N.I.A. (23)

The Aerated Waters Wages Council (Northern Ireland) Wages

THE AERATED WATERS WAGES COUNCIL (NORTHERN IRELAND) WAGES REGULATION ORDER, 1946, DATED 24TH OCTOBER, 1946, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE UNDER SECTION 10 OF THE WAGES COUNCILS ACT (NORTHERN IRELAND), 1945 (9 & 10 GEO. 6, CH. 21).

1946. No. 169

WHEREAS the Ministry of Labour and National Insurance (hereinafter referred to as " the Ministry ") has received from the Aerated Waters Wages Council (Northern Ireland) wages regulation proposals for fixing the minimum remuneration to be paid to the workers in relation to whom the Council operates in substitution for the minimum remuneration fixed by the Wages Council and confirmed by the Order of the Ministry, dated the 24th day of April, 1945 (hereinafter referred to as " Order N.I.A. (20) ") ;

NOW, THEREFORE, the Ministry by virtue of section 10 of the Wages Councils Act (Northern Ireland), 1945, and of every other power in that behalf hereby makes the following Order :—

Statutory minimum remuneration.

1. As from the specified date Order N.I.A. (20) shall cease to have effect and the statutory minimum remuneration set out in the Schedule to this Order shall be paid to the workers therein specified.

Commencement.

2. In this Order the expression " specified date " means the 30th day of October, 1946. Provided that where, as respects any worker who is paid wages at intervals not exceeding seven days, the specified date does not correspond with the beginning of the period for which the wages are paid, this Order shall, as respects that worker, become effective as from the beginning of the next such period following the specified date.

Short title and interpretation.

3.—(1) This Order may be cited as the Aerated Waters Wages Council (Northern Ireland) Wages Regulation Order, 1946.

12 Geo. 5, Ch. 4.

(2) The Interpretation Act, 1921, applies to the interpretation of this Order as it applies to the interpretation of an Act of the Parliament of Northern Ireland.

Sealed with the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this twenty-fourth day of October, nineteen hundred and forty-six, in the presence of

(L.S.) *J. W. McConnell,*
Assistant Secretary to the Ministry of Labour and National Insurance for Northern Ireland.

SCHEDULE

STATUTORY MINIMUM REMUNERATION

GENERAL MINIMUM TIME RATES

MALE WORKERS

	Per hour s. d.
PARAGRAPH 1.	
FOREMEN or SYRUP-MAKERS, as defined in this paragraph	1 9

A "Foreman" shall be deemed to be a worker who has general supervision over the whole or any of the operations which are carried on within the scope of the Wages Council and who has control of, or supervision over, other workers.

A "Syrup-maker" shall be deemed to be a person who selects, tests and blends the essences, flavourings and other ingredients for the making of syrups.

PARAGRAPH 2.

MALE WORKERS *other than* Foremen or Syrup-makers (as defined in paragraph 1 of this Schedule) :—

Workers of 22 years of age or over	1 6
,, 21 and under 22 years of age	1 5
,, 20 ,, 21 ,, ...	1 3
,, 19 ,, 20 ,, ...	1 1
,, 18 ,, 19 ,, ...	0 11
,, 17 ,, 18 ,, ...	0 8½
,, 16 ,, 17 ,, ...	0 7
,, under 16 years of age	0 6

FEMALE WORKERS

PARAGRAPH 3.

FEMALE WORKERS of 19 years of age or over	1 0
,, ,, 18 and under 19 years of age	0 11
,, ,, 17 ,, 18 ,, ...	0 8½
,, ,, 16 ,, 17 ,, ...	0 7
,, ,, under 16 years of age	0 6

OVERTIME

PARAGRAPH 4.

Overtime rates shall be payable as follows :—

(1) For all time worked in excess of 47 hours in any week—TIME-AND-A-HALF except in so far as higher overtime rates may be payable under the provisions of sub-paragraph (2) of this paragraph.

