



STATUTORY INSTRUMENTS.

**S.I. No. 157 of 2014**



SOCIAL WELFARE (RENT ALLOWANCE) (AMENDMENT) (NO. 1)  
(ASSESSMENT OF MEANS) REGULATIONS 2014

SOCIAL WELFARE (RENT ALLOWANCE) (AMENDMENT) (NO. 1)  
(ASSESSMENT OF MEANS) REGULATIONS 2014

I, JOAN BURTON, Minister for Social Protection, in exercise of the powers conferred on me by sections 23 (adapted by the Finance (Transfer of Departmental Administration and Ministerial Functions) Order 2011 (S.I. No. 418 of 2011)) and 28 (inserted by section 20 of the Housing (Miscellaneous Provisions) Act 2002 (No. 9 of 2002) and adapted by the Finance (Transfer of Departmental Administration and Ministerial Functions) Order 2011) of the Housing (Private Rented Dwellings) Act 1982 (No. 6 of 1982), with the consent of the Minister for Public Expenditure and Reform, and by section 4 (adapted by sections 23 and 28 of the Housing (Private Rented Dwellings) Act 1982) of the Social Welfare Consolidation Act 2005 (No. 26 of 2005), hereby make the following Regulations:

*Citation and Construction.*

1. (1) These Regulations may be cited as the Social Welfare (Rent Allowance) (Amendment) (No. 1) (Assessment of Means) Regulations 2014.

(2) These Regulations and the Social Welfare (Rent Allowance) Regulations 1998 to 2012 shall be construed together as one and may be cited together as the Social Welfare (Rent Allowance) Regulations 1998 to 2014.

*Calculation of means.*

2. Article 8 (amended by article 4 of the Social Welfare (Rent Allowance) (Amendment) (Miscellaneous Amendments) Regulations 2012 (S.I. No. 448 of 2012)) of the Social Welfare (Rent Allowance) Regulations 1998 (S.I. No. 188 of 1998) is amended—

(a) in sub-article (1)(a), by inserting the following subparagraphs after subparagraph (vi):

“(viA) 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,

(viB) 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,

(viC) any payment made by the Residential Institutions Statutory Fund Board, and”,

and

(b) in sub-article (5), by substituting “€29.80” for “€16.80”.

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.)*

In line with the means disregards that apply to social assistance payments in general, these Regulations provide for the disregard of the following sums for the purposes of the means test applying to the Rent Allowance Scheme for tenants of formerly controlled rented dwellings—

- compensation awarded by certain Tribunals and Redress Boards, e.g. payments awarded by the Hepatitis C and HIV Compensation Tribunal, the Residential Institutions Redress Board or under the provisions of the Health (Repayment Scheme) Act 2006,
- 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.

These Regulations also provide for an increase in the amount of weekly means to be disregarded in respect of a qualified child who resides with a recipient of such a Rent Allowance, from €16.80 to €29.80, to bring this disregard into line with the current rate of the weekly social welfare increase that is payable in respect of a qualified child.

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.

---

€2.54



Wt. (B30504). 285. 3/14. Clondalkin. Gr 30-15.