



STATUTORY INSTRUMENTS.

S.I. No. 634 of 2019



SOCIAL WELFARE (CONSOLIDATED CLAIMS, PAYMENTS AND
CONTROL) (AMENDMENT) (NO. 13) (WORKING FAMILY PAYMENT)
REGULATIONS 2019

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SOCIAL WELFARE (CONSOLIDATED CLAIMS, PAYMENTS AND CONTROL) (AMENDMENT) (NO. 13) (WORKING FAMILY PAYMENT) REGULATIONS 2019

I, REGINA DOHERTY, Minister for Employment Affairs and 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)) and 232 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. 13) (Working Family Payment) Regulations 2019.

(2) These Regulations and the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 to 2019 shall be construed together as one and may be cited together as the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 to 2019.

Commencement

2. These Regulations come into operation on 1 January 2020.

Definition

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

Sums disregarded in determining weekly family income

4. Article 174 (amended by article 3 of the Social Welfare (Consolidated Claims, Payments and Control) (Amendment) (No. 8) (Assessment of Means) Regulations 2019 (S.I. No. 130 of 2019) of the Principal Regulations is amended –

- (a) by the deletion of “or” after paragraph (l),
- (b) by the substitution of the following paragraph for paragraph (m):

“(m) (i) any moneys received by way of maintenance payments (including maintenance payments made to or

in respect of a qualified child) in so far as they do not exceed the weekly housing costs actually incurred by the person subject to a maximum amount of €95.23, together with one-half of any amount of maintenance payment in excess of that amount disregarded in respect of housing costs actually incurred, and the maintenance arrangements for the purposes of this sub-article shall be all forms of formal and informal arrangements whether procured by way of Court Order or otherwise, and

(ii) notwithstanding subparagraph (i), where working family payment and one-parent family payment would be payable to or in respect of a person in respect of the same period, only one maintenance disregard shall apply,”

and

(c) by the substitution of “(n) any payments made” for “(m) any payments made”.

Persons regarded as being in remunerative full-time employment

5. Article 175 (amended by article 6 of the Social Welfare (Consolidated Claims, Payments and Control) (Amendment) (No. 10) (Miscellaneous Amendments) Regulations 2012 (S.I. No. 447 of 2012) of the Principal Regulations is amended in paragraph (c) of sub-article (2) by the substitution of the following subparagraph for subparagraph (ii):

“(ii) Youth Employment Support Scheme,”.

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



GIVEN under my Official Seal,
4 December, 2019.

PASCHAL DONOHOE,
Minister for Public Expenditure and Reform.



GIVEN under my Official Seal,
11 December, 2019.

REGINA DOHERTY,
Minister for Employment Affairs and Social Protection.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

These Regulations:

- confirm that where a claimant is entitled to both One-Parent Family Payment and Working Family Payment, maintenance payments will be disregarded in the assessment of means for one of those schemes only;
- correct a duplication error in Article 174 of the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 to 2019; and
- substitute the Youth Employment Support Scheme (YESS) for the National Internship Scheme, which no longer operates, to confirm that YESS and Working Family Payment cannot be paid concurrently.

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