



STATUTORY INSTRUMENTS.

S.I. No. 602 of 2015



EMPLOYMENT PERMITS (AMENDMENT) (NO. 2) REGULATIONS
2015

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I, RICHARD BRUTON, Minister for Jobs, Enterprise and Innovation, in exercise of the powers conferred on me by sections 14 and 14A (as amended or inserted by sections 17 and 18 of the Employment Permits (Amendment) Act 2014 (No. 26 of 2014)) of the Employment Permits Act 2006 (No. 16 of 2006), hereby make the following regulations:

Citation

1. (1) These Regulations may be cited as the Employment Permits (Amendment) (No. 2) Regulations 2015.

(2) The collective citation “the Employment Permits Regulations 2014 to 2015” includes these Regulations.

Commencement

2. These Regulations come into operation on 1 January 2016.

Definitions

3. In these Regulations “Principal Regulations” means the Employment Permits Regulations 2014 (S.I. No. 432 of 2014).

Amendment of Regulation 20 of Principal Regulations

4. Regulation 20 of the Principal Regulations is amended by substituting for paragraph (2) the following:

“(2) The minimum hourly rate of remuneration for which a Dependant/Partner/Spouse Employment Permit may be granted is the rate—

- (a) declared by order under section 10D(1) (inserted by section 8 of the National Minimum Wage (Low Pay Commission) Act 2015 (No. 22 of 2015)) of the National Minimum Wage Act 2000 (No. 5 of 2000), or
- (b) where applicable, provided for in an employment regulation order made under section 42C(2) (inserted by section 12 of the Industrial Relations (Amendment) Act 2012 (No. 32 of 2012)) of the Industrial Relations Act 1946 (No. 26 of 1946),

whichever is the higher.”

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 5th January, 2016.

Amendment of Regulation 47 of Principal Regulations

5. Regulation 47 of the Principal Regulations is amended by substituting for paragraph (1) the following:

“47. (1) Subject to paragraph (2), the employments for which a Reactivation Employment Permit may be granted are all employments the minimum annual remuneration for which is the minimum amount of remuneration to be paid for 39 hours of work in each week for 52 weeks and in respect of which the minimum remuneration hourly rate is—

- (a) declared by order under section 10D(1) (inserted by section 8 of the National Minimum Wage (Low Pay Commission) Act 2015 (No. 22 of 2015)) of the National Minimum Wage Act 2000 (No. 5 of 2000), or
- (b) where applicable, provided for in an employment regulation order made under section 42C(2) (inserted by section 12 of the Industrial Relations (Amendment) Act 2012 (No. 32 of 2012)) of the Industrial Relations Act 1946 (No. 26 of 1946),

whichever is the higher.”

Amendment of Regulation 52 of Principal Regulations

6. The Principal Regulations are amended by substituting for Regulation 52 the following:

“52. The employments for which an Exchange Agreement Employment Permit may be granted are those that come within the scope of the exchange agreements listed in Schedule 5 and the minimum annual remuneration for which is the minimum amount of remuneration to be paid for 39 hours of work in each week for 52 weeks and in respect of which the minimum remuneration hourly rate is—

- (a) declared by order under section 10D(1) (inserted by section 8 of the National Minimum Wage (Low Pay Commission) Act 2015 (No. 22 of 2015)) of the National Minimum Wage Act 2000 (No. 5 of 2000), or
- (b) where applicable, provided for in an employment regulation order made under section 42C(2) (inserted by section 12 of the Industrial Relations (Amendment) Act 2012 (No. 32 of 2012)) of the Industrial Relations Act 1946 (No. 26 of 1946),

whichever is the higher.”

