CATERING WAGES

WAGES REGULATION

1. *Industrial and Staff Canteen Undertakings.*
2. *Licensed Non-Residential Establishment*, p. 327.
3. *Licensed Residential Establishment and Licensed Restaurant*, p. 356.

1. INDUSTRIAL AND STAFF CANTEEN UNDERTAKINGS

The Wages Regulation (Industrial and Staff Canteen Undertakings) Order, 1948

1948 No. 1665

Made - - - - *17th July*, 1948
Coming into Operation *11th August*, 1948

I.S.C. (12)

Whereas the Minister of Labour and National Service (hereinafter referred to as "the Minister") has received from the Industrial and Staff Canteen Undertakings Wages Board (hereinafter referred to as "the Board") the wages regulation proposals set out in the First and Second Schedules hereto;

Now therefore the Minister by virtue of the powers conferred on him by section 8 of the Catering Wages Act, 1943 and of all other powers in that behalf hereby makes the following Order:— 6 & 7 Geo. 6. c. 24.

1.—(1) This Order may be cited as the Wages Regulation (Industrial and Staff Canteen Undertakings) Order, 1948 and shall come into operation on the 11th day of August, 1948. Short title, commencement and interpretation.

(2) The Interpretation Act, 1889 applies to the interpretation of this Order as it applies to the interpretation of an Act of Parliament. 52 & 53 Vict. c. 63.

2. The Wages Regulation (Industrial Staff Canteen Undertakings) Order, 1946(**a**) and the Wages Regulation (Industrial and Staff Canteen Undertakings) (Amendment) (No. 2) Order, 1947(**b**) are hereby revoked. Revocation.

3.—(1) Effect is hereby given to the said wages regulation proposals set out in the First and Second Schedules hereto. Fixing of Statutory remuneration and provisions as to holidays and holiday remuneration.

(2) The provisions of the said Schedules shall have effect as from the 11th day of August, 1948.

Signed by order of the Minister of Labour and National Service this 17th day of July, 1948.

H. H. Wiles,
Deputy Secretary of the Ministry of Labour and National Service.

(**a**) S.R. & O. 1946 (No. 1818) I, p. 89. (**b**) S.R. & O. 1947 (No. 1926) I, p. 164.

FIRST SCHEDULE

STATUTORY MINIMUM REMUNERATION

REMUNERATION FOR EMPLOYMENT

WORKERS OTHER THAN NIGHT WORKERS, SHIFT WORKERS AND SPLIT DUTY WORKERS (AS DEFINED IN PARAGRAPH 10)

Paragraph 1.

The minimum remuneration for workers (other than night workers, shift workers and split duty workers) who are employed in the circumstances specified in paragraph 6 is as follows:—

	Col. 1 Per week of 47 hours Workers employed in the circumstances specified in		Col. 2	
	Para. 6 (1)		Para. 6 (2)	
	s.	d.	s.	d.
A. FEMALE WORKERS				
CANTEEN ATTENDANT (as defined in paragraph 10)	53	0	36	0
Provided that where a Canteen Attendant in the course of her duties on any day or night is engaged in the cooking of prepared food she shall receive for that day or night in addition an allowance of 8d.				
Provided also that where a Canteen Attendant is deputed to supervise staff for a minimum consecutive period of one hour, she shall receive in addition for all time during which she is so employed an allowance of 1d. per hour.				
ALL WORKERS UNDER 18 YEARS OF AGE				
17 and under 18 years of age	42	0	30	0
16 „ „ 17 „ „	32	0	25	0
15 „ „ 16 „ „	27	0	21	0
under 15 years of age	22	0	17	0
CASHIER (as defined in paragraph 10)	56	0	39	0
ASSISTANT COOK (as defined in paragraph 10)	60	6	43	6
COOK (as defined in paragraph 10)	68	0	51	0
HEAD COOK (as defined in paragraph 10) ...	83	0	66	0
CANTEEN SUPERVISOR, MANAGERESS OR STEWARDESS (as defined in paragraph 10) :—				
Grade X	75	0	58	0
Grade A	83	0	66	0
Grade B	93	0	76	0
Grade C	103	0	86	0
Grade D	113	0	96	0
B. MALE WORKERS				
PORTER OF 21 YEARS OF AGE OR OVER	74	0	57	0
Provided that where a Porter is deputed to supervise staff for a minimum consecutive period of one hour, he shall receive in addition for all time during which he is so employed an allowance of 1d. per hour.				

