



STATUTORY INSTRUMENTS.

S.I. No. 633 of 2024

EUROPEAN UNION (ADEQUATE MINIMUM WAGES) REGULATIONS
2024

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I, PETER BURKE, Minister for Enterprise Trade and Employment in exercise of the powers conferred on me by section 3 of the European Communities Act 1972 (No. 27 of 1972), and for the purpose of giving effect to Directive (EU) 2022/2041 of the European Parliament and of the Council of 19 October 2022¹ on adequate minimum wages in the European Union, hereby make the following regulations:

Citation

1. These Regulations may be cited as the European Union (Adequate Minimum Wages) Regulations 2024.

Definition

2. In these Regulations, “Act of 2000” means the National Minimum Wage Act 2000 (No. 5 of 2000).

Amendment of section 2 of Act of 2000

3. Section 2 of the Act of 2000 is amended –
 - (a) in subsection (1), by the insertion of the following definition:

“ ‘Directive’ means Directive (EU) 2022/2041 of the European Parliament and of the Council of 19 October 2022¹ on adequate minimum wages in the European Union;”, and
 - (b) by the insertion of the following subsection after subsection (2):

“(2A) A word or expression used in section 10C that is also used in the Directive has, unless the context otherwise requires, the same meaning in this Act as it has in that Directive.”.

Amendment of section 10C of the Act of 2000

4. Section 10C of the Act of 2000 is amended –
 - (a) by the substitution of the following subsection for subsection (1):

“(1) Without prejudice to the generality of section 10B, the Commission shall once each year, after consultation with and voluntary participation of the representatives of employers and employees –
 - (a) examine the national minimum hourly rate of pay, prescribed percentages and allowances, and

¹ OJ No. L 275, 25.10.2022, p. 33.

- (b) make a recommendation to the Minister respecting the national minimum hourly rate of pay, prescribed percentages and allowances.”,
- (b) in subsection (3) –
 - (i) by the substitution of the following paragraph for paragraph (a):
 - “(a) changes in earnings during the relevant period, including their growth rate, general levels, and distribution,”,
 - (ii) in paragraph (f), by the substitution of “creation,” for “creation, and”,
 - (iii) in paragraph (g)(iii), by the substitution of “competitiveness,” for “competitiveness.”, and
 - (iv) by the insertion of the following paragraphs after paragraph (g):
 - “(h) the purchasing power of the national minimum hourly rate of pay, taking into account the cost of living,
 - (i) long-term national productivity levels and developments, and
 - (j) indicative reference values used at international or national levels, such as 60% of the gross median wage, in order to guide the assessment of the adequacy of the national minimum hourly rate of pay.”,
- (c) by the substitution of the following subsection for subsection (6):
 - “(6) When preparing a report under this section the Commission shall consult with representatives of employers and employees, and such other persons it thinks appropriate, in a timely and effective manner and shall consult in particular on –
 - (a) the national minimum hourly rate of pay, prescribed percentages and allowances, and
 - (b) decisions relating to the collection of data and the carrying out of studies and analyses to provide information to authorities and other representatives involved in setting the national minimum hourly rate of pay.”, and
- (d) by the substitution of the following subsection for subsection (9):
 - “(9) In this section –
 - ‘allowances’ means an allowance declared by order in accordance with section 10D(3);
 - ‘prescribed percentages’ means a percentage prescribed by the Minister in accordance with section 15(1);
 - ‘relevant period’ means the period since the most recent making of an order under section 10D (inserted by section 8 of the Act of 2015).”.

Designation of consultative body and competent authority

5. The Act of 2000 is amended by the insertion of the following section after section 10C:

“10CA. For the purposes of Article 5(6) of the Directive –

- (a) the Commission is designated as the consultative body, and
- (b) the Minister is designated as the competent authority which shall be advised by the consultative body on issues related to the national minimum hourly rate of pay, prescribed percentages and allowances.”.

Amendment of Section 10D of the Act of 2000

6. Section 10D of the Act of 2000 is amended, in subsection (1A), by the substitution of “the Minister may, having had regard to the matters specified in section 10C(3), by order declare a national minimum hourly rate of pay” for “the Minister may by order declare a national minimum hourly rate of pay.”



GIVEN under my Official Seal,
15 November, 2024.

PETER BURKE,
Minister for Enterprise, Trade and Employment.

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PUBLISHED BY THE STATIONERY OFFICE
To be purchased from
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MOUNTSHANNON ROAD,
KILMAINHAM, DUBLIN 8,
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