



STATUTORY INSTRUMENTS.

S.I. No. 155 of 2014

SOCIAL WELFARE (CONSOLIDATED CLAIMS, PAYMENTS AND
CONTROL) (AMENDMENT) (NO. 1) (ASSESSMENT OF MEANS)
REGULATIONS 2014

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SOCIAL WELFARE (CONSOLIDATED CLAIMS, PAYMENTS AND CONTROL) (AMENDMENT) (NO. 1) (ASSESSMENT OF MEANS) REGULATIONS 2014

I, JOAN BURTON, Minister for Social Protection, in exercise of the powers conferred on me by section 3 of the Social Welfare Consolidation Act 2005 (No. 26 of 2005), by section 4 (amended by section 96 of the Ministers and Secretaries (Amendment) Act 2011 (No. 10 of 2011)) of the Social Welfare Consolidation Act 2005, and by sections 2(2)(c), 232 and 297 of, and Reference 19 in Table 2 to Schedule 3 to, the Social Welfare Consolidation Act 2005, with the consent of the Minister for Public Expenditure and Reform, hereby make the following Regulations:

Citation and construction.

1. (1) These Regulations may be cited as the Social Welfare (Consolidated Claims, Payments and Control) (Amendment) (No. 1) (Assessment of Means) Regulations 2014.

(2) These Regulations and the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 to 2013 shall be construed together as one and may be cited together as the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 to 2014.

Calculation of means.

2. The Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 (S.I. No. 142 of 2007) are amended—

(a) in article 8, by substituting the following sub-article for sub-article (3):

“(3) In calculating or estimating the weekly income under sub-article (1), the following items shall be disregarded—

(a) any sums received from compensation awarded—

(i) by the Hepatitis C and HIV Compensation Tribunal,

(ii) by a court of competent jurisdiction to compensate certain persons who have contracted Hepatitis C or Human Immunodeficiency Virus within the State from the use of Human Immunoglobulin Anti-D, whole blood or other blood products,

(iii) by the Residential Institutions Redress Board,

(iv) in relation to disability caused by Thalidomide, or

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 1st April, 2014.

(v) under the provisions of the Health (Repayment Scheme) Act 2006 to a relevant person within the meaning of that Act,

(b) any payment or payments made directly or indirectly by or on behalf of the Minister for Justice, Equality and Defence to a relevant individual, within the meaning of section 205A of the Taxes Consolidation Act 1997, which has or have been determined in accordance with the Magdalen Commission Report dated May 2013 on the establishment of an *ex gratia* scheme and related matters for the benefit of those women who were admitted to and worked in the Magdalen Laundries,

or

(c) any payment made by the Residential Institutions Statutory Fund Board.”,

(b) by substituting the following article for article 155:

“Disregard of certain income.

155. The income prescribed for the purposes of Reference 19 in Table 2 to Schedule 3 to the Principal Act shall be—

(a) all income derived from compensation awarded—

(i) by the Hepatitis C and HIV Compensation Tribunal,

(ii) by a court of competent jurisdiction to compensate certain persons who have contracted Hepatitis C or Human Immunodeficiency Virus within the State from the use of Human Immunoglobulin Anti-D, whole blood or other blood products,

(iii) by the Residential Institutions Redress Board,

(iv) in relation to disability caused by Thalidomide, or

(v) under the provisions of the Health (Repayment Scheme) Act 2006 to a relevant person within the meaning of that Act,

(b) any payment or payments made directly or indirectly by or on behalf of the Minister for Justice, Equality and Defence to a relevant individual, within the meaning of section 205A of the Taxes Consolidation Act 1997, which has or have been determined in accordance with the Magdalen Commission Report dated May 2013 on the establishment of an *ex gratia* scheme and related matters for the benefit of those

women who were admitted to and worked in the Magdalen Laundries,

or

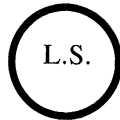
(c) any payment made by the Residential Institutions Statutory Fund Board.”,

and

(c) in article 174, by inserting the following paragraph after paragraph (f):

“(ff) any payment or payments made directly or indirectly by or on behalf of the Minister for Justice, Equality and Defence to a relevant individual, within the meaning of section 205A of the Taxes Consolidation Act 1997, which has or have been determined in accordance with the Magdalen Commission Report dated May 2013 on the establishment of an *ex gratia* scheme and related matters for the benefit of those women who were admitted to and worked in the Magdalen Laundries.”.

The Minister for Public Expenditure and Reform consents to the foregoing Regulations.



GIVEN under my Official Seal,
26 March 2014.

BRENDAN HOWLIN,
Minister for Public Expenditure and Reform.



GIVEN under my Official Seal,
26 March 2014.

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.)

These Regulations provide that any sums received by way of—

- payments which have been determined in accordance with the Magdalen Commission Report for the benefit of women who were admitted to and worked in the Magdalen Laundries, and
- payments awarded by the Residential Institutions Statutory Fund Board,

will be disregarded in the assessment of means for the purposes of weekly social assistance payments, increases for qualified adults and Family Income Supplement.

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.

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