Restriction on Importation

3. No plant material originating in Great Britain, or carried in a vessel or aircraft coming from Great Britain, or carried in a vessel or aircraft which has entered a port in Great Britain whilst the plant material was on board, shall be landed in Northern Ireland except in accordance with the conditions of a licence granted by the Ministry or by an Inspector or other authorised officer of the Ministry.

Opening of Containers

4. Where an Inspector has reason to believe or suspect that any container or package contains any plant material the landing of which may be contrary to Article 3, he may open or cause to be opened such container or package in order to ascertain the contents.

Offences

5. An offence against this Order or the conditions of a licence issued thereunder shall be an offence against the Diseases of Animals Act (Northern Ireland) 1958.

Sealed with the Official Seal of the Ministry of Agriculture for Northern Ireland this 10th day of November 1967.

(L.S.) *J. V. Bateman,*
Assistant Secretary.

EXPLANATORY NOTE

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

This Order controls the importation into Northern Ireland of plants and parts of plants which have been in Great Britain. Potatoes and raw vegetables are excluded from this Order as they are already controlled by S.R. & O. 1967, No. 281.

1967. No. 287 **[NC]**

WAGES COUNCILS

Wages Regulation (Paper Box)

ORDER, DATED 13TH NOVEMBER 1967, 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 Paper Box Wages Council (Northern Ireland):—

(a) 1945. c. 21.

Citation

1. This Order may be cited as the Paper Box Wages Regulation (Holidays) Order (Northern Ireland) 1967.

Commencement

2. The wages regulation proposals set out in the Schedule shall come into operation on the specified date and on the day immediately preceding that date the Paper Box Wages Council (Northern Ireland) Wages Regulation (Holidays) Order 1955(a) and the Second Schedule to the Paper Box Wages Regulation Order (Northern Ireland) 1965(b) shall cease to have effect.

Interpretation

3. In this Order the expression "the specified date" means the 21st day of November 1967, 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 13th day of November 1967.

(L.S.) *W. Slinger,*
Assistant Secretary.

SCHEDULE

Holidays and Holiday Remuneration

The following provisions as to holidays and holiday remuneration shall be substituted for the provisions as to holidays and holiday remuneration set out in the Schedule to the Paper Box Wages Council (Northern Ireland) Wages Regulation (Holidays) Order 1955 as amended by the Second Schedule to the Paper Box Wages Regulation Order (Northern Ireland) 1965 (hereinafter referred to as "Order N.I.B. (59)" and "Order N.I.B. (77)" respectively):—

PART I

APPLICATION

Paragraph 1.

(1) This Schedule applies to every male and female worker (other than an out-worker) for whom statutory minimum remuneration has been fixed.

(2) An "out-worker" is a worker who works in his or her own home or in any other place not under the control or management of the employer.

PART II

CUSTOMARY HOLIDAYS

Paragraph 2.

(1) An employer shall allow to every worker to whom this Schedule applies a holiday (hereafter referred to as a "customary holiday") in each year on the days specified in the following sub-paragraph provided that the worker has been in his employment for a period of not less than four weeks immediately preceding the customary holiday and has worked for the

(a) S.R. & O. (N.I.) 1955, No. 88. (b) S.R. & O. (N.I.) 1965, No. 144.

employer for not less than half that period and (unless excused by the employer or absent by reason of the proved illness of the worker) has worked for the employer throughout the last five working days on which work was available to him immediately preceding the customary holiday.

(2) The said customary holidays are:—

(a) Christmas Day, Boxing Day and the day following Boxing Day Provided that—

(i) where Christmas Day falls on a Thursday, Friday or Saturday the Saturday shall be treated as one of the customary holidays irrespective of whether the worker normally works on Saturday or not;

(ii) where Christmas Day falls on a Sunday the customary holidays shall be Boxing Day and the next two following days;

(iii) where the day following Boxing Day falls on a Sunday that Sunday shall not be treated as one of the customary holidays and a customary holiday shall be allowed to the worker on the Monday next following;

Easter Monday, Easter Tuesday and the Wednesday following the last-mentioned day, or

(b) a day substituted by the employer for any one of the said days, being either a day recognised by local custom as a day of holiday in substitution for the said day or a day agreed between the employer and the worker or his representative.

