THE ROAD HAULAGE WAGES COUNCIL (NORTHERN IRELAND) WAGES REGULATION ORDER, 1952, DATED 30TH OCTOBER, 1952, 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).

1952. No. 207

WHEREAS the Ministry of Labour and National Insurance (hereinafter referred to as " the Ministry ") has received from the Road Haulage 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 ;

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 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 " the specified date " means the 13th day of November, 1952. 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.

Short title and interpretation.

3.—(1) This Order may be cited as the Road Haulage Wages Council (Northern Ireland) Wages Regulation Order, 1952.

52 & 53 Vict., Ch. 63.

(2) The Interpretation Act, 1889, 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 thirtieth day of October, nineteen hundred and fifty-two in the presence of

(L.S.)

R. W. Steele,
Assistant Secretary to the Ministry of Labour and National Insurance for Northern Ireland.

SCHEDULE

STATUTORY MINIMUM REMUNERATION

GENERAL MINIMUM TIME RATES

MALE WORKERS	Where the worker's home depot is situated in AREA A (as defined in paragraph 8) — Per week (as defined in paragraph 3)		AREA B (as defined in paragraph 8) — Per week (as defined in paragraph 3)		AREA C (as defined in paragraph 8) — Per week (as defined in paragraph 3)	
	s.	*d.*	*s.*	*d.*	*s.*	*d.*
PARAGRAPH 1.						
(*a*) DRIVER (as defined in paragraph 8) of a vehicle (as defined in paragraph 8) with a carrying capacity (as defined in paragraph 8) of—						
(i) 2 tons and over	120	0	118	6	113	6
(ii) 1 ton and under 2 tons	109	6	108	0	103	6
(iii) under 1 ton	102	0	100	6	96	0
(*b*) ASSISTANT (as defined in paragraph 8) on a vehicle with a carrying capacity of —						
(i) 2 tons and over, who is aged—						
21 years and over	111	0	109	6	104	6
20 and under 21 years	99	0	95	0	95	0
19 ,, ,, 20 ,, ...	89	0	85	0	85	0
18 ,, ,, 19 ,, ...	70	0	67	0	66	0
17 ,, ,, 18 ,, ...	58	3	56	0	54	9
16 ,, ,, 17 ,, ...	52	9	50	6	49	6
under 16 years	46	0	44	0	43	0
(ii) 1 ton and under 2 tons, who is aged—						
21 years of age and over	100	6	99	0	94	6
20 and under 21 years	92	0	88	0	88	0
19 ,, ,, 20 ,, ...	82	0	78	0	78	0
18 ,, ,, 19 ,, ...	65	0	63	0	62	0
17 ,, ,, 18 ,, ...	58	3	56	0	54	9
16 ,, ,, 17 ,, ...	52	9	50	6	49	6
under 16 years	46	0	44	0	43	0
(iii) under 1 ton, who is aged—						
21 years of age and over	93	0	91	6	87	0
20 and under 21 years	90	0	88	0	83	6
19 ,, ,, 20 ,, ...	80	0	78	0	78	0
18 ,, ,, 19 ,, ...	63	0	63	0	62	0
17 ,, ,, 18 ,, ...	58	3	56	0	54	9
16 ,, ,, 17 ,, ...	52	9	50	6	49	6
under 16 years	46	0	44	0	43	0

NIGHT WORKERS

PARAGRAPH 2.

(*a*) The general minimum time rate for a male worker whose normal working week includes not less than three hours' work each night between 6 p.m. on one day and 8 a.m. on the next following day shall be the appropriate general minimum time rate set out in paragraph 1 of this Schedule increased by 9*s.* 0*d.* per week.

(*b*) The general minimum time rate for a male worker who is not normally employed on night work throughout the week but who is required by his employer to work on any night for not less than three hours between 9 p.m. on one day and 8 a.m. on the next following day shall be the appropriate general minimum time rate set out in paragraph 1 of this Schedule increased by 1*s.* 6*d.* for each night in the week on which he is so required to work.

