(*b*) where she ordinarily works for the employer for less than 34 hours a week on work to which this Schedule applies 1s. 6d. per hour for all time worked."

(3) in paragraphs 16 and 17 (which relate respectively to workers who ordinarily work for not less than 15 hours a week who are required to work on the weekly day of rest, and to such workers who are required to work on a public holiday) for the expression " 15 hours " in both places where they occur there were substituted the expression " 18 hours ".

SECOND SCHEDULE

HOLIDAYS AND HOLIDAY REMUNERATION

The Wages Regulation (Licensed Non-Residential Establishment) (Managers and Club Stewards) Order, 1951(a), shall have effect as if in the First Schedule thereto in paragraph 1 (which specifies the workers to whom the Schedule applies) for the expression " 15 hours " there were substituted the expression " 18 hours ".

EXPLANATORY NOTE

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

This Order, which has effect from 15th October, 1951, amends the provisions relating to statutory minimum remuneration contained in the Wages Regulation (Licensed Non-Residential Establishment) (Managers and Club Stewards) Order, 1948, as amended by the Second Schedule to the Wages Regulation (Licensed Non-Residential Establishment) (Managers and Club Stewards) Order, 1951, by fixing the statutory minimum remuneration of a wife of a club steward where she is required to perform all or the greater part of the duties of her husband during his absence on any day of annual holiday allowed to him under the provisions of a wages regulation order. It increases from 15 to 18 hours per week the number of hours which club stewards, club stewardesses and the wives of club stewards are ordinarily required to have worked before the provisions relating to the weekly day of rest and public holidays apply. It also amends the First Schedule to the Wages Regulation (Licensed Non-Residential Establishment) (Managers and Club Stewards) Order, 1951 (which relates to annual holidays and holiday remuneration) by increasing from 15 to 18 the number of hours which club stewards, club stewardesses and the wives of club stewards shall ordinarily work before the provisions of the Schedule apply to them.

The Wages Regulation (Licensed Residential Establishment and Licensed Restaurant) Order, 1951

1951 No. 1031

Made - - - - 11*th June*, 1951

Coming into Operation 1*st July*, 1951

L.R. (12)

Whereas the Minister of Labour and National Service (hereinafter in this Order referred to as " the Minister ") has received from the Licensed Residential Establishment and Licensed Restaurant Wages Board (hereinafter in this Order referred to as " the Wages Board ") the wages regulation proposals set out in the Schedule hereto ;

(a) S.I. 1951 No. 676, p. 117 above.

Now, therefore, the Minister by virtue of the powers conferred on him by section 8 of the Catering Wages Act, 1943(**a**), and of all other powers in that behalf hereby makes the following Order:—

Short title, commencement, interpretation and revocation

1.—(1) This Order may be cited as the Wages Regulation (Licensed Residential Establishment and Licensed Restaurant) Order, 1951, and shall come into operation on the 1st day of July, 1951.

(2) The Interpretation Act, 1889(**b**), applies to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

(3) The Wages Regulation (Licensed Residential Establishment and Licensed Restaurant) Order, 1949(**c**), (hereinafter in this Order referred to as "Order L.R. (7)") and the Wages Regulation (Licensed Residential Establishment and Licensed Restaurant) (Amendment) Order, 1950(**d**), are hereby revoked.

Fixing of statutory minimum remuneration and provisions as to holidays and holiday remuneration

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

(2) The provisions of the said Schedule shall have effect as from the 1st day of July, 1951.

Signed by order of the Minister of Labour and National Service this 11th day of June, 1951.

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

ARRANGEMENT OF SCHEDULE

PART I—REMUNERATION FOR EMPLOYMENT

Paragraphs

1. Remuneration for employment.
2. Table of weekly minimum remuneration.
3. Full-time workers not provided with laundry.
4. Workers required to wear uniform or protective clothing of a distinctive character, not provided by the employer.
5. Extra waiting staff.
6. Additional payment for night work.
7. Payment for spreadover of hours of work.
8. Payment for emergency duty.
9. Special provisions relating to intervals for rest.
10. Late entrant waiters.
11. Workers temporarily transferred to higher grade work.
12. Basis of remuneration.
13. Guaranteed remuneration.
14. Overtime.
15. Special provisions relating to rest days.
16. Special provisions relating to full-time workers who are not required to work on a day of customary holiday.
17. Special provisions relating to full-time workers who work on a day of customary holiday and who are given a day off in lieu.

(**a**) 6 & 7 Geo. 6. c. 24.
(**b**) 52 & 53 Vict. c. 63.
(**c**) S.I. 1949 (No. 908) I, p. 567.
(**d**) S.I. 1950 (No. 2077) I, p. 219.

Paragraphs

18. Special provisions relating to full-time workers who work on a day of customary holiday and who are not given a day off in lieu.

19. Night work in relation to days of customary holiday.

PART II—ANNUAL HOLIDAYS

20-26. Annual holiday.

27-29. Remuneration for annual holiday.

30-31. Accrued holiday remuneration payable on termination of employment.

32. General.

PART III—DEFINITIONS

33-35. Definitions.

PART IV—APPLICABILITY

36-37. Workers to whom the Schedule applies.

SCHEDULE

PART I

REMUNERATION FOR EMPLOYMENT

Paragraph 1

Subject to the provisions of this Part of this Schedule the minimum remuneration for employment in respect of the workers specified in the first column of the table in paragraph 2 (other than extra head waiters, extra waiters and extra waitresses) shall be in accordance with that table.

TABLE OF WEEKLY MINIMUM REMUNERATION

Paragraph 2. (For new Paragraph 2 *see* S.I. 1951 No. 1845, p. 155 below.)

FULL-TIME WORKERS NOT PROVIDED WITH LAUNDRY

Paragraph 3

Where in the case of a full-time worker, protective clothing or uniform is worn and no provision is made by the employer for laundering or cleaning it free of charge to the worker, the rates set out in columns 2, 3 and 4 of paragraph 2 of this Schedule shall be increased by 1s. 0d. per week in the case of such a worker.

WORKERS REQUIRED TO WEAR UNIFORM OR PROTECTIVE CLOTHING OF A DISTINCTIVE CHARACTER NOT PROVIDED BY THE EMPLOYER

Paragraph 4

(1) Where the employer requires a worker to wear uniform and does not provide it free of charge to the worker, the rates set out in columns 2, 3 and 4 of paragraph 2 of this Schedule shall be increased by 5s. 0d. per week in the case of such a worker.

(2) Where the employer requires a worker to wear protective clothing of a character distinctive to the establishment and does not provide it free of charge to the worker, the rates set out in columns 2, 3 and 4 of paragraph 2 of this Schedule shall be increased by 2s. 6d. per week in the case of such a worker.

EXTRA WAITING STAFF

Paragraph 5

The hourly minimum remuneration payable to the following classes of workers is—

	s.	d.	
In the case of an EXTRA WAITER	3	0	per hour
In the case of an EXTRA WAITRESS	2	6	„
In the case of an EXTRA HEAD WAITER	4	0	„

Provided that where a worker to whom this paragraph applies works for less than three hours in any day, he shall be paid not less than the minimum remuneration to which he would have been entitled had he worked for three hours.

ADDITIONAL PAYMENT FOR NIGHT WORK

Paragraph 6

Subject to the provisions of this Schedule relating to overtime and to work on days of customary holiday, the minimum remuneration payable to a worker, *other than a night porter*, in respect of night work (as defined in paragraph 35 of this Schedule), not being emergency duty (as defined in that paragraph), is the remuneration payable to the worker under paragraphs 2, 3 and 4 of this Schedule, with the addition of 25 per cent. of the remuneration set out in column 4 of paragraph 2.

PAYMENT FOR SPREADOVER OF HOURS OF WORK

Paragraph 7

(A) Where the hours of duty on any day of a worker, *other than a worker employed in a licensed residential establishment which contains not more than 35 rooms ordinarily available as sleeping accommodation for guests or lodgers*, are spread over more than 12 hours but not more than 14 hours calculated from the time at which he first commences duty on that day, the worker shall be paid as follows:—

Column 1	Column 2
(1) Where the hours of duty are spread over more than 12 hours and not more than 13 hours.	(1) The sum of the following:— (*a*) the minimum remuneration payable to the worker under the other provisions of this Part of this Schedule, and (*b*) in the case of a male worker, a payment at the rate of 2*d.* an hour for all time worked, or in the case of a female worker, a payment at the rate of 1½*d.* an hour for all time worked.

