EXPLANATORY NOTE

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

This Order sets out the statutory minimum remuneration payable as from the 22nd September, 1952, in substitution for that fixed by the Fur Wages Council (Great Britain) Wages Regulation Order, 1949, (Order Z. (49)), as amended by the Fur Wages Council (Great Britain) Wages Regulation (Amendment) Order, 1951, (Order Z. (55)), and the Fur Wages Council (Great Britain) Wages Regulation (Amendment) (No. 2) Order, 1951, (Order Z. (57)), which are revoked.

New provisions in the Schedule are printed in italics.

1952 No. 905

The Fustian Cutting Wages Council (Great Britain) Wages Regulation (Holidays) Order, 1952

Made - - - -	*5th May*, 1952
Coming into Operation	*23rd May*, 1952

Whereas the Minister of Labour and National Service (hereinafter in this Order referred to as "the Minister") has received from the Fustian Cutting Wages Council (Great Britain) (hereinafter in this Order referred to as "the Wages Council") the wages regulation proposals set out in the Schedule hereto, being proposals for requiring workers in relation to whom the Wages Council operates to be allowed holidays by their employers and for fixing holiday remuneration to be paid by their employers to those workers in substitution for the holidays provided for, and the holiday remuneration fixed, by the Fustian Cutting Wages Council (Great Britain) Wages Regulation (Holidays) Order, 1947(**a**) (hereinafter in this Order referred to as "Order F.C. (22)");

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 Fustian Cutting Wages Council (Great Britain) Wages Regulation (Holidays) Order, 1952.

(2) In this Order the expression "the specified date" means the 23rd day of May, 1952, 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.

Fixing of holidays and holiday remuneration and revocation of Order F.C. (22)

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

(**a**) S.R. & O. 1947/455; 1947 I, p. 2438. (**b**) 8 & 9 Geo. 6. c. 17. (**c**) 52 & 53 Vict. c. 63.

(2) The provisions of the Schedule hereto shall have effect as from the specified date and as from that date Order F.C. (22) shall cease to have effect.

Signed by order of the Minister of Labour and National Service this 5th day of May, 1952.

Godfrey H. Ince,
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 F.C. (22).

PART I

APPLICATION

Paragraph 1

This Schedule applies to every female worker for whom statutory minimum remuneration has been fixed.

PART II

CUSTOMARY HOLIDAYS

Paragraph 2

(1) An employer shall allow to every worker to whom this Schedule applies a holiday (hereinafter in this Schedule referred to as a "customary holiday") in each year on the days specified in the following sub-paragraph provided that she has been in his employment for a period of not less than twenty-four working days immediately preceding the customary holiday and (unless excused by the employer or absent by reason of her proved illness or of accident to herself) has worked for the employer throughout the last working day on which work was available to her before the customary holiday.

(2) The said customary holidays are:—

(*a*) Christmas Day (or, if Christmas Day falls on a Sunday, such weekday as may be appointed by national proclamation, or, if none is so appointed, the following Tuesday), Boxing Day, Good Friday, Easter Monday, Whit Monday and August Bank Holiday; or

(*b*) in the case of each of the said days such weekday as may be substituted therefor being either

(i) a day which is by local custom recognised as a day of holiday, or

(ii) a day agreed between the employer and the worker or her representative *falling within a period of four weeks of the day for which it is substituted.*

PART III

ANNUAL HOLIDAYS

Paragraph 3

(1) Subject to the provisions of paragraph 4 of this Schedule, in addition to the holidays specified in Part II of this Schedule an employer shall, between the date on which the provisions of this Schedule become effective and the 30th day of September, 1952, and in each succeeding year between the 1st day of May and the 30th day of September, allow a holiday (hereinafter 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 12 months immediately preceding the commencement of the holiday season for any of the periods of employment (calculated in accordance with the provisions of paragraph 10 of this Schedule) specified below and the duration of the annual holiday shall in the case of each such worker be related to her period of employment during that twelve months as follows:—

