STATUTORY INSTRUMENTS

1965 No. 1249

WAGES COUNCILS

The Wages Regulation (Perambulator and Invalid Carriage) Order 1965

Made - - - - - - 10*th June* 1965
Coming into Operation - - 12*th July* 1965

Whereas the Minister of Labour (hereafter in this Order referred to as "the Minister") has received from the Perambulator and Invalid Carriage 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 (Perambulator and Invalid Carriage) Order 1965.

2.—(1) In this Order the expression "the specified date" means the 12th July 1965, 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 Orders 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 (Perambulator and Invalid Carriage) Order 1963(c) and the Wages Regulation (Perambulator and Invalid Carriage) (Amendment) Order 1964(d) shall cease to have effect.

Signed by order of the Minister of Labour 10th June 1965.

L. J. Dunnett,

Secretary,
Ministry of Labour.

SCHEDULE

The following minimum remuneration shall be substituted for the statutory minimum remuneration fixed by the Wages Regulation (Perambulator and Invalid Carriage) Order 1963(c) (Order I. (69)) as amended by the Wages Regulation (Perambulator and Invalid Carriage) (Amendment) Order 1964(d) (Order I. (71)).

(a) 7 & 8 Eliz. 2. c. 69. (b) 52 & 53 Vict. c. 63.
(c) S.I. 1963/635 (1963 I, p. 777). (d) S.I. 1964/886 (1964 II, p. 1894).

STATUTORY MINIMUM REMUNERATION

PART I

GENERAL

1. Subject to the provisions of this Schedule, 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 is:—

(1) in the case of a time worker, the general minimum time rate applicable to the worker under Part II of this Schedule;

(2) 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 piece work basis time rate applicable to the worker under Part III of this Schedule.

PART II

GENERAL MINIMUM TIME RATES

MALE OR FEMALE WORKERS AGED 21 YEARS OR OVER

2. Subject to the provisions of paragraph 4, the general minimum time rates applicable in any week to the workers specified in Column 1 of the next following Table being male or female workers aged 21 years of age or over are the rates set out in Column 2 as follows:—

Column 1	Column 2	
Class of Workers	Males	Females
	Per hour s. d.	Per hour s. d.
A. Class A workers, i.e., workers in the occupations specified in (1) to (7) below who have had not less than four years' experience in any trade in the branch of the work on which they are engaged and who in the case of woodworking machinists sharpen and set their own tools and in the case of metallic platers are able to make and to maintain plating solutions	4 9½	3 6½
(1) woodworking machinists;		
(2) makers of complete wooden bodies for perambulators and invalid carriages;		
(3) blacksmiths, forging or working in hot metals including setting and trueing;		
(4) metallic platers on metal deposition;		
(5) fitters and turners;		
(6) varnishers or fine liners of wood or metal bodies;		
(7) upholsterers.		
B. Class B workers, i.e., workers in the occupations specified in (1) to (12) below (not being Class A workers) who have had not less than two years' experience in any trade in the branch of work on which they are engaged and who in the case of woodworking machinists do not sharpen and set their own tools and in the case of metallic platers are unable to make and to maintain plating solutions	4 7½	3 5½
(1) woodworking machinists;		
(2) wood body makers other than those specified in Class A (2) above;		

Column 1 Class of Workers	Column 2 Males	Column 2 Females
	Per hour s. d.	Per hour s. d.
B. Class B workers—continued (3) body painters by brush or spray engaged on body painting (other than priming, filling-in coats or dipping) and finishers by brush or spray (other than stove enamellers) or fine liners of chassis and wheels; (4) metal polishers and finishers and metallic platers on metal deposition; (5) rubber tyre workers (perambulator and invalid carriage tyres only); (6) hand welders (either arc or gas welding); (7) fitters and turners; (8) sewing machinists, hood coverers and cutters; (9) upholsterers; (10) workers employed on cold strip spring bending, setting and trueing; (11) workers employed on the operations of assembling, mounting and finishing the same perambulator or bed-folder throughout; (12) wheel hand truers who use nipple keys.		
C. Class C workers, i.e., workers in the occupations specified in (1) to (20) below (not being Class A or Class B workers) (1) workers employed on cold bending (other than cold spring bending), riveting and striking; (2) capstan operators; (3) workers engaged on processes of painting, i.e., priming and filling-in coats, dipping and spray painting except those in occupations specified in Class A (6) or Class B (3); (4) wheel lacers or wheel jig truers; (5) automatic, spot or butt welders; (6) workers employed on rim rolling, rim cutting, rim punching, rim grinding or rim welding; (7) tyre fitters and jointers; (8) spoke roll threaders; (9) power and hand-press workers; (10) power machine drillers; (11) stove enamellers, spray or dip; (12) metal polishers; (13) workers employed on wiring and racking in plating shop; (14) sewing machinists, hood coverers and cutters; (15) workers employed on cushion filling, banding or studding; (16) workers employed on any one of the operations of assembling, mounting and finishing perambulators or bed-folders other than those specified in Class B (11); (17) workers employed on the operations of assembling, mounting and finishing the same push-car throughout; (18) warehouse and stores workers; (19) packers and case makers (both export and home trade); (20) any other class of worker not specified in Class A or Class B or in paragraph 3 below.	*4 5½*	*3 5*

