EXPLANATORY NOTE

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

The Order which comes into operation on 3rd June, 1965, sets out the statutory minimum remuneration payable in substitution for that fixed by the Shirtmaking Wages Regulation Order (Northern Ireland) 1964 (Order N.I.S. (64)), which Order is revoked.

New provisions in the Schedule are printed in italics.

1965. No. 109 **[NC]**

WAGES COUNCILS

Wages Regulation (Shirtmaking)

ORDER, DATED 26TH MAY, 1965, MADE BY THE MINISTRY OF HEALTH AND SOCIAL SERVICES UNDER THE WAGES COUNCILS ACT (NORTHERN IRELAND) 1945.

The Ministry of Health and Social Services, in exercise of the powers conferred on it by Section 10 of the Wages Councils Act (Northern Ireland) 1945(a), hereby makes the following Order to give effect to wages regulation proposals received from the Shirtmaking Wages Council (Northern Ireland):—

Citation

1. This Order may be cited as the Shirtmaking Wages Regulation (Holidays) Order (Northern Ireland) 1965.

Commencement

2. The wages regulation proposals set out in the Schedule shall come into operation on the specified date and on the day immediately preceding that date the Shirtmaking Wages Council (Northern Ireland) Wages Regulation (Holidays) Order 1952(b) and the Shirtmaking Wages Council (Northern Ireland) Wages Regulation (Holidays) (Amendment) Order 1953(c) shall cease to have effect.

Interpretation

3. In this Order the expression "the specified date" means the 3rd day of June, 1965, 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.

Sealed with the Official Seal of the Ministry of Health and Social Services for Northern Ireland this 26th day of May, 1965.

(L.S.) *W. Slinger,*
Assistant Secretary.

(a) 1945. c. 21.
(b) S.R. & O. (N.I.) 1952, No. 83.
(c) S.R. & O. (N.I.) 1953, No. 31.

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 the Shirtmaking Wages Council (Northern Ireland) Wages Regulations (Holidays) Order 1952 (Order N.I.S. (44)) as amended by the Shirtmaking Wages Council (Northern Ireland) Wages Regulation (Holidays) (Amendment) Order 1953 (Order N.I.S. (46)):—

Holidays and Holiday Remuneration

PART I

APPLICATION

Paragraph 1.

(1) This Schedule applies to every worker (other than an out-worker) for whom statutory minimum remuneration has been fixed.

(2) An out-worker is a worker who works in his own home or in any other place not under the control or management of the employer.

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 than eight weeks immediately preceding the customary 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 customary 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, Easter Tuesday 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

(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 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.

PART III

ANNUAL HOLIDAYS

Paragraph 3.

(1) In addition to the customary holidays specified in Part II, an employer shall, between *the date on which this Schedule becomes operative* and 30th September, *1965*, and in each succeeding year, between 6th April and 30th September (hereinafter referred to as "the holiday season"), 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 one of the periods of employment specified below, and the duration of the annual holiday shall be related to the period of employment during those 12 months as follows:—

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 holiday	Period of employment	Duration of 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, 1965, shall be reduced by any days of annual holiday duly allowed to him by the employer under the provisions of Order N.I.S. (44) between 6th April, 1965, and the date upon which the provisions of this Schedule become operative.*

Paragraph 4.

Annual holidays shall be allowed on consecutive working days, being days on which the worker is normally required to work, and days of annual holiday shall be treated as consecutive notwithstanding that a customary holiday on which the worker is not required to work or a holiday in lieu of a customary 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 annual holiday may be allowed in two separate periods of such consecutive working days if one of such periods is not less than the number of days constituting the worker's normal working week.

Paragraph 5.

An employer shall give to a worker a reasonable notice of the commencing date or dates and of the 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.