	Col. 1 Per week of 47 hours Workers employed in the circumstances specified in Para. 6 (1)		Col. 2 Per week of 47 hours Workers employed in the circumstances specified in Para. 6 (2)	
B. MALE WORKERS—*contd.*	s.	d.	s.	d.
ALL WORKERS UNDER 21 YEARS OF AGE				
20 and under 21 years of age	63	0	46	0
19 „ „ 20 „ „	55	6	41	0
18 „ „ 19 „ „	48	0	36	0
17 „ „ 18 „ „	39	6	30	0
16 „ „ 17 „ „	32	0	25	0
15 „ „ 16 „ „	27	0	21	0
under 15 years of age	24	0	19	0
ASSISTANT COOK (as defined in paragraph 10)	89	0	72	0
COOK (as defined in paragraph 10)	101	0	84	0
HEAD COOK (as defined in paragraph 10) ...	114	0	97	0
CANTEEN SUPERVISOR, MANAGER OR STEWARD (as defined in paragraph 10) :—				
Grade A	114	0	97	0
Grade B	124	0	107	0
Grade C	134	0	117	0
Grade D	144	0	127	0

NIGHT WORKERS

Paragraph 2.

The minimum remuneration for a night worker (as defined in paragraph 10) who is employed in the circumstances specified in sub-paragraphs (1) or (2) of paragraph 6 and who is not a shift worker or a split duty worker (as defined in paragraph 10) is that for the corresponding description of worker specified in paragraph 1 INCREASED IN EACH CASE BY ONE-FIFTH.

SHIFT WORKERS

Paragraph 3.

The minimum remuneration for a shift worker (as defined in paragraph 10) who is employed in the circumstances specified in sub-paragraphs (1) or (2) of paragraph 6 is that for the corresponding description of worker specified in paragraph 1 with the ADDITION OF 1d. per hour.

SPLIT DUTY WORKERS

Paragraph 4.

The minimum remuneration for a split duty worker (as defined in paragraph 10) who is employed in the circumstances specified in paragraph 6 (2) is that for the corresponding description of worker specified in col. 2 of paragraph 1 with the ADDITION OF 2d. per hour.

WORKERS TEMPORARILY TRANSFERRED TO HIGHER GRADE WORK

Paragraph 5.

Where a worker is required temporarily to perform the duties of a worker entitled to a higher minimum remuneration than himself and is engaged on such higher graded duties for four or more hours on any day he shall be paid for the whole of his time on that day not less than the minimum remuneration appropriate to the worker of the higher grade.

PROVISION OF MEALS, FULL BOARD AND LODGING, OVERALLS AND HEADWEAR

Paragraph 6.

(1) The minimum remuneration in col. 1 of paragraph 1 is payable to a worker not being a worker to whom sub-paragraph (2) hereof applies who is employed in the circumstances that he is provided by the employer, subject in the case of (*b*) to the requisite coupons and supplies being available with—

(*a*) such meals as are available during the time the worker is on duty and as are provided for the persons using the canteen; and

(*b*) a reasonable supply in good repair of clean overalls and (except in the case of a supervisor, manager, manageress, steward, stewardess or porter) of clean headwear for the use of the worker while at work.

(2) The minimum remuneration in col. 2 of paragraph 1 is payable to a worker employed in the circumstances that he is provided by the employer, subject in the case of (*b*) to the requisite coupons and supplies being available, with—

(*a*) full board and lodging (as defined in paragraph 10) for 7 days a week; and

(*b*) a reasonable supply in good repair of clean overalls and (except in the case of a supervisor, manager, manageress, steward, stewardess or porter) of clean headwear for the use of a worker while at work.

WORKERS NOT SUPPLIED WITH MEALS, FULL BOARD, LODGING, OVERALLS OR HEADWEAR

Paragraph 7.

The minimum remuneration for a worker who is not employed in the circumstances specified in paragraphs 6 (1) or 6 (2) is:—

(1) In the case of a worker who is not provided by his employer with meals as specified in paragraph 6 (1) (*a*) or full board and lodging the remuneration specified in paragraphs 1 (col. 1), 2, 3 or 5 for the corresponding description of worker INCREASED BY 8S. PER WEEK.

