the number of staff normally employed for the purpose of the foregoing table both full-time workers and workers other than full-time workers shall be included except that in the case of workers other than full-time workers the number to be counted shall be the number disregarding fractions obtained by dividing by 36 the aggregate of the hours normally worked in the week by all such workers.

WORKERS OTHER THAN MANAGERS AND MANAGERESSES

Paragraph 3

Subject to the provisions of this paragraph, the weekly minimum remuneration payable to all male or female workers to whom this Schedule applies (other than managers and manageresses) employed in Area 1 or Area 2 as the case may be, is the appropriate amount set out in the following tables:—

	Male Workers		Female Workers	
	Area 1 per week	Area 2 per week	Area 1 per week	Area 2 per week
	s. d.	*s. d.*	*s. d.*	*s. d.*
(A) Clerks Grade I aged 25 years or over	*114 0*	*110 0*	*81 0*	*77 0*
(B) Clerks Grade I under 25 years of age, Clerks Grade II, Shop Assistants, Central Warehouse workers, and all other workers (except the workers referred to in (C) below) aged:—				
24 years or over	*109 0*	*105 0*	*77 6*	*73 6*
23 and under 24 years	*102 0*	*98 0*	*73 6*	*69 6*
22 „ „ 23 „	*98 0*	*94 0*	*68 6*	*66 6*
21 „ „ 22 „	*95 0*	*91 0*	*64 6*	*62 6*
20 „ „ 21 „	*75 6*	*71 6*	*55 0*	*53 0*
19 „ „ 20 „	*65 6*	*62 6*	*51 0*	*48 0*
18 „ „ 19 „	*56 6*	*53 6*	*47 0*	*43 0*
17 „ „ 18 „	*47 6*	*44 6*	*40 0*	*37 0*
16 „ „ 17 „	*42 6*	*39 6*	*33 6*	*30 6*
15 „ „ 16 „	*35 6*	*33 6*	*29 6*	*26 6*

(C) Transport workers

Age of transport worker	Type of Vehicle		Area 1 per week	Area 2 per week
	Mechanically propelled vehicle with carrying capacity (as defined) of	Horse drawn vehicle		
			s. d.	*s. d.*
21 years or over ...	1 ton or less ...	One horse	*112 0*	*106 0*
20 and under 21 years ...	„ „ „ „ ...	„ „	*91 0*	*87 0*
19 „ „ 20 „	„ „ „ „ ...	„ „	*81 0*	*77 0*
18 „ „ 19 „	„ „ „ „ ...	„ „	*71 6*	*67 6*
Under 18 years	„ „ „ „ ...	„ „	*63 0*	*59 0*
All ages	Over 1 ton and up to 2 tons.	Two horse	*115 0*	*109 0*
	Over 2 tons and up to 5 tons.	—	*115 0*	*109 0*
	Over 5 tons	—	*119 0*	*113 0*

MINIMUM OVERTIME RATES

Paragraph 4

(1) Subject to the provisions of this paragraph, overtime is payable to any worker at the following minimum rates:—

(*a*) On a Sunday, not being the weekly rest day—
for all time worked ... ... Time-and-a-quarter.

(*b*) On the weekly rest day not being a day of customary holiday—

for all time worked ... ... Double time.

(*c*) In any week, exclusive of any time

(i) in respect of which a minimum overtime rate is payable under (*b*) of this sub-paragraph,

(ii) in respect of which a special time rate is payable under the provisions of paragraph 5 of this Schedule, or

(iii) worked on a day of customary holiday in the circumstances specified in paragraph 9 of this Schedule—

for all time worked in excess of 48 hours ... Time-and-a-half:

Provided that in any week which includes a day taken by the worker as a customary holiday or as a day in lieu thereof the period of 48 hours shall be reduced by eight hours and, in any week which includes two days taken either as customary holidays or days in lieu thereof, by 16 hours.

(2) Overtime rates in accordance with the foregoing provisions of this paragraph shall be payable to managers and manageresses only if the overtime worked is specifically authorised in writing by the employer or his representative.

SPECIAL TIME

Paragraph 5

The following special time rate is payable to a worker who is a shop assistant within the meaning of the Shops Act, 1950(a), where, under sub-section (3) of Section 40 of that Act the employer is relieved of his obligation to allow the worker a weekly half-day:—

for all time worked after 1.30 p.m. on the worker's weekly half-day ... ... Double time.

