**1978 No. 274**

## WAGES COUNCILS

### Readymade and Wholesale Bespoke Tailoring Wages Regulation (Holidays) (Amendment) Order (Northern Ireland) 1978

*Made* . . . . . *4th September* 1978

*Coming into operation* . . . *5th September* 1978

The Department of Manpower Services in exercise of the powers conferred on it by Section 10 of the Wages Councils Act (Northern Ireland) 1945(**a**), and now vested in it(**b**), hereby makes the following Order to give effect to wages regulation proposals received from the Readymade and Wholesale Bespoke Tailoring Wages Council (Northern Ireland).

*Citation*

**1.** This Order may be cited as the Readymade and Wholesale Bespoke Tailoring Wages Regulation (Holidays) (Amendment) Order (Northern Ireland) 1978.

*Commencement*

**2.** The wages regulation proposals set out in the Schedule shall come into operation on the specified date.

*Interpretation*

**3.** In this Order the expression "the specified date" means 5th September 1978, provided that where, as respects any worker who is paid wages at intervals not exceeding seven days, that date does not correspond with the beginning of the period for which the wages are paid, the expression "the specified date" means as respects that worker, the beginning of the next such period following that date.

Sealed with the Official Seal of the Department of Manpower Services on 4th September 1978.

(L.S.)

*D. J. Perham*
Senior Assistant Secretary

(a) 1945 c. 21 (N.I.)
(b) 1946 c. 11 (N.I.); S.R. & O. (N.I.) 1964 No. 205 (p. 937) and S.R. & O. (N.I.) 1973 No. 504 Art. 6(1) and Sch. 3 (II, p. 2992)

[N.I.T.R.W. (88)]

SCHEDULE

**Holidays and Holiday Remuneration**

The Readymade and Wholesale Bespoke Tailoring Wages Regulation (Holidays) Order (Northern Ireland) 1974(c) (Order N.I.T.R.W. (76)) as amended by the Readymade and Wholesale Bespoke Tailoring Wages Regulation Order (Northern Ireland) 1976(d) (Order N.I.T.R.W. (82)) and the Readymade and Wholesale Bespoke Tailoring Wages Regulation (Amendment) Order (Northern Ireland) 1978(e) (Order N.I.T.R.W. (86)) shall have effect as if in the Schedule thereto there was substituted for paragraphs 6(1) and 7 the following paragraphs:—

CUSTOMARY HOLIDAYS

Paragraph 6.

(1) For each day of customary holiday (including a customary holiday falling on a Saturday) to which a worker is entitled under Part II, *in the year commencing 6th April 1978*, he shall be paid by the employer as holiday remuneration whichever of the following amounts is the greater:

(a) one-fifth of the average weekly earnings of the worker during the twelve months ended 5th April *1978* (such average weekly earnings to be determined by dividing the total remuneration (including holiday remuneration) paid to him by the employer during the said period, *increased by* $7\frac{1}{2}\%$, by the number of weeks of employment with the employer during that period; or

(b) the appropriate statutory minimum remuneration to which he would have been entitled as a time worker if the day had not been a day of customary holiday and he had worked the number of hours ordinarily worked by him on that day of the week for the employer on work to which statutory minimum remuneration applies.

ANNUAL HOLIDAYS

Paragraph 7.

(1) Subject to the provisions of paragraph 8, a worker qualified to be allowed an annual holiday under this Schedule, *in the year commencing 6th April 1978*, shall be paid by his employer in respect thereof, on the last pay day preceding such annual holiday, as holiday remuneration whichever of the following amounts is the greater:

(a) an amount equal to seventeen two-hundred-and-sixtieths of the total remuneration (including holiday remuneration) paid by the employer to the worker in the 12 months ended on 5th April *1978 increased by* $7\frac{1}{2}\%$; or

(b) one day's holiday pay (as defined in paragraph 12) in respect of each day of annual holiday.

(2) Where under the provisions of paragraph 4 an annual holiday is allowed in two separate periods, the holiday remuneration shall be apportioned accordingly.

(c) S.R. 1974 No. 20 (I, p. 66)
(d) S.R. 1976 No. 232 (I, p. 1097)
(e) S.R. 1978 No. 154

## EXPLANATORY NOTE

*(This Note is not part of the Order but is intended to indicate its general purport.)*

This Order which comes into operation on 5th September 1978 amends the Readymade and Wholesale Bespoke Tailoring Wages Regulation (Holidays) Order (Northern Ireland) 1974 (Order N.I.T.R.W. (76)) as amended by the Readymade and Wholesale Bespoke Tailoring Wages Regulation Order (Northern Ireland) 1976 (Order N.I.T.R.W. (82)) and the Readymade and Wholesale Bespoke Tailoring Wages Regulation (Amendment) Order (Northern Ireland) 1978 (Order N.I.T.R.W. (86)) by increasing the statutory holiday remuneration fixed by those Orders.

New provisions in the Schedule are printed in italics.