(2) In the case of a worker who is provided by his employer with full board or lodging (but not full board and lodging) the remuneration specified in paragraphs 1 (col. 2), 2, 3, 4 or 5 for the corresponding description of worker increased by the following amounts:—

(*a*) Where lodging is provided but not full board:—

(i) Workers 17 years of age or over ... AN INCREASE of 14s. 7d. per week of seven days or 2s. 1d. per day.

(ii) Workers under 17 years of age ... AN INCREASE of 10s. 6d. per week of seven days or 1s. 6d. per day.

(*b*) Where full board is provided but not lodging:—

(i) Workers 17 years of age or over ... AN INCREASE of 10s. 6d. per week of seven days or 1s. 6d. per day.

(ii) Workers under 17 years of age ... AN INCREASE of 7s. 0d. per week of seven days or 1s. 0d. per day.

(3) In the case of any worker who is not provided by his employer with a reasonable supply in good repair of clean overalls and headwear as specified in paragraphs 6 (1) (*b*) or (2) (*b*) the remuneration specified in paragraphs 1, 2, 3, 4 or 5 for the corresponding description of worker INCREASED BY 2S. 0D. PER WEEK.

BASIS OF REMUNERATION

Paragraph 8.

(1) The weekly rates specified in this Schedule except those specified in paragraph 7 (2) relate to a week of 47 hours and except as provided in paragraph 9 are subject to a proportionate reduction according as the number of hours worked is less than 47.

(2) In calculating the remuneration for the purposes of this Schedule recognised breaks for meal times shall be excluded.

GUARANTEED WEEKLY REMUNERATION FOR FULL-TIME WORKERS

Paragraph 9.

(1) *Where in any week a full-time worker (as defined in paragraph 10) works for the employer for less than 47 hours he shall, subject to and in accordance with the provisions of this paragraph, be paid in respect of that week not less than the guaranteed weekly remuneration.*

(2) *The guaranteed weekly remuneration payable in respect of any week to a full time worker*

(a) *who normally works for the employer for less than 40 hours in the week, is the remuneration to which he would be entitled under this Schedule (calculated as in paragraph 8), for 44 hours work;*

(b) *who normally works for the employer for 40 hours or more in the week, is the remuneration to which he would be entitled under this Schedule for 47 hours work;*

(c) *who normally works for the employer for less than 47 hours in the week by reason only of the fact that he does not hold himself out as available for work for more than the number of hours he normally works in the week and who has so informed the employer in writing, is the remuneration (calculated as in paragraph 8 of this Schedule), for the number of hours normally worked by the worker for the employer.*

(3) *Guaranteed weekly remuneration is not payable in respect of any week unless the worker is capable of and available for work (except as respects any time allowed to him as a holiday)*

(i) *in the case of a worker to whom sub-paragraph (2) (a) applies, for 44 hours in that week, including the hours normally worked by him;*

(ii) *in the case of a worker to whom sub-paragraph (2) (b) applies, for 47 hours in that week, including the hours normally worked by him; and*

(iii) *in the case of a worker to whom sub-paragraph (2) (c) applies for the number of hours normally worked by him;*

and is willing to perform such duties outside his normal occupation as may reasonably be required by the employer when work is not available for him in his normal occupation in the undertaking.

(4) If the employer is prevented from providing employment by reason of strikes or other circumstances outside his control and has given the worker not less than four days' notice of his inability to provide such employment and the notice has expired, the provisions in regard to the guaranteed payment shall not apply and the worker shall be entitled in that week to payment in respect of hours actually worked.

(5) In order to ascertain for the purposes of sub-paragraph (1) of this paragraph whether a full-time worker has worked in any week for less than *47 hours* any day or days allowed and taken as holidays by the worker under a Wages Regulation (Industrial and Staff Canteen Undertakings) (Holidays) Order hereinafter in this Schedule referred to as a Wages Regulation (Holidays) Order shall be treated as a day or days on which the worker worked for the number of hours usually worked by him on that day of the week or those days of the week as the case may be.

(6) Where in any week any day or days have been allowed and taken as holidays by a worker under a Wages Regulation (Holidays) Order the

guaranteed weekly remuneration which that worker would be entitled to under the preceding sub-paragraphs of this paragraph shall be reduced by the amount of remuneration received or receivable by him in respect of the day or days of holiday aforesaid.

DEFINITIONS

Paragraph 10.

For the purposes of this Schedule:—

A FULL-TIME WORKER is a worker whose usual hours of employment amount to 36 hours or more per week.