Column 1	Column 2
(2) Where the hours of duty are spread over more than 13 hours and not more than 14 hours.	(2) The sum of the following:— (*a*) the minimum remuneration payable to the worker under other provisions of this Part of this Schedule, provided that if the worker works for less than 8 hours he shall be paid the minimum remuneration for 8 hours, exclusive of remuneration for overtime unless overtime has been worked, and (*b*) in the case of a male worker, a payment at the rate of 2*d.* an hour for all time worked or a payment of 1*s.* 4*d.*, whichever is the greater, or in the case of a female worker, a payment at the rate of 1½*d.* an hour for all time worked or a payment of 1*s.*, whichever is the greater.

(B) Where the hours of duty on any day of any worker to whom this Schedule applies are spread over more than 14 hours calculated from the time at which the worker first commences duty on that day, the worker shall be paid as follows:—

(3) Where the hours of duty are spread over more than 14 hours and not more than 15 hours.	(3) The sum of the following:— (*a*) the minimum remuneration payable to the worker under the other provisions of this Part of this Schedule, provided that if the worker works for less than 10 hours he shall be paid the minimum remuneration for 10 hours, exclusive of remuneration for overtime unless overtime has been worked, and (*b*) in the case of a male worker, a payment at the rate of 3*d.* an hour for all time worked or a payment of 2*s.* 6*d.*, whichever is the greater, or in the case of a female worker, a payment at the rate of 2½*d.* an hour for all time worked or a payment of 2*s.* 1*d.*, whichever is the greater.

Column 1	Column 2
(4) Where the hours of duty are spread over more than 15 hours.	(4) The sum of the following:— (*a*) the minimum remuneration payable to the worker under the other provisions of this Part of this Schedule, provided that if the worker works for less than 10 hours he shall be paid the minimum remuneration for 10 hours, exclusive of remuneration for overtime unless overtime has been worked, and (*b*) in the case of a male worker, a payment at the rate of 6*d.* an hour for all time worked or a payment of 5*s.*, whichever is the greater, or in the case of a female worker, a payment at the rate of 5*d.* an hour for all time worked or a payment of 4*s.* 2*d.*, whichever is the greater.

Provided that

(1) where a worker commences a turn of duty on any day before midnight and that turn of duty continues beyond midnight, the hours of duty after midnight shall be treated as hours of duty performed on the day upon which the turn of duty commenced; and

(2) emergency duty (as defined in paragraph 35 of this Schedule) shall not be taken into consideration when calculating the hours over which the hours of duty have been spread.

PAYMENT FOR EMERGENCY DUTY

Paragraph 8

A worker (other than an extra head waiter, an extra waiter or an extra waitress) who is required to perform emergency duty (as defined in paragraph 35 of this Schedule), shall be paid for the time so worked—

(*a*) *where the worker works for half an hour or less—1s. 6d.*

(*b*) *where the worker works for more than half an hour—3s.*

SPECIAL PROVISIONS RELATING TO INTERVALS FOR REST

Paragraph 9

Where an employer does not allow to a worker between the time of finishing duty on any day and the time of commencing the next following turn of duty an interval for rest of

(*a*) in the case of a worker who is supplied by his employer with full board and lodging, not less than 8 consecutive hours;

(*b*) in the case of any other worker, not less than 9 consecutive hours;

the worker shall be paid for all time worked by him which reduces the said interval for rest the minimum remuneration to which he is entitled under the other provisions of this Part of this Schedule with an addition for all such time at the rate of double time (as defined in paragraph 33 of this Schedule), provided that the interval for rest shall not be regarded as having been reduced by reason solely of the fact that the worker has performed emergency duty (as defined in paragraph 35 of this Schedule).

LATE ENTRANT WAITERS

Paragraph 10

(1) Notwithstanding the foregoing provisions, where a waiter has had less than 12 months' experience as a waiter in the catering trade, he shall be paid as follows:—

(*a*) In the case of a waiter aged 16 years or more but under 21.	Not less than the remuneration which would be payable under the provisions of this Part of this Schedule to a waiter one year his junior.
(*b*) In the case of a waiter aged 21 years or over.	Not less than the remuneration which would be payable under the provisions of this Part of this Schedule to a waiter aged 20 years.

(2) In this paragraph, the expression "experience as a waiter in the catering trade" means any employment as a waiter in relation to whom there has operated any Wages Board established under the Catering Wages Act, 1943.

WORKERS TEMPORARILY TRANSFERRED TO HIGHER GRADE WORK

Paragraph 11

Where a worker is required temporarily to perform the duties of a worker entitled to a higher minimum remuneration than himself for a period of more than—

(i) *two hours in a day or seven hours in a week, in the case of a worker who is employed in a licensed residential establishment which contains not more than 35 rooms ordinarily available as sleeping accommodation for guests or lodgers, or*

(ii) two hours in any week *in the case of a worker other than a worker specified in* (i) *above,*

he shall be paid for the time so worked not less than the minimum remuneration he would have been entitled to had he been a worker of that higher grade.

Provided that the foregoing provision shall not apply in respect of time spent in relieving—

(*a*) any worker who is absent by reason of the fact that it is his weekly day of rest;

(*b*) for a period not exceeding 12 working days in any 12 months, any worker absent from work with the consent of the employer, but in receipt of not less than the statutory minimum remuneration.

BASIS OF REMUNERATION

Paragraph 12

(1) Subject to the provisions of paragraph 13 (which relates to guaranteed remuneration) the weekly rates specified in this Part of this Schedule relate to a week of 48 hours and are subject to a proportionate increase or reduction according as the number of hours worked not being overtime is more or less than 48.

(2) In calculating the remuneration for the purpose of this Schedule recognised breaks for mealtimes shall be excluded.

GUARANTEED REMUNERATION

Paragraph 13

(1) This paragraph applies to workers who ordinarily work for the employer on work to which this Schedule applies for not less than 72 hours in a fortnight.

(2) Notwithstanding the other paragraphs of this Part of this Schedule, where in respect of any fortnight the total remuneration payable to a worker—

(*a*) under those other paragraphs ; and

(*b*) by way of holiday remuneration under a wages regulation order

is less than the guaranteed remuneration provided under this paragraph, the minimum remuneration payable to that worker for that fortnight shall be that guaranteed remuneration.

(3) The guaranteed remuneration payable in respect of any fortnight to a worker to whom this paragraph applies

(*a*) who normally works for the employer for not less than 96 hours in a fortnight on work to which this Schedule applies, is twice the remuneration to which he would be entitled under paragraph 2 of this Schedule for 48 hours work in his normal occupation ;

(*b*) who normally works for the employer for more than 88 hours in a fortnight but for less than 96 hours on work to which this Schedule applies, is the remuneration to which he would be entitled under paragraph 2 of this Schedule (calculated as in paragraph 12 of this Schedule) in respect of the number of hours normally worked by him in a fortnight ;

(*c*) who normally works for the employer for 88 hours or less in a fortnight, is the remuneration to which he would be entitled under paragraph 2 of this Schedule (calculated as in paragraph 12 of this Schedule) for 88 hours in a fortnight.

Provided that where the worker normally works for the employer on work to which this Schedule applies for less than 88 hours in a fortnight by reason only of the fact that he does not hold himself out as normally available for work for more than the number of hours he normally works in the fortnight, and the worker has informed his employer in writing that he does not so hold himself out, the guaranteed remuneration shall be the remuneration calculated as in paragraph 12 of this Schedule for the number of hours in the fortnight normally worked by the worker for the employer on work to which this Schedule applies.

(4) Guaranteed remuneration is not payable in respect of any fortnight unless the worker throughout his normal working hours in that fortnight (excluding any time allowed to him as a holiday) is

(*a*) capable of and available for work ; and

(*b*) willing to perform such duties outside his normal occupation as the employer may reasonably require if his normal work is not available in the establishment in which he is employed.

(5) Guaranteed remuneration is not payable in respect of any fortnight if the worker's employment is terminated before the end of that fortnight.

(6) If the employer is unable to provide the worker with work by reason of a strike or other circumstances beyond his control and gives the worker four clear days' notice to that effect, guaranteed remuneration shall not be payable after the expiry of such notice in respect of any fortnight during which, or during part of which, the employer continues to be unable to provide work as aforesaid.

Provided that in respect of the fortnight in which the said notice expires there shall be paid to the worker in addition to any remuneration payable in respect of time worked in that fortnight, any remuneration that would have been payable if the worker had worked his normal hours of work on any days in the fortnight prior to the expiry of the notice.

