



Number 4 of 2000

SOCIAL WELFARE ACT, 2000

ARRANGEMENT OF SECTIONS

PART I

Preliminary

Section

1. Short title and construction.
2. Definitions.
3. Continuance of instruments.

PART II

Increases

4. Social insurance benefits (new rates).
5. Social assistance payments (new rates).
6. Child benefit (new rates).
7. Family income supplement (new weekly rates).
8. Employment contributions (exemption from payment, new rates of contributions and increases in earnings ceilings).
9. Self-employment contributions (increase in income ceiling).

PART III

Carer's Benefit

10. Carer's benefit.
11. Amendments consequential on *section 10*.
12. Commencement (*Part III*).

PART IV

Widowed Parent Grant

Section

13. Widowed parent grant.
14. Amendments consequential on *section 13*.
15. Application of provisions.

PART V

Improvements in Social Welfare Schemes

16. Pensions for certain persons who entered insurance prior to 1953.
17. Assessment of means — improvements in assessment of property (capital).
18. Farm assist — improvements in assessment of income.
19. Assessment of means — fishermen.
20. Child dependants — retention of full-rate increase.
21. Disability allowance — improvements.
22. Carer's allowance — increase in respite care grant.
23. Return of contributions — maintenance arrangements.
24. One-parent family payment — saver provision.
25. Payments after death — improvements.
26. Supplementary welfare allowance — income disregards.
27. Entitlement to unemployment assistance.

PART VI

Miscellaneous Provisions

28. Carer's allowance — miscellaneous provisions.
29. Social Insurance Fund — expenditure on benefit.
30. Blind pension — increases for one of a couple.
31. Supplementary welfare allowance — transfer of functions.
32. Exchange of public service data.
33. Repeal.

[2000.]

Social Welfare Act, 2000.

[No. 4.]

PART VII

Amendment of Health Contributions Act, 1979

Section

34. Amendment of Health Contributions Act, 1979.

PART VIII

Amendment of Pensions Act, 1990

35. Increases to pensions in payment.
36. Repeal.

SCHEDULE A

SCHEDULE B

SCHEDULE C

SCHEDULE D

SCHEDULE E

[No. 4.] *Social Welfare Act, 2000.* [2000.]

Acts Referred to

Education Act, 1998	1998, No. 51
Fire Services Act, 1981	1981, No. 30
Health Act, 1970	1970, No. 1
Health Contributions Act, 1979	1979, No. 4
Health (Provision of Information) Act, 1997	1997, No. 9
Housing (Miscellaneous Provisions) Act, 1992	1992, No. 18
Local Government Act, 1941	1941, No. 23
National Health Insurance Acts, 1911 to 1952	
Pensions Act, 1990	1990, No. 25
Regional Technical Colleges Acts, 1992 to 1999	
Social Welfare Act, 1990	1990, No. 5
Social Welfare Act, 1995	1995, No. 3
Social Welfare Act, 1996	1996, No. 7
Social Welfare Act, 1997	1997, No. 10
Social Welfare Act, 1998	1998, No. 6
Social Welfare Act, 1999	1999, No. 3
Social Welfare (Consolidation) Act, 1981	1981, No. 1
Social Welfare (Consolidation) Act, 1993	1993, No. 27
Social Welfare (No. 2) Act, 1995	1995, No. 23
Taxes Consolidation Act, 1997	1997, No. 39
Universities Act, 1997	1997, No. 24
Vocational Education Act, 1930	1930, No. 29



Number 4 of 2000

SOCIAL WELFARE ACT, 2000

AN ACT TO AMEND AND EXTEND THE SOCIAL WELFARE ACTS, SECTION 7A OF THE HEALTH CONTRIBUTIONS ACT, 1979, AND THE PENSIONS ACT, 1990.

[29th March, 2000]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

PART I

Preliminary

1.—(1) This Act may be cited as the Social Welfare Act, 2000.

Short title and construction.

(2) The Social Welfare Acts and this Act (other than *Parts VII* and *VIII*) shall be construed together as one.

2.—In this Act—

Definitions.

“the Act of 1995” means the Social Welfare Act, 1995;

“the Act of 1996” means the Social Welfare Act, 1996;

“the Act of 1997” means the Social Welfare Act, 1997;

“the Act of 1998” means the Social Welfare Act, 1998;

“the Act of 1999” means the Social Welfare Act, 1999;

“the No. 2 Act of 1995” means the Social Welfare (No. 2) Act, 1995;

“the Principal Act” means the Social Welfare (Consolidation) Act, 1993.

3.—An instrument that is made under a provision of the Principal Act that is amended by this Act and that is in force immediately before the commencement of the amendment shall continue in force as if made under the provision so amended.

Continuance of instruments.

PART II

Increases

Social insurance
benefits (new rates).

4.—(1) The Principal Act is amended by the substitution for Parts I to IV (inserted by section 4 of the Act of 1999) of the Second Schedule thereto of the Parts set out in *Schedule A* to this Act.

(2) This section comes into operation—

- (a) in so far as it relates to unemployment benefit, on 27 April 2000,
- (b) in so far as it relates to disability benefit, health and safety benefit, injury benefit and disablement gratuity on 1 May 2000,
- (c) in so far as it relates to retirement pension, invalidity pension and a relevant payment by virtue of section 18(1)(a) of the Act of 1996, on 4 May 2000, and
- (d) in so far as it relates to disablement pension, death benefit under section 60, 61 or 62 of the Principal Act, old age (contributory) pension, widow's and widower's (contributory) pension and orphan's (contributory) allowance, on 5 May 2000.

Social assistance
payments (new
rates).

5.—(1) The Principal Act is amended by the substitution for Parts I and II (inserted by section 5 of the Act of 1999) of the Fourth Schedule thereto of the Parts set out in *Schedule B* to this Act.

(2) This section comes into operation—

- (a) in so far as it relates to unemployment assistance and farm assist, on 26 April 2000,
- (b) in so far as it relates to supplementary welfare allowance, on 1 May 2000,
- (c) in so far as it relates to disability allowance, on 3 May 2000,
- (d) in so far as it relates to pre-retirement allowance, one-parent family payment (other than where payable in respect of a widow or widower), carer's allowance and a relevant payment by virtue of section 18(1)(b) or (c) of the Act of 1996, on 4 May 2000, and
- (e) in so far as it relates to old age (non-contributory) pension, blind pension, widow's and widower's (non-contributory) pension, one-parent family payment payable in respect of a widow or widower and orphan's (non-contributory) pension, on 5 May 2000.

Child benefit (new
rates).

6.—(1) The Fourth Schedule to the Principal Act is amended by the substitution for Part III (inserted by section 6 of the Act of 1999) of the following Part:

Amounts of Child Benefit

Amount for each of first 2 children (1)	Amount for each child in excess of 2 (2)
£42.50	£56.00

”.

(2) This section comes into operation on 1 September 2000.

7.—(1) The Principal Act is amended by the substitution for section 198 (inserted by section 7(1) of the Act of 1999) of the following section:

Family income supplement (new weekly rates).

“198.—Subject to this Act, an allowance (in this Act referred to as ‘family income supplement’) shall be payable out of moneys provided by the Oireachtas in respect of a family where the weekly family income is less than—

- (a) in the case of a family which includes only 1 child, £233,
- (b) in the case of a family which includes 2 children, £253,
- (c) in the case of a family which includes 3 children, £273,
- (d) in the case of a family which includes 4 children, £293,
- (e) in the case of a family which includes 5 children, £318,
- (f) in the case of a family which includes 6 children, £338,
- (g) in the case of a family which includes 7 children, £355, or
- (h) in the case of a family which includes 8 or more children, £372.”.

(2) This section comes into operation on 4 May 2000.

8.—(1) Section 10 of the Principal Act is amended by—

- (a) the insertion after subsection (1)(a) of the following subsection:

Employment contributions (exemption from payment, new rates of contributions and increases in earnings ceilings).

