



Civil Aviation Act 1949

1949 CHAPTER 67 12 13 and 14 Geo 6

PART II

REGULATION OF CIVIL AVIATION

Air Transport

15 Terms and conditions of employment of persons employed by air transport undertakings

- (1) The provisions of this section shall have effect for the purpose of securing that the terms and conditions of employment of persons employed by any independent undertaking constituted for the purpose of providing air transport services or of carrying out other forms of aerial work shall, except in so far as those terms and conditions—
- (a) are regulated by or under any enactment other than this section; or
 - (b) are in accordance with an agreement for the time being in force between the undertaking and organisations representative of the persons employed; or
 - (c) are in accordance with any decision for the time being in force of a joint industrial council representing the undertaking "and organisations representative of the persons employed;

comply with the following requirement, that is to say, that they shall not be less favourable than the terms and conditions observed by the Airways Corporations in the case of persons engaged in comparable work, or, where the Airways Corporations do not observe the same terms and conditions for persons engaged in comparable work, are not less favourable than the terms and conditions observed for such persons by at least one of those Corporations.

- (2) If any dispute arises as to whether the terms and conditions of any person's employment ought to comply with the requirement aforesaid, or as to what terms and conditions ought to be observed for the purpose of complying therewith, the dispute shall, if not otherwise disposed of, be referred by the Minister to the Industrial Court for settlement.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (3) Where any award has been made by the Industrial Court upon a dispute referred to that Court under this section, then, as from the date of the award or from such other date as the Court may direct, and subject to any subsequent variation or revocation of the award, it shall be an implied term of the contract between the employer and workers to whom the award applies that the terms and conditions of employment to be observed under the contract shall be in accordance with the award, except in so far as they are regulated by or under any enactment other than this section or are in accordance with any such agreement or decision as is mentioned in subsection (1) of this section.

No direction given by the Court for the purposes of the foregoing provisions of this subsection shall have the effect of making any award retrospective to a date earlier than the date on which the dispute to which the award relates first arose.

- (4) In this section the expression " independent undertaking " means any undertaking other than the Airways Corporations.