Workers with a normal working week of six days		*Workers with a normal working week of five days or less*	
Period of employment	*Duration of annual holiday*	*Period of employment*	*Duration of annual holiday*
At least 48 weeks ...	*12 days*	*At least 48 weeks* ...	*10 days*
„ „ *44* „ ...	*11* „	„ „ *43* „ ...	*9* „
„ „ *40* „ ...	*10* „	„ „ *38* „ ...	*8* „
„ „ *36* „ ...	*9* „	„ „ *33* „ ...	*7* „
„ „ *32* „ ...	*8* „	„ „ *28* „ ...	*6* „
„ „ *28* „ ...	*7* „	„ „ *24* „ ...	*5* „
„ „ *24* „ ...	*6* „	„ „ *19* „ ...	*4* „
„ „ *20* „ ...	*5* „	„ „ *14* „ ...	*3* „
„ „ *16* „ ...	*4* „	„ „ *9* „ ...	*2* „
„ „ *12* „ ...	*3* „	„ „ *4* „ ...	*1 day*
„ „ *8* „ ...	*2* „		
„ „ *4* „ ...	*1 day*		

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

(3) *Notwithstanding the provisions of sub-paragraph (1) of this paragraph the duration of the worker's annual holiday during the holiday season ending on the 30th day of September, 1952, shall be reduced by any days of annual holiday duly allowed to her by the employer under the provisions of Order F.C. (22) between the 1st day of May, 1952, and the date on which the provisions of this Schedule become effective.*

(4) In this Schedule the expression "holiday season" means in relation to an annual holiday during the year 1952 the period commencing on the 1st day of May and ending on the 30th day of September, 1952, and in relation to each subsequent year the period commencing on the 1st day of May and ending on the 30th day of September in that year.

Paragraph 4

(1) Annual holidays under this Schedule shall be allowed on consecutive working days, being days upon which the worker is normally called upon to work for the employer, and days of annual holiday shall be treated as consecutive notwithstanding the intervention of one or more customary holidays or of days upon which the worker is not normally called upon to work for the employer.

Provided that—

(i) *where the duration of an annual holiday which an employer is required to allow to a worker exceeds the number of days constituting the worker's normal working week the said holiday may, by agreement between the employer and the worker or her representative, be allowed in two separate periods of such consecutive working days one of which shall be not less than the period of her normal working week;*

(ii) one day of an annual holiday may be allowed on a non-consecutive working day (other than the worker's weekly short day) falling within the holiday season where the said annual holiday *or as the case may be such separate period* is allowed immediately after a customary holiday or so that a customary holiday intervenes.

(2) Subject to the provisions of sub-paragraph (1) of this paragraph, any day of annual holiday under this Schedule may be allowed on a day on which the worker is entitled to a day of holiday or to a half-holiday under any enactment other than the Wages Councils Act, 1945.

Paragraph 5

An employer shall give to a worker reasonable notice of the commencing date *or dates* and duration of the period *or periods* of her annual holiday. Such notice may be given individually to a worker or by the posting of a notice in the place where she is employed.

PART IV

HOLIDAY REMUNERATION

CUSTOMARY HOLIDAYS

Paragraph 6

(1) Subject to the provisions of this paragraph for each customary holiday to which a worker is entitled under Part II of this Schedule she shall be paid by the employer holiday remuneration as follows:—

(*a*) in the case of a piece worker, an amount equal to her average daily earnings for the days worked by her for the employer in the period of four weeks immediately before the week in which the holiday occurs;

(*b*) in the case of a time worker, an amount equal to the sum which would be payable to her by her employer if that day were not a holiday and she worked thereon the number of hours normally worked by her on that day of the week and if she were paid at the rate of wages paid to her by the employer immediately prior to the holiday.

Provided, however, 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 her proved illness or of accident to herself) works for the employer throughout the first working day on which work is available to her after the customary holiday.

(2) The holiday remuneration in respect of any customary holiday shall be paid by the employer to the worker on the pay day on which the wages for the pay week including the said first working day after the said holiday are paid.

ANNUAL HOLIDAYS

Paragraph 7

(1) Subject to the provisions of paragraph 8 of this Schedule, a worker, qualified to be allowed an annual holiday under this Schedule shall be paid by her employer in respect thereof, on the last pay day preceding such annual holiday, *one day's holiday pay (as defined in paragraph 11 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.*

Paragraph 8

Where any accrued holiday remuneration has been paid by the employer to the worker (in accordance with paragraph 9 of this Schedule or in accordance with the provisions of Order F.C.(22)) in respect of employment during any of the periods referred to in that paragraph or that Order respectively, 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 Order F.C.*(22).

