



Wages Councils Act 1979

1979 CHAPTER 12

PART I

WAGES COUNCILS

3 Proceedings on references as to establishment of wages councils

- (1) Where the Secretary of State makes any such reference as is mentioned in paragraph (b) or (c) of subsection (2) of section 1 above, it shall be the duty of the Service to consider not only the subject matter of the reference but also any other question or matter which, in the opinion of the Service, is relevant thereto, and in particular to consider whether there are any other workers (being workers who, in the opinion of the Service, are engaged in work which is complementary, subsidiary or closely allied to the work performed by the workers specified in the reference or any of them) whose position should be dealt with together with that of the workers, or some of the workers, specified as aforesaid; and in relation to any such reference, any reference in this Part of this Act to the workers with whom the Service is concerned shall be construed as a reference to the workers specified as aforesaid and any such other workers as aforesaid.
- (2) If the Service is of opinion with respect to the workers with whom it is concerned or any of those workers whose position should, in the opinion of the Service be separately dealt with—
 - (a) that there exists machinery set up by agreement between organisations representing workers and employers respectively which is, or can be made by improvements which it is practicable to secure, adequate for regulating the remuneration and conditions of employment of those workers; and
 - (b) that there is no reason to believe that that machinery is likely to cease to exist or be adequate for that purpose,

the Service shall report to the Secretary of State accordingly and may include in its report any suggestions which it may think fit to make as to the improvement of that machinery.

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- (3) Where any such suggestions are so included, the Secretary of State shall take such steps as appear to him to be expedient and practicable to secure the improvements in question.
- (4) If the Service is of opinion with respect to the workers with whom it is concerned or any of those workers whose position should, in the opinion of the Service, be separately dealt with—
- (a) that machinery for regulating the remuneration and conditions of employment of those workers is not, and cannot be made by any improvements which it is practicable to secure, adequate for that purpose, or does not exist; or
 - (b) that the existing machinery is likely to cease to exist or be adequate for that purpose,
- and that as a result a reasonable standard of remuneration among those workers is not being or will not be maintained, the Service may make a report to the Secretary of State embodying a recommendation for the establishment of a wages council in respect of those workers and their employers.
- (5) In considering for the purposes of section 1 above whether any machinery is, or is likely to remain, adequate for regulating the remuneration and conditions of employment of any workers, the Service shall consider not only what matters are capable of being dealt with by that machinery, but also to what extent those matters are covered by the agreements or awards arrived at or given thereunder, and to what extent the practice is, or is likely to be, in accordance with those agreements or awards.