



STATUTORY INSTRUMENTS.

S.I. No. 160 of 2021

SOCIAL WELFARE (CONSOLIDATED CLAIMS, PAYMENT AND
CONTROL) (AMENDMENT) (NO. 9) (COVID-19 PANDEMIC
UNEMPLOYMENT PAYMENT- ENTITLEMENT TO INCREASE FOR
QUALIFIED ADULT) REGULATIONS 2021

S.I. No. 160 of 2021

SOCIAL WELFARE (CONSOLIDATED CLAIMS, PAYMENT AND CONTROL) (AMENDMENT) (NO. 9) (COVID-19 PANDEMIC UNEMPLOYMENT PAYMENT- ENTITLEMENT TO INCREASE FOR QUALIFIED ADULT) REGULATIONS 2021

I, HEATHER HUMPHREYS, Minister for Social Protection, having regard to the continuing risks to public health arising from COVID-19 and the consequent impact on employers and employees, and having regard to the matters specified in subsection (2) of section 68P (inserted by section 11 of the Social Welfare (Covid-19) (Amendment) Act 2020 (No. 12 of 2020)) and in exercise of the powers conferred on me by sections 4 (as 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)), 68P(1)(b) and 247(4) 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. 9) (Covid-19 Pandemic Unemployment Payment – Entitlement to Increase for Qualified Adult) Regulations 2021.

(2) These Regulations and the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 to 2021 shall be construed together as one and may be cited together as the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 to 2021.

Definitions

2. In these Regulations-

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

“Regulations of 2011” means the Social Welfare (Consolidated Claims, Payments and Control) (Amendment) (No. 6)(Civil Partnership) Regulations 2011 (S.I. No. 604 of 2011).

3. The Principal Regulations are amended-

- (a) in article 6(b) (amended by article 3 of the Regulations of 2011), by the insertion of “payment made to address the adverse economic effects of Covid-19 made by the Minister under section 202 and commonly known as the pandemic

unemployment payment, Covid-19 pandemic unemployment payment under section 68L,” after “entitled to or in receipt of”,

(b) in article 8(2) (amended by article 3(a) of the Social Welfare (Consolidated Claims, Payments and Control) (Amendment) (No. 10) (Miscellaneous Amendments) Regulations 2012 (S.I. No. 447 of 2012)-

(i) the deletion of “or” after paragraph (g), and

(ii) the insertion of the following paragraphs after paragraph (h):

“(i) pandemic unemployment payment paid under section 202, or

(j) covid-19 pandemic unemployment payment under section 68L,”

and

(c) in article 226 (amended by article 16(q) of the Social Welfare (Consolidated Claims, Payments and Control) (Amendment) (No. 6) (Civil Partnership) Regulations 2011 (S.I. No. 604 of 2011)) by the insertion of the following sub-article after sub-article (1):

“(1A) Where in respect of any period a person is in receipt of any benefit or assistance, which includes an increase in respect of a qualified adult or a spouse, civil partner or cohabitant, as the case may be, and in that period that qualified adult, spouse, civil partner or cohabitant is entitled in his or her own right to pandemic unemployment payment paid under section 202 or Covid-19 pandemic unemployment payment under section 68L, payment of any such increase shall not be regarded as payment on account and both such payments may be paid in respect of that period.”.

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



GIVEN under my Official Seal,
29 March, 2021.

MICHAEL MCGRATH,
Minister for Public Expenditure and Reform.



GIVEN under my Official Seal,
1 April, 2021.

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.)

These Regulations provide that where a person is in receipt of a social welfare payment which includes an increase for a qualified adult and the qualified adult concerned has an entitlement to Covid-19 pandemic unemployment payment in their own right, the increase for the qualified adult remains payable.

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