STATUTORY INSTRUMENTS

1964 No. 1889

WAGES COUNCILS

The Wages Regulation (Paper Bag) Order 1964

Made - - - - 26*th November* 1964
Coming into Operation 18*th December* 1964

Whereas the Minister of Labour (hereafter in this Order referred to as "the Minister") has received from the Paper Bag Wages Council (Great Britain) 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 (Paper Bag) Order 1964.

2.—(1) In this Order the expression "the specified date" means the 18th December 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 and as if this Order and the Order hereby revoked were Acts of Parliament.

3. The wages regulation proposals set out in the Schedule hereto shall have effect as from the specified date and as from that date the Wages Regulation (Paper Bag) Order 1963(c), shall cease to have effect.

Dated 26th November 1964.

R. J. Gunter,
Minister of Labour.

SCHEDULE

The following minimum remuneration shall be substituted for the statutory minimum remuneration fixed by the Wages Regulation (Paper Bag) Order 1963 (Order P. (80)).

(a) 7 & 8 Eliz. 2. c. 69. (b) 52 & 53 Vict. c. 63. (c) S.I. 1963/1583 (1963 III, p. 2969).

STATUTORY MINIMUM REMUNERATION

PART I

MALE WORKERS

GENERAL MINIMUM TIME RATES

1. Subject to the provisions of paragraph 4 relating to workers who return to the trade after service with H.M. Forces and to the provisions of paragraph 6 relating to shift workers on a daily two-shift system, the general minimum time rates for male workers are as follows:—

	Per week of 42 hours s.	d.
(1) MACHINE TACKLERS (that is, workers who are engaged in setting, adjusting and keeping running paper bag machines, with or without printing or other attachments, and in superintending and carrying through all other operations that can be performed in whole or in part by such machines, or if under 21 years of age are engaged in one or more of such operations):—		
(*a*) Workers other than those to whom the minimum rates set out in sub-paragraph (1)(*b*) apply:—		
Aged 21 years or over	*233*	*0*
„ 20½ and under 21 years	*194*	*3*
„ 20 „ 20½ „	*175*	*6*
„ 19½ „ 20 „	*154*	*3*
„ 19 „ 19½ „	*141*	*0*
„ 18½ „ 19 „	*127*	*6*
„ 18 „ 18½ „	*121*	*6*
(*b*) Workers entering the trade for the first time at or over the age of 20 years as machine tacklers, during the following periods of employment as such:—		
During the 1st six months	*160*	*0*
„ 2nd „	*176*	*3*
„ 3rd „	*195*	*0*
„ 4th „	*211*	*9*
„ 5th „	*228*	*0*
Thereafter	*233*	*0*
(2) PAPER BAG CUTTERS OR SLITTERS:—		
(*a*) Workers other than those to whom the minimum rates set out in sub-paragraph (2)(*b*) apply:—		
Aged 21 years or over	*207*	*6*
„ 20½ and under 21 years	*173*	*9*
„ 20 „ 20½ „	*161*	*6*
„ 19½ „ 20 „	*144*	*6*
„ 19 „ 19½ „	*135*	*9*
„ 18½ „ 19 „	*126*	*9*
„ 18 „ 18½ „	*121*	*3*
(*b*) Workers entering the trade for the first time at or over the age of 20 years as paper bag cutters or slitters, during the following periods of employment as such:—		
During the 1st six months	*155*	*9*
„ 2nd „	*164*	*6*
„ 3rd „	*180*	*6*
„ 4th „	*193*	*9*
After two years	*207*	*6*

