STATUTORY INSTRUMENTS

1974 No. 1874

WAGES COUNCILS

The Wages Regulation (Paper Box) (No. 2) Order 1974

Made - - - -	11*th November* 1974
Coming into Operation	5*th December* 1974

Whereas the Secretary of State has received from the Paper Box Wages Council (Great Britain) the wages regulation proposals set out in the Schedule hereto;

Now, therefore, the Secretary of State in exercise of powers conferred by section 11 of the Wages Councils Act 1959**(a)**, and now vested in him**(b)**, and of all other powers enabling him in that behalf, hereby makes the following Order:—

1. This Order may be cited as the Wages Regulation (Paper Box) (No. 2) Order 1974.

2.—(1) In this Order the expression "the specified date" means the 5th December 1974, provided that where, as respects any worker who is paid wages at intervals not exceeding seven days, that date does not correspond with the beginning of the period for which the wages are paid, the expression "the specified date" means, as respects that worker, the beginning of the next such period following that date.

(2) The Interpretation Act 1889**(c)** shall apply to the interpretation of this Order as it applies to the interpretation of an Act of Parliament 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 Box) Order 1974**(d)** shall cease to have effect.

Signed by order of the Secretary of State.

11th November 1974.

D. J. Derx,
Deputy Secretary,
Department of Employment.

(a) 1959 c. 69.
(b) S.I. 1959/1769, 1968/729 (1959 I, p. 1795; 1968 II, p. 2108).
(c) 1889 c. 63.
(d) S.I. 1974/41 (1974 I, p. 124).

Article 3

SCHEDULE

The following minimum remuneration shall be substituted for the statutory minimum remuneration fixed by the Wages Regulation (Paper Box) Order 1974 (Order B. (94)).

STATUTORY MINIMUM REMUNERATION

PART I

GENERAL

1.—(1) The minimum remuneration payable to a worker to whom this Schedule applies for all work, except work to which a minimum overtime rate applies under Part IV of this Schedule, is—

(*a*) in the case of a time worker, the hourly general minimum time rate applicable to the worker under the provisions of this Schedule;

(*b*) in the case of a worker employed on piece work, 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 applicable to the worker, or, where none is applicable at least the same amount of money as the hourly general minimum time rate which would be applicable if the worker were a time worker:

Provided that where in any week the minimum remuneration payable to a worker under this Schedule contains any fraction of a penny, such fraction shall be reckoned as a penny.

(2) In this Schedule the expression "hourly general minimum time rate" means the general minimum time rate applicable to the worker under Part II of this Schedule divided by 40, and the expression "hourly piece work basis time rate" means the piece work basis time rate applicable to the worker under Part III of this Schedule divided by 40.

COST OF LIVING PAYMENT

2.—(1) *In addition to the minimum remuneration specified in paragraph 1 of this Schedule additional remuneration, hereinafter referred to as the "cost of living payment" shall, in accordance with this paragraph, be payable to all workers to whom that paragraph applies.*

(2) *The cost of living payment payable in respect of each complete pay week shall be—*

(*a*) *£3·60 per week in the case of a worker who normally works for the employer for not less than 40 hours per week (excluding overtime);*

(*b*) *9p multiplied by the number of hours worked (excluding overtime) by him in the relevant week in the case of a worker who normally works for the employer for less than 40 hours per week;*

(3) *The cost of living payment shall not be treated as part of the general minimum time rate for the purpose of calculating payment for overtime under paragraph 10 of this Schedule.*

PART II

GENERAL MINIMUM TIME RATES

A. UP TO AND INCLUDING 29TH NOVEMBER 1975

MALE AND FEMALE WORKERS AGED UNDER 18 YEARS

3. Up to and including 29th November 1975 the general minimum time rates applicable to male and female workers aged under 18 years are as follows:—

	Per week of 40 hours
	£
16 and under 16½ years	*10·10*
16½ " " 17 "	*10·80*
17 " " 17½ "	*11·50*
17½ " " 18 "	*12·10*

FEMALE WORKERS AGED 18 YEARS AND OVER

4. Up to and including 29th November 1975 the general minimum time rate applicable to female workers aged 18 years and over is *£17·65* per week of 40 hours.