WAITING TIME

Paragraph 6

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 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.

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

WORKERS WHO ARE NOT REQUIRED TO WORK ON A DAY OF CUSTOMARY HOLIDAY

Paragraph 7

(1) Subject to the provisions of sub-paragraph (2) of this paragraph where a worker is not required to work on a day of customary holiday he shall be paid for the day of 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 day of customary holiday and had he worked the number of hours ordinarily worked by him on that day of the week.

(2) Where the day of customary holiday is a day which has been allowed to a worker and taken by him as a day of annual holiday under the provisions of a wages regulation order or where the day of customary holiday falls upon his weekly rest day—

(*a*) the worker shall be allowed within 28 days of the day of customary holiday except in the case where (*b*) of this sub-paragraph applies, a day of holiday in lieu thereof fixed—

(i) by agreement between the employer and the worker ; or

(ii) failing such agreement, by the employer with a minimum of 7 clear days' notice to the worker ;

and the worker shall be paid for the holiday so allowed in lieu of the day of customary holiday not less than the amount to which he would have been entitled had he worked for the number of hours ordinarily worked by him on that day of the week ; or

(*b*) if there is an agreement between the employer and the worker that no day of holiday in lieu of the day of customary holiday be so allowed, the worker shall be paid for the day of 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 day of customary holiday and had he worked the number of hours ordinarily worked by him on that day of the week :

Provided that where the day of customary holiday is a day which has been allowed to and taken by the worker as a day of annual holiday, such payment shall be in addition to the remuneration to which he is entitled in respect of that day as a day of annual holiday under a wages regulation order.

WORKERS WHO WORK ON A DAY OF CUSTOMARY HOLIDAY AND WHO ARE GIVEN A DAY OFF IN LIEU

Paragraph 8

Where a worker works on a day of customary holiday his employer shall, except as provided in paragraph 9 of this Schedule, allow him within 28 days of the day of customary holiday a day of holiday in lieu thereof on a day other than the weekly rest day or weekly half-day fixed (*a*) by agreement between the employer and the worker, or (*b*) failing such agreement, by the employer with a minimum of 7 clear days' notice to the worker, and the worker shall be paid at the rate payable to him under the provisions of this Schedule other than paragraph 9 for all time worked on the day of customary holiday and for the day given in lieu of the day of customary holiday not less than the amount to which he would have been entitled under the provisions of this Schedule had he worked the number of hours ordinarily worked by him on that day of the week.

WORKERS WHO WORK ON A DAY OF CUSTOMARY HOLIDAY AND WHO ARE NOT GIVEN A DAY OFF IN LIEU

Paragraph 9

Where a worker works on a day of customary holiday and there is an agreement between the employer and the worker that no day of holiday in lieu of the day of customary holiday shall be allowed to the worker, he shall be paid for all time worked on the day of customary holiday—

(*a*) where the time worked does not exceed 3 hours ...	Double time for 3 hours.
(*b*) where the time worked exceeds 3 hours	Double time for all time worked:

Provided that where a day of customary holiday falls upon the worker's weekly rest day the worker shall be paid in addition to the amount payable under this paragraph the amount to which he would be entitled for work performed on a weekly rest day under paragraph 4 (1) (*b*) of this Schedule.

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 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.

(2) 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 or paragraph 3 of this Schedule for 46 hours' work in his normal occupation, or for 44 hours' such work in the case of a worker under 16 years of age:

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 for less than 44 hours in the case of a worker under 16 years of age, 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 his 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 workers' normal working week is six days or by one-fifth where his normal working week is five days.

(3) 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) 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.

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

(5) 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) Subject to the provisions of paragraph 10 of this Schedule the weekly remuneration specified in this Schedule relates, in the case of a worker aged 16 years or over, to a week of 46 hours exclusive of overtime and, in the case of a worker aged under 16 years, to a week of 44 hours exclusive of overtime and is subject to a proportionate reduction according as the number of hours worked is less than 46 or 44, as the case may be.

(2) Subject to the provisions of paragraph 6 of this Schedule, in calculating the remuneration for the purpose of this Schedule recognised breaks for meal-times shall be excluded.