	Per week of 42 hours s.	d.
(3) HYDRAULIC PRESSERS, STOCK KEEPERS, PACKERS OR DESPATCHERS :—		
(*a*) Workers other than those to whom the minimum rates set out in sub-paragraph (3)(*b*) apply :—		
Aged 21 years or over	*197*	*0*
„ 20½ and under 21 years	*166*	*6*
„ 20 „ 20½ „	*152*	*3*
„ 19½ „ 20 „	*139*	*6*
„ 19 „ 19½ „	*135*	*0*
„ 18½ „ 19 „	*126*	*0*
„ 18 „ 18½ „	*120*	*6*
(*b*) Workers entering the trade for the first time at or over the age of 20 years as hydraulic pressers, stock keepers, packers or despatchers, during the following periods of employment as such :—		
During the 1st six months	*155*	*3*
„ 2nd „	*160*	*9*
„ 3rd „	*173*	*6*
„ 4th „	*183*	*3*
After two years	*197*	*0*
(4) Workers other than those to whom the minimum rates set out in sub-paragraph (1), (2) or (3) apply :—		
Aged 21 years or over	*190*	*0*
„ 20½ and under 21 years	*158*	*3*
„ 20 „ 20½ „	*151*	*9*
„ 19½ „ 20 „	*139*	*3*
„ 19 „ 19½ „	*134*	*9*
„ 18½ „ 19 „	*126*	*0*
„ 18 „ 18½ „	*120*	*3*
„ 17½ „ 18 „	*95*	*6*
„ 17 „ 17½ „	*91*	*0*
„ 16½ „ 17 „	*80*	*0*
„ 16 „ 16½ „	*75*	*6*
„ 15½ „ 16 „	*65*	*0*
„ under 15½ years	*60*	*6*

PART II

FEMALE WORKERS

GENERAL MINIMUM TIME RATES

2. Subject to the provisions of paragraph 6 relating to shift workers on a daily two-shift system, the general minimum time rates for female workers are as follows :—

	Per week of 42 hours s.	d.
(1) Workers who enter, or have entered, the trade for the first time under 18 years of age :—		
(*a*) Workers who enter, or have entered, the trade under 16 years of age :—		
Aged under 15½ years	*61*	*0*
„ 15½ and under 16 years	*65*	*3*
„ 16 „ 16½ „	*76*	*3*
„ 16½ „ 17 „	*80*	*9*
„ 17 „ 17½ „	*92*	*0*
„ 17½ „ 18 „	*100*	*3*
„ 18 years or over	*138*	*6*

	Per week of 42 hours s.	d.
(*b*) Workers who enter, or have entered, the trade at 16 and under 17 years of age :—		
Aged 16 and under 16½ years	*70*	*6*
„ 16½ „ 17 „	*77*	*3*
„ 17 „ 17½ „	*90*	*0*
„ 17½ „ 18 „	*98*	*3*
„ 18 years or over	*138*	*6*
(*c*) Workers who enter, or have entered, the trade at 17 and under 18 years of age :—		
Aged 17 and under 17½ years	*86*	*6*
„ 17½ „ 18 „	*94*	*9*
„ 18 „ 18½ „	*123*	*9*
„ 18½ years or over	*138*	*6*
(2) Workers who enter, or have entered, the trade for the first time at or over the age of 18 years :—		
During the 1st six months' employment	*115*	*3*
„ 2nd „ „ „	*125*	*3*
Thereafter	*138*	*6*

PIECE WORK BASIS TIME RATE

	Per week of 42 hours s.	d.
3. The piece work basis time rate applicable to female workers of all ages (including home-workers) employed on piece work is ...	*152*	*0*

PART III

MALE WORKERS WHO RETURN TO THE TRADE AFTER SERVICE WITH H.M. FORCES

4. A male worker who was employed in the trade immediately preceding his entry into, and who has returned to the trade after, service with H.M. Forces is entitled to the general minimum time rate, appropriate to his class and age, specified in paragraph 1(1)(*a*), (2)(*a*), (3)(*a*), or (4) as the case may be, irrespective of the age at which he first entered the trade.

MALE AND FEMALE WORKERS

BASIS OF MINIMUM RATES

5.—(1) In this Schedule the expression "week" means:—

(*a*) as respects the general minimum time rates applicable under Part I or Part II of this Schedule, a week of 42 hours, not being overtime;

(*b*) as respects the piece work basis time rate applicable under Part II of this Schedule, a week of 42 hours, not being overtime.

