STATUTORY INSTRUMENTS

1962 No. 110

WAGES COUNCILS

The Wages Regulation (Retail Furnishing and Allied Trades) (Amendment) Order, 1962

Made - - - - 18*th January*, 1962
Coming into Operation 19*th February*, 1962

Whereas the Minister of Labour (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 Schedule hereto;

Now, therefore, the Minister, by virtue of the powers conferred on him by section 11 of the Wages Councils Act, 1959(a), and of all other powers enabling him in that behalf, hereby makes the following Order:—

1. This Order may be cited as the Wages Regulation (Retail Furnishing and Allied Trades) (Amendment) Order, 1962.

2.—(1) In this Order the expression "the specified date" means the 19th day of February, 1962, 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 respect that worker, the beginning of the next such period following that date.

(2) The Interpretation Act, 1889(b), shall apply 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.

Dated this 18th day of January, 1962.

John Hare,
Minister of Labour.

SCHEDULE

STATUTORY MINIMUM REMUNERATION

The Wages Regulation (Retail Furnishing and Allied Trades) Order, 1961(c) (Order R.F.A. (34)) shall have effect as if in the Schedule thereto:—

1. at the end of sub-paragraph (2) of paragraph 3 there were inserted the following proviso:—

> "*Provided that for the purposes of this paragraph where in any year a worker is employed by the same employer as a Temporary Shop Manager or Temporary Shop Manageress at more than one shop during the absence on holiday of the Shop Manager or Shop Manageress, the first period of such employment and any subsequent periods of such employment in the same year shall be treated as a continuous period of employment.*"

(a) 7 & 8 Eliz. 2. c. 69. (b) 52 & 53 Vict. c. 63.
(c) S.I. 1961/1007 (1961 II, p. 1936).

2. for the definition of "TEMPORARY SHOP MANAGER" and "TEMPORARY SHOP MANAGERESS" in paragraph 20 there were substituted the following:—

"'TEMPORARY SHOP MANAGER', 'TEMPORARY SHOP MANAGERESS' means a worker 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."

3. for the definition of "WEEKLY SHORT DAY" in paragraph 20 there were substituted the following:—

"'WEEKLY SHORT DAY' means:—

(*a*) 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,

(*b*) where there is no such day, *or where the day falls on a customary holiday,* a working day in the week *not being a customary holiday,* 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 *which is not a customary holiday:*

Provided that where the day specified in (a) of this definition falls on Christmas Day or Boxing Day in England and Wales or Christmas Day or New Year's Day in Scotland the employer may fix as the weekly short day for that week a working day in the following week not being either a customary holiday or the weekly short day for that following 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 19th February, 1962, amends the Wages Regulation (Retail Furnishing and Allied Trades) Order, 1961 (Order R.F.A. (34)), by making further provision concerning the calculation of a continuous period of employment as a "temporary shop manager" or "temporary shop manageress" and by amending the definitions of "temporary shop manager" and "temporary shop manageress" and of "weekly short day".

New provisions are printed in italics.