(*b*) as if he were employed on any day of holiday allowed under the provisions of this Schedule, and for the purposes of the provisions of sub-paragraph (*a*) of this paragraph, a worker who is absent on such a holiday shall be treated as having 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.

PARAGRAPH 11.

Where any day of holiday allowed to any worker under this Schedule falls upon a day of holiday or half-holiday to which the worker may be entitled under any enactment other than the Wages Councils Act (Northern Ireland), 1945, that holiday or half-holiday shall be treated as part of the holiday allowed under this Schedule.

PARAGRAPH 12.

In this Schedule, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them that is to say :—

"normal working week" means the number of days on which it has been usual for the worker to work in a week in the employment of the employer in the twelve months immediately preceding the commencement of the holiday season, or where under paragraph 9 of this Schedule accrued holiday remuneration is payable on the termination of the employment, in the twelve months immediately preceding the date of the termination of the employment.

Provided that —

(i) part of a day shall count as a day ;

(ii) no account shall be taken of any week in which the worker did not perform any work for which statutory minimum remuneration has been fixed.

"statutory minimum remuneration" means minimum remuneration (other than holiday remuneration) fixed by a wages regulation order.

"week" means "pay week."

PARAGRAPH 13.

The provisions of this Schedule are without prejudice to any agreement for the allowance of any further holidays with pay or for the payment of additional holiday remuneration.

Retail Bespoke Tailoring Wages Council

THE RETAIL BESPOKE TAILORING WAGES COUNCIL (NORTHERN IRELAND) WAGES REGULATION (HOLIDAYS) ORDER, 1952, DATED 15TH MAY, 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. 90

WHEREAS the Ministry of Labour and National Insurance (hereinafter referred to as "the Ministry") has received from the Retail Bespoke Tailoring 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 in substitution for the holidays provided and holiday remuneration fixed for these workers by the Retail Bespoke Tailoring Wages Council (Northern Ireland) Wages Regulation (Holidays) Order, 1946 (a) dated the 29th day of November, 1946 (hereinafter in this Order referred to as "Order N.I.T.R.B. (64)") ;

(a) S.R. & O. 1946, No. 213.

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 27th day of May, 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, interpretation and revocation.

3.—(1) This Order may be cited as the Retail Bespoke Tailoring Wages Council (Northern Ireland) Wages Regulation (Holidays) 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.

(3) As from the specified date Order N.I.T.R.B. (64) is hereby revoked.

Sealed with the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this fifteenth day of May, 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

HOLIDAYS AND HOLIDAY REMUNERATION

PART I

APPLICATION

PARAGRAPH 1.

This Schedule applies to every worker for whom statutory minimum remuneration has been fixed ; provided that Part II shall not apply to an outworker.

PART II

CUSTOMARY HOLIDAYS

PARAGRAPH 2.

(1) An employer shall allow to every worker to whom this Schedule applies a holiday (hereinafter referred to as a " customary holiday ") in each year on the days specified in the following sub-paragraph provided that the worker has been in his employment for a period of not less then eight weeks immediately preceding the holiday and has worked for the employer during the whole or part of that period and is in his employment on the day of the holiday.

(2) The said customary holidays are :—

(*a*) *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 Easter Tuesday* ; or

(*b*) 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.

(3) Notwithstanding the preceding provisions of this paragraph, an employer may (except where in the case of a woman or a young person such a requirement would be unlawful) require a worker who is otherwise entitled to any customary holiday under the foregoing provisions of this Schedule to work thereon and, in lieu of any customary holiday on which he so works, the worker shall be entitled to be allowed a day's holiday (hereinafter referred to as a " holiday in lieu of a customary holiday ") on a weekday within the period of four weeks next ensuing.

(4) A worker who is required to work on a customary holiday shall be paid :—

(*a*) for all time worked thereon at the minimum rate then appropriate to the worker for work on a customary holiday ; and

(*b*) in respect of the holiday in lieu of the customary holiday, in accordance with paragraph 6 of this Schedule.

Part III

ANNUAL HOLIDAYS

Paragraph 3.