A NIGHT WORKER is a worker whose usual hours of employment fall between 7.30 p.m. on one day and 7.30 a.m. on the next day and who is not a shift worker or a split duty worker.

A SHIFT WORKER is a worker employed on a shift system in accordance with which—

(i) a 24-hour period is divided into three turns of duty; or

(ii) there is no night turn of duty and the remainder of the day is divided into two or more turns of duty;

and the worker is employed for not less than five out of the seven days in any week on the same turn and changes turns periodically in accordance with a pre-arranged plan.

A SPLIT DUTY WORKER is a worker who is employed in the circumstances that he is provided by the employer with full board and lodgings for seven days in any week and whose normal hours of daily duty are spread over a period exceeding 10 hours inclusive of meal times but not exceeding 14 hours inclusive of meal times.

A CANTEEN SUPERVISOR, MANAGER OR MANAGERESS, STEWARD OR STEWARDESS is a person of one of the undermentioned grades who is in direct control of the staff of a canteen and immediately responsible for its operation including such a person required to perform the whole or part of the duties of a cook:—

Grade	Staff (exclusive of the supervisor, manager or manageress, steward or stewardess) normally employed in the canteen under his or her direct control
X (Female only)	Not less than 3 and not more than 4 persons
A	,, ,, ,, 5 ,, ,, ,, ,, 10 ,,
B	,, ,, ,, 11 ,, ,, ,, ,, 20 ,,
C	,, ,, ,, 21 ,, ,, ,, ,, 30 ,,
D	,, ,, ,, 31 ,, ,, ,, ,, 40 ,,

In computing the number of persons normally employed on the staff of the canteen both full-time workers and workers other than full-time workers shall be included except that in the case of workers other than full-time workers the number to be counted shall be the number disregarding fractions obtained by dividing by 36 the aggregate of the hours usually worked in the week by all such workers.

A HEAD COOK is a cook experienced in all departments of the kitchen who is capable of training inexperienced staff and has not less than 3 cooks or assistant cooks under his or her control and whose duties mainly consist in cooking, planning menus, ordering supplies and who may be required to control kitchen staff.

A COOK is a male or female worker of 21 years of age or over wholly or mainly engaged in the preparing and cooking of food requiring the mixing of two or more ingredients and/or the preparing and the cooking of meat, poultry or game.

AN ASSISTANT COOK is a male worker of 21 years of age or over, or a female worker of 18 years of age or over wholly or mainly engaged in assisting in the preparing and cooking of food under the instructions of a cook or of a canteen supervisor, manager, manageress, steward or stewardess who is required to perform the duties of a cook.

A CASHIER is a female worker of 18 years of age or over wholly or mainly engaged in taking cash or giving change.

A CANTEEN ATTENDANT is a female worker of 18 years of age or over employed as a waitress, counter assistant, service worker, washer up, cleaner, tea girl, or kitchen assistant whose duties may include vegetable preparation.

FULL BOARD means four meals per day which shall be of good and sufficient quality and quantity and shall consist of dinner and three other meals.

LODGING means clean and adequate accommodation and facilities for eating, sleeping, washing and leisure.

OVERTIME RATES

WORKERS OTHER THAN SHIFT AND SPLIT DUTY WORKERS

Paragraph 11.

(1) Subject to the provisions of paragraph 17 overtime rates shall be paid as follows:—

(*a*) to workers other than night workers, shift workers and split duty workers (as defined in paragraph 10):—

For the first 2 hours worked in excess of 8½ hours on any of five week days in the week other than the weekly short day or in excess of 4½ hours on the weekly short day	Time-and-a-quarter
For all time worked thereafter on any of those days	Time-and-a-half
For all time worked on Sunday	Double time

The weekly short day shall be Saturday or any other week day substituted therefor by agreement between an employer and a worker or his representative.