OVERTIME

Paragraph 14

(1) Subject to the provisions of this paragraph and of paragraph 15 of this Schedule, minimum overtime rates shall be payable to workers, other than extra head waiters, extra waiters and extra waitresses, as follows :—

(*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 or a day of customary holiday, 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 or of any time worked on a day of customary holiday,	
(i) for the first six hours so worked	Time-and-a-quarter
(ii) thereafter	Time-and-a-half

(2) Notwithstanding the provisions of sub-paragraph (1) (b) and (c) of this paragraph, where the worker works for the employer for less than a fortnight, the minimum overtime rates shall be payable to him as follows :—

In any week, exclusive of time worked on the weekly day of rest or on a day of customary holiday,

(*a*) for the first three hours worked in excess of 48 hours	Time-and-a-quarter
(*b*) thereafter	Time-and-a-half

(3) The provisions of this paragraph shall not apply to emergency duty (as defined in paragraph 35 of this Schedule).

SPECIAL PROVISIONS RELATING TO REST DAYS

Paragraph 15

(1) Where a worker works on *one weekly day of rest in any period of two consecutive weeks* pursuant to an agreement in writing with his employer that the employer will allow the worker an equivalent time off during the period of the *ten* following weeks 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 on that day he had performed no work to which this Schedule applies.

(2) Where a worker to whom this paragraph applies is allowed time off pursuant to an agreement as specified in sub-paragraph (1) 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.

SPECIAL PROVISIONS RELATING TO FULL-TIME WORKERS WHO ARE NOT REQUIRED TO WORK ON A DAY OF CUSTOMARY HOLIDAY

Paragraph 16

(1) This paragraph applies only to a full-time worker who is not required to work on a day of customary holiday and who has been in the employer's employment for the six days immediately preceding the day of customary holiday and (unless excused by the employer or absent by reason of proved sickness) has worked for the employer throughout his normal working hours on the last working day on which work was available to him prior to the holiday and throughout his normal working hours on the next such working day following the holiday.

(2) Where the day of customary holiday is not a day which has been allowed to the worker and taken by him as a day of annual holiday under the provisions of a wages regulation order, he shall be paid for that day not less than the amount to which he would have been entitled under this Part of this Schedule had the day not been a day of customary holiday and had he worked the number of hours ordinarily worked by him on a full working day.

(3) Where the day of customary holiday is a day which has been allowed to a worker and taken by him as a day of annual holiday as aforesaid—

(*a*) he shall be allowed, except in the case where (*b*) of this sub-paragraph applies, a day of holiday in lieu of the day of customary holiday on a day other than the weekly day of rest, within *twenty eight* days of the day of customary holiday and he shall be paid for the holiday given in lieu not less than the amount to which he would have been entitled had he worked the number of hours ordinarily worked by him on that day of the week ; or

(*b*) if there is an agreement between the employer and the worker that no day of holiday in lieu of the day of customary holiday be so allowed, the worker shall be paid for the day of customary holiday in addition to the remuneration to which he is entitled in respect of that day as a day of annual holiday under a wages regulation order, *not less than the amount to which he would have been entitled had he worked the number of hours ordinarily worked by him on a full working day.*

SPECIAL PROVISIONS RELATING TO FULL-TIME WORKERS WHO WORK ON A DAY OF CUSTOMARY HOLIDAY AND WHO ARE GIVEN A DAY OFF IN LIEU

Paragraph 17

Where a full-time worker works on a day of customary holiday his employer shall, except as provided in paragraph 18 of this Schedule, allow him, on a day other than the weekly day of rest, a day of holiday in lieu thereof

(*a*) within the holiday season provided under a wages regulation order if the day of customary holiday falls within that season, or

(*b*) in all other cases within *28 days* of the customary holiday

and he shall be paid

(i) for all time worked on the day of customary holiday *the minimum remuneration to which he is entitled under the other provisions of this Part of this Schedule, and*

(ii) for the day given in lieu of the day of customary 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.

SPECIAL PROVISIONS RELATING TO FULL-TIME WORKERS WHO WORK ON A DAY OF CUSTOMARY HOLIDAY AND WHO ARE NOT GIVEN A DAY OFF IN LIEU

Paragraph 18

Where a full-time worker works on a day of customary holiday and there is an agreement between the employer and the worker that no day of holiday in lieu of the day of customary holiday shall be allowed to the worker, he shall be paid for all time worked on the day of customary holiday the minimum remuneration to which he would be entitled under the other provisions of this Part of this Schedule *with an addition at the rate of single time for all time so worked.*

NIGHT WORK IN RELATION TO DAYS OF CUSTOMARY HOLIDAY

Paragraph 19

For the purposes of paragraphs 16, 17 and 18, where a worker normally works a turn of duty which extends beyond midnight, the whole of the turn of duty worked, or the period which would have been covered by the turn of duty had it been worked, shall be counted as falling on the day upon which it commenced or would have commenced had it been worked.

PART II

ANNUAL HOLIDAYS

Paragraph 20

Subject to the provisions of this Part of this Schedule, an employer shall, before the 31st October, 1951, and in each succeeding year between 1st April and 31st October allow a holiday (hereinafter referred to as an "annual holiday") to every worker (other than an extra waiter, extra waitress and extra head waiter) for whom statutory minimum remuneration has been fixed, who was employed by him during the twelve months immediately preceding the commencement of the holiday season (hereinafter referred to as the "qualifying period") for any of the periods specified in Tables A and B below or in either of them and the duration of the annual holiday shall be related to the period of the worker's employment during the qualifying period and the length of his service with the employer in accordance with those Tables :—

TABLE A

Period of employment falling within the first year of the worker's service with the employer (1)	Duration of annual holiday for a worker who is normally employed on		
	6 days a week (2)	5 days a week (3)	4 days a week or less (4)
At least 8 weeks	1 day	1 day	—
„ 16 „	2 days	1 „	1 day
„ 24 „	3 „	2 days	2 days
„ 32 „	4 „	3 „	2 „
„ 40 „	5 „	4 „	3 „
„ 48 „	6 „	5 „	4 „

TABLE B

Period of employment after the first year of the worker's service with the employer (1)	Duration of annual holiday for a worker who is normally employed on		
	6 days a week (2)	5 days a week (3)	4 days a week or less (4)
At least 4 weeks	1 day	1 day	—
„ 8 „	2 days	1 „	1 day
„ 12 „	3 „	2 days	2 days
„ 16 „	4 „	3 „	2 „
„ 20 „	5 „	4 „	3 „
„ 24 „	6 „	5 „	4 „
„ 28 „	7 „	6 „	4 „
„ 32 „	8 „	6 „	5 „
„ 36 „	9 „	7 „	5 „
„ 40 „	10 „	8 „	6 „
„ 44 „	11 „	9 „	7 „
„ 48 „	12 „	10 „	8 „

Provided that

(i) the number of days of annual holiday to which a worker is entitled under the provisions of this Schedule shall not exceed the number constituting the worker's normal working week where the worker's annual holiday is calculated by reference only to Table A above, and shall not exceed twice the number constituting the worker's normal working week where the worker's holiday is calculated by reference only to Table B above or by reference to both Table A and Table B; and

(ii) the worker's annual holiday during the holiday season ending on the 31st day of October, 1951, shall be reduced by any days of annual holiday duly allowed to him by the employer under the provisions of Order L.R.(7) (as amended) between the 1st day of April, 1951, and the date on which the provisions of this Schedule become effective.

Paragraph 21

For the purpose of calculating the duration of the annual holiday of a worker whose employment during the qualifying period or the qualifying period as varied in accordance with the provisions of paragraph 23 or 24 below falls partly in the first year of his service with the employer and partly in the second year of such service the number of days of holiday to which the worker is entitled under Table A and under Table B shall be added together.

Paragraph 22

An annual holiday shall be allowed on consecutive working days and days of annual holiday shall be treated as consecutive notwithstanding that the worker's weekly day of rest or a day of customary holiday or a day of holiday in lieu of a day of customary holiday intervenes.

Provided that where a worker is entitled to more days of annual holiday than the number constituting his normal working week his holiday may be allowed in two separate periods of which one shall consist of at least the number of days constituting his normal working week.

Paragraph 23

Notwithstanding the provisions of paragraph 20 of this Schedule, an annual holiday may be allowed—

(1) during the five months preceding the commencement of the holiday season ; or

(2) after the end of the holiday season and before the commencement of the next following holiday season

in the following circumstances, that is to say:—

(*a*) in the case of sub-paragraph (1) of this paragraph, where the worker informs his employer not less than one month before the date at which he wishes to take all or part of the annual holiday that he wishes to take it before the commencement of the holiday season and the employer agrees and the said agreement is reduced into writing and sets out the date on which the annual holiday is to be allowed ;

(*b*) in the case of sub-paragraph (2) of this paragraph, where the worker in the course of the holiday season informs his employer that he wishes to take the annual holiday after the end of the holiday season and the employer agrees and the said agreement is reduced into writing and sets out the date on which the annual holiday is to be allowed.

