L.N. 139 of 2026

EMPLOYMENT AND INDUSTRIAL RELATIONS ACT (CAP. 452)

Hire of Cars or Private Buses (Conditions of Work) Regulation Order, 2026

IN EXERCISE of the powers conferred by article 4(1) of the Employment and Industrial Relations Act, the Minister responsible for employment and industrial relations has made the following regulations:-

Citation, commencement and application.

1. (1) The title of this order is Hire of Cars or Private Buses (Conditions of Work) Regulation Order, 2026.

(2) This order shall come into force within two (2) months from its date of publication in the Gazette.

Applicability.

(3) The provisions stipulated in the Schedule shall apply to all employees in any undertaking or part of an undertaking, the activities of which consist wholly or mainly in the hiring of cars or private buses or in driving instruction:

Provided that mechanics and petrol station attendants shall be excluded from the provisions of this order:

Provided further that in the event that there is a collective agreement applicable to the class of employees covered by this order, the more favorable conditions in such agreement or in this order shall prevail.

Interpretation.

2. In this order, unless the context otherwise requires:-

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"Act" means the Employment and Industrial Relations Act;

"collective agreement" shall have the same meaning as assigned to it in the Act;

"customary holidays" means the days, other than Sundays, declared to be public holidays by, or under the National Holidays and other Public Holidays Act;

"day" means a period of twenty-four (24) consecutive hours commencing from midnight of one day to midnight of the following day;

"double time" means the actual time rate applicable to the employee;

"hours of work" shall have the same meaning as assigned to it in the Act;

"normal time" means one time the actual time rate applicable to the employee;

"part-time employee" shall have the same meaning as assigned to it in the Act;

"period of employment" shall have the same meaning as assigned to it in the Act;

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"rest period" shall have the same meaning as assigned to it in the Organisation of Working Time Regulations;"

time-and-a-half" means one-and-a-half the actual time rate applicable to the employee;

"wages" means remuneration or earnings, payable by an employer to an employee and includes any bonus payable under article 23 of the Act, other than any bonus or allowance related to performance or production;

"week" means a calendar working week from Monday to Friday;

"whole-time employee" shall have the same meaning as assigned to it in the Act.

Hours of work.

3. (1) No person shall cause or permit any person employed by him or subject to this order to drive any car hire or private hire bus:

(a) for any continuous period exceeding four (4) hours;

(b) for periods, none of which exceeds four (4) hours, amounting in the aggregate to more than twelve (12) hours in any period of twenty-four (24) hours commencing at midnight; or

(c) unless the driver has had at least nine (9) hours rest in any period of twenty-four (24) hours calculated from the commencement of any period of driving, of which at least six (6) hours shall be consecutive.

(2) The maximum weekly hours of work shall be:

(a) forty-two (42) in the case of clerks or receptionists;

(b) forty-six (46) in the case of drivers, conductors or attendants, and other employees;

(c) sixty (60) in the case of watchpersons.

(3) The daily hours of work of the categories of employees in sub-paragraph (2) shall be as follows, respectively:

(a) minimum four (4) hours, maximum eight (8) hours;

(b) minimum five (5) hours, maximum ten (10) hours;

(c) twelve (12) hours.

4. The minimum weekly wage payable to whole-time employees shall be as follows: Minimum wages of whole-time employees.

(a) clerk and receptionist..... €240.91;

(b) drivers..... €263.86;

(c) conductors and attendants, and other employees (other than watchpersons)..... €263.86

(d) watchpersons:

(i) those whose duties are mainly performed indoors..... €344.16;

(ii) those whose duties are mainly performed outdoors..... €346.49.

5. (1) When the employee is required to wear a uniform in the performance of the employee's duties, such uniform shall be provided by the employer free of charge. Uniform allowance.

(2) Personal protective equipment according to the Minimum Requirements for the use of Personal Protective Equipment at Work Regulations shall also be provided by the employer free of charge. S.L. 424.21.

6. Save as provided for in sub-paragraph (1) of paragraph 3, all whole-time employees, other than watchpersons, shall be entitled for intervals for meals and rest of not less, in the aggregate, than one (1) hour every day: Minimum daily rest.

Provided that:

(a) subject to paragraph (b) of this proviso, the interval or intervals shall be allowed after the first (1) hour or before the last hour of the period of employment; and

(b) where the last half-hour of the period of employment is allowed as a half-hour of rest, the employee shall be entitled to leave the place of work as soon as that half-hour commences.

Minimum weekly rest. S.L. 452.87.

7. All employees shall be entitled to a rest period according to the Organisation of Working Time Regulations.

Minimum overtime rates.

8. Whole-time employees shall be entitled to the payment of overtime as follows:

(a) for all time worked in excess of the daily hours in any one (1) day, other than on the day of rest or on customary holidays..... time-and-a half;

(b) for all time worked on the day of rest or on customary holidays..... double time.

Vacation leave. S.L. 452.87.

9. The employee shall be entitled to annual leave according to the Organisation of Working Time Regulations.

Sick leave.

10. (1) A whole-time employee shall in every calendar year be entitled to the equivalent in hours of twelve (12) days sick leave on full pay, less an amount equal to the sum established for sickness benefit entitlement at the rate determined in accordance with the Social Security Act, and part-time employees shall have a *pro rata* entitlement to sick leave in hours on full pay, less an amount equal to the sum established for sickness benefit entitlement at the rate determined in accordance with the Social Security Act, which amount hall also be calculated on a *pro rata* basis:

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Provided that:

(a) the first three (3) days of any claim for sick leave shall be paid in full by the employer;

(b) a medical certificate covering the period of absence is produced to the employer on the day of return to work or, if such period of absence exceeds seven (7) days, within seven (7) days from the commencement of such absence due to sick leave;

(c) employees receiving a social security pension in respect of retirement or widowhood in terms of the Social Security Act shall, for the purpose of calculating the sick leave payment due, be deemed to have received an amount equal to the

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sum established for sickness benefit entitlement at the rate determined in accordance with the Social Security Act.

(2) Sick leave entitlements shall apply from the first day of employment:

Provided that the said entitlement shall be calculated *pro rata* in accordance with the date of employment in the relative calendar.

(3) The employer may require a medical certificate by a physician to certify that the employee was unfit for work during the period of absence due to sick leave.

(4) The sick leave entitlement shall be calculated on the basis provided for annual leave as specified in regulation 8(1) of the Organisation of Working Time Regulations. S.L. 452.87.

11. An employee shall be entitled to the payment of the actual remuneration applicable to him for all time during which he is present on the premises of his employer or in any other place in connection with his employment unless he is present thereon in any of the following circumstances: Waiting time.

(a) without the employer's express or implied consent;

(b) for some purpose unrelated to his work, other than that of waiting for work to be assigned to him;

(c) solely due to the fact that he is resident thereon;

(d) during recognised breaks for meals and rest, and he is not waiting for any work to be assigned to him.

12. Employees shall be entitled to the national holidays and to all public holidays with full pay, to all forms of leave according to the Minimum Special Leave Entitlement Regulations and all other forms of leave that may, from time to time, be stipulated in the National Standard Orders or any regulations made in accordance with the Act. Other forms of leave. S.L. 452.101.

13. The Hire of Cars or Private Buses Wages Council Order and the Hire of Cars or Private Buses Wages Council Wage Regulation Order are hereby repealed without prejudice to anything done or omitted to be done thereunder. Repeal and saving. S.L. 452.26. S.L. 452.57.

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