Provided that, for the purpose of the application of the aforesaid overtime rates in any week in which a customary holiday occurs, overtime rates shall become payable in such week—

(*a*) where the customary holiday occurs on any day other than Saturday—after 38½ hours' work,

(*b*) where the customary holiday occurs on Saturday—after 42½ hours' work.

(2) For all time worked on a Sunday or a customary holiday—DOUBLE TIME.

PARAGRAPH 5.

The expression "customary holiday" means—

(1) Christmas Day (or, if Christmas Day falls on a Sunday, such other weekday as may be appointed by national proclamation or, if none is so appointed, the next following Tuesday), Boxing Day, Easter Monday, and three other days (being days on which the worker normally works) in the course of a calendar year to be fixed by the employer and notified to the worker not less than three weeks before the holiday ; or

(2) a day substituted by the employer for any one of the said days, being a day recognised by local custom as a day of holiday in substitution for the said day.

PARAGRAPH 6.

For the purpose of paragraph 4, the expressions time-and-a-half and double time mean, respectively, one-and-a-half times and twice the amount of the general minimum time rate otherwise applicable.

THE HOURS OF WORK OF WOMEN AND YOUNG PERSONS ARE SUBJECT TO THE PROVISIONS OF THE FACTORIES ACT (NORTHERN IRELAND), 1938 (a).

(a) 2 Geo. 6, Ch. 23.

GENERAL

WAITING TIME

PARAGRAPH 7.

(1) A worker shall be entitled to payment of statutory minimum remuneration as aforesaid during all the time during which he is present on the premises of his employer unless he is so present either without his employer's consent, express or implied, or for some purpose unconnected with his work and other than that of waiting for work to be given to him to perform.

(2) A piece worker shall, during any time during which he is present as aforesaid and is not doing piece work, be entitled to payment of the general minimum time rate applicable to the workers of the class to which he belongs.

Provisions (1) and (2) do not apply when—

(*a*) a worker is present on his employer's premises by reason only of the fact that he is resident thereon, or

(*b*) a worker is present on his employer's premises during normal meal times in a room or place in which no work is being done and is not waiting for work to be given to him to perform.

APPLICABILITY OF STATUTORY MINIMUM REMUNERATION

PARAGRAPH 8.

The statutory minimum remuneration aforesaid shall apply, subject to the provisions of the Wages Councils Act (Northern Ireland), 1945, to workers in relation to whom the Aerated Waters Wages Council (Northern Ireland) operates, that is to say, workers employed in Northern Ireland in the trade specified in the Schedule to the Trade Boards (Aerated Waters Trade, Northern Ireland) (Constitution, Proceedings and Meetings) Regulations, 1926, dated 18th March, 1926 (a), namely :—

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,

Including—

(*a*) the operations of bottle washing, bottling and filling and all other operations preparatory to the sale of any of the aforesaid liquors in bottles, jars, syphons, casks or other similar receptacles ;

And including also—

(*b*) the operations of bottle washing, bottling and filling and all subsidiary operations preparatory to the sale in bottles, jars, or other similar receptacles, of cider, ale, stout, porter and other alcoholic beers, where all or any of such last-mentioned operations are, or is, conducted or carried on in association with, or in conjunction with all or any of the operations specified under (*a*) above, so as to form a common or interchangeable form of employment for workers, and whether the two sets of operations or any of them are, or is, carried on simultaneously or not.

PAYMENT OF HIGHER RATES

PARAGRAPH 9.

The statutory minimum remuneration set out in this Schedule is without prejudice to workers earning higher rates of wages or to agreements made, or that may be made, between employers and workers for the payment of remuneration in excess of the aforesaid statutory minimum remuneration.

EXPLANATORY NOTE.

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

This Order, which has effect as from 30th October, 1946, revokes the Order N.I.A. (20), which fixes the statutory minimum remuneration payable to workers in relation to whom the Council operates, and substitutes the statutory minimum remuneration set out in the Schedule to this Order.

(a) S. R. & O., 1926, No. 35.