1953 No. 1442

The Retail Furnishing and Allied Trades Wages Council (Great Britain) Wages Regulation Order, 1953

Made - - - - 28*th September,* 1953

Coming into Operation 23*rd October,* 1953

Whereas the Minister of Labour and National Service (hereafter in this Order referred to as " the Minister ") has received from the Retail Furnishing and Allied Trades Wages Council (Great Britain) 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 enabling him in that behalf, hereby makes the following Order:—

1. This Order may be cited as the Retail Furnishing and Allied Trades Wages Council (Great Britain) Wages Regulation Order, 1953.

2.—(1) In this Order the expression " the specified date " means the 23rd day of October, 1953, 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 Furnishing and Allied Trades Wages Council (Great Britain) Wages Regulation Order, 1952(**c**), and the Retail Furnishing and Allied Trades Wages Council (Great Britain) Wages Regulation (Amendment) Order, 1952(**d**), shall cease to have effect.

Signed by order of the Minister of Labour and National Service this 28th day of September, 1953.

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

(a) 8 & 9 Geo. 6. c. 17.
(b) 52 & 53 Vict. c. 63.
(c) S.I. 1952/1635; 1952 III, p. 3836.
(d) S.I. 1952/2258; 1952 III, p. 3854.

FIRST SCHEDULE

The following minimum remuneration shall be substituted for the statutory minimum remuneration fixed by the Retail Furnishing and Allied Trades Wages Council (Great Britain) Wages Regulation Order, 1952, (Order R.F.A. (12)), as amended by the Retail Furnishing and Allied Trades Wages Council (Great Britain) Wages Regulation (Amendment) Order, 1952, (Order R.F.A. (14)).

STATUTORY MINIMUM REMUNERATION

1. Subject to the provisions of paragraphs 6, 9 and 10 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: Provided that any increase in remuneration payable under the provisions of paragraph 4 or paragraph 5 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.

SHOP MANAGERS AND SHOP MANAGERESSES

2. Subject to the provisions of this paragraph, the weekly minimum remuneration payable to Shop Managers and 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 hereafter 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 £60	135 6	114 6	130 0	109 0	123 0	101 6
£60 and under £80	138 6	117 6	133 0	112 0	126 0	104 6
£80 ,, ,, £100	141 6	120 6	136 0	115 0	129 0	107 6
£100 ,, ,, £125	147 6	127 0	142 0	122 0	135 0	115 0
£125 ,, ,, £150	153 6	132 6	148 0	127 0	141 0	119 6
£150 ,, ,, £175	156 6	135 6	151 0	130 0	144 0	122 6
£175 ,, ,, £200	159 6	138 6	154 0	133 0	147 0	125 6
£200 ,, ,, £225	162 0	141 0	156 6	135 6	149 6	128 0
£225 ,, ,, £250	164 6	143 6	159 0	138 0	152 0	130 6
£250 ,, ,, £275	167 0	146 0	161 6	140 6	154 6	133 0
£275 ,, ,, £300	169 6	148 6	164 0	143 0	157 0	135 6
£300 ,, ,, £325	172 0	151 0	166 6	145 6	159 6	138 0
£325 ,, ,, £350	174 6	153 6	169 0	148 0	162 0	140 6
£350 ,, ,, £375	176 6	155 6	171 0	150 0	164 0	142 6
£375 ,, ,, £400	178 6	157 6	173 0	152 0	166 0	144 6
£400 ,, ,, £425	180 6	159 6	175 0	154 0	168 0	146 6
£425 ,, ,, £450	182 6	161 6	177 0	156 0	170 0	148 6
£450 ,, ,, £475	184 6	163 6	179 0	158 0	172 0	150 6
£475 ,, ,, £500	186 6	165 6	181 0	160 0	174 0	152 6

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 shop shall be one fifty-second of the amount of the total

receipts for goods sold at that shop during the 52 weeks immediately preceding the accounting date (in the case of (*a*) hereof) or 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 shop in the preceding week.