“(aa) where in any contribution week a payment of not more than £226 per week (or the equivalent thereof in respect of an employed contributor remunerated otherwise than on a weekly basis) is made to or for the benefit of an employed contributor in respect of reckonable earnings of that contributor relating to an employment, a contribution shall not be payable by that employed contributor in respect of those earnings from that employment.”,

- (b) the substitution in subsection (1)(b) for “a payment” of “a payment of more than £226”,

[No. 4.] *Social Welfare Act, 2000.* [2000.]

Pt.II S.8

(c) the substitution in subsection (1)(c) of “£26,500” for “£25,400” (inserted by section 8(1)(a) of the Act of 1999),

(d) the substitution in subsection (1)(d) of—

(i) “7.8 per cent.” for “8.5 per cent.”, and

(ii) “11.3 per cent.” for “12 per cent.”,

(both inserted by section 8(1)(c) of the Act of 1996),

(e) the substitution in subsection (1)(e) (inserted by section 8(1)(c) of the Act of 1999) of “£36,600” for “£35,000”, and

(f) the substitution in subsection (7) (inserted by section 12 of the Act of 1996) of “7.8 per cent.” for “8.5 per cent.” and of “11.3 per cent.” for “12 per cent.”.

(2) This section, other than *subsection (1)(d)* and *(f)*, comes into operation on 6 April 2000.

(3) *Subsection (1)(d)* and *(f)* comes into operation on such day or days as the Minister may appoint by order.

Self-employment contributions (increase in income ceiling).

9.—(1) Section 18(1) of the Principal Act is amended by the substitution in paragraph *(d)* of “£26,500” for “£25,400” (inserted by section 9(1) of the Act of 1999).

(2) This section comes into operation on 6 April 2000.

PART III

Carer’s Benefit

Carer’s benefit.

10.—Part II of the Principal Act is amended by the insertion after Chapter 11 of the following Chapter:

“Chapter 11A

Carer’s Benefit

Interpretation.

82A.—(1) Subject to this Act, in this Chapter—

‘carer’ means a person who has attained the age of 16 years and is under pensionable age and who—

(a) resides with and provides full-time care and attention to a relevant person, or

(b) subject to such conditions and in such circumstances as may be prescribed, does not reside with but provides full-time care and attention to a relevant person;

‘relevant person’ means a person (other than a person in receipt of an increase of disablement pension under section 57 in respect of constant

[2000.]

Social Welfare Act, 2000.

[No. 4.]

Pt.III S.10

attendance) who has such a disability that he or she requires full-time care and attention, and who—

- (a) has attained the age of 16 years, or
- (b) is under the age of 16 years and is a person in respect of whom an allowance is paid for domiciliary care of handicapped children under section 61 of the Health Act, 1970.

(2) For the purposes of subsection (1), a relevant person shall be regarded as requiring full-time care and attention where—

- (a) he or she has such a disability that he or she requires from another person—
 - (i) continual supervision and frequent assistance throughout the day in connection with normal bodily functions, or
 - (ii) continual supervision in order to avoid danger to himself or herself,

and

- (b) the nature and extent of his or her disability has been certified in the prescribed manner by a medical practitioner.

(3) The Minister may make regulations specifying the circumstances and conditions under which a person is to be regarded as providing full-time care and attention to a relevant person.

Entitlement to benefit.

82B.—(1) Subject to this Act, a benefit (in this Act referred to as 'carer's benefit') shall be payable to a carer if he or she—

- (a) was engaged in remunerative full-time employment as an employed contributor for the three-month period immediately prior to the first day in respect of which a claim to carer's benefit is made,
- (b) does not engage in employment or self-employment, and
- (c) satisfies the contribution conditions in section 82C.

(2) Subsection (1)(a) shall not apply in respect of a claimant who was in receipt of carer's benefit within the period of three months immediately prior to the first day in respect of which a claim to carer's benefit is made.

(3) Notwithstanding subsection (1)(b), the Minister may make regulations to provide that a carer

may engage in employment or self-employment subject to such limitations in relation to hours or remuneration as may be prescribed and subject to such conditions and in such circumstances as may be prescribed.

(4) Subsection (1)(c) shall not apply in the case of a claimant who was previously in receipt of carer's benefit.

(5) In this section 'remunerative full-time employment' means employment for an aggregate of not less than 38 hours in each period of a fortnight within the three-month period referred to in subsection (1)(a).

Conditions for receipt.

82C.—(1) The contribution conditions for carer's benefit are that the carer has qualifying contributions in respect of not less than 156 contribution weeks in the period between his or her entry into insurance and the first day for which the benefit is claimed, and qualifying contributions in respect of not less than—

- (a) 39 contribution weeks in the last complete contribution year before the beginning of the benefit year which includes the first day for which the benefit is claimed, or
- (b) 39 contribution weeks in the 12 months immediately prior to the first day for which the benefit is claimed, or
- (c) 26 weeks in each of the last two complete contribution years before the beginning of the benefit year which includes the first day for which the benefit is claimed.

(2) Regulations may provide for modification of the contribution conditions set out in subsection (1).

Rate of benefit.

82D.—(1) Subject to this Act, the rate (in this Chapter referred to as the 'scheduled rate') of carer's benefit shall be—

- (a) in the case of a person who is a carer of more than one relevant person the weekly rate set out in column (2) at reference 7(b) in Part I of the Second Schedule, and
- (b) in any other case, the weekly rate set out in column (1) at reference 7(a) in Part I of the Second Schedule,

increased by the appropriate amount set out in column (4) of that Part opposite that reference in respect of each qualified child who normally resides with the beneficiary.

[2000.]

Social Welfare Act, 2000.

[No. 4.]

(2) Any increase in carer's benefit payable under subsection (1) in respect of a qualified child who normally resides with the claimant or beneficiary and with the spouse of the claimant or beneficiary shall be payable at the rate of one-half of the appropriate amount and subsection (1) shall be construed and have effect accordingly. Pt.III S.10

Duration of payment.

82E.—A carer who has been in receipt of carer's benefit for 65 weeks, whether consecutive or not, in respect of the full-time care and attention being provided to a relevant person, shall not thereafter be entitled to such benefit in respect of the full-time care and attention being provided to the same relevant person.

Respite care grant.

82F.—(1) Subject to subsection (2), a grant (in this section referred to as a 'respite care grant') of £300, or such higher amount as may be prescribed, shall be paid to a carer in respect of the cost of respite care.

(2) A grant in accordance with subsection (1) shall be payable each year to a carer who, on such date each year as may be prescribed, is entitled to or in receipt of carer's benefit.

Medical examination.

82G.—(1) A relevant person, in respect of whose full-time care and attention a carer is entitled to or in receipt of carer's benefit, shall attend for or submit to such medical or other examination as may be required in accordance with regulations.

(2) Regulations under subsection (1) may also provide for disqualifying a person for receiving carer's benefit if the relevant person, in respect of whose full-time care and attention the benefit is payable, fails without good cause to attend for or to submit to such medical or other examination as may be required in accordance with those regulations.

Payment of benefit.

82H.—Notwithstanding this Chapter—

- (a) only one carer's benefit shall be payable to a carer, and only one carer's benefit shall be payable in respect of the full-time care and attention being provided to a relevant person,
- (b) carer's benefit shall not be payable in respect of the full-time care and attention being provided to a relevant person in any case where a carer's allowance under Part III is being paid to any person in respect of the full-time care and attention being provided to the same relevant person, and
- (c) a prescribed relative allowance under Chapter 10 of Part III shall cease to be payable to a relevant person or

Pt.III S.10

prescribed relative, as the case may be, where the prescribed relative or any other person becomes entitled to and receives a carer's benefit in respect of the full-time care and attention being provided to that relevant person.

Disqualification. 82I.—A person who, having been in receipt of carer's benefit for a period of less than 6 weeks in respect of the full-time care and attention being provided to a relevant person, ceases to be entitled to such benefit, shall be disqualified for receipt of carer's benefit in respect of the full-time care and attention being provided to the same relevant person for a period of 6 weeks from the last day for which he or she was entitled to the benefit.

Regulations. 82J.—Regulations may provide for requiring an employer or any other person to furnish such information as may be required for the purpose of determining a claim to carer's benefit.”.

