



STATUTORY INSTRUMENTS.

**S.I. No. 478 of 2009**

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ORGANISATION OF WORKING TIME (EXEMPTION OF CIVIL  
PROTECTION SERVICES) (AMENDMENT) REGULATIONS 2009

**(Prn. A9/1751)**

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ORGANISATION OF WORKING TIME (EXEMPTION OF CIVIL PROTECTION SERVICES) (AMENDMENT) REGULATIONS 2009

I, DARA CALLEARY, Minister of State at the Department of Enterprise, Trade and Employment, in exercise of the powers conferred on me by section 3 of the Organisation of Working Time Act 1997 (No. 20 of 1997) (as adapted by the Enterprise and Employment (Alteration of Name of Department and Title of Minister) Order 1997 (S.I. No. 305 of 1997)) and the Enterprise, Trade and Employment (Delegation of Ministerial Functions) (No. 2) Order 2009 (S.I. No. 249 of 2009), and having complied with subsection (3) of that section, hereby make the following regulations:

1. These Regulations may be cited as the Organisation of Working Time (Exemption of Civil Protection Services) (Amendment) Regulations 2009.

2. The Schedule to the Organisation of Working Time (Exemption of Civil Protection Services) Regulations 1998 (S.I. No. 52 of 1998) is amended by substituting the following for paragraph 5:

“5. The activities of—

(a) persons employed by the Irish Coast Guard, and

(b) other persons (including contractors of the Irish Coast Guard) carrying out an activity in support of the emergency service of the Irish Coast Guard,

not being an activity of a clerical nature.”

GIVEN under my hand,  
3 December 2009.

DARA CALLEARY,  
Minister of State at the Department of Enterprise, Trade  
and Employment.

*Notice of the making of this Statutory Instrument was published in  
“Iris Oifigiúil” of 8th December, 2009.*

## EXPLANATORY NOTE

*(This note is not part of the Instrument and does not purport to be a legal interpretation)*

Regulation 3 of the Organisation of Working Time (Exemption of Civil Protection Services) Regulations 1998 (S.I. No. 52 of 1998), in conjunction with paragraph 5 of the Schedule to those Regulations, exempted the activity of a person employed in the Irish Marine Emergency Service, not being an activity of a clerical nature, from the application of sections 11, 12, 13, 15 and 16 of the Organisation of Working Time Act 1997 which provide respectively for daily rest periods, rest breaks during the day, weekly rest periods, weekly working hours and nightly working hours.

As the Irish Marine Emergency Service has, since the making of the above-mentioned 1998 Regulations, changed its name to the Irish Coast Guard, these Regulations amend the Schedule to the 1998 Regulations by substituting a new paragraph 5 for the original paragraph 5 of the Schedule. The effect of this amendment is that, instead of the above exemption in relation to personnel of the Irish Marine Emergency Service, the activities of persons employed by the Irish Coast Guard and other persons carrying out an activity in support of the emergency service of the Irish Coast Guard, other than an activity of a clerical nature, are exempt from Sections 11, 12, 13, 15 and 16 of the Organisation of Working Time Act 1997.

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