1988 No. 238

WAGES COUNCILS

Wages Councils (Notices) Regulations (Northern Ireland) 1988

Made	*29th June 1988*
Coming into operation . .	*15th August 1988*

The Department of Economic Development, in exercise of the powers conferred on it by Articles 15(9), 20(2) and (3) and 24(1) and (4) of, and paragraphs 1(1) and 2 of Schedule 3 to, the Wages (Northern Ireland) Order 1988(**a**) and of every other power enabling it in that behalf, hereby makes the following Regulations:

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Wages Councils (Notices) Regulations (Northern Ireland) 1988 and shall come into operation on 15th August 1988.

(2) In these Regulations—

"the Order" means the Wages (Northern Ireland) Order 1988; and

"proposal" means a proposal under paragraph 1 of Schedule 3 to the Order.

Publication of notices of proposal to make an order

2.—(1) Subject to paragraph (2), notice of any rate or limit which a wages council proposes to fix under Article 15(1) of the Order shall be published in the Belfast Gazette.

(2) Where the issue of the Belfast Gazette in which the notice referred to in paragraph (1) was expected to appear does not contain that notice, or where the wages council has reason to believe that the issue of the Belfast Gazette in which it wishes that notice to appear will not be published or will be published late, the notice may be published in a Northern Ireland daily newspaper instead of the Belfast Gazette.

(3) The date to be taken for the purposes of Part III of the Order as the date of publication of a notice referred to in paragraphs (1) and (2) shall be the first or only date on which the notice is published in Northern Ireland.

Notice to employers of proposals

3.—(1) A wages council shall send to every employer appearing to the council to be affected by its proposals a notice fulfilling the requirements of paragraphs (2) to (4).

(2) The notice referred to in paragraph (1) shall—

(**a**) S.I. 1988/796 (N.I. 7)

(*a*) set out the contents of the notice referred to in regulation 2;

(*b*) state the date from which the wages council intends its proposals to come into force;

(*c*) state the place where further copies of the proposals may be obtained;

(*d*) state the period, being a period of not less than 28 days beginning with the date of publication of the notice referred to in regulation 2, within which written representations with respect to the proposals may be sent to the wages council; and

(*e*) state that the order which implements the proposals will not apply to workers under the age of 21.

(3) Subject to paragraph (4), the notice referred to in paragraph (1) shall also give short and, so far as practicable having regard to that requirement, legally accurate explanations of—

(*a*) the way in which any rate or limit which will have effect (or continue to have effect) if an order implementing the proposals is made, will apply to time workers under Article 15(1) and (2) of the Order and, where the wages council operates in relation to piece workers, to piece workers under Articles 15(3) and 16(1) and (2) of the Order;

(*b*) the effect of Article 15(5) of the Order and, where the wages council operates in relation to piece workers, of Article 16(4) of the Order on the way in which any such rate will apply to time to which that Article or those Articles apply, specifying separately, where the wages council operates in relation to homeworkers who are time workers, the effect of Article 15(5) in relation to those workers and, where the wages council operates in relation to homeworkers who are piece workers, the effect of Article 16(4) in relation to those workers; and

(*c*) the requirement on employers contained in regulation 5(1) to post notices and, where the wages council operates in relation to homeworkers, the requirement on employers under regulation 5(2) to send notices.

(4) No explanation as required by paragraph (3)(*a*) shall be given where—

(*a*) the wages council does not operate in relation to any piece workers; and

(*b*) no limit will have effect if an order implementing the proposals is made.

Notice to employers of orders made under Article 15 of the Order

4. As soon as a wages council has made an order under Article 15 of the Order, the council shall send to every employer appearing to the council to be affected thereby a notice which—

(*a*) states that the order has been made and adequately describes its contents;

(*b*) states that the order does not apply to workers under the age of 21;

(*c*) contains explanations of the matters specified in regulation 3(3)(*a*), (*b*) and (*c*), being explanations which, in relation to the matters specified in the said sub-paragraph (3)(*a*) reflect where appropriate the exception in regulation 3(4), and which, in relation to the matters

specified in regulation 3(3)(*a*) and (*b*) are framed by reference to the application of any rate or limit which has effect but otherwise comply with the requirements of regulation 3(3); and

(*d*) where the order amends or partially revokes a previous order made by the wages council, contains particulars of the matters previously in force left unaffected by the amendment or revocation and indicates the matters amended or revoked.

Posting and sending of notice by employers

5.—(1) An employer of any workers who are affected by any proposal or any order under Article 15 of the Order, shall post up and keep posted up at any place of business of his where any such workers work clear copies of the notice referred to in regulation 3(1) and the notice referred to in regulation 4 in such positions and numbers as will ensure that a copy can easily be seen and read by each such worker.

(2) An employer of any homeworker affected by any proposal or any order under Article 15 of the Order, shall send to each such homeworker at his last known address, a clear copy of the notice referred to in regulation 3(1) and the notice referred to in regulation 4.

Revocation

6. The Wages Councils (Notices and Orders) Regulations (Northern Ireland) 1982(**a**) are hereby revoked as far as they remain in force.

Sealed with the Official Seal of the Department of Economic Development on 29th June 1988.

(L.S.) *R. J. Minnis*
Assistant Secretary

(a) S.R. 1982 No. 146

EXPLANATORY NOTE

(This note is not part of the Regulations.)

Under Article 15 of the Wages (Northern Ireland) Order 1988, wages councils may make orders fixing rates of remuneration for employees and limits on the amounts employers may deduct from their employees' remuneration.

These Regulations require a wages council proposing to make such an order to publish notice of the proposals in the Belfast Gazette and to send employers notice of the proposals and notice of the provisions of an order once it is made. The Regulations prescribe matters which must be contained in the notices and require employers to post copies of the notices sent to them at workplaces so that the notices can be read by workers affected and to send copies of the notices to homeworkers affected.

The Regulations also revoke the Wages Councils (Notices and Orders) Regulations (Northern Ireland) 1982.