EXPLANATORY NOTE.

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

1. The Schedule to this Order sets out the statutory minimum remuneration payable as from 23rd October, 1946, to the workers in relation to whom the Sugar Confectionery and Food Preserving Wages Council (Northern Ireland) operates.

2. The provisions of Order N.I.F. (21) cease to have effect when the new provisions under this Order come into force.

N.I.T.R.W. (28)

The Readymade and Wholesale Bespoke Tailoring Wages Council (Northern Ireland) Holidays

THE READYMADE AND WHOLESALE BESPOKE TAILORING WAGES COUNCIL (NORTHERN IRELAND) WAGES REGULATION (HOLIDAYS) ORDER, 1946, DATED 12TH JUNE, 1946, 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).

1946. No. 126

WHEREAS the Ministry of Labour and National Insurance (hereinafter referred to as " the Ministry ") has received from the Readymade and Wholesale 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 and holiday remuneration heretofore applicable in that behalf by virtue of an Order of the Ministry dated the 20th day of June, 1939 (hereinafter referred to as " Order N.I.T.R.W. (16) ") made in pursuance of the Holidays with Pay Act (Northern Ireland), 1938, and having effect by virtue of sub-section (3) of section twenty-one of the Wages Councils Act (Northern Ireland), 1945. 2 Geo. 6 Ch. 14.

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.—(1) Subject to the provisions of paragraph (2) of this Article the provisions relating to holidays and holiday remuneration set out in the Schedule hereto shall become effective as from the 17th day of June, 1946 (hereinafter referred to as " the specified date ") and the Order N.I.T.R.W. (16) shall thereupon cease to have effect.

(2) Where as respects any worker who is paid wages at intervals not exceeding seven days the specified date does not correspond with the beginning of the period for which the wages are paid, the provisions relating to statutory minimum remuneration set out in the Schedule hereto shall, as respects that worker, become effective as from the beginning of the next such period following the specified date and

Order N.I.T.R.W. (16) shall cease to have effect in relation to that worker accordingly.

Short title and interpretation.

2.—(1) This Order may be cited as the Readymade and Wholesale Bespoke Tailoring Wages Council (Northern Ireland) Wages Regulation (Holidays) Order, 1946.

12 Geo. 5 Ch. 4.

(2) The Interpretation Act, 1921, 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 twelfth day of June, nineteen hundred and forty-six, in the presence of

(L.S.) *J. W. McConnell,*
Assistant Secretary to the Ministry of Labour and National Insurance for Northern Ireland.

SCHEDULE.

HOLIDAYS WITH PAY.

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 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, 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 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.

In addition to the holidays specified in Part II of this Schedule, an employer shall, between 1st July and 30th September, 1946, and in each succeeding year between 1st July 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 of the periods specified below, and the duration of the holiday shall be related to his period of employment during that 12 months as follows :—

Period of employment	*Duration of holiday*
At least 48 weeks	6 days
,, 40 ,, ...	5 ,,
,, 32 ,, ...	4 ,,
,, 24 ,, ...	3 ,,
,, 16 ,, ...	2 ,,
,, 8 ,, ...	1 day

provided that the number of days of annual holiday to which a worker shall be entitled in any holiday season shall not exceed the period of his normal working week.

Paragraph 4.

Annual holidays under this Schedule shall be allowed on consecutive days and days of holiday shall be treated as consecutive notwithstanding that a Sunday or a customary holiday or a holiday in lieu of a customary holiday intervenes.

Paragraph 5.

An employer shall give to a worker reasonable notice of the commencing date and duration of his 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 holiday (including a 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.

(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 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 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.