



Wages Act 1986

1986 CHAPTER 48

PART II

WAGES COUNCILS

Miscellaneous and supplemental

26 Interpretation of Part II

(1) In this Part—

" employer ", in relation to a worker, means the person by whom the worker is (or, where the employment has ceased, was)' employed;

" employers' association " means any organisation representing employers and any association of such organisations or of employers and such organisations;

" employment", in relation to a worker, means employment under his contract and " employed ", in relation to a worker, accordingly means employed under his contract;

" homemaker " means an individual who—

(a) contracts with a person, for the purposes of that person's business, for the execution of work to be done in a place not under the control or management of the person with whom he contracts, and

(b) does not normally make use of the services of more than two individuals in the carrying out of contracts for the execution of work in relation to which statutory minimum remuneration is provided by any order under section 14 ;

" organisation ", in relation to workers, means a trade union and, in relation to employers, means an employers' association;

" piece rate " means a rate where the amount of a worker's remuneration is to be calculated by reference to the number of items of work executed either by him alone or by a number of workers of whom he is one, and " piece worker " means a worker whose contract provides for the remuneration payable to

Status: This is the original version (as it was originally enacted).

him in respect of work executed by him to be calculated only by reference to one or more such rates ;

" prescribed " means prescribed by regulations made by the Secretary of State;

" time worker " means a worker other than a piece worker (whether the worker's remuneration is determined by reference to the actual number of hours worked by him or not);

" wages council" (except where the context requires otherwise) means such a wages council as is mentioned in section 12(1)(a);

" week " means—

(a) in relation to a worker whose remuneration is calculated weekly by a week ending with a day other than Saturday, a week ending with that other day; and

(b) in relation to any other worker, a week ending with Saturday;

" worker " means (subject to subsection (2)) an individual who—

(a) has entered into or works under (or, where the employment has ceased, worked under) one of the contracts referred to in section 8(2), or

(b) whether or not he falls within paragraph above, is a homeworker,

and any reference to a worker's contract shall be construed as a reference to any such contract as is referred to in paragraph (a) above or, in the case of a home-worker, to the contract by virtue of which he is a homeworker.

(2) In this Part " worker " does not include an individual who is wholly employed otherwise than for the purposes of the business of the person employing him.

(3) Notwithstanding section 14(3)—

(a) where a worker is employed partly for the purposes of his employer's business and partly not, nothing in any order under section 14 shall apply to the worker in his employment otherwise than for the purposes of that business, and

(b) where a worker is employed for the purposes-of his employer's business both in an employment to which an order under section 14 applies and in one to which that order does not apply, nothing in that order shall apply to the worker in the second of those employments.

(4) References in this Part to the statutory minimum remuneration provided for a worker by an order under section 14 shall—

(a) in relation to a time worker, be construed in accordance with subsection (4) of that section, and

(b) in relation to a piece worker, be construed in accordance with section 15.