of his employment on piece work, been paid at piece rates which would yield, in the circumstances of the case, to an ordinary worker (not being a juvenile worker) at least the same amount of money as the appropriate piece work basis time rate.

WAITING TIME

PARAGRAPH 14.

(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.

CLASSES OF WORKERS FOR WHOM NO STATUTORY MINIMUM REMUNERATION HAS BEEN FIXED

PARAGRAPH 15.

The statutory minimum remuneration aforesaid shall not apply to clerks, salesmen, saleswomen, travellers, engineers, carpenters, vanmen, watchmen, outside messengers, cleaners of premises, time-keepers, or to any other workers whose work stands in relationship to the trade similar to that of the foregoing excluded classes.

APPLICABILITY OF STATUTORY MINIMUM REMUNERATION

PARAGRAPH 16.

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 Sugar Confectionery and Food Preserving 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 (Sugar Confectionery and Food Preserving Trade, Northern Ireland) (Constitution, Proceedings and Meetings) Regulations, 1924, (a) dated 29th September, 1924, namely :—

> The making of sugar confectionery, cocoa, chocolate, jam, marmalade, preserved fruits, fruit and table jellies, meat extracts, meat essences, sauces and pickles ; the preparation of meat, poultry, game, fish, vegetables and fruit for sale in a preserved state in tins, pots, bottles and similar receptacles ; the processes of wrapping, filling, packing and labelling in respect of articles so made or prepared, EXCLUDING the covering and filling of biscuits, wafers and cakes with chocolate or sugar confectionery ; and EXCLUDING also certain processes or operations comprised in the Trade Boards (Sugar Confectionery and Food Preserving) Order, 1913, which are included also in the Appendix to the Trade Boards (Grocery and Provisions) Order, 1920.

Wholesale Mantle and Costume Wages Council

THE WHOLESALE MANTLE AND COSTUME WAGES COUNCIL (NORTHERN IRELAND) WAGES REGULATION (HOLIDAYS) ORDER, 1952, DATED 6TH JUNE, 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. 108

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

(a) S. R. & O. 1924, No. 74.

Mantle and Costume 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 Wholesale Mantle and Costume Wages Council (Northern Ireland) Wages Regulation (Holidays) Order, 1949 (a) dated the 25th day of July, 1949; (hereinafter in this Order referred to as " Order N.I.W.M. (29) ");

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 :—

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. Holidays and holiday remuneration.

2. In this Order the expression " the specified date " means the 21st day of June, 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. Commencement.

3.—(1) This Order may be cited as the Wholesale Mantle and Costume Wages Council (Northern Ireland) Wages Regulation (Holidays) Order, 1952. Short title, interpretation and revocation.

(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. 52 & 53 Vict. Ch. 63.

(3) As from the specified date Order N.I.W.M. (29) is hereby revoked.

Sealed with the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this sixth day of June, nineteen hundred and fifty-two in the presence of

(L.S.)

H. Anderson,
Assistant Secretary to the Ministry of Labour and National Insurance for Northern Ireland.

(a) S. R. & O. 1949, No. 157.

SCHEDULE

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) For the purpose of this Schedule 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 two 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 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 *6th April* and 30th September, *1952*, and in each succeeding year, between *6th April* and 30th September (in this Schedule 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) 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.

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 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 for which a worker has qualified 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 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.

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 as holiday remuneration *whichever of the following amounts is the greater* :

(*a*) (*i*) *in the case of a worker who normally works for the employer on six days in the week* : *two-elevenths*,

(*ii*) *in the case of a worker who normally works for the employer on five days in the week* : *one-fifth*,

of the average weekly earnings of the worker during the twelve months ended on 5th April immediately preceding the customary holiday, such average weekly earnings to be determined by dividing the total remuneration (including holiday remuneration) paid to him by the employer during the said period by the number of weeks of employment with the employer during that period ;