Amendments consequential on section 10.

11.—(1) The Principal Act is amended by—

(a) the insertion in section 30(1) after paragraph (e) of the following paragraph:

“(ee) carer's benefit,”,

(b) the insertion in Part I of the Second Schedule (inserted by section 4 of this Act) after the rate of allowance contained at reference 6 of the following rates:

“7. Carer's Benefit:

(a) in the case of a person to whom section 82D(1)(b) applies ...

| 88.50 | - | 13.20 | - | - | - |

(b) in the case of a person to whom section 82D(1)(a) applies ...

| 132.80 | - | 13.20 | - | - | - |”,

and

(c) the insertion after section 168A (inserted by section 11 of the Act of 1999) of the following section:

“168B.—(1) A relevant person in respect of whose full-time care and attention a carer is entitled to or in receipt of carer's allowance shall attend for or submit to such medical or other examination as may be required in accordance with regulations.

(2) Regulations under subsection (1) may also provide for disqualifying a person for receiving carer's allowance if the relevant person in respect of whose full-time care

[2000.] *Social Welfare Act, 2000.* [No. 4.]

and attention the allowance is payable fails without good cause to attend for or submit to such medical or other examination as may be required in accordance with those regulations.”. Pt.III S.11

(2) Each provision of the Principal Act mentioned in *column (1)* of *Schedule C* to this Act is amended in the manner specified in *column (2)* of that Schedule opposite the mention of the provision in *column (1)*.

12.—This Part comes into operation on such day or days as the Minister may appoint by order or orders either generally or with reference to any particular purpose or provision and different days may be so appointed for different purposes or different provisions. Commencement
(Part III).

PART IV

Widowed Parent Grant

13.—The Principal Act is amended by the insertion after Chapter 19 of Part II of the following Chapter: Widowed parent
grant.

“Chapter 19A

Widowed Parent Grant

116A.—(1) Subject to this Act, a grant (in this section referred to as a ‘widowed parent grant’) of £1,000, or such higher amount as may be prescribed, shall be paid to a widowed parent on the death of his or her spouse.

(2) In this Chapter—

‘spouse’ includes a party to a marriage that has been dissolved, being a dissolution that is recognised as valid in the State and in relation to a widow or widower who has been married more than once, refers only to the widow’s or widower’s last spouse;

‘widow’ includes a woman who would otherwise be a widow but for the fact that her marriage has been dissolved, being a dissolution that is recognised as valid in the State;

‘widowed parent’ means a widow or widower who—

- (a) has at least one qualified child who normally resides with him or her, and
- (b) (i) is entitled to or in receipt of bereavement grant, or
(ii) is entitled to or in receipt of—
 - (I) death benefit under section 60, or
 - (II) widow’s (contributory) pension, or
 - (III) widower’s (contributory) pension, or
 - (IV) widow’s or widower’s (contributory) pension by virtue of Council Regulation (EEC) No.

Pt.IV S.13

1408/71 of the Council of 14 June 1971¹ or by virtue of a reciprocal agreement under section 238, or

(V) one-parent family payment,

which includes an increase in respect of a qualified child;

‘widower’ includes a man who would otherwise be a widower but for the fact that his marriage has been dissolved, being a dissolution that is recognised as valid in the State.’.

Amendments consequential on section 13.

14.—Each provision of the Principal Act mentioned in *column (1)* of *Schedule D* to this Act is amended in the manner specified in *column (2)* of that Schedule opposite the mention of the provision in *column (1)*.

Application of provisions.

15.—This Part applies in respect of a person who became a widow or widower on or after 1 December 1999.

PART V

Improvements in Social Welfare Schemes

Pensions for certain persons who entered insurance prior to 1953.

16.—(1) The Principal Act is amended by the insertion after section 87 of the following section—

“87A.—(1) Notwithstanding this Chapter and regulations made thereunder, a pension shall be payable in accordance with this section in the case of a person who—

(a) has attained pensionable age,

(b) was an employed contributor under the National Health Insurance Acts, 1911 to 1952, and

(c) has paid—

(i) contributions as an employed contributor under the National Health Insurance Acts, 1911 to 1952, or

(ii) a combination of such contributions and qualifying contributions,

in respect of not less than 260 contribution weeks since he or she first became insured under the National Health Insurance Acts, 1911 to 1952:

Provided that only one pension shall be payable to or in respect of a person under this Chapter.

(2) In taking contributions paid by or in respect of an employed contributor under the National Health Insurance Acts, 1911 to 1952, into account under this section, every two such contributions under those Acts shall be reckoned as three contributions paid in respect of three contribution weeks, with

¹ O.J. No.L149, 5.7.1971, p2

any odd contribution being reckoned as two contributions paid Pt.V S.16
in respect of two contribution weeks.

(3) A pension payable in accordance with this section shall be payable at half the rate specified in column (2) at reference 3 of Part I of the Second Schedule.

(4) The weekly rate of old age (contributory) pension payable in accordance with this section shall be increased by—

- (a) half the amount set out in column (3) at reference 3 of Part I of the Second Schedule for any period during which the beneficiary has a qualified adult, subject to the restriction that a beneficiary shall not be entitled for the same period to an increase of pension under this subsection in respect of more than one person,
- (b) half the amount set out in column (4) at reference 3 of Part I of the Second Schedule in respect of each qualified child who normally resides with the beneficiary,
- (c) the amount set out in column (6) at reference 3 of Part I of the Second Schedule where the beneficiary is living alone, and
- (d) the amount set out in column (7) at reference 3 of Part I of the Second Schedule where the beneficiary has attained the age of 80 years.”.

(2) This section comes into operation on 5 May 2000.

17.—(1) The Third Schedule to the Principal Act is amended by— Assessment of means — improvements in assessment of property (capital).

(a) the substitution in Rule 1 of Part I for paragraph (1) (as amended by section 37 of the Act of 1996) and paragraph (1A) (inserted by section 15 of the Act of 1996) of the following paragraphs:

“(1) (a) Other than in such circumstances and subject to such conditions and for such periods as may be prescribed, the weekly value of property belonging to the person or to his or her spouse (not being property personally used or enjoyed by the person or his or her spouse or a farm of land leased either by the person or his or her spouse) which is invested or otherwise put to profitable use or is capable of being, but is not, invested or put to profitable use and such weekly value, calculated in accordance with subparagraph (b), shall be deemed to constitute the weekly means of a person from such property.

(b) The weekly value of the property referred to in subparagraph (a) shall be calculated as follows:

- (i) the first £10,000 of the capital value of the property shall be excluded,
- (ii) the weekly value of so much of the capital value of the property as exceeds £10,000 but does not exceed £20,000 shall be assessed at £1 per each £1,000,
- (iii) the weekly value of so much of the capital value of the property as exceeds £20,000 but does not exceed £30,000 shall be assessed at £2 per each £1,000, and
- (iv) the weekly value of so much of the capital value of the property as exceeds £30,000 shall be assessed at £4 per each £1,000.

(1A) Regulations may modify paragraph (1) in relation to the calculation of the weekly value of property belonging to a person.”,

(b) the substitution in Rule 1 of Part II (as amended by section 25(1) of the Act of 1997) for paragraph (1) of the following paragraph:

“(1) (a) Other than in such circumstances and subject to such conditions and for such periods as may be prescribed, the weekly value of property belonging to the person (not being property personally used or enjoyed by the person or a farm of land leased by him or her) which is invested or is otherwise put to profitable use by the person or which, though capable of investment or profitable use is not invested or put to profitable use and such weekly value, calculated in accordance with subparagraph (b), shall be deemed to constitute the weekly means of a person from such property.

(b) The weekly value of the property referred to in subparagraph (a) shall be calculated as follows:

- (i) the first £10,000 of the capital value of the property shall be excluded,
- (ii) the weekly value of so much of the capital value of the property as exceeds £10,000 but does not exceed £20,000 shall be assessed at £1 per each £1,000,
- (iii) the weekly value of so much of the capital value of the property as exceeds £20,000 but does not exceed £30,000 shall be assessed at £2 per each £1,000, and

[2000.]