(1) In addition to the customary holidays specified in Part II of this Schedule, an employer shall, between *the date on which the provisions of this Schedule become effective* and 30th September, *1952*, and in each succeeding year between 1st May and 30th September allow a holiday (hereinafter referred to as " an annual holiday ") to every worker in his employment to whom this Schedule applies who was employed by him during the 12 months immediately preceding the commencement of the holiday season for any of the periods specified below, and the duration of the annual holiday shall be related to his period of employment during that 12 months as follows :—

Col. 1		*Col. 2*	
Where the worker's normal working week is one of 6 days		*Where the worker's normal working week is one of 5 days or less*	
Period of employment	*Duration of annual holiday*	*Period of employment*	*Duration of annual holiday*
At least 48 weeks	*12 days*	*At least 48 weeks*	*10 days*
„ 44 „	*11 „*	*„ 43 „*	*9 „*
„ 40 „	*10 „*	*„ 38 „*	*8 „*
„ 36 „	*9 „*	*„ 33 „*	*7 „*
„ 32 „	*8 „*	*„ 28 „*	*6 „*
„ 28 „	*7 „*	*„ 24 „*	*5 „*
„ 24 „	*6 „*	*„ 19 „*	*4 „*
„ 20 „	*5 „*	*„ 14 „*	*3 „*
„ 16 „	*4 „*	*„ 9 „*	*2 „*
„ 12 „	*3 „*	*„ 4 „*	*1 day*
„ 8 „	*2 „*		
„ 4 „	*1 day*		

(2) (*a*) *Notwithstanding the provisions of the last foregoing sub-paragraph the number of days of annual holiday to which a worker shall be entitled in any holiday season shall not exceed in the aggregate twice the period constituting the worker's normal working week.*

(*b*) *the duration of the worker's annual holiday during the holiday season ending on 30th September, 1952, shall be reduced by any days of annual holiday duly allowed to him by the employer under the provisions of Order N.I.T.R.B. (64) between 1st May, 1952, and the date upon which the provisions of this Schedule become effective.*

(3) In this Schedule the expression " holiday season " means in relation to an annual holiday during the year 1952 the period commencing on the 1st day of May, 1952, and ending on the 30th day of September, 1952, and in relation to each subsequent year, the period commencing on the 1st day of May and ending on the 30th day of September in that year.

PARAGRAPH 4.

Annual holidays under this Schedule shall be allowed on consecutive working days, being days on which the worker is normally required to work, and days of holiday shall be treated as consecutive notwithstanding that a customary holiday or a holiday in lieu intervenes.

PARAGRAPH 5.

An employer shall give to a worker reasonable notice of the commencing date and duration of his annual holiday. Such notice may be given individually to a worker or by the posting of a notice in the place where the worker is employed.

PART IV

HOLIDAY REMUNERATION

A—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 of this Schedule he shall be paid by the employer holiday remuneration equal to the appropriate statutory minimum remuneration to which he would have been entitled as a time worker if the day had not been a 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,

provided that payment of the said holiday remuneration shall be subject to the condition that the worker presents himself for employment at the usual starting hour on the working day immediately preceding the holiday and on the first working day following the holiday or, if in either case he fails to do so, failure is by reason of proved illness or with the consent of his employer.

(2) Where a worker normally works in the week on every weekday except Saturday, he shall be paid a sum equivalent to the holiday remuneration in respect of any Saturday in respect of which he would have been entitled to a customary holiday under Part II of this Schedule if it had been a day on which he had normally worked.

(3) Holiday remuneration in respect of any customary holiday shall be paid by the employer to the worker on the pay day on which the wages for the pay week including the customary holiday are paid.

(4) Holiday remuneration in respect of any holiday in lieu of a customary holiday shall be paid on the pay day on which the wages for the pay week including that holiday in lieu are paid,

provided that the said payment shall be made immediately upon the termination of the worker's employment in the case where he ceases to be employed before being allowed such holiday in lieu, and in that case the condition specified in sub-paragraph (1) of this paragraph shall not apply.

B—ANNUAL HOLIDAYS

PARAGRAPH 7.

Subject to the provisions of paragraphs 8 and 9 hereof, a worker entitled to be allowed an annual holiday under this Schedule shall be paid by the employer in respect thereof on any day in the week preceding the week in which the annual holiday is due to commence—

an amount equal to *two-fiftieths* (*4 per cent.*) *of the remuneration* (*other than holiday remuneration*) which the worker was entitled to receive from his employer for work done in the period of twelve months immediately preceding the commencement of the holiday season in which the annual holiday is to be allowed, not being remuneration taken into account in connection with any previous payment of holiday remuneration.

PARAGRAPH 8.

On a worker ceasing to be employed the employer shall, immediately on the termination of the employment, pay to the worker any holiday remuneration which has accrued to that worker up to the end of the employment and, subject to the provisions of paragraph 9 hereof, such accrued holiday remuneration shall consist of an amount equal to *two-fiftieths* (*4 per cent.*) *of the remuneration* (*other than holiday remuneration*) which the worker was entitled to receive from his employer for work done in the preceding twelve months, not being remuneration taken into account in connection with any previous payment of holiday remuneration.

