



An Bille um Pá Íosta Náisiúnta (Deireadh a Chur le Rátaí Pá Fo-Íosta), 2021
National Minimum Wage (Removal of Sub-minimum Rates of Pay) Bill 2021

Mar a tionscnaíodh

As initiated



**AN BILLE UM PÁ ÍOSTA NÁISIÚNTA (DEIREADH A CHUR LE RÁTAÍ PÁ FO-
ÍOSTA), 2021**
NATIONAL MINIMUM WAGE (REMOVAL OF SUB-MINIMUM RATES OF PAY)
BILL 2021

Mar a tionscnaíodh

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ACTS REFERRED TO

National Minimum Wage Act 2000 (No. 5)

National Minimum Wage Acts 2000 and 2015

Petty Sessions (Ireland) Act 1851 (14 & 15 Vict.) c. 93



AN BILLE UM PÁ ÍOSTA NÁISIÚNTA (DEIREADH A CHUR LE RÁTAÍ PÁ FO-ÍOSTA), 2021
NATIONAL MINIMUM WAGE (REMOVAL OF SUB-MINIMUM RATES OF PAY)
BILL 2021

Bill

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entitled

An Act to amend the National Minimum Wage Act 2000 to end sub-minimum rates of pay for those who have attained the age of 16, and for those who are entering their first two years of employment.

Be it enacted by the Oireachtas as follows:

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Interpretation

1. In this Act, “Principal Act” means the National Minimum Wage Act 2000.

Amendment of section 14 of Principal Act

2. Section 14 of the Principal Act is amended by the substitution of the following paragraph for paragraph (a):

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“(a) an employee who has attained the age of 16 years shall, subject to sections 16 and 41, be remunerated by his or her employer in respect of the employee’s working hours in any pay reference period, at an hourly rate of pay that is not less than the national minimum hourly rate of pay.”

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Amendment of section 15 of Principal Act

3. The Principal Act is amended by the substitution of the following for section 15:

“15. (1) An employer who does not pay an employee who has attained the age of 16 at an hourly rate of pay that is not less than the national minimum hourly rate of pay without lawful excuse shall be guilty of an offence.

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(2) A person guilty of an offence under this section for which no penalty, other than under this section, is provided shall be liable on summary conviction, to a fine not exceeding €2,500, and or, to imprisonment for a term not exceeding 6 months, or to both the fine and the imprisonment.

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(3) Where an offence under this section is committed by a body corporate

or by a person acting on behalf of a body corporate and is proved to have been so committed with the consent, connivance or approval of, or to have been attributable to any neglect on the part of, a person who, when the offence was committed, was a director, manager, secretary or other similar officer of the body corporate or a person who was purporting to act in any such capacity, that person (as well as the body corporate) shall be guilty of an offence and be liable to be punished as if guilty of the offence committed by the body corporate. 5

(4) Proceedings in relation to a summary offence under this Act may be prosecuted by the Minister for Justice and Equality. 10

(5) Notwithstanding section 10(4) of the Petty Sessions (Ireland) Act 1851, proceedings for an offence under this Act may be instituted within 12 months from the date of the discovery of the offence.”.

Short title, collective citation and construction

4. (1) This Act may be cited as the National Minimum Wage (Removal of Sub-minimum Rates of Pay) Act 2021. 15

(2) This Act and the National Minimum Wage Acts 2000 and 2015 may be cited together as the National Minimum Wage Acts 2000 to 2021 and shall be construed together as one Act.

An Bille um Pá Íosta Náisiúnta (Deireadh a Chur le Rátaí Pá Fo-Íosta), 2021

BILLE

(mar a tionscnaíodh)

dá ngairtear

Acht do leasú an Achta um Pá Íosta Náisiúnta, 2000 chun deireadh a chur le rátaí pá fo-íosta do dhaoine a bhfuil 16 bliana d'aois slánaithe acu, agus do dhaoine atá ag dul isteach sa chéad dá bhliain dá bhfostaíocht.

*An Seanadóir Pól Ó Gábháin a thug isteach,
5 Iúil, 2021*

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BILL

(as initiated)

entitled

An Act to amend the National Minimum Wage Act 2000 to end sub-minimum rates of pay for those who have attained the age of 16, and for those who are entering their first two years of employment.

*Introduced by Senator Paul Gavan,
5th July, 2021*

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