(3) Notwithstanding the provisions of sub-paragraphs (1) and (2), an employer may (except where in the case of a woman or young person such a requirement would be unlawful) require a worker who is otherwise qualified to be allowed a customary holiday to work thereon, and, in lieu of any customary holiday on which he so works the worker shall be entitled to be allowed a day's holiday, (hereafter referred to as a "holiday in lieu of a customary holiday") within the period of four weeks next ensuing, on a day on which he normally works for the employer.

(4) A worker who is required to work on a customary holiday shall be paid:—

(a) for all time worked thereon at the minimum rate then appropriate to the worker for work on a customary holiday; and

(b) in respect of the holiday in lieu of the customary holiday, holiday remuneration in accordance with paragraph 6.

PART III

ANNUAL HOLIDAYS

Paragraph 3.

(1) In addition to the customary holidays specified in Part II and subject to the provisions of sub-paragraph (2) of this paragraph *and of paragraph 4* an employer shall, between 31st March 1968 and 30th September *1968*, and in each succeeding year between 31st March and 30th September (hereafter referred to as the "holiday season") allow a holiday (hereafter referred to as "an annual holiday") to every worker in his employment to whom this Schedule applies who was employed by him during the twelve months immediately preceding the commencement of the holiday season for any of the period specified below, and the duration of the annual holiday shall be related to his 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	
Period of employment	Duration of annual holiday	Period of employment	Duration of annual holiday
Column 1	Column 2	Column 3	Column 4
At least 48 weeks	14 days	At least 48 weeks	12 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		

Workers with a normal working week of four days		*Workers with a normal working week of three days or less*	
Period of employment	*Duration of annual holiday*	*Period of employment*	*Duration of annual holiday*
Column 5	*Column 6*	*Column 7*	*Column 8*
At least 48 weeks	*8 days*	*At least 48 weeks*	*6 days*
" " 42 "	7 "	" " 40 "	5 "
" " 36 "	6 "	" " 32 "	4 "
" " 30 "	5 "	" " 24 "	3 "
" " 24 "	4 "	" " 16 "	2 "
" " 18 "	3 "	" " 8 "	1 day
" " 12 "	2 "		
" " 6 "	1 day		

(2) Notwithstanding the provisions of sub-paragraph (1):—

(a) *Subject to the provisions of sub-paragraph (b)(ii), an employer shall, between the date upon which the provisions of this Schedule become operative and 30th March 1968, allow to a worker with a normal working week of five or six days who was in the employment of the employer for at least 48 weeks during the twelve months ended on 30th March 1967, two days of annual holiday on working days to be fixed by the employer in addition to any days of annual holiday already allowed to him by reason of such employment under the provisions of Order N.I.B. (59) as amended by Order N.I.B. (77);*

(b) the number of days of annual holiday which an employer is required to allow to a worker in any period of twelve months commencing on 1st January shall not exceed in the aggregate—

(i) *in the case of a worker with a normal working week of four days or less, twice the number of days constituting the worker's normal working week;*

(ii) *in the case of a worker with a normal working week of five or six days, twice the number of days constituting the worker's normal working week, plus two days;*

(c) the holiday season may be varied in any year by agreement between the employer and the worker if they jointly notify the Wages Council of such agreement and any reference to a holiday season in this Schedule shall be construed accordingly.

Paragraph 4.

(1) Subject to the provisions of this paragraph, an annual holiday shall be allowed on consecutive working days, being days on which the worker is normally called upon to work for the employer.

(2) (a) Where the number of days of annual holiday for which a worker has qualified exceeds the number of days constituting his normal working week, *but does not exceed twice that number,* the holiday may be allowed in two periods of consecutive working days; so, however, that when a holiday is so allowed, one of the periods shall consist of a number of such days not less than the number of days constituting the worker's normal working week.

