



STATUTORY INSTRUMENTS.

S.I. No. 634 of 2023



SOCIAL WELFARE (TEMPORARY PROVISIONS) (NO. 3)
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 1 of the Social Welfare (Child Benefit) Act 2023 (No. 13 of 2023)) 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) (No. 3) Regulations 2023.

Definitions

2. In these Regulations—

“Principal 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);

“relevant weeks” means—

- (a) in relation to partial capacity benefit or back to work family dividend, the period commencing on 27 November 2023 and expiring on 2 December 2023 and the period commencing on 22 January 2024 and expiring on 27 January 2024,
- (b) in relation to jobseeker’s allowance, or farm assist, the period commencing on 29 November 2023 and expiring on 5 December 2023 and the period commencing on 24 January 2024 and expiring on 30 January 2024,
- (c) in relation to jobseeker’s benefit, jobseeker’s benefit (self-employed), or jobseeker’s benefit or jobseeker’s benefit (self-employed) payable in accordance with article 52HA of the Principal Regulations, the period commencing on 30 November 2023 and expiring on 6 December 2023 and the period commencing on 25 January 2024 and expiring on 31 January 2024,
- (d) in relation to illness benefit, the period commencing on 4 December 2023 and expiring on 10 December 2023 and the period commencing on 29 January 2024 and expiring on 4 February 2024,
- (e) in relation to disability allowance, the period commencing on 6 December 2023 and expiring on 12 December 2023 and the

*Notice of the making of this Statutory Instrument was published in
"Iris Oifigiúil" of 15th December, 2023.*

period commencing on 31 January 2024 and expiring on 6 February 2024,

- (f) in relation to 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 7 December 2023 and expiring on 13 December 2023 and the period commencing on 1 February 2024 and expiring on 7 February 2024, and
- (g) in relation to disablement pension, death benefit payable in accordance with Chapter 13 (other than section 84) of the Principal Act, State pension (contributory), widow's (contributory) pension, widower's (contributory) pension, surviving civil partner's (contributory) pension, guardian's payment (contributory), State pension (non-contributory), blind pension, widow's (non-contributory) pension, widower's (non-contributory) pension, surviving civil partner's (non-contributory) pension, guardian's payment (non-contributory) or one-parent family payment in respect of a widow, a widower or a surviving civil partner, the period commencing on 8 December 2023 and expiring on 14 December 2023 and the period commencing on 2 February 2024 and expiring on 8 February 2024.

Temporary variation of rates of certain social welfare payments

3. (1) This article applies to a person who is, or becomes, entitled to—

- (a) a payment specified in article 4 of these Regulations in respect of the relevant weeks,

or

- (b) domiciliary care allowance in respect of the period commencing on 1 December 2023 and expiring on 31 December 2023 and the period commencing on 1 January 2024 and expiring on 31 January 2024.

(2) In the case of a person to whom sub-article (1)(a) of this article applies, the amount of any such payment specified in article 4 of these Regulations (including any increase in that payment) payable to that person in respect of the relevant weeks shall be increased by 100 per cent.

(3) In the case of a person to whom sub-article (1)(b) of this article applies, the amount of any domiciliary care allowance payable to that person in respect of the period commencing on 1 December 2023 and expiring on 31 December 2023 and the period commencing on 1 January 2024 and expiring on 31 January 2024 shall be increased in accordance with the following formula—

$$[(A \times 12) \div 52.18] \times 100\%$$

where A is the amount of any domiciliary care allowance payable to that person in respect of the period commencing on 1 December 2023 and expiring on 31 December 2023 and the period commencing on 1 January 2024 and expiring on 31 January 2024.

(4) Subject to sub-article (5) of this article, a person shall not be entitled to an increase in accordance with sub-article (2) of this article in respect of more than one of the payments specified in article 4 of these Regulations.

(5) An increase in accordance with sub-article (2) of this article in respect of more than one of the payments specified in article 4 of these Regulations may be payable where that person is entitled to be paid more than one of the said specified payments in respect of the same periods by virtue of—

- (a) section 186A of the Principal Act,
- (b) section 247(3A) of the Principal Act, or
- (c) regulations made under section 247(4) of the Principal Act.

