The Sack and Bag Wages Council (Great Britain) Wages Regulation (No. 2) Order, 1951

1951 No. 518

Made - - - - 27*th March*, 1951
Coming into Operation 16*th April*, 1951

S.B. (33)

Whereas the Minister of Labour and National Service (hereinafter in this Order referred to as "the Minister") has received from the Sack and Bag Wages Council (Great Britain) (hereinafter in this Order referred to as "the Council")

(*a*) the wages regulation proposals set out in the First Schedule hereto, being proposals for fixing the remuneration to be paid by their employers to workers in relation to whom the Council operates in substitution for the remuneration fixed for those workers by the Sack and Bag Wages Council (Great Britain) Wages Regulation Order, 1947(**a**) (hereinafter in this Order referred to as "Order S.B. (25)") as amended by the Sack and Bag Wages Council (Great Britain) Wages Regulation Order, 1949(**b**) (hereinafter in this Order referred to as "Order S.B. (29)") and the Sack and Bag Wages Council (Great Britain) Wages Regulation Order, 1951(**c**) (hereinafter in this Order referred to as "Order S.B. (31)") and

(*b*) the wages regulation proposals set out in the Second Schedule hereto, being proposals for amending the Order of the Minister of Labour dated the 27th day of June, 1939 (hereinafter in this Order referred to as "Order S.B. (15)"), which (amongst other provisions) confirmed holidays provided for by a direction given and the holiday remuneration fixed under the Holidays with Pay Act, 1938(**d**), in relation to the said workers;

Now therefore, the Minister, by virtue of the powers conferred on him by Section 10 of the Wages Councils Act, 1945(**e**), 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 Sack and Bag Wages Council (Great Britain) Wages Regulation (No. 2) Order, 1951.

(2) In this Order the expression "the specified date" means the 16th day of April, 1951, 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(**f**), applies to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

(a) S.R. & O. 1947 (No. 1198) I, p. 2623.
(b) S.I. 1949 (No. 2091) I, p. 4650.
(c) S.I. 1951 No. 199, p. 1289 above.
(d) 1 & 2 Geo. 6. c. 70.
(e) 8 & 9 Geo. 6. c. 17.
(f) 52 & 53 Vict. c. 63.

Fixing of statutory minimum remuneration and revocation of Order S.B. (25) *and Order S.B.* (29)

2.—(1) Effect is hereby given to the said wages regulation proposals set out in the First Schedule hereto.

(2) The provisions of the First Schedule hereto shall have effect as from the specified date and as from that date Order S.B. (25)(a) and Order S.B. (29)(b) shall cease to have effect.

Amendment of Order S.B. (15) *as to holidays and holiday remuneration*

3.—(1) Effect is hereby given to the said wages regulation proposals set out in the Second Schedule hereto.

(2) The provisions of the Second Schedule hereto shall have effect as from the specified date.

Signed by order of the Minister of Labour and National Service this 27th day of March, 1951.

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

FIRST SCHEDULE

The following minimum remuneration shall be substituted for the statutory minimum remuneration fixed by Order S.B. (25) as amended by Order S.B. (29) and Order S.B. (31).

STATUTORY MINIMUM REMUNERATION

PART I

GENERAL

Paragraph 1

The minimum remuneration payable to a worker to whom this Schedule applies for all work except work to which a minimum overtime rate applies under Part IV is:—

(*a*) in the case of a time worker, the general minimum time rate payable to the worker under Part II or Part III of this Schedule;

(*b*) in the case of a male worker employed on piece work, piece rates each of which would yield, in the circumstances of the case, to an ordinary worker at least the same amount of money as the general minimum time rate which would be payable under Part II of this Schedule if he were a time worker;

(*c*) in the case of a female worker employed on piece work, piece rates each of which would yield, in the circumstances of the case, to an ordinary worker at least the same amount of money as the piece work basis time rate applicable to the worker under Part III of this Schedule.

PARTS II, III

(New Parts II and III substit. by S.I. 1951 No. 2225, p. 1297 below.)