In this paragraph—

(i) "accounting date" means that date in each year on which the books of accounts of a shop are closed for the purpose of preparing the annual accounts in respect of that shop, or, in the absence of any such date, the fifth day of April in any year;

(ii) the expression "receipts for goods sold" includes receipts in respect of hire purchase transactions;

(iii) "shop" includes any part of the shop not engaged in the retail furnishing and allied trades.

TEMPORARY SHOP MANAGERS AND TEMPORARY SHOP MANAGERESSES

3.—(1) Subject to the provisions of this paragraph the weekly minimum remuneration payable to Temporary Shop Managers and Temporary Shop Manageresses, for each continuous period of employment as Temporary Shop Manager or Temporary 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 Shop Manager or 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 Shop Manager or 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 Shop Manager or Temporary 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 Shop Manager or Shop Manageress is absent on holiday.

(3) The minimum remuneration payable to Temporary Shop Managers and Temporary 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 Shop Manager or Temporary 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 SHOP MANAGERS, SHOP MANAGERESSES, TEMPORARY SHOP MANAGERS, TEMPORARY SHOP MANAGERESSES OR TRANSPORT WORKERS

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 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 ...	135 6	101 6	131 0	96 6	124 0	89 0
(2) CLERK GRADE I, AGED UNDER 25 YEARS, CLERK GRADE II, SHOP ASSISTANT, CASHIER, CENTRAL WAREHOUSE WORKER, STOCKHAND OR VAN SALESMAN:—						
Workers aged—						
24 years or over	129 0	96 6	124 6	92 0	117 6	84 0
23 and under 24 years ...	123 0	92 6	117 6	88 0	111 0	80 6
22 ,, ,, 23 ,, ...	117 6	86 0	112 0	81 6	105 6	75 0
21 ,, ,, 22 ,, ...	113 0	80 6	106 6	75 0	100 0	68 6
20 ,, ,, 21 ,, ...	93 0	71 0	87 6	67 0	82 0	61 6
19 ,, ,, 20 ,, ...	80 6	65 0	75 0	61 0	69 6	55 6
18 ,, ,, 19 ,, ...	68 0	58 6	62 6	54 6	58 0	50 0
17 ,, ,, 18 ,, ...	55 6	51 0	50 0	45 6	45 6	41 6
16 ,, ,, 17 ,, ...	49 6	42 6	44 0	39 6	40 0	35 6
under 16 years	43 6	38 6	38 6	35 6	35 6	31 6
(3) ALL OTHER WORKERS (OTHER THAN TRANSPORT WORKERS):—						
Workers aged—						
24 years or over	119 6	90 6	115 0	85 6	113 6	79 0
23 and under 24 years ...	117 6	86 0	113 0	81 6	107 6	75 0
22 ,, ,, 23 ,, ...	113 0	81 6	107 6	77 0	101 0	70 6
21 ,, ,, 22 ,, ...	109 0	78 6	101 0	73 0	94 6	66 0
20 ,, ,, 21 ,, ...	89 6	70 0	81 0	65 6	76 6	60 0
19 ,, ,, 20 ,, ...	77 0	64 0	69 6	59 6	65 0	54 0
18 ,, ,, 19 ,, ...	67 0	57 6	61 6	53 0	57 0	49 0
17 ,, ,, 18 ,, ...	54 6	49 0	49 0	43 6	44 6	39 6
16 ,, ,, 17 ,, ...	48 6	42 6	43 0	39 6	39 0	35 6
under 16 years	42 6	38 6	37 6	35 6	34 6	31 6

TRANSPORT WORKERS

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		
Age of transport worker	Type of vehicle		LONDON AREA per week	PROVINCIAL A AREA per week	PROVINCIAL B AREA per week
	Mechanically propelled vehicle with carrying capacity of	Horse drawn vehicle			
			s. d.	s. d.	s. d.
21 years or over	1 ton or less	One-horse	*129 0*	*124 6*	*117 6*
20 and under 21 years			*102 0*	*100 0*	*95 6*
19 ,, ,, 20 ,,			*92 0*	*89 6*	*85 6*
18 ,, ,, 19 ,,			*81 6*	*79 6*	*75 0*
under 18 years			*71 6*	*69 0*	*64 6*
All ages	Over 1 ton and up to 2 tons	Two-horse	*133 6*	*129 0*	*122 6*
	Over 2 tons and up to 5 tons	—	*137 6*	*133 6*	*126 6*
	Over 5 tons	—	*142 0*	*137 6*	*131 0*

