The Tin Box Wages Council (Great Britain) Wages Regulation Order, 1951

1951 No. 2263

Made - - - - 19*th December*, 1951
Coming into Operation 11*th January*, 1952

X. (40)

Whereas the Minister of Labour and National Service (hereinafter in this Order referred to as "the Minister") has received from the Tin Box 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 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 Tin Box Wages Council (Great Britain) Wages Regulation Order, 1947(**a**) (hereinafter in this Order referred to as "Order X. (32)"), as amended by the Tin Box Wages Council (Great Britain) Wages Regulation Order, 1950(**b**) (hereinafter in this Order referred to as "Order X. (36)");

Now, therefore, the Minister, by virtue of the powers conferred on him by section 10 of the Wages Councils Act, 1945(**c**), 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 Tin Box Wages Council (Great Britain) Wages Regulation Order, 1951.

(2) In this Order the expression "the specified date" means the 11th 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(**d**), applies to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

Fixing of statutory minimum remuneration and revocation of Order X. (32) *and Order X.* (36)

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

(2) The provisions of the Schedule hereto shall have effect as from the specified date and as from that date Order X. (32)(**a**) and Order X. (36)(**b**) shall cease to have effect.

Signed by order of the Minister of Labour and National Service this 19th day of December, 1951.

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

(a) S.R. & O. 1947 (No. 1431) I, p. 2634.
(b) S.I. 1950 (No. 2073) II, p. 1502.
(c) 8 & 9 Geo. 6. c. 17.
(d) 52 & 53 Vict. c. 63.

SCHEDULE

The following minimum remuneration shall be substituted for the statutory minimum remuneration fixed by Order X. (32) as amended by Order X. (36).

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 III is:—

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

(*b*) in the case of a 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 II of this Schedule.

PART II

GENERAL MINIMUM TIME RATES AND PIECE WORK BASIS TIME RATES

GENERAL MINIMUM TIME RATES
MALE WORKERS

Paragraph 2

The following general minimum time rates are payable to male workers:—

	Per hour s.	d.
(*a*) workers aged 21 years or over and employed as knife hands or press hands	2	8¾
(*b*) all other workers aged 21 years or over	2	6¾
(*c*) workers aged under 21 years and employed, during the whole or a substantial part of their time, in learning any branch or process of the trade under conditions which afford a reasonable prospect of advancement to the position of an adult worker, as follows:—		
Workers aged 20 and under 21 years	2	2½
„ „ 19 „ „ 20 „	2	0½
„ „ 18 „ „ 19 „	1	8¾
„ „ 17 „ „ 18 „	1	5¾
„ „ 16 „ „ 17 „	1	2
„ „ under 16 years		11½
(*d*) all other workers aged under 21 years	2	6¾

Provided that the general minimum time rate payable during his first six months' employment in the trade to a worker who enters, or has entered, the trade for the first time at or over the age of *16 years* and who cannot suitably be employed on piece work, shall be a rate equal to three quarters of the general minimum time rate otherwise payable under the foregoing provisions of this paragraph.

FEMALE WORKERS

Paragraph 3

The following general minimum time rates are payable to female workers:—

	Per hour s. d.
(*a*) workers aged 18 years or over	*1* 9½
(*b*) workers aged under 18 years and employed, during the whole or a substantial part of their time, in learning any branch or process of the trade under conditions which afford a reasonable prospect of advancement to the position of an adult worker, as follows:—	
Workers aged 17 and under 18 years	*1* 5¼
„ „ 16 „ „ 17 „	*1* 1¾
„ „ under 16 years of age	*11*¼

Provided that where the worker is employed on any power press which on account of its size or heaviness, the risk of personal injury involved in its use, or upon other grounds, is unsuitable for her employment thereon, the general minimum time rate payable to the worker shall be *1s. 9½d.* per hour, and in the interpretation of this provision regard shall be had to the practice of good employers;

(*c*) all other workers aged under 18 years	*1* 9½

Provided that the general minimum time rate payable during her first six months' employment in the trade to a worker who enters, or has entered, the trade for the first time at or over the age of *16 years* and who cannot suitably be employed on piece work, shall be a rate equal to three quarters of the general minimum time rate otherwise payable under the foregoing provisions of this paragraph.

PIECE WORK BASIS TIME RATE

ALL WORKERS

Paragraph 4

The piece work basis time rate applicable to any worker employed on piece work is a rate equal to the general minimum time rate which would be payable, if the worker were a time worker, increased by 15 per cent.

PART III

OVERTIME AND WAITING TIME

OVERTIME

Paragraph 5

Subject to the provisions of this Part of this Schedule, the minimum overtime rates set out in paragraph 6 of this Schedule are payable to a worker for any time worked:—

(*a*) in excess of the hours following, that is to say,	
(i) in any week	44 hours
(ii) on any day, other than a Saturday, Sunday or customary holiday	8½ hours
or where the worker normally attends on 5 days only in the week	9 hours
(iii) on a Saturday (not being a customary holiday) except where the worker normally attends on 5 days only in the week	4 hours
(*b*) on a Sunday or a customary holiday or, where the worker normally attends on 5 days only in the week, on a Saturday.	

