PART III

FEMALE WORKERS

GENERAL MINIMUM TIME RATES

Paragraph 4

The general minimum time rates applicable to female workers are as follows :—

	Per week of 48 hours s. d.
Workers aged 19 years or over	64 0
,, ,, 18 and under 19 years	55 0
,, ,, 17 ,, ,, 18 ,, ...	48 0
,, ,, 16 ,, ,, 17 ,, ...	41 0
	Per week of 44 hours s. d.
,, ,, under 16 years...	34 10

PIECE WORK BASIS TIME RATE

	Per hour s. d.
Paragraph 5 The piece work basis time rate applicable to female workers of any age employed on piece work is	1 6½"

EXPLANATORY NOTE

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

This Order, which has effect from the 16th February, 1948, amends the Aerated Waters Wages Council (England and Wales) Wages Regulation Order, 1946 (Order A. (31)) and increases the statutory minimum remuneration payable to workers in relation to whom the Council operates.

The Aerated Waters Wages Council (England and Wales) Wages Regulation (Holidays) Order, 1948

1948 No. 992

Made - - - - 10*th May*, 1948

A. (35)

Whereas the Minister of Labour and National Service (hereinafter referred to as " the Minister ") has received from the Aerated Waters Wages Council (England and Wales) (hereinafter referred to as " the Council ") the wages regulation proposals set out in the Schedule hereto being proposals for requiring workers in relation to whom the Council operates to be allowed holidays by their employers and for fixing holiday remuneration to be paid by their employers to those workers in substitution for the holidays provided for by a direction given and the holiday remuneration fixed under the Holidays with Pay Act, 1938 and confirmed by the Order of the Minister of Labour dated the 23rd day of June, 1939 (hereinafter referred to as " Order A. (14) ") as amended by the Aerated Waters Wages Council (England and Wales) Wages Regulation Order, 1946(a) (hereinafter referred to as " Order A. (31) ");

1 & 2 Geo. 6. c. 70.

(a) S.R. & O. 1946 (No. 1984) I, p. 1724.

Now therefore the Minister by virtue of the powers conferred on him by section 10 of the Wages Councils Act, 1945 and of all other powers in that behalf, hereby makes the following Order:—

8 & 9 Geo. 6. c. 17.

Short title and interpretation.

1.—(1) This Order may be cited as the Aerated Waters Wages Council (England and Wales) Wages Regulation (Holidays) Order, 1948.

(2) In this Order the expression " the specified date " means the 26th day of May, 1948, 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.

52 & 53 Vict. c. 63.

(3) The Interpretation Act, 1889, applies to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

Fixing of holidays and holiday remuneration and revocation of Order A. (14).

2.—(1) Effect is hereby given to the said wages regulation proposals set out in the Schedule hereto.

(2) The provisions of the Schedule hereto shall have effect as from the specified date and as from that date Order A. (14) as amended by Order A. (31) (a) shall cease to have effect.

Signed by order of the Minister of Labour and National Service this 10th day of May, 1948.

Guildhaume Myrddin-Evans,
Deputy Secretary of the
Ministry of Labour and National Service.

SCHEDULE

The following provisions as to holidays and holiday remuneration shall be substituted for the provisions as to holidays and holiday remuneration set out in Order A. (14).

PART I

APPLICATION

Paragraph 1

This Schedule applies to every worker for whom statutory minimum remuneration has been fixed.

PART II

ANNUAL HOLIDAYS

Paragraph 2

(1) Subject to the provisions of this Schedule an employer shall before the 25th day of October, 1948, and between the 31st day of March and the Monday next preceding the 31st day of October in each subsequent year, 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 twelve months immediately preceding the commencement

(a) S.R. & O. 1946 (No. 1984) I, p. 1724.