ACCRUED HOLIDAY REMUNERATION PAYABLE ON TERMINATION OF EMPLOYMENT

Paragraph 9

Where a worker ceases to be employed by an employer after the provisions of this Schedule become effective, the employer shall, immediately on the termination of the employment, pay to the worker as accrued holiday remuneration:—

(1) in respect of employment in the twelve months up to the 30th day of the preceding April, a sum equal to the holiday remuneration for any days of annual holiday for which she has qualified, except days of annual holiday which she has been allowed or has become entitled to be allowed before leaving the employment; and

(2) in respect of any employment since the 30th day of the preceding April, a sum equal to the holiday remuneration which would have been payable to her if she could have been allowed an annual holiday in respect of that employment at the time of leaving it.

PART V

GENERAL

Paragraph 10

For the purpose 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 she were employed for a week in respect of any week in which—

(i) she has worked for the employer for not less than twenty-four hours and has performed some work for which statutory minimum remuneration is payable;

(ii) she has been absent throughout the week by reason of proved illness or of accident to herself, but not exceeding four weeks in the aggregate in the period of twelve months immediately preceding the holiday season or the termination of the employment, as the case may be;

(iii) she has been suspended throughout the week owing to shortage of work but not exceeding four weeks in the aggregate in the respective periods of twelve months last mentioned;

(iv) she has been absent throughout the week owing to a stoppage of work by reason of a trade dispute, but not exceeding four weeks in the aggregate in the said respective periods of twelve months;

(b) as if she were employed on any day of holiday allowed under the provisions of this Schedule or of Order F.C.(22) and, for the purposes of (a) of this paragraph, a worker who is absent on such a holiday shall be treated as having worked thereon the number of hours ordinarily worked by her for the employer on that day of the week on work for which statutory minimum remuneration is payable.

Paragraph 11

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 paragraph 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.

"One day's holiday pay" means the appropriate proportion of:

(a) in the case of a time worker, an amount equal to the remuneration which the worker would be entitled to receive from her employer at the date of the annual holiday (or, where the holiday is allowed in more than one period, at the date of the first period) or at the date of the termination of employment, as the case may require, for one week's work if working her normal working week and the number of daily hours usually worked by her (exclusive of overtime) under the arrangement current immediately prior to the holiday or the termination date; and

(b) in the case of a piece worker, an amount equal to the weekly average of the worker's earnings (exclusive of overtime) during the period of twelve months immediately preceding the beginning of the holiday season (or of the date of the termination of employment, as the case may require) for those weeks in which the worker has performed some work for the employer for which statutory minimum remuneration is payable;

and in this definition "appropriate proportion" means:—

where the worker's normal working week is six days ...	*one-sixth*
where the worker's normal working week is five days ...	*one-fifth*
where the worker's normal working week is four days ...	*one-quarter*
where the worker's normal working week is three days or less	*one-third*

"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 Wages Council.

"week" in paragraphs 3, 6 and 11 means "pay week."

Paragraph 12

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 23rd May, 1952, sets out the holidays which an employer is required to allow to workers and the

remuneration to be paid for such holidays in substitution for the holidays and holiday remuneration set out in the Fustian Cutting Wages Council (Great Britain) Wages Regulation (Holidays) Order, 1947, (Order F.C. (22)), which is revoked.

New provisions in the Schedule are printed in italics.

1952 No. 1674

The General Waste Materials Reclamation Wages Council (Great Britain) Wages Regulation (Amendment) Order, 1952

Made - - - - 12*th September*, 1952

Coming into Operation 1*st October*, 1952

Whereas the Minister of Labour and National Service (hereinafter in this Order referred to as " the Minister ") has received from the General Waste Materials Reclamation 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 in that behalf, hereby makes the following Order:—

1. This Order may be cited as the General Waste Materials Reclamation Wages Council (Great Britain) Wages Regulation (Amendment) Order, 1952.

2.—(1) In this Order the expression " the specified date " means the 1st day of October, 1952, 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.

Signed by order of the Minister of Labour and National Service this 12th day of September, 1952.

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

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

(b) 52 & 53 Vict. c. 63.