PARAGRAPH 9.

For the purposes of paragraphs 3 and 8 hereof, holiday remuneration shall accrue during the period of twelve months commencing on 1st May, 1951, and thereafter in each successive period of twelve months commencing on 1st May, and such accrued holiday remuneration shall be an amount equal to *two-fiftieths* (*4 per cent.*) *of the remuneration* (*other than holiday remuneration*) which the worker was entitled to receive from his employer for work done during the twelve months aforesaid.

PART V

GENERAL

PARAGRAPH 10.

For the purposes of calculating any period of employment entitling a worker (other than an outworker) to an annual holiday or to any accrued holiday remuneration under this Schedule, the worker shall be treated—

(*a*) as if he were employed for a week in respect of any week in which—

(*i*) he has worked for the employer for not less than 24 hours and has performed some work to which statutory minimum remuneration applies; or

(*ii*) he has been absent throughout the week by reason of proved illness or accident (provided that the number of weeks which may be treated as weeks of employment for such reason shall not exceed 8 in the aggregate in the period of 12 months immediately preceding the commencement of the holiday season)

provided that the worker returns to employment with the same employer on the termination of his period of absence through proved illness or accident; or

(*iii*) he has been suspended throughout the week owing to shortage of work (provided that the number of weeks which may be treated as weeks of employment for such reason shall not exceed 6 in the aggregate in the period of 12 months last mentioned)

provided that the worker returns to employment with the same employer on the termination of his period of suspension; or

(*b*) as if he were employed on any day of holiday allowed under the provisions of this Schedule, and for the purposes of the provisions of sub-paragraph (*a*) of this paragraph, a worker who is absent on such a holiday shall be treated as having worked thereon 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.

PARAGRAPH 11.

For the purposes of calculating any period of employment entitling an outworker to an annual holiday or to any accrued holiday remuneration under this Schedule the outworker shall be treated as having been employed for a week if he has performed work to which statutory minimum remuneration applies for the employer in that week.

PARAGRAPH 12.

Where any day of holiday allowed to any worker under this Schedule falls upon a day of holiday or half-holiday to which the worker may be entitled under any enactment other than the Wages Councils Act (Northern Ireland), 1945, that holiday or half-holiday shall be treated as part of the holiday allowed under this Schedule.

PARAGRAPH 13.

In this Schedule, unless the context otherwise requires, the following expressions have the meanings hereby respectively assigned to them that is to say :—

"normal working week" means the number of days on which it has been usual for the worker to work in a week in the employment of the employer in the twelve months immediately preceding the commencement of the holiday season

provided that—

(*i*) part of a day shall count as a day;

(*ii*) no account shall be taken of any week in which the worker did not perform any work for which statutory minimum remuneration has been fixed.

"statutory minimum remuneration" means statutory minimum remuneration (other than holiday remuneration) which has been fixed by a Wages Regulation Order made by the Ministry pursuant to proposals submitted to it by the Wages Council.

"week" means "pay week."

"outworker" means a worker who works in his own home or in any other place not under the control or management of the employer.

PARAGRAPH 14.

The provisions of this Schedule are without prejudice to any agreement for the allowance of any further holidays with pay or for the payment of additional holiday remuneration.

Road Haulage Wages Council

THE ROAD HAULAGE WAGES COUNCIL (NORTHERN IRELAND) (VARIATION) ORDER, 1952, DATED 13TH OCTOBER, 1952, MADE BY THE MINISTRY OF LABOUR AND NATIONAL INSURANCE UNDER THE WAGES COUNCILS ACT (NORTHERN IRELAND), 1945 (9 AND 10 GEO. 6, CH. 21).

1952. No. 193

9 & 10 Geo. 6 Ch. 21.

WHEREAS the Road Haulage Wages Council (Northern Ireland) was established under the Wages Councils Act (Northern Ireland), 1945, (hereinafter referred to as "the Act");

AND WHEREAS by virtue of the provisions of section 6 of the Act the Ministry of Labour and National Insurance (hereinafter called "the Ministry") may at any time vary the field of operation of a wages council;

AND WHEREAS it is desired to vary the field of operation of the said Wages Council;

NOW, THEREFORE, the Ministry, in pursuance of the powers conferred on it by the said section 6 hereby makes the following Order:—

Citation, commencement and interpretation.

1.—(1) This Order may be cited as the Road Haulage Wages Council (Northern Ireland) (Variation) Order, 1952, and shall come into operation on the 20th day of October, 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.