



STATUTORY INSTRUMENTS.

S.I. No. 509 of 2012

SOCIAL WELFARE (CONSOLIDATED CONTRIBUTIONS AND
INSURABILITY) (AMENDMENT) (NO. 2) (MISCELLANEOUS
AMENDMENTS) REGULATIONS 2012

SOCIAL WELFARE (CONSOLIDATED CONTRIBUTIONS AND INSURABILITY) (AMENDMENT) (NO. 2) (MISCELLANEOUS AMENDMENTS) REGULATIONS 2012

I, JOAN BURTON, Minister for Social Protection in exercise of the powers conferred on me by sections 2(1), 4 (amended by section 96 of the Ministers and Secretaries (Amendment) Act 2011 (No. 10 of 2011)), 33, 251(6) and Paragraph 12 of Part 1 of Schedule 1 of the Social Welfare Consolidation Act 2005 (No. 26 of 2005) (adapted by the Social and Family Affairs (Alteration of Name of Department and Title of Minister) Order 2010 (S.I. No. 186 of 2010)), and by section 14 of the Social Welfare Consolidation Act 2005, with the consent of the Minister for Finance, given after consultation with 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 Contributions and Insurability) (Amendment) (No. 2) (Miscellaneous Amendments) Regulations 2012.

(2) These Regulations and the Social Welfare (Consolidated Contributions and Insurability) Regulations 1996 to 2012 shall be construed together as one and may be cited together as the Social Welfare (Consolidated Contributions and Insurability) Regulations 1996 to 2012.

Interpretation.

2. In these Regulations “Principal Regulations” means the Social Welfare (Consolidated Contributions and Insurability) Regulations 1996 (S.I. No. 312 of 1996).

Definitions.

3. Article 3 of the Principal Regulations is amended by inserting the following definition:

“‘Act of 2005’ means the Social Welfare Consolidation Act 2005;”.

Excepted emoluments.

4. Article 27 of the Principal Regulations is amended—

(a) by substituting the following paragraph for paragraph (a):

“(a) any monies received by way of a mobility allowance payable under section 61 of the Health Act 1970 (No. 1 of 1970),”
and

(b) by substituting the following paragraph for paragraph (d):

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 18th December, 2012.

“(d) any sums received in respect of participation in a scheme provided by the Minister and known as Community Employment.”.

Penalties.

5. The Principal Regulations are amended by substituting the following article for article 55:

“Breach of regulations.

55. A person who contravenes or fails to comply with Part II of these Regulations shall be guilty of an offence and shall be liable on summary conviction to the penalties provided for in section 257(a) of the Act of 2005.”.

Attendance at approved course of training.

6. Article 60(1) of the Principal Regulations is amended by substituting “the National Tourism Development Authority” for “CERT Limited”.

Participation in approved course of education etc.

7. Article 62(1)(a) of the Principal Regulations is amended by substituting the following sub-paragraph for sub-paragraph (i):

“(i) the Back to Education Allowance Scheme, or”.

Members of a local Authority.

8. Article 65A(1) of the Principal Regulations is amended by deleting paragraph (b).

Transfer of responsibility for certain functions administered by FÁS.

9. The Principal Regulations are amended—

(a) in article 61(1) by substituting “scheme provided by the Minister and known as Community Employment” for “scheme administered by An Foras Áiseanna Saothair and known as Community Employment”,

(b) by substituting the following article for article 88:

“88. (1) This article applies to a person who is employed in or attending at any of the following employments or courses—

(a) an employment specified in Part 1 of Schedule 1 to the Act of 2005, where the employee has attained pensionable age,

(b) an employment referred to in article 89 and Schedule C as being of such a nature that it is ordinarily adopted as subsidiary employment only and not as the principal means of livelihood,

(c) an employment specified in article 90 as being of inconsiderable extent, or

(d) a course which is prescribed for the purposes of section 71(10) of the Act of 2005.

(2) The provisions of Part 2 of the Act of 2005 shall, in relation to a person to whom sub-article (1) applies, be modified in the following manner—

(a) (i) the employment contribution payable under section 13(2)(b) of the Act of 2005 shall not be payable in the case of the employed contributor, and

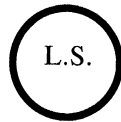
(ii) the employment contribution payable by the employer of that employed contributor under section 13(2)(d) of the Act of 2005 shall comprise a contribution at the rate of 0.5 per cent of reckonable earnings,

(b) an employment contribution payable by virtue of paragraph (a) shall not be reckoned for the purposes of qualifying or requalifying any person for any of the benefits described in section 39 of the Act of 2005.”,

and

(c) by deleting article 100.

The Minister for Finance, following consultation with the Minister for Public Expenditure and Reform, consents to the foregoing Regulations.



GIVEN under my Official Seal,
7 December 2012.

MICHAEL NOONAN,
Minister for Finance.



GIVEN under my Official Seal,
10 December 2012.

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.)

These Regulations provide for a number of miscellaneous amendments to the Social Welfare (Consolidated Contributions and Insurability) Regulations 1996 as a consequence of the abolition of certain schemes and changes to the operation of other schemes. In particular, these Regulations provide for various amendments arising from—

- the transfer of administrative responsibility for certain employment and community services from FÁS to the Department of Social Protection; and
- the abolition of the Infectious Diseases Maintenance Allowance scheme.

In addition, the penalties for contraventions of certain provisions contained in these Regulations are aligned with those provided for in section 257(a) of the Social Welfare Consolidation Act 2005.

Le ceannach ó
FOILSEACHÁIN RIALTAIS,
AONAD 20 PÁIRC MIONDÍOLA COIS LOCHA, CLÁR CHLAINNE MHUIRIS,
CONTAE MHAIGH EO,
(Teil: 01 - 6476834 nó 1890 213434; Fax: 094 - 9378964 nó 01 - 6476843)
nó trí aon díoltóir leabhar.

To be purchased from the
GOVERNMENT PUBLICATIONS OFFICE,
UNIT 20 LAKESIDE RETAIL PARK, CLAREMORRIS, CO. MAYO,
(Tel: 01 - 6476834 or 1890 213434; Fax: 094 - 9378964 or 01 - 6476843)
or through any bookseller.

€2.54



Wt. (B29550). 285. 12/12. Clondalkin. Gr 30-15.