Social Welfare Act, 2000.

[No. 4.]

- (iv) the weekly value of so much of the capital value of the property as exceeds £30,000 shall be assessed at £4 per each £1,000, Pt.V S.17

but no account shall be taken under any other provision of these Rules of any appropriation of the property for the purpose of current expenditure.”,

- (c) the substitution in Rule 1(3A) of Part II (inserted by section 37 of the Act of 1996) for “yearly” of “weekly”, and

- (d) the substitution in Rule 1 of Part IV (inserted by section 16 of the Act of 1999) for paragraph (2) of the following paragraphs:

“(2) (a) Other than in such circumstances and subject to such conditions and for such periods as may be prescribed, the weekly value of all property belonging to him or her or to his or her spouse (not being a farm of land owned or leased either by him or her or by his or her spouse) which is invested or is otherwise put to profitable use or which, though capable of investment or profitable use is not invested or put to profitable use by the farmer or his or her spouse and such weekly value, calculated in accordance with subparagraph (b), shall be deemed to constitute the weekly means of the farmer from such property.

- (b) The weekly value of the property referred to in subparagraph (a) shall be calculated as follows:

- (i) the first £10,000 of the capital value of the property shall be excluded,
- (ii) the weekly value of so much of the capital value of the property as exceeds £10,000 but does not exceed £20,000 shall be assessed at £1 per each £1,000,
- (iii) the weekly value of so much of the capital value of the property as exceeds £20,000 but does not exceed £30,000 shall be assessed at £2 per each £1,000, and
- (iv) the weekly value of so much of the capital value of the property as exceeds £30,000 shall be assessed at £4 per each £1,000,

but no account shall be taken under any other provision of these Rules of any appropriation of the property for the purpose of current expenditure;

Pt.V S.17

(2A) Regulations may modify paragraph (2) in relation to the calculation of the weekly value of property belonging to a person;”.

(2) Each provision of the Principal Act mentioned in *column (1)* of *Schedule E* to this Act is amended in the manner specified in *column (2)* of that Schedule opposite the mention of that provision in *column (1)*.

(3) Subject to *subsection (4)*, this section shall not have the effect of reducing the rate of any assistance payable below the rate payable immediately before the commencement of this section in relation to that assistance.

(4) *Subsection (3)* shall cease to apply to any person where the amount of capital on which the assessment of his or her means was based on the commencement of this section, is found to have increased.

(5) This section comes into operation on such day or days as the Minister may appoint by order or orders either generally or with reference to any particular purpose or provision and different days may be so appointed for different purposes or different provisions.

Farm assist —
improvements in
assessment of
income.

18.—(1) Part IV of the Third Schedule to the Principal Act (inserted by section 16 of the Act of 1999) is amended by—

(a) the substitution in Rule 1 for paragraph (1) of the following paragraph:

“(1) the gross yearly income which the farmer or his or her spouse may be reasonably expected to receive from farming or any other form of self-employment, less—

(a) any expenses necessarily incurred in carrying on farming or other form of self-employment, and

(b) in the case of a farmer who has a qualified child, who normally resides with him or her, an amount of—

(i) £200 per annum in respect of each of the first two qualified children, and

(ii) £300 per annum in respect of each subsequent qualified child,

calculated at the rate of 70 per cent.;”,

and

(b) the deletion in Rule 1(3) of subparagraph (i).

(2) This section comes into operation on such day as the Minister may appoint by order.

Assessment of
means —
fishermen.

19.—(1) Part I of the Third Schedule to the Principal Act is amended by the substitution in Rule 1 for paragraph (8) (inserted by section 22 of the Act of 1999) of the following paragraph:

“(8) in the case of a fisherman, the gross income derived from any form of self-employment less—

[2000.] *Social Welfare Act, 2000.* [No. 4.]

- (a) any expenses necessarily incurred in carrying on any form of self-employment, and Pt.V S.19
- (b) where the fisherman has a qualified child, who normally resides with him or her, an amount of—
- (i) £200 per annum in respect of each of the first two qualified children, and
- (ii) £300 per annum in respect of each subsequent qualified child,
- calculated at the rate of 70 per cent.’’.

(2) This section comes into operation on such day as the Minister may appoint by order.

20.—(1) The Principal Act is amended by the substitution in section 245A (inserted by section 15 of the Act of 1995) for subsections (3) and (4) of the following subsection: Child dependants — retention of full-rate increase.

“(3) In this section ‘benefit’ means benefit under Part II.’’.

(2) This section comes into operation—

- (a) in so far as it relates to unemployment assistance and farm assist, on 5 April 2000,
- (b) in so far as it relates to unemployment benefit, on 6 April 2000,
- (c) in so far as it relates to disability benefit or injury benefit, on 10 April 2000,
- (d) in so far as it relates to disability allowance, on 12 April 2000,
- (e) in so far as it relates to pre-retirement allowance, on 13 April 2000,
- (f) in so far as it relates to unemployability supplement, on 7 April 2000.

21.—(1) Section 191B of the Principal Act (inserted by section 13 of the Act of 1996) is amended by the deletion in subsection (3A) (inserted by section 20 of the Act of 1999) of the proviso. Disability allowance — improvements.

(2) *Subsection (1)* comes into operation on 3 May 2000.

(3) Rule 1(2)(s) (inserted by section 26 of the Act of 1997) of Part I of the Third Schedule to the Principal Act is amended by the substitution for subparagraph (ii) of the following subparagraph:

“(ii) such amount as may be prescribed of earnings from employment or self-employment of a rehabilitative nature.’’.

(4) *Subsection (3)* comes into operation on such day as the Minister may appoint by order.

Pt.V
Carer's allowance
— increase in
respite care grant.

22.—The Principal Act is amended by the substitution in section 168A(1) (inserted by section 11 of the Act of 1999) for “£200” of “£300”.

Return of
contributions —
maintenance
arrangements.

23.—(1) The Principal Act is amended by the insertion after section 29A (inserted by section 33 of the Act of 1997) of the following section:

“29B.—Regulations may provide for the return of so much, if any, as may be prescribed subject to such conditions as may be prescribed, of any employment contribution, self-employment contribution, voluntary contribution or optional contribution paid by a contributor, in respect of any payment made by him or her under or pursuant to a maintenance arrangement within the meaning of section 1025 of the Taxes Consolidation Act, 1997, relating to a marriage for the benefit of the other party to the marriage, unless section 1026 of that Act applies in respect of such payment.”.

(2) This section comes into operation on 6 April 2000.

One-parent family
payment — saver
provision.

24.—(1) Section 18 of the Act of 1996 (as amended by section 23 of the Act of 1999) is amended by the insertion after subsection (5) of the following subsection:

“(6) Notwithstanding the provisions of this Part, in the case of a woman who—

(a) was in receipt of deserted wife's allowance under Chapter 5 of Part III of the Social Welfare (Consolidation) Act, 1981, and transferred from that scheme to the lone parent's allowance scheme under Chapter 5A (inserted by section 12 of the Social Welfare Act, 1990) of Part III of the said Act following the commencement of that Chapter in 1990, and

(b) ceases or has ceased to be entitled to one-parent family payment under Chapter 9 of Part III of the Principal Act by virtue of no longer having at least one qualified child residing with her,

she shall, where but for this Part she would be entitled to a relevant payment under subsection (1)(b), become and continue to be entitled to the said payment, for the duration of her continuous entitlement thereto, in accordance with the Principal Act and regulations made thereunder.”.

(2) This section shall be deemed to have come into operation on 2 January 1997.

Payments after
death —
improvements.

25.—(1) Section 210 (2) (as amended by section 17 of the Act of 1999) of the Principal Act is amended by—

(a) the insertion after paragraph (a) of the following paragraph:

“(aa) where a person in receipt of old age (contributory) pension, retirement pension, old age (non-contributory) pension or blind pension dies, and his or her spouse is in receipt of an old age (contributory) pension or a retirement pension in

[2000.]

Social Welfare Act, 2000.