DEFINITIONS

Paragraph 12

For the purposes of this Schedule—

"AREA 1" and "AREA 2" have the meanings respectively assigned to them in paragraph 13 of this Schedule.

"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 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.

"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 newsagency, tobacco and confectionery trades supplies its branch shops.

"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 New Year's Day (or, if New Year's Day falls on a Sunday, the following day), the local Spring holiday, the local Autumn holiday and three other days observed by local custom as holidays, to be fixed by the employer and notified to the worker.

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

"MANAGER", "MANAGERESS" means a worker who is in charge of a shop, kiosk or department and who (notwithstanding occasional supervisory visits) is responsible to the employer for all or any of the following: (i) the custody of cash and stock; (ii) the control of staff (if any); (iii) the conduct of the business of the shop, kiosk or department.

"SHOP ASSISTANT" means (except for the purpose of paragraph 5 of this Schedule where it shall have the meaning therein attributed to it) a worker (other than a manager or manageress, *clerk grade I or clerk grade II*) employed in or about the business of a shop or kiosk.

"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 by 46 (or, in the case of a worker under 16 years of age, by 44) the minimum remuneration to which the worker is entitled under the provisions of paragraph 2 or paragraph 3 of this Schedule.

"TRANSPORT WORKER" means a worker engaged wholly or mainly in driving a mechanically propelled or horse drawn vehicle for the transport of goods between a store or warehouse and a shop or other place where articles are sold by retail.

"WAGES REGULATION ORDER" means a wages regulation order made by the Minister to give effect to proposals submitted to him by the Retail Newsagency, Tobacco and Confectionery Trades Wages Council (Scotland).

"WEEK" means pay week.

"WEEKLY HALF-DAY" means that day in any week on which a 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.

"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.

AREAS

Paragraph 13

In this Schedule—

(*a*) "AREA 1" means—

(i) all Burghs which, according to the Annual Report of the Registrar-General for Scotland for 1946, had a population of ten thousand or more,

(ii) the following Special Lighting Districts, the boundaries of which have been defined, namely, Vale of Leven and Renton in the County of Dunbarton, and Larbert in the County of Stirling,

(iii) the following areas the boundaries of which were defined as Special Lighting Districts prior to the 10th March, 1943, namely, Bellshill and Mossend, Blantyre, Cambuslang, Larkhall, and Holytown, New Stevenston and Carfin, all in the County of Lanark, and

(iv) the following Burghs—

ANGUS COUNTY
Brechin
Forfar

ARGYLL COUNTY
Dunoon

AYR COUNTY
Ardrossan
Largs
Troon

BANFF COUNTY
Buckie

BUTE COUNTY
Rothesay

DUNBARTON COUNTY
Helensburgh
Milngavie

EAST LOTHIAN COUNTY
North Berwick

FIFE COUNTY
Burntisland
Leven
Lochgelly
St. Andrews

KINCARDINE COUNTY
Stonehaven

LANARK COUNTY
Lanark

MIDLOTHIAN
Dalkeith

ORKNEY COUNTY
Kirkwall

RENFREW COUNTY
Gourock

ROSS & CROMARTY COUNTY
Stornoway

STIRLING COUNTY
Denny and Dunipace
Kilsyth

WEST LOTHIAN COUNTY
Armadale
Bo'ness

WIGTOWN COUNTY
Stranraer

ZETLAND
Lerwick

(*b*) "AREA 2" means all areas other than those defined in sub-paragraph (*a*).

APPLICABILITY OF STATUTORY MINIMUM REMUNERATION

Paragraph 14

(A) (1) Subject to the provisions of sub-paragraph (B) of this paragraph the workers to whom this Schedule applies are the following workers, being workers employed in Scotland:—

(*a*) street newsvendors; and

(*b*) workers employed in any undertaking or any branch or department of an undertaking, being an undertaking, branch or department engaged—

(i) wholly or mainly in the retail newsagency, tobacco and confectionery trades; or

(ii) wholly or mainly in those 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 newsagency, tobacco and confectionery 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.

(2) For the purpose 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.

(B) 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:—

(1) 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;

(2) 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;

(3) workers employed on post office business;

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

(5) workers employed in any ship (which includes every description of vessel used in navigation).

