

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 piecework, are of opinion that the case cannot suitably be met by employing him on piecework, 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 piecework 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; and
- (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 to receive directly or indirectly from him, or on his behalf or on his account, any payment by way of premium:

Provided that nothing in the foregoing provision shall apply to any such payment duly made in pursuance of any instrument of apprenticeship not later than four weeks after the commencement of the employment.

(2) If any employer acts in contravention of this provision, he shall be liable on summary conviction in respect of each offence to a fine not exceeding twenty pounds, and the Court may by the conviction, in addition to imposing a fine, adjudge him to repay to the worker or other person by whom the payment was made the sum improperly received by way of premium.

6. For the purpose of calculating the amount of the wages payable in the case of a worker employed on any work for which a minimum rate of wages has been fixed under the principal Act, the worker shall be deemed to have been employed during all the time during which he was present on the premises of the employer, unless the employer proves that he was so present without the employer's consent, express or implied, or that he was so present for some purpose unconnected with his work and other than that of waiting for work to be given to him to perform, and in the case of a worker employed on piecework shall be deemed during any time during which he was so present and was not doing piecework to have been employed at the general minimum time-rate applicable to workers of the class to which he belongs:

Provided that—

- (a) where a worker resides on the premises of the employer he shall not be deemed to be employed during any time during which he is present on the premises by reason only of the fact that he is so resident; and
- (b) a worker while present during normal meal times in a room or place in which no work is being done shall be deemed to be present for a purpose unconnected with his work.

## POST OFFICE.

### FOREIGN AND COLONIAL PARCEL POST, VENEZUELA.

In pursuance of the Rules Publication Act, 1893, His Majesty's Postmaster-General hereby gives notice that a Warrant dated the 20th day of October 1919, and coming into operation on the 21st day of October 1919, has been made, on his representation, by the Commissioners of His Majesty's Treasury, relating to the rates of postage on certain parcels addressed to Venezuela.

And the Postmaster-General further gives notice that copies of the said Warrant may be purchased, either directly or through any bookseller, from His Majesty's Stationery Office at the following addresses:—Imperial House, Kingsway, London, W.C. 2; 28 Abingdon Street, London, S.W. 1; 37 Peter Street, Manchester; 1 St. Andrew's Crescent, Cardiff; 23 Forth Street, Edinburgh; or from E. Ponsby, Ltd., 116 Grafton Street, Dublin.

Dated this 19th day of December 1919.

CROMPTON LLEWELYN DAVIES,  
Solicitor to the Post Office.