



STATUTORY INSTRUMENTS.

S.I. No. 504 of 2011



PROTECTION OF EMPLOYEES (EMPLOYERS' INSOLVENCY)
PROCEDURES REGULATIONS 2011

(Prn. A11/1804)

PROTECTION OF EMPLOYEES (EMPLOYERS' INSOLVENCY)
PROCEDURES REGULATIONS 2011

I, JOAN BURTON, Minister for Social Protection, in exercise of the powers conferred on me by sections 6, 7 and 16 of the Protection of Employees (Employers' Insolvency) Act, 1984 (No. 21 of 1984) and the Redundancy and Insolvency Payments (Transfer of Departmental Administration and Ministerial Functions) Order 2010 (S.I. No. 189 of 2010), hereby make the following Regulations:

Short title.

1. These Regulations may be cited as the Protection of Employees (Employers' Insolvency) Procedures Regulations 2011.

Definitions.

2. (1) In these Regulations—

“Act” means the Protection of Employees (Employers' Insolvency) Act 1984;

“Department” means the Department of Social Protection;

“Minister” means the Minister for Social Protection;

“relevant officer” has the meaning given to it by Section 1.

(2) In these Regulations, unless otherwise indicated—

(a) a reference to any enactment shall be construed as a reference to that enactment as amended by any other enactment,

(b) a reference to a section is to a section of the Act, and

(c) a reference to a Regulation or Schedule is to a Regulation of, or Schedule to, these Regulations.

Making Claims under Sections 6 and 7.

3. (1) An application under section 6 or 7 of the Act shall be made, in such manner as the Minister may from time to time determine, to a relevant officer or person appointed under section 5 who shall examine it and, as soon as may be, forward it to the Insolvency Payments Section of the Department.

(2) Where there is not for the time being in relation to such employer a relevant officer, an application may be sent to the Secretary General of the Department.

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 7th October, 2011.*

(3) Payments in respect of applications under section 6 and 7 shall be made to the relevant officer or person appointed under section 5 unless there are particular reasons which require that payment be made directly to the applicant.

(4) Where a payment has been made on foot of an application under section 6 or 7 to a relevant officer or person appointed under section 5, such relevant officer or person shall make the appropriate payment to the applicant and, as soon as may be, shall confirm the payment in writing to the Insolvency Payments Section of the Department.

Revocation.

4. The Protection of Employees (Employers' Insolvency) (Forms and Procedure) Regulations 2005 (S.I. No. 682 of 2005) are revoked.



GIVEN under my Official Seal,
30 September 2011.

JOAN BURTON,
Minister for Social Protection.

EXPLANATORY NOTE

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

The purpose of these Regulations is to prescribe the procedures for making claims under Section 6 and Section 7 of the Protection of Employees (Employers' Insolvency) Act 1984. The Regulations also revoke Protection of Employees (Employers' Insolvency) (Forms and Procedure) Regulations 2005 (S.I. No. 682 of 2005).

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