Provided that in the case of a worker who customarily attends only on five days a week the following overtime rates shall apply:—

For the first 2 hours worked in excess of 9½ hours on any of four week days on which he customarily attends, or in excess of 9 hours on the remaining day on which he customarily attends	Time-and-a-quarter
For all time worked thereafter on any of such days	Time-and-a-half
For the first 2 hours worked on a sixth day (not including any time worked on Sunday) on which attendance is not customarily required	Time-and-a-quarter
For all time worked thereafter on that day (not including any time worked on Sunday) ...	Time-and-a-half
For all time worked on Sunday	Double time

(*b*) to night workers other than shift workers and split duty workers (as defined in paragraph 10):—

For the first 2 hours worked in excess of 9½ hours on any four of the days from Monday to Friday inclusive or in excess of 9 hours on the remaining day from Monday to Friday inclusive	Time-and-a-quarter

For all time worked thereafter on any of such days	Time-and-a-half
For the first 2 hours worked on Saturday ...	Time-and-a-quarter
For all time worked thereafter on a Saturday ...	Time-and-a-half
For all time worked on Sunday	Double time

(2) The whole of a worker's turn of duty shall be counted for the purpose of ascertaining the overtime rate payable and where the turn extends beyond midnight shall be regarded as having been worked on the day upon which it commences.

(3) Notwithstanding the provisions of sub-paragraphs (1) and (2) of this paragraph all time worked between midnight on Saturday and midnight on Sunday shall be paid at double time and all time worked on Monday which is part of a turn of duty which normally commences on Sunday shall be regarded as overtime and paid as follows:—

For such time as is required to complete 2 hours from the commencement of the turn of duty ...	Time-and-a-quarter
For the remainder of the time	Time-and-a-half

The time worked on Monday aforesaid shall not be included in calculating overtime on any turn of duty which commences on Monday.

SHIFT WORKERS

Paragraph 12.

(1) Subject to the provisions of paragraph 17, overtime rates shall be paid to shift workers (as defined in paragraph 10) as follows:—

(*a*) to workers whose shift comprises six full turns of duty—

For the first 2 hours worked in excess of 8 hours on any of the six turns of duty	Time-and-a-quarter
For all time worked thereafter on such turns of duty	Time-and-a-half
For all time worked on a seventh turn of duty or on the normal rest day	Double time
For all time worked in excess of 47 hours in any week exclusive of any time in respect of which overtime rates may be payable under the preceding provisions of this sub-paragraph	Time-and-a-quarter

(*b*) to workers whose shift comprises five full turns and one short turn of duty—

For the first 2 hours worked in excess of 8½ hours on any of the five full turns of duty or in excess of 4½ hours on the one short turn of duty ...	Time-and-a-quarter
For all time worked thereafter on any such turns of duty	Time-and-a-half
For all time worked on a seventh turn of duty or on the normal rest day	Double time

(*c*) to workers whose shift comprises five turns of duty—

For the first 2 hours worked in excess of 9½ hours on any of four turns of duty, or in excess of 9 hours on the remaining turn of duty	Time-and-a-quarter
For all time worked thereafter on any such turns of duty	Time-and-a-half
For all time worked on the first day of the week on which attendance is not normally required	Time-and-a-quarter
For all time worked on the second day of the week on which attendance is not normally required	Double time

(2) A shift worker shall in addition to the above be paid an amount calculated at the rate of 1d. per hour for all overtime worked in respect of which an overtime rate is payable as above.

(3) For the purpose of calculating the time worked in any week a shift worker who is allowed and has taken a holiday in any week under a Wages Regulation (Holidays) Order shall be treated as having worked on any such day of holiday the number of hours usually worked by him on the turn of duty which he would otherwise have worked if the holiday had not been allowed.

SPLIT DUTY WORKERS

Paragraph 13.

Subject to the provisions of paragraph 17, overtime rates shall be paid to split duty workers (as defined in paragraph 10) as follows:—

For the first 4 hours worked in excess of 47 hours in any week on days other than the normal rest day	Time-and-a-quarter
For all time worked thereafter on days other than the normal rest day	Time-and-a-half
For all time worked on a normal rest day	Double time

A split duty worker shall in addition to the above be paid an amount calculated at the rate of 2d. per hour for all overtime worked in respect of which an overtime rate is payable as above.

For the purpose of calculating the time worked in any week a split duty worker who is allowed and has taken a holiday in any week under a Wages Regulation (Holidays) Order shall be treated as having worked on any such day of holiday the number of hours usually worked by him on the turn of duty which he would otherwise have worked if the holiday had not been allowed.

JEWISH UNDERTAKINGS

Paragraph 14.

Where it is, or becomes, the established practice in a Jewish undertaking for the employer to require attendance on Sunday instead of Saturday, the provisions of paragraph 11 shall apply in like manner as if in such provisions Sunday were treated as a weekday and the word " Sunday " were substituted for " Saturday " and the word " Saturday " for " Sunday."

ALL WORKERS

Paragraph 15.

