STATUTORY INSTRUMENTS

1961 No. 531

WAGES COUNCILS

The Wages Regulation (Paper Box) Order, 1961

Made - - - -	21*st March*, 1961
Coming into Operation	12th *April*, 1961

Whereas the Minister of Labour (hereafter in this Order referred to as "the Minister") has received from the Paper Box 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 Box) Order, 1961.

2.—(1) In this Order the expression "the specified date" means the 12th day of April, 1961, 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 Box) Order, 1960(c), shall cease to have effect.

Dated this 21st day of March, 1961.

John Hare,
Minister of Labour.

(a) 7 & 8 Eliz. 2. c. 69. (b) 52 & 53 Vict. c. 63. (c) S.I. 1960/79 (1960 III, p. 3688).

SCHEDULE

The following minimum remuneration shall be substituted for the statutory minimum remuneration fixed by the Wages Regulation (Paper Box) Order, 1960 (Order B. (68)).

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 or Part III of this Schedule divided by *42*, and the expression "hourly piece work basis time rate" means the piece work basis time rate applicable to the worker under Part II or Part III of this Schedule divided by *42*.

PART II

FEMALE WORKERS

GENERAL MINIMUM TIME RATES

2. The general minimum time rates applicable to female workers are as follows:—

(1) Workers who enter, or have entered, the trade for the first time under 18 years of age:—

	Per week of *42 hours* s.	d.
(*a*) where the worker enters, or has entered, the trade under 16 years of age and is aged—		
Under 15½ years	*54*	*0*
15½ and under 16 years	*61*	*0*
16 „ „ 16½ „	*66*	*0*
16½ „ „ 17 „	*71*	*6*
17 „ „ 17½ „	*77*	*3*
17½ „ „ 18 „	*89*	*6*
18 years or over	*119*	*0*
(*b*) where the worker enters, or has entered, the trade at 16 and under 17 years of age and is aged—		
16 and under 16½ years	*61*	*3*
16½ „ „ 17 „	*68*	*9*
17 „ „ 17½ „	*76*	*3*
17½ „ „ 18 „	*87*	*6*
18 years or over	*119*	*0*

	Per week of *42 hours* s.	d.
(*c*) where the worker enters, or has entered, the trade at 17 and under 18 years of age and is aged—		
17 and under 17½ years	*72*	*6*
17½ „ „ 18 „	*84*	*9*
18 „ „ 18½ „	*105*	*6*
18½ years or over	*119*	*0*
(2) Workers who enter, or have entered, the trade for the first time at or over the age of 18 years—		
During the first six months' employment in the trade ...	*101*	*3*
During the second six months' employment in the trade	*109*	*6*
Thereafter	*119*	*0*

PIECE WORK BASIS TIME RATE

	Per week of *42 hours* s.	d.
3. The piece work basis time rate applicable (irrespective of age) to female workers employed on piece work is	*129*	*9*

PART III

MALE WORKERS

GENERAL MINIMUM TIME RATES

4. 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 on carton cutting and creasing machines fitted with fully automatic feeders; or

(ii) as a machine minder of carton automatic gluing 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 63 inches in width;

and the worker is aged—	Per week of *42 hours* s.	d.
18 and under 18½ years	*101*	*3*
18½ „ „ 19 „	*107*	*0*
19 „ „ 19½ „	*116*	*0*
19½ „ „ 20 „	*125*	*3*
20 „ „ 20½ „	*138*	*0*
20½ „ „ 21 „	*151*	*3*
21 years or over	*196*	*6*

(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 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 *42 hours* s.	d.
and the worker is aged—		
18 and under 18½ years	*101*	*3*
18½ „ „ 19 „	*107*	*0*
19 „ „ 19½ „	*116*	*0*
19½ „ „ 20 „	*125*	*3*
20 „ „ 20½ „	*138*	*0*
20½ „ „ 21 „	*149*	*3*
21 years or over	*189*	*0*

(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 *42 hours* s.	d.
and the worker is aged—		
18 and under 18½ years	*101*	*3*
18½ „ „ 19 „	*107*	*0*
19 „ „ 19½ „	*114*	*0*
19½ „ „ 20 „	*121*	*6*
20 „ „ 20½ „	*132*	*6*
20½ „ „ 21 „	*143*	*9*
21 years or over	*181*	*6*

Provided that the general minimum time rate applicable during his first two years' employment in any occupation specified in sub-paragraph (1), (2) or (3) of this paragraph to a worker, who enters or (not being a worker who was employed in the trade immediately prior to service with H.M. Forces) entered such occupation for the first time at or over the age of 20 years,

shall be as follows, so, however, that a worker shall not be entitled to a rate higher than that to which a worker of the same age would be entitled under the foregoing provisions of this sub-paragraph—

