STATUTORY INSTRUMENTS

1973 No. 1261

WAGES COUNCILS

The Wages Regulation (Retail Newsagency, Tobacco and Confectionery) (England and Wales) (Amendment) Order 1973

Made - - -	19*th July* 1973
Coming into Operation	3*rd September* 1973

Whereas the Secretary of State has received from the Retail Newsagency, Tobacco and Confectionery Trades Wages Council (England and Wales) the wages regulation proposals set out in the Schedule hereto;

Now, therefore, the Secretary of State in exercise of powers conferred by section 11 of the Wages Councils Act 1959(**a**), as modified by Article 2 of the Counter-Inflation (Modification of Wages Councils Act 1959) Order 1973(**b**), and now vested in him(**c**), 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 Newsagency, Tobacco and Confectionery) (England and Wales) (Amendment) Order 1973.

2.—(1) In this Order the expression "the specified date" means the 3rd September 1973, 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(**d**) 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.

Signed by order of the Secretary of State.
19th July 1973.

W. H. Marsh,
Assistant Secretary,
Department of Employment.

(**a**) 1959 c. 69. (**b**) S.I. 1973/661 (1973 I, p. 2141).
(**c**) S.I. 1959/1769, 1968/729 (1959 I, p. 1795; 1968 II, p. 2108).
(**d**) 1889 c. 63.

Article 3

SCHEDULE

STATUTORY MINIMUM REMUNERATION

The Wages Regulation (Retail Newsagency, Tobacco and Confectionery) (England and Wales) Order 1972(a) (Order R.N.T. (52)) shall have effect as if in the Schedule thereto for paragraph 6 there were substituted the following paragraph:—

"MINIMUM OVERTIME RATES

6.—(1) Subject to the provisions of this paragraph, overtime shall be payable at the following minimum rates:—

(*a*) To all workers (other than street newsvendors)—

(i) on the weekly short day in any week during which, under sub-section (3) of section 40 of the Shops Act 1950(b), the employer is relieved of his obligation to allow a worker a weekly half-day—for any time worked after 1.30 p.m. .. double time

(ii) on the weekly short day (not being a weekly short day to which (i) of this sub-paragraph applies)—for any time worked after 1.30 p.m. .. time-and-a-half

(*b*) To all workers (other than street newsvendors remunerated on a sessional and piece rate basis) in any week, exclusive of any time in respect of which a minimum overtime rate is payable under the foregoing provisions of this sub-paragraph—

for the first 4 hours worked in excess of 42 hours .. time-and-a-quarter
thereafter .. .. time-and-a-half

Provided that in any week which includes one customary holiday '*35* hours' shall be substituted for '42 hours', in any week which includes two customary holidays '28 hours' shall be substituted for the said '42 hours', *and in any week which includes three customary holidays '21 hours' shall be substituted for the said '42 hours'*.

(2) In the case of a shop manager or shop manageress overtime rates shall be payable only if the overtime is specifically authorised in writing by the employer or his representative."

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order, which has effect from 3rd September 1973, amends that provision of the Wages Regulation (Retail Newsagency, Tobacco and Confectionery) (England and Wales) Order 1972 (Order R.N.T. (52)) which relates to the calculation of overtime worked in a week in which there is or are a day or days of customary holiday.

New provisions are printed in italics.

(a) S I. 1972/1988 (1972 III, p. 5917). (b) 1950 c. 28.

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