MALE WORKERS AGED 18 YEARS AND OVER

5. The general minimum time rates applicable to male workers are as follows:—

(1) Where the worker is employed—

(*a*) in the manufacture of cartons:

(i) as a machine minder of carton cutting and creasing machines fitted with fully automatic feeders; or

(ii) as a machine minder of carton automatic glueing machines;

(*b*) in the manufacture of cartons or rigid boxes:

(i) as a forme setter or die maker; or

(ii) as a designer sample maker as defined in paragraph 6;

(*c*) in the manufacture of fibreboard packing cases, as the machine minder of a double backing corrugated board machine over 1600 millimetres (63 inches) in width;

	Per week of 40 hours Up to and including 29th November 1975
	£
and the worker is aged—	
18 and under 18½ years	*13·75*
18½ „ „ 19 „	*14·65*
19 years or over	*20·55*

(2) Where the worker (not being a worker specified in sub-paragraph (1) of this paragraph) is employed—

(*a*) in the manufacture of cartons or rigid boxes:

(i) as a machine minder of carton or rigid box cutting and creasing machines; or

(ii) as a head stock keeper as defined in paragraph 6;

(*b*) in the manufacture of cartons:

(i) as a guillotine cutter; or

(ii) as a machine minder of automatic windowing machines;

(*c*) in the manufacture of rigid boxes:

(i) as a machine minder of box wrapping machines; or

(ii) as a machine minder of quad stayer machines;

(*d*) in the manufacture of fibreboard packing cases:

(i) as the machine minder of a solid board laminating machine or of a double backing corrugated board machine up to and including 1600 millimetres (63 inches) in width; or

(ii) as the machine minder of a fully automatic cutting and creasing press with automatic feeder and stripper; or

(iii) as a forme setter or die maker; or

(iv) as a head stock keeper as defined in paragraph 6; or

(v) in the designing and making of samples and is normally so employed;

	Per week of 40 hours Up to and including 29th November 1975
	£
and the worker is aged—	
18 and under 18½ years	*13·35*
18½ „ „ 19 „	*14·25*
19 years or over	*20·15*

(3) Where the worker is employed—

(*a*) in the manufacture of cartons or rigid boxes:

(i) in making up sample boxes and cartons and is normally so employed; or

(ii) as a machine minder for whom no other general minimum time rate is provided in sub-paragraph (1) or (2) of this paragraph;

(*b*) in the manufacture of fibreboard packing cases:

(i) as a guillotine cutter or shear cutter; or

(ii) as a machine minder of machines other than those named in sub-paragraph (1) or (2) of this paragraph;

(*c*) as the driver of a fork lift truck as defined in paragraph 6;

	Per week of 40 hours Up to and including 29th November 1975
	£
and the worker is aged—	
18 and under 18½ years	*13·05*
18½ „ „ 19 „	*13·85*
19 years or over	*19·65*

(4) All other workers (including workers employed in corner cutting, punching or paper snipping, or in the manufacture of fibreboard packing cases);

	Per week of 40 hours Up to and including 29th November 1975
	£
and the worker is aged—	
18 and under 18½ years	*12·95*
18½ „ „ 19 „	*13·45*
19 years or over	*18·65*

6. For the purposes of this Part of this Schedule—

(1) A machine minder is a worker engaged in setting, adjusting and keeping running paper box machines and in superintending the carrying through of all operations that can be performed in whole or in part by such machines.

(2) A head stock keeper is a worker in full charge of unmanufactured stock, of the receipt and distribution of unmanufactured stock, and of the keeping of records, and who either orders personally, or passes through to the proper authority requisitions for, further stock.