Where under the provisions of this paragraph an annual holiday is taken during the five months preceding the commencement of the holiday season the qualifying period for the purpose of calculating the duration of the said holiday of the worker or workers concerned shall be varied and shall be the twelve months immediately preceding the commencement of the annual holiday, provided that where an annual holiday is allowed to a worker in two separate periods in accordance with the provisions of paragraph 22 of this Schedule the qualifying period as varied referred to in this paragraph shall be the period of 12 months immediately preceding the first holiday period.

Paragraph 24

Notwithstanding the provisions of paragraph 20 of this Schedule, the Wages Board may vary the holiday season as there set out in respect of any establishment if they receive an application for the purpose from an employer and are satisfied that it is reasonable to do so to meet special circumstances. Such variation may provide for the commencement of the holiday season earlier than 1st April or its extension beyond 31st October. An application relating to the commencement of the holiday season shall be made to the Wages Board not less than six weeks before the operative date and an application to extend the duration of the holiday season before 15th July. Any such alteration in the holiday season shall not become effective until notice of the decision of the Wages Board has been communicated to the employer concerned.

In the case of any variation of the holiday season under this provision the qualifying period for the purpose of calculating the duration of the annual holiday of the worker or workers concerned shall be varied and shall be the 12 months immediately preceding the commencement of the holiday season as varied.

Paragraph 25

An employer shall give to a worker reasonable notice of the commencing date and duration of his annual holiday and such notice may be given individually to a worker or by the posting of a notice in the place where the worker is employed.

Paragraph 26

Where any day of annual holiday allowed to any worker under this Schedule falls on a day of holiday or half holiday to which the worker may be entitled under any enactment other than the Catering Wages Act, 1943, that holiday or half holiday may be treated as part of the annual holiday allowed under this Schedule.

REMUNERATION FOR ANNUAL HOLIDAY

Paragraph 27

Subject to the provisions of paragraph 29 of this Schedule, a worker entitled to be allowed an annual holiday under this Schedule shall be paid by his employer in respect thereof not later than the last pay day preceding such annual holiday, holiday remuneration in accordance with the following table:—

Column 1 Period of annual holiday	Column 2 Holiday remuneration for workers with a normal working week of			Column 3
	6 days	5 days	4 days or less	
12 days ...	Twice the amount in Col. 3	—	—	One half of the amount which the worker would be entitled to receive from his employer at the date of the holiday, or where the holiday is taken in two periods at the date of the first period, for a fortnight's work, if working his normal hours of work, exclusive of overtime, and if paid the appropriate statutory minimum remuneration (as defined in paragraph 35 of this Schedule) set out in the wages regulation Order then current and at the same rate for work (if any) to which that Order does not apply.
11 „ ...	One-and-five-sixths of the amount in Col. 3	—	—	
10 „ ...	One-and-two-thirds of the amount in Col. 3	Twice the amount in Col. 3	—	
9 „ ...	One-and-one-half of the amount in Col. 3	One-and-four-fifths of the amount in Col. 3	—	
8 „ ...	One-and-one-third of the amount in Col. 3	One-and-three-fifths of the amount in Col. 3	Twice the amount in Col. 3	
7 „ ...	One-and-one-sixth of the amount in Col. 3	One-and-two-fifths of the amount in Col. 3	One-and-three-quarters of the amount in Col. 3	
6 „ ...	The amount in Col. 3	One-and-one-fifth of the amount in Col. 3	One-and-one-half of the amount in Col. 3	
5 „ ...	Five-sixths of the amount in Col. 3	The amount in Col. 3	One-and-one-quarter of the amount in Col. 3	
4 „ ...	Two-thirds of the amount in Col. 3	Four-fifths of the amount in Col. 3	The amount in Col. 3	
3 „ ...	One-half of the amount in Col. 3	Three-fifths of the amount in Col. 3	Three-quarters of the amount in Col. 3	
2 „ ...	One-third of the amount in Col. 3	Two-fifths of the amount in Col. 3	One-half of the amount in Col. 3	
1 day ...	One-sixth of the amount in Col. 3	One-fifth of the amount in Col. 3	One-quarter of the amount in Col. 3	

Paragraph 28

Where under the provisions of paragraph 22 an annual holiday is taken in two periods the holiday remuneration shall be apportioned accordingly.

Paragraph 29

Where an annual holiday is allowed under the foregoing provisions of this Schedule and accrued holiday remuneration has been paid by the employer to the worker under paragraphs 30 and 31 of this Schedule or under the provisions of the Second Schedule to Order L.R. (7) (as amended) in respect of the qualifying period in respect of which the annual holiday is calculated, or the qualifying period as varied in accordance with the provisions of paragraph 23 or 24 of this Schedule as the case may be, the amount to be paid in respect of the period of such annual holiday is the appropriate amount payable under paragraph 27 LESS the accrued holiday remuneration paid as aforesaid.

ACCRUED HOLIDAY REMUNERATION PAYABLE ON TERMINATION OF EMPLOYMENT

Paragraph 30

If a worker (other than an extra waiter, extra waitress and extra head waiter) ceases to be employed by an employer after the provisions of the Schedule become effective before being entitled to be allowed an annual holiday or before being allowed the whole of any annual holiday to which he is entitled under this Schedule, the employer shall, immediately on the termination of the employment, pay to the worker accrued holiday remuneration in accordance with the provisions of paragraph 31.

Paragraph 31

Subject to the provisions of this paragraph accrued holiday remuneration shall be payable to a worker (other than an extra waiter, extra waitress and extra head waiter) in respect of such part of his employment with the employer in the twelve months immediately preceding the termination of his employment as has not already been counted as employment for the purpose of any day or days of annual holiday allowed to the worker by the employer, and taken by the worker, and such accrued holiday remuneration shall be payable as follows:—

(1) For each week (but not exceeding 48) falling within the first year of the worker's service with the employer in respect of which, under the provisions of paragraph 32, the worker is treated as having been employed, one-ninety-sixth of the amount he would be entitled to receive from his employer for a fortnight's work at the date of termination of employment if he worked his normal hours of work, exclusive of overtime, and if paid at the appropriate statutory minimum remuneration, as defined in paragraph 35, set out in the wages regulation order then current and at the same rate for work (if any) to which that order does not apply.

(2) For each week (but not exceeding 48) falling within the second or a subsequent year of the worker's service with the employer in respect of which, under the provisions of paragraph 32 the worker is treated as having been employed, one-forty-eighth of the amount he would be entitled to receive from his employer for a fortnight's work at the date of termination of employment if working his normal hours of work exclusive of overtime and if paid at the appropriate statutory minimum remuneration, as defined in paragraph 35, set out in the wages regulation order then current and at the same rate for work (if any) to which that order does not apply.

Provided

(*a*) that accrued holiday remuneration shall not be payable to a worker in the following circumstances:—

(i) where the worker has been in the employment of the employer for less than 8 weeks; or

(ii) where the worker is dismissed on the grounds either of dishonesty or of misconduct involving contravention of the licensing laws and is so informed by the employer at the time of dismissal.

(*b*) that the amount of any accrued holiday remuneration payable on the termination of the worker's employment shall be reduced by the amount of any previous payment of accrued holiday remuneration made by the employer to the worker under the provisions of this Schedule or of the Second Schedule to Order L.R. (7) (as amended) in so far as it is attributable to the period for which the accrued holiday remuneration is payable.

GENERAL

Paragraph 32

For the purpose of calculating any period of employment entitling a worker to an annual holiday or to any accrued holiday remuneration under this Schedule the worker shall be treated as having been employed

(1) for two weeks in respect of any fortnight in which he has worked for the employer for 96 hours or, where the number of hours normally worked by him for the employer in a fortnight is less than 96, that number of hours, and in both weeks of which fortnight he has performed some work which entitles him to statutory minimum remuneration;

(2) when absent from work in any of the following circumstances:—

(*a*) on annual holiday allowed under this Schedule, days of customary holiday or days of holiday in lieu of customary holiday;

(*b*) during proved sickness or accident up to and not exceeding a maximum of 12 weeks in the aggregate during the qualifying period or during the qualifying period as varied in accordance with the provisions of paragraph 23 or 24 of this Schedule, or where under paragraphs 30 and 31 of this Schedule accrued holiday remuneration is payable on the termination of the employment in the 12 months immediately preceding the termination of the employment;

(*c*) by leave of the employer.