Amendment of Regulation 57 of Principal Regulations

7. Regulation 57 is amended by substituting for paragraph (1) the following:

“57. (1) Subject to paragraph (2), the employments for which a Sport and Cultural Employment Permit may be granted are all employments required for the development and operation of sporting and cultural activities, and

the minimum annual remuneration for which is the minimum amount of remuneration to be paid for 39 hours of work in each week for 52 weeks and in respect of which the minimum remuneration hourly rate is—

- (a) declared by order under section 10D(1) (inserted by section 8 of the National Minimum Wage (Low Pay Commission) Act 2015 (No. 22 of 2015)) of the National Minimum Wage Act 2000 (No. 5 of 2000), or
- (b) where applicable, provided for in an employment regulation order made under section 42C(2) (inserted by section 12 of the Industrial Relations (Amendment) Act 2012 (No. 32 of 2012)) of the Industrial Relations Act 1946 (No. 26 of 1946),

whichever is the higher.”

Amendment of Regulation 61 of Principal Regulations

8. The Principal Regulations are amended by substituting for Regulation 61 the following:

“61. The employments for which an Internship Employment Permit may be granted are the employments listed in Schedule 3, and the minimum annual remuneration for which is the minimum amount of remuneration to be paid for 39 hours of work in each week for 52 weeks and in respect of which the minimum remuneration hourly rate is—

- (a) declared by order under section 10D(1) (inserted by section 8 of the National Minimum Wage (Low Pay Commission) Act 2015 (No. 22 of 2015)) of the National Minimum Wage Act 2000 (No. 5 of 2000), or
- (b) where applicable, provided for in an employment regulation order made under section 42C(2) (inserted by section 12 of the Industrial Relations (Amendment) Act 2012 (No. 32 of 2012)) of the Industrial Relations Act 1946 (No. 26 of 1946),

whichever is the higher.”

9. Schedule 2 (as amended by Regulation 9 of the Employment Permits (Amendment) Regulations 2015) to the Principal Regulations is amended—

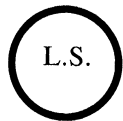
- (a) in Part A, by substituting “Security Officer or Private Investigator” for “Security Officer”, and
- (b) in Part B—
 - (i) by inserting after the entry for “Dentist” the following entries:

“

Specialist dentist in oral surgery	Register of Dental Specialists (Division of Oral Surgery) — Dental Council
Specialist dentist in orthodontics	Register of Dental Specialists (Division of Orthodontics) — Dental Council
Clinical dental technician	Register of Clinical Dental Technicians — Dental Council
Dental hygienist	Register of Dental Hygienists — Dental Council
Dental nurse	Register of Dental Nurses — Dental Council

”,

- (ii) by substituting “Radiographer & Radiation Therapist” for “Diagnostic or Therapeutic Radiographer”,
- (iii) by substituting “Dietitian” for “Dietician”,
- (iv) by substituting “Dietitians Registration Board, CORU” for “Dieticians Registration Board, CORU”,
- (v) by substituting “Academy of Clinical Science and Laboratory Medicine” for “Academy of Medical Laboratory Sciences”, and
- (vi) by substituting “Optical Registration Board, CORU” for “Opticians Board”.



GIVEN under my Official Seal,
21 December 2015.

RICHARD BRUTON,
Minister for Jobs, 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 2014 to provide for the following:

In respect of employments for which a Dependant/Partner/Spouse Employment Permit, a Reactivation Employment Permit, an Exchange Employment Permit, a Sport & Cultural Employment Permit or an Internship Employment Permit may be granted, the minimum hourly and annual rates of remuneration are in accordance with National Minimum Wage Order 2015 (S.I. No.442 of 2015), Employment Regulation Order (Contract Cleaning Joint Labour Committee) 2015 (S.I. No.418 of 2015), or Employment Regulation Order (Security Industry Joint Labour Committee) 2015 (S.I. No.417 of 2015).

Schedule 2 — Changes to the Regulatory Bodies or Government Minister from which or whom registration or recognition of qualifications is required.

These Regulations may be cited as the Employment Permits (Amendment) (No. 2) Regulations 2015.

These Regulations come into operation on 1 January 2016.

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