



An Bille um Pá Seirbhíse Poiblí, 2020
Public Service Pay Bill 2020

Meabhrán Mínitheach
Explanatory Memorandum



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PUBLIC SERVICE PAY BILL 2020

EXPLANATORY MEMORANDUM

Background and purpose of the Bill

This Bill provides for amendment of the restrictions on increases to public service pay introduced by the Financial Emergency Measures in the Public Interest (FEMPI) No. 2 Act 2009.

It provides that in addition to changes to pay arising from an Act of the Oireachtas, an order of a Court, or a determination that there is a legal entitlement to a pay increase, the Minister for Public Expenditure and Reform may sanction increases in the pay or allowances of public servants.

This Bill amends the Ministers and Secretaries Act 2011 to ensure that where a contract of employment is amended in accordance with amended provisions of the Act of 2009 that no further Ministerial sanction is required under that Act.

It amends the Public Service Pay and Pensions Act 2017 to align the date for repeal of certain restrictions on increases to public service pay with a date provided in this bill.

SECTIONS

Section 1 sets out a definition of the Financial Emergency Measures in the Public Interest (FEMPI) No. 2 Act 2009 as the ‘Act of 2009’.

Section 2 amends Section 4 of the Act of 2009 to provide that in addition to changes to pay arising from an Act of the Oireachtas, an order of the civil courts, an order of the Labour Court, or a determination that there is a legal entitlement to a pay increase, the Minister for Public Expenditure and Reform may sanction increases in the pay or allowances of public servants.

Section 3 amends Section 5 of the Act of 2009 to provide for retrospective application, up to the date on which this proposed Act is enacted, of a provision allowing for amendment of contracts of employment to increase pay.

Section 4 amends Section 16A of the Ministers and Secretaries Act 2011 to ensure that where a contract of employment is amended in accordance with Section 4 of the Act of 2009 (as amended by this proposed Act), that no further Ministerial sanction is required under the Ministers and Secretaries Act 2011.

Section 5 amends Section 24 (3) of the Public Service Pay and Pensions Act 2017 to align the date for repeal of certain restrictions on increases to public service pay with the date on which this proposed Act is enacted.

Section 6 provides that the Short title of the proposed Act is the “Public Service Pay Act 2020”.

*An Roinn Caiteachais Phoiblí agus Athchóirithe,
Nollaig, 2020.*