PART III

DEFINITIONS

Paragraph 33

In this Schedule the expression *"single time"* means the hourly rate obtained by dividing by 48 the minimum weekly remuneration to which the worker would be entitled if he were employed in the circumstances specified in column 4 of paragraph 2 of this Schedule, and the expressions "time-and-a-quarter", "time-and-a-half", and "double time" mean respectively, one-and-a-quarter, one-and-a-half, and twice the hourly rate obtained as aforesaid.

Paragraph 34

In this Schedule the following expressions have the meanings hereby respectively assigned to them, that is to say:—

(—) ASSISTANT MANAGER or ASSISTANT MANAGERESS is a worker wholly or mainly engaged on catering work who assists the Manager or Manageress and who takes charge of the establishment during the absence of the Manager or Manageress.

(1) ATTENDANT (RAILWAY REFRESHMENT ESTABLISHMENT) is a female worker aged 21 years or over who is wholly or mainly employed in the serving of refreshments, confectionery, cigarettes or tobacco in a railway refreshment establishment, or on duties ancillary to any of these duties.

(2) BARMAID is a female worker aged 21 years or over who is wholly or mainly employed in dispensing, or in dispensing and serving, refreshment at a bar or dispense, or on duties ancillary to any of these duties.

(3) BARMAID, HEAD is a barmaid who supervises not less than three barmen or barmaids, and who is responsible for the bar and the records.

(4) BARMAN (COCKTAILS, DISPENSE, ETC.) is a male worker aged 21 years or over who is wholly or mainly employed in dispensing, or in dispensing and serving, refreshment at a dispense, American, cocktail, lounge, saloon or private bar, or on duties ancillary to any of these duties.

(5) BARMAN, HEAD is a barman who supervises not less than three barmen or barmaids, and who is responsible for the bar and the records.

(6) BARMAN, HEAD COCKTAIL is a barman who supervises not less than three barmen or barmaids who are wholly or mainly employed in dispensing at a cocktail bar, and who is responsible for the bar and the records.

(7) BARMAN, PUBLIC is a male worker aged 21 years or over who is wholly or mainly employed in dispensing, or in dispensing and serving, refreshment at a public bar, or on duties ancillary to any of these duties.

(8) BUTCHER is a male worker aged 21 years or over who is responsible for the storage of meat and who is wholly or mainly employed in the cutting up or dressing and preparation for cooking of meat.

(9) BUTCHER, ASSISTANT is a male worker aged 21 years or over whose duties consist wholly or mainly in assisting a butcher.

(10) CARVER is a male worker aged 21 years or over who is wholly or mainly employed in carving meat, poultry or game.

(11) CASHIER, DINING-ROOM AND RESTAURANT is a female worker aged 21 years or over who is wholly or mainly employed on one or more of the following duties, that is to say, receiving payment from and giving change to customers in a dining-room or restaurant, keeping records of sums received and balancing cash taken with the records kept, or on duties ancillary to any of these duties.

(12) CELLARMAN is a male worker aged 21 years or over who is wholly or mainly employed on one or more of the following duties, that is to say, bottling, racking, receipt, custody, issue or keeping records of beers, wines, spirits and minerals.

(13) CELLARMAN, HEAD is a cellarman who supervises not less than three cellar staff.

(14) CHAMBERMAID is a female worker aged 21 years or over who is wholly or mainly employed on one or more of the following duties, that is to say, making beds and cleaning and tidying bedrooms or bathrooms, taking orders for, or serving, meals or refreshment required in bedrooms, or similarly attending to visitors, or on duties ancillary to any of these duties.

(15) CHEF OR HEAD COOK (MALE) is a male worker aged 21 years or over experienced in all departments of the kitchen who is wholly or mainly employed on the preparation and cooking of food requiring the mixing of two or more ingredients or the preparation and cooking of meat, poultry, game or fish and who exercises supervisory authority over the kitchen staff.

(16) CHEF DE CUISINE is a male worker aged 21 years or over who is experienced in all departments of the kitchen, is in charge of the kitchen, and who supervises the work of chefs de partie or sectional cooks and plans menus, and orders supplies.

(17) CHEF ENTREMETIER (HEAD VEGETABLE OR SOUP COOK) is a male worker aged 21 years or over who is wholly or mainly employed on one or more of the following duties, that is to say, the cooking, or supervising the cooking, of vegetables or the preparation and cooking, or supervising the preparation and cooking, of egg dishes or of soups, and who is assisted by one or more commis cooks whose duties he supervises.

(18) CHEF GARDE-MANGER (HEAD LARDER COOK) is a male worker aged 21 years or over who is responsible for the larder or cold store, and who is wholly or mainly employed in preparing, or in supervising the preparation of, cold dishes containing meat, fish or poultry, and of garnishes, and who is assisted by one or more commis garde-manger whose duties he supervises.

(19) CHEF PATISSIER (HEAD PASTRY COOK) is a male worker aged 21 years or over who is wholly or mainly employed in the making and preparation for the table, or in supervising the making and preparation for the table, of pastries, cakes, sweets, ices, puddings, pies and similar articles and who is assisted by one or more commis pâtissiers whose duties he supervises.

CHEF DE PARTIE (SECTIONAL COOK) is a chef saucier, a chef pâtissier, a chef garde-manger, a chef rôtisseur, a chef poissonnier, a chef entremetier, a head breakfast cook or a head grill cook.

(20) CHEF POISSONNIER (HEAD FISH COOK) is a male worker aged 21 years or over who is wholly or mainly employed in cooking and preparing for the table, or in supervising the cooking and preparation for the table, of fish and fish dishes and who is assisted by one or more commis cooks whose duties he supervises.

(21) CHEF ROTISSEUR (HEAD ROAST COOK) is a male worker aged 21 years or over who is wholly or mainly employed in cooking, or in supervising the cooking, of joints, poultry or game, and who is assisted by one or more commis cooks whose duties he supervises.

(22) CHEF SAUCIER (HEAD SAUCE COOK) is a male worker aged 21 years or over who is wholly or mainly employed in preparing, or in supervising the preparation of sauces, and the cooking and serving, or in supervising the cooking and serving, of entrées, and who is assisted by one or more commis sauciers whose duties he supervises.

(23) CLEANER is a female worker aged 21 years or over who is wholly or mainly employed in cleaning any part of the premises.

(24) CLERK OR RECEPTIONIST is a worker ager 21 years or over who is wholly or mainly employed on clerical, office or reception work.

(25) CLERK OR RECEPTIONIST, HEAD is a clerk or receptionist who supervises not less than three clerks or receptionists, whether male or female.

(26) CLOAKROOM AND TOILET ATTENDANT is a worker aged 21 years or over who is wholly or mainly employed on one or more of the following duties, that is to say, the receipt, custody and issue of personal effects deposited in the cloakroom, or the charge of, and responsibility for cleaning, or for the cleanliness of, toilets.

(27) COMMIS COOK is a male worker aged 21 years or over who has undergone not less than three years' training under a chef de cuisine or a chef de partie and who is employed under the immediate supervision of a chef de partie, other than a chef saucier, chef pâtissier or a chef garde-manger.

(28) COMMIS GARDE-MANGER (LARDER COOK) is a male worker aged 21 years or over who has undergone not less than three years' training under a chef de cuisine or a chef de partie and who is employed under the immediate supervision of a chef garde-manger.

(29) COMMIS PATISSIER (PASTRY COOK) is a male worker aged 21 years or over who has undergone not less than three years' training under a chef de cuisine or a chef de partie and who is employed under the immediate supervision of a chef pâtissier.

(30) COMMIS SAUCIER (SAUCE COOK) is a male worker aged 21 years or over who has undergone not less than three years' training under a chef de cuisine or a chef de partie and who is employed under the immediate supervision of a chef saucier.

(31) COOK (FEMALE) is a female worker aged 21 years or over who is wholly or mainly employed in the preparation and cooking of food requiring the mixing of two or more ingredients or the preparation and cooking of meat, poultry, game or fish and duties ancillary to any of these duties, and who either works without assistance (except for assistance in the preparation of vegetables) or is employed under a chef or head cook, whether male or female.

(32) COOK (MALE) is a male worker aged 21 years or over, not being a commis cook, who is wholly or mainly employed in the preparation and cooking of food requiring the mixing of two or more ingredients or the preparation and cooking of meat, poultry, game or fish and duties ancillary to any of these duties, and who either works without assistance (except for assistance in the preparation of vegetables) or is employed under a chef or head cook, whether male or female.

