1964 No. 565

WAGES COUNCILS

The Wages Regulation (Licensed Residential Establishment and Licensed Restaurant) (Amendment) Order 1964

Made - - - -	14*th April* 1964
Coming into Operation	11*th May* 1964

Whereas the Minister of Labour (hereafter in this Order referred to as "the Minister") has received from the Licensed Residential Establishment and Licensed Restaurant Wages Council 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), 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 (Licensed Residential Establishment and Licensed Restaurant) (Amendment) Order 1964.

2.—(1) In this Order the expression "the specified date" means the 11th May 1964, 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(b), 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.

Dated 14th April 1964.

Joseph Godber,
Minister of Labour.

(a) 7 & 8 Eliz. 2. c. 69. (b) 52 & 53 Vict. c. 63.

SCHEDULE

STATUTORY MINIMUM REMUNERATION

The Wages Regulation (Licensed Residential Establishment and Licensed Restaurant) Order 1963(a) (Order L.R. (32)) shall have effect as if in the Schedule thereto:—

1. for paragraphs 3 and 4 there were substituted the following paragraphs:—

"APPRENTICE COOKS *AND WORKERS UNDER THE AGE OF 21 WHO HAVE COMPLETED AN APPRENTICESHIP AS SUCH*

3.—(1) The minimum remuneration for apprentice cooks *and workers under the age of 21 who have completed an apprenticeship as such who are* employed in Area A, B or C (as defined in paragraph 34) shall be in accordance with the following Table:—

Column 1	Per week of 48 hours								
	Column 2 — Where the employer supplies the worker with full board and lodging on seven days a week			Column 3 — Where Column 2 is not applicable and the employer supplies the worker with such meals as are normally available in the establishment during the time the worker is on duty			Column 4 — Where neither Column 2 nor Column 3 is applicable		
	Area A	Area B	Area C	Area A	Area B	Area C	Area A	Area B	Area C
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
First year of apprenticeship	63 6	62 6	60 6	82 0	80 0	77 0	94 0	92 0	89 0
Second year of apprenticeship	75 0	74 0	72 0	93 6	91 6	88 6	105 6	103 6	100 6
Third year of apprenticeship	98 6	97 6	95 6	117 0	115 0	112 0	129 0	127 0	124 0
Fourth year of apprenticeship	*132 0*	*131 0*	*129 0*	*155 0*	*153 0*	*150 0*	*170 0*	*168 0*	*165 0*
Any remaining period of apprenticeship–not exceeding one year	*152 6*	*151 6*	*149 6*	*176 6*	*174 6*	*171 6*	*195 0*	*193 0*	*190 0*
Any period between completion of apprenticeship and the worker's 21st birthday ...	*153 6*	*152 6*	*150 6*	*185 0*	*183 0*	*180 0*	*204 6*	*202 6*	*199 6*

Provided that for the purpose of determining the 'year of apprenticeship' in the above Table, any period by which the apprenticeship is reduced under the proviso to sub-paragraph (2) of this paragraph shall be treated as a period of apprenticeship.

(2) An apprentice cook is a male worker under the age of 21 years who is employed during the whole of his time under a written contract of apprenticeship which has been duly executed and which contains the provisions set out in (*a*) and (*b*) below or provisions substantially to the same effect and no provisions contrary thereto:—

(*a*) the worker of his own free will and with the consent of his guardian binds himself to serve the employer as his apprentice for a term of not less than four years;

(a) S.I. 1963/1690 (1963 III, p. 3227).

(*b*) the employer will employ the worker as his apprentice during the said term and to the best of his power, skill and knowledge, instruct the worker or cause him to be instructed by a Chef de Cuisine, a Chef de Partie, a Head Cook or a Cook in the underlying principles of cookery including the preparation, cooking and service of fish, meat, poultry, game, vegetables, eggs, pastry, cakes and sauces:

Provided that the period of the apprenticeship under sub-paragraph (*a*) above shall be reduced—

(i) where the worker has after attaining the age of 15 years received a course of instruction in cookery in a technical class at any university, college, school or similar establishment, by a period equal to the duration of such course of instruction subject to a maximum reduction of two years;

(ii) where the worker has after attaining the age of 16 years continued to receive at a school full-time general education which does not include a course of instruction in cookery in a technical class, by a period equal to the duration of such full-time general education received after he attained the age of 16 years subject to a maximum reduction of one year;

but so that the total reduction in the minimum period of any worker's apprenticeship shall not be more than two years.

TRAINEE COOKS *AND WORKERS UNDER THE AGE OF 21 WHO HAVE COMPLETED TRAINING AS SUCH*

4.—(1) The minimum remuneration for male trainee cooks *and male workers under the age of 21 who have completed training as such who are* employed in Area A, B or C (as defined in paragraph 34) shall be in accordance with the following Table:—

MALE WORKERS

Column 1	Per week of 48 hours								
	Column 2 — Where the employer supplies the worker with full board and lodging on seven days a week			Column 3 — Where Column 2 is not applicable and the employer supplies the worker with such meals as are normally available in the establishment during the time the worker is on duty			Column 4 — Where neither Column 2 nor Column 3 is applicable		
	Area A	Area B	Area C	Area A	Area B	Area C	Area A	Area B	Area C
	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.	s. d.
First year of training ...	63 6	62 6	60 6	82 0	80 0	77 0	94 0	92 0	89 0
Second year of training ...	75 0	74 0	72 0	93 6	91 6	88 6	105 6	103 6	100 6
Third year of training ...	98 6	97 6	95 6	117 0	115 0	112 0	129 0	127 0	124 0
On completion of training or at 19 years of age (whichever may first occur) until 20 years of age	*127 0*	*126 0*	*124 0*	*148 6*	*146 6*	*143 6*	*165 0*	*163 0*	*160 0*
After completion of training and aged 20 and under 21 years	*142 6*	*141 6*	*139 6*	*174 0*	*172 0*	*169 0*	*193 6*	*191 6*	*188 6*