Calculation of Hourly Rates

Paragraph 3.

The general minimum time rates specified in paragraphs 1 and 2 of this Schedule are weekly rates based on —

(*a*) in the case of workers whose home depots are situated in Areas A and B—a week of 44 hours ;

(*b*) in the case of workers whose home depots are situated in Area C—a week of 46 hours ;

(*c*) in the case of workers in all Areas who are under 16 years of age—a week of 44 hours.

For the purpose of calculating the hourly minimum rate the respective weekly rates must be divided by 44 or 46 as the case may be.

Normal Working Day

Paragraph 4.

The normal working week shall consist of—

(*a*) where the working week is one of 44 hours—

(i) in the case of a worker who is normally required to work on 6 days of the week } 5 day of 8 hours each and 1 day of 4 hours.

(ii) in the case of a worker who is normally required to work on 5 days of the week } 4 days of 9 hours each and 1 day of 8 hours.

(*b*) Where the working week is one of 46 hours—

(i) in the case of a worker who is normally required to work on 6 days of the week } 5 days of 8½ hours each and 1 day of 4½ hours.

(ii) in the case of a worker who is normally required to work on 5 days of the week } 4 days of 9½ hours each and 1 day of 8 hours.

OVERTIME

Paragraph 5.

Overtime rates shall be payable as follows :—

(*a*) On any day other than a Sunday or a Customary Holiday—

(i) for the first two hours worked in excess of the normal working day ... ... Time-and-a-quarter

(ii) thereafter ... ... Time-and-a-half

(*b*) On a Sunday —

for all time worked ... ... Double Time

(*c*) On a Customary Holiday —

for all time worked in excess of the number of hours (excluding overtime) ordinarily worked by the worker for the employer on that day of the week ... ... Twice the Overtime Rates specified in sub-paragraph (*a*) of this paragraph

Paragraph 6.

The expressions time-and-a-quarter, time-and-a-half and double time mean, respectively, one-and-a-quarter times, one-and-a-half times, and twice the amount of the general minimum time rate otherwise payable.

Paragraph 7.

When a worker's hours of duty or any part thereof entail employment between 6 p.m. on one day and 8 a.m. on the next following day, a day shall, for the purposes of this Schedule, be deemed to be a period of 24 hours commencing at 12 noon.

DEFINITIONS

Paragraph 8.

For the purposes of this Schedule —

'Area A' means—the County of the City of Belfast and districts situated within a radius of 15 statute miles from the Belfast City Hall.

'Area B' means—the County of the City of Londonderry.

'Area C' means—all areas other than A and B.

'Vehicle' means—a mechanically or electrically propelled vehicle operating on any public highway and constructed or adapted for the carriage or haulage of tangible, moveable objects including livestock, animals and burden of any kind whatsoever other than human beings.

'DRIVER' means—a worker who is wholly or mainly employed in driving a vehicle and in performing, when so required, any other road haulage work.

'ASSISTANT' means—a worker (other than a driver) who is wholly or mainly employed on any or all of the following work —

(*a*) collecting or loading goods to be carried in or on a vehicle ;
(*b*) attending to goods while so carried ;
(*c*) unloading or delivering goods after being so carried ;
(*d*) acting as an attendant to a vehicle,

and who is required to travel on or accompany the vehicle for the purpose of doing any such work.

'CARRYING CAPACITY' means—

(*a*) the weight of the load which the vehicle has been designed or constructed to carry and/or haul according to the pay load rating as specified or declared by the manufacturers of the vehicle.
(*b*) where a trailer is attached to a vehicle the carrying capacity of that vehicle shall be the carrying capacity of the vehicle and trailer combined.

'CUSTOMARY HOLIDAY' means—Christmas Day (or, if Christmas Day falls on a Sunday, such other day as may be appointed by national proclamation or, if none is so appointed, either (*a*) the following Monday or (*b*) in the case where Boxing Day is allowed by the employer as a customary holiday, the following Tuesday), Easter Monday, and four other days (being days on which the worker would normally work) in the course of a calendar year, to be fixed by agreement between the employer and the worker or his representative.