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 twelve months as follows:—

Period of employment	Duration of holiday for workers with a normal working week of—			
	Six days	Five days	Four days	Three days or less
Column 1	Column 2	Column 3	Column 4	Column 5
At least 48 weeks ...	12 days	10 days	8 days	6 days
,, ,, 44 ,, ...	11 ,,	9 ,,	7 ,,	5 ,,
,, ,, 40 ,, ...	10 ,,	8 ,,	6 ,,	5 ,,
,, ,, 36 ,, ...	9 ,,	7 ,,	6 ,,	4 ,,
,, ,, 32 ,, ...	8 ,,	6 ,,	5 ,,	4 ,,
,, ,, 28 ,, ...	7 ,,	5 ,,	4 ,,	3 ,,
,, ,, 24 ,, ...	6 ,,	5 ,,	4 ,,	3 ,,
,, ,, 20 ,, ...	5 ,,	4 ,,	3 ,,	2 ,,
,, ,, 16 ,, ...	4 ,,	3 ,,	2 ,,	2 ,,
,, ,, 12 ,, ...	3 ,,	2 ,,	2 ,,	1 day
,, ,, 8 ,, ...	2 ,,	1 day	1 day	1 ,,
,, ,, 4 ,, ...	1 day	1 ,,	—	—

(2) Notwithstanding the provisions of the last foregoing sub-paragraph—

(*a*) the number of days of annual holiday to which a worker is 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 Monday, 25th October, 1948, shall be reduced by any days of annual holiday duly allowed to him by the employer under the provisions of the Minister of Labour's confirming Order A. (14) as amended by Order A. (31) between the 31st day of March, 1948, and the date on 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 1948 the period commencing on the 31st day of March, 1948, and ending on Monday the 25th day of October, 1948, and in relation to each subsequent year, the period commencing on the 31st day of March and ending on the Monday next preceding the 31st day of October in that year.

Paragraph 3

(1) Annual holidays under this Schedule shall be allowed on consecutive working days being days on which the worker is normally called upon to work for the employer, and days of annual holiday shall be treated as consecutive, notwithstanding that some other holiday intervenes.

Provided that where the duration of an annual holiday to which a worker is entitled exceeds the period constituting the worker's normal working week the said holiday may be allowed in two separate periods of such consecutive working days, and in that event, notwithstanding the foregoing provisions of this Schedule, the worker shall be allowed the said annual holiday as follows:—

(*a*) as to one period, not being less than the period constituting the worker's normal working week, during the said holiday season, and

(*b*) as to the other period at any time during the holiday season or within the period ending on the 30th day of March immediately following the holiday season.

Paragraph 4

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 the worker or by the posting of a notice in the place where the worker is employed.

PART III

HOLIDAY REMUNERATION

Paragraph 5

(1) Subject to the provisions of paragraph 8 of this Schedule, a worker entitled to be allowed an annual holiday under this Schedule shall be paid by his employer in respect thereof, on the last pay day preceding such annual holiday, remuneration in accordance with the following table:—

TABLE OF HOLIDAY REMUNERATION

Col. 1	Col. 2 Holiday remuneration for workers with a normal working week of:—				Col. 3
Period of holiday	Six days	Five days	Four days	Three days or less	Holiday remuneration for full normal working week
12 days	Twice the amount in Col. 3.	—	—	—	The amount which the worker would be entitled to receive from his employer, at the date of the holiday, for a week's work, if working his normal working week, and the number of daily hours usually worked by him (exclusive of overtime) and if paid at the appropriate statutory minimum remuneration for time work, fixed by a wages regulation order in respect of the worker, for work to which that order applies and at the same rate for work (if any) to which that order does not apply.
11 days	One and five-sixths of the amount in Col. 3.	—	—	—	
10 days	One and two-thirds of the amount in Col. 3.	Twice the amount in Col. 3.	—	—	
9 days	One and one-half of the amount in Col. 3.	One and four-fifths of the amount in Col. 3.	—	—	
8 days	One and one-third of the amount in Col. 3.	One and three-fifths of the amount in Col. 3.	Twice the amount in Col. 3.	—	
7 days	One and one-sixth of the amount in Col. 3.	One and two-fifths of the amount in Col. 3.	One and three-quarters of the amount in Col. 3.	—	

