STATUTORY INSTRUMENTS.

S.I. No. 333 of 2019

EMPLOYMENT PERMITS (AMENDMENT) (NO. 2) REGULATIONS 2019
EMPLOYMENT PERMITS (AMENDMENT) (NO. 2) REGULATIONS 2019

I, HEATHER HUMPHREYS, Minister for Business, Enterprise and Innovation, in exercise of the powers conferred on me by sections 14, 29 and 30 (as amended by sections 17, 29 and 30 of the Employment Permits (Amendment) Act 2014 (No. 26 of 2014)) of the Employment Permits Act 2006 (No. 16 of 2006) (as adapted by the Jobs, Enterprise and Innovation (Alteration of Name of Department and Title of Minister) Order 2017 (S.I. No. 364 of 2017), hereby make the following regulations:

Part 1
Preliminary

Citation
1. (1) These Regulations may be cited as the Employment Permits (Amendment) (No. 2) Regulations 2019.

(2) The Principal Regulations, the Employment Permits (Amendment) Regulations 2018 (S.I. No. 70 of 2018), the Employment Permits (Amendment) (No. 2) Regulations 2018 (S.I. No. 163 of 2018), the Employment Permits (Amendment) (No. 3) Regulations 2018 (S.I. No. 318 of 2018), the Employment Permits (Amendment) (No. 4) Regulations 2018 (S.I. No. 550 of 2018), the Regulations of 2019 and these Regulations may be cited together as the Employment Permits Regulations 2017 to 2019.

Commencement
2. (1) Subject to paragraph (2), these Regulations come into operation on the making of these Regulations.

(2) Regulations 6, 7, 9 and 10 come into operation on 1 January 2020.

Definitions
3. In these Regulations –

“Principal Regulations” means the Employment Permits Regulations 2017 (S.I No. 95 of 2017);


Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 9th July, 2019.
Amendment of Regulation 8 of Principal Regulations

4. Regulation 8(2)(b) of the Principal Regulations is amended by substituting “6” for “12”.

Amendment of Regulation 10 of Principal Regulations

5. Regulation 10 of the Principal Regulations is amended by inserting “, or 120 days where the person who makes the offer of employment is an academic or 3rd level institution,” after “90 days”.

Amendment of Regulation 18 of Principal Regulations

6. Regulation 18(1) of the Principal Regulations is amended—
   (a) by substituting “€32,000” for “€30,000”,
   (b) by substituting “€15.78” for “€14.79”,
   (c) by substituting “€64,000” for “€60,000”, and
   (d) by substituting “€31.56” for “€29.58”.

Amendment of Regulation 20 of Principal Regulations

7. Regulation 20 of the Principal Regulations is amended—
   (a) by substituting “€64,000” for “€60,000”, and
   (b) by substituting “€32,000” for “€30,000”.

Amendment of Regulation 30 of Principal Regulations

8. Regulation 30 (as amended by Regulation 11 of the Regulations of 2019) of the Principal Regulations is amended—
   (a) in paragraph (1), by substituting “300” for “160”, and
   (b) in paragraph (5)(c), by substituting “101” for “50”.

Amendment of Regulation 31 of Principal Regulations

9. Regulation 31 of the Principal Regulations is amended—
   (a) in paragraph (1)(a), by substituting “28” for “14”, and
   (b) in paragraph (3)(b), by substituting “€64,000” for “€60,000”.

Amendment of Regulation 44 of Principal Regulations

10. Regulation 44 of the Principal Regulations is amended—
    (a) in paragraph (1)(a), by substituting “28” for “14”, and
    (b) in paragraph (3)(b), by substituting “€64,000” for “€60,000”.
Amendment of Schedule 3 to Principal Regulations

11. The Principal Regulations are amended by substituting for Schedule 3 the Schedule set out in the Schedule to these Regulations.
Schedule

New Schedule 3 to Principal Regulations

“Regulations 18, 29, 31, 43, 44, 65 and 66

Schedule 3

Employments in respect of which there is a shortage in respect of qualifications, experience or skills which are required for the proper functioning of the economy

