



STATUTORY INSTRUMENTS.

S.I. No. 633 of 2023



SOCIAL WELFARE (TEMPORARY PROVISIONS – INCREASE FOR
QUALIFIED CHILD) REGULATIONS 2023

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I, HEATHER HUMPHREYS, Minister for Social Protection, in exercise of the powers conferred on me by section 4 (amended by section 10 of the Social Welfare Act 2020 (No. 30 of 2020)) and section 292 (amended by section 8(1) of, and Schedule 1 to, the Social Welfare Act 2017 (No. 38 of 2017)) of the Social Welfare Consolidation Act 2005 (No. 26 of 2005), with the consent of the Minister for Public Expenditure, National Development Plan Delivery and Reform, hereby make the following Regulations:

Citation

1. These Regulations may be cited as the Social Welfare (Temporary Provisions – Increase for Qualified Child) Regulations 2023.

Definitions

2. In these Regulations—

“the Act” means the Social Welfare Consolidation Act 2005;

“Principal Regulations” means the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 (S.I. No. 142 of 2007);

“qualified child increase” means, for the purposes of these Regulations—

(1) the increase payable to a claimant or beneficiary in respect of a qualified child or children, payable in accordance with—

- (a) section 43(2) of the Act, in respect of illness benefit, [but only] in the case of a person whose aggregate period on this payment, including periods in receipt of partial capacity benefit, is not less than 312 days;
- (b) section 56(2) of the Act, in the case of health and safety benefit;
- (c) section 66(2) of the Act, in the case of jobseeker’s benefit;
- (d) section 68G(3) of the Act, in the case of jobseeker’s benefit (self-employed);
- (e) section 77A(1) of the Act, in the case of disablement pension;
- (f) section 81(5) of the Act, in the case of death benefit payable as a pension to the widow or widower of an insured person;
- (g) section 102(1) of the Act, in the case of carer’s benefit;
- (h) section 112(2) and 113A(5)(b) of the Act, in the case of State pension (contributory);
- (i) section 122(2) of the Act, in the case of invalidity pension;

- (j) section 127(1) of the Act, in the case of widow’s (contributory) pension, widower’s (contributory) pension, or surviving civil partner’s (contributory) pension;
 - (k) subsections (1) and (1A) of section 142 of the Act, in the case of jobseeker’s allowance;
 - (l) section 156(1) of the Act, in the case State pension (non-contributory);
 - (m) section 161B(1) of the Act, in the case of blind pension;
 - (n) section 174(1) of the Act, in the case of one-parent family payment;
 - (o) section 178A(3) of the Act, in the case of deserted wife’s benefit;
 - (p) section 181(1) of the Act, in the case of carer’s allowance;
 - (q) section 197(1) of the Act, in the case of supplementary welfare allowance;
 - (r) section 211(1) of the Act, in the case of disability allowance;
 - (s) section 215(1) of the Act, in the case of farm assist;
 - (t) sub-article (c) of article 52HA of the Principal Regulations, in the case of jobseeker’s benefit or jobseeker’s benefit (self-employed) payable in accordance with that article, and
- (2) the dividend payable payable in accordance with subparagraphs (a) and (b) of section 238D(1) of the Act, in respect of back to work family dividend.

“relevant week” means—

- (a) in relation to a qualified child increase payable with illness benefit in the case of a person whose aggregate period on this payment, including periods in receipt of partial capacity benefit, is not less than 312 days, the period commencing on 27 November 2023 and expiring on 3 December 2023,
- (b) in relation to a qualified child increase payable with jobseeker’s allowance, (other than jobseeker’s allowance payable in accordance with section 148A of the Act), or farm assist, the period commencing on 22 November 2023 and expiring on 28 November 2023,
- (c) in relation to a qualified child increase payable with jobseeker’s benefit, jobseeker’s benefit (self-employed), jobseeker’s benefit and jobseeker’s benefit (self-employed) payable in accordance with article 52HA of the Principal Regulation, the period commencing on 23 November 2023 and expiring on 29 November 2023,
- (d) in relation to a qualified child increase payable with disability allowance, the period commencing on 29 November 2023 and expiring on 5 December 2023,

- (e) in relation to a qualified child increase payable with carer's benefit, invalidity pension, one-parent family payment (other than one-parent family payment payable in respect of a widow, a widower or a surviving civil partner), jobseeker's allowance payable in accordance with section 148A of the Principal Act, a relevant payment under section 178(1) of the Principal Act or carer's allowance, the period commencing on 30 November 2023 and expiring on 6 December 2023,
- (f) in relation to a qualified child increase payable with disablement pension, death benefit payable in accordance with section Chapter 13 (other than section 84) of the Act, State pension (contributory), widow's (contributory) pension, widower's (contributory) pension, surviving civil partner's (contributory) pension, State pension (non-contributory), blind pension, or one-parent family payment in respect of a widow, a widower or a surviving civil partner, the period commencing on 1 December 2023 and expiring on 7 December 2023,
and
- (g) in relation to a qualified child increase arising by virtue of paragraph (2) of the definition of qualified child increase, the period commencing on 20 November 2023 and expiring on 25 November 2023.

Temporary variation of rate of increase for a qualified child

- 3. (1) This article applies to a person who is, or becomes, entitled to receive a qualified child increase in respect of the relevant week.
- (2) (a) Subject to paragraph (b), in the case of a person to whom sub-article (1) applies, the amount payable to that person shall, in respect of the relevant week, be increased by €100.00 in respect of each qualified child.
- (b) In the case of a recipient of back to work family dividend, the amount payable to that person shall, in respect of the relevant week be increased by €100.00 in respect of each child, to a maximum of 4 such children associated with that person's back to work family dividend claim.

The Minister for Public Expenditure, National Development Plan Delivery and Reform, consents to the making of the foregoing Regulations.



GIVEN under my Official Seal,
16 November, 2023.

PASCHAL DONOHOE,
Minister for Public Expenditure, National Development
Plan Delivery and Reform.



GIVEN under my Official Seal,
16 November, 2023.

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.)

These Regulations provide for a once-off bonus payment of €100.00 to the weekly increase payable in respect of a qualified child or children to recipients of the social welfare payments listed. The bonus is payable during the week commencing 27 November 2023.

A recipient of the following social welfare payments, who has a qualified child or children, is entitled to an increase in respect of each qualified child —

- (a) illness benefit, in the case of a person whose aggregate period on this payment, including periods in receipt of partial capacity benefit, is not less than 312 days,
- (b) health and safety benefit,
- (c) jobseeker's benefit,
- (d) jobseeker's benefit (self-employed),
- (e) disablement pension,
- (f) death benefit payable as a pension to the widow or widower of an insured person,
- (g) carer's benefit,
- (h) State pension (contributory),
- (i) invalidity pension,
- (j) widow's (contributory) pension,
- (k) widower's (contributory) pension,
- (l) surviving civil partner's (contributory) pension,
- (m) jobseeker's allowance,
- (n) State pension (non-contributory),
- (o) blind pension,
- (p) one-parent family payment,
- (q) deserted wife's benefit,
- (r) carer's allowance,
- (s) supplementary welfare allowance payable in accordance with section 197(1) of the Act,
- (t) disability allowance,
- (u) farm assist,

- (v) jobseeker's benefit or jobseeker's benefit (self-employed) payable in accordance with sub-article (c) of article 52HA of the Social Welfare Consolidated (Claims Payments and Control) Regulations 2007.

Recipients of back to work family dividend will also receive the increase for each child, to a maximum of 4 such children, associated with their back to work family dividend claim.

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