	Per week of *42 hours* s.	d.
During the 1st six months' employment	*139*	*6*
„ „ 2nd „ „ „	*145*	*3*
„ „ 3rd „ „ „	*158*	*3*
„ „ 4th „ „ „	*171*	*6*

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

Aged under 15½ years	*55*	*0*
„ 15½ and under 16 years	*62*	*0*
„ 16 „ „ 16½ „	*67*	*0*
„ 16½ „ „ 17 „	*72*	*6*
„ 17 „ „ 17½ „	*78*	*3*
„ 17½ „ „ 18 „	*90*	*0*
„ 18 „ „ 18½ „	*101*	*3*
„ 18½ „ „ 19 „	*107*	*0*
„ 19 „ „ 19½ „	*114*	*0*
„ 19½ „ „ 20 „	*119*	*9*
„ 20 „ „ 20½ „	*126*	*9*
„ 20½ „ „ 21 „	*134*	*3*
„ 21 years or over	*165*	*6*

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

	Per week of *42 hours* s.	d.
6. The piece work basis time rate applicable (irrespective of age) to a male worker specified in sub-paragraph (4) of paragraph 4, who is employed on piece work, is	*180*	*6*

PART IV

OVERTIME AND WAITING TIME

MINIMUM OVERTIME RATES

7.—(1) Subject to the provisions of this paragraph, minimum overtime rates are payable to any worker as follows:—

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

(i) for the first two hours worked in excess of 9 hours	Time-and-a-quarter
(ii) thereafter	Time-and-a-half

(*b*) on a Saturday, not being a customary holiday, for all time worked in excess of 5 hours ... ... Time-and-a-half

(*c*) on a Sunday or a customary holiday for all time worked ... ... Double time

(*d*) in any week, exclusive of any time for which daily overtime rates are payable under the foregoing provisions of this sub-paragraph, for all time worked in excess of *42 hours* ... ... Time-and-a-quarter

Provided that where the employer normally requires the worker's attendance on less than four Saturdays in a period of 4 consecutive weeks, the said weekly minimum overtime rate of time-and-a-quarter shall be payable in the week or weeks in which attendance on Saturday is normally required only after *44 hours'* work.

(2) Where the employer normally requires the worker's attendance on 5 days only in the week the following minimum overtime rates shall be substituted for those set out at (*a*) and (*b*) in sub-paragraph (1) of this paragraph :—

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

(i) for the first two hours worked in excess of 9½ hours ... ... Time-and-a-quarter

(ii) thereafter ... ... Time-and-a-half

(*b*) on a Saturday, not being a customary holiday, for all time worked on that day in excess of 5 hours or in excess of a weekly total of *45 hours* ... ... Time-and-a-half

(3) Where the worker is normally employed for not more than *42 hours* weekly on not more than 6 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 be substituted for those set out at (*b*) and (*c*) of sub-paragraph (1) of this paragraph :—

(*b*) on a Saturday not being a customary holiday—

(i) for the first two hours worked in excess of 9 hours ... . Time-and-a-quarter

(ii) thereafter ... ... Time-and-a-half

(*c*) on a Sunday or a customary holiday—

(i) for the first 11 hours worked ... ... Time-and-a-quarter

(ii) thereafter ... ... Time-and-a-half

8. 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 (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 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

9.—(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 V

APPLICABILITY OF STATUTORY MINIMUM REMUNERATION

10. 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

(a) 7 & 8 Geo. 6. c. 10 and 6 & 7 Eliz. 2. c. 33.

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 Trade Boards (Paper Box Trade, Great Britain) (Constitution and Proceedings) Regulations, 1926(a), as amended by the Trade Boards (Paper Box Trade, Great Britain) (Amendment) Regulations, 1928(b), which Schedule (as amended) 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 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, attache, and similar cases, to which the material covering the case has been affixed before the bending into shape takes place.

(*d*) Operations included in the Trade Boards (Paper Bag Trade) Order, 1919(c), or the Trade Boards (Toy) Order, 1920(d), or any amendment or variation thereof.

(a) S.R. & O. 1926/593 (1926, p. 1338).
(b) S.R. & O. 1928/846 (1928, p. 1288).
(c) S.R. & O. 1919/524 (1919 II, p. 520).
(d) S.R. & O. 1920/470 (1920 II, p. 792).

(*e*) 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(a), or any amendments or variations thereof.

(*f*) Operations included in the Trade Boards (Hollow-ware Making) Order, 1928(b); or any amendment or variation thereof."

EXPLANATORY NOTE

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

This Order, which has effect from 12th April, 1961, sets out the statutory minimum remuneration payable in substitution for that fixed by the Wages Regulation (Paper Box) Order, 1960 (Order B. (68)), which is revoked.

New provisions are printed in italics.

(a) S.R. & O. 1924/832 (1924, p. 1753). (b) S.R. & O. 1928/842 (1928, p. 1258).