



# Wages Councils Act 1979

## 1979 CHAPTER 12

### PART III

#### ORDERS REGULATING TERMS AND CONDITIONS OF EMPLOYMENT

#### 17 Computation of remuneration

- (1) Subject to the provisions of this Part of this Act, any reference therein to remuneration shall be construed as a reference to the amount obtained or to be obtained in cash by the worker from his employer after allowing for the worker's necessary expenditure, if any, in connection with his employment, and clear of all deductions in respect of any matter whatsoever, except any reduction lawfully made—
  - (a) under the Income Tax Acts, the enactments relating to social security or any enactment requiring or authorising deductions to be made for the purposes of a superannuation scheme ;
  - (b) at the request in writing of the worker, either for the purposes of a superannuation scheme or a thrift scheme or for any purpose in the carrying out of which the employer has no beneficial financial interest, whether directly or indirectly ; or
  - (c) in pursuance of, or in accordance with, such a contract in that behalf as is mentioned in section 1, 2 or 3 of the Truck Act 1896 and in accordance with the provisions of that section.
- (2) Notwithstanding subsection (1) above, orders under section 14 above may contain provisions authorising specified benefits or advantages, being benefits or advantages provided, in pursuance of the terms and conditions of the employment of workers, by the employer or by some other person under arrangements with the employer and not being benefits or advantages the provision of which is illegal by virtue of the Truck Acts 1831 to 1940, or of any other enactment, to be reckoned as payment of wages by the employer in lieu of payment in cash, and defining the value at which any such benefits or advantages are to be reckoned.
- (3) If any payment is made by a worker in respect of any benefit or advantage provided as mentioned in the foregoing subsection, then,—

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- (a) if the benefit or advantage is authorised by virtue of that subsection to be reckoned as therein mentioned, the amount of the payment shall be deducted from the defined value for the purposes of the reckoning;
  - (b) if the benefit or advantage is authorised by virtue of that subsection to be reckoned as therein mentioned, any excess of the amount of the payment over the defined value shall be treated for the purposes of subsection (1) above as if it had been a deduction not being one of the excepted deductions therein mentioned;
  - (c) if the benefit or advantage is specified in an order under section 14 above as one which has been taken into account in fixing the statutory minimum remuneration, the whole of the payment shall be treated for the purposes of subsection (1) above as if it had been a deduction not being one of the excepted deductions therein mentioned.
- (4) Nothing in this section shall be construed as authorising the making of any deduction, or the giving of remuneration in any manner, which is illegal by virtue of the Truck Acts 1831 to 1940, or of any other enactment.