'WEEK' means—pay week, unless the context otherwise requires.

GENERAL

APPLICABILITY OF STATUTORY MINIMUM REMUNERATION

PARAGRAPH 9.

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 Road Haulage Wages Council (Northern Ireland) operates, that is to say, workers employed in Northern Ireland in the trade specified in the Schedule to the Wages Council (Road Haulage, Northern Ireland) (Variation) Order, 1952 (a), namely :—

WORKERS TO WHOM THE ORDER APPLIES

(1) Subject to the provisions of sub-paragraph (2) hereof the workers to whom this Order applies are all workers wholly or mainly employed in Northern Ireland in road haulage work, that is to say, all or any of the following work :—

(*a*) driving or assisting in the driving or control of mechanically or electrically propelled goods vehicles operating on any public highway ;
(*b*) collecting or loading goods to be carried in or on such vehicles ;
(*c*) attending to goods while so carried ;
(*d*) unloading or delivering goods after being so carried ;
(*e*) acting as attendants to such vehicles ;

and who are required to travel on or accompany the vehicles for the purpose of doing any such work.

(2) This Order does not apply to any of the following workers in respect of their employment in any of the following circumstances, that is to say :—

(*a*) drivers of and attendants on vehicles operated by the Ulster Transport Authority ;
(*b*) drivers of and attendants on vehicles while the vehicles are being used under, and in accordance with the regulations applicable to, a licence taken out by a manufacturer or a dealer under section nine of the Roads Act, 1920, or by a repairer under section five of the Finance Act (Northern Ireland), 1922 ;
(*c*) drivers of and attendants on vehicles used in the laundry trade for the collection of articles of every description for laundering or for the delivery of such articles after they have been laundered ;
(*d*) drivers of and attendants on vehicles used by funeral furnishers in the course of their business as such furnishers ;

(a) S. R. & O. 1952, No. 193.

(*e*) drivers of and attendants on vehicles owned by farmers and used for the carriage or haulage of agricultural produce, or goods used, or to be used, for agricultural purposes ;
(*f*) drivers of and attendants on vehicles used for the carriage of livestock, except when the vehicles are used for hire or reward by persons other than farmers ;
(*g*) milk roundsmen and milk roundswomen and workers who accompany or assist them on their rounds ;
(*h*) workers engaged in the distribution of mineral or aerated waters ;
(*i*) workers employed on operations included in the Schedule to the Trade Boards (Baking Trade, Northern Ireland) (Constitution, Proceedings and Meetings) Regulations, 1938, dated 17th June, 1938 (a), as operations in the Baking Trade.

PARAGRAPH 10.
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 or their representatives, for the payment of remuneration in excess of the statutory minimum.

THE ROAD HAULAGE WAGES COUNCIL (NORTHERN IRELAND) WAGES REGULATION (HOLIDAYS) ORDER, 1952, DATED 30TH OCTOBER, 1952, 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).

1952. No. 208

WHEREAS the Ministry of Labour and National Insurance (hereinafter referred to as " the Ministry ") has received from the Road Haulage Wages Council (Northern Ireland) wages regulation proposals for requiring workers in relation to whom the Council operates to be allowed by their employers the holidays set out in the Schedule to this Order and for fixing the holiday remuneration specified therein ;

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 :—

Holidays and holiday remuneration

1. As from the specified date the workers to whom the Schedule to this Order applies shall be entitled to be allowed the holidays and paid the holiday remuneration specified therein.

Commencement

2. In this Order the expression " the specified date " means the 13th day of November, 1952. 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.

Short title and interpretation

3.—(1) This Order may be cited as the Road Haulage Wages Council (Northern Ireland) Wages Regulation (Holidays) Order, 1952.

(a) S. R. & O. 1938, No. 77.