



STATUTORY INSTRUMENTS.

S.I. No. 333 of 2019



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

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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);

“Regulations of 2019” means the Employment Permits (Amendment) Regulations 2019 (S.I. No. 138 of 2019).

*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*

SOC-3	Employment category	SOC-4	Employments
211	Natural and Social Science Professionals	2111	Chemical 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
		2112	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • Civil engineers
		2122	Mechanical engineers specialising in: <ul style="list-style-type: none"> • 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: <ul style="list-style-type: none"> • 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: <ul style="list-style-type: none"> • 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: <ul style="list-style-type: none"> • 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: <ul style="list-style-type: none"> • 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
		2129	Material scientists
113	ICT Professionals	1136	Information technology and telecommunications directors
213		2133	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	<ul style="list-style-type: none"> • Radiographers • Radiation therapists • Vascular technologists/physiologists

			<ul style="list-style-type: none"> • Gastro Intestinal technologists/physiologists
		2219	<ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • Registered Nurses (RGN, MHN, ID and Children's nurses) • Clinical Nurse Specialists • Clinical Nurse Managers • Advanced Nursing Practitioners
		2232	<ul style="list-style-type: none"> • Registered Midwives • Clinical Midwife Specialists • Clinical Midwife Managers • Advanced Midwife Practitioners
222	Therapy Professionals	2229	Orthoptists
321	Health Associate Professionals	3218	<ul style="list-style-type: none"> • Prosthetists • Orthotists • Respiratory physiologist
		3213	<ul style="list-style-type: none"> • PHECC registered Paramedics • PHECC registered Advanced Paramedic Practitioners
231	Teaching and Educational Professionals	2311	<p>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—</p> <ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • 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

			<p>(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.</p> <ul style="list-style-type: none"> • 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	<ul style="list-style-type: none"> • Location Designer in 2D or 3D animation, with at least one year's experience in the role • Character Designer in 2D or 3D animation, with at least one year's experience in the role • Prop Designer in 2D or 3D animation, with at least one year's experience in the role • Animation Layout Artist in 2D or 3D animation, with at least one year's experience in the role
344	Sports and Fitness Occupations	3442	<p>High performance coaches and directors employed by</p> <ul style="list-style-type: none"> • 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.

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DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased from
GOVERNMENT PUBLICATIONS,
52 ST. STEPHEN'S GREEN, DUBLIN 2.
(Tel: 01 - 6476834 or 1890 213434)

€ 3.50



(DBEI-3) 85. 7/19. Propylon.