



STATUTORY INSTRUMENTS.

S.I. No. 26 of 2022

SOCIAL WELFARE (CONSOLIDATED CLAIMS, PAYMENTS AND
CONTROL) (AMENDMENT) (NO. 2) (ILLNESS BENEFIT PAYMENTS
ARISING FROM COVID-19) REGULATIONS 2022

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SOCIAL WELFARE (CONSOLIDATED CLAIMS, PAYMENTS AND CONTROL) (AMENDMENT) (NO. 2) (ILLNESS BENEFIT PAYMENTS ARISING FROM COVID-19) REGULATIONS 2022

I, HEATHER HUMPHREYS, Minister for Social Protection, having regard to the matters specified in subsection (2) of section 40A (inserted by section 6 of the Health (Preservation and Protection and other Emergency Measures in the Public Interest) Act 2020 (No. 1 of 2020)), in exercise of the powers conferred on me by sections 4 (adapted by the Employment Affairs and Social Protection (Alteration of Name of Department and Title of Minister) Order 2020 (S.I. No. 447 of 2020)), 40(11) and 40A(1) (inserted by sections 5 and 6 respectively of the Health (Preservation and Protection and other Emergency Measures in the Public Interest) Act 2020 (No. 1 of 2020)), of the Social Welfare Consolidation Act 2005 (No. 26 of 2005), after consulting with the Minister for Health, and 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) (Illness Benefit payments arising from COVID-19) Regulations 2022.

(2) These Regulations and the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 to 2022 shall be construed together as one and may be cited together as the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 to 2022.

Illness Benefit payments arising from COVID-19

2. Chapter 1B of Part 2 (inserted by article 3 of the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 (Amendment) (No. 4) (Illness Benefit payments arising from COVID-19) Regulations 2020 (S.I. No. 97 of 2020)) of the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 (S.I. No. 142 of 2007) is amended—

- (a) in article 28O by the substitution of “to €350.” for “by €147.”,
and
- (b) in article 28P —
 - (i) by the substitution of “40(7)” for “47(11)”, and
 - (ii) in paragraph (b) by the insertion of “a maximum of” before “two”.

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



GIVEN under my Official Seal,
19 January, 2022.

MICHAEL MCGRATH,
Minister for Public Expenditure and Reform.



GIVEN under my Official Seal,
12 January, 2022.

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 Health (Preservation and Protection and other Emergency Measures in the Public Interest) Act 2020 introduced amendments to the Social Welfare Consolidation Act 2005 to provide for special arrangements for the payment of Illness Benefit to those who are diagnosed with Covid-19 or who are a probable source of infection of Covid-19.

Arising from the change to the rates of payment to Illness Benefit in Budget 2022, these Regulations make a consequential amendment to article 28O of the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007. The original article 28O set out that the payment should be the standard rate of illness benefit (€203 in March 2020), increased by €147. Given that the standard rate has increased in January 2022 to €208, it is necessary to amend the wording to ensure that the rate of enhanced illness benefit remains at €350. This amendment confirms that those incapable of work due to contracting Covid-19 or being a probable source of infection will continue to receive a weekly payment of €350.

The Regulations also make two amendments to article 28P to provide for a correct sectional reference in the Social Welfare Consolidated Act 2005, and to provide for a consistency of language in paragraph (a) and (b) and that a maximum period of two weeks payment is permitted for close contacts.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
BÓTHAR BHAILE UÍ BHEOLÁIN,
CILL MHAIGHNEANN,
BAILE ÁTHA CLIATH 8,
D08 XAO6

Tel: 046 942 3100
r-phost: publications@opw.ie

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