(a) S.R. & O. 1947 (No. 1198) I, p. 2623. (b) S.I. 1949 (No. 2091) I, p. 4650.

PART IV

OVERTIME AND WAITING TIME

MINIMUM OVERTIME RATES

Paragraph 5

Minimum overtime rates are payable to any worker, not being a male worker employed on piece work, as follows:—

(*a*) on any day other than a Saturday, Sunday or customary holiday—

(i) For the first 2 hours worked in excess of 8½ hours	Time-and-a-quarter
(ii) Thereafter	Time-and-a-half

Provided that, where the employer normally requires the worker's attendance on five days only in the week, the foregoing minimum overtime rates of time-and-a-quarter and time-and-a-half shall be payable after 9 and 11 hours' work respectively.

(*b*) On a Saturday, not being a customary holiday—

(i) Where the worker is normally required to attend on six days in the week—	
For the first 2 hours worked in excess of 4 ..	Time-and-a-quarter
Thereafter	Time-and-a-half
(ii) Where the worker is normally required to attend on five days only in the week—	
For the first 2 hours worked	Time-and-a-quarter
Thereafter	Time-and-a-half

(*c*) on a Sunday or a customary holiday—

For all time worked	Double time

(*d*) in any week exclusive of any time for which a minimum overtime rate is payable under the foregoing provisions of this paragraph—

For all time worked in excess of 45 hours	Time-and-a-quarter

Paragraph 6

In this Part of this Schedule—

(1) the expressions "time-and-a-quarter", "time-and-a-half" and "double time" mean respectively—

(*a*) in the case of a time worker, one and a quarter times, one and a half times and twice the general minimum time rate otherwise payable to the worker;

(*b*) in the case of a female worker employed on piece work—

(i) a time rate equal respectively to one-quarter, one-half and the whole of the piece work basis time rate otherwise applicable to the worker under Part III of this Schedule and, in addition thereto—

(ii) the piece rates otherwise applicable to the worker under paragraph 1 (c) of this Schedule.

(2) The expression "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 and the following day;

Provided that if New Year's Day falls on a Sunday the holidays shall be the following Monday and Tuesday, and if New Year's Day falls on a Saturday the holidays shall be New Year's Day and the following Monday;

the local spring holiday;

the local autumn holiday; and

two 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*) in the case of each of the said days (other than a day fixed by the employer in Scotland and notified to the worker as aforesaid) such week day as may be substituted therefor by the employer being either—

(i) a day which is by local custom recognised as a day of holiday; or

(ii) a day (being a day on which the worker would normally work) which falls within three weeks of the day for which it is substituted and is mutually agreed between the employer and the worker.

WAITING TIME

Paragraph 7

(1) A worker is entitled to payment of the minimum remuneration specified in this Schedule for all time during which he is present on the premises of his employer unless he is present thereon in any of the following circumstances:—

(*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,

(*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.

(2) The minimum remuneration payable under sub-paragraph (1) of this paragraph to a piece worker when not engaged on piece work is that which would be payable if he were a time worker.

PART V

APPLICATION

Paragraph 8

This Schedule applies, subject to the provisions of the Wages Councils Act, 1945, to workers in relation to whom the Sack and Bag Wages Council (Great Britain) operates, namely, workers employed in Great Britain in the trade specified in the Schedule to the Trade Boards (Sack and Bag Trade, Great Britain) (Constitution and Proceedings) Regulations, 1933(a), that is to say:—

The making from woven fabrics of corn sacks, flour sacks, coal sacks, sugar sacks, cement bags, sand bags, nail bags, potato bags, seed bags and similar sacks or bags, or the repairing thereof:

including:—

(*a*) The following and similar operations (whether performed by hand or machine) known in the trade as:—

(i) folding (or hooking), cutting, machining, turning;

(ii) brushing, selecting, mending;

(iii) branding, tarring, bundling;

(a) S.R. & O. 1933 (No. 1157) p. 2052.