[No. 4.]

his or her own right, payment of the deceased person's pension shall continue to be made for a period of 6 weeks after the date of death and shall, during that period, be made to such person and subject to such conditions as may be prescribed, and",

Pt.V S.25

and

(b) the insertion after paragraph (b) of the following paragraph:

“(bb) where a person is in receipt of one-parent family payment by virtue of having not more than one qualified child and that qualified child dies, payment of the one-parent family payment including the increase in respect of such child shall continue to be made for a period of 6 weeks after the date of death of the qualified child, and”.

(2) This section comes into operation on 6 April 2000.

26.—(1) Rule 1(1) of Part III of the Third Schedule to the Principal Act is amended by the insertion after paragraph (o) (inserted by section 26(1)(d) of the Act of 1997) of the following paragraph—

Supplementary welfare allowance — income disregards.

“(p) in the case of a person in receipt of a supplement under section 179 towards the amount of mortgage interest or rent payable by him or her in respect of his or her residence:

(i) £25, or such higher amount as may be prescribed, from the amount of income derived when gross earnings from employment have been reduced by the aggregate of—

(I) any allowable contribution referred to in Regulations 59 and 60 (inserted by the Income Tax (Employments) Regulations, 1972 (S.I. No. 260 of 1972)) of the Income Tax (Employments) Regulations, 1960 (S.I. No. 28 of 1960),

(II) any amount deducted from reckonable earnings pursuant to section 10 and regulations made under section 11,

(III) any amount deducted from reckonable earnings pursuant to section 5 of the Health Contributions Act, 1979, and

(IV) an amount equal to the amount of reduction, if any, in the rate of unemployment assistance or one-parent family payment under Part III consequent on receipt of the said earnings from employment;

(ii) the amount by which carer's allowance exceeds the amount of supplementary welfare allowance set out in column (3) at reference 10 of the Fourth Schedule, in the case of a claimant, or his or her spouse, who is in receipt of carer's allowance under Part III,

Pt.V S.26

- (iii) the amount by which carer's allowance exceeds the amount of supplementary welfare allowance set out in column (2) at reference 10 of the Fourth Schedule, in the case of a claimant who, not being one of a couple, is in receipt of carer's allowance under Part III,
- (iv) such amount as may be prescribed from attendance at such training course as may be prescribed;”.

(2) This section comes into operation on 3 April 2000.

Entitlement to unemployment assistance.

27.—(1) Section 125(1) of the Principal Act is amended by the substitution for paragraphs (a), (b) and (c) of the following paragraphs:

- “(a) an inmate of an institution maintained wholly or partly out of public moneys or by a local authority, or
- (b) employed during any week under a scheme administered by An Foras Áiseanna Saothair and known as Community Employment.”.

(2) Subsection (2) of section 125 of the Principal Act is repealed.

(3) This section comes into operation on such day as the Minister may appoint by order.

PART VI

Miscellaneous Provisions

Carer's allowance — miscellaneous provisions.

28.—(1) Chapter 10 of Part III of the Principal Act is amended by—

- (a) the substitution in section 163(1) in the definition of “relevant person” (inserted by section 10(a) of the Act of 1999) for “who is so incapacitated as to require” of “who has such a disability that he or she requires”,
- (b) the substitution for section 163(3) (as amended by section 13 of the Act of 1999) of the following subsection:

“(3) For the purposes of subsection (1), a relevant person shall be regarded as requiring full-time care and attention where—

(a) he or she has such a disability that he or she requires from another person—

(i) continual supervision and frequent assistance throughout the day in connection with normal bodily functions, or

(ii) continual supervision in order to avoid danger to himself or herself,

(b) he or she has such a disability that he or she is likely to require full-time care and attention for a period of at least 12 consecutive months, and

[2000.] *Social Welfare Act, 2000.* [No. 4.]

(c) the nature and extent of his or her disability has been certified in the prescribed manner by a medical practitioner.”, Pt.VI S.28

and

(c) the substitution for section 166 (as amended by section 13 of the Act of 1999) of the following section:

“166.—Notwithstanding this Chapter—

(a) only one carer’s allowance shall be payable to a carer, and only one carer’s allowance shall be payable in respect of the full-time care and attention being provided to a relevant person, and

(b) carer’s allowance shall not be payable in respect of the full-time care and attention being provided to a relevant person in any case where a carer’s benefit under Part II is being paid to any person in respect of the full-time care and attention being provided to the same relevant person.”.

(2) This section comes into operation on such day as the Minister may appoint by order.

29.—The Principal Act is amended by—

Social Insurance
Fund —
expenditure on
benefit.

(a) the insertion after section 6 of the following section:

“6A.—(1) Benefit shall be paid or provided for out of the Social Insurance Fund.

(2) A reference to benefit in section 6 and this section includes:

(a) the benefits described in section 30,

(b) a relevant payment within the meaning of section 18(1)(a) of the Social Welfare Act, 1996,

(c) schemes administered by the Minister and known as—

(i) Free Fuel Allowance,

(ii) Free Electricity Allowance,

(iii) Free Television Licence,

(iv) Free Telephone Rental Allowance,

(v) Free Natural Gas Allowance, and

(vi) Free Bottled Gas Allowance,

where such allowances are payable in respect of a person in receipt of a benefit under section 30(1) or a relevant payment within the

meaning of section 18(1)(a) of the Social Welfare Act, 1996,

- (d) a payment under regulations made under section 117 in respect of dental treatment which would have been payable in respect of a person but for the fact that the person availed of a service in respect of dental treatment under sections 45 and 67 of the Health Act, 1970,
- (e) any benefit to which section 30(1) refers which would have been payable in respect of a person but for the receipt by that person of old age (non-contributory) pension,
- (f) any increase in any benefit to which section 30(1) refers which would have been payable in respect of a person, but for the receipt by that person of an old age (non-contributory) pension in his or her own right, and
- (g) unemployment benefit which would have been payable in respect of a person but for the receipt by that person of unemployment assistance.

(3) Benefit to be paid or provided for out of the Social Insurance Fund shall include such sums as the Minister may estimate on such basis as may be agreed upon between the Minister and the Minister for Finance in respect of the benefits set out in subsection (2)(c), (d), (e), (f) and (g).

(4) There shall be paid out of the Social Insurance Fund—

- (a) to the Minister for Health and Children the sum agreed between the Minister and the Minister for Finance in respect of the benefit set out in subsection (2)(d), and
- (b) to the Exchequer in respect of the sums agreed between the Minister and the Minister for Finance in respect of the benefits set out in subsection (2)(c), (e), (f) and (g),

in such manner and at such times as the Minister may determine.”,

- (b) the deletion in section 30 of subsection (3), and
- (c) the substitution in section 135 for paragraph (b) of the following paragraph:

“(b) in any case where the old age (non-contributory) pension is so paid, entitlement to widow’s (contributory) pension, widower’s (contributory) pension, old age (contributory) pension or the increase thereof, as the case may be, shall continue but the amount of any such pension or increase payable during any such period shall not be paid to or in respect of the person.”.

[2000.]

Social Welfare Act, 2000.

[No. 4.]

30.—(1) The Principal Act is amended by the substitution in section 141(1)(a) (inserted by section 19 of the Act of 1998) for subparagraph (ii) of the following subparagraph:

Pt.VI
Blind pension —
increases for one of
a couple.

“(ii) the increase payable by virtue of section 137(a), shall be as set out—

- (I) where the beneficiary and his or her spouse have attained pensionable age, in Part II of the Fourth Schedule,
- (II) where the beneficiary and his or her spouse have not attained pensionable age, in Part IIA of the Fourth Schedule,
- (III) where the beneficiary has not attained pensionable age and his or her spouse has attained that age, in Part IIB of the Fourth Schedule, and
- (IV) where the beneficiary has attained pensionable age and his or her spouse has not attained that age, in Part IIC of the Fourth Schedule.”.

(2) This section comes into operation on 5 May 2000.

31.—(1) The Principal Act is amended by—

Supplementary
welfare allowance
— transfer of
functions.