MINIMUM OVERTIME RATES

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

(1) To any worker, for work 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 double time for all time worked:

Provided that—

(i) Overtime rates in accordance with the foregoing provisions of this paragraph shall be payable to a Shop Manager, Temporary Shop Manager, Shop Manageress or Temporary 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 practice in a Jewish undertaking for the employer to require the worker's attendance on Sunday instead of Saturday, the provisions of this paragraph shall apply as if in such provisions the word "Saturday" were substituted for "Sunday", except where such attendance on Sunday is unlawful.

(2) To any worker, on the weekly short day in any week during which, under sub-section (3) of section 40 of the Shops Act 1950(a), the employer is relieved of his obligation to allow the worker a weekly half day,

for any time worked after 1.30 p.m. ... double time.

(a) 14 Geo. 6. c. 23.

(3) To any worker, other than a Shop Manager, Temporary Shop Manager, Shop Manageress or Temporary Shop Manageress—

(*a*) on the weekly short day (not being a weekly short day to which sub-paragraph (2) of this paragraph applies)

for any time worked after 1.30 p.m time-and-a-half

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

(i) for the first four 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 "38 hours" shall be substituted for "46 hours" where it occurs in the foregoing provisions of this sub-paragraph, and in any week which includes two customary holidays "30 hours" shall be substituted for the said "46 hours".

WAITING TIME

7. 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

8. Where a worker is not required to work on a 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 for the number of hours ordinarily worked by him on that day of the week:

Provided however that payment for the said day of customary holiday is subject to the condition 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 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

9.—(1) Notwithstanding the other paragraphs of this Schedule, where in respect of any week the total remuneration (excluding remuneration in respect of overtime other than overtime for work on a weekly short day occurring during the Christmas period) payable to a full-time worker

(*a*) under those other paragraphs ; and

(*b*) by way of holiday remuneration under a wages regulation order made by the Minister to give effect to proposals of the Retail Furnishing and Allied Trades Wages Council (Great Britain)

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 overtime other than overtime on a weekly short day occurring during the Christmas period.

For the purposes of this sub-paragraph—

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

(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 paragraphs 2, 4 or 5 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,

(i) 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 10 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;

(ii) where in any week the worker at his request and with the written 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 employed 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.

(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 or during which he is absent from work in accordance with proviso (ii) to sub-paragraph (2) 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.

(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

10.—(1) The weekly minimum 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, except in the case of guaranteed weekly remuneration under paragraph 9 of this Schedule, 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 7 of this Schedule, in calculating the remuneration for the purpose of this Schedule recognised breaks for meal times shall be excluded.

BENEFITS OR ADVANTAGES

11. The following benefits or advantages, being benefits or advantages provided, in pursuance of the terms and conditions of the employment of the worker, by the employer or by some other person under arrangements with the employer and not being benefits or advantages the provision of which is illegal by virtue of the Truck Acts, 1831 to 1940, or of any other enactment, are authorised to be reckoned as payment of wages by the employer in lieu of payment in cash in the following manner:—

(*a*) board and lodging for 7 days a week, as the appropriate amount set out in the following Table—

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	*34 9*	*30 9*	*25 9*
20 and under 21 years	*32 9*	*28 9*	*23 9*
19 „ „ 20 „	*30 6*	*26 6*	*21 6*
18 „ „ 19 „	*28 0*	*24 0*	*19 0*
17 „ „ 18 „	*26 0*	*22 0*	*17 0*
Under 17 years	*23 0*	*19 0*	*14 0*

or, where board and lodging is not so provided,

(*b*) 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 *9s. 0d.* per week;

(*c*) tea of good and sufficient quality and quantity provided as aforesaid, as an amount of *3s. 3d.* per week.

DEFINITIONS

12. For the purposes of this Schedule—

"BOARD" means not less than three meals a day, of good and sufficient quality and quantity, one of which shall be dinner; and "LODGING" means clean and adequate accommodation and clean and adequate facilities for eating, sleeping, washing and leisure.

