Provided that where the worker is employed on any power press which, on account of its size or heaviness, the risk of personal injury involved in its use, or upon other grounds, is unsuitable for her employment thereon, the general minimum time rate payable to the worker shall be *1s. 6½d.* per hour, and in the interpretation of this provision regard shall be had to the practice of good employers;

(*c*) All other workers aged under 18 years *1 6½*

Provided that the general minimum time rate payable during her first six months' employment in the trade to a worker who enters, or has entered, the trade for the first time at the age of 15 years or over and who cannot suitably be employed on piece work, shall be a rate equal to three quarters of the general minimum time rate otherwise payable under the foregoing provisions of this paragraph.

PIECE WORK BASIS TIME RATE

ALL WORKERS

Paragraph 4

The piece work basis time rate applicable to any worker employed on piece work is a rate equal to the general minimum time rate which would be payable, if the worker were a time worker, increased by 15 per cent."

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 8th January, 1951, amends Order X. (32), as amended by Order X. (34), by increasing the statutory minimum remuneration payable to workers in relation to whom the Tin Box Wages Council (Great Britain) operates. Order X. (34) is revoked. New provisions are printed in italics.

WAR DAMAGE

The War Damage (Obstructions in Waterways) Regulations, 1950

1950 No. 747

Made - - - -	8*th May*, 1950
Laid before Parliament	10*th May*, 1950
Coming into Operation	12*th May*, 1950

The Lords Commissioners of His Majesty's Treasury in exercise of the powers conferred upon them by paragraph (*b*) of sub-section (1) of Section 18 of the War Damage (Public Utility Undertakings, &c.) Act, 1949(**a**), and of all other powers enabling them in that behalf hereby make the following regulations:—

1.—(1) These regulations may be cited as the War Damage (Obstructions in Waterways) Regulations, 1950.

(2) The Interpretation Act, 1889(**b**), shall apply to these regulations as it applies to the interpretation of an Act of Parliament.

(3) These regulations shall come into force on the 12th day of May, 1950.

(a) 12, 13 & 14 Geo. 6. c. 36. (b) 52 & 53 Vict. c. 63.

2. In these regulations, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them:—

" the Act of 1939 " means the War Risks Insurance Act, 1939(**a**);

" the Act of 1943 " means the War Damage Act, 1943(**b**);

" the Act of 1949 " means the War Damage (Public Utility Undertakings, &c.) Act, 1949;

" obstruction " means an obstruction to navigation in a waterway forming part of or giving access to a port, canal or inland navigation, or in the approaches to such a waterway;

" owner " means, in relation to a thing comprising an obstruction, the person who immediately before the occurrence of the war damage was the owner of that thing;

" vessel " includes any ship, boat, tug, barge, lighter, dredger, floating dock, floating crane, floating grain elevator, or other floating craft, and includes a vessel which after having been launched is in dry dock;

" waterway authority " means a person or body having a statutory or other power to work, maintain, conserve, mark, light or improve a port, canal, inland navigation, or navigation in tidal water.

3. It shall be a condition of the right to receive a payment under paragraph (*b*) of sub-section (1) of section 18 of the Act of 1949 (in these regulations referred to as " a waterway payment ") that an obstruction has been caused by the occurrence of war damage within the risk period as defined in paragraph (*a*) of sub-section (1) of section 1 of the Act of 1943 and that the measures taken to meet the circumstances created by that obstruction are either:—

(*a*) measures taken by a waterway authority in the proper exercise of its statutory or other powers; or

(*b*) measures taken in compliance with the requirement of a waterway authority by the owner of the thing comprising the obstruction, being measures which that authority might in the proper exercise of its statutory or other powers require such owner to take; or

(*c*) measures taken by the owner of the thing comprising the obstruction or by any person prejudicially affected by the obstruction, being measures which a waterway authority might in the proper exercise of its statutory or other powers have either taken or required such owner to take, had those measures not been taken without such requirement.

4. The amount of a waterway payment shall be an amount equal to the proper cost of the measures taken to meet the circumstances created by the obstruction, after deduction of the following amounts:—

(*a*) any amount contributed or to be contributed towards such cost by any Government Department;

(*b*) any amount recovered or recoverable under any contract of insurance in respect of the incidence of such cost;

(*c*) any amount recovered or recoverable by the sale or disposal of the thing comprising the obstruction in so far as such amount has not been taken into account in calculating the amount of any payment in respect of war damage to such thing; and

(*d*) any amount recovered or appearing to the paying Department to be reasonably capable of being recovered from any other source in respect of the incidence of such cost.

(**a**) 2 & 3 Geo. 6. c. 57. (**b**) 6 & 7 Geo. 6. c. 21.

5. For the purpose of determining to and by whom a waterway payment shall be made, there shall be three classes of obstruction namely:—

(1) a class A obstruction, that is to say, an obstruction consisting of either:—

(*a*) any vessel which, immediately before the occurrence of the war damage, was insurable under Part II of the Act of 1943, or which would have been so insurable had that Act been then in operation; or

(*b*) any vessel which, immediately before the occurrence of the war damage, was in the ownership of a ship-builder and under construction or under its trials, and was insurable under Part II of the Act of 1939; or

(*c*) any part of such a vessel as is referred to in either of the two last preceding sub-paragraphs, including its machinery, tackle, stores or furniture, but not including its cargo; or

(*d*) the cargo of any such vessel as is referred to in sub-paragraph (*a*) of this paragraph, being cargo which was in or on the vessel immediately before the occurrence of the war damage and either remained in or on the vessel after such occurrence or was removed from the vessel by such occurrence;

(2) a class B obstruction, that is to say, an obstruction consisting of any vessel, part of a vessel (including its machinery, tackle, stores or furniture), or cargo, which does not comprise a class A obstruction; and

(3) a class C obstruction, that is to say, an obstruction consisting of any thing which does not comprise either a Class A obstruction or a class B obstruction.

