



STATUTORY INSTRUMENTS.

S.I. No. 545 of 2022

PAYMENT OF WAGES ACT 1991 (DISPLAY OF NOTICES)
REGULATIONS 2022

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I, LEO VARADKAR, Minister for Enterprise, Trade and Employment, in exercise of the powers conferred on me by sections 4E(2) and 4F(2) (inserted by section 3 of the Payment of Wages (Amendment) (Tips and Gratuities) Act 2022 (No. 23 of 2022)) of the Payment of Wages Act 1991 (No. 25 of 1991), hereby make the following regulations:

1. These Regulations may be cited as the Payment of Wages Act 1991 (Display of Notices) Regulations 2022.

2. These Regulations shall come into operation on the 1st day of December 2022.

3. In these Regulations –

“online digital platform” means a website or a digital mobile application;

“Principal Act” means the Payment of Wages Act 1991 (No. 25 of 1991);

“Regulations of 2022” means the Payment of Wages (Application of Sections 4B to 4F) Regulations 2022;

“relevant service” means –

- (a) in relation to an employer to which sections 4B to 4E of the Principal Act apply, a service referred to in Part 1 of the Schedule to the Regulations of 2022 that is provided by that employer, and
- (b) in relation to a person to which section 4F of the Principal Act applies, a service referred to in Part 2 of the Schedule to the Regulations of 2022 that is provided by that person.

4. An employer to which sections 4B to 4E of the Principal Act apply shall display a tips and gratuities notice –

- (a) in each of the following locations that are relevant to the employer:
 - (i) where the employer provides a relevant service on a premises, or on part of a premises –
 - (I) at the premises, or part of the premises, on which the relevant service is provided, and
 - (II) in at least one additional location, other than that referred to in clause (I), at which consumers may pay in person for the relevant service;

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 1st November, 2022.*

- (ii) where the employer provides a relevant service in a public service vehicle (within the meaning of the Regulations of 2022), in a location within the vehicle to which consumers have access while such service is being provided;
- (iii) on each online digital platform used by the employer in connection with a relevant service,
- (b) in such a position, form and manner as to be capable of being easily read by consumers, and
- (c) containing, in addition to the matters referred to in section 4E(1) of the Principal Act –
 - (i) a statement to the effect that the Principal Act requires the employer to distribute to his or her employees any tips or gratuities received by the employer by an electronic mode of payment, and
 - (ii) a statement of the employer's policy on tips or gratuities made to, or left for, employees in a form other than an electronic mode of payment.

5. A person to whom section 4F of the Principal Act applies shall display a contract workers tips and gratuities notice –

- (a) on each online digital platform used by the person in connection with the relevant service, and
- (b) in such form and manner as to be capable of being easily read by consumers using the online digital platform in connection with a relevant service.

GIVEN under my Official Seal,
28 October, 2022.

LEO VARADKAR,
Minister for Enterprise, Trade and Employment.

L.S.

EXPLANATORY NOTE

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

These Regulations prescribe the manner by which a tips and gratuities notice or a contract workers tips and gratuities notice must be displayed in accordance with sections 4E to 4F of the Payment of Wages Act 1991 (No. 25 of 1991) (as inserted by section 3 of the Payment of Wages (Amendment) (Tips and Gratuities) Act 2022 (No. 23 of 2022)).

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