



STATUTORY INSTRUMENTS.

S.I. No. 259 of 2013

SOCIAL WELFARE (CONSOLIDATED CLAIMS, PAYMENTS AND
CONTROL) (AMENDMENT) (NO. 5) (PRESCRIBED ACTIVATION
MEASURES) REGULATIONS 2013

SOCIAL WELFARE (CONSOLIDATED CLAIMS, PAYMENTS AND
CONTROL) (AMENDMENT) (NO. 5) (PRESCRIBED ACTIVATION
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I, JOAN BURTON, Minister for Social Protection, in exercise of the powers conferred on me by section 4 (amended by section 96 of the Ministers and Secretaries (Amendment) Act 2011 (No. 10 of 2011)) and sections 62B and 141B (inserted by sections 12 and 13 of the Social Welfare and Pensions (Miscellaneous Provisions) Act 2013 (No. 20 of 2013)) 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. 5) (Prescribed Activation Measures) Regulations 2013.

(2) These Regulations and the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 to 2013 shall be construed together as one and may be cited together as the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 to 2013.

Refusal to engage with activation measures.

2. The Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 (S.I. No. 142 of 2007) are amended—

(a) by inserting the following article after article 50:

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

50A. (1) The scheme provided by the Minister and known as Community Employment is prescribed for the purposes of section 62B.

(2) The following courses of training and development are prescribed for the purposes of section 62B—

(a) a course of training or development provided by or on behalf of—

(i) An Foras Áiseanna Saothair, or

(ii) a body established by or under an enactment that provides for the dissolution of An Foras Áiseanna Saothair and confers on that body functions that are similar to

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 19th July, 2013.*

the functions that, immediately before the day on which the body stands established, were vested in An Foras Áiseanna Saothair,

(b) a course of training or development provided by or on behalf of—

- (i) a vocational education committee, within the meaning of section 7 of the Vocational Education Act 1930, or
- (ii) 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 62B—

(a) a course of education provided by or on behalf of—

- (i) a vocational education committee, within the meaning of section 7 of the Vocational Education Act 1930, or
- (ii) 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.”,

and

(b) by inserting the following article after article 120:

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

120A. (1) The scheme provided by the Minister and known as Community Employment is prescribed for the purposes of section 141B.

(2) The following courses of training and development are prescribed for the purposes of section 141B—

(a) a course of training or development provided by or on behalf of—

- (i) An Foras Áiseanna Saothair, or

- (ii) a body established by or under an enactment that provides for the dissolution of An Foras Áiseanna Saothair and confers on that body functions that are similar to the functions that, immediately before the day on which the body stands established, were vested in An Foras Áiseanna Saothair,
 - (b) a course of training or development provided by or on behalf of—
 - (i) a vocational education committee, within the meaning of section 7 of the Vocational Education Act 1930, or
 - (ii) 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 141B—
- (a) a course of education provided by or on behalf of—
 - (i) a vocational education committee, within the meaning of section 7 of the Vocational Education Act 1930, or
 - (ii) 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.”.



GIVEN under my Official Seal,
15 July 2013.

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.)

Sections 12 and 13 of the Social Welfare and Pensions (Miscellaneous Provisions) Act 2013 provide for an extension of the existing sanctions which apply to refusals to participate in training options to include prescribed employment programmes and education courses. The existing sanctions provide for reductions of up to €44 a week in the personal rates of payment. The 2013 Act also provides for a strengthening of these sanctions, in the form of a disqualification for up to 9 weeks, where a person continues to fail to engage with activation measures after the weekly rate of payment has been reduced for more than 3 weeks.

These Regulations prescribe the programmes of employment and courses of education, training and development to which the strengthened sanctions will apply in the case of the Jobseeker's Benefit and Jobseeker's Allowance schemes. These include—

- Community Employment,
- Training and development courses provided by or on behalf of FÁS or the Vocational Education Committees (or their successor organisations), and
- Education courses provided by or on behalf of the Vocational Education Committees (or their successor organisations).

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nó trí aon díoltóir leabhar.

DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased from
GOVERNMENT PUBLICATIONS,
52 ST. STEPHEN'S GREEN, DUBLIN 2.
(Tel: 01 - 6476834 or 1890 213434; Fax: 01 - 6476843)
or through any bookseller.

€2.54



Wt. (B29976). 285. 7/13. Clondalkin. Gr 30-15.