



AN BILLE UM OIBRITHE TALMHAIOCHTA (LEATH-LAETHANTA SAOIRE SEACHTAINIULA), 1952.
AGRICULTURAL WORKERS (WEEKLY HALF-HOLIDAYS) BILL, 1952.

Mar a tugadh isteach.
As introduced.

ARRANGEMENT OF SECTIONS.

Section.

1. Commencement.
2. Interpretation.
3. Weekly half-holidays.
4. Fixing of week-day for half-holiday.
5. Limitation of work on half-holiday.
6. Qualifying period of work.
7. Restriction as respects holidays under Act of 1950, etc.
8. Saver for remaining at work in certain cases.
9. Offences.
10. Civil proceedings.
11. Fixing of minimum rates by the Board.
12. Regard to this Act in regulating wages.
13. Annual reports.
14. Expenses.
15. Exclusion from Act of 1950.
16. Repeal.
17. Short title and collective citation.



AN BILLE UM OIBRITHE TALMHAIOCHTA (LEATH-
LAETHANTA SAOIRE SEACHTAINIULA), 1952.
AGRICULTURAL WORKERS (WEEKLY HALF-HOLIDAYS)
BILL, 1952.

BILL

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entitled

AN ACT TO PROVIDE FOR THE ALLOWANCE OF WEEKLY HALF-HOLIDAYS TO AGRICULTURAL WORKERS AND FOR CERTAIN MATTERS CONNECTED THEREWITH AND TO REPEAL THE AGRICULTURAL WORKERS (WEEKLY HALF-HOLIDAYS) ACT, 1951. 10

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS :—

Commencement.

1.—This Act shall come into operation on such day as the Minister for Agriculture appoints by order. 15

Interpretation.

2.—(1) In this Act—

“the Act of 1950” means the Agricultural Workers (Holidays) Act, 1950 (No. 21 of 1950);

“week” means any period of seven consecutive days.

(2) The Act of 1950 and this Act shall be construed together as one Act. 20

Weekly half-holidays.

3.—(1) Subject to the provisions of this Act, where an agricultural employer employs an agricultural worker for any week, he shall allow a half-holiday to the worker on a week-day in that week. 25

(2) Employment for the week-days only in a week shall be deemed for the purposes of this section to be employment for that week.

Fixing of week-day for half-holiday.

4.—The week-day on which the half-holiday is allowed under this Act shall be fixed by agreement between the employer and the worker in respect of each period of three months, or in respect of the period of employment (where that period is less than three months), but in the absence of such agreement, the employer may himself fix in respect of a period of three months, or in respect of the period of employment (where that period is less than three months), the week-day on which the half-holiday is to be taken. 30 35

Limitation of work on half-holiday.

5.—Subject to section 8 of this Act, an agricultural employer shall be deemed for the purposes of this Act to have allowed a half-holiday if, but only if—

(a) he does not permit the worker to work on the day in question for more than five hours, and 40

(b) he does not permit the worker to work on that day after—

(i) the hour of 1 p.m., or

(ii) if the employer and the worker have agreed upon an hour (earlier than 1 p.m.) for the purposes of this paragraph, the hour so agreed.

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6.—Where, as respects any particular week, an agricultural worker does not complete forty-five hours of work during the five week-days preceding the day on which the half-holiday is to be allowed under this Act, he shall not be entitled to a half-holiday in that week, but for the purposes of this section, if the worker is allowed on any of those five week-days a holiday under the Act of 1950 or a half-holiday under this Act, he shall be regarded as having completed nine hours of work on that day.

Qualifying period of work.

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7.—Where, as respects any particular week, the day on which the half-holiday is to be allowed under this Act to an agricultural worker falls on a holiday allowed to him under the Act of 1950, on a Church holiday or public holiday allowed to him by arrangement with his employer or on a day on which the worker is otherwise absent from work, he shall not be entitled to a half-holiday in that week.

Restriction as respects holidays under Act of 1950, etc.

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8.—(1) Where an agricultural worker, instead of taking the half-holiday which he is to be allowed under this Act, either—

(a) remains at work pursuant to an agreement with his employer that during a special period he is to remain at work on the half-holiday, or

Saver for remaining at work in certain cases.

(b) otherwise remains at work with his employer's consent, the employer shall be deemed to have complied with section 3 of this Act if he pays to the worker for the time so worked the minimum amount or more.

(2) In this section "the minimum amount" means an amount calculated at the appropriate minimum rate fixed by the Board for the purposes of this section.

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9.—(1) Where an agricultural employer contravenes section 3 of this Act, he shall be guilty of an offence under this section and shall be liable on summary conviction thereof to a fine not exceeding ten pounds.

Offences.

(2) Where proceedings are brought against an employer under this section—

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(a) if there is a conviction, the Court may order the employer to pay to the worker a sum equal to the appropriate amount in relation to the day as respects which the offence was charged, and

(b) whether there is or is not a conviction, the Court may, if satisfied that the employer has contravened section 3 of this Act in relation to the worker in respect of any other day within the twenty-four months immediately preceding the date on which the proceedings were brought, order the employer to pay to the worker a sum equal to the appropriate amount in relation to that day.