The expressions time-and-a-quarter, time-and-a-half and double time mean in the case of any worker whether employed as a day worker, a night worker, a shift worker or a split duty worker, respectively, one and a quarter times, one and a half times and twice the hourly rate obtained by dividing by 47 the minimum weekly remuneration specified in paragraph 1 for the corresponding description of worker as if he were employed in the circumstances specified in sub-paragraphs (1) or (2) of paragraph 6.

WORK ON CUSTOMARY HOLIDAYS

Paragraph 16.

Notwithstanding the foregoing provisions of this Schedule where a worker is required to work:—

(i) on any day of customary holiday allowed under a Wages Regulation (Holidays) Order; or

(ii) a turn of duty which commences on the day preceding any day of customary holiday and extends beyond midnight or a turn of duty which commences on the day of customary holiday and extends into the following day,

he shall, in addition to the minimum remuneration appropriate to him under the foregoing provisions, be paid for all time so worked between midnight and midnight on the day of customary holiday, one half of the minimum remuneration which would be appropriate to the corresponding description of worker employed in the circumstances specified in sub-paragraphs (1) or (2) of paragraph 6.

SPECIAL PROVISIONS RELATING TO WORKERS WHO ARE PROVIDED BY THEIR EMPLOYER WITH FULL BOARD AND LODGING

Paragraph 17.

(1) The provisions of this paragraph apply in the case of a worker who is provided by his employer with full board and lodging.

(2) Where a worker to whom this paragraph applies works on a seventh turn of duty or on a normal rest day pursuant to an agreement in writing with his employer that the employer will allow the worker an equivalent time off within a period of one month in lieu of time so worked, the worker shall for the purposes of the provisions of this Schedule relating to remuneration be treated as though during such turn of duty or on that day as the case may be he had performed no work to which the Schedule applies.

(3) Where a worker to whom this paragraph applies is allowed time off pursuant to an agreement as is specified in sub-paragraph (2) of this paragraph he shall be treated for the purposes of the provisions of this Schedule relating to remuneration as though in respect of that time he had been employed by the employer in his usual occupation.

GENERAL

APPLICABILITY OF WAGES REGULATION ORDER

Paragraph 18.

The provisions of this Schedule apply to the following workers, that is to say:—

Workers employed in Great Britain by the person or body of persons carrying on an industrial or staff canteen undertaking who are so employed in the said undertaking, and who are engaged on any of the following work, that is to say:—

(*a*) the preparation of food or drink;
(*b*) the service of food or drink;
(*c*) work incidental to such preparation or service;
(*d*) any work performed on or about premises where food or drink is prepared or served, including work in connection with any service or amenity provided at such premises;
(*e*) transport work;
(*f*) work performed at any office, depot, store or similiar place;

but excluding transport workers and workers at any office, depot, store or similar place who are employed by the person or body of persons carrying on the undertaking mainly on work not in connection with the undertaking.

DEFINITION OF INDUSTRIAL OR STAFF CANTEEN UNDERTAKING

An industrial or staff canteen undertaking consists of any undertaking or any part of an undertaking which is wholly or mainly engaged in supplying food or drink for immediate consumption and activities incidental or ancillary thereto, and which is carried on for the use of employed persons in connection with their employment:—

(*a*) by their employer or employers; or
(*b*) by the employed persons themselves; or
(*c*) by the employed persons and their employer or employers jointly; or
(*d*) by any other person or body of persons in pursuance of an arrangement or arrangements with the employer or employers of the employed persons, or with the employed persons themselves, or with the employed persons and their employer or employers jointly;
(*e*) *by a dock authority or by any person or body of persons under an arrangement with a dock authority;*

but excluding any such undertaking carried on:—

(1) directly either by the Crown; or
(2) by an employer or by workers and their employer jointly, wholly or mainly for the use of workers employed by the employer:—
(i) in the business of supplying food or drink for immediate consumption by the general public; or

(ii) at or in connection with a shop, if the shop includes a restaurant, café or similar place where meals are served to the general public; or

(iii) at or in connection with an hotel, boarding house, hostel or other similar establishment; or

(iv) at or in connection with any hospital, nursing home or other similar establishment; or

(v) at or in connection with any university, college, school or other similar establishment.

For the purpose of this definition "dock authority" means any person or body of persons whether incorporated or not who are authorised to construct or are owners or lessees of any dock authorised by or under any Act, and "dock" includes a wharf or quay.

