STATUTORY INSTRUMENTS

1966 No. 1491

WAGES COUNCILS

The Wages Regulation (Aerated Waters) (England and Wales) (Amendment) Order 1966

Made - - - - 29*th November* 1966

Coming into Operation 1*st January* 1967

Whereas the Minister of Labour (hereafter in this Order referred to as "the Minister") has received from the Aerated Waters Wages Council (England and Wales) 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**), as amended by section 31 of the Prices and Incomes Act 1966(**b**), 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 (Aerated Waters) (England and Wales) (Amendment) Order 1966.

2.—(1) In this Order the expression "the specified date" means the 1st January 1967, 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(c) 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 Minister of Labour.
29th November 1966.

D. C. Barnes,

Secretary,
Ministry of Labour.

(a) 1959 c. 69. (b) 1966 c. 33. (c) 1889 c. 63.

SCHEDULE
STATUTORY MINIMUM REMUNERATION

The Wages Regulation (Aerated Waters) (England and Wales) Order 1966(a) (Order A.(71)) shall have effect as if in the Schedule thereto:—

1. for Part III there were substituted the following Part:—

"PART III

DRIVER-SALESMEN AND DELIVERY WORKERS
MALE OR FEMALE WORKERS

A—FULL TIME WORKERS

4.—(1) Subject to the provisions of this paragraph, the minimum remuneration payable to a *full time* driver-salesman or a *full time* delivery worker for any week in which he is employed, whether he performs any work for his employer in the week or not, is the remuneration specified in the table set out in paragraph 5 applicable to the worker in that week and in addition the amount (if any) payable to the worker in respect of overtime worked in the week under the provisions of paragraph 7:

Provided that no remuneration shall be payable to the worker for any week throughout which he is not capable of, or not available for, work.

(2) The minimum remuneration payable in respect of any week under the foregoing provisions of this paragraph shall be reduced in respect of any day in the week—

(*a*) allowed to the worker as a day of annual holiday under the provisions of a wages regulation order, by the amount of holiday remuneration paid in respect of the day;

(*b*) throughout which the worker is absent from work by reason of illness or accident or without the consent of his employer—

(i) where the worker normally works for the employer on six days a week and the day of absence is not the worker's weekly short day, by two-elevenths or,

(ii) where the worker normally works for the employer on six days a week and the day of absence is the worker's weekly short day, by one-eleventh or,

(iii) where the worker normally works for the employer on five days a week only, by one-fifth

of the remuneration specified in the table set out in paragraph 5 applicable to the worker;

(*c*) on which the worker performs some work but is absent from work without the consent of his employer for some part of the day, being a part of the day during which the worker is required by or under his contract of employment to work for his employer, by an amount equal to the remuneration which would be payable to the worker if he were paid in respect of the time during which he was so absent from work at the hourly rate of two eighty-fifths of the remuneration specified in the table set out in paragraph 5 applicable to the worker.

(3) Where under the provisions of this paragraph a worker is entitled to remuneration in any week in which he does no work for his employer, the remuneration specified in the table set out in paragraph 5 normally applicable to the worker shall for the purposes of this paragraph be deemed to be the remuneration so specified applicable to the worker in that week.

(a) S.I. 1966/551 (1966 II, p. 1134).

(4) Where in any week a worker to whom this paragraph applies is in charge of more than one of the types of vehicles specified in the table set out in paragraph 5, the remuneration applicable to him for the purposes of this paragraph in that week shall be the highest set out in the table applicable to him during the week.

5. The table of remuneration referred to in paragraph 4 is as follows:—

Class of Worker	Type of Vehicle		Remuneration
	Mechanically propelled vehicle with carrying capacity of	Horse-drawn vehicle	s. d.
DRIVER-SALESMEN of any age	Any weight	One or two horse ...	204 0
DELIVERY WORKERS—			
aged 21 years or over ...	1 ton or less		204 0
„ 20 and under 21 years			172 0
„ 19 „ „ 20 „			152 0
„ 18 „ „ 19 „			135 6
„ under 18 years ...			119 0
of any age	Over 1 ton and up to 2 tons...	One horse...	204 0
	Over 2 tons and up to 5 tons	Two horse...	210 0
	Over 5 tons and up to 8 tons		216 0
	Over 8 tons and up to 12 tons		220 0
	Over 12 tons...		224 0

B—OTHER THAN FULL TIME WORKERS

5.A. The minimum remuneration payable to a driver-salesman or a delivery worker, other than a full time worker, is the hourly rate increased by 4d. per hour. For the purposes of this paragraph the hourly rate is the amount obtained by dividing by 42½ the remuneration specified in the table in paragraph 5 which would be applicable to the worker if he were a full time worker."

2. in paragraph 9, which relates to definitions, there were inserted the following:—

" *'FULL TIME WORKER' means a driver-salesman or a delivery worker who normally works for the employer for at least 30 hours per week and performs some work to which statutory minimum remuneration applies.*"

3. in paragraph 9, which relates to definitions, for the definition of "TIME-AND-A-QUARTER", "TIME-AND-A-HALF" and "DOUBLE TIME" there were substituted the following:—

" 'TIME-AND-A-QUARTER', 'TIME-AND-A-HALF' and 'DOUBLE TIME' mean respectively:—

(*a*) in the case of workers other than delivery workers and driver-salesmen—one and a quarter times, one and a half times and twice the minimum remuneration payable to the worker for work to which a minimum overtime rate does not apply,

(*b*) in the case of *full time* delivery workers and *full time* driver-salesmen—one and a quarter times, one and a half times and twice the rate obtained by dividing the remuneration specified in the table in paragraph 5 by 42½,

(*c*) *in the case of delivery workers and driver-salesmen other than full time workers — one and a quarter times, one and a half times and twice the rate calculated in accordance with paragraph 5.A.*"

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order, which has effect from 1st January 1967, amends the Wages Regulation (Aerated Waters) (England and Wales) Order 1966 (Order A. (71)) by increasing the statutory minimum remuneration for driver-salesmen and delivery workers.

New rates are printed in italics.