(2) Where in any week a time worker works less than the number of hours referred to in sub-paragraph (1) of this paragraph he shall be paid for any time worked the hourly general minimum time rate, obtained by dividing by 42 the weekly general minimum time rate applicable to a worker of the same age and class when employed for a week.

SHIFT WORKERS ON A DAILY TWO-SHIFT SYSTEM

6.—(1) Notwithstanding the provisions of paragraphs 1 to 4, the minimum rates of wages for shift workers on a daily two-shift system as defined in sub-paragraph (2) of this paragraph shall be one quarter more than the rate otherwise applicable, except that in the case of workers engaged in the making of multi-wall paper bags of three or more ply the minimum rates shall be one-eighth more than the rates otherwise applicable.

(2) Shift workers on a daily two-shift system are workers who are employed on either a morning or an afternoon shift in an undertaking in which a daily two-shift system is operated.

PART IV

OVERTIME

NORMAL NUMBER OF HOURS

7. Subject to the provisions of this Part of this Schedule, the minimum overtime rates set out in paragraph 8 are payable to a worker in respect of any time worked:—

(1) in the case of a worker whose attendance is normally required on five days only in the week—

(*a*) in excess of the hours following, that is to say,

(i) in any week ... ... 42 hours

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

where the normal working hours exceed 8½ ... 9 hours

or

where the normal working hours are not more than 8½ 8½ hours

(*b*) on a Saturday, Sunday or customary holiday

(2) in the case of any other worker—

(*a*) in excess of the hours following, that is to say,

(i) in any week ... ... 42 hours

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

where the normal working hours exceed 8 ... ... 8½ hours

or

where the normal working hours are not more than 8 8 hours

(iii) on a Saturday, not being a customary holiday—

where the normal working hours exceed 4 ... ... 4½ hours

or

where the normal working hours are not more than 4 4 hours

(*b*) on a Sunday or customary holiday

Provided that the worker shall be treated as though he had worked for the employer for any normal working hours during which he is absent from work with the permission of the employer or on account of his proved sickness or accident to him or the allowance of a holiday under a wages regulation order.

MINIMUM OVERTIME RATES

8. Minimum overtime rates are payable to any worker as follows:—

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

(*a*) for the first 2 hours of overtime worked ... time-and-a-quarter

(*b*) for the next 2 hours ... ... time-and-a-half

(*c*) thereafter ... ... double time

(2) on a Saturday, not being a customary holiday—

(*a*) where the employer normally requires the worker's attendance on five days only in the week—

(i) for the first 2 hours worked	time-and-a-quarter
(ii) for the next 3 hours	time-and-a-half
(iii) thereafter	double time

(*b*) where the employer normally requires the worker's attendance on six days in the week—

(i) for the first 2 hours of overtime worked ...	time-and-a-quarter
(ii) for the next 2 hours	time-and-a-half
(iii) thereafter	double time

(3) on a Sunday or a customary holiday—

for all time worked ... ... double time

(4) in any week, exclusive of any time for which daily overtime rates are payable under the foregoing provisions of this paragraph—

for all time worked in excess of 42 hours ... ... time-and-a-quarter

(5) In this paragraph the expressions " time-and-a-quarter ", " time-and-a-half " and " double time " mean respectively—

(*a*) in the case of a time worker, one and a quarter times, one and a half times and twice the hourly general minimum time rate applicable to a worker of the same age and class ;

(*b*) in the case of a male piece worker—

(i) a time rate equal respectively to one quarter, one half and the whole of the hourly general minimum time rate applicable to a time worker of the same age and class and in addition thereto,

(ii) piece rates, each of which would yield, in the circumstances of the case, to an ordinary worker, at least the same amount of money as the said hourly general minimum time rate ;

(*c*) in the case of a female piece worker, being either a worker aged less than 18 years who enters, or who has entered, the trade for the first time under the age of 17 years, or a worker who enters, or has entered, the trade for the first time at the age of 17 years or over and who has not completed one year's employment in the trade—

(i) a time rate equal respectively to one quarter, one half and the whole of the hourly general minimum time rate applicable to a time worker of the same age and class, and in addition thereto,

(ii) piece rates, each of which would yield, in the circumstances of the case, to an ordinary worker, at least the same amount of money as the hourly piece work basis time rate ;

(*d*) in the case of any other female piece worker—

(i) a time rate equal respectively to one quarter, one half and the whole of the hourly rate obtained by dividing by 42 the amount of the piece work basis time rate, and in addition thereto,

(ii) piece rates, each of which would yield, in the circumstances of the case, to an ordinary worker, at least the same amount of money as the hourly piece work basis time rate.

