



STATUTORY INSTRUMENTS.

S.I. No. 109 of 2019



SOCIAL WELFARE (CONSOLIDATED CLAIMS, PAYMENTS AND
CONTROL) (AMENDMENT) (NO. 6) (WORKING FAMILY PAYMENT)
REGULATIONS 2019

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SOCIAL WELFARE (CONSOLIDATED CLAIMS, PAYMENTS AND CONTROL) (AMENDMENT) (NO. 6) (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 (No. 26 of 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. 6) (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 25 March 2019.

Sums disregarded in determining weekly family income

3. Article 174 (amended by article 3 of the Social Welfare (Consolidated Claims, Payments and Control) (Amendment) (No. 8) (Assessment of Means) Regulations 2018 (S.I. No. 654 of 2018)) of the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 (S.I. No. 142 of 2007) is amended -

- (a) by the deletion of “or” after paragraph (k),
- (b) by the substitution of “2006,” for “2006.” in paragraph (l), and
- (c) by the insertion of the following paragraph after paragraph (l):

“or

- (m) 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

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 26th March, 2019.

and informal arrangements whether procured by way of Court Order or otherwise.”.

Revocation

4. Article 22 of the Social Welfare (Family Income Supplement) Regulations 1991 (S.I. No. 279 of 1991) is revoked.

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



GIVEN under my Official Seal,
8 March 2019.

PASCHAL DONOHOE,
Minister for Public Expenditure and Reform.



GIVEN under my Official Seal,
13 March 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 provide that maintenance payments will be disregarded in the assessment of Working Family Payment, in so far as they do not exceed the weekly housing costs of up to a maximum of €95.23, together with one-half of any amount of maintenance payment in excess of that amount in respect of housing costs actually incurred.

These Regulations also revoke Article 22 of the Social Welfare (Family Income Supplement) Regulations 1991 which was omitted from the list of revoked Articles when Regulations relating to Family Income Supplement, the precursor to the Working Family payment, were consolidated in 1994.

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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)

€3.00

