

1970 No. 702

WAGES COUNCILS

The Wages Regulation (Keg and Drum) Order 1970

Made - - - 7th May 1970

Coming into Operation 4th June 1970

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

Now, therefore, the Secretary of State in exercise of her powers under section 11 of the Wages Councils Act 1959(a), and of all other powers enabling her in that behalf, hereby makes the following Order :—

1. This Order may be cited as the Wages Regulation (Keg and Drum) Order 1970.

2.—(1) In this Order the expression “the specified date” means the 4th June 1970, 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 (Keg and Drum) Order 1966(c) and the Wages Regulation (Keg and Drum) (Amendment) Order 1968(d) shall cease to have effect.

Signed by order of the Secretary of State.
7th May 1970.

A. A. Jarratt,
Deputy Under Secretary of State,
Department of Employment and Productivity

Article 3

SCHEDULE

The following minimum remuneration shall be substituted for the statutory minimum remuneration fixed by the Wages Regulation (Keg and Drum) Order 1966 (Order K.D. (80)) as amended by the Wages Regulation (Keg and Drum) (Amendment) Order 1968 (Order K.D. (82)).

(a) 1959 c. 69.

(c) S.I. 1966/266 (1966 I, p. 712).

(b) 1889 c. 63.

(d) S.I. 1968/1429 (1968 III, p. 4163).

							General minimum time rates per hour	Piece work basis time rates per hour
(1)	MALE WORKERS	aged—					s. d.	s. d.
	21 years or over		...	...	...	...	6 0	6 7½
	20 and under 21 years	...	...	...	...	...	5 2½	5 8½
	19 " " 20 "	...	...	...	...	...	4 7	5 0½
	18 " " 19 "	...	...	...	...	...	3 11½	4 4½
	17 " " 18 "	...	...	...	...	...	3 5	3 9½
	16 " " 17 "	...	...	...	...	...	2 9	3 0½
	under 16 years	...	...	...	...	...	2 2½	2 5

						General minimum time rates per hour	Piece wor basis time rate per hour
						s. d.	s. d.
(2) FEMALE WORKERS aged—							
21 years or over	...	...	...	...	...	4 8½	5 2
20 and under 21 years	...	...	...	...	...	4 4	4 9½
19 " " 20 "	...	...	...	...	...	4 0½	4 5½
18 " " 19 "	...	...	...	...	...	3 11½	4 4½
17 " " 18 "	...	...	...	...	...	3 1	3 4½
16 " " 17 "	...	...	...	...	...	2 8½	2 11½
under 16 years	...	...	...	...	...	2 2½	2 5

SUPPLEMENTAL TIME RATE FOR REGULAR NIGHT WORKERS

4. The supplemental time rate payable to a regular night worker is an amount equal to one-third of the following rate:—

(1) in the case of a worker employed on time work, the general minimum time rate payable to the worker,

(2) in the case of a worker employed on piece work, the general minimum time rate which would be payable if the worker were employed on time work

PART III

OVERTIME AND WAITING TIME

MINIMUM OVERTIME RATES FOR TIME WORKERS

5.—(1) Subject to the provisions of this paragraph, minimum overtime rates are payable to a worker employed on time work as follows:—

(a) On any day other than a Saturday, Sunday or customary holiday:—

(i) For the first 2 hours worked
in excess of 8 hours time-and-a-third

(ii) Thereafter time-and-a-half
Provided that where the worker normally attends on five days only in the week, the said minimum overtime rates of time-and-a-third and time-and-a-half shall be payable after 8½ and 10½ hours' work respectively.

(b) On a Saturday, not being a customary holiday:—

(i) For the first 2 hours worked
in excess of 4 hours time-and-a-third

(ii) Thereafter time-and-a-half
Provided that where the worker normally attends on five days only in the week, the following minimum overtime rates shall apply:—

(i) For the first 2 hours worked time-and-a-third

(ii) Thereafter time-and-a-half

(c) On a Sunday or a customary holiday:—

For all time worked double time

(d) In any week for all time worked in excess of 40 hours (exclusive of any time in respect of which any minimum overtime rate is payable under the foregoing provisions of this sub-paragraph):—

(i) for the first 2 hours so worked time-and-a-third

(ii) thereafter time-and-a-half

(2) In ascertaining whether any minimum overtime rate is payable, regard shall be had to the whole of the worker's turn of duty, which shall be treated as worked on the day upon which it commences, except that where the full turn of duty of a regular night worker ordinarily extends from one day to the next each such turn of duty in the week shall be treated as worked wholly on the day after it commences.

6. In this Part of this Schedule—

(1) 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 (*or where another day is substituted therefor by national proclamation, that day*) and August Bank 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 ; 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 (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.

(2) the expressions “time-and-a-third”, “time-and-a-half” and “double time” mean, respectively, one and a third times, one and a half times, and twice the general minimum time rate otherwise payable to the worker under paragraph 3.