(33) COOK, ASSISTANT is a worker aged 21 years or over who is wholly or mainly employed in the preparation and cooking of food (not being mainly the preparation of vegetables or salads) and who is employed under the immediate supervision of a chef or head cook, whether male or female.

(34) COOK, HEAD (FEMALE) is a female worker aged 21 years or over experienced in all departments of the kitchen who is wholly or mainly employed in the preparation or cooking of food requiring the mixing of two or more ingredients or the preparation and cooking of meat, poultry, game or fish and who supervises not less than three cooks, whether male or female.

(35) COOK, HEAD BREAKFAST is a male worker aged 21 years or over who is responsible for the preparation and cooking of breakfast dishes, and who is assisted by one or more commis cooks whose duties he supervises.

(36) COOK, HEAD GRILL is a male worker aged 21 years or over who is wholly or mainly employed on the cooking, or in supervising the cooking, of grills, and who is assisted by one or more commis cooks whose duties he supervises.

(37) COOK, STAFF is a male worker aged 21 years or over who is responsible for, and wholly or mainly employed in, the preparation and cooking of food requiring the mixing of two or more ingredients or the preparation and cooking of meat, poultry, game or fish and where the food is for consumption by the staff.

(38) FIREMAN (PATROL) is a male worker aged 21 years or over who patrols the premises and who is responsible for the maintenance in good and efficient order of fire prevention appliances and for taking the necessary measures to deal with any outbreak of fire.

(39) FISHMONGER-POULTERER is a male worker aged 21 years or over who is responsible for the storage of fish, poultry or game and who is wholly or mainly employed in the preparation for cooking of fish, poultry or game.

(40) FISHMONGER-POULTERER, ASSISTANT is a male worker aged 21 years or over whose duties consist wholly or mainly in assisting a fishmonger-poulterer.

HOUSEKEEPER is a female worker aged 21 years or over who is employed on general household administration, selection and control of domestic staff, and who is responsible for domestic stores and the general cleanliness of the establishment.

(41) HOUSEKEEPER GRADE I is a housekeeper who is employed in an establishment where she is the only housekeeper or where she is appointed to supervise not more than two other housekeepers.

(42) HOUSEKEEPER GRADE II is a housekeeper who performs her duties under the supervision of another housekeeper or of a head housekeeper.

(43) HOUSEKEEPER, HEAD is a housekeeper who supervises three or more housekeepers.

(44) HOUSEMAID is a female worker aged 21 years or over who is wholly or mainly employed on one or more of the following duties, that is to say, cleaning in bedrooms, bathrooms, corridors, staircases, lounges, dining-rooms, restaurants, attending to fires, or on duties ancillary to any of these duties.

(45) LIFT ATTENDANT is a worker aged 21 years of over who is wholly or mainly employed in operating a lift.

(46) LINEN KEEPER, HEAD is a female worker aged 21 years or over who is responsible for the house linen, and who supervises not less than three linen or sewing maids.

(47) MAID, HEAD STILLROOM is a stillroom maid who supervises not less than three stillroom maids.

(48) MAID, KITCHEN, SCULLERY OR VEGETABLE is a female worker aged 21 years or over who is wholly or mainly employed on one or more of the following duties, that is to say, cleaning the kitchen or scullery, or kitchen or scullery apparatus, washing dishes or cooking utensils, cleaning fish, plucking poultry or game, cleaning and preparing raw vegetables or fruit, or on duties ancillary to any of these duties.

(49) MAID, LINEN OR SEWING is a female worker aged 21 years or over who is wholly or mainly employed on one or more of the following duties, that is to say, the receipt, checking, folding, stacking, despatch or issue of house or visitors' linen or laundry, sewing repairs, or on duties ancillary to any of these duties.

(50) MAID OR FEMALE ATTENDANT, STAFF is a female worker aged 21 years or over who is wholly or mainly employed on the duties of a housemaid in connection with those parts of the premises used mainly by the staff.

(51) MAID, STILLROOM is a female worker aged 21 years or over who is wholly or mainly employed on one or more of the following duties, that is to say, the preparation and dispensing of beverages or light refreshments, cleaning the stillroom, or on duties ancillary to any of these duties.

(—) MANAGER OR MANAGERESS is the person responsible to the employer for the cleanliness, care and supervision of the premises and equipment of an establishment and for the handling of the cash and stocks, for the control of the staff where any is employed and for the conduct of the establishment as required by law.

(52) PLATE OR PANTRY WOMAN OR CROCKERY ATTENDANT is a female worker aged 21 years or over who is wholly or mainly employed on one or more of the following duties, that is to say, collecting, cleaning, washing or sorting plate, cutlery, crockery or glass, or on duties ancillary to any of these duties.

(53) PLATEMAN OR PANTRYMAN, HEAD OR FOREMAN is a plateman or pantryman who supervises not less than three platemen or pantrymen.

(54) PORTER does not include a kitchen porter *or night porter*, but save as aforesaid means a male worker aged 21 years or over who is wholly or mainly employed on portering duties (whether described as a hall porter, a house porter, a basement porter, a floor porter, a cellar porter, a store porter or any other description of porter, or a "boots") and for the purpose of this definition "portering duties" include the following:—

carrying luggage, supplying information to guests or customers, taking messages, calling cars or taxis, or similarly attending to guests or customers, portering goods or supplies, cleaning premises, furniture or fittings (including the cleaning of windows, glazed doors or partitions), attending to fires or boilers and cleaning boots or shoes.

(55) PORTER, KITCHEN, PLATEMAN, PANTRYMAN OR CROCKERY ATTENDANT is a male worker aged 21 years or over who is wholly or mainly employed on one or more of the following duties, that is to say, cleaning the kitchen, service or scullery, or kitchen, service or scullery apparatus; cleaning and preparing raw vegetables or fruit or fish or plucking poultry or game; collecting, cleaning, washing or sorting plate, cutlery, crockery or glass; or on duties ancillary to any of these duties.

(56) PORTER, HEAD HALL is a hall porter who supervises all porters (except those employed in or about the kitchen) and who is employed in an establishment where not less than five hall porters (including himself) are employed.

(57) *PORTER, NIGHT is a male worker aged 21 years or over who is normally employed on night work and whose duties consist of any one or more of the following duties, that is to say*:—

attending to the requirements of visitors, acting as night watchman, carrying out household duties (including cleaning premises, furniture or fittings, attending to fires or boilers, cleaning boots or shoes) or duties ancillary to any of these duties.

(58) PORTER, SECOND HEAD HALL is a hall porter who is appointed to exercise supervisory authority under a head hall porter and to perform his duties when he is absent.

(59) PORTER, SINGLE OR LEADING is a porter who is either the only porter employed in the establishment or is the leading porter in an establishment where not more than four male workers, including himself, are employed on portering (other than kitchen portering), or as cloakroom or toilet attendants.

(60) SALAD HAND is a worker aged 21 years or over who is wholly or mainly employed in one or more of the following duties, that is to say, the washing of vegetables especially for salads or hors d'œuvres, the preparation of salads or hors d'œuvres, the making of sauces especially for salads or hors d'œuvres, or on duties ancillary to any of these duties.

(61) SERVICE DISPENSER is a worker who is not an attendant (railway refreshment establishment), is aged 21 years or over and is wholly or mainly employed in dispensing, or dispensing and serving, of food or beverages (other than serving at table), cleaning the dispense counter, and on duties ancillary to these duties.

(62) SOUS CHEF DE CUISINE is a male worker aged 21 years or over experienced in all departments of the kitchen, who is appointed to exercise supervisory authority under a chef de cuisine and to perform the duties of a chef de cuisine in his absence.

(63) STILLROOM MAN is a male worker, aged 21 years or over who is wholly or mainly employed on one or more of the following duties, that is to say, the preparation and dispensing of beverages or light refreshments, cleaning the stillroom, or on duties ancillary to any of these duties.

(64) STORESMAN is a male worker aged 21 years or over who is wholly or mainly employed in the storeroom and is responsible for the receipt, custody, issue and records of goods in his charge.

(65) STORESMAN, HEAD is a storesman who supervises not less than three storeroom staff.

(66) STOKER is a male worker aged 21 years or over who is wholly or mainly employed in the firing and regulating of boilers.