MINIMUM OVERTIME RATES

Paragraph 6

Subject to the provisions of this Part of this Schedule, minimum overtime rates are payable to any worker as follows:—

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

(i) for the first two hours worked in excess of 8½ hours ... ... TIME-AND-A-QUARTER

(ii) thereafter ... ... TIME-AND-A-HALF

Provided that where the worker normally attends on five days only in the week, the said 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:—

for all time worked in excess of 4 hours TIME-AND-A-HALF

Provided that where the worker normally attends on five days only in the week the minimum overtime rates shall be:—

(i) for the first two hours worked ... TIME-AND-A-QUARTER

(ii) 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 in respect of which a minimum overtime rate is payable under the foregoing provisions of this paragraph:—

for all time worked in excess of 44 hours TIME-AND-A-QUARTER

Paragraph 7

In this Part of this Schedule,

(1) 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 (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 normally works) 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) a day substituted by the employer therefor, being a day recognised by local custom as a day of holiday in substitution for the said day.

(2) 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 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, and in addition thereto,

(ii) 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 said piece work basis time rate.

WAITING TIME

Paragraph 8

(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 IV

APPLICABILITY OF STATUTORY MINIMUM REMUNERATION

Paragraph 9

This Schedule applies to workers in relation to whom the Tin Box Wages Council (Great Britain) operates, that is to say, workers employed in Great Britain in the Tin Box branch of the Hollow-ware Making trade specified in the Schedule to the Trade Boards (Tin Box Trade, Great Britain) (Constitution and Proceedings) Regulations, 1928 (a), which reads as follows:—

" SCHEDULE

1. Subject to the provisions of this Schedule the Tin Box branch of the Hollow-ware Making trade consists of the following operations :—

(*a*) All work in a tin box establishment in connection with—

(i) the manufacture of boxes, canisters and bottles, or parts thereof from sheet iron or sheet steel (hereinafter called black plate) whether coated or not with any metal ;

(ii) the manufacture of kegs, drums, tapers, taper-necked cans and painters' pots, or parts thereof from black plate coated with any metal and of an average thickness not exceeding ·01745 of an inch (27 Birmingham Gauge) ;

(iii) the manufacture of boxes partly from black plate whether coated or not with any metal and partly from paper, chip, cardboard, pulp board or other similar box board ;

(iv) the manufacture of any other articles or parts thereof from black plate whether coated or not with any metal.

(*b*) All work in connection with the manufacture of cans of a kind ordinarily used to contain petrol.

2. Work in connection with the manufacture specified includes finishing.

3. Notwithstanding anything in this Schedule the following operations are not operations in the Tin Box branch of the Hollow-ware Making trade :—

(*a*) Finishing when performed in a department in which the main business carried on is the finishing of articles other than articles specified in paragraph 1 hereof and in which no manufacture specified in paragraph 1 hereof is carried on ;

(a) S.R. & O. 1928 (No. 847) p. 1289.

(*b*) the manufacture of component parts of motor vehicles, motor plants, aircraft, cycles or motor-cycles;

(*c*) the manufacture of any article or part of any article when made in an establishment mainly engaged in the manufacture of motor vehicles, motor plants, aircraft, cycles or motor-cycles or of component parts thereof;

(*d*) all clerical work;

(*e*) the making of loose linings for packing cases when such linings cannot be used apart from the packing cases;

(*f*) the making of trunks, uniform cases, suit and dress cases, bonnet and helmet boxes, hand-made cash boxes, deed boxes, despatch boxes and letter boxes;

(*g*) the manufacture of tin rollers, tin roller drums, card cases, coiler cans and other articles for use with textile or other machinery;

(*h*) the manufacture of pen boxes in an establishment mainly engaged in pen manufacture;

(*i*) the sealing or closing of filled tin boxes and tin canisters;

(*j*) the following operations when performed in a tin box establishment or in connection with the manufacture of cans of a kind ordinarily used to contain petrol:—

(i) the receiving, handling and storing in bulk of raw materials;

(ii) the work of persons employed in the factory or workshop in counting or weighing materials handed to workers and articles or parts thereof received from workers;

(iii) packing, warehousing and despatching;

(iv) the work of inside messengers, yard-workers and stokers, and work of a similar nature;

(*k*) all processes of lithographic printing and processes of varnishing or lacquering done in connection therewith;

(*l*) all work in connection with the maintenance or upkeep of premises, machinery or plant.

4. For the purpose of this Schedule—

The expression 'tin box establishment' means an establishment, branch or department in which the main business carried on is the manufacture specified in paragraph 1 (*a*) (i) or paragraph 1 (*a*) (ii) hereof or paragraphs 1 (*a*) (i) and 1 (*a*) (ii) hereof.

The expression 'finishing' includes the operations of coating, polishing and cleaning articles."

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 11th January, 1952, sets out the statutory minimum remuneration payable to workers in relation to whom the Tin Box Wages Council (Great Britain) operates. It supersedes Order X. (32) and Order X. (36) which are revoked.

New provisions in the Schedule are printed in italics.