2. (*e*) of sub-paragraph (1) of paragraph 9 (which relates to the certification of learners) were omitted.

3. in the proviso to sub-paragraph (4) of paragraph 14 (which relates to guaranteed weekly remuneration) the words "on any customary holiday or" were omitted.

4. for Part VIII there were substituted the following Part—

"PART VIII

GENERAL MINIMUM PIECE RATES FOR MALE OR FEMALE WORKERS

Paragraph 16

(1) The general minimum piece rates applicable to male or female workers employed on repairing are the piece rates set out in Part IX of this Schedule increased by 46¼ per cent.

(2) The general minimum piece rates applicable to male or female workers employed on bespoke making are the piece rates set out in Part X of this Schedule increased by 46¼ per cent."

EXPLANATORY NOTE

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

This Order, which has effect from the 24th August, 1955, amends the Boot and Shoe Repairing Wages Council (Great Britain) Wages Regulation Order, 1951 (Order D. (103)), as amended by the Boot and Shoe Repairing Wages Council (Great Britain) Wages Regulation (Amendment) Order, 1955 (Order D. (109)), by increasing the minimum remuneration fixed by those Orders for certain workers under 21 years of age. It also repeats without alteration other amendments to Order D. (103) contained in Order D. (109) which is revoked.

New provisions are printed in italics.

1955 No. 1265

The Boot and Shoe Repairing Wages Council (Great Britain) Wages Regulation (Holidays) Order, 1955

Made - - - -	*8th August,* 1955
Coming into Operation	*24th August,* 1955

Whereas the Minister of Labour and National Service (hereafter in this Order referred to as "the Minister") has received from the Boot and Shoe Repairing Wages Council (Great Britain) the wages regulation proposals set out in the Schedule hereto;

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

1. This Order may be cited as the Boot and Shoe Repairing Wages Council (Great Britain) Wages Regulation (Holidays) Order, 1955.

2.—(1) In this Order the expression "the specified date" means the 24th day of August, 1955, 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.

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

3. The wages regulation proposals set out in the Schedule hereto shall have effect as from the specified date and as from that date the Boot and Shoe Repairing Wages Council (Great Britain) Wages Regulation (Holidays) Order, 1951(c), (hereafter in this Order referred to as "Order D. (101)") shall cease to have effect.

Signed by order of the Minister of Labour and National Service this 8th day of August, 1955.

Guildhaume Myrddin-Evans,
Deputy Secretary,
Ministry of Labour and National Service.

SCHEDULE

The following provisions as to holidays and holiday remuneration shall be substituted for the provisions as to holidays and holiday remuneration set out in Order D. (101).

PART I

APPLICATION

1. This Schedule applies to every worker (other than an outworker) for whom statutory minimum remuneration has been fixed.

PART II

CUSTOMARY HOLIDAYS

2.—(1) *An employer shall allow to every worker in his employment to whom this Schedule applies a holiday (hereafter in this Schedule referred to as a "customary holiday") in each year on the days specified in the following sub-paragraph provided that the worker (unless excused by the employer or absent by reason of the proved illness of or accident to the worker) has worked for the employer throughout the last working day on which work was available to him immediately preceding the customary holiday.*

(2) *The said customary holidays are:—*

(*a*) *in England and Wales*

(*i*) *Christmas Day, Boxing Day, Good Friday, Easter Monday, Whit Monday, the first Monday in August and any day proclaimed as a public holiday or additional bank holiday, or*

(a) 8 & 9 Geo. 6. c. 17. (b) 52 & 53 Vict. c. 63. (c) S.I. 1951/778 (1951 II, p. 950).

(*ii*) *in the case of each of the first six named holidays, such other day (not being a weekly short day) as may be substituted therefor by the employer by a notice posted in the factory throughout the three weeks immediately preceding the holiday for which it is substituted;*

(*b*) *in Scotland*

(*i*) *New Year's Day, Good Friday, the local Spring holiday, the day observed as Victoria Day or the King's birthday, the local Autumn holiday, Christmas Day and any day proclaimed as a public holiday or additional bank holiday, or*

(*ii*) *in the case of each of the named holidays, such other day (not being a weekly short day) as may be substituted therefor by the employer by a notice posted in the factory throughout the three weeks immediately preceding the holiday for which it is substituted:*

Provided that notification of days of holiday made by the employer for the purpose of Section 78 of the Factories Act, 1937(a) shall be treated for the purposes of this sub-paragraph as effective notice of substitution.

