The Baking Wages Council (England and Wales) Wages Regulation (Holidays) (Amendment) Order, 1951

1951 No. 1844

Made - - - - 15*th October*, 1951
Coming into Operation 31*st October*, 1951

BK (46)

Whereas the Minister of Labour and National Service (hereinafter in this Order referred to as "the Minister") has received from the Baking Wages Council (England and Wales) (hereinafter in this Order referred to as "the Council") the wages regulation proposals set out in the Schedule hereto, being proposals for amending the Baking Wages Council (England and Wales) Wages Regulation (Holidays) Order, 1950(a) (hereinafter in this Order referred to as "Order BK (42)"), which contains provisions requiring workers in relation to whom the Council operates to be allowed holidays by their employers and fixing holiday remuneration to be paid by their employers to those workers;

Now, therefore, the Minister, by virtue of the powers conferred on him by section 10 of the Wages Councils Act, 1945(b), and of all other powers in that behalf, hereby makes the following Order:—

Short title and interpretation

1.—(1) This Order may be cited as the Baking Wages Council (England and Wales) Wages Regulation (Holidays) (Amendment) Order, 1951.

(2) In this Order the expression "the specified date" means the 31st day of October, 1951, 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.

(3) The Interpretation Act, 1889(c), applies to the interpretation of this Order as it applies to the interpretation of an Act of Parliament.

Amendment of Order BK (42)

2.—(1) Effect is hereby given to the said wages regulation proposals set out in the Schedule hereto.

(2) The provisions of the Schedule hereto shall have effect as from the specified date.

Signed by order of the Minister of Labour and National Service this 15th day of October, 1951.

Godfrey H. Ince,
Secretary,
Ministry of Labour and National Service.

(a) S.I. 1950 (No. 1762), II, p. 1238. (b) 8 & 9 Geo. 6. c. 17. (c) 52 & 53 Vict. c. 63.

SCHEDULE

HOLIDAYS AND HOLIDAY REMUNERATION

Order BK (42) shall have effect as if in the Schedule thereto:—

1. At the commencement of sub-paragraph (1) of paragraph 3 there were inserted the following expression:—

"Subject to the provisions of this paragraph and of paragraph 3A of this Schedule,".

2. In sub-paragraph (2) of paragraph 3, after sub-paragraph (*a*) there were inserted the following:—

"(*aa*) Where before the 23rd November in any holiday season a worker and his employer enter into an agreement in writing that the worker shall be allowed, after the end of the holiday season and before the first day of January next following, not more than six days of annual holiday for which he has qualified under this paragraph, any such days of annual holiday may be allowed in accordance with the agreement, and if so allowed shall be treated for the purposes of this Schedule as having been allowed during the holiday season."

3. After paragraph 3 there were inserted the following paragraph:—

"Paragraph 3A

Where at any time between the 1st January in any year and the commencement of the holiday season in the same year an employer, at the written request of a worker, allows to the worker any day or days of holiday (other than customary holidays or holidays in lieu of customary holidays) and pays him for the day or days so allowed an amount not less than the remuneration to which he would be entitled if each such day were a day of annual holiday allowed in the holiday season, then—

(*a*) the duration of the annual holiday to be allowed to the worker under this Schedule in the holiday season in that year shall be reduced by the number of days of holiday so allowed before the commencement of the holiday season.

Provided that the annual holiday to be allowed to a worker in any one holiday season shall not be reduced in pursuance of this provision by more than six days; and

(*b*) for the purpose of calculating any accrued holiday remuneration payable under the provisions of paragraph 9 of this Schedule, each such day of holiday so allowed before the commencement of the holiday season shall be treated as if it were a day of annual holiday for which he has qualified, allowed in the holiday season."

EXPLANATORY NOTE

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

Order BK (42) provides that the annual holiday of a worker in relation to whom the Baking Wages Council (England and Wales) operates is to be allowed during the period between the middle of April and the end of November in each year.

This Order, which has effect from the 31st October, 1951, amends Order BK (42) by providing that in certain circumstances a worker may be allowed days of holiday at other times in the year instead of in that period.