6. The right to receive a waterway payment shall vest in the person by whom the cost of taking measures to meet the circumstances created by the obstruction has been incurred:

Provided that this regulation shall not apply where the person by whom the said cost has been incurred—

(*a*) is a body carrying on a public utility undertaking as defined in the First Schedule to the Act of 1949; or

(*b*) incurred it in his capacity of insurer or re-insurer against the incidence of such cost; or

(*c*) in the case of a class B obstruction, is the owner of the thing comprising the obstruction.

7.—(1) Where the right to receive a waterway payment is in respect of a class A obstruction and is vested in the owner of the thing comprising the obstruction, the payment shall be made by the Board of Trade.

(2) In any other case a waterway payment shall be made by the War Damage Commission.

(3) The Department by whom a waterway payment is to be made under this regulation is in these regulations referred to as "the paying Department".

8.—(1) Any person who proposes to make a claim for a waterway payment (in these regulations referred to as "a claimant") shall, within six months from the date of the coming into operation of these regulations or

within thirty days after the occurrence of the war damage, whichever is the later, notify the paying Department of his intention to make a claim and of the following particulars:—

(*a*) the name and address of the person giving the notification and an address to which communications may be sent to him by the paying Department;

(*b*) particulars as to the date, cause and extent of the war damage which caused the obstruction; and

(*c*) such further particulars as will enable the paying Department to verify the fact and extent of the war damage.

(2) Where the taking of the measures in respect of which the claim is made has been completed before the coming into operation of these regulations, the claimant shall make his claim within thirty days after the notification of his intention to make a claim.

(3) Where the taking of the measures in respect of which the claim is made has not been completed before the coming into operation of these regulations, the claimant shall make his claim within thirty days after the taking of such measures has been completed.

(4) A claimant shall, as and when required by the paying Department and within thirty days after receipt of the request, furnish to the paying Department:—

(*a*) particulars of the measures taken in respect of which the claim is made and of the cost thereof;

(*b*) particulars of the time at which the taking of such measures was commenced and completed;

(*c*) particulars of the amounts specified in paragraphs (*a*) to (*d*) of regulation 4 of these regulations;

(*d*) particulars of any insurance effected against the cost of the measures taken; and

(*e*) such documents and further particulars relating to the claim as the paying Department may reasonably require.

9. The paying Department may require any information given to them under these regulations to be verified by a Statutory Declaration.

10. The time when a waterway payment may be made shall be on the expiration of such period after the submission of a claim as may be reasonably requisite for enabling the paying Department to ascertain what is the proper amount of the payment.

11. For the purposes of these regulations any document sent under these regulations to any person by the paying Department shall, if addressed and posted to the person either at the address specified in the notification of his intention to claim sent by him to the paying Department or at his place of residence or business or other address last notified to the paying Department, be deemed to be received by the person at the time when it would reach the address in the ordinary course of post.

12. A person may make a claim under these regulations either personally or by an agent authorised by him in that behalf and, in the case of a notification of intention to claim, the paying Department may accept, as a notification given by any person, a notification given on his behalf by any person, who

in the opinion of the paying Department, is interested in the thing comprising the obstruction or by any member of his family or other person accustomed to act in relation to his affairs.

13. It shall be a condition of the right to receive a waterway payment that the requirements of these regulations and of the paying Department thereunder have been duly observed.

Dated the 8th day of May, 1950.

H. W. Bowden,
Wm. Hannan,
Two of the Lords Commissioners of
His Majesty's Treasury.

EXPLANATORY NOTE

(This Note is not a part of the regulations but is intended to indicate their general purport.)

The regulations are made under Section 18 of the War Damage (Public Utility Undertakings &c.) Act, 1949. They provide for payments in respect of the cost of measures properly taken to deal with obstructions caused by the occurrence of war damage in waterways. Claimants qualifying for payments under the regulations will include waterway authorities (other than public utility undertakings in the sense of the above Act) and the owners of the obstructions, provided in both cases that they have incurred the cost of the measures taken. Owners of Class B obstructions—broadly speaking sea-going vessels and their cargoes, which were insurable or re-insurable under the War Risks Insurance Act, 1939, against raising charges —will not be entitled to payments. Payments to owners of obstructions which are vessels or cargoes will be made by the Board of Trade ; all other payments will be made by the War Damage Commission. Payments will be of the proper cost of the measures taken less any amounts recoverable. Time limits are set for the notification and submission of claims, and claimants are required to submit the necessary particulars.

WATER, ENGLAND

The Water Byelaws (Extension of Operation) Order, 1950

1950 No. 1616

Made - - - - 28th September, 1950

M.H. 111065

The Minister of Health, in exercise of the powers conferred on him by the proviso to subsection (6) of section 19 of the Water Act, 1945(a), and of all other powers enabling him in that behalf, hereby orders as follows:—

1. This order may be cited as the Water Byelaws (Extension of Operation) Order, 1950.

(a) 8 & 9 Geo. 6. c. 42.