

Construction.—2. For the purpose of this Appendix the following expressions shall have the meanings hereby respectively assigned to them, that is to say:—

“ *Toy making establishment* ” means an establishment, branch or department in which work in connection with the making of children’s toys is the principal business carried on.

“ *Perambulator making establishment* ” means an establishment, branch or department in which the principal business carried on is the trade specified in the Trade Boards (Perambulator and Invalid Carriage) Order, 1919, or any amendment or variation thereof.

“ *Children’s Toys* ” includes any part of such toys.

“ *Making of children’s toys* ” includes the assembling of parts of such toys.

“ *Work in connection with the making of children’s toys* ” includes all operations of sweeping up in any part of an establishment, branch or department mainly engaged upon work in connection with the making of such toys, and packing, warehousing, despatching, stock-taking and any other such work in connection with children’s toys when carried on in association or in conjunction with the making of such toys.

Saving.—3. Notwithstanding any of the foregoing provisions of this Appendix, but without prejudice to the construction of any expression contained in those provisions, there shall not be deemed to be included in the Toy Manufacturing Trade any of the following operations, that is to say:—

- (a) the making of sports requisites;
- (b) the making from ceramic materials of dolls or dolls’ parts, dolls’ china, marbles or similar articles, when carried on in association with or in conjunction with the manufacture of other pottery;
- (c) operations included in the trades specified in the Orders hereinafter mentioned or any amendments or variations thereof, that is to say:—

The Trade Boards (Hollow-ware) Order, 1918.

The Trade Boards (Sugar Confectionery and Food Preserving Order), 1918.

The Trade Boards (Brush and Broom) Order, 1919.

The Trade Boards (Women’s Clothing) Order, 1919.

The Trade Boards (Tailoring) Order, 1919.

The Trade Boards (Hat, Cap and Millinery) Order, 1919.

INSTRUCTIONAL CIRCULAR.

TRADE BOARDS (TOY MANUFACTURING) ORDER, 1925.

1. It has been represented to the Minister of Labour that it might prove of assistance to employers and workers and others concerned in the application of the Trade Boards Acts, 1909-1918, if, in suitable cases, when he makes an Order applying the Acts to a trade for the first time or when he makes an Order varying the existing description of a trade contained

in an Order made under the said Acts, some information were given by a departmental Instructional Circular as to his understanding of the scope of the Order.

2. An authoritative interpretation of the Trade Boards Acts and/or of Orders made thereunder can be given only by the Courts of Law and, on the understanding that any views which he may express provisionally as to the inclusion within, or exclusion from the scope of the Acts and/or Orders made thereunder of any trade, process, operation, article, or of any class of worker are given on the information at the time in his possession and are subject to revision in the light of further information, the Minister makes the following observations for the guidance of all concerned in the application of the Trade Boards (Toy Manufacturing Order, 1925).

3. The Order of 1925 amends the description of the Toy Manufacturing trade contained in the Order of 1920, its main effect being to bring within the scope of the Board various fringes of the trade hitherto unscheduled. In particular, the manufacture of toy perambulators and other toys manufactured by perambulator makers is transferred from the scope of the Perambulator and Invalid Carriages Board to that of the Toy Board.

The following explanation (which must not be taken as exhaustive) is given of the terms employed in the definition of the trade:—

General Principles of Inclusion and Exclusion.

Paragraph 1.—The principles on which the definition is based are to be found in its first paragraph. Generally speaking, all work in connection with the making of children’s toys is brought within the scope of the Board in two sets of circumstances (i) when carried on in an establishment, branch or department mainly so engaged, or (2) when carried on by a worker so engaged, irrespective of the main work of the establishment, branch or department in which he is employed, provided in this case that the worker is wholly* so employed during his working hours in any week. In addition, in the case of perambulator-making establishments, any toy work done in the establishment is brought within the scope of the Toy Board, whether the worker is employed on both types of work or not. Hitherto such work has been within the scope of the Perambulator and Invalid Carriage Board, and the present arrangement is the result of an agreement between the two Boards concerned.

Interpretation “ Toys.”

Paragraph 2, contains interpretations of the terms used in the first part of the definition; only the following call for comment:—

While no precise definition of “ children’s toys ” can be embodied in the Order of 1925, the term applies essentially to any article made for sale as a plaything for children. Toys of all classes, e.g., metal toys, wooden or other hard toys, soft and other stuffed toys, dolls, children’s books of textile materials, requisites for table games, Christmas crackers, Easter eggs, toy musical instruments, etc., are of course included. There

* NOTE.—In interpreting the word “ wholly ” in the definition, the Minister does not propose to regard interruptions in the making of children’s toys for insignificant periods as taking such making outside the scope of the Board.