



STATUTORY INSTRUMENTS.

S.I. No. 180 of 2015

SOCIAL WELFARE (CONSOLIDATED CLAIMS, PAYMENTS AND
CONTROL) (AMENDMENT) (NO. 2) (BACK TO WORK FAMILY
DIVIDEND) REGULATIONS 2015

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CONTROL) (AMENDMENT) (NO. 2) (BACK TO WORK FAMILY
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I, JOAN BURTON, Minister for Social Protection in exercise of the powers conferred on me by sections 4 (amended by section 96 of the Ministers and Secretaries (Amendment) Act 2011 (No. 10 of 2011)), 238E (inserted by section 8 of the Social Welfare (Miscellaneous Provisions) Act 2015 (No. 12 of 2015)), 242, 243, 244, 250, 251, 255, 260, 334 and 341 of the Social Welfare Consolidation Act 2005 (No. 26 of 2005), and by sections 232, 241 and 342 of the Social Welfare Consolidation Act 2005, with the consent of the Minister for Public Expenditure and Reform, 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. 2) (Back to Work Family Dividend) Regulations 2015.

(2) These Regulations and the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 to 2015 shall be construed together as one and may be cited as the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 to 2015.

Definition

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

Back to work family dividend

3. The Principal Regulations are amended by the insertion of the following Part after Part 6:

“PART 6A

BACK TO WORK FAMILY DIVIDEND

Prescribed employment schemes and courses of education etc.

177A. (1) The following schemes and programmes of employment and work experience are prescribed for the purposes of paragraph (c) of the definition of ‘qualifying scheme’ in section 238A—

- (a) the scheme provided by the Minister and known as Job Initiative Scheme,

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 12th May, 2015.*

- (b) the work placement programme within the meaning of section 142B(3),
- (c) the scheme administered by the Minister and known as Youth Developmental Internship, and
- (d) 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 education and development are prescribed for the purposes of paragraph (c) of the definition of ‘qualifying scheme’ in section 238A—

- (a) the scheme administered by the Minister and known as Back to Education Allowance, and
- (b) such other course of education or development as may be approved by or on behalf of the Minister from time to time.”.

Amendments consequential on back to work family dividend

4. The Principal Regulations are amended in the manner specified in the *Schedule*.

SCHEDULE

Article 4

AMENDMENTS CONSEQUENTIAL ON BACK TO WORK FAMILY
DIVIDEND

Item No.	Provision affected	Amendment
1	Article 174	In paragraph (a), by the substitution of “child benefit, family income supplement or back to work family dividend,” for “child benefit or family income supplement,”.
2	Article 178	Is amended— (a) in paragraph (g), by the substitution of “under Part 7,” for “under Part 7, and”, and (b) by the insertion of the following paragraph after paragraph (g): “(ga) back to work family dividend under Part 7A, and”.
3	Article 181	In sub-article (4), by the substitution of “continued payment for qualified children or back to work family dividend” for “continued payment for qualified children”.
4	Article 182	In paragraph (c), by the substitution of “one-parent family payment, family income supplement and back to work family dividend,” for “one-parent family payment and family income supplement,”.
5	Article 196(1)	In paragraph (a), by the substitution of “farm assist, continued payment for qualified children and back to work family dividend” for “farm assist and continued payment for qualified children”.
6	Article 211	Is amended, in the definition of “benefit”— (a) in paragraph (e), by the substitution of “Part 6,” for “Part 6, and”, (b) in paragraph (f), by the substitution of “Part 7, and” for “Part 7;”, and (c) by the insertion of the following paragraph after paragraph (f): “(g) back to work family dividend under Part 7A;”.
7	Article 245	Is amended— (a) in sub-article (1), by the substitution of “family income supplement, continued payment for qualified children or back to work family dividend” for “family income supplement and continued payment for qualified children”, and (b) in sub-article (3), by the insertion of the following definition after the definition of “benefit”: “ ‘back to work family dividend’ means back to work family dividend under Part 7A of the Principal Act;”.

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



GIVEN under my Official Seal,
7 May 2015.

BRENDAN HOWLIN,
Minister for Public Expenditure and Reform.



GIVEN under my Official Seal,
7 May 2015.

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 8 and 14 of the Social Welfare (Miscellaneous Provisions) Act 2015 set out the legislative basis for the Back to Work Family Dividend. This Dividend will provide a financial incentive to jobseekers and recipients of One-Parent Family Payment who have children and who cease claiming their social welfare payment on account of that person, or where appropriate, that person's spouse, civil partner or cohabitant, taking up employment, increasing the number of hours worked or taking up self-employment.

These Regulations facilitate the introduction of the Back to Work Family Dividend by prescribing a range of matters for the purposes of the operation of this Dividend.

In particular, these Regulations—

- prescribe additional employment, work placement and education schemes for the purposes of the definition of a qualifying scheme in section 238A, e.g. the Jobs Initiative Scheme, the Work Placement Programme, the Youth Developmental Internship and the Back to Education Allowance,
- require an employer of a person applying for the Back to Work Family Dividend to provide relevant information for the purposes of determining eligibility for the Dividend,
- exempt any income received by way of the Back to Work Family Dividend for the purposes of calculating weekly family income under the Family Income Supplement scheme.

In addition, these Regulations make provision for—

- the time and manner in which claims for the Dividend are to be made,
- the time and manner in which the Dividend will be paid,
- payment in respect of loss of purchasing power where there is a delay in the payment of the Dividend, and
- the manner in which an overpayment of the Dividend can be recovered by deduction from other social welfare payments and vice versa.

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