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

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*Mar a leasaíodh sa Roghchoiste um Airgeadas, Caiteachas Poiblí agus Athchóiriú, agus an Taoiseach*  
*As amended in the Select Committee on Finance, Public Expenditure and Reform, and Taoiseach*

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ACTS REFERRED TO

Financial Emergency Measures in the Public Interest (No. 2) Act 2009 (No. 41)

Ministers and Secretaries (Amendment) Act 2011 (No. 10)



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**AN BILLE UM PÁ SEIRBHÍSE POIBLÍ, 2020**  
**PUBLIC SERVICE PAY BILL 2020**

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# Bill

*entitled*

An Act to provide for the adjustment of the restrictions, contained in the Financial Emergency Measures in the Public Interest (No. 2) Act 2009, on increasing the remuneration payable to public servants and for that purpose to amend that Act and the Ministers and Secretaries (Amendment) Act 2011; and to provide for related matters. 5

**Be it enacted by the Oireachtas as follows:**

**Definition** 10

1. In this Act, “Act of 2009” means the Financial Emergency Measures in the Public Interest (No. 2) Act 2009.

**Amendment of section 4 of Act of 2009**

2. Section 4 of the Act of 2009 is amended—

- (a) by the substitution of the following subsection for subsection (2): 15

“(2) An amendment of a relevant provision amended by section 2 or 2A that would have the effect of increasing the remuneration payable to a public servant may only be made, and shall have such effect—

- (a) where—

- (i) the amendment is made by the Minister, including where it is made for a purpose referred to in paragraph (b), and 20

- (ii) the relevant provision is not—

(I) a provision of an Act of the Oireachtas, or

(II) a relevant provision that is made under an Act of the Oireachtas, save where that relevant provision is so made by the Minister, 25

or

- (b) where—

- (i) the amendment is made by a person (other than the Minister)—

(I) for the purposes of complying with any order of a court in 30

- respect of which there is no stay in being, or
- (II) for the purposes of complying with any enforceable determination of the Labour Court in respect of which there is no stay in being,
- and 5
- (ii) the relevant provision is not—
- (I) a provision of an Act of the Oireachtas, or
- (II) a relevant provision that is made under an Act of the Oireachtas, save where that relevant provision is so made by the person first-mentioned in subparagraph (i).”, 10
- and
- (b) in subsection (3), by the substitution of “subsection (2)(b)(i)” for “subsection (2)”.

**Amendment of section 5 of Act of 2009**

3. Section 5 of the Act of 2009 is amended, in subsection (2), by the insertion of “, in respect of a period falling between 1 January 2010 and the date on which the *Public Service Pay Act 2021* comes into operation,” after “pays remuneration to a public servant”. 15

**Amendment of section 16A of Ministers and Secretaries (Amendment) Act 2011**

4. Section 16A of the Ministers and Secretaries (Amendment) Act 2011 is amended— 20
- (a) in subsection (10), by the substitution of “Subject to subsection (10A), this section” for “This section”, and
- (b) by the insertion of the following subsection after subsection (10):
- “(10A) Where a contract of employment is amended in accordance with section 4(2) of the Financial Emergency Measures in the Public Interest (No. 2) Act 2009— 25
- (a) by the amendment or substitution of an existing term or condition of the contract, or
- (b) by the insertion of a new term or condition in the contract,
- this section shall not apply to the term or condition as so amended, substituted or inserted, as the case may be.”. 30

**Short title**

5. This Act may be cited as the Public Service Pay Act 2021.



An Bille um Pá Seirbhíse Poiblí, 2020

# BILLE

*(mar a leasaíodh sa Roghchoiste um Airgeadas,  
Caiteachas Poiblí agus Athchóiriú, agus an  
Taoiseach)*

*dá ngairtear*

Acht do dhéanamh socrú maidir le coigeartú ar na srianta, atá san Acht um Beartha Airgeadais Éigeandála ar Mhaithe le Leas an Phobail (Uimh. 2), 2009, ar an luach saothair is iníoctha le seirbhísigh phoiblí a mhéadú agus, chun na críche sin, do leasú an Achta sin agus an Achta Airí agus Rúnaithe (Leasú), 2011; agus do dhéanamh socrú i dtaobh nithe gaolmhara.

*Ordaíodh ag an Roghchoiste a chlóbhualadh,  
13 Bealtaine, 2021*

Public Service Pay Bill 2020

# BILL

*(as amended in the Select Committee on Finance,  
Public Expenditure and Reform, and Taoiseach)*

*entitled*

An Act to provide for the adjustment of the restrictions, contained in the Financial Emergency Measures in the Public Interest (No. 2) Act 2009, on increasing the remuneration payable to public servants and for that purpose to amend that Act and the Ministers and Secretaries (Amendment) Act 2011; and to provide for related matters.

*Ordered by the Select Committee to be printed,  
13th May, 2021*

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ó  
FOILSEACHÁIN RIALTAIS,  
52 FAICHE STIABHNA, BAILE ÁTHA CLIATH 2.  
(Teil: 01 - 6476834 nó 1890 213434; Fax: 01 - 6476843)  
nó trí aon díoltóir leabhar.

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; Fax: 01 - 6476843)  
or through any bookseller.

€0.76

ISBN 978-1-4468-6964-2



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