



STATUTORY INSTRUMENTS.

S.I. No. 635 of 2024



SOCIAL WELFARE (CONSOLIDATED CLAIMS, PAYMENTS AND
CONTROL) (AMENDMENT) (NO. 15) (JOBSEEKER'S PAY-RELATED
BENEFIT) REGULATIONS 2024

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SOCIAL WELFARE (CONSOLIDATED CLAIMS, PAYMENTS AND CONTROL) (AMENDMENT) (NO. 15) (JOBSEEKER'S PAY-RELATED BENEFIT) REGULATIONS 2024

I, HEATHER HUMPHREYS, Minister for Social Protection, in exercise of the powers conferred on me by sections 4 (amended by reference 1 of the Schedule to the Social Welfare (Miscellaneous Provisions) Act 2024 (No. 24 of 2024)), 64, 68KB, 68KF, 68KH and 68KJ (inserted by section 13 of the Social Welfare (Miscellaneous Provisions) Act 2024 (No. 24 of 2024)) 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 (Consolidated Claims, Payments and Control) (Amendment) (No. 15) (Jobseeker's Pay-Related Benefit) Regulations 2024.

(2) These Regulations and the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 to 2024 shall be construed together as one and may be cited together as the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 to 2024.

Commencement

2. These Regulations come into operation on 31 March 2025.

3. In these Regulations "the Principal Regulations" means the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 (S.I. No. 142 of 2007).

Jobseeker's Benefit

4. The Principal Regulations are amended in Part 2—

(a) in article 47 by the insertion of the following sub-article after sub-article (3) —

“(4) In the case of a claimant who, immediately before claiming jobseeker's benefit, was in receipt of jobseeker's pay-related benefit, reckonable weekly earnings means the reckonable weekly earnings that were used to calculate the rate of jobseeker's pay-related benefit payable to that claimant.

(b) in article 48A by the insertion of the following subparagraph after paragraph (c)(ii) —

“(iii) jobseeker's pay-related benefit, or”.

Jobseeker's Pay-Related Benefit

5. The Principal Regulations are amended in Part 2—

(a) by the insertion of the following article before article 52HH—

“Prescribed manner for proving unemployment

52HG. (1) For the purposes of section 68KB(1)(c)(i) and section 68KB(3), a person shall prove unemployment by -

- (a) attending at an office of the Minister at such time as the Minister may direct for the purpose of making—
 - (i) a written declaration in such form as the Minister may determine, or
 - (ii) where the Minister considers it appropriate, a declaration by means of an electronic communication by way of the transmission of a signature in electronic form, or
 - (b) making a declaration in such other manner as the Minister may consider appropriate having regard to the circumstances, including by way of an electronic communication transmitted by means of the internet, that he or she has been continuously unemployed since the date of his or her claim for jobseeker's pay-related benefit.”.
- (b) in Part 2 by the insertion of the following articles after article 52HI-

“Duration

52HJ. (1) For the purposes of section 68KF(3) the following shall apply:

- (a) the number of weeks prescribed for the purposes of section 68KF(3) shall be 13, and this may include weeks where the person is in receipt of jobseeker's benefit, jobseeker's benefit (self-employed) or jobseeker's allowance.
- (b) in relation to a person entitled to payment of jobseeker's pay-related benefit, any 2 or more consecutive applicable weeks separated by such number of weeks that they are –
 - (i) in receipt of maternity benefit,
 - (ii) in receipt of paternity benefit,
 - (iii) in receipt of parent's benefit
 - (iv) in receipt of adoptive benefit,
 - (v) in receipt of health and safety benefit,
 - (vi) in receipt of carer's benefit,
 - (vii) in receipt of illness benefit
 - (viii) in receipt of injury benefit

- (ix) taking additional maternity leave in accordance with the Maternity Protection Act 2024,
- (x) taking such other statutory entitlement to leave or benefit as may be approved by or on behalf of the Minister from time to time,
- (xi) shall be treated as the same claim.

Exemption from disqualification for course of study

52HK. (1) A person shall not be disqualified for receiving jobseeker’s pay-related benefit—

- (a) in accordance with section 68KJ(2)(a) while participating in a course provided or approved by an education and training board specified in Schedule 2 to the Education and Training Boards Act 2013 (No. 11 of 2013) and known as Youthreach,
- (b) in accordance with section 68KJ(2)(c) while attending a course of study, where that person is a mature student, or
- (c) in accordance with section 68KJ, where that person is participating in an activity within the meaning of article 120 and article 120(4) applies to that person.