(3) A designer sample maker is a worker who is normally wholly engaged on designing rigid boxes and cartons and in making up samples of rigid boxes and cartons designed by him.

(4) A fork lift truck is a rider controlled vehicle, mechanically propelled and operated, used for conveying and stacking loads on pallets or other types of platforms, on top of each other or on top of other piles.

PIECE WORK BASIS TIME RATE
FEMALE WORKERS

7. Up to and including 29th November 1975 the piece work basis time rate applicable (irrespective of age) to female workers employed on piece work is *£19·15* per week of 40 hours.

MALE WORKERS

8. The piece work basis time rate applicable (irrespective of age) to a male worker specified in paragraphs 3 or 5(4) who is employed on piece work, is *£20·25* per week of 40 hours.

GENERAL MINIMUM TIME RATES
B. ON AND AFTER 30TH NOVEMBER 1975
WORKERS AGED UNDER 18 YEARS

3. On and after 30th November 1975 the general minimum time rates applicable to workers aged under 18 years are as follows:—

	Per week of 40 hours £
16 and under 16½ years	*10·10*
16½ " " 17 "	*10·80*
17 " " 17½ "	*11·50*
17½ " " 18 "	*12·10*

WORKERS AGED 18 YEARS OR OVER

4. On and after 30th November 1975 the general minimum time rates applicable to workers aged 18 years or over are as follows:—

(1) Where the worker is employed—

(*a*) in the manufacture of cartons:

(i) as a machine minder of carton cutting and creasing machines fitted with fully automatic feeders; or

(ii) as a machine minder of carton automatic glueing machines;

(*b*) in the manufacture of cartons or rigid boxes:

(i) as a forme setter or die maker; or

(ii) as a designer sample maker as defined in paragraph 5;

(*c*) in the manufacture of fibreboard packing cases, as the machine minder of a double backing corrugated board machine over 1600 millimetres (63 inches) in width;

and the worker is aged—	Per week of 40 hours £
18 years or over	*20·55*

(2) Where the worker (not being a worker specified in sub-paragraph (1) of this paragraph) is employed—

(*a*) in the manufacture of cartons or rigid boxes:

(i) as a machine minder of carton or rigid box cutting and creasing machines; or

(ii) as a head stock keeper as defined in paragraph 5;

(*b*) in the manufacture of cartons:

(i) as a guillotine cutter; or

(ii) as a machine minder of automatic windowing machines;

(*c*) in the manufacture of rigid boxes:

(i) as a machine minder of box wrapping machines; or

(ii) as a machine minder of quad stayer machines;

(*d*) in the manufacture of fibreboard packing cases:

(i) as the machine minder of a solid board laminating machine or of a double backing corrugated board machine up to and including 1600 millimetres (63 inches) in width; or

(ii) as the machine minder of a fully automatic cutting and creasing press with automatic feeder and stripper; or

(iii) as a forme setter or die maker; or

(iv) as a head stock keeper as defined in paragraph 5; or

(v) in the designing and making of samples and is normally so employed;

	Per week of 40 hours £
and the worker is aged 18 years or over	*20·15*

(3) Where the worker is employed—

(*a*) in the manufacture of cartons or rigid boxes:

(i) in making up sample boxes and cartons and is normally so employed; or

(ii) as a machine minder for whom no other general minimum time rate is provided in sub-paragraph (1) or (2) of this paragraph;

(*b*) in the manufacture of fibreboard packing cases:

(i) as a guillotine cutter or shear cutter; or

(ii) as a machine minder of machines other than those named in sub-paragraph (1) or (2) of this paragraph;

(*c*) as the driver of a fork lift truck as defined in paragraph 5;

	Per week of 40 hours £
and the worker is aged—	
18 years or over	*19·65*

(4) All other workers (including workers employed in corner cutting, punching or paper snipping, or in the manufacture of fibreboard packing cases);

	Per week of 40 hours £
and the worker is aged—	
18 years or over	*18·65*

5. For the purposes of this Part of this Schedule—

(1) A machine minder is a worker engaged in setting, adjusting and keeping running paper box machines and in superintending the carrying through of all operations that can be performed in whole or in part by such machines.