(3) In this and the next section, a reference to the appropriate amount in relation to a day shall be construed as a reference to the minimum amount which the employer might have paid to the worker pursuant to section 8 of this Act in relation to that day less such (if any) amount as he has paid to the worker for the time during which the worker was improperly permitted to work on that day.

Civil proceedings.	10. —(1) Where there has been a contravention of <i>section 3</i> of this Act, then, whether proceedings have or have not been brought under <i>section 9</i> of this Act—	
	(a) the worker may recover from the employer a sum equal to the appropriate amount in relation to the day of the contravention, and	5
	(b) that sum may also be so recovered from the employer by an officer of the Board by proceedings taken by him in the name and on behalf of the worker.	
	(2) Notwithstanding anything contained in any enactment, proceedings under this section shall not be commenced to recover any sum unless—	10
	(a) if the worker has at the date of the commencement of the proceedings ceased to be in the employment of the employer—	15
	(i) the proceedings are commenced within twenty-four months of the date of such cesser, and	
	(ii) the contravention occurred within the twenty-four months immediately preceding the date of such cesser, or	20
	(b) if the worker is in the employment of the employer at the date of the commencement of the proceedings—the contravention occurred within the twenty-four months immediately preceding the date of the commencement of the proceedings.	25
	(3) Nothing in this or the immediately preceding section shall be construed as enabling any sum to be recovered more than once.	
Fixing of minimum rates by the Board.	11. —The power conferred on the Board by section 17 of the Agricultural Wages Act, 1936 (No. 53 of 1936), to make orders fixing minimum rates of wages shall extend to the making of orders prescribing the minimum rates referred to in <i>section 8</i> of this Act and the provisions of the Agricultural Wages Act, 1936, relating to orders under the said section 17 shall apply accordingly.	30
Regard to this Act in regulating wages.	12. —In regulating wages pursuant to the Agricultural Wages Acts, 1936 and 1945, the Board shall act with due regard to the provisions of this Act.	35
Annual reports.	13. —The annual report which the Board are required by section 21 of the Agricultural Wages Act, 1936, to make to the Minister for Agriculture shall include a report of their proceedings under this Act.	40
Expenses.	14. —All expenses incurred in carrying this Act into execution shall, to such extent as may be sanctioned by the Minister for Finance, be paid out of moneys provided by the Oireachtas.	
Exclusion from Act of 1950.	15. —Half-holidays under this Act shall not be reckoned as holidays for the purposes of the Act of 1950.	45
Repeal.	16. —The Agricultural Workers (Weekly Half-Holidays) Act, 1951 (No. 13 of 1951), is hereby repealed.	
Short title and collective citation.	17. —(1) This Act may be cited as the Agricultural Workers (Weekly Half-Holidays) Act, 1952.	
	(2) The Act of 1950 and this Act may be cited together as the Agricultural Workers (Holidays) Acts, 1950 and 1952.	50

BILL

BILLE

Bill entitled as follows: "An Act to provide for the allowance of weekly salaries to agricultural workers and for certain matters connected therewith and to amend the Agricultural Workers' (Weekly Wages) Act, 1927."

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Enacted by the House of Commons in the 25th year of His Majesty King George the Fifth, on the 15th day of July, 1932.

Enacted by the Dáil Éireann on the 15th day of July, 1932.

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TALMHAIOCHTA (LEATH-LAETHANTA
SAOIRE SEACHTAINIULA), 1952.

BILLE

(*mar a tugadh isteach*)

dá ngairmtear

Bille dá ngairmtear Acht do dhéanamh socrúithe chun leath-laethanta saoire seachtainiúla a thabhairt d'oibrithe talmhaíochta agus i dtaobh nithe áirithe a bhaineas leis sin agus d'athghairm an Achta um Oibrithe Talmhaíochta (Leath-Laethanta Saoire Seachtainiúla), 1951.

An tAire Talmhaíochta a thug isteach.

Do hordáíodh, ag Dáil Éireann, do chlóbhuailadh, 15ú Iúil, 1952.

BAILE ATHA CLIATH:
ARNA FHOILSIÚ AG OIFIG AN tSOLATHAIR.

Le ceannach díreach ón Oifig Diolta Foilseachán Rialtais, An Stuara, Ard Oifig an Phoist, Baile Atha Cliath, nó trí aon díoltóir leabhar.

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AGRICULTURAL WORKERS (WEEKLY
HALF-HOLIDAYS) BILL, 1952.

BILL

(*as introduced*)

entitled

Bill entitled an Act to provide for the allowance of weekly half-holidays to agricultural workers and for certain matters connected therewith and to repeal the Agricultural Workers (Weekly Half-Holidays) Act, 1951.

Introduced by the Minister for Agriculture.

Ordered by Dáil Éireann, to be printed, 15th July, 1952.

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