(a) the substitution for subsection (1) (inserted by section 30 of the Act of 1999) of section 175 of the following subsection:

“(1) Subject to the general direction and control of the Minister, each health board shall, in respect of its functional area, be responsible for the administration of functions under this Chapter and the functions relating to supplementary welfare allowance other than—

- (a) functions relating to claims for supplementary welfare allowance which may be decided by a deciding officer under section 247(2)(b),
- (b) functions relating to claims for supplementary welfare allowance decided by a deciding officer under section 247(2A), and
- (c) making such categories of payment as may be prescribed in such circumstances and conditions as may be prescribed.”.

(b) the insertion in section 175 after subsection (3) of the following subsection:

“(4) Where any doubt or dispute arises as to whether an entitlement to supplementary welfare allowance is to be determined by an officer of the health board or decided by a deciding officer, it shall be resolved by the Minister.”.

(c) the substitution in section 247(2) (as amended by section 30 of the Act of 1999) for paragraph (b) of the following paragraph:

“(b) Part (III) (social assistance) excluding supplementary welfare allowance other than such categories of claims as may be prescribed under subsection (2B),”

(d) the substitution in section 247(2) (as amended by section 30(1)(a) of the Act of 1999) for “(2A)” of “(2A) and subsection (2B)”,

(e) the insertion in section 247 after subsection (2A) (inserted by section 30(1)(b) of the Act of 1999) of the following subsection:

“(2B) Regulations may provide that the categories of claims for supplementary welfare allowance to be decided by a deciding officer shall be—

(a) claims made under section 178 in any case where a person has made an application for such benefit under Part II or such assistance under Part III as may be prescribed, and entitlement to that benefit or that assistance has not yet been decided or has been decided and that decision is the subject of an appeal under section 257, and

(b) claims under section 179 for a supplement towards the amount of rent or mortgage interest payable by a person in respect of his or her residence in such categories of cases as may be prescribed.”

(f) the insertion in section 248 after subsection (1A) (inserted by section 30(1)(c) of the Act of 1999) of the following subsection:

“(1B) A deciding officer may, at any time revise a determination of an officer of a health board, including an officer of a health board designated under section 267(1), if it appears to him or her that the determination was erroneous in the light of new evidence or of new facts which have been brought to his or her notice since the date on which it was given or by reason of some mistake having been made in relation to the law or the facts, or if it appears to him or her that there has been any relevant change of circumstances since the determination was given and the provisions of this Part as to appeals shall apply to the revised decision in the same manner as they apply to an original decision of a deciding officer.”

(g) the substitution in section 248(2A) (inserted by section 30 of the Act of 1999) for “(1A)” of “(1A) or subsection (1B)”, and

(h) the substitution in section 278(d) (inserted by section 30 of the Act of 1999) for “248(1A)” of “248(1A) and section 248(1B)”.

(2) This section comes into operation on such day as the Minister may appoint by order.

32.—(1) The Principal Act is amended—

Pt. VI

Exchange of public
service data.

(a) in section 223(1) (inserted by section 14 of the Act of 1998) by the substitution for “In this section and sections 223A, 223B and 223C—” of “Subject to this section, in this section and sections 223A, 223B, 223C, 223D, 223E, 223F, 223G and 223H—”,

(b) in section 223C(1) (inserted by section 14 of the Act of 1998) by the substitution for the definition of “information” of the following definition:

“‘information’ means any personal data or information extracted from such data, whether collected before or after 5 February 1999.”,

(c) in the definition of “specified body” (as amended by section 27 of the Act of 1999) in section 223(1)—

(i) by the deletion in paragraph (k) (xxviii) of “or”, and

(ii) by the substitution for paragraph (l) of the following paragraphs:

“(l) the National Breast Screening Board,

(m) other than in sections 223A to 223C and 223E to 223H, the following—

(i) a recognised school or centre for education (within the meaning of section 2 of the Education Act, 1998),

(ii) a vocational education committee (within the meaning of section 7 of the Vocational Education Act, 1930),

(iii) an educational institution to which the Regional Technical Colleges Acts, 1992 to 1999, apply,

(iv) the Dublin Institute of Technology,

(v) a university to which the Universities Act, 1997, applies,

(vi) the National Qualifications Authority of Ireland,

(vii) the Further Education and Training Awards Council,

(viii) the Higher Education and Training Awards Council,

(ix) a person who provides, organises or procures a programme of education or training,

or

(n) such other persons as may be prescribed;”,

(d) by the substitution in section 223C for subsection (5) of the following subsection:

“(5) A person who knowingly seeks or transfers any information held by a specified body relating to another by using that other’s personal public service number, other than where the seeking or transferring of information is provided for under this Act or any other enactment, shall be guilty of an offence.”,

and

(e) by the insertion after section 223C of the following sections:

“Data exchange —
provision of
education.

223D.—Notwithstanding anything contained in any other enactment, a specified body may share such information, as may be prescribed, with the Minister for Education and Science where that Minister requires the information for the purpose of enabling him or her to provide education in accordance with section 6(b) of the Education Act, 1998.

Data exchange —
sharing of personal
public service
number.

223E.—(1) Notwithstanding anything contained in any other enactment, a specified body may share such information, as may be prescribed, with the Minister for the purpose of seeking from the Minister the personal public service number for each person in respect of whom the information is shared.

(2) Information received by the Minister under subsection (1) may be used by the Minister for the purpose of identifying the personal public service number for each person in respect of whom such information is received and for updating the Minister’s own records in respect of that person.

(3) Where a specified body has sought a personal public service number under subsection (1) in respect of a person, the Minister may share such information, as may be prescribed, in respect of that person with that specified body for the purpose of giving that specified body the personal public service number relating to the person.

Data exchange —
health provisions.

223F.— Notwithstanding anything contained in any other enactment, a specified body may share with another specified body information relating to a person using that person’s personal public service number, where that information, other than the personal public service number, is being shared in accordance with the Health (Provision of Information) Act, 1997.

Data exchange —
rented
accommodation.

223G.—(1) Notwithstanding anything contained in any other enactment, the Minister may share such information, as may be prescribed, in relation to—

(a) a house let for rent,

(b) a landlord or his or her agent of a house let for rent, or

[2000.]

Social Welfare Act, 2000.

[No. 4.]

(c) a tenant of a house let for rent,

Pt.VI S.32

with a local authority for the purposes of—

- (i) assisting a fire authority (within the meaning of the Fire Services Act, 1981), in the exercise of its functions under that Act, or
- (ii) assisting a housing authority (within the meaning of section 23 of the Housing (Miscellaneous Provisions) Act, 1992), in the exercise of its functions under sections 17, 18 and 20 of that Act,

in relation to that rented house let for rent, that landlord or his or her agent of a house let for rent or that tenant of a house let for rent.

(2) Information received by a local authority under subsection (1) may be used by that local authority for the purposes specified in subparagraphs (i) and (ii) of that subsection.

(3) In this section—

‘house’ has the meaning assigned to it by section 1 of the Housing (Miscellaneous Provisions) Act, 1992;

‘local authority’ has the meaning assigned to it by the Local Government Act, 1941.

Data exchange —
correction of
inaccurate
information.

223H.—Where the information shared between one specified body and another under sections 223D, 223E, 223F or 223G is found to be inaccurate, the specified body on making the discovery shall confirm with the person the correct information and advise the other specified body of the amended information.

‘information’.

223I.—In sections 223D, 223E, 223F, 223G and 223H ‘information’ means any personal data or information extracted from such data.”.

(2) The amendment effected by paragraph (e) of subsection (1) applies to information used for the purposes of section 223D, 223E, 223F or 223G of the Principal Act whether collected before or after the coming into operation of the provision concerned.

(3) This section shall come into operation on such day or days as the Minister may appoint by order or orders generally or with reference to any particular purpose or provision and different days may be so appointed for different purposes or different provisions.

33.—Subsection (2) of section 218 of the Principal Act is repealed. Repeal.

PART VII

Amendment of Health Contributions Act, 1979

Amendment of
Health
Contributions Act,
1979.