(b) Where the number of days of annual holiday for which a worker has qualified exceeds twice the number of days constituting his normal working week the holiday may be allowed as follows:—

(i) as to two periods of consecutive working days, each such period not being less than the period constituting the worker's normal working week, during the holiday season; and

(ii) as to any additional days referred to in sub-paragraph (2)(b)(ii) of paragraph 3, on working days to be fixed by the employer either during the holiday season or within the period ending on 30th March next following the holiday season.

(3) For the purposes of this paragraph, days of annual holiday shall be treated as consecutive notwithstanding that a day of holiday allowed to a worker under Part II or a day on which he does not normally work for the employer intervenes.

(4) Where a day of holiday allowed to a worker under Part II immediately precedes a period of annual holiday or occurs during such a period and the total number of days of annual holiday required to be allowed in the period under the foregoing provisions of this paragraph, together with any such day of holiday allowed under Part II, exceeds the number of days constituting the worker's normal working week then, notwithstanding the foregoing provisions of this paragraph, the duration of that period of annual holiday may be reduced by one day and in such a case one day of annual holiday may be allowed on any working day (not being the worker's weekly short day) in the holiday season.

Paragraph 5.

An employer shall give to a worker reasonable notice of the commencing date or dates and of the duration of his annual holiday. Such notice 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

A—CUSTOMARY HOLIDAYS

Paragraph 6.

(1) Subject to the provisions of this paragraph, for each day of customary holiday to which a worker is entitled under Part II 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 to which statutory minimum remuneration applies 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 the worker) presents himself for employment at the usual starting hour on the first working day following the customary holiday and works throughout the remainder of the week in which the customary holiday occurs.

(2) 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 customary holiday are paid.

(3) Holiday remuneration in respect of any holiday in lieu of a customary holiday shall be paid on the pay day on which the wages for the pay week including that holiday in lieu are paid. Provided that the said payment shall be made immediately upon the termination of the worker's employment in the case where he ceases to be employed before being allowed such holiday in lieu of a customary holiday and in such case the condition contained in the proviso to sub-paragraph (1) shall not apply.

B—ANNUAL HOLIDAYS

Paragraph 7.

(1) Subject to the provisions of paragraph 8, a worker entitled to be allowed an annual holiday under this Schedule shall be paid by his employer in respect thereof, on the last pay day preceding such annual holiday, or not later than the first working day after the termination thereof, holiday remuneration in accordance with the next following table:—

Column 1 Period of holiday	Column 2 Holiday remuneration for workers with a normal working week of:—				Column 3
	Six days	Five days	Four days	Three days or less	
14 days	*Two and one-third times the amount in Col. 3.*	—	—	—	The amount which the worker would be entitled to receive from his employer for a week's work immediately prior to the holiday if working his normal working week and the number of daily hours usually worked by him (exclusive of overtime) and if he were paid: (a) where the worker is employed as a time worker, the amount which the worker would be entitled to receive from the employer under the arrangement current immediately prior to the holiday exclusive of payments by way of bonus; (b) where the worker is employed as a piece worker, statutory minimum remuneration as follows— (i) in the case of a male worker aged 21 years or over to whom a piece work basis time rate applies or of a female worker aged 18 years or over, a time rate equal to the hourly piece work basis time rate applicable to the worker;
12 days	—	*Two and two-fifths times the amount in Col. 3.*	—	—	
11 days	One and five-sixths times the amount in Col. 3.	—	—	—	
10 days	One and two-thirds times the amount in Col. 3.	—	—	—	
9 days	One and one-half times the amount in Col. 3.	One and four-fifths times the amount in Col. 3.	—	—	
8 days	One and one-third times the amount in Col. 3.	One and three-fifths times the amount in Col. 3.	Twice the amount in Col. 3.	—	
7 days	One and one-sixth times the amount in Col. 3.	One and two-fifths times the amount in Col. 3.	One and three-quarters times the amount in Col. 3.	—	
6 days	The amount in Col. 3.	One and one-fifth times the amount in Col. 3.	One and one-half times the amount in Col. 3.	Twice the amount in Col. 3.	
5 days	Five-sixths of the amount in Col. 3.	The amount in Col. 3.	One and one-quarter times the amount in Col. 3.	One and two-thirds times the amount in Col. 3.	