(2) In this article—

“approved course”, “approved higher education course” and “approved post-leaving certificate course” shall be construed in accordance with section 8 of the Student Support Act 2011 (No. 4 of 2011) and Regulation 4 of the Student Support Regulations 2015 (S.I. No. 154 of 2015);

“course of study” has the meaning given to it in section 148;

“mature student” means a student who on 1 January—

- (a) in the year of entry for the first time to an approved post leaving certificate course,
- (b) in the year of entry for the first time to an approved higher education course (other than a course known for the time being as a post-leaving certificate course), or
- (c) in the year of re-entry to an approved course,

is at least 23 years old.

Refusal to engage with activation measures – prescribed schemes, courses etc.

52HL. (1) The following schemes and programmes of employment and work experience are prescribed for the purposes of section 68KH–

- (a) the scheme provided by the Minister and known as Community Employment, and
- (b) such other scheme or programme of employment or work experience as may be approved by or on behalf of the Minister from time to time.

(2) The following courses of training and development are prescribed for the purposes of section 68KH -

- (a) a course of training or development provided by or on behalf of An tSeirbhís Oideachais Leanúnaigh agus Scileanna (SOLAS),
- (b) a course of training or development provided by or on behalf of an education and training board specified in Schedule 2 to the Education and Training Boards Act 2013, or
- (c) such other course of training or development as may be approved by or on behalf of the Minister from time to time.

(3) The following courses of education are prescribed for the purposes of section 68KH–

- (a) a course of education provided by or on behalf of an education and training board specified in Schedule 2 to the Education and Training Boards Act 2013, or
- (b) such other course of education as may be approved by or on behalf of the Minister from time to time.”.

Consequential amendments

6. The Principal Regulations are amended in the manner specified in the Schedule.

SCHEDULE**Amendments consequential on Jobseeker's Pay-Related Benefit**

| Item No. | Provision Amended | Extent of Amendment |
|----------|-------------------|---|
| 1 | Article 14 | Is amended in sub-article (1) by the substitution of "Chapters 12, 12A and 12AA" for "Chapters 12 and 12A". |
| 2 | Article 15 | Is amended in sub-article (1) by the substitution of "Chapters 12, 12A and 12AA" for "Chapters 12 and 12A". |
| 3 | Article 16 | Is amended by the insertion— (a) in sub-article (1) of “, 12AA” after “12A”, and (b) in sub-article (5) of “, 52HG” after “52G”. |
| 4 | Article 60K | Is amended by the insertion of the following paragraph after paragraph (b)- “(ba) jobseeker’s pay-related benefit;”. |
| 5 | Article 120 | Is amended in paragraph (d) of sub-article (2) by the substitution of “has been in receipt of jobseeker’s allowance, jobseeker’s benefit, jobseeker’s benefit (self-employed) or jobseeker’s pay-related benefit, or jobseeker’s allowance and either jobseeker’s benefit, jobseeker’s benefit (self-employed) or jobseeker’s pay-related benefit, for a period of not less than 156 days or 26 weeks.” for “has been in receipt of jobseeker’s allowance, jobseeker’s benefit, jobseeker’s benefit (self-employed), or jobseeker’s allowance and jobseeker’s benefit, or jobseeker’s allowance and jobseeker’s benefit (self-employed), for a period of not less than 156 days or 26 weeks.”. |
| 6 | Article 182 | Is amended in paragraph (b) by the insertion of “jobseeker’s pay-related benefit,” after “jobseeker’s benefit (self-employed),”. |
| 7 | Article 186 | Is amended in paragraph (a) of sub-article (8) by the substitution of “jobseeker’s benefit under Chapter 12 of Part 2, jobseeker’s benefit (self-employed) under Chapter 12A of Part 2, jobseeker’s pay-related benefit under Chapter 12AA of Part 2 or covid-19 pandemic unemployment payment under Chapter 12B of Part 2” for |

