

## SCHEDULES

### SCHEDULE 2

Article 13(4).

#### CONSTITUTION, ETC. OF WAGES COUNCILS

1. A wages council shall consist of—
  - (a) such numbers of persons appointed to represent employers and workers respectively as may be specified in relation to the council by the Department; and
  - (b) not more than 5 persons appointed by the Department as being independent persons.
- 2.—(1) Subject to sub-paragraphs (4) and (5), the persons appointed under paragraph 1(a) shall be appointed as follows, namely—
  - (a) those appointed to represent employers shall be appointed by one or more employers' associations for the time being nominated for the purposes of this paragraph by the Department; and
  - (b) those appointed to represent workers shall be appointed by one or more trade unions (within the meaning of the Industrial Relations (Northern Ireland) Order 1976) for the time being so and in this Schedule references to the nominated body or bodies in relation to any appointment in pursuance of paragraph (a) or (b) are references to the body or bodies falling within that paragraph.

(2) Unless it appears to the Department to be inappropriate in all the circumstances for this sub-paragraph to apply to the wages council—

  - (a) the employers' association nominated by it for the purposes of sub-paragraph (1)(a), or
  - (b) where two or more employers' associations are so nominated, at least one of those associations, shall be an employers' association appearing to it to be representative of small businesses within the scope of operation of the wages council.

(3) On making an appointment in pursuance of sub-paragraph (1)(a) or (b) the nominated body or bodies shall inform the secretary of the wages council in writing of that appointment.

(4) If for any reason there is a deficiency in the number of persons appointed to a wages council in pursuance of sub-paragraph (1)(a) or (b), the Department shall, after consulting such persons or organisations as it thinks fit, appoint on behalf of the nominated body or bodies such number of persons to represent employers or (as the case may be) workers as will remedy that deficiency.

(4) If it appears to the Department that there does not exist any employers' association which could appropriately be nominated by it for the purposes of this paragraph, the Department shall, after consulting such employers as it thinks fit, appoint such number of persons to represent employers as is specified under paragraph 1(a).
3. Of the independent persons appointed under paragraph 1(b) one shall be appointed by the Department to act as chairman, and another may be appointed by the Department to act as chairman in the absence of the chairman.
4. The Department may appoint a secretary for a wages council and such other officers as it thinks fit.

5. The proceedings of a wages council shall not be invalidated by any vacancy among the members or by any defect in the appointment of a member.

6.—(1) A wages council may delegate any of its functions, other than the power to make orders under Article 15, to a committee or sub-committee consisting of such number of members of the council as the council thinks fit.

(2) On any such committee or sub-committee there shall be an equal number of members representing employers and workers respectively.

7. The Department may make regulations as to the meetings and procedure of a wages council and of any committee or sub-committee of such a council, including regulations as to the quorum and the method of voting; but, subject to the provisions of part III of this Order and to any regulations under this paragraph, a wages council and any committee or sub-committee of such a council may regulate its procedure in such manner as it thinks fit.

8.—(1) A member of a wages council shall hold and vacate office in accordance with the terms of his appointment, but a member shall not be appointed to hold office for more than 3 years at a time.

(2) Where the term of office of any members of a wages council comes to an end before their successors are appointed, then, unless—

- (a) in the case of members appointed in pursuance of paragraph 2(1)(a) or (b), the nominated body or bodies directs or direct otherwise, or
- (b) in the case of members appointed by the Department, the Department directs otherwise, those members shall continue in office until the new appointments take effect.

9. The Department may pay—

- (a) to the members of a wages council appointed by it under paragraph 1(b) such remuneration, and
- (b) to any member of a wages council such travelling and other allowances, as the Department may determine with the consent of the Department of Finance and Personnel.