<table>
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<tr>
<th>SOC-3</th>
<th>Employment category</th>
<th>SOC-4</th>
<th>Employments</th>
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<tr>
<td>211</td>
<td>Natural and Social Science Professionals</td>
<td>2111</td>
<td>Chemical scientists in manufacturing (including food &amp; beverages, medical devices), product development, analytical development, clinical co-vigilance, or biotechnology or related and relevant specialist skills, qualifications or experience</td>
</tr>
</tbody>
</table>
|       |                     | 2112 | • Medical laboratory scientists  
|       |                     |       | • Biological scientists and biochemists in manufacturing (including food & beverages, medical devices), product development, analytical development, clinical co-vigilance, or biotechnology or related and relevant specialist skills, qualifications or experience |
|       |                     | 2113 | Physical scientists in manufacturing (including food & beverages, medical devices), product development, analytical development, clinical co-vigilance, or biotechnology or related and relevant specialist skills, qualifications or experience |
| 212   | Engineering Professionals | 2121 | Civil engineers |
|       |                     | 2122 | Mechanical engineers specialising in:  
|       |                     |       | • Quality control, or validation and regulation engineering (high tech industry; food and beverages), or  
|       |                     |       | • Mechanical engineering (especially polymer engineering skills in the areas of pharmaceuticals, medical devices or green economy), or  
|       |                     |       | • Chemical process engineering, or  
|       |                     |       | • Process automation engineering, or  
|       |                     |       | • Power generation, transmission and distribution, or  
|       |                     |       | • BIM, or  
|       |                     |       | • Related and relevant specialist skills, qualifications or experience |
| 2123 | Electrical engineers specialising in:  
- Chip design, test engineering, or application engineering, or  
- Process automation engineering, or  
- Power generation, transmission and distribution, or  
- BIM, or  
- Related and relevant specialist skills, qualifications or experience |
| 2124 | Electronics engineers specialising in:  
- Chip design, test engineering, or application engineering, or  
- Process automation engineering, or  
- Power generation, transmission and distribution, or  
- Related and relevant specialist skills, qualifications or experience |
| 2126 | Design and development engineers specialising in:  
- Quality control, or validation and regulation engineering (high tech industry; food and beverages), or  
- Chip design, test engineering, or application engineering, or  
- Process automation engineering, or  
- Power generation, transmission and distribution, or  
- Related and relevant specialist skills, qualifications or experience |
| 2127 | Production and process engineers specialising in:  
- Quality control, or validation and regulation engineering (high tech industry; food and beverages), or  
- Chemical process engineering, or  
- Process automation engineering, or  
- Power generation, transmission and distribution, or  
- Related and relevant specialist skills, qualifications or experience |

| 113 | ICT Professionals |
| 1136 | Information technology and telecommunications directors |
| 213 | IT specialist managers |
| 2134 | IT project and programme managers |
| 2135 | IT business analysts, architects and systems designers |
| 2136 | Programmers and software development professionals |
| 2137 | Web design and development professionals |
| 2139 | All other ICT professionals not elsewhere classified |

| 221 | Health Professionals |
| 2211 | Medical practitioners |
| 2213 | Industrial Pharmacists |
| 2217 |  
- Radiographers  
- Radiation therapists  
- Vascular technologists/physiologists |
<table>
<thead>
<tr>
<th>Code</th>
<th>Group</th>
<th>Description</th>
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</table>
| 2219 | Gastro Intestinal technologists/physiologists | • Audiologists  
• Perfusionists                                                                 |
| 118  | Health and Social Services Managers and Directors | 1181 Senior health services and public health managers and directors |
| 223  | Nursing and Midwifery Professionals        | 2231 • Registered Nurses (RGN, MHN, ID and Children’s nurses)  
• Clinical Nurse Specialists  
• Clinical Nurse Managers  
• Advanced Nursing Practitioners |
|      |                                            | 2232 • Registered Midwives  
• Clinical Midwife Specialists  
• Clinical Midwife Managers  
• Advanced Midwife Practitioners |
| 222  | Therapy Professionals                       | 2229 Orthoptists                                                            |
| 321  | Health Associate Professionals              | 3218 • Prosthetists  
• Orthotists  
• Respiratory physiologist |
|      |                                            | 3213 • PHECC registered Paramedics  
• PHECC registered Advanced Paramedic Practitioners |
| 231  | Teaching and Educational Professionals      | 2311 Academics who hold a qualification equivalent to Level 10 of the National Framework of Qualification in a given discipline awarded no less than two calendar years prior to the date of application for an employment permit, with a minimum of one academic year of relevant teaching experience, and the employment concerned—  
• is in a third level institution governed by the Irish Universities Act 1997 (No. 24 of 1997), the Institutes of Technology Act 2006 (No. 25 of 2006) and the Technological Universities Act 2018 (No. 3 of 2018), or  
• involves delivering a programme largely or wholly concerned with information and communications technology, which leads to a major award at QQI level 8 and/or level 9 as validated by Quality and Qualifications Ireland |
| 242  | Business, Research and Administrative Professionals | 2421 • Chartered and certified accountants and taxation experts specialising in tax, compliance, regulation, solvency, or financial management, or related and relevant specialist skills, qualifications or experience.  
• Qualified accountants with at least three years’ auditing experience, who are full members of the American Institute of Certified Public Accountants |
(AICPA), Philippine Institute of Certified Public Accountants (PICPA) and the Institute of Chartered Accountants of Pakistan (ICAP) and whom have relevant work experience in the areas of US GAAP reporting and Global Audit and Advisory Services and the employment concerned is in MNC Global Audit Services.