(C) For the purpose of this Schedule the retail newsagency, tobacco and confectionery trades consist of:—

(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) of this sub-paragraph 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) of this sub-paragraph 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) of this sub-paragraph when carried on in conjunction with their sale by retail or with the warehousing or storing operations specified in (3) of this sub-paragraph; and

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

APPENDIX TO PARAGRAPH 14

Groups of Retail Distributive Trades

Group 1. The Retail Food Trades, that is to say, 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;

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

(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) above ; 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) above ;

but excluding

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.

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.

Group 2. 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 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 3. 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 conjunction 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 4. 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.

SECOND SCHEDULE

HOLIDAYS AND HOLIDAY REMUNERATION

The Retail Newsagency, Tobacco and Confectionery Trades Wages Council (Scotland) Wages Regulation (Holidays) Order, 1949(a) (Order R.N.T.S. (4)) shall have effect as if in the Schedule thereto for paragraph 8 there were substituted the following paragraph:—

"Paragraph 8

For the purposes of calculating any period of employment qualifying a worker for an annual holiday or for any accrued holiday remuneration under this Schedule, the worker shall be treated:—

(*a*) as if he were employed for a month in respect of any month *throughout which he has been in the employment of the employer and* in which—

(i) he has worked for the employer for not less than 72 hours and has performed some work to which statutory minimum remuneration applies; or

(ii) he has worked for the employer for less than 72 hours, or has performed no work, solely by reason of the proved illness of or accident to the worker (provided that the number of months which may be treated as months of employment for such reasons shall not exceed two in any such period as aforesaid);

(*b*) as if he were employed on any day of annual holiday allowed under the provisions of this Schedule and, for the purpose of the provisions of (*a*) of this paragraph, a worker who is absent on such a holiday shall be treated as having worked thereon for the employer for the number of hours ordinarily worked by him on that day of the week on work to which statutory minimum remuneration applies."

(a) S.I. 1949/2032; 1949 I, p. 4600.

EXPLANATORY NOTE

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

This Order has effect from the 26th September, 1952. The First Schedule sets out the statutory minimum remuneration payable in substitution for that fixed by the Retail Newsagency, Tobacco and Confectionery Trades Wages Council (Scotland) Wages Regulation Order, 1950, (Order R.N.T.S. (6)), as amended by the Retail Newsagency, Tobacco and Confectionery Trades Wages Council (Scotland) Wages Regulation (Amendment) Order, 1951, (Order R.N.T.S. (8)), which are revoked.

The Second Schedule amends the Retail Newsagency, Tobacco and Confectionery Trades Wages Council (Scotland) Wages Regulation (Holidays) Order, 1949, (Order R.N.T.S. (4)) by altering in the Schedule to that Order the provisions relating to the calculation of any period of employment qualifying a worker for an annual holiday or for any accrued holiday remuneration.

New provisions in the Schedules are printed in italics.

1952 No. 661

The Road Haulage Wages Council Wages Regulation Order, 1952

Made - - - -	*26th March*, 1952
Coming into Operation	18*th April*, 1952

Whereas the Minister of Labour and National Service (hereinafter in this Order referred to as "the Minister") has received from the Road Haulage Wages Council the wages regulation proposals set out in the Schedule hereto, in substitution for the provisions contained in the Road Haulage Wages Council Wages Regulation (No. 2) Order, 1949(**a**) (hereinafter in this Order referred to as "Order R.H. (30)"), as amended by the Road Haulage Wages Council Wages Regulation (No. 3) Order, 1949(**b**) (hereinafter in this Order referred to as "Order R.H. (32)") and the Road Haulage Wages Council Wages Regulation (Amendment) Order, 1951(**c**) (hereinafter in this Order referred to as "Order R.H. (38)");

Now, therefore, the Minister, by virtue of the powers conferred on him by section 10 of the Wages Councils Act, 1945(**d**), 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 Road Haulage Wages Council Wages Regulation Order, 1952.

(2) In this Order the expression "the specified date" means the 18th day of April, 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.

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

(a) S.I. 1949/799; 1949 I, p. 4606.
(b) S.I. 1949/1085; 1949 I, p. 4631.
(c) S.I. 1951/1630; 1951 II, p. 1261.
(d) 8 & 9 Geo. 6. c. 17.
(e) 52 & 53 Vict. c. 63.