



STATUTORY INSTRUMENTS.

S.I. No. 401 of 2022



SOCIAL WELFARE (CONSOLIDATED SUPPLEMENTARY WELFARE
ALLOWANCE) (AMENDMENT) (NO. 1) (EARNINGS DISREGARD)
REGULATIONS 2022

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SOCIAL WELFARE (CONSOLIDATED SUPPLEMENTARY WELFARE ALLOWANCE) (AMENDMENT) (NO. 1) (EARNINGS DISREGARD) REGULATIONS 2022

I, HEATHER HUMPHREYS, Minister for Social Protection, in exercise of the powers conferred on me by sections 4 (as adapted by the Employment Affairs and Social Protection (Alteration of Name of Department and Title of Minister) Order 2020 (S.I. No. 447 of 2020)) and Rule 1(2)(b)(iv) of Part 4 of Schedule 3 to 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 (Consolidated Supplementary Welfare Allowance) (Amendment) (No.1) (Earnings Disregard) Regulations 2022.

(2) These Regulations and the Social Welfare (Consolidated Supplementary Welfare Allowance) Regulations 2007 to 2021 shall be construed together as one and may be cited together as the Social Welfare (Consolidated Supplementary Welfare Allowance) Regulations 2007 to 2022.

Commencement

2. These Regulations come into operation—

(a) in so far as they relate to disability allowance, on 2 June 2021, and

(b) in so far as they relate to blind pension, on 4 June 2021.

Earnings disregard — supplementary welfare allowance

3. Article 33 (amended by article 3 of the Social Welfare (Consolidated Supplementary Welfare Allowance (amendment) (No. 1) (S.I. No. 41 of 2019)) of the Social Welfare (Consolidated Supplementary Welfare Allowance) Regulations 2007 (S.I. No. 412 of 2007) are amended by the substitution of “€140” for “€120”.



GIVEN under my Official Seal,
24 May, 2022.

HEATHER HUMPHREYS,
Minister for Social Protection.

EXPLANATORY NOTE

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

Following from Budget 2021, the Social Welfare (Consolidated Claims, Payments and Control) (Amendment) (No. 8) (Earnings Disregard) (S.I. No. 78 of 2021) provided for an increase of €20, from €120 to €140, in the weekly earnings disregard in the case of recipients of Disability Allowance and Blind Pension. The weekly earnings disregard came into effect from 2 June 2021 in the case of Disability Allowance and from 4 June 2021 in the case of Blind Pension.

Rule 1(2)(b)(iv) of Part 4 of Schedule 3 of the Social Welfare Consolidation Act of 2005 provides that where an earnings disregard is availed of by a claimant of Disability Allowance or Blind Pension, the disregard will also be taken into account in determining their entitlement to supplements, such as Rent Supplement, under the Supplementary Welfare Allowance (SWA) Scheme.

These Regulations amend article 33 of the Social Welfare (Consolidated Supplementary Welfare Allowance) Regulations 2007, to reflect the earlier increase provided for in the Social Welfare (Consolidated Claims, Payments and Control) (Amendment) (No. 8) (Earnings Disregard) (S.I. No. 78 of 2021), to increase by €20 (from €120 to €140), the weekly earnings disregard for the purposes of Rule 1(2)(b)(iv) of Part 4 of Schedule 3 of the Act. As with the earlier Regulations, the increase in the weekly earnings disregard apply from 2 June 2021 in the case of Disability Allowance and from 4 June 2021 in the case of Blind Pension.

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