- Tax consultant specialising in non-EEA tax consultancy and compliance with a professional tax qualification or legal qualification with tax specialism, and has a minimum of three years’ experience of tax consultancy requirements and regulations in the relevant non-EEA market.

| 2423 | Management consultants and business analysts specialising in big data analytics with skills in IT, data mining, modelling, and advanced maths or related and relevant specialist skills, qualifications or experience |
| 2424 | Business and financial project management professionals specialising in finance & investment analytics, risk analytics, credit, fraud analytics or related and relevant specialist skills, qualifications or experience |
| 2425 | Actuaries, economists and statisticians specialising in big data analytics with skills in IT, data mining, modelling, and advanced maths or related and relevant specialist skills, qualifications or experience |

| 243 | Architects, Town Planners and Surveyors |
| 2433 | Quantity surveyors |
| 2436 | Construction project managers |

| 246 | Quality and Regulatory Professionals |
| 2461 | Quality control and planning engineers |
| 2462 | Quality assurance and regulatory professionals |
| 2463 | Environmental health professionals |

| 247 | Media Professionals |
| 2473 | Art Director in 2D or 3D animation, with at least one year’s experience in the role |

| 341 | Artistic, Literary and Media Occupations |
| 3411 | Animation Background and Design Artist in 2D or 3D animation, with at least one year’s experience in the role |

| 342 | Design Occupations |
| 3421 | Location Designer in 2D or 3D animation, with at least one year’s experience in the role |
| 342 | Character Designer in 2D or 3D animation, with at least one year’s experience in the role |
| 342 | Prop Designer in 2D or 3D animation, with at least one year’s experience in the role |
| 342 | Animation Layout Artist in 2D or 3D animation, with at least one year’s experience in the role |

| 344 | Sports and Fitness Occupations |
| 3442 | High performance coaches and directors employed by |
| | National sports organisations, or |
| | High profile sports organisations engaging in international competition |
| 354 | Sales, Marketing and Related Associate Professionals | 3542 | Business sales executives specialising in International Sales Roles or ITB2B sales roles and with fluency in the official language, apart from English, of a state which is not a Member State of the EEA |
| 3543 | International marketing experts with required domain knowledge specialising in product strategy development and management with technical and product/service knowledge (pharmaceutical, medical devices, Software B2B, SaaS products) |

Note: ‘SOC-3’ and ‘SOC-4’ refer to applicable levels in the Standard Occupational Classification system (SOC 2010).”

GIVEN under my Official Seal, 4 July 2019.

HEATHER HUMPHREYS
Minister for Business, Enterprise and Innovation.
EXPLANATORY NOTE

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

These Regulations amend the Employment Permits Regulations 2017-2019 to provide for the following:

- An increase in the minimum annual remuneration thresholds for Critical Skills Employment Permits.
- The extension of the period a vacancy must be advertised on the websites hosted by the Department of Employment Affairs and Social Protection.
- Extension to the period after an offer of employment or publication of notice within which an application must be made for academic/3rd level institutions.
- An adjustment of the maximum limit of General Employment Permits which may be granted in respect of Dairy Farm Assistant to 101.
- An adjustment of the maximum limit of General Employment Permits which may be granted in respect of Boner (Meat), to 300.
- Inclusion of private educational institutions on Schedule 3 for Teaching and Educational Professionals in ICT programmes plus technical amendment to Schedule 3.
- Shorten the required period of validity remaining on foreign national’s passport.

These Regulations may be cited as the Employment Permits (Amendment) (No. 2) Regulations 2019.

These Regulations come into operation on signing, save for Regulations 6, 7, 9 and 10 which come into operation on 1 January 2020.