

1965. No. 237

[NC]

WAGES COUNCILS

Wages Regulation (Aerated Waters)

ORDER, DATED 15TH NOVEMBER, 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 Aerated Waters Wages Council (Northern Ireland):—

Citation

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

Commencement

2. The wages regulation proposals set out in the Schedules shall come into operation on the specified date and on the day immediately preceding that date the Aerated Waters Wages Regulation Order (Northern Ireland) 1960(b) and the Aerated Waters Wages Regulation (Amendment) Order (Northern Ireland) 1964(c) shall cease to have effect.

Interpretation

3. In this Order the expression “the specified date” means the 23rd day of November, 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 15th day of November, 1965.

(L.S.)

W. Slinger,
Assistant Secretary.

(a) 1945. c. 21.

(b) S.R. & O. (N.I.) 1960, No. 26.

(c) S.R. & O. (N.I.) 1964, No. 133.

FIRST SCHEDULE

The following minimum remuneration shall be substituted for the statutory minimum remuneration fixed by the First Schedule to the Aerated Waters Wages Regulation Order (Northern Ireland) 1960 (Order N.I.A. (56)) as amended by the Aerated Waters Wages Regulation (Amendment) Order (Northern Ireland) 1964 (Order N.I.A. (64)):

Statutory Minimum Remuneration

GENERAL MINIMUM TIME RATES

Per week
(as defined in
paragraph 4)
s. d.

Paragraph 1.

Foremen, Forewomen, or Syrup-makers (as defined in this paragraph) 211 0

A 'Foreman' or 'Forewoman' is 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.

A 'Syrup-maker' is a male or female worker 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) aged—

21 years and over	..	..	..	..	..	200	0
20 and under 21 years	..	..	..	..	..	163	9
19 " 20	..	..	..	..	..	142	3
18 " 19	..	..	..	..	..	122	3
17 " 18	..	..	..	..	..	101	6
16 " 17	..	..	..	..	..	84	6
under 16 years	..	..	..	..	..	69	3

Paragraph 3.

Female Workers (other than Forewomen or Syrup-makers) aged—

19 years and over	..	..	..	..	..	140	0
18 and under 19 years	..	..	..	..	..	119	9
17 " 18	..	..	..	..	..	101	6
16 " 17	..	..	..	..	..	82	0
under 16 years	..	..	..	..	..	69	3

CALCULATION OF HOURLY RATES

Paragraph 4.

The general minimum time rates, specified in paragraphs 1 to 3 are weekly rates based on 42½ hours.

For the purpose of calculating the general minimum time rate payable in respect of each hour of employment the respective weekly rates should be divided by 42½.

OVERTIME

Paragraph 5.

Overtime rates are payable as follows:—

(1) On a day other than Sunday or a Customary Holiday—

(a) In the case of that class of worker which customarily attends on six days in the week—

On each of the days Monday to Friday—

for all time worked in excess of 8 hours .. TIME-AND-A-HALF

On Saturday—

for all time worked in excess of 2½ hours TIME-AND-A-HALF

(b) *In the case of that class of worker which customarily attends on five days in the week—*

On each of the days Monday to Friday (not being a Customary Holiday)—

for all time worked in excess of 8½ hours TIME-AND-A-HALF

On Saturday—

for all time worked TIME-AND-A-HALF

(2) *On a Sunday or a Customary Holiday—*

for all time worked DOUBLE TIME

Paragraph 6.

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 7.

For the purpose of paragraph 5 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 8.

(1) A worker is entitled to payment of statutory minimum remuneration 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 is, during any time during which he is present as aforesaid and is not doing piece work, entitled to payment of the general minimum time rate applicable to the workers of the class to which he belongs.

Provided that (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 9.

The statutory minimum remuneration aforesaid applies, 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:—

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

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.

SECOND SCHEDULE

Holidays and Holiday Remuneration

The Aerated Waters Wages Council (Northern Ireland) Wages Regulation (Holidays) Order 1949(a) (Order N.I.A. (32)) shall have effect as if in the Schedule thereto for paragraph 5 there were substituted the following paragraph:—

“Paragraph 5.

An employer shall give to a worker notice of the commencing date or dates and duration of the period or periods of his annual holiday. Such notice shall be given at least 28 days before the first day of the annual holiday or, where under the provisions of paragraph 4 an annual holiday is allowed in more than one period, before the first day of each separate period, and may be given individually to the worker or by the posting of a notice in the place where the worker is employed.”

EXPLANATORY NOTE

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

This Order comes into operation on 23rd November, 1965.

The First Schedule sets out the statutory minimum remuneration payable in substitution for that fixed by the First Schedule to the Aerated Waters Wages Regulation Order (Northern Ireland) 1960 (Order N.I.A. (56)) as amended by the Aerated Waters Wages Regulation (Amendment) Order (Northern Ireland) 1964 (Order N.I.A. (64)).

The amendment to the Aerated Waters Wages Council (Northern Ireland) Wages Regulation (Holidays) Order 1949 (Order N.I.A. (32)) set out in the Second Schedule to this Order, was contained in the Second Schedule to Order N.I.A. (56) and is repeated without alteration.

New provisions in the First Schedule are printed in italics.

Order N.I.A. (56) and Order N.I.A. (64) are revoked.

(a) S.R. & O. (N.I.) 1949, No. 160.