PART III

ANNUAL HOLIDAYS

3.—(1) *In addition to the holidays specified in Part II of this Schedule* and subject to the provisions of sub-paragraph (2) of this paragraph and of paragraph 4 of this Schedule an employer shall before the 30th day of November, 1955, and in each succeeding year between the 1st day of April and the 30th day of November, allow a holiday (hereafter in this Schedule referred to as an "annual holiday") to every worker in his employment to whom this Schedule applies who has been employed by him during the twelve months immediately preceding the commencement of the holiday season for any one of the periods of employment (calculated in accordance with the provisions of paragraph 11 of this Schedule) set out in the table below and the duration of the annual holiday shall in the case of each such worker be related to that period as follows:—

Period of Employment	Duration of annual holiday			
	Where the worker's normal working week is:—			
	Six days	Five days	Four days	Three days or less
At least 48 weeks	12 days	10 days	8 days	6 days
„ „ 44 „	11 „	9 „	7 „	5 „
„ „ 40 „	10 „	8 „	6 „	5 „
„ „ 36 „	9 „	7 „	6 „	4 „
„ „ 32 „	8 „	6 „	5 „	4 „
„ „ 28 „	7 „	5 „	4 „	3 „
„ „ 24 „	6 „	5 „	4 „	3 „
„ „ 20 „	5 „	4 „	3 „	2 „
„ „ 16 „	4 „	3 „	2 „	2 „
„ „ 12 „	3 „	2 „	2 „	1 day
„ „ 8 „	2 „	2 „	1 day	1 „
„ „ 4 „	1 day	1 day	1 „	—

(a) 1 Edw. 8 & 1 Geo. 6. c. 67.

(2) Notwithstanding the provisions of the last foregoing sub-paragraph—

(*a*) the number of days of annual holiday which an employer is required to allow to a worker in any holiday season shall not exceed in the aggregate twice the number of days constituting the worker's normal working week;

(*b*) the duration of the worker's annual holiday during the holiday season ending on the 30th day of November, 1955, shall be reduced by any days of annual holiday duly allowed to him by the employer under the provisions of Order D. (101) between the 1st day of April, 1955, and the date on which this Schedule becomes effective.

(3) In this Schedule the expression "holiday season" means in relation to an annual holiday during the year 1955 the period commencing on the 1st day of April, 1955, and ending on the 30th day of November, 1955, and in relation to each subsequent year, the period commencing on the 1st day of April and ending on the 30th day of November in that year.

4. Subject to the provisions of this paragraph, annual holidays under this Schedule shall be allowed on consecutive working days being days on which the worker is normally called upon to work for the employer and days of holiday shall be treated as consecutive notwithstanding that a Sunday or some other holiday intervenes:

Provided that where the number of days of annual holiday which an employer is required to allow to a worker is more than the number of days constituting the worker's normal working week, the said holiday may, by agreement between the employer and the worker or his representative, be allowed in two or three separate periods of such consecutive working days, provided that one of the periods is of not less duration than the number of days constituting the worker's normal working week and that the remaining days of holiday are allowed on whole days upon which the worker is normally employed by the employer.

5. Subject to the provisions of paragraph 4 of this Schedule, any day of annual holiday under this Schedule:—

(*a*) may be allowed on a day on which the worker is entitled to a half-holiday under any enactment other than the Wages Councils Act, 1945;

(*b*) shall not be allowed on any whole day of holiday to which the worker is so entitled.

6. An employer shall give a worker notice of the commencing date and duration of his annual holiday. Such notice shall be given at least 28 days before the first day of the holiday or, where, under the provisions of paragraph 4 of this Schedule, an annual holiday is taken in more than one period, before each separate period, and 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

CUSTOMARY HOLIDAYS

7.—(1) *Subject to the provisions of this paragraph, for each day of holiday 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 day of holiday and he had been employed on work for which statutory minimum remuneration is payable for the time usually worked by him on that day of the week: Provided that payment of the said holiday remuneration is subject to the condition that the worker (unless excused by the employer or absent by reason of the proved illness of or accident to the worker) works throughout the first day on which work is available to him immediately following the holiday.*

(2) *Holiday remuneration in respect of any customary holiday shall be paid by the employer to the worker on the day on which wages are paid for the first working day following the said holiday.*

ANNUAL HOLIDAYS

8.—(1) Subject to the provisions of paragraph 9 of this Schedule, a worker qualified to be allowed an annual holiday under this Schedule shall be paid by his employer, on the last pay day preceding such holiday, one day's holiday pay (as defined in paragraph 12 of this Schedule) in respect of each day thereof.

(2) Where under the provisions of paragraph 4 of this Schedule an annual holiday is allowed in more than one period the holiday remuneration shall be apportioned accordingly.

9. Where any accrued holiday remuneration has been paid by the employer to the worker (in accordance with paragraph 10 of this Schedule or under the provisions of Order D. (101)) in respect of employment during any of the periods referred to in paragraph 10 of this Schedule, the amount of holiday remuneration payable by the employer in respect of any annual holiday for which the worker has qualified by reason of employment during the said period shall be reduced by the amount of the said accrued holiday remuneration unless that remuneration has been deducted from a previous payment of holiday remuneration made under the provisions of this Schedule or of the Schedule to Order D. (101).