(67) TELEPHONE OPERATOR (FEMALE) is a female worker aged 21 years or over who is wholly or mainly employed on one or more of the following duties, that is to say, operating a telephone switchboard or section thereof, obtaining calls for customers or guests in a telephone call box, making the appropriate charges to the customers or guests therefor.

(68) TELEPHONE OPERATOR (MALE) is a male worker aged 21 years or over who is wholly or mainly employed in operating a telephone switchboard or section thereof.

(69) TELEPHONE OPERATOR, HEAD is a telephone operator (female) who supervises not less than six telephone operators, whether male or female.

(70) TIMEKEEPER is a male worker aged 21 years or over who is wholly or mainly employed on one or more of the following duties, that is to say, recording the times of arrival or departure of staff, or ensuring that proper use is made by the staff of any time recording system in operation, as a watchman responsible for preventing unauthorised ingoing or outgoing of goods or persons, or on duties ancillary to any of these duties.

(71) VALET is a male worker aged 21 years or over who is wholly or mainly employed in caring for guests' clothing and including such a worker required to perform the duties of a floor porter, or on duties ancillary to any of these duties.

(72) WAITER is a male worker who is wholy or mainly employed in the serving of food or drink at table, the preparation and laying and clearing of tables, or on duties ancillary to any of these duties.

(—) WAITER, EXTRA is a waiter who is engaged on either an hourly or a day to day basis.

(—) WAITER, EXTRA HEAD is a male worker aged 21 years or over who supervises not less than 12 waiting staff and who is engaged on either an hourly or a day to day basis.

(73) WAITER, HEAD is a male worker aged 21 years or over who supervises not less than twelve waiting staff in an establishment where not less than twelve such workers are normally employed.

(74) WAITER, HEAD WINE is a waiter who supervises not less than three waiters who are wholly or mainly employed in the serving of drink at table.

(75) WAITER, LEADING OR CHARGE is a male worker aged 21 years or over who is a waiter who exercises general supervision over not less than four and less than 12 waiting staff.

(76) WAITER, SECOND HEAD is a male worker aged 21 years or over who is appointed to exercise supervisory authority under a head waiter and to perform the head waiter's duties in his absence.

(77) WAITRESS is a female worker aged 21 years or over who is wholly or mainly employed in the serving of food or drink at table, the preparation and laying and clearing of tables, or on duties ancillary to any of these duties.

(—) WAITRESS, EXTRA is a waitress who is engaged on either an hourly or a day to day basis.

(78) WAITRESS, HEAD is a waitress who supervises more than four waitresses.

(79) WAITRESS, SECOND HEAD is a waitress who supervises not more than four waitresses.

(80) WINDOW CLEANER is a male worker aged 21 years or over who is wholly or mainly employed on cleaning windows and whose work includes the external cleaning of windows above street level.

Paragraph 35

In the Schedule the following expressions have the meanings hereby respectively assigned to them, that is to say:—

"AREA A" means the City of London and Metropolitan Police District.

"AREA B" means

(i) In England and Wales—all Areas other than the City of London and the Metropolitan Police District which, according to the Registrar General's Statistical Review for 1941, were administered by County Borough, Municipal Borough or Urban District Councils and which had a population of two hundred and fifty thousand inhabitants or more;

(ii) In Scotland—Burghs which, according to the 89th Annual Report of the Registrar General for Scotland for 1943 had a population of two hundred and fifty thousand inhabitants or more.

"AREA C" means all areas other than those in Area A or Area B.

"CATERING CONTRACTING BUSINESS" means a business or part of a business wholly or mainly engaged in supplying food or drink for immediate consumption—

(*a*) on premises not ordinarily occupied by the person or body of persons carrying on the business; or

(*b*) in a railway train where the business is carried on otherwise than by a railway company;

and any activities incidental or ancillary thereto.

"CATERING UNDERTAKING" means any undertaking or any part of an undertaking which consists wholly or mainly in the carrying on (whether for profit or not) of one or more of the following activities, that is to say, the supply of food or drink for immediate consumption, the provision of living accommodation for guests or lodgers or for persons employed in the undertaking and any other activity so far as it is incidental or ancillary to any such activity as aforesaid of the undertaking.

"CENTRAL CATERING ESTABLISHMENT" means an establishment wholly or mainly engaged in the preparation of food or drink for immediate consumption at two or more places of refreshment carried on by the person or body of persons carrying on the establishment but does not include an establishment wholly or mainly engaged in the preparation of food or drink for consumption on the same premises or in the same building as those on which or as that in which the establishment itself is carried on and for the purpose of this definition a place of refreshment means any place which is used either regularly or occasionally as, or for the purposes of, a restaurant, dining-room, café, tea shop, buffet or similar place or a coffee stall, snack bar or other similar stall or bar.

"DAY" means a period running from midnight to midnight unless the context otherwise requires.

"DAY OF CUSTOMARY HOLIDAY" means

(1) In England and Wales—

(*a*) Christmas Day (or if Christmas Day falls on a Sunday such other day as may be prescribed by national proclamation or if no such day is prescribed the next following Tuesday), Boxing Day, Good Friday, Easter Monday, Whit Monday and August Bank Holiday; or

(*b*) in the case of each of the said days, 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) 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

(*b*) three other week-days 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.

"EMERGENCY DUTY" means work for not more than one hour performed by a worker involving the interruption of an interval for rest between two turns of duty.

"ESTABLISHMENT" means a licensed residential establishment, licensed restaurant, railway refreshment establishment or licensed workers' hostel.

"FORTNIGHT" means a period of two consecutive weeks of employment and for the purposes of this definition a week that has been treated as consecutive with the week that precedes it shall not be treated as consecutive with the week that follows it.

"FULL BOARD" means not less than four meals a day of good and sufficient quality and quantity.

"FULL-TIME WORKER" means a worker who normally works for his employer for not less than 72 hours a fortnight on work to which this Schedule applies.

"HOLIDAY SEASON" means in relation to an annual holiday during the year 1951 the period commencing on the 1st day of April, 1951, and ending on the 31st day of October, 1951, and in relation to each subsequent year, the period commencing on the 1st day of April and ending on the 31st day of October in that year.

" LICENSED RESIDENTIAL ESTABLISHMENT " means:—

(1) An hotel, inn, boarding house, guest house, hostel or similar establishment, including a holiday camp:—

(*a*) Which either contains four or more rooms ordinarily available as sleeping accommodation for guests or lodgers or, if it contains less than four such rooms, which contains sleeping accommodation ordinarily available for not less than eight guests or lodgers; and

(*b*) at which it is lawful for intoxicating liquor to be sold for consumption on the premises or to be supplied for consumption on the premises by reason of the fact that part of the premises is habitually used for the purposes of a registered club;

but does not include any hostel or similar establishment provided by or by arrangement with an employer wholly or mainly for the purpose of accommodating persons employed by him.

(2) A Club:—

(*a*) Which either contains four or more rooms ordinarily available as sleeping accommodation for guests or lodgers or, if it contains less than four such rooms, which contains sleeping accommodation ordinarily available for not less than eight guests or lodgers; and

(*b*) at which it is lawful for intoxicating liquor to be supplied for consumption on the premises.

" LICENSED RESTAURANT " does not include any place which forms part of a licensed residential establishment or which constitutes or forms part of a railway refreshment establishment or any place at which intoxicating liquor can legally be sold or supplied for consumption on the premises by reason only of the fact that in relation to that place an occasional license is for the time being in force, being a license granted to some person other than the person carrying on, or a person in the employment of the person carrying on, the activities (other than the supply of intoxicating liquor) of a catering undertaking at that place; but, save as aforesaid, means any place which is used either regularly or occasionally as, or for the purposes of, a restaurant, dining-room, café, or similar place at which it is lawful to sell (or supply in the case of a restaurant, dining-room or café of a club) intoxicating liquor for consumption on the premises and includes any bar or other place wholly or mainly used for the sale (or supply in the case of a club) and consumption on the premises of intoxicating liquor if the bar is situate on the same premises as any such restaurant, dining-room, café or similar place as aforesaid and the activities of such restaurant, dining-room, café or similar place constitute the main catering activities carried on at the premises.

" LICENSED WORKERS' HOSTEL " means a hostel or similar establishment provided by or by arrangement with an employer wholly or mainly for the purpose of accommodating persons employed by him otherwise than in a catering undertaking being an establishment at which it is lawful for intoxicating liquor to be sold for consumption on the premises or to be supplied for consumption on the premises by reason of the fact that part of the premises is habitually used for the purpose of a registered club.

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

" MEAL " means a meal of good and sufficient quality and quantity.