(2) The minimum remuneration for female trainee cooks *and female workers under the age of 21 who have completed training as such who are* employed in Area A, B or C (as defined in paragraph 34) shall be in accordance with the following Table:—

FEMALE WORKERS

Column 1	Per week of 48 hours								
	Column 2 — Where the employer supplies the worker with full board and lodging on seven days a week			Column 3 — Where Column 2 is not applicable and the employer supplies the worker with such meals as are normally available in the establishment during the time the worker is on duty			Column 4 — Where neither Column 2 nor Column 3 is applicable		
	Area A s. d.	Area B s. d.	Area C s. d.	Area A s. d.	Area B s. d.	Area C s. d.	Area A s. d.	Area B s. d.	Area C s. d.
First year of training ...	51 6	50 6	48 6	70 0	68 0	65 0	82 0	80 0	77 0
Second year of training ...	63 0	62 0	60 0	81 6	79 6	76 6	93 6	91 6	88 6
Third year of training ...	86 6	85 6	83 6	105 0	103 0	100 0	117 0	115 0	112 0
On completion of training or at 19 years of age (whichever may first occur) until 20 years of age	*97 0*	*96 0*	*94 0*	*118 6*	*116 6*	*113 6*	*135 0*	*133 0*	*130 0*
After completion of training and aged 20 and under 21 years	*103 6*	*102 6*	*100 6*	*133 0*	*131 0*	*128 0*	*152 6*	*150 6*	*147 6*

(3) A trainee cook is a worker (other than an apprentice cook) who has not attained the age of 19 years, employed under a written contract which contains the provisions set out in (*a*) and (*b*) below or provisions substantially to the same effect and no provisions contrary thereto:—

(*a*) the worker shall serve the employer for a period of three years; and

(*b*) the employer shall, during the said period, to the best of his power, skill and knowledge, instruct the worker or cause him to be instructed by a Chef de Cuisine, a Chef de Partie, a Head Cook or a Cook in the underlying principles of cookery including the preparation, cooking and service of fish, meat, poultry, game, vegetables, eggs, pastry, cakes and sauces."

2. paragraph 12 (which relates to late entrant waiters) were omitted.

3. for paragraph 16 there were substituted the following paragraph:—

"OVERTIME

16. Subject to the provisions of paragraph 17, minimum overtime rates shall be

payable to workers, other than extra head waiters, extra waiters and extra waitresses, as follows:—

(1) in the case of workers other than fortnightly workers:—

(*a*) on the weekly day of rest for all time worked	Double time
(*b*) in any week, *exclusive of time worked on a weekly day of rest,* for all time worked in excess of 48 hours—	
(i) for the first six hours so worked	Time-and-a-quarter
(ii) thereafter	Time-and-a-half

(2) in the case of fortnightly workers (as defined in paragraph 34):—

(*a*) on the weekly day of rest for all time worked	Double time
(*b*) in any week, *exclusive of time worked on a weekly day of rest,* for all time worked in excess of 56 hours	Time-and-a-half
(*c*) in the second week of any fortnight after 96 hours' work in that fortnight, *exclusive of any time in respect of which an overtime rate is payable under (a) or (b) of this sub-paragraph*—	
(i) for the first 12 hours so worked	Time-and-a-quarter
(ii) thereafter	Time-and-a-half

Provided that the provisions of this paragraph shall not apply to emergency duty (as defined in paragraph 34)."

4. for paragraph 19 there were substituted the following paragraph:—

"SPECIAL PROVISIONS RELATING TO FULL-TIME WORKERS WHO WORK ON A CUSTOMARY HOLIDAY

19.—(1) Where a full-time worker works on a customary holiday he shall be paid for all time worked on that day the minimum remuneration to which he is entitled under the other provisions of this Part of this Schedule.

(2) Where a full-time worker who has worked on a customary holiday is allowed by his employer, on a day other than the weekly day of rest, a day of holiday in lieu of the customary holiday—

(*a*) within 28 days of the customary holiday, or

(*b*) before the end of the holiday season if the customary holiday falls within that season and the last day of that season is more than 28 days after the customary holiday *or*

(*c*) *before the end of the next holiday season commencing after the customary holiday if the worker so requests and the employer agrees and the agreement is reduced to writing and sets out the date on which the holiday is to be allowed,*

he shall be paid for the day so allowed as a holiday not less than the amount to which he would have been entitled under this Part of this Schedule had he worked the number of hours ordinarily worked by him on that day of the week.

(3) Where a full-time worker who has worked on a customary holiday is not allowed a day in lieu of the customary holiday in accordance with sub-paragraph (2) of this paragraph he shall be paid for the working day next following the last day on which the holiday could have been allowed in accordance with that sub-paragraph or for his last working day if he leaves his employment before that day, for all time worked on the said working day the minimum remuneration to which he is entitled under the provisions of this Schedule and in addition at the rate of single time for the number of hours worked by him on the customary 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 11th May 1964, amends the Wages Regulation (Licensed Residential Establishment and Licensed Restaurant) Order 1963 (Order L.R.(32)) by—

(*a*) increasing the rates payable to apprentices and trainee cooks after the third year of training;

(*b*) excluding all time worked on a weekly rest day from the calculation of overtime;

(*c*) omitting the provision providing a rate for late entrant waiters; and

(*d*) providing that a day in lieu of a customary holiday may be taken at any time before the end of the next holiday season.

New provisions are printed in italics.