Specified payments

4. The following payments are specified for the purposes of article 3(1)(a) of these Regulations—

- (a) a relevant payment within the meaning of section 178 of the Principal Act;
- (b) back to work family dividend;
- (c) blind pension;
- (d) carer's allowance;
- (e) carer's benefit;
- (f) death benefit payable in accordance with Chapter 13 (other than section 84) of the Principal Act;
- (g) disability allowance;
- (h) disablement pension;
- (i) farm assist;
- (j) guardian's (contributory) payment;
- (k) guardian's payment (non-contributory);
- (l) illness benefit in the case of a person whose aggregate period on this payment, is not less than 312 days;
- (m) invalidity pension;
- (n) jobseeker's allowance in the case of a person whose aggregate period of unemployment, including periods in receipt of Covid-19 pandemic unemployment payment, provided such periods are not separated by a period of more than 52 weeks from the aggregate period of unemployment, and any continuous period in receipt of jobseeker's benefit, or jobseeker's allowance, is not less than 12 months of unemployment;

- (o) jobseeker's benefit or jobseeker's benefit (self-employed) in the case of a person whose aggregate period of unemployment, including periods in receipt of Covid-19 pandemic unemployment payment, provided such periods are not separated by a period of more than 26 weeks from the aggregate period of unemployment, and any continuous period in receipt of jobseeker's benefit, jobseeker's benefit (self-employed), or jobseeker's allowance, is not less than 12 months of unemployment;
- (p) jobseeker's benefit or jobseeker's benefit (self-employed) payable in accordance with article 52HA of the Principal Regulations;
- (q) one-parent family payment;
- (r) partial capacity benefit;
- (s) State pension (contributory);
- (t) State pension (non-contributory);
- (u) surviving civil partner's (contributory) pension;
- (v) surviving civil partner's (non-contributory) pension;
- (w) widow's (contributory) pension;
- (x) widow's (non-contributory) pension;
- (y) widower's (contributory) pension;
- (z) widower's (non-contributory) pension.

Minimum payment and rounding

5. (1) Where domiciliary care allowance or a payment specified in article 4 of these Regulations is increased in accordance with article 3 and the amount of such increase is less than €20, the said increase shall be payable at the amount of €20.

(2) Where domiciliary care allowance or a payment specified in article 4 of these Regulations is increased in accordance with article 3 and the amount of such increase is greater than €20 but is not a multiple of 10 cent, the amount of the said increase shall be rounded up to the nearest 10 cent where it is a multiple of 5 cent but not also a multiple of 10 cent and shall be rounded to the nearest 10 cent where it is not a multiple of 5 cent or 10 cent.

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



GIVEN under my Official Seal,
22 November, 2023.

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



GIVEN under my Official Seal,
22 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 the payment of a bonus to recipients of social welfare payments and to recipients of domiciliary care allowance during the months of December 2023 and January 2024.

The amount of the bonus in the case of recipients of long-term social welfare payments is 100% of the normal weekly payment payable during the first week in December and the last week of January, subject to a minimum payment of €20. In the case of domiciliary care allowance, the amount of the bonus is 100% of the weekly equivalent of the amount of domiciliary care allowance payable, subject to a minimum payment of €20.

The bonus payment applies to recipients of the following social welfare payments—

- (a) back to work family dividend;
- (b) blind pension;
- (c) carer's allowance;
- (d) carer's benefit;
- (e) death benefit under the Occupational Injury Benefit scheme payable to widows, widowers, surviving civil partners, orphans and dependant parents;
- (f) deserted wife's benefit, and deserted wife's allowance;
- (g) disability allowance;
- (h) disablement pension;
- (i) farm assist;
- (j) guardian's (contributory) payment;
- (k) guardian's payment (non-contributory);
- (l) illness benefit in respect of an aggregate period of not less than 312 days
- (m) invalidity pension;
- (n) jobseeker's allowance in respect of a period of unemployment of at least 12 months;
- (o) jobseeker's benefit in respect of a period of unemployment of at least 12 months;
- (p) jobseeker's benefit (self-employed) in respect of a period of unemployment of at least 12 months;
- (q) jobseeker's benefit for claimants over 65 years of age;
- (r) jobseeker's transitional payment;
- (s) one-parent family payment;

- (t) partial capacity benefit;
- (u) State pension (contributory);
- (v) State pension (non-contributory);
- (w) widow's, widower's and surviving civil partner's (contributory) pension;
- (x) widow's, widower's and surviving civil partner's (non-contributory) pension.

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