



STATUTORY INSTRUMENTS.

S.I. No. 498 of 2011

SOCIAL WELFARE (CONSOLIDATED CLAIMS,
PAYMENTS AND CONTROL) (AMENDMENT) (No. 5)
(ADMINISTRATIVE RESPONSIBILITY FOR SUPPLEMENTARY
WELFARE ALLOWANCE) REGULATIONS 2011

(Prn. A11/1792)

SOCIAL WELFARE (CONSOLIDATED CLAIMS,
PAYMENTS AND CONTROL) (AMENDMENT) (No. 5)
(ADMINISTRATIVE RESPONSIBILITY FOR SUPPLEMENTARY
WELFARE ALLOWANCE) REGULATIONS 2011

I, JOAN BURTON, Minister for Social Protection, in exercise of the powers conferred on me by sections 4, 247, 334 and 341 of the Social Welfare Consolidation Act 2005 (No. 26 of 2005), and by section 342 (amended by sections 10 and 17 of the Social Welfare and Pensions Act 2011 (No. 9 of 2011)) of that Act, with the consent of the Minister for Public Expenditure and Reform, hereby make the following Regulations:

Short title, collective citation and construction.

1. (1) These Regulations may be cited as the Social Welfare (Consolidated Claims, Payments and Control) (Amendment) (No. 5) (Administrative Responsibility for Supplementary Welfare Allowance) Regulations 2011.

(2) The Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 to 2011 and these Regulations shall be construed together as one and may be cited together as the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 to 2011.

Definition.

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

Commencement.

3. These Regulations come into operation on 1 October 2011.

Amendments to Principal Regulations.

4. The Principal Regulations are amended—

- (a) in article 225(1) by substituting “the Minister” for “the Minister or the Executive, as the case may be,”;
- (b) in article 242(d) by substituting “the Department” for “the Department or Executive as appropriate”;
- (c) in article 243 by substituting “The Minister” for “The Minister or the Executive, as appropriate”;
- (d) in article 244—

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 4th October, 2011.*

- (i) by substituting “the Minister” for “the Minister or the Executive”; and
- (ii) in paragraph (b) by substituting “the Department” for “the Department or the Executive”;
- (e) in article 246(1) by substituting “the Department” for “the Department or the Executive” in each place it occurs in paragraphs (a) and (b);
- (f) in article 247 by substituting “the Minister” for “the Minister or the Executive, as the case may be,”; and
- (g) by substituting the following article for article 249:

“Decisions as to the application of Part 9.

249. All questions which arise in the application of this Part shall be determined by an officer of the Minister.”.

The Minister for Public Expenditure and Reform consents to the foregoing Regulations.



GIVEN under my Official Seal,
29 September 2011.

BRENDAN HOWLIN,
Minister for Public Expenditure and Reform.



GIVEN under my Official Seal,
29 September 2011.

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.)

Responsibility for the administration of the Supplementary Welfare Allowance scheme is being transferred from the Health Service Executive to the Department of Social Protection with effect from 1st October 2011. These Regulations remove references to the Health Service Executive in relation to the regulatory provisions dealing with overpayments of Supplementary Welfare Allowance (SWA) and for the purposes of treating SWA as paid on account of another social welfare payment.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ón
OIFIG DHÍOLTA FOILSEACHÁN RIALTAIS,
TEACH SUN ALLIANCE, SRÁID THEACH LAIGHEAN, BAILE ÁTHA CLIATH 2,
nó tríd an bpost ó
FOILSEACHÁIN RIALTAIS, AN RANNÓG POST-TRÁCHTA,
AONAD 20 PÁIRC MIONDÍOLA COIS LOCHA, CLÁR CHLAINNE MHUIRIS,
CONTAE MHAIGH EO,
(Teil: 01 - 6476834 nó 1890 213434; Fax: 094 - 9378964 nó 01 - 6476843)
nó trí aon díoltóir leabhar.

DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased directly from the
GOVERNMENT PUBLICATIONS SALE OFFICE
SUN ALLIANCE HOUSE, MOLESWORTH STREET, DUBLIN 2,
or by mail order from
GOVERNMENT PUBLICATIONS, POSTAL TRADE SECTION,
UNIT 20 LAKESIDE RETAIL PARK, CLAREMORRIS, CO. MAYO,
(Tel: 01 - 6476834 or 1890 213434; Fax: 094 - 9378964 or 01 - 6476843)
or through any bookseller.

€1.27

