2. The above operations are not included in the Rubber Reclamation Branch aforesaid when performed:—

(*a*) in a department of a factory if the factory as a whole is mainly engaged on operations other than those specified in paragraph 1 hereof or paragraph 1 of the Schedule to the Trade Boards (Rubber Manufacturing Trade, Great Britain) (Constitution and Proceedings) Regulations, 1939(a), and the reclaimed rubber is used in the manufacture or repair of articles made or repaired in the factory, not being rubber articles;

(*b*) in association or in conjunction with the manufacture of articles made from asbestos, or the manufacture of electric cables if the reclaimed rubber is for use in connection with such manufacture.

3. For the purposes of this Schedule:—

'rubber articles' includes articles commonly known in the trade as rubber articles, gutta percha or balata articles:

'work incidental' includes the work of general factory labourers and storemen."

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 28th January, 1953, in substitution for that set out in the First Schedule to the Rubber Reclamation Wages Council (Great Britain) Wages Regulation Order, 1951, (Order R.R. (27)), as amended by the Rubber Reclamation Wages Council (Great Britain) Wages Regulation (Amendment) Order, 1951, (Order R.R. (29)). Order R.R. (29) is revoked.

New provisions in the Schedule are printed in italics.

1953 No. 349

The Rubber Reclamation Wages Council (Great Britain) Wages Regulation (Holidays) Order, 1953

Made - - - -	*4th March,* 1953
Coming into Operation	*20th March,* 1953

Whereas the Minister of Labour and National Service (hereinafter in this Order referred to as "the Minister") has received from the Rubber 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(b), and of all other powers in that behalf, hereby makes the following Order:—

1. This Order may be cited as the Rubber Reclamation Wages Council (Great Britain) Wages Regulation (Holidays) Order, 1953.

2.—(1) In this Order the expression "the specified date" means the 20th day of March, 1953, provided that where, as respects any worker who is paid wages at intervals not exceeding seven days, that date does

(a) S.R. & O. 1939/236; Rev. XXIII, p. 491; 1939 II, p. 3186. (b) 8 & 9 Geo. 6. c. 17.

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(a), 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 Rubber Reclamation Wages Council (Great Britain) Wages Regulation (Holidays) Order, 1947(b), and the Rubber Reclamation Wages Council (Great Britain) Wages Regulation Order, 1951(c), shall cease to have effect.

Signed by order of the Minister of Labour and National Service this 4th day of March, 1953.

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 the Rubber Reclamation Wages Council (Great Britain) Wages Regulation (Holidays) Order, 1947 (Order R.R.(20)), as amended by the Rubber Reclamation Wages Council (Great Britain) Wages Regulation Order, 1951 (Order R.R. (27)).

PART I

APPLICATION

Paragraph 1

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

PART II

CUSTOMARY HOLIDAYS

Paragraph 2

(1) Subject to the provisions of this paragraph an employer shall allow to every worker in his employment 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 sub-paragraph (3) of this paragraph provided that the worker was in his employment during, and in attendance during his normal working hours on, the seven days immediately preceding the customary holiday.

(2) For the purpose of the foregoing sub-paragraph the following shall be regarded as attendance:

(*a*) absence on account of the certified sickness of, or accident to, the worker, *unless such absence has exceeded eight consecutive weeks immediately prior to the customary holiday;*

(*b*) absence with permission granted by, or for any other reason acceptable to, the employer.

(a) 52 & 53 Vict. c. 63. (b) S.R. & O. 1947/1688; 1947 I, p. 2617.
(c) S.I. 1951/1102; 1951 II, p. 1280.

(3) The said customary holidays are:—

(*a*) (i) In England and Wales, 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 next following Tuesday); Boxing Day; Good Friday; Easter Monday; Whit Monday and August Bank Holiday;

(ii) In Scotland, six weekdays each of which shall be fixed by the employer and notified by means of a notice posted in the factory throughout not less than three weeks before the holiday:

Provided that in a burgh, two of the said weekdays shall be those fixed by the town council under section 78 of the Factories Act, 1937(a); or

(*b*) in the case of each of the said days, a day substituted by the employer therefor, 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.

(4) Notwithstanding the preceding provisions of this paragraph, 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 entitled to any customary holiday under the foregoing provisions of this Schedule to work thereon and, in lieu of any holiday on which he so works, the employer shall allow to the worker a day's holiday (hereinafter in this Schedule referred to as a "holiday in lieu of a customary holiday") on a weekday *on which he would normally work for the employer* within the period of four weeks next ensuing.