3. This paragraph does not apply to a worker engaged in any occupation where having regard to his experience a rate would apply to him under A or B of paragraph 2, but save as aforesaid, and subject to the provisions of paragraph 4, where a general minimum time rate specified in paragraph 2 (hereafter in this paragraph referred to as "the full rate") would apply to a worker aged 21 years or over if he possessed the appropriate experience therein mentioned, the general minimum time rate applicable to a worker not possessing such experience shall be as follows:—

(1) where the appropriate experience is 4 years—

(*a*) if the worker has not more than 2 years' experience before the age of 21 years, or if he enters the trade for the first time at or over that age

(i) during the first 12 months' experience after the age of 21 years, the full rate reduced by 2d. per hour;

(ii) during the second 12 months' experience after the age of 21 years, the full rate reduced by 1d. per hour;

(iii) thereafter, the full rate.

(*b*) if the worker has more than 2 but less than 4 years' experience before the age of 21 years

(i) during any period which completes the third year's experience, the full rate reduced by 2d. per hour;

(ii) during the fourth year's experience, or such period as completes it, the full rate reduced by 1d. per hour.

(2) where the appropriate experience is 2 years—

(*a*) if the worker has not more than 1 year's experience before the age of 21 years, or if he enters the trade for the first time at or over that age

(i) during the first 6 months' experience after the age of 21 years, the full rate reduced by 2d. per hour;

(ii) during the second 6 months' experience after the age of 21 years, the full rate reduced by 1d. per hour;

(iii) thereafter, the full rate.

(*b*) if the worker has more than 1 but less than 2 years' experience before the age of 21 years

(i) during any period which completes the third 6 months' experience, the full rate reduced by 2d. per hour;

(ii) during the fourth 6 months' experience, or such period as completes it, the full rate reduced by 1d. per hour:

Provided that—

(1) where the worker returns to the trade after service with H.M. Forces and he is not then entitled to the full rate, such further period of experience as is required under the provisions of this paragraph, at the date of his return, to qualify him for the full rate shall be halved, and during such reduced period the general minimum time rate shall be 1d. less than the full rate;

(2) the general minimum time rate applicable to the worker shall in no case be less than the general minimum time rate which would be applicable to him under paragraph 5 (2) or paragraph 6 if he were aged 20 and under 21 years.

4. In the application of paragraphs 2 and 3 the following provisions shall apply:—

(1) for the purpose of determining the rate applicable to a worker, other than a worker of Class A(6), any period of experience as a worker in any of the Classes A, B and C shall count as experience in any other class in the same section of work;

(2) a worker employed in any week on work entitling him to be treated as a worker of more than one of the Classes A, B and C shall be entitled to a rate applicable to the highest class in respect of all work upon which he is employed in that week.

MALE OR FEMALE WORKERS UNDER 21 YEARS OF AGE

5. Subject to the provisions of paragraph 6, the general minimum time rates applicable in any week to the workers specified in Column 1 of the next following Table being male or female workers aged less than 21 years, are the rates set out in Column 2, that is to say:—

Column 1 Class of Workers	Column 2
	Per hour s. d.
(1) MALE PORTERS OR LABOURERS being aged	
20 and under 21 years	3 8½
19 „ „ 20 „	3 5½
18 „ „ 19 „	3 2¾

	Males	Females
	Per hour s. d.	Per hour s. d.
(2) MALE OR FEMALE WORKERS (other than male porters or labourers aged 18 and under 21 years) being aged		
20 and under 21 years	3 8½	3 0
19 „ „ 20 „	3 4½	2 11½
18 „ „ 19 „	3 2¼	2 10¾
17 „ „ 18 „	2 8½	2 6¾
16 „ „ 17 „	2 4¾	2 4¼
Under 16 years	2 2½	2 1¾

6. Notwithstanding the provisions of (2) of the Table to paragraph 5,

(1) the general minimum time rate applicable to a worker (not being a male porter or labourer) who is aged not less than 18 but less than 21 years and has had less than 2 years' employment in the trade shall be:—

(*a*) during the worker's first year of employment in the trade 1d. per hour less than the general minimum time rate otherwise applicable to the worker under (2) of the said Table;

(*b*) during the worker's second year of employment in the trade ½d. per hour less than the said general minimum time rate otherwise applicable:

Provided that where the worker returns to the trade after service with H.M. Forces such further period of employment as is required at the date of the return to complete two years' employment shall be halved and during such reduced period the general minimum time rate shall be ½d. per hour less than the said general minimum time rate otherwise applicable to the worker;

(2) where a worker is employed in any occupation of any of the classes of worker specified in the Table to paragraph 2 (other than (18), (19) or (20) of Class C) and has completed 3 years' experience in one of the said occupations the general minimum time rate otherwise applicable to the worker under (2) of the Table to paragraph 5 shall be increased by ½d. per hour.