ACCRUED HOLIDAY REMUNERATION PAYABLE ON TERMINATION OF EMPLOYMENT

10.—(1) Where a worker ceases to be employed by an employer after the provisions of this Schedule become effective, the employer shall, subject to the provisions of sub-paragraph (2) of this paragraph, immediately on the termination of the employment (hereafter in this Schedule referred to as " the termination date ") pay to the worker accrued holiday remuneration, that is to say:—

(i) in respect of any period of employment occurring before the 1st day of April immediately preceding the termination date, an amount equal to the holiday remuneration to which the worker would have been entitled under the provisions of paragraph 8 of this Schedule if he had been allowed an annual holiday in respect of that period of employment at the termination date, LESS any holiday remuneration already paid for any day or days of annual holiday allowed subsequently to the 1st day of April aforesaid in respect of that period of employment, either under the provisions of this Schedule or of Order D. (101), and

(ii) in respect of any period of employment since the 31st day of March immediately preceding the termination date, an amount equal to one day's holiday pay (as defined in paragraph 12 of this Schedule) multiplied by the number of days of annual holiday to which the worker would have been entitled under the provisions of paragraph 3 of this Schedule if by virtue of such period of employment he could have taken an annual holiday at the termination date, LESS any accrued holiday remuneration already paid by the employer to the worker in accordance with this paragraph or in accordance with the provisions of Order D. (101) in respect of that period.

(2) Accrued holiday remuneration is not payable in respect of any period of employment for which the worker has been allowed or become entitled to be allowed an annual holiday under this Schedule.

PART V

GENERAL

11. For the purposes of calculating any period of employment qualifying a worker for an annual holiday or for any accrued holiday remuneration under this Schedule, the worker shall be treated—

(*a*) as if he were employed for a week in respect of any week in which—

(i) he has worked for the employer for not less than 24 hours and has performed some work for which statutory minimum remuneration is payable ; or

(ii) he has worked for the employer for less than 24 hours, or has performed no work, solely by reason of the proved illness of or accident to the worker, provided that the number of weeks which may be treated as weeks of employment for such reason shall not exceed four in any such period as aforesaid ; or

(iii) he has worked for the employer for less than 24 hours, or has performed no work, solely by reason of a stoppage of work due to a trade dispute (except a stoppage due to a strike which is unauthorised at its inception by the workers' Trade Union) ; and

(*b*) as if he were employed on any day of annual holiday or customary holiday allowed under the provisions of this Schedule and for the purpose of the provisions of (*a*) of this paragraph, a worker who is absent on such a holiday shall be treated as having worked thereon for the employer for the number of hours ordinarily worked by him on that day of the week on work to which statutory minimum remuneration applies.

12. 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 during the twelve months immediately preceding the commencement of the holiday season, or where, under paragraph 10 of this Schedule, accrued holiday remuneration is payable on the termination of the employment, in the twelve months immediately preceding the termination date:

Provided that:—

(i) part of a day shall count as a day ; and

(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.

" ONE DAY'S HOLIDAY PAY " means the appropriate proportion of the remuneration which the worker would be entitled to receive from his employer at the date of the annual holiday (or, where the holiday is taken in more than one period, at the date of the first period) or at the termination date, as the case may be, for one week's work if working his normal working week and the number of daily hours normally worked by him (exclusive of overtime), and if paid as a time worker at the appropriate rate of statutory minimum remuneration for work to which statutory minimum remuneration applies and at the same rate for any work for the same employer to which such remuneration does not apply, and in this definition " appropriate proportion " means—

where the worker's normal working week is six days—one sixth
" " " " " " " five " —one fifth
" " " " " " " four " —one quarter
" " " " " " " three " —one third
" " " " " " " two " —one half
" " " " " " " one day—the whole.

" STATUTORY MINIMUM REMUNERATION " means minimum remuneration (other than holiday remuneration) fixed by a wages regulation order made by the Minister to give effect to proposals submitted to him by the Boot and Shoe Repairing Wages Council (Great Britain).

" WEEK " means pay week.

" WEEKLY SHORT DAY " means Saturday or (except where in the case of a woman or young person such substitution is unlawful) any week day other than a customary holiday substituted therefor by agreement in writing between the employer and the worker.

13. 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.

EXPLANATORY NOTE

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

This Order, which has effect from the 24th August, 1955, sets out the holidays which an employer is required to allow to workers and the remuneration payable for those holidays, in substitution for the holidays and holiday remuneration fixed by the Boot and Shoe Repairing Wages Council (Great Britain) Wages Regulation (Holidays) Order, 1951 (Order D. (101)), which is revoked.

New provisions are printed in italics.

1955 No. 99

The Bread and Flour Confectionery Trade Wages Council (Scotland) Wages Regulation Order, 1955

Made - - - - 19*th January*, 1955
Coming into Operation 14*th February*, 1955

Whereas the Minister of Labour and National Service (hereafter in this Order referred to as " the Minister ") has received from the Bread and Flour Confectionery Trade Wages Council (Scotland) the wages regulation proposals set out in the Schedule hereto ;

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

1. This Order may be cited as the Bread and Flour Confectionery Trade Wages Council (Scotland) Wages Regulation Order, 1955.

2.—(1) In this Order the expression " the specified date " means the 14th day of February, 1955, 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.

(a) 8 & 9 Geo. 6. c. 17.