1956 No. 1309

The Retail Drapery, Outfitting and Footwear Trades Wages Council (Great Britain) Wages Regulation (Amendment) Order, 1956

Made - - - - 20*th August*, 1956
Coming into Operation 5*th September*, 1956

Whereas the Minister of Labour and National Service (hereafter in this Order referred to as "the Minister") has received from the Retail Drapery, Outfitting and Footwear Trades Wages Council (Great Britain) the wages regulation proposals set out in the Schedule 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 Drapery, Outfitting and Footwear Trades Wages Council (Great Britain) Wages Regulation (Amendment) Order, 1956.

2.—(1) In this Order the expression "the specified date" means the 5th day of September, 1956, 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 Schedule hereto shall have effect as from the specified date.

Signed by order of the Minister of Labour and National Service this 20th day of August, 1956.

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

(**a**) 8 & 9 Geo. 6. c. 17. (**b**) 52 & 53 Vict. c. 63.

SCHEDULE

STATUTORY MINIMUM REMUNERATION AND HOLIDAYS AND HOLIDAY REMUNERATION

The Retail Drapery, Outfitting and Footwear Trades Wages Council (Great Britain) Wages Regulation Order, 1956(a) (Order R.D.O. (24)), shall have effect as if in the Schedule thereto :—

1. in paragraph 1 and in paragraph 8 for the words " paragraphs 2 and 3 " there were substituted the words " paragraphs 2, *2 (A)* and 3 " ;

2. in paragraph 1 and in sub-paragraph (3) of paragraph 7 and in the definition in paragraph 18 of " TIME-AND-A-QUARTER ", " TIME-AND-A-HALF " and " DOUBLE-TIME " for the words " paragraph 2 or paragraph 3 " there were substituted the words " paragraph 2, *paragraph 2 (A)* or paragraph 3 " ;

3. in sub-paragraph (1) (*d*) of paragraph 2 between the words " SPECIFIED IN " and the words " PARAGRAPH 3 " there were inserted the words " *PARAGRAPH 2 (A) and* ".

4. after paragraph 2 there were inserted the following paragraph :—

" TEMPORARY SHOP MANAGERS AND TEMPORARY SHOP MANAGERESSES

2A.—(1) Subject to the provisions of this paragraph the 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 as follows :—

(a) during the first two weeks ...	*for each week, the minimum remuneration which would be payable to the worker under the provisions of paragraph 2 (1) (c) of this Schedule for work as a sales 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 (1) (a) of this Schedule ;*
(b) thereafter	*the appropriate minimum remuneration for a shop manager or shop manageress, as the case may be, under the provisions of paragraph 2 (1) (a) 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) S.I. 1956/219 (p. 2769 above).

(a) or (b) of sub-paragraph (2) of this paragraph, shall be not less than the appropriate minimum remuneration for a sales 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."

5. in paragraph 4, for the words—

"Overtime rates in accordance with provisions (1) and (3) of this paragraph shall be payable to a shop manager or shop manageress only if the overtime worked is specifically authorised in writing by the employer or his representative."

there were substituted the words—

"Overtime rates in accordance with provisions (1) and (3) 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."

6. in paragraph 18 immediately after the definition of "stock hand" there were inserted the following definition:—

"'temporary shop manager', 'temporary shop manageress' means a worker who

(a) is normally employed as a sales assistant and

(b) during the absence of the shop manager or shop manageress performs all the duties of the shop manager or the shop manageress,

whilst he is performing the said duties."

7. in paragraph 18 for the definition of WEEKLY SHORT DAY there were substituted the following definition:—

"'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 (*not being, in relation to workers employed in England or Wales, Good Friday, in the week which includes Good Friday*) 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."

EXPLANATORY NOTE

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

This Order, which has effect from the 5th September, 1956, amends the Retail Drapery, Outfitting and Footwear Trades Wages Council (Great Britain) Wages Regulation Order, 1956 (Order R.D.O. (24)), by defining, and fixing minimum remuneration for, "temporary shop managers" and "temporary shop manageresses" and amending the definition of "weekly short day".

New provisions are printed in italics.