(2) A head stock keeper is a worker in full charge of unmanufactured stock, of the receipt and distribution of unmanufactured stock, and of the keeping of records, and who either orders personally, or passes through to the proper authority requisitions for, further stock.

(3) A designer sample maker is a worker who is normally wholly engaged on designing rigid boxes and cartons and in making up samples of rigid boxes and cartons designed by him.

(4) A fork lift truck is a rider controlled vehicle, mechanically propelled and operated, used for conveying and stacking loads on pallets or other types of platforms, on top of each other or on top of other piles.

PIECE WORK BASIS TIME RATE

6. The piece work basis time rate applicable (irrespective of age) to workers employed on piece work is *£20·25* per week of 40 hours.

PART III

OVERTIME

NORMAL NUMBER OF HOURS

9. Subject to the provisions of this Part of this Schedule, the minimum overtime rates set out in paragraph 10 are payable to a worker in respect of any time worked:—

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

(*a*) in any week	40 hours
(*b*) 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

(2) on a Saturday, except that in the case of a worker to whom the proviso to paragraph 10(2) refers overtime shall not be payable until after 8 hours have been worked.

(3) 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

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

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

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

(2) on a Sunday or customary holiday—for all time worked double time

Provided that where the worker is normally employed for more than 40 hours weekly on not more than five days in the week in any establishment where the making of cartons, waxed or otherwise proofed, and the filling of the cartons with milk are necessarily performed as a continuous process on seven days in the week, the following minimum overtime rates shall apply:—

on a Sunday or customary holiday—

(*a*) for the first 9 hours worked	time-and-a-quarter
(*b*) thereafter	time-and-a-half

(3) in any week, exclusive of any time in respect of which any minimum overtime rate is payable under the foregoing provisions of this paragraph—for all time worked in excess of 40 hours .. .. time-and-a-quarter

11. In this Part of this Schedule:—

(1) 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 otherwise applicable to the worker;

(*b*) in the case of a piece worker (other than a female worker aged under 18 years)—

(i) a time rate equal respectively to one quarter, one half and the whole of the hourly piece work basis time rate applicable to the worker, or, where none is applicable, of the hourly general minimum time rate which would be applicable if the worker were a time worker and a minimum overtime rate did not apply, and, in addition thereto,

(ii) the piece rates otherwise applicable to the worker under paragraph 1(1)(*b*);

(*c*) in the case of a female piece worker aged under 18 years—

(i) a time rate equal respectively to one quarter, one half and the whole of the hourly general minimum time rate which would be applicable if the worker were a time worker and a minimum overtime rate did not apply, and, in addition thereto,

(ii) the piece rates otherwise applicable to the worker under paragraph 1(1)(*b*).

(2) the expression "customary holiday" means:—

(*a*) (i) In England and Wales—

Christmas Day; 26th December if it be not a Sunday, 27th December in a year when 25th or 26th December is a Sunday; *New Year's Day if it be not a Sunday or, if it be a Sunday, 2nd January;* Good Friday;

Easter Monday; the last Monday in May; the last Monday in August;

or, where a day is substituted for any of the above days by national proclamation, that day,

and any day proclaimed as an additional Bank Holiday or as a public holiday;

(ii) In Scotland—

Christmas Day (or, if Christmas Day falls on a Sunday, the following Monday);

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 for the employer) 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 either—

(i) a day recognised by local custom as a day of holiday in substitution for the said day, or

(ii) in any establishment or branch a day agreed between the employer and the majority of the workers employed at that establishment or branch or the representative or representatives of the majority of such workers.

WAITING TIME

12.—(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.