(6) In this paragraph the expression " customary holiday " means

(*a*) (i) In England and Wales—

Christmas Day (or, if Christmas Day falls on a Sunday, such weekday as may be appointed by national proclamation, or, if none is so appointed, the next following Tuesday), Boxing Day, Good Friday, Easter Monday, Whit Monday, August Bank Holiday and any day proclaimed as an additional bank holiday or as a public holiday ;

(ii) In Scotland—

New Year's Day (or, if New Year's Day falls on a Sunday, the following Monday);

the local Spring holiday;

the local Autumn holiday;

three other days (being days on which the worker normally works) in the course of a calendar year to be fixed by the employer and notified to the worker not less than three weeks before the holiday; and any day proclaimed as an additional bank holiday or as a public holiday;

or (*b*) in the case of each of the said days (other than a day fixed by the employer in Scotland and notified to the worker as aforesaid) a day substituted by the employer therefor being a day recognised by local custom as a day of holiday in substitution for the said day.

PART V

GENERAL

FRACTIONS OF A PENNY

9. Where the wages due contain a fraction of a penny, any such fraction shall be treated as a penny.

WORKERS EMPLOYED ON PIECE WORK

10. Subject to the provisions of paragraphs 7 and 8, workers employed on piece work shall be paid piece rates each of which would yield, in the circumstances of the case, to an ordinary worker, at least the same amount of money as the piece work basis time rate, or where no piece work basis time rate applies at least the same amount of money as the general minimum time rate applicable to a time worker of the same age and class.

WAITING TIME

11.—(1) A worker is entitled to payment of the minimum remuneration specified in this Schedule for all time during which he is present on the premises of his employer unless he is present thereon in any of the following circumstances:—

(*a*) without the employer's consent express or implied;

(*b*) for some purpose unconnected with his work and other than that of waiting for work to be given to him to perform;

(*c*) by reason only of the fact that he is resident thereon;

(*d*) during normal meal times in a room or place in which no work is being done, and he is not waiting for work to be given to him to perform.

(2) The minimum remuneration payable under sub-paragraph (1) of this paragraph to a piece worker when not engaged on piece work is that which would be payable if he were a time worker.

APPLICABILITY OF STATUTORY MINIMUM REMUNERATION

12. This Schedule applies to workers in relation to whom the Paper Bag Wages Council (Great Britain) operates, that is to say, workers employed in Great

Britain in the trade specified in the Regulations dated 10th July 1919(a), made by the Minister with respect to the constitution and proceedings of the Trade Board for the Paper Bag Trade (Great Britain) namely:—

The manufacture from paper (including gauze-lined or cloth-lined paper) of any bag or container without a gummed flap, including the operations of packing, parcelling, warehousing, receiving, store-keeping, despatching, time-keeping, lift-operating, and cleaning, when these operations are carried on in connection with paper-bag manufacture, and including the printing of paper bags when the printing apparatus is attached to the making apparatus; but excluding the manufacture of bags or containers with ungummed flaps (for use in the transmission of printed matter or samples), when made by the same processes as gummed envelopes, and excluding the manufacture of receptacles from cardboard, such as boxes, cartons or skillets.

EXPLANATORY NOTE

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

This Order, which has effect from 18th December 1964, sets out the statutory minimum remuneration payable in substitution for that fixed by the Wages Regulation (Paper Bag) Order 1963 (Order P. (80)), which is revoked.

New provisions are printed in italics.

(a) S.R. & O. 1919/972 (1919 II, p. 560).