34.—(1) Section 7A of the Health Contributions Act, 1979, is amended by—

- (a) the substitution in paragraph (1)(a) of “£280” for “£217” (inserted by section 33(2)(a) of the Act of 1999),
- (b) the substitution in paragraph (1)(b) of “£14,560” for “£11,250” (inserted by section 33(2)(b) of the Act of 1999), and
- (c) the substitution in subsection (2) of “£14,560” for “£11,250” (inserted by section 33(2)(c) of the Act of 1999).

(2) This section comes into operation on 6 April 2000.

PART VIII

Amendment of Pensions Act, 1990

Increases to
pensions in
payment.

35.—Part VI of the Pensions Act, 1990, is amended by the insertion after section 59B (inserted by section 35 of the Act of 1999) of the following section:

“59C.—(1) In this section—

‘integrated pension’ means a scheme pension, the calculation of the amount of which involves a State pension offset;

‘scheme pension’ means a pension payable under an occupational pension scheme;

‘State pension’ means—

- (a) disablement pension,
- (b) death benefit under section 60, 61 or 62,
- (c) old age (contributory) pension,
- (d) retirement pension,
- (e) invalidity pension,
- (f) widow’s (contributory) pension, or
- (g) widower’s (contributory) pension,

under Part II of the Social Welfare (Consolidation) Act, 1993;

‘State pension offset’, in relation to the calculation of a scheme pension, means a deduction or offset, the amount of which depends on the amount of a State pension;

‘updated State pension offset’, in relation to the calculation of an increase to a scheme pension after its commencement, means a State pension offset, the amount of which depends on the amount of a State pension at, or during a period up to, the date the increase to the scheme pension is calculated or made.

[2000.] *Social Welfare Act, 2000.* [No. 4.]

(2) Where the trustees of a scheme increase an integrated pension at any time after it has commenced, notwithstanding the rules of the scheme they shall not calculate the increase by reference to an updated State pension offset. Pt.VIII S.35

(3) Where, but for subsection (2), the trustees of a scheme would calculate an increase to an integrated pension by reference to an updated State pension offset, notwithstanding the rules of the scheme they shall instead calculate the increase by:

- (a) calculating the amount of the scheme pension which would notionally be payable immediately before the increase if the amount of the State pension offset had at all times been nil;
- (b) calculating the percentage by which the scheme pension, as so calculated, would be increased if the amount of the State pension offset continued to be nil; and
- (c) increasing the scheme pension actually in payment by that percentage.”.

36.—Section 3A of the Pensions Act, 1990, is repealed. Repeal.

SCHEDULE A

“Second Schedule

Rates of Benefits

PART I

Rates of Periodical Benefits and Increases Thereof

Description of benefit (1)	Weekly rate (2)	Increase for qualified adult (where payable) (3)	Increase for each qualified child (where payable) (4)	Increase for prescribed relative under section 167 (where payable) (5)	Increase where the person has attained pensionable age and is living alone (where payable) (6)	Increase where the person has attained the age of 80 years (where payable) (7)
	£	£	£	£	£	£
1. Disability Benefit, Unemployment Benefit, Injury Benefit and Health and Safety Benefit ...	77.50	47.00	13.20	—	—	—
2. Death Benefit:						
(a) pension payable to a widow or widower under section 60 ...	99.40	—	17.00	48.80	6.00	—
(b) pension payable to a parent						
(i) reduced rate ...	46.50	—	—	48.80	6.00	—
(ii) maximum rate ...	99.40	—	—	48.80	6.00	—
(c) pension payable to an orphan ...	57.90	—	—	—	—	—
3. Old Age (Contributory) Pension and Retirement Pension:	96.00	60.20	15.20	48.80	6.00	5.00
additional increase for a qualified adult who has attained pensionable age	—	4.40	—	—	—	—
4. Invalidity Pension:	81.10	53.30	15.20	48.80	6.00	5.00
additional increase for a beneficiary who has attained the age of 65 years ...	14.90	—	—	—	—	—
additional increase where qualified adult has attained pensionable age ...	—	4.70	—	—	—	—
5. Widow's and Widower's (Contributory) Pension and a relevant payment by virtue of section 18(1)(a) of the Social Welfare Act, 1996:	81.10	—	17.00	48.80	6.00	5.00
additional increase for a beneficiary who has attained pensionable age ...	8.00	—	—	—	—	—
6. Orphan's (Contributory) Allowance ...	55.60	—	—	—	—	—

PART II

Sch.A

Occupational Injuries Benefits — Gratuities and Grant

Description of Grant (1)	Amount (2)
	£
1. Disablement Benefit: Maximum gratuity	7,080
2. Death Benefit	500

PART III

Disablement Pension

Degree of Disablement (1)	Weekly Rate (2)
	£
100 per cent.	101.20
90 " "	91.10
80 " "	81.00
70 " "	70.80
60 " "	60.70
50 " "	50.60
40 " "	40.50
30 " "	30.40
20 " "	20.20

PART IV

Increases of Disablement Pension

Description of Increase (1)	Weekly Rate (2)
	£
1. Increase where the person is permanently incapable of work ...	77.50
2. Increase where the person requires constant attendance:	
(a) limit of increase except in cases of exceptionally severe dis- ablement	42.30
(b) limit in any other case	84.60

”.

SCHEDULE B

“Fourth Schedule
Rates of Assistance

PART I

Rates of Periodical Social Assistance and Increases Thereof

Description of assistance (1)	Weekly rate (2)	Increase for qualified adult (where payable) (3)	Increase for each qualified child (where payable) (4)	Increase for prescribed relative under section 167 (where payable) (5)	Increase where the person has attained pensionable age and is living alone (where payable) (6)	Increase where the person has attained the age of 80 years (where payable) (7)
	£	£	£	£	£	£
1. Unemployment Assistance:						
(a) in the case of a person to whom section 121(1)(a) applies ...	77.50	47.00	13.20	—	—	—
(b) in the case of a person to whom section 121(1)(b) applies ...	76.00	47.00	13.20	—	—	—
2. Pre-Retirement Allowance ...	77.50	47.00	13.20	—	—	—
3. Disability Allowance ...	77.50	47.00	13.20	—	—	—
4. Old Age (Non-Contributory) Pension	85.50	—	13.20	48.80	6.00	5.00
5. Blind Pension:	77.50	—	13.20	48.80	6.00	5.00
additional increase for a beneficiary who has attained pensionable age	8.00	—	—	—	—	—
6. Widow's (Non-Contributory) Pension, Widower's (Non-Contributory) Pension and a relevant payment by virtue of section 18(1)(b) or (c) of the Social Welfare Act, 1996:	77.50	—	—	48.80	6.00	5.00
additional increase for a beneficiary who has attained pensionable age	8.00	—	—	—	—	—
7. One-Parent Family Payment:	77.50	—	15.20	—	—	5.00
additional increase for a beneficiary who has attained pensionable age	8.00	—	—	—	—	—
8. Carer's Allowance:						
(a) in the case of a person to whom section 165(1)(a) applies	120.80	—	13.20	—	—	—
additional increase for a beneficiary who has attained pensionable age	12.00	—	—	—	—	—
(b) in the case of a person to whom section 165(1)(b) applies	80.50	—	13.20	—	—	—
additional increase for a beneficiary who has attained pensionable age	8.00	—	—	—	—	—
9. Orphan's (Non-Contributory) Pension	55.60	—	—	—	—	—
10. Supplementary Welfare Allowance	76.00	47.00	13.20	—	—	—
11. Farm Assist	77.50	47.00	13.20	—	—	—

PART II

Sch.B

Increase of Old Age (Non-Contributory) Pension for One of a Couple and
Increase in Blind Pension for One of a Couple where both Beneficiary and
Spouse have attained Pensionable Age