WAITING TIME

7.—(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

8. This Schedule applies to workers in relation to whom the Keg and Drum Wages Council (Great Britain) operates, that is to say, workers employed in Great Britain in the Keg and Drum Branch of the Hollow-ware Making Trade as specified in the Schedule to the Trade Boards (Keg and Drum Trade, Great Britain) (Constitution and Proceedings) Regulations 1928(a), which reads as follows:—

(a) S.R. & O. 1928/844 (1928, p. 1276).

"1. Subject to the provisions of this Schedule the Keg and Drum Branch of the Hollow-ware Making Trade consists of the following operations:—

(a) All work in connection with—

(i) the manufacture of kegs, drums, tapers, taper-necked cans and painters' pots, or parts thereof:—

from sheet iron or sheet steel (hereinafter called black plate) of an average thickness of less than $\cdot 125$ of an inch (10 Birmingham Gauge); or

from black plate coated with any metal and of an average thickness exceeding $\cdot 01745$ of an inch (27 Birmingham Gauge) but less than $\cdot 125$ of an inch (10 Birmingham Gauge);

and the repair thereof;

(ii) the manufacture of boxes, canisters and bottles, or parts thereof from black plate whether coated or not with metal when carried on in a department mainly engaged in the manufacture or repair specified in paragraph 1 (a) (i) hereof;

(iii) the manufacture of kegs, drums, tapers, taper-necked cans and painters' pots, or parts thereof from black plate coated with any metal and of an average thickness not exceeding $\cdot 01745$ of an inch (27 Birmingham Gauge) when carried on in a department mainly engaged in the manufacture or repair specified in paragraph 1 (a) (i) hereof;

and the repair thereof;

(iv) the manufacture from any iron or steel of forged, stamped or pressed mountings or fittings, or parts thereof, for the articles to the manufacture or repair of which paragraph 1 (a) (i) hereof applies when done by workers wholly or mainly so engaged or in association or conjunction with the said manufacture or repair.

(b) all work in connection with—

(i) the manufacture from black plate of articles of hollow-ware or parts thereof;

(ii) the manufacture of baths and dustbins from black plate or from black plate coated with any metal, of an average thickness not exceeding $\cdot 0392$ of an inch (20 Birmingham Gauge);

(iii) the manufacture from any iron or steel of forged, stamped or pressed mountings or fittings or parts thereof for the articles specified in paragraph 1(b) (i) and (ii) hereof

when done in a department mainly engaged in the work specified in paragraph 1 (a) hereof.

2. Work in connection with the manufacture specified in paragraph 1 hereof includes—

(a) finishing;

(b) the work of persons employed in the factory or workshop in counting or weighing materials handed to workers and articles or parts thereof received from workers;

(c) packing, warehousing, despatching, the work of inside messengers, yard-workers and stokers and work of a similar nature.

3. Notwithstanding anything in this Schedule the following operations are not operations in the Keg and Drum Branch of the Hollow-ware Making Trade:—

(a) work specified in paragraph 1 hereof when performed in an establishment, branch or department mainly engaged in other work and in which the jointing and finishing of the articles or parts of articles specified in paragraph 1 hereof are done by workers mainly employed in jointing and finishing other articles;

- (b) finishing when performed in a department mainly engaged in the finishing of articles other than articles specified in paragraph 1 hereof and in which no manufacture specified in paragraph 1 hereof is carried on ;
 - (c) packing, warehousing, despatching, the work of inside messengers, yard-workers and stokers, and work of a similar nature when performed in an establishment not otherwise engaged in operations in the Keg and Drum Branch of the Hollow-ware Making Trade ;
 - (d) the manufacture of component parts of motor vehicles, motor plants, aircraft, cycles or motor-cycles ;
 - (e) the manufacture of any article or part of any article when made in an establishment mainly engaged in the manufacture of motor vehicles, motor plants, aircraft, cycles or motor-cycles or of component parts thereof ;
 - (f) all clerical work other than work specified in paragraph 2 (b) hereof ;
 - (g) the manufacture of tin rollers, tin roller drums, card cases, coiler cans and other articles for use with textile or other machinery ;
 - (h) all processes of lithographic printing and processes of varnishing or lacquering done in connection therewith ;
 - (i) all work in connection with the maintenance or upkeep of premises, machinery or plant ;
 - (j) all work included under the Trade Boards (Hollow-ware Trade, Great Britain) (Constitution and Proceedings) Regulations 1928(a) ;
 - (k) all work included under the Trade Boards (Tin Box Trade, Great Britain) (Constitution and Proceedings) Regulations 1928(b).
4. The expression 'finishing' includes operations of coating, polishing and cleaning articles."

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order, which has effect from 4th June 1970, sets out the statutory minimum remuneration payable in substitution for that fixed by the Wages Regulation (Keg and Drum) Order 1966 (Order K.D. (80)), as amended by the Wages Regulation (Keg and Drum) (Amendment) Order 1968 (Order K.D. (82)), which Orders are revoked.

New provisions are printed in italics.

(a) S.R. & O. 1928/843 (1928, p. 1272). (b) S.R. & O. 1928/847 (1928, p. 1289).

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