(*b*) The warehousing of, the packing of, and similar operations in regard to sacks or bags of the kind mentioned above when carried on in association with or in conjunction with the making or repairing thereof;

(*c*) The warehousing of, the packing of, and similar operations in regard to any other articles when carried on in or in association with or in conjunction with any business, establishment, branch or department mainly engaged in any of the operations mentioned in paragraph (*b*) above;

but excluding:—

(i) any of the operations mentioned above when carried on in association with or in conjunction with the weaving of jute, flax or hemp, or the dyeing, bleaching or finishing of jute, flax or hemp yarn or cloth;

(ii) any of the operations mentioned above when carried on in or in association with or in conjunction with any business, establishment, branch or department mainly engaged in a business in which the sacks or bags are used as containers for other articles the production or sale of which forms part of the business;

(iii) the making of rope-bound coal or coke sacks when carried on in association with or in conjunction with any business, establishment, branch or department engaged in the making of made-up textile articles other than sacks or bags, whether rope-bound or not, of the kind mentioned;

(iv) any of the operations mentioned in paragraph (*b*) above when carried on in or in association with or in conjunction with any business, establishment, branch or department mainly engaged in the warehousing of, the packing of, and similar operations in regard to make-up textile articles other than sacks or bags, whether rope-bound or not, of the kind mentioned;

(v) operations included in the Trade Boards (Waste Materials Reclamation) Order, 1920(a).

SECOND SCHEDULE

HOLIDAYS AND HOLIDAY REMUNERATION

The provisions of Order S.B. (15) shall be amended as follows:—

(1) any reference in the First Schedule thereto to the appropriate Trade Board rate for work to which the Trade Boards Acts apply and to work to which those Acts do not apply shall be read as including a reference to the appropriate statutory minimum remuneration fixed by a wages regulation order in respect of the worker and to work to which a wages regulation order does not apply;

(2) any reference in the First Schedule thereto to a minimum rate of wages fixed by the Trade Board shall be read as including a reference to statutory minimum remuneration fixed by a wages regulation order pursuant to proposals of the Sack and Bag Wages Council (Great Britain) and the references in paragraphs 8 and 9 to the Holidays with Pay Act, 1938, as including a reference to the Wages Councils Act, 1945; and

(3) the amount of any holiday remuneration due to any worker under the said Order shall be calculated in accordance with the provisions of Part II of the Wages Councils Act, 1945.

(a) S.R. & O. 1920 (No. 305) II, p. 794.

EXPLANATORY NOTE

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

The First Schedule to this Order sets out the statutory minimum remuneration payable, as from the 16th April, 1951, to workers in relation to whom the Sack and Bag Wages Council (Great Britain) operates. It supersedes the First Schedule to Order S.B. (25) (as amended). New provisions in the First Schedule are printed in italics.

The Second Schedule repeats without alteration the amendments to the First Schedule to Order S.B. (15) (which relates to holidays and holiday remuneration) contained in the Second Schedule to Order S.B. (25).

Order S.B. (25) and Order S.B. (29) are revoked.

The Sack and Bag Wages Council (Great Britain) Wages Regulation (Amendment) Order, 1951

1951 No. 2225

Made - - - - 17*th December*, 1951
Coming into Operation 4*th January*, 1952

S.B. (35)

Whereas the Minister of Labour and National Service (hereinafter in this Order referred to as "the Minister") has received from the Sack and Bag Wages Council (Great Britain) (hereinafter in this Order referred to as "the Council") the wages regulation proposals set out in the Schedule hereto, being proposals for amending the Sack and Bag Wages Council (Great Britain) Wages Regulation (No. 2) Order, 1951(a) (hereinafter in this Order referred to as "Order S.B. (33)") which fixed the remuneration to be paid by their employers to workers in relation to whom the Council operates;

Now, therefore, the Minister, by virtue of the powers conferred on him by section 10 of the Wages Councils Act, 1945(b), 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 Sack and Bag Wages Council (Great Britain) Wages Regulation (Amendment) Order, 1951.

(2) In this Order the expression "the specified date" means the 4th day of January, 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(c), applies to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

(a) S.I. 1951 No. 518, p. 1292 above. (b) 8 & 9 Geo. 6. c. 17. (c) 52 & 53 Vict. c. 63.