Means of claimant or pensioner	Weekly rate of increase
	£
Where the weekly means of the claimant or pensioner do not exceed £6	51.70
exceed £6 but do not exceed £8	50.70
exceed £8 but do not exceed £10	49.70
exceed £10 but do not exceed £12	48.70
exceed £12 but do not exceed £14	47.70
exceed £14 but do not exceed £16	46.70
exceed £16 but do not exceed £18	45.70
exceed £18 but do not exceed £20	44.70
exceed £20 but do not exceed £22	43.70
exceed £22 but do not exceed £24	42.70
exceed £24 but do not exceed £26	41.70
exceed £26 but do not exceed £28	40.70
exceed £28 but do not exceed £30	39.70
exceed £30 but do not exceed £32	38.70
exceed £32 but do not exceed £34	37.70
exceed £34 but do not exceed £36	36.70
exceed £36 but do not exceed £38	35.70
exceed £38 but do not exceed £40	34.70
exceed £40 but do not exceed £42	33.70
exceed £42 but do not exceed £44	32.70
exceed £44 but do not exceed £46	31.70
exceed £46 but do not exceed £48	30.70
exceed £48 but do not exceed £50	29.70
exceed £50 but do not exceed £52	28.70
exceed £52 but do not exceed £54	27.70
exceed £54 but do not exceed £56	26.70
exceed £56 but do not exceed £58	25.70
exceed £58 but do not exceed £60	24.70
exceed £60 but do not exceed £62	23.70
exceed £62 but do not exceed £64	22.70
exceed £64 but do not exceed £66	21.70
exceed £66 but do not exceed £68	20.70
exceed £68 but do not exceed £70	19.70
exceed £70 but do not exceed £72	18.70
exceed £72 but do not exceed £74	17.70
exceed £74 but do not exceed £76	16.70
exceed £76 but do not exceed £78	15.70
exceed £78 but do not exceed £80	14.70
exceed £80 but do not exceed £82	13.70
exceed £82 but do not exceed £84	12.70
exceed £84 but do not exceed £86	11.70
exceed £86 but do not exceed £88	10.70
exceed £88	Nil

PART IIA

Increase of Blind Pension for One of a Couple Where both Beneficiary and Spouse have not Attained Pensionable Age

Means of claimant or pensioner	Weekly rate of increase
	£
Where the weekly means of the claimant or pensioner do not exceed £6	47.00
exceed £6 but do not exceed £8	46.00
exceed £8 but do not exceed £10	45.00
exceed £10 but do not exceed £12	44.00
exceed £12 but do not exceed £14	43.00
exceed £14 but do not exceed £16	42.00
exceed £16 but do not exceed £18	41.00
exceed £18 but do not exceed £20	40.00
exceed £20 but do not exceed £22	39.00
exceed £22 but do not exceed £24	38.00
exceed £24 but do not exceed £26	37.00
exceed £26 but do not exceed £28	36.00
exceed £28 but do not exceed £30	35.00
exceed £30 but do not exceed £32	34.00
exceed £32 but do not exceed £34	33.00
exceed £34 but do not exceed £36	32.00
exceed £36 but do not exceed £38	31.00
exceed £38 but do not exceed £40	30.00
exceed £40 but do not exceed £42	29.00
exceed £42 but do not exceed £44	28.00
exceed £44 but do not exceed £46	27.00
exceed £46 but do not exceed £48	26.00
exceed £48 but do not exceed £50	25.00
exceed £50 but do not exceed £52	24.00
exceed £52 but do not exceed £54	23.00
exceed £54 but do not exceed £56	22.00
exceed £56 but do not exceed £58	21.00
exceed £58 but do not exceed £60	20.00
exceed £60 but do not exceed £62	19.00
exceed £62 but do not exceed £64	18.00
exceed £64 but do not exceed £66	17.00
exceed £66 but do not exceed £68	16.00
exceed £68 but do not exceed £70	15.00
exceed £70 but do not exceed £72	14.00
exceed £72 but do not exceed £74	13.00
exceed £74 but do not exceed £76	12.00
exceed £76 but do not exceed £78	11.00
exceed £78 but do not exceed £80	10.00
exceed £80	Nil

PART IIB

Sch.B

Increase of Blind Pension for One of a Couple Where Beneficiary has not
Attained Pensionable Age and Spouse has Attained Pensionable Age

Means of claimant or pensioner	Weekly rate of increase
	£
Where the weekly means of the claimant or pensioner	
do not exceed £6	51.70
exceed £6 but do not exceed £8	50.70
exceed £8 but do not exceed £10	49.70
exceed £10 but do not exceed £12	48.70
exceed £12 but do not exceed £14	47.70
exceed £14 but do not exceed £16	46.70
exceed £16 but do not exceed £18	45.70
exceed £18 but do not exceed £20	44.70
exceed £20 but do not exceed £22	43.70
exceed £22 but do not exceed £24	42.70
exceed £24 but do not exceed £26	41.70
exceed £26 but do not exceed £28	40.70
exceed £28 but do not exceed £30	39.70
exceed £30 but do not exceed £32	38.70
exceed £32 but do not exceed £34	37.70
exceed £34 but do not exceed £36	36.70
exceed £36 but do not exceed £38	35.70
exceed £38 but do not exceed £40	34.70
exceed £40 but do not exceed £42	33.70
exceed £42 but do not exceed £44	32.70
exceed £44 but do not exceed £46	31.70
exceed £46 but do not exceed £48	30.70
exceed £48 but do not exceed £50	29.70
exceed £50 but do not exceed £52	28.70
exceed £52 but do not exceed £54	27.70
exceed £54 but do not exceed £56	26.70
exceed £56 but do not exceed £58	25.70
exceed £58 but do not exceed £60	24.70
exceed £60 but do not exceed £62	23.70
exceed £62 but do not exceed £64	22.70
exceed £64 but do not exceed £66	21.70
exceed £66 but do not exceed £68	20.70
exceed £68 but do not exceed £70	19.70
exceed £70 but do not exceed £72	18.70
exceed £72 but do not exceed £74	17.70
exceed £74 but do not exceed £76	16.70
exceed £76 but do not exceed £78	15.70
exceed £78 but do not exceed £80	14.70
exceed £80	Nil

PART IIC

Increase of Blind Pension for One of a Couple Where Beneficiary has
Attained Pensionable Age and Spouse has not Attained Pensionable Age

Means of claimant or pensioner	Weekly rate of increase
	£
Where the weekly means of the claimant or pensioner do not exceed £6	47.00
exceed £6 but do not exceed £8	46.00
exceed £8 but do not exceed £10	45.00
exceed £10 but do not exceed £12	44.00
exceed £12 but do not exceed £14	43.00
exceed £14 but do not exceed £16	42.00
exceed £16 but do not exceed £18	41.00
exceed £18 but do not exceed £20	40.00
exceed £20 but do not exceed £22	39.00
exceed £22 but do not exceed £24	38.00
exceed £24 but do not exceed £26	37.00
exceed £26 but do not exceed £28	36.00
exceed £28 but do not exceed £30	35.00
exceed £30 but do not exceed £32	34.00
exceed £32 but do not exceed £34	33.00
exceed £34 but do not exceed £36	32.00
exceed £36 but do not exceed £38	31.00
exceed £38 but do not exceed £40	30.00
exceed £40 but do not exceed £42	29.00
exceed £42 but do not exceed £44	28.00
exceed £44 but do not exceed £46	27.00
exceed £46 but do not exceed £48	26.00
exceed £48 but do not exceed £50	25.00
exceed £50 but do not exceed £52	24.00
exceed £52 but do not exceed £54	23.00
exceed £54 but do not exceed £56	22.00
exceed £56 but do not exceed £58	21.00
exceed £58 but do not exceed £60	20.00
exceed £60 but do not exceed £62	19.00
exceed £62 but do not exceed £64	18.00
exceed £64 but do not exceed £66	17.00
exceed £66 but do not exceed £68	16.00
exceed £68 but do not exceed £70	15.00
exceed £70 but do not exceed £72	14.00
exceed £72 but do not exceed £74	13.00
exceed £74 but do not exceed £76	12.00
exceed £76 but do not exceed £78	11.00
exceed £78 but do not exceed £80	10.00
exceed £80 but do not exceed £82	9.00
exceed £82 but do not exceed £84	8.00
exceed £84 but do not exceed £86	7.00
exceed £86 but do not exceed £88	6.00