Column 1 Period of holiday	Column 2 Holiday remuneration for workers with a normal working week of:—				Column 3
	Six days	Five days	Four days	Three days or less	
4 days	Two-thirds of the amount in Col. 3.	Four-fifths of the amount in Col. 3.	The amount in Col. 3.	One and one-third times the amount in Col. 3.	(ii) in the case of any other piece worker, a time rate equal to the hourly general minimum time rate which would be applicable to the worker if he were a time worker
3 days	One-half of the amount in Col. 3.	Three-fifths of the amount in Col. 3.	Three-quarters of the amount in Col. 3.	The amount in Col. 3.	
2 days	One-third of the amount in Col. 3.	Two-fifths of the amount in Col. 3.	One-half of the amount in Col. 3.	Two-thirds of the amount in Col. 3.	
1 day	One-sixth of the amount in Col. 3.	One-fifth of the amount in Col. 3.	One-quarter of the amount in Col. 3.	One-third of the amount in Col. 3.	

(2) Where under the provisions of paragraph 4 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 or in accordance with Order N.I.B. (59)), in respect of employment during the periods referred to in that paragraph or that Order, 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 N.I.B. (59) as amended by Order N.I.B. (77).

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 preceding 30th March, a sum equal to the holiday remuneration which would be payable for any days of annual holiday for which he has qualified by virtue of that employment (except days of such annual holiday which he has been allowed before leaving the employment) if they were allowed at the time of leaving the employment; and

(2) in respect of any employment since the preceding 30th March, a sum equal to the holiday remuneration which would have been payable to him if he 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 purposes of calculating any period of employment entitling a worker to an annual holiday or to 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 twelve hours and has performed some work to which statutory minimum remuneration applies; or

(ii) he has been absent throughout the week 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 seven in the aggregate in the period of twelve months immediately preceding the commencement of the holiday season, or

(iii) he has been suspended throughout the week owing to shortage of work in the period of twelve months last mentioned; or

(b) as if he were employed on any day of holiday allowed under the provisions of this Schedule, or of the Schedule to Order N.I.B. (59) as amended by Order N.I.B. (77), and for the purposes of the provisions of sub-paragraph (a), a worker who is absent on such a holiday shall be treated as having worked thereon the number of hours ordinarily worked by him on that day of the week, for the employer on work to which statutory minimum remuneration applies.

Paragraph 11.

Where any day of annual holiday allowed to any worker under this Schedule falls upon a day of holiday or half-holiday to which the worker may be entitled under any enactment other than the Wages Councils Act (Northern Ireland) 1945, that holiday or half-holiday shall be treated as part of the holiday allowed under this Schedule.

Paragraph 12.

In this Schedule, the following expressions have the meanings hereby respectively assigned to them, that is to say:—

"NORMAL WORKING WEEK" means a week represented by the number of days and of hours worked by the worker for the employer in the majority of weeks in the twelve months immediately preceding the commencement of the holiday season or where under paragraph 9, accrued holiday remuneration is payable on the termination of employment, in the twelve months immediately preceding the date of 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.

"STATUTORY MINIMUM REMUNERATION" means statutory minimum remuneration (other than holiday remuneration) fixed by a wages regulation order made by the Ministry to give effect to proposals submitted to it by the Wages Council.

"WEEK" means "pay week."

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 21st November 1967, 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 Paper Box Wages Council (Northern Ireland) Wages Regulation (Holidays) Order 1955, (Order N.I.B. (59)) as amended by the Second Schedule to the Paper Box Wages Regulation Order (Northern Ireland) 1965, (Order N.I.B. (77)).

Order N.I.B. (59) and the Second Schedule to Order N.I.B. (77) are revoked.

New provisions in the Schedule are printed in italics.