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

(*a*) for all time worked thereon, the statutory minimum remuneration 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 of this Schedule.

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 1st day of May, 1953 and the 31st day of October, 1953, and in each succeeding year between the 1st day of May and the 31st day of October (hereinafter in this Schedule referred to as the "holiday season") 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 qualifying period of employment, that is during the twelve months immediately preceding the date which is two weeks before the beginning of the worker's holiday (or immediately preceding the 10th day of October in each year if an annual holiday has not been allowed before that date) for any of the periods of employment set out in the table below and the duration of the annual holiday shall, in the

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

case of each such worker, be related to his period of employment during that twelve months as follows:—

Workers with a normal working week of 6 days		*Workers with a normal working week of 5 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 ,,*		
,, 8 ,, ...	*2 ,,*		

(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.

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) *Where the number of days of annual holiday for which a worker has qualified exceeds the number of days constituting his normal working week, 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.*

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

(4) *Where a day of holiday allowed to a worker under Part II of this Schedule 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 of this Schedule, 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 duration of the period *or periods* of his annual holiday. Such notice *shall be given before each period, and* may be given individually to the worker or by the posting of a notice in the place where the worker is employed.

PART IV

HOLIDAY REMUNERATION

A—CUSTOMARY HOLIDAYS AND HOLIDAYS IN LIEU OF CUSTOMARY HOLIDAYS

Paragraph 6

(1) Subject to the condition that the worker is in attendance during his normal working hours, in the case of a customary holiday, on the seven days immediately preceding and the three working days immediately following the customary holiday, *and in the case of a holiday in lieu of a customary holiday, on the three working days immediately following the holiday in lieu of a customary holiday,* a worker shall be paid by his employer in respect of each day which he is entitled to be allowed as a holiday under Part II of this Schedule, holiday remuneration equal to the 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—

(*a*) in the case of a shift worker, for 7½ hours ; or

(*b*) in the case of any worker other than a shift worker, for the time (exclusive of overtime) usually worked by him on that day of the week.

(2) For the purpose of the last foregoing sub-paragraph the following shall be regarded as attendance:—

(*a*) absence on account of the certified sickness of, or accident to, the worker, unless such absence has exceeded eight consecutive weeks immediately prior to the customary holiday ;

(*b*) absence with permission granted by, or for any other reason acceptable to, the employer.

(3) The holiday remuneration in respect of any customary holiday or holiday in lieu of a customary holiday shall be paid not later than the pay day on which wages are payable for the last of the three working days immediately following the said customary holiday or holiday in lieu of a customary holiday, as the case may be:

Provided that if a worker ceases to be employed before being allowed a holiday in lieu of a customary holiday to which he is entitled, the said payment shall be made at the same time as the payment of the wages due to him upon the termination of his employment (or if none are due, then immediately on the termination of the employment), and in that case the condition specified in sub-paragraph (1) of this paragraph shall not apply.

B—ANNUAL HOLIDAYS

Paragraph 7

(1) Subject to the provisions of this paragraph and of paragraphs 8 and 10 of this Schedule, a worker qualified to be allowed an annual holiday under this Schedule shall be paid by his employer in respect thereof, not later than the pay day on which workers of the employer are paid in the week following the annual holiday, holiday remuneration equal to the sum obtained by multiplying the number of weeks (not exceeding 50) which constitutes the qualifying period of employment for the purpose of determining the duration of the annual holiday of that worker, *by one and four-fifths times the hourly rate of statutory minimum remuneration.*

(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 R.R. (20), as amended by Order R.R. (27),

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.

ACCRUED HOLIDAY REMUNERATION PAYABLE ON TERMINATION OF EMPLOYMENT

Paragraph 9

(1) Subject to the provisions of this paragraph and of paragraph 10 of this Schedule, where a worker ceases to be employed by an employer after the provisions of this Schedule become effective, the employer shall pay to the worker at the same time as the payment of the wages due to him on the termination of his employment (*or if none are due then immediately on the termination of the employment*), accrued holiday remuneration of an amount calculated by multiplying the number of weeks of employment (not exceeding 50) of the worker with the employer during the twelve months immediately preceding the termination of his employment *by one and four-fifths times the hourly rate of statutory minimum remuneration:*

Provided that—

(*a*) 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 or under Order R.R. (20), as amended by Order R.R. (27);

(*b*) accrued holiday remuneration shall not be payable to a worker if his total employment with the employer during the said period of twelve months is less than eight weeks.

