

wholly or mainly employed as transport workers, enginemens or stokers.

SECTION V.—The Minimum Rates set out in this Notice shall be paid clear of all deductions other than deductions as are provided for in Section II., deductions under the National Insurance Act, 1911, as amended by any subsequent enactments, or deductions authorised by any Act to be made from wages in respect of contributions to any superannuation or other provident fund.

SECTION VI.—The Minimum Rates set out in this Notice are without prejudice to workers earning higher rates of wages.

Dated this seventh day of July 1920.

Signed by Order of the Trade Board.

F. POPPLEWELL, Secretary.

Office of Trade Boards,
5 Chancery Lane, London, W.C. 2.

It is provided by the above-mentioned Regulations that :—

Every Occupier of a Factory or Workshop or of any place used for giving out work to out-workers shall, on receipt of this Notice, post up and keep posted up a sufficient number of true copies thereof in prominent positions in the Factory, Workshop or place used for giving out work, in such a manner as to ensure that in each case the Notice shall be brought to the knowledge of all workers employed by him or on his premises who are affected thereby. Penalty for non-compliance, a fine not exceeding 40s.

Under the Trade Boards Acts, 1909 and 1918, it is provided amongst other things that :—

1. Where any minimum rate of wages fixed by a Trade Board has become effective, an employer shall, in cases to which the minimum rate is applicable, pay wages to the person employed at not less than the minimum rate clear of all deductions, and if he fails to do so shall be liable on summary conviction in respect of each offence to a fine not exceeding twenty pounds and to a fine not exceeding five pounds for each day on which the offence is continued after conviction therefor.

In the foregoing provision, the expression "deductions" includes deductions for or in respect of any matter whatsoever (other than deductions under the National Insurance Act, 1911, as amended by any subsequent enactments or deductions authorised by any Act to be made from wages in respect of contributions to any superannuation or other provident fund), and notwithstanding that they are deductions which may lawfully be made from wages under the provisions of the Truck Acts, 1831 to 1896, and where any payment being a payment authorised to be received by an employer under section one, section two, or section three of the Truck Act, 1896, is made by any employed person to his employer, the employer shall, for the purposes of the foregoing provision, be deemed to have deducted that amount from wages.

On the conviction of an employer for failing to pay wages at not less than the minimum rate to a person employed, the Court may by the conviction adjudge the employer convicted to pay, in addition to any fine, such sum as appears to the Court to be due to the person employed

on account of wages, the wages being calculated on the basis of the minimum rate, but the power to order the payment of wages under this provision shall not be in derogation of any right of the person employed to recover wages by any other proceedings.

2.—If a Trade Board are satisfied that any worker employed, or desiring to be employed, in any branch of a trade to which a general minimum time-rate, a guaranteed time-rate, or a time-work overtime rate is applicable is affected by any infirmity or physical injury which renders him incapable of earning that minimum rate, and where the worker is not already employed on piece-work, are of opinion that the case cannot suitably be met by employing him on piece-work, the Trade Board may, if they think fit, grant to the worker, subject to such conditions, if any, as they prescribe, a permit exempting the employment of the worker from the provisions of this Act relating to the payment of wages at less than the minimum rate, and, while the permit is in force, the employer shall not be liable for paying wages to the worker at a rate less than the minimum rate so long as the conditions prescribed by the Trade Board on the grant of the permit are complied with.

3.—It shall be the duty of every employer in a trade to which a minimum rate is applicable, to keep such records of wages as are necessary to show that the provisions of this Act are being complied with as respects persons in his employment, and if he fails to do so he shall be liable on summary conviction in respect of each offence to a fine not exceeding two pounds, and also to a fine not exceeding one pound for every day during which the default continues after conviction.

On any prosecution of a person for failing to pay wages at not less than the minimum rate, it shall lie on that person to prove that he has not paid wages at less than the minimum rate.

Any agreement for the payment of wages in contravention of the provisions of the Acts shall be void.

4.—An employer shall, in cases where persons are employed on piece-work and a general minimum time-rate but no general minimum piece-rate has been fixed be deemed to pay wages at less than the minimum rate—

- (a) in cases where a special minimum piece-rate has been fixed under the provisions of this Act for persons employed by that employer, if the rate of wages is less than that special minimum piece-rate ;
- (b) in cases where a special minimum piece-rate has not been so fixed, unless he shows that the piece-rate of wages paid would yield, in the circumstances of the case, to an ordinary worker at least the same amount of money as the basis-rate.

For the purpose of this section the expression "basis-rate" means the general minimum time-rate, or where a rate (*i.e.*, a "piece-work basis time-rate") has been fixed by the Trade Board for the purpose of being substituted for the general minimum time-rate as the basis rate, the rate so fixed.

5.—(1) Where a worker in any trade, being a person to whom a minimum rate of wages fixed by a Trade Board applies, is an apprentice or learner, it shall not be lawful for his employer