" NIGHT WORK " means all time worked on any turn of duty where that turn of duty includes not less than three hours' work between midnight and 6 a.m.

"NORMAL HOURS OF WORK" means the number of hours which have been most frequently worked by the worker in a fortnight in the employment of the employer in the qualifying period or in the qualifying period as varied in accordance with the provisions of paragraph 23 or 24 of this Schedule or where under paragraphs 30 and 31 of this Schedule accrued holiday remuneration is payable on the termination of the employment, in the 12 months immediately preceding the date of the termination of the employment.

"NORMAL WORKING WEEK" means the number of days on which the worker has most frequently worked in a week in the employment of the employer in the qualifying period or in the qualifying period as varied in accordance with the provision of paragraph 23 or 24 of this Schedule, or where under paragraphs 30 and 31 of this Schedule accrued holiday remuneration is payable, on the termination of the employment in the 12 months immediately preceding the date of the termination of the employment.

Provided that

(i) part of a day shall count as a day;

(ii) no account shall be taken of any week in which the worker did not perform any work for which statutory minimum remuneration has been fixed.

"PROTECTIVE CLOTHING" means any garment other than uniform which protects a worker's normal clothing.

"RAILWAY REFRESHMENT ESTABLISHMENT" means any place of refreshment at a railway station, being a place of refreshment:—

(i) at which it is lawful for intoxicating liquor to be sold for consumption on the premises; or

(ii) the activities of which are carried on by a railway company;

and for the purpose of this definition "place of refreshment" means a place used either regularly or occasionally as, or for the purposes of, a restaurant, dining-room, café, tea shop, canteen or similar place or coffee stall, buffet or bar.

"STATUTORY MINIMUM REMUNERATION" means minimum remuneration (other than holiday remuneration) which has been fixed by a wages regulation order; and

"APPROPRIATE STATUTORY MINIMUM REMUNERATION" means for the purposes of paragraphs 27 and 31 of this Schedule the statutory minimum remuneration applicable to a worker of the same grade employed in the circumstances that he is not supplied by his employer with either meals, full board or lodging, but excluding—

(i) any part of such remuneration payable solely by reason of the fact that laundering of protective clothing or cleaning of uniform is not provided by the employer;

(ii) any additional payment payable under the provisions of paragraph 7 of this Schedule (which relates to payment for spreadover of hours of work).

"UNIFORM" means any outer clothing of a character distinctive to the establishment, which replaces the worker's own outer clothing.

"WAGES REGULATION ORDER" means an order made by the Minister to give effect to proposals submitted to him by the Wages Board for fixing the remuneration to be paid by their employers to workers in relation to whom the Wages Board operates.

"WEEK" means pay week.

"WEEKLY DAY OF REST" means either

(*a*) a day in the week fixed by agreement between the employer and the worker as a day of rest for the worker, not being a day of customary holiday; or

(*b*) if no such day is fixed the last day of the worker's pay week not being a day of customary holiday;

and for the purposes of this definition, except in the expression "day of customary holiday", the word "day" means a period of 24 consecutive hours commencing at the time at which the worker would normally commence his turn of duty.

PART IV

WORKERS TO WHOM THE SCHEDULE APPLIES

Paragraph 36

Subject to the provisions of paragraph 37 the provisions of this Schedule apply to all workers employed in Great Britain in a catering undertaking who are employed by the person or body of persons carrying on that undertaking and who are so employed either—

(1) for the purposes of such of the activities of the undertaking as are carried on at a licensed residential establishment or at a licensed restaurant or at a railway refreshment establishment or at a licensed workers' hostel; or

(2) in connection with the provision of food or drink or living accommodation provided wholly or mainly for workers employed for the purposes of any of the activities of the undertaking specified in sub-paragraph (1) of this paragraph;

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*) work connected with the provision of living accommodation;

(*e*) work in connection with any retail sale of goods on premises where the main activity is either the supply of food or drink for immediate consumption or the provision of living accommodation for guests or lodgers or partly the supply of food or drink as aforesaid and partly the provision of living accommodation as aforesaid;

(*f*) transport work;

(*g*) work performed at any office or at any store or warehouse or similar place or at any garage or stable or similar place;

(*h*) any work other than that specified in sub-paragraphs (*a*) to (*g*) hereof performed on or about the premises or place where food or drink is prepared or served or where living accommodation is provided, including work in connection with any service or amenity provided on or about such premises or place.

Paragraph 37

This Schedule does not apply to any of the following workers in respect of their employment in any of the following circumstances, that is to say:—

(1) Workers who are employed by the same employer partly in a catering undertaking and partly in some other undertaking, if their employment in the catering undertaking is confined to work specified either in sub-paragraph (*f*) or sub-paragraph (*g*) of paragraph 36 hereof or partly to work specified in the said sub-paragraph (*f*) and partly to work specified in the said sub-paragraph (*g*), and they are mainly employed on work in or in connection with that other undertaking;

(2) workers who are employed for the purposes of the activities carried on at any of the following establishments, that is to say:—

(*a*) any hospital, nursing home or convalescent home or similar establishment providing accommodation for the sick, infirm or mentally defective;

(*b*) any institution or home where living accommodation is provided for the aged or indigent;

(*c*) any university, college, school or similar establishment;

and who are employed by the person or body of persons carrying on the establishment, or, in the case of any of the establishments specified in sub-paragraph (*c*) hereof, by the person or body of persons carrying on any boarding house which forms part of the establishment;

(3) workers who are employed for the purposes of any of the activities carried on in a railway train;

(4) workers who are employed for the purposes of any of the activities carried on at a theatre, music-hall or other similar place of entertainment ordinarily used for the public performance of stage plays or variety entertainments;

(5) workers who are employed for the purposes of any of the activities carried on in the course of a catering contracting business;

(6) workers who are employed for the purposes of any of the activities of a central catering establishment;

(7) workers who are employed for the purposes of the activities carried on at a licensed restaurant if the licensed restaurant is situated on premises where the main activity is the sale of intoxicating liquor for consumption on the premises otherwise than with meals supplied on the premises;

(8) workers who are employed by the Crown or by a local authority;

(9) workers in relation to whom the Industrial and Staff Canteen Undertakings Wages Board operates in respect of any employment which is for the time being within the field of operation of that Wages Board.

(10) workers who are employed as aircraft stewards or aircraft stewardesses.

(11) workers who are employed as managers, manageresses, assistant managers or assistant manageresses;

(12) workers who are the wives of managers and who are required by the employer to assist in the work of an establishment.

Paragraph 38

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

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 1st July, 1951, revokes the Wages Regulation (Licensed Residential Establishment and Licensed Restaurant) Order, 1949 (Order L.R. (7)), as amended by the Wages Regulation (Licensed Residential Establishment and Licensed Restaurant) (Amendment) Order, 1950 (Order L.R. (10)), which is also revoked.

The Order fixes the statutory minimum remuneration payable to workers in relation to whom the Licensed Residential Establishment and Licensed Restaurant Wages Board operates in substitution for the minimum remuneration fixed by the First Schedule to Order L.R. (7) (as amended).

It also fixes the holidays to be allowed and the holiday remuneration to be paid by employers to the aforesaid workers (except " extra waiting staff ") in substitution for the holidays fixed and holiday remuneration payable under the Second Schedule to Order L.R. (7) (as amended).

Provisions of the Schedule to this Order which differ from those in the First and Second Schedules to Order L.R. (7) (as amended) are set out in italics.

The Wages Regulation (Licensed Residential Establishment and Licensed Restaurant) (Amendment) Order, 1951

1951 No. 1845

Made - - - - *17th October,* 1951
Coming into Operation *5th November,* 1951

L.R. (14)

Whereas the Minister of Labour and National Service (hereinafter in this Order referred to as " the Minister ") has received from the Licensed Residential Establishment and Licensed Restaurant Wages Board the wages regulation proposals set out in the Schedule hereto ;

Now, therefore, the Minister, by virtue of the powers conferred on him by section 8 of the Catering Wages Act, 1943(a), and of all other powers in that behalf, hereby makes the following Order:—

Short title, commencement and interpretation

1.—(1) This Order may be cited as the Wages Regulation (Licensed Residential Establishment and Licensed Restaurant) (Amendment) Order, 1951, and shall come into operation on the 5th day of November, 1951.

(2) The Interpretation Act, 1889(b), applies to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

Amendment of Wages Regulation Order

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 5th day of November, 1951.

Signed by order of the Minister of Labour and National Service this 17th day of October, 1951.

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

(a) 6 & 7 Geo. 6. c. 24. (b) 52 & 53 Vict. c. 63.