Col. 1	Col. 2				Col. 3
6 days	The amount in Col. 3.	One and one - fifth of the amount in Col. 3.	One and one - half of the amount in Col. 3.	Twice the amount in Col. 3.	
5 days	Five - sixths of the amount in Col. 3.	The amount in Col. 3.	One and one-quarter of the amount in Col. 3.	One and two- thirds of the amount in Col. 3.	
4 days	Two - thirds of the amount in Col. 3.	Four - fifths of the amount in Col. 3.	The amount in Col. 3.	One and one - third of the amount in Col. 3.	
3 days	One-half of the amount in Col. 3.	Three-fifths of the amount in Col. 3.	Three-quarters of the amount in Col. 3.	The amount in Col. 3.	
2 days	One - third of the amount in Col. 3.	Two - fifths of the amount in Col. 3.	One-half of the amount in Col. 3.	Two - thirds of the amount in Col. 3.	
1 day	One - sixth of the amount in Col. 3.	One - fifth of the amount in Col. 3.	One-quarter of the amount in Col. 3.	One - third of the amount in Col. 3.	

(2) In the application of the provisions of the foregoing table to the case of a piece worker the appropriate statutory minimum remuneration for time work is the appropriate minimum rate that would have been applicable to him if he had been employed as a time worker.

(3) Where under the provisions of paragraph 3 of this Schedule an annual holiday is taken in two periods, the holiday remuneration shall be apportioned accordingly.

Paragraph 6

When a worker ceases to be employed after the provisions of this Schedule become effective, accrued holiday remuneration shall, immediately on the termination of the employment, be paid to him by his employer in accordance with the next following paragraph for periods of employment in respect of which he has not been allowed or has not become entitled to be allowed an annual holiday under this Schedule. Provided that where a worker ceases to be employed after being allowed (whether before or after the date on which the provisions of this Schedule become effective) a part of the annual holiday for which he has qualified by reason of his employment during any of the periods of twelve months referred to in the next following paragraph, but before being allowed the rest of the annual holiday for which he has so qualified, the accrued holiday remuneration payable to him in respect of his employment during the said period of twelve months shall be reduced by the amount of holiday remuneration received by him in respect of the part of the annual holiday he has been allowed.

Paragraph 7

(1) Subject to the provisions of this paragraph, holiday remuneration shall accrue to a worker during the period of twelve months commencing on the 31st day of March, 1947, and thereafter in each successive period of twelve months commencing on the 31st day of March and such holiday remuneration shall accrue in accordance with the provisions of the following table:—

TABLE OF ACCRUED HOLIDAY REMUNERATION

Column 1 Period of employment	Column 2 Accrued holiday remuneration for workers with a normal working week of :—				Column 3 Accrued holiday remuneration for full normal working week
	Six days	Five days	Four days	Three days or less	
After 48 weeks' employment calculated in accordance with the provisions of paragraph 9 of this Schedule.	Twice the amount in Col. 3.	Twice the amount in Col. 3.	Twice the amount in Col. 3.	Twice the amount in Col. 3.	The amount which the worker would be entitled to receive from his employer, at the date of the termination of his employment, for a week's work, if working his normal working week, and the number of daily hours usually worked by him (exclusive of overtime) and if paid at the appropriate statutory minimum remuneration for time work, fixed by a wages regulation order in respect of the worker, for work to which that order applies and at the same rate for work (if any) to which that order does not apply.
After 44 weeks' such employment.	One and five-sixths of the amount in Col. 3.	One and four-fifths of the amount in Col. 3.	One and three-quarters of the amount in Col. 3.	One and two-thirds of the amount in Col. 3.	
After 40 weeks' such employment.	One and two-thirds of the amount in Col. 3.	One and three-fifths of the amount in Col. 3.	One and one-half of the amount in Col. 3.	One and two-thirds of the amount in Col. 3.	
After 36 weeks' such employment.	One and one-half of the amount in Col. 3.	One and two-fifths of the amount in Col. 3.	One and one-half of the amount in Col. 3.	One and one-third of the amount in Col. 3.	
After 32 weeks' such employment.	One and one-third of the amount in Col. 3.	One and one-fifth of the amount in Col. 3.	One and one-quarter of the amount in Col. 3.	One and one-third of the amount in Col. 3.	
After 28 weeks' such employment.	One and one-sixth of the amount in Col. 3.	The amount in Col. 3.	The amount in Col. 3.	The amount in Col. 3.	
After 24 weeks' such employment.	The amount in Col. 3.	The amount in Col. 3.	The amount in Col. 3.	The amount in Col. 3.	