Paragraph 19.

Nothing in this Schedule shall be construed as authorising the making of any deduction or the giving of any remuneration in any manner which is illegal by virtue of the Truck Acts, 1831 to 1940, or of any other enactment.

SECOND SCHEDULE—HOLIDAYS WITH PAY

The Wages Regulation (Industrial and Staff Canteen Undertakings) (Holidays) Order, 1946(a), shall have effect as if in the Schedule thereto there were substituted:—

APPLICATION

(*a*) for paragraph 1, the following paragraph:—

"Paragraph 1. This Schedule applies to every worker *for whom statutory minimum remuneration has been fixed*"

CUSTOMARY HOLIDAYS

(*b*) for paragraph 2, the following paragraph:—

"Paragraph 2. An employer shall (except as provided in paragraph 3) allow to every worker to whom this Schedule applies, who at the date of the holiday, has been in his employment for not less than six days and (unless excused by the employer or absent by reason of proved sickness) has worked for the employer the number of hours ordinarily worked by him on the last working day on which work was available to him preceding the holiday, a holiday on each of the following days:—

(1) In England and Wales—Christmas Day (or if Christmas Day falls on a Sunday, such weekday as may be prescribed by national proclamation or the next following Tuesday), Boxing Day, Good Friday, Easter Monday, Whit Monday, August Bank Holiday and all nationally proclaimed holidays.

(2) In Scotland—

(*a*) New Year's Day (or the following day if New Year's Day falls on a Sunday), the local Spring Holiday, the local Autumn holiday, and all nationally proclaimed holidays;

(*b*) three other weekdays 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 any other day or days falling within the same calendar year which may be substituted for such day or days by agreement between the employer and the worker or his representative.

Provided that where, in any establishment it is not the custom or practice to observe such days as are specified in sub-paragraphs (1) or (2) (*a*) of this paragraph as holidays, other days not fewer in number may, by agreement between the employer and the worker or his representative be substituted for the above-mentioned days."

(a) S.R. & O. 1946 (No. 1819) I, p. 98.

REMUNERATION FOR CUSTOMARY HOLIDAYS

(*c*) for paragraph 4, the following paragraph:—

"Paragraph 4. (1) Subject to the provisions of sub-paragraph (2) of this paragraph, for each day allowed as a holiday under paragraphs 2 and 3 of this Schedule, the worker shall be paid the appropriate statutory minimum remuneration as defined in paragraph 15 to which he would have been entitled had the day not been a day of holiday and he had worked the number of hours of work usually worked by him on that day of the week, and

(i) in the case of a worker other than a worker to whom the provisions of sub-paragraph (ii) of this sub-paragraph apply AN ADDITION OF 1s. 4d. for each day of holiday or

(ii) in the case of a worker who is employed in the circumstances that he is provided by his employer with full board and lodging or either full board or lodging, AN ADDITION OF—

(*a*) 3s. 7d. if the worker is 17 years of age or over, or

(*b*) 2s. 6d. if the worker is under 17 years of age

for each day of holiday except where board and lodging is available to the worker on that day.

(2) Notwithstanding the provisions of the foregoing sub-paragraph, payment of remuneration in respect of the said holiday is subject to the conditions that the worker (unless excused by the employer or absent by reason of proved sickness) works for the employer the number of hours ordinarily worked by him on the first working day on which work was available to him following the holiday."

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 August, 1948 consolidates with amendments the Wages Regulation (Industrial and Staff Canteen Undertakings) Order, 1946 (I.S.C. (5)) and the Wages Regulation (Industrial and Staff Canteen Undertakings) (Amendment) (No. 2) Order, 1947 (I.S.C. (10)).

The First Schedule sets out the statutory minimum remuneration payable to workers in respect of whom the Industrial and Staff Canteen Undertakings Wages Board operates. There are new provisions relating to guaranteed weekly remuneration (para. 9) and new workers are brought within the scope of the wages regulation order by the inclusion in the definition of an industrial or staff canteen undertaking (para. 18) of a canteen carried on by or for a dock authority for the use of employed persons in connection with their employment.

The Second Schedule repeats the amendments to the Wages Regulation (Industrial and Staff Canteen Undertakings) (Holidays) Order, 1946 (I.S.C. (6)) which were contained in the Second Schedule to I.S.C. (10).

The new provisions in the Schedules are printed in italics in the Schedules.