"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 or giving change.

"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 furnishing and allied trades supplies its 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

(*a*) (i) In England and Wales—

Christmas Day (or, if Christmas Day falls on a Sunday, such week day as may be appointed by national proclamation, or, if none is so appointed, the next following Tuesday), Boxing Day, Good Friday, Easter Monday, Whit Monday and August Bank Holiday.

(ii) In Scotland—

New Year's Day (or, if New Year's Day falls on a Sunday, the following Monday);

the local Spring holiday;

the local Autumn holiday; and

three other days (being days on which the worker would normally work) in the course of a calendar year to be fixed by the employer and notified to the worker not less than three weeks before the holiday;

or (*b*) where in any undertaking it is not the custom or practice to observe such days as are specified in (*a*) (i) or (*a*) (ii) above as holidays, such other days, not fewer in number, as may by agreement between the employer or his representative and the worker or his representative be substituted for the specified days.

"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.

"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 who is wholly or mainly engaged in the serving of customers.

"SHOP MANAGER", "SHOP MANAGERESS" means a worker who is employed at, and is normally immediately in charge of the operation of, an undertaking or branch (but not of a department of an undertaking or branch), including the custody of cash and stock, and, if employed in the London Area or in Provincial "A" Area, has immediate control of staff, if any, or, if employed in Provincial "B" Area, has immediate control of at least one full-time or two part-time staff; and for the purpose of this definition a worker shall not be deemed not to be immediately in charge of the operation of an undertaking or branch 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 undertaking or branch is open to the public, wholly or mainly engaged in work at the undertaking or branch.

"STOCKHAND" means a worker employed in a shop or in a warehouse operated in connection with a shop, and wholly or mainly engaged in the reception, checking and re-issuing of goods together with the keeping of records in connection therewith.

"TEMPORARY SHOP MANAGER", "TEMPORARY SHOP MANAGERESS" means a worker who is normally employed as a shop assistant and who, in the absence of the Shop Manager or Shop Manageress as the case may be, is employed at and is temporarily immediately in charge of the operation of an undertaking or branch (but not of a department of an undertaking or branch) including the custody of cash and stock, 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 an undertaking or branch 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 undertaking or branch is open to the public, wholly or mainly engaged in work at the undertaking or branch.

"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 aged under 16 years by 44, the minimum weekly remuneration to which the worker is entitled under the provisions of paragraph 2, 3, 4 or 5 of this Schedule.

"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.

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

"WEEK" means pay week.

"WEEKLY SHORT 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, 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

13. In this Schedule—

(*a*) "LONDON AREA" means the City of London and the Metropolitan Police District as at 1st April, 1947.

(*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) in England and Wales, 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 the areas listed in (iii) of this sub-paragraph;

(ii) in Scotland, burghs which according to the 92nd Annual Report of the Registrar General for Scotland for 1946 had a population of ten thousand or more;

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

ENGLAND (excluding Monmouthshire)

BEDFORDSHIRE
Biggleswade
Kempston
Leighton Buzzard

BERKSHIRE
Abingdon
Wokingham

BUCKINGHAMSHIRE
Beaconsfield
Bletchley
Eton

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

CORNWALL
Newquay
St. Ives
Saltash

CUMBERLAND
Cockermouth
Keswick
Penrith

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

GLOUCESTERSHIRE
Charlton Kings

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
Little Lever
Longridge
Milnrow
Mossley

LANCASHIRE—*cont.*
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

NORFOLK
East Dereham

NORTHAMPTONSHIRE
Daventry
Desborough
Irthlingborough
Raunds
Rothwell

NORTHUMBERLAND
Hexham
Morpeth
Newbiggin by the Sea
Prudhoe

NOTTINGHAMSHIRE
Eastwood

OXFORDSHIRE
Henley-on-Thames
Witney

ENGLAND—*continued*

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

YORKSHIRE—*cont.*
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

WALES AND MONMOUTHSHIRE

ANGLESEY
Holyhead

BRECKNOCKSHIRE
Brecknock
Brynmawr

CAERNARVONSHIRE
Caernarvon
Conway

CARDIGANSHIRE
Aberystwyth

CARMARTHENSHIRE
Ammanford
Burry Port

DENBIGHSHIRE
Abergele
Denbigh

FLINTSHIRE
Connah's Quay
Holywell
Prestatyn

GLAMORGANSHIRE
Glyncorwg
Porthcawl

MERIONETHSHIRE
Ffestiniog

MONMOUTHSHIRE
Abergavenny
Bedwas and Machen
Blaenavon
Monmouth
Rhymney

PEMBROKESHIRE
Haverfordwest
Milford Haven

APPLICABILITY OF STATUTORY MINIMUM REMUNERATION

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 Great Britain 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 furnishing and allied trades ; or

