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**STATUTORY INSTRUMENTS**

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**1982 No. 1597****WAGES COUNCILS****The Aerated Waters Wages Councils  
(Abolition and Establishment) Order 1982**

*Made* - - - 8th November 1982

*Laid before Parliament* 18th November 1982

*Coming into Operation* 14th February 1983

Whereas, on 1st October 1980 the Secretary of State has, in accordance with section 4 of, and Schedule 1 to, the Wages Councils Act 1979(a) ("the 1979 Act") published notice of his intention to make an Order abolishing the Aerated Waters Wages Council (England and Wales) and the Aerated Waters Wages Council (Scotland) and establishing the Aerated Waters Wages Council (Great Britain) with a varied field of operation;

And whereas objections were made with respect to the draft Order referred to in the said notice;

And whereas on 19th May 1981 the Secretary of State referred the said draft Order and objections to the Advisory Conciliation and Arbitration Service ("the Service") pursuant to paragraphs 6(b) and 7 of Schedule 1 to the 1979 Act for inquiry and report;

And whereas in accordance with section 7(1) of the 1979 Act, the Service has made all such investigations as appeared to it to be necessary;

And whereas a report dated 4th February 1982 of the Service concludes that objections received by the Secretary of State did not justify any substantial modifications to the said draft Order, the effect of which is to abolish the Aerated Waters Wages Council (England and Wales) and the Aerated Waters Wages Council (Scotland) and to establish a new wages council whose field of operation will not include delivery workers currently covered by the Aerated Waters Wages Council (England and Wales);

Now, therefore, the Secretary of State in exercise of the powers conferred by section 4(1) (b) and (5) of the 1979 Act, and of all other powers enabling him in that behalf, hereby makes the following Order:—

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(a) 1979 c. 12.

1. The Aerated Waters Wages Council (England and Wales) and the Aerated Waters Wages Council (Scotland) are hereby abolished.
2. There shall be established in relation to the workers specified in the Schedule to this Order and their employers a wages council to be known as the Aerated Waters Wages Council (Great Britain).
3. An order made by the Aerated Waters Wages Council (England and Wales) or by the Aerated Waters Wages Council (Scotland) which is in force immediately before the coming into operation of this Order shall continue to have effect as if the said order had been made by the Aerated Waters Wages Council (Great Britain) until revoked by an order made under section 14 of the 1979 Act by the said Aerated Waters Wages Council (Great Britain).
4. Any proposal in respect of any new terms and conditions of employment made by the Aerated Waters Wages Council (England and Wales) or the Aerated Waters Wages Council (Scotland) and any action taken in relation thereto pursuant to section 14 (4) and (5) of the 1979 Act prior to the coming into operation of this Order shall be deemed for the purposes of the said section 14 to have been made or taken by the Aerated Waters Wages Council (Great Britain).
5. This Order may be cited as the Aerated Waters Wages Councils (Abolition and Establishment) Order 1982 and shall come into operation on 14th February 1983.

Signed by order of the Secretary of State.

8th November 1982.

*Michael Alison,*

Minister of State,  
Department of Employment.

*Article 2*

## SCHEDULE

## WORKERS TO WHOM THE AERATED WATERS WAGES COUNCIL (GREAT BRITAIN) APPLIES

1. Subject to the provisions of paragraph 2 below, the Aerated Waters Wages Council (Great Britain) shall operate in relation to workers employed in Great Britain in the Aerated Waters Trade, that is to say:—

- (a) The manufacture, wherever carried on, of mineral or aerated waters, non-alcoholic cordials, flavoured syrups, unfermented sweet drinks, and other similar beverages, and the manufacture in unlicensed premises of brewed liquors;
- (b) The operations of bottle washing, bottling and filling, and all other operations preparatory to the sale of any of the aforesaid beverages or liquors in bottles, jars, syphons, casks, or other similar receptacles;
- (c) The following operations when carried on in association or in conjunction with any of the operations specified in sub-paragraph (b) above so as to form a common or interchangeable form of employment for workers and whether carried on simultaneously with those operations or not, that is to say all subsidiary operations preparatory to the sale in bottles, jars or other similar receptacles of cider, ale, stout, porter or other alcoholic beers, including the operations of bottle washing, bottling and filling.

2. The Aerated Waters Wages Council (Great Britain) shall not operate in relation to all those workers employed in the transport and delivery of mineral or aerated waters, non-alcoholic cordials, flavoured syrups, unfermented sweet drinks, and other similar beverages or liquors (and operations incidental thereto including the collection of empty bottles or containers) when carried on as an activity of an undertaking engaged in the manufacture thereof, by persons in the employment of that undertaking, and operations involved in the sale by retail of any of such beverages or liquors when sold in the course of a delivery round by a driver-salesman or delivery-salesman employed in an undertaking which manufactures the said beverages or liquors.

## EXPLANATORY NOTE

*(This Note is not part of the Order.)*

This Order which comes into operation on 14th February 1983:—

- (a) abolishes the Aerated Waters Wages Council (England and Wales) and the Aerated Waters Wages Council (Scotland); and
- (b) establishes the Aerated Waters Wages Council (Great Britain) whose field of operation does not include delivery workers who were previously in scope of the Aerated Waters Wages Council (England and Wales) only.

Trade Boards were established in England and Wales and Scotland for the Aerated Waters Trade in 1920. In 1949 the two Trade Boards became Wages Councils in conformity with the provisions relating to the constitution of Wages Councils contained in the Wages Councils Act 1945. Both Councils continued in existence under the Wages Councils Act 1959, which was re-enacted as the Wages Councils Act 1979.

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