



STATUTORY INSTRUMENTS.

**S.I. No. 139 of 2013**

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SOCIAL WELFARE (CONSOLIDATED SUPPLEMENTARY WELFARE  
ALLOWANCE) (AMENDMENT) (NO. 1) (RENT AND MORTGAGE  
SUPPLEMENT) REGULATIONS 2013

SOCIAL WELFARE (CONSOLIDATED SUPPLEMENTARY WELFARE ALLOWANCE) (AMENDMENT) (NO. 1) (RENT AND MORTGAGE SUPPLEMENT) REGULATIONS 2013

I, JOAN BURTON, Minister for Social Protection, in exercise of the powers conferred on me by section 4 (adapted by the Social and Family Affairs (Alteration of Name of Department and Title of Minister) Order 2010 (S.I. No. 186 of 2010)) of the Social Welfare Consolidation Act 2005 (No. 26 of 2005), and by section 198 of that Act, 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 Supplementary Welfare Allowance) (Amendment) (No. 1) (Rent and Mortgage Supplement) Regulations 2013.

(2) These Regulations and the Social Welfare (Consolidated Supplementary Welfare Allowance) Regulations 2007 to 2012 shall be construed together as one and may be cited together as the Social Welfare (Consolidated Supplementary Welfare Allowance) Regulations 2007 to 2013.

*Interpretation.*

2. In these Regulations “Principal Regulations” means the Social Welfare (Consolidated Supplementary Welfare Allowance) Regulations 2007 (S.I. No. 412 of 2007).

*Revocation.*

3. The Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) (Rent and Mortgage Supplement) Regulations 2012 (S.I. No. 568 of 2012) are revoked.

*Entitlement to rent supplement.*

4. Article 9(2) of the Principal Regulations is amended by inserting the following paragraph before paragraph (e):

“(c) he or she has made application, on being so required by a designated person, to a housing authority for a social housing assessment within the meaning of section 20 of the Housing (Miscellaneous Provisions) Act 2009.”.

*Entitlement to mortgage supplement.*

5. Article 10(1) of the Principal Regulations is amended by substituting the following paragraph for paragraph (b):

*Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 26th April, 2013.*

“(b) A supplement towards the amount of mortgage interest payable by a person referred to in paragraph (a) may be payable where the loan agreement was entered into at a time when, in the opinion of a designated person, the claimant was in a position to meet the repayments thereunder.”.

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



GIVEN under my Official Seal,  
22 April 2013.

BRENDAN HOWLIN,  
Minister for Public Expenditure and Reform.



GIVEN under my Official Seal,  
23 April 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.)*

The Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) (Rent and Mortgage Supplement) Regulations 2012 contained an error in the reference to the statutory powers that were used to make those Regulations. These Regulations revoke the 2012 Regulations, re-enact the provisions that were contained in those Regulations and reference the correct statutory powers for the making of the Regulations.

The provisions contained in these Regulations amend the conditions applying to the Rent and Mortgage Interest Supplement schemes payable under the Supplementary Welfare Allowance scheme by—

- (a) providing that it is a requirement for an applicant for the rent supplement to apply to a housing authority for a social housing assessment, on being required to do so by a designated officer, and
- (b) removing the condition applying to the mortgage interest supplement scheme which provides that the supplement will be discontinued where the property is offered for sale.

BAILE ÁTHA CLIATH  
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR  
Le ceannach díreach ó  
FOILSEACHÁIN RIALTAIS,  
52 FAICHE STIABHNA, BAILE ÁTHA CLIATH 2  
(Teil: 01 - 6476834 nó 1890 213434; Fax: 01 - 6476843)  
nó trí aon díoltóir leabhar.

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