PART III

PIECE WORK BASIS TIME RATES

7. The piece work basis time rate applicable to any male or female worker employed on piece work is a rate which is equal to the general minimum time rate which would be applicable if the worker were a time worker increased by twenty per cent.

PART IV

OVERTIME AND WAITING TIME

MINIMUM OVERTIME RATES

8. Minimum overtime rates are payable to a worker to whom this Schedule applies as follows:—

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

for the first 2 hours worked in excess of 8 hours ...	time-and-a-quarter
thereafter	time-and-a-half

Provided that where the employer normally requires the worker's attendance on 5 days only in the week, the said minimum overtime rates of time-and-a-quarter and time-and-a-half shall be payable after 9 hours' and 11 hours' work respectively.

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

(*a*) where the employer normally requires the worker's attendance on 6 days in the week—

for all time worked in excess of 4 hours ...	time-and-a-half

(*b*) where the employer normally requires the worker's attendance on 5 days only in the week—

for the first 2 hours worked	time-and-a-quarter
thereafter	time-and-a-half

(3) on a Sunday or a customary holiday—

for all time worked	double time

(4) 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 42 hours	time-and-a-quarter

9. In 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 general minimum time rate otherwise applicable to the worker;

(*b*) in the case of a worker employed on piece work:—

(i) a time rate equal respectively to one quarter, one half and the whole of the general minimum time rate which would be applicable to the worker if he were a time worker and a minimum overtime rate did not apply, 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 piece work basis time rate otherwise applicable to the worker.

(2) the expression "customary holiday" means—

(*a*) (i) In England and Wales:—

Christmas Day (or, if Christmas Day falls on a Sunday, such week day 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, any day proclaimed as an additional bank holiday or as a public holiday; and 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;

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.

WAITING TIME

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

(*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, or

(*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 applicable to him if he were a time worker.

PART V

APPLICATION

11. This Schedule applies to workers in relation to whom the Perambulator and Invalid Carriage 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 (Perambulator and Invalid Carriage Trade, Great Britain) (Constitution and Proceedings) Regulations 1938(a), which Schedule reads as follows:—

"1. Subject to the provisions of this Schedule the following operations shall be operations of the Perambulator and Invalid Carriage Trade:—

(*a*) the making, wherever carried on, of perambulators, invalid carriages, folding push-cars, and the wheels or axles therefor;

(*b*) the making of the following articles for perambulators, invalid carriages, or folding push-cars when such making—

(i) is done in association or in conjunction with the making mentioned in sub-paragraph (*a*) above, or

(a) S.R. & O. 1938/810 (1938 II, p. 3244).

(ii) constitutes the main business of the establishment, branch, or department, or

(iii) is done in a Toy-making establishment,

that is to say:— springs, tubular undercarriages, hood frames, bodies (including cane or wicker bodies), canopy frames, levers of all kinds, aprons, hood and canopy covers;

(*c*) the making of motor-cycle side-car bodies when done in an establishment, branch or department in which the main business is any of the making mentioned in sub-paragraphs (*a*) and (*b*) above;

(*d*) the making of fittings or accessories for perambulators, invalid carriages, or folding push-cars when done (*a*) in association or in conjunction with any of the making specified above, or (*b*) in a Toy-making establishment;

(*e*) the repair of any of the articles, the making of which is an operation of the trade herein specified, when done in association with or in conjunction with such making.

2. All operations of packing, warehousing, despatching, stock-taking, and other similar operations and all operations of crate making when such operations are incidental to any of the operations referred to in the preceding paragraphs hereof shall be deemed to be operations of the Perambulator and Invalid Carriage Trade.

3. Notwithstanding anything in this Schedule the following operations shall not be operations of the Perambulator and Invalid Carriage Trade:—

(*a*) the manufacture of self-propelled chain or lever-driven or mechanically-propelled invalid carriages or parts thereof;

(*b*) operations included in the Trade Boards (Toy) Order 1920(a), or any amendment or variation thereof.

4. For the purposes of this Schedule—

(*a*) the expression 'invalid carriages' shall include spinal carriages;

(*b*) the expression 'perambulators' shall not include Toy perambulators;

(*c*) the making of hood and canopy covers shall include the covering or re-covering of hoods and canopies;

(*d*) 'Toy-making establishment' means an establishment, branch or department, in which the main business is the work specified in the Trade Boards (Toy) Order 1920, or any amendment or variation thereof."

EXPLANATORY NOTE

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

This Order, which has effect from 12th July 1965, sets out the statutory minimum remuneration payable in substitution for that fixed by the Wages Regulation (Perambulator and Invalid Carriage) Order 1963 (Order I. (69)), as amended by the Wages Regulation (Perambulator and Invalid Carriage) (Amendment) Order 1964 (Order I. (71)), which Orders are revoked.

New provisions are printed in italics.

(a) S.R. & O. 1920/470 (1920 II, p. 792).