

- (a) as if he were employed for a week in respect of any week in which—
- (i) he has worked for the employer or 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 eight 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 one week at a time owing to shortage of work; 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 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 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, or where under paragraphs 8 and 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 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 Aerated Waters Wages Council (Northern Ireland).

“week” in paragraphs 3 and 11 means “pay week.”

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.

THE AERATED WATERS WAGES COUNCIL (NORTHERN IRELAND) WAGES REGULATION ORDER, 1949, DATED 16TH SEPTEMBER, 1949, 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).

1949. No. 168

WHEREAS the Ministry of Labour and National Insurance (hereinafter referred to as “the Ministry”) has received from the Aerated Waters Wages Council (Northern Ireland) wages regulation proposals for fixing the minimum remuneration to be paid to the workers in

relation to whom the Council operates in substitution for the minimum remuneration fixed by the Aerated Waters Wages Council (Northern Ireland) Wages Regulation (No. 2) Order, 1948 (a) dated the 15th day of November, 1948, (hereinafter referred to as "Order N.I.A. (30)");

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 :—

Statutory.  
minimum  
remuner-  
ation.

1. As from the specified date the statutory minimum remuneration set out in the Schedule to this Order shall be paid to the workers therein specified.

Commence-  
ment.

2. In this Order the expression "the specified date" means the 22nd day of September, 1949. 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,  
interpreta-  
tion and re-  
vocation.

3.—(1) This Order may be cited as the Aerated Waters Wages Council (Northern Ireland) Wages Regulation Order, 1949.

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.A. (30) is hereby revoked.

Sealed with the Official Seal of the Ministry of Labour and National Insurance for Northern Ireland this sixteenth day of September, nineteen hundred and forty-nine in the presence of

(L.S.)

*R. Eagleson,*

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

#### SCHEDULE

##### STATUTORY MINIMUM REMUNERATION GENERAL MINIMUM TIME RATES

###### PARAGRAPH 1.

FOREMEN, FOREWOMEN, or SYRUP-MAKERS, as defined in this paragraph

A "Foreman" or "Forewoman" shall be deemed to be a worker who has general supervision over the whole or any of the operations which are carried on within the scope of the Wages Council and who has control of, or supervision over, other workers.

Per hour  
s. d.  
2 2

A "Syrup-maker" shall be deemed to be a male or female person who selects, tests and blends the essences, flavourings and other ingredients for the making of syrups.

## PARAGRAPH 2.

MALE WORKERS other than Foremen or Syrup-makers (as defined in paragraph 1 of this Schedule) :—

						per hour.	
						s.	d.
Workers of 21 years of age or over	...	...	...	...	...	1	11
" 20 and under 21 years of age	...	...	...	...	...	1	6½
" 19 " 20	...	...	...	...	...	1	4½
" 18 " 19	...	...	...	...	...	1	2
" 17 " 18	...	...	...	...	...	1	0
" 16 " 17	...	...	...	...	...	0	10
" under 16 years of age	...	...	...	...	...	0	9

## PARAGRAPH 3.

FEMALE WORKERS other than Forewomen or Syrup-makers (as defined in paragraph 1 of this Schedule) :—

Workers of 19 years of age or over	...	...	...	...	...	1	4
" 18 and under 19 years of age	...	...	...	...	...	1	2½
" 17 " 18	...	...	...	...	...	1	0
" 16 " 17	...	...	...	...	...	0	10
" under 16 years of age	...	...	...	...	...	0	9

## OVERTIME

## PARAGRAPH 4.

Overtime rates shall be payable as follows :—

- (1) On any day other than Saturday (or the weekly short day substituted therefor), Sunday, or a customary holiday —  
For all time worked in excess of 8½ hours ... .. TIME-AND-A-HALF  
Provided that where it is or may become the established practice of the employer to require the worker's attendance on only five days in the week the said overtime rate of time-and-a-half shall be payable on those five days after 9½ hours' work.
- (2) On a Saturday (or the weekly short day substituted therefor) not being a customary holiday —  
For all time worked in excess of 4½ hours ... .. TIME-AND-A-HALF
- (3) On a Sunday or a customary holiday —  
For all time worked ... .. DOUBLE TIME
- (4) In any week, exclusive of any time in respect of which an overtime rate may be payable under the foregoing provisions of this paragraph —  
For all time worked in excess of 47 hours ... .. TIME-AND-A-HALF

## PARAGRAPH 5.

The expression " customary holiday " means—

- (1) 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 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
- (2) 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.

## PARAGRAPH 6.

For the purpose of paragraph 4 of this Schedule the expressions time-and-a-half and double time mean, respectively, one-and-a-half times and twice the amount of the general minimum time rate otherwise applicable.

GENERAL  
WAITING TIME

## PARAGRAPH 7.

- (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 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 him to perform.

#### APPLICABILITY OF STATUTORY MINIMUM REMUNERATION

##### PARAGRAPH 8.

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 Aerated Waters 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 (Aerated Waters Trade, Northern Ireland) (Constitution, Proceedings and Meetings) Regulations, 1926 (a) dated 18th March, 1926, namely:—

The manufacture, wherever carried on, of mineral or aerated waters, non-alcoholic cordials, flavoured syrups, unfermented sweet drinks and other similar beverages and the manufacture in unlicensed premises of brewed liquors,

Including —

- (a) the operations of bottle washing, bottling and filling and all other operations preparatory to the sale of any of the aforesaid liquors in bottles, jars, syphons, casks or other similar receptacles;

And including also—

- (b) the operations of bottle washing, bottling and filling and all subsidiary operations preparatory to the sale in bottles, jars, or other similar receptacles, of cider, ale, stout, porter and other alcoholic beers, where all or any of such last-mentioned operations are, or is, conducted or carried on in association with, or in conjunction with all or any of the operations specified under (a) above, so as to form a common or interchangeable form of employment for workers, and whether the two sets of operations or any of them are, or, is carried on simultaneously or not.

#### Baking Wages Council (Northern Ireland).

THE BAKING WAGES COUNCIL (NORTHERN IRELAND) WAGES REGULATION (HOLIDAYS) ORDER, 1949, DATED 1ST FEBRUARY, 1949, 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).

1949. No. 29

WHEREAS the Ministry of Labour and National Insurance (herein-after referred to as "the Ministry") has received from the Baking Wages Council (Northern Ireland) wages regulation proposals for

(a) S. R. & O. 1926, No. 35.