After 20 weeks' such employment.	Five-sixths of the amount in Col. 3.	Four-fifths of the amount in Col. 3.	Three-quarters of the amount in Col. 3.	Two-thirds of the amount in Col. 3.
After 16 weeks' such employment.	Two-thirds of the amount in Col. 3.	Three-fifths of the amount in Col. 3.	One-half of the amount in Col. 3.	Two-thirds of the amount in Col. 3.
After 12 weeks' such employment.	One-half of the amount in Col. 3.	Two-fifths of the amount in Col. 3.	One-half of the amount in Col. 3.	One-third of the amount in Col. 3.
After 8 weeks' such employment.	One-third of the amount in Col. 3.	One - fifth of the amount in Col. 3.	One-quarter of the amount in Col. 3.	One-third of the amount in Col. 3.
After 4 weeks' such employment.	One-sixth of the amount in Col. 3.	One - fifth of the amount in Col. 3.	—	—

(2) In the application of the provisions of the last foregoing table to the case of a piece worker the appropriate statutory minimum remuneration for time work is the appropriate minimum rate that would have been applicable to him if he had been employed as a time worker.

(3) The amount of any accrued holiday remuneration payable on the termination of the worker's employment in respect of any of the periods of twelve months mentioned in sub-paragraph (1) of this paragraph shall be reduced by the amount of any previous payment of accrued holiday remuneration made by the employer to the worker in respect of the period for which the accrued holiday remuneration is payable.

Paragraph 8

Where any accrued holiday remuneration has been paid by the employer to the worker, in respect of employment during any of the periods of twelve months referred to in sub-paragraph (1) of the last preceding paragraph, the amount of holiday remuneration payable by the employer in respect of any annual holiday for which the worker has qualified by reason of employment during the said period of twelve months shall be reduced by the amount of the said accrued holiday remuneration unless that remuneration has been deducted from a previous payment of holiday remuneration made under the provisions of this Schedule or of the Schedule to Order A. (14) as amended by Order A. (31).

Part IV

GENERAL

Paragraph 9

For the purposes of calculating any period of employment entitling a worker 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 three days 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 but not exceeding four weeks in the aggregate in the period of twelve months immediately preceding the commencement of the holiday season; or

(iii) he has been suspended throughout the week owing to shortage of work but not exceeding eight weeks in the aggregate in the period of twelve months last mentioned;

or (*b*) as if he were employed on any day of holiday allowed under the provisions of this Schedule, and for the purpose 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 for the employer the number of hours ordinarily worked by him on that day of the week on work to which statutory minimum remuneration applies.

Paragraph 10

Where any day of annual 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, 1945, that day of holiday shall be in addition to and that half-holiday shall be treated as part of the annual holiday allowed under this Schedule.

Paragraph 11

(1) 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 paragraphs 6 and 7 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 statutory minimum remuneration (other than holiday remuneration) which has been fixed by a Wages Regulation Order made by the Minister pursuant to proposals submitted to him by the Aerated Waters Wages Council (England and Wales).

(2) "week" in paragraphs 2 and 9 means "pay week."

Paragraph 12.

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.

EXPLANATORY NOTE

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

1. This Order, which has effect from the 26th May, 1948, fixes the annual holidays which an employer is required to allow to a worker in relation to whom the Aerated Waters Wages Council (England and Wales) operates, and the holiday remuneration payable in respect of such holidays.

2. The provisions of Order A. (14) cease to have effect when the new provisions under this Order come into force.

(ii) SCOTLAND

The Aerated Waters Wages Council (Scotland) Wages Regulation Order, 1948

1948 No. 133 (S. 2)

Made - - - - 28th January, 1948

A.S. (28)

Whereas the Minister of Labour and National Service (hereinafter referred to as "the Minister") has received from the Aerated Waters Wages Council (Scotland) (hereinafter referred to as "the Council")

(*a*) the wages regulation proposals set out in the First Schedule hereto, being proposals for fixing the remuneration to be paid by their