PART IV

APPLICABILITY OF STATUTORY MINIMUM REMUNERATION

13. This Schedule does not apply to workers who are persons registered as handicapped by disablement in pursuance of the Disabled Persons (Employment) Acts 1944 and 1958(**a**), in respect of their employment by Remploy Limited, but save as aforesaid applies to workers in relation to whom the Paper Box Wages Council (Great Britain) operates, that is to say, workers employed in Great Britain in the trade specified in the Schedule to the Paper Box Wages Council (Great Britain) (Variation) Order 1965(**b**) which Schedule reads as follows:—

"(1) Subject to the provisions of this Schedule, the making by any method of all types of plain and fancy boxes or containers from paper, chip, cardboard, pulp board, or other similar box-boards shall constitute the Paper Box Trade, and all operations of making such articles or parts thereof from such materials shall, wherever carried on, be deemed to be operations of the Paper Box Trade.

(2) Where the main business carried on in an establishment, branch or department, is any of the work specified in paragraph (1) above, the making of any article made wholly or partially from the materials referred to in paragraph (1), and the making of part of any such article, in the course of any business of such establishment, branch or department by workers who are interchangeably engaged upon such making and any of the work specified in paragraph (1) above, shall be deemed to be operations of the Paper Box Trade.

(3) For the purpose of this Schedule, the making of jewel, manicure, cutlery, plate or similar cases and box files, shall be deemed to be operations of the Paper Box Trade when these articles are made:—

(*a*) wholly or mainly of the materials specified in paragraph (1); and

(*b*) in an establishment or branch in which the main business is the making of them from the specified materials or in which they are made from these materials in association with any of the operations specified in paragraph (1) above.

(4) All operations ancillary to the making hereinbefore mentioned (including the making of adhesive material and such operations as warehousing, packing and despatching), and the making or preparation of raw material when such

(**a**) 1944 c. 10; 1958 c. 33.

(**b**) S.I. 1965/497 (1965 I, p. 1240).

operations are done or such raw material is made or prepared in an establishment, branch or department in which the main business is the making hereinbefore mentioned shall be deemed to be operations of the Paper Box Trade.

(5) For the purposes of this Schedule, the making of the articles specified in paragraph (1) above from the materials therein specified shall be deemed to include the making of such articles when made mainly of such materials.

(6) Notwithstanding anything in this Schedule, the following operations shall not be operations of the Paper Box Trade as herein defined:—

(*a*) printing and gold-blocking, clerical work, canvassing, running outside errands, cleaning of premises, transporting by vans, carts and lorries, tending and overhauling of machinery and stoking;

(*b*) the making of match-boxes or of parts thereof on the premises of an establishment in which the main business carried on is the making of matches;

(*c*) the making of suit, attaché, and similar cases, to which the material covering the case has been affixed before the bending into shape takes place;

(*d*) the making of boxes or containers or parts thereof on the premises of an establishment in which the main business carried on is the making of fibreboard packing cases;

(*e*) operations included in the Trade Boards (Paper Bag Trade) Order 1919(**a**) or the Trade Boards (Toy) Order 1920(**b**), or any amendment or variation thereof;

(*f*) the making of metal parts of boxes when performed in an establishment mainly engaged in work included in the Trade Boards (Stamped or Pressed Metal-wares) Order 1924(**c**) or any amendment or variation thereof;

(*g*) operations included in the Trade Boards (Hollow-ware Making) Order 1928(**d**); or any amendment or variation thereof."

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order, which has effect from 5th December 1974, sets out the increased statutory minimum remuneration payable to workers in relation to whom the Paper Box Wages Council (Great Britain) operates, in substitution for the statutory minimum remuneration set out in the Wages Regulation (Paper Box) Order 1974 (Order B(94)). Order B. (94) is revoked.

New provisions are printed in italics.

(**a**) S.R. & O. 1919/524 (1919 II, p. 520).
(**b**) S.R. & O. 1920/470 (1920 II, p. 792).
(**c**) S.R. & O. 1924/832 (1924, p. 1753).
(**d**) S.R. & O. 1928/842 (1928, p. 1258).

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