(2) Subject to the provisions of sub-paragraph (3) of this paragraph, where a worker has been allowed in a holiday season part only of the annual holiday for which he has qualified under this Schedule and his employment is terminated before he becomes entitled to be allowed the rest of that holiday the accrued holiday remuneration payable shall be as follows:—

(*a*) the appropriate amount of holiday remuneration, calculated in accordance with the provisions of paragraph 7 of this Schedule, in respect of the qualifying period of employment (as defined in sub-paragraph (1) of paragraph 3 of this Schedule) less the amount received by the worker in respect of that part of the annual holiday which has been allowed, and

(*b*) *an amount calculated by multiplying the number of weeks of his employment by the employer since the end of the immediately preceding qualifying period of employment (defined as aforesaid) by one and four-fifths times the hourly rate of statutory minimum remuneration.*

(3) Any accrued holiday remuneration payable shall be reduced by the amount of any accrued holiday remuneration already paid by the employer to the worker in pursuance of this Order or Order R.R. (20), as amended, in respect of the same period of employment or part thereof.

PART V

PART-TIME WORKERS

Paragraph 10

(1) Notwithstanding the foregoing provisions of this Schedule, the holiday remuneration in respect of any annual holiday, or accrued holiday remuneration payable to a worker who is employed as a part-time worker, shall be an amount which is in the same proportion to the amount to which the worker is otherwise entitled under the provisions of paragraphs 7 and 9 of this Schedule as his normal number of hours of employment in the week as a part-time worker is to 45.

PART VI
GENERAL

Paragraph 11

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

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

(*b*) he has been absent throughout the week by reason of the certified 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 eight in the aggregate in any such qualifying period of employment.

Paragraph 12

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

"hourly rate of statutory minimum remuneration" means the amount of the general minimum time rate (being a rate of statutory minimum remuneration) applicable to the worker at the date when the holiday remuneration or the accrued holiday remuneration, as the case may be, is payable or which would then in either case be applicable to the worker if he were a time worker.

"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 annual holiday (or immediately preceding the 10th day of October if an annual holiday has not been allowed before that date), 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—

(*a*) part of a day shall count as a day;

(*b*) 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.

"part-time worker" means a worker who normally works for the employer less than the hours customarily worked in a week in the establishment in which he is employed.

"shift worker" means a worker who is employed on a shift system whereby a period of 24 hours or a lesser period is divided into two or three fixed turns of duty and the worker is employed for not less than five out of seven days in any week on the same turn and changes turns periodically in accordance with a pre-arranged plan.

"statutory minimum remuneration" means 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 Rubber Reclamation Wages Council (Great Britain).

"week" in paragraphs 2, 3, 6, 7, 9 and 11 means "pay week".

Paragraph 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 20th March, 1953, 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 Rubber Reclamation Wages Council (Great Britain) Wages Regulation (Holidays) Order, 1947, (Order R.R. (20)), as amended by the Rubber Reclamation Wages Council (Great Britain) Wages Regulation Order, 1951, (Order R.R. (27)), which Orders are revoked.

New provisions in the Schedule are printed in italics.

1953 No. 316

The Sack and Bag Wages Council (Great Britain) Wages Regulation Order, 1953

Made - - - -	*2nd March*, 1953
Coming into Operation	18*th March*, 1953

Whereas the Minister of Labour and National Service (hereinafter in this Order referred to as "the Minister") has received from the Sack and Bag 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 Sack and Bag Wages Council (Great Britain) Wages Regulation Order, 1953.

2.—(1) In this Order the expression "the specified date" means the 18th day of March, 1953, 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 Sack and Bag Wages Council (Great Britain) Wages Regulation (No. 2) Order, 1951(**c**), and the Sack and Bag Wages Council (Great Britain) Wages Regulation (Amendment) Order, 1951(**d**), shall cease to have effect.

Signed by order of the Minister of Labour and National Service this 2nd day of March, 1953.

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

(a) 8 & 9 Geo. 6. c. 17.
(b) 52 & 53 Vict. c. 63.
(c) S.I. 1951/518; 1951 II, p. 1292.
(d) S.I. 1951/2225; 1951 II, p. 1297.