

WAGES COUNCILS**Wages Regulation (Aerated Waters)**

ORDER, DATED 20TH AUGUST 1971, 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) 1971.

Commencement

2. The wages regulation proposals set out in Schedule shall come into operation on the specified date and on the day immediately preceding that date the first Schedule to the Aerated Waters Wages Regulation Order (Northern Ireland) 1965(b) and the Aerated Waters Wages Regulation (Amendment) Order (Northern Ireland) 1969(c) shall cease to have effect.

Interpretation

3. In this Order the expression "the specified date" means the 7th day of September 1971, 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 20th day of August 1971.

(L.S.)

W. G. H. Quigley,
Deputy Secretary.

(a) 1945. c. 21.

(b) S.R. & O. (N.I.) 1965, No. 237

(c) S.R. & O. (N.I.) 1969, No. 2.

SCHEDULE

STATUTORY MINIMUM REMUNERATION

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) 1965 (Order N.I.A.(66)) as amended by the Aerated Waters Wages Regulation (Amendment) Order (Northern Ireland) 1969 (Order N.I.A.(70)).

GENERAL MINIMUM TIME RATES

	Per week (as defined in paragraph 4) £
Paragraph 1.	
Foremen, Forewomen, or Syrup-makers (as defined in this paragraph)	15.94
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—	
20 years and over	15.31½
19 and under 20 years	12.55
18 and under 19 years	10.89½
17 and under 18 years	9.35½
16 and under 17 years	7.78½
under 16 years	6.47
Paragraph 3.	
Female Workers (other than Forewomen or Syrup-makers) aged—	
19 years and over	12.01½
18 and under 19 years	10.28½
17 and under 18 years	8.65½
16 and under 17 years	6.98½
under 16 years	5.90

CALCULATION OF HOURLY RATES

Paragraph 4.

The general minimum time rates specified in paragraphs 1 to 3 are weekly rates based on 41 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 41.

SHIFT WORKERS

Paragraph 5.

Notwithstanding the provisions of paragraphs 1 to 3, workers employed on a shift system are entitled, in addition to the statutory minimum remuneration otherwise applicable—

(a) in the case of a worker employed on a 2 shift system (alternating shift), to 3p per hour;

(b) in the case of a worker employed on a night shift, to 5p per hour.

"Shift System" means a system of working which involves successive turns of duty for different groups of workers in the establishment in which they are employed.

"Night Shift" means a turn of duty commencing after 8 p.m. on any day.

OVERTIME

Paragraph 6.

Overtime rates are payable as follows:—

- | | | |
|---|---------|--------------------|
| (a) on each of the days Monday to Friday (not being a customary holiday)—
for all time worked in excess of 8 1/5 hours | .. | TIME-AND-A-HALF |
| (b) On a Saturday—
for all time worked | | .. TIME-AND-A-HALF |
| (c) On a Sunday or a Customary Holiday—
for all time worked | | .. DOUBLE-TIME |

Paragraph 7.

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 8.

For the purpose of paragraph 6 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 9.

- (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 10.

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(d), 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.

EXPLANATORY NOTE

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

This Order, which comes into operation on 7th September 1971, 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) 1965 (Order N.I.A. (66)) as amended by the Aerated Waters Wages Regulation (Amendment) Order (Northern Ireland) 1969 (Order N.I.A. (70)).

The First Schedule to Order NIA(66) and Order NIA(70) are revoked.

New Provisions in the Schedule are printed in italics.