(*b*) wholly or mainly in those trades and one or more of the groups of retail distributive trades set out in the Appendix to this paragraph, and to a greater extent in the retail furnishing and allied 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 the Road Haulage Wages Council operates in respect of any employment which is within the field of operation of that Council;

(ii) workers employed on post office business;

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

(iv) workers employed on the installation, maintenance or repair of radio or television sets;

(v) workers employed on the repair or renovation of furniture (including mattresses), the making up, planning or laying of carpets, linoleum or similar floor coverings, or the measuring, cutting, sewing, making up or fixing of blinds, curtains, pelmets or loose covers;

(vi) workers employed on the packing, storing or removal of furniture or other household effects in connection with a household removal;

(vii) workers employed in the assembling, installation, maintenance, alteration or repair of electrical or gas appliances and apparatus of all kinds;

(viii) workers employed by a Gas or Electricity Supply Undertaking;

(ix) workers employed as watchmen.

(3) For the purpose of this Schedule the retail furnishing and allied trades consist of:—

(i) the sale by retail of:—

(*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), travel goods and ladies' handbags;

(*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;

(ii) operations in or about the shop or other place where any of the articles specified in (i) 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;

(iii) operations in connection with the warehousing or storing of any of the articles specified in (i) 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;

(iv) operations in connection with the transport of any of the articles specified in (i) of this sub-paragraph when carried on in conjunction with their sale by retail or with the warehousing or storing operations specified in (iii) of this sub-paragraph; and

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

and for the purpose of this definition the sale by retail of any of the articles specified in (i) of this sub-paragraph 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.

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;

(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 not including

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 Drapery, Outfitting and Footwear Trades, that is to say—

(1) the sale by retail of

(*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;

(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

The Retail Furnishing and Allied Trades Wages Council (Great Britain) Wages Regulations (Holidays) Order, 1949,(a) (Order R.F.A. (4)), shall have effect as if in the Schedule thereto:—

1. to paragraph 8, which relates to accrued holiday remuneration payable on termination of employment, there were added at the end thereof, the following further proviso:—

"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 working week and the normal number of daily hours worked by him."

2. for paragraph 9 there were substituted the following paragraph:—

"Paragraph 9

(1) For the purposes of calculating any period of employment qualifying a worker for an annual holiday or for any accrued holiday remuneration, the worker shall be treated as if he were employed for a month in respect of any month throughout which he has been in the employment of the employer.

(2) 'Month' means the period commencing on a date of any number in one month and ending on the day before the date of the same number in the next month, or if the commencing date is the 29th, 30th or 31st day of a month and there is no date of the same number in the next month, then on the last day of that month."

EXPLANATORY NOTE

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

This Order has effect from the 23rd October, 1953. The First Schedule sets out the statutory minimum remuneration payable in substitution for that fixed by the Retail Furnishing and Allied Trades Wages Council (Great Britain) Wages Regulation Order, 1952, (Order R.F.A. (12)), as amended by the Retail Furnishing and Allied Trades Wages Council (Great Britain) Wages Regulation (Amendment) Order, 1952, (Order R.F.A. (14)).

New provisions in the First Schedule are printed in italics.

The Second Schedule repeats without alteration the amendments to the Retail Furnishing and Allied Trades Wages Council (Great Britain) Wages Regulation (Holidays) Order, 1949, (Order R.F.A. (4)), which were contained in Order R.F.A. 12).

Order R.F.A. (12) and Order R.F.A. (14) are revoked.

(a) S.I. 1949/2277; 1949 I, p. 4568.