| | | |
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| | | “jobseeker’s benefit under Chapter 12 of Part 2 and jobseeker’s benefit (self-employed), covid-19 pandemic unemployment payment, under Chapter 12A of Part 2”. |
| 8 | Article 188A | Is amended in sub-article (2) by the insertion of the following paragraph after paragraph (ba): “(bb) jobseeker’s pay-related benefit,”. |
| 9 | Article 196 | Is amended in paragraph (a) of sub-article (1) by the insertion of “jobseeker’s pay-related benefit,” after “jobseeker’s benefit (self-employed),”. |
| 10 | Article 198A | Is amended by the insertion of “, 68KF(8)(b)” after “68H(7)(b)”. |
| 11 | Article 199 | Is amended in paragraph (a) of sub-article 3 by the substitution of “jobseeker’s benefit under Chapter 12 of Part 2, jobseeker’s benefit (self-employed) under Chapter 12A of Part 2 and jobseeker’s pay-related benefit under Chapter 12AA of Part 2” for “jobseeker’s benefit under Chapter 12 of Part 2 and jobseeker’s benefit (self-employed) under Chapter 12A of Part 2”. |
| 12 | Article 217 | Is amended by the substitution in paragraph (d) of “jobseeker’s benefit, jobseeker’s benefit (self-employed) or jobseeker’s pay-related benefit” for “jobseeker’s benefit or jobseeker’s benefit (self-employed)”. |
| 13 | Article 222 | Is amended by the insertion– (a) in sub-article (2) of “jobseeker’s pay-related benefit,” after “jobseeker’s benefit (self-employed),” and (b) in sub-article (3) of the following paragraph after paragraph (ea): “(eb) jobseeker’s pay-related benefit,”. |
| 14 | Article 223B | Is amended – (a) in paragraph (b) of sub-article (1) by the substitution of “jobseeker’s benefit, jobseeker’s benefit (self-employed) or jobseeker’s pay-related benefit,” for “jobseeker’s benefit or jobseeker’s benefit (self-employed),” (b) in sub-article (1), other than paragraph (b), by the substitution of “jobseeker’s benefit, jobseeker’s benefit (self-employed), jobseeker’s pay-related benefit,” for “jobseeker’s benefit, jobseeker’s benefit (self-employed),”. |

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| | | (c) in sub-article (2) by the insertion of “jobseeker’s pay-related benefit,” after “jobseeker’s benefit (self-employed),” in each place where it occurs, and (d) in sub-article (3) by the insertion of “jobseeker’s pay-related benefit,” after “jobseeker’s benefit (self-employed),”. |
| 15 | Article 232 | Is amended in the definition of “benefit” by the insertion of “jobseeker’s pay-related benefit under Chapter 12AA of Part 2,” after “Chapter 12A of Part 2,”. |



GIVEN under my Official Seal,
6 November, 2024.

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.)

The Social Welfare (Miscellaneous Provisions) Act 2024 amended the Social Welfare Consolidation Act 2005 to provide for a new social insurance scheme entitled Jobseeker's Pay-Related Benefit which provides that the amount of benefit a person may get when they become unemployed will be directly linked to their previous earnings. The scheme will commence from 31st March 2025.

The Social Welfare (Consolidated Claims, Payments and Control) Regulations (Amendment) (No. 14) (Jobseeker's Pay-Related Benefit) Regulations 2024 inserted a new Chapter 5AA into Part 2 of the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 (S.I. No. 142 of 2007) containing a number of provisions required for the new Jobseeker's Pay-Related Benefit.

These Regulations come into operation on 31st March 2025 and insert additional provisions required for the new scheme into the new Chapter 5AA.

Key features of the new Jobseeker's Pay-Related Benefit scheme include:

The weekly rate of payment for people who have at least 5 years paid PRSI contributions will be set at 60% of previous earnings, subject to a maximum of €450 for the first 3 months.

After that, the rate will reduce to 55% of earnings, subject to a maximum of €375 for the following 3 months.

A further 3 months will be paid at the rate of 50%, up to a maximum €300 payment.

For people who have between 2 and 5 years paid contributions, the rate will be set at 50% of previous earnings subject to a maximum for €300 per week and 6 month's duration.

In addition, the Regulations make provisions in relation to the contribution conditions and the assessment of weekly reckonable earnings for persons who were in receipt of Jobseeker's Pay-Related Benefit immediately before their claim for Jobseeker's Benefit.

These Regulations also provide for a number of consequential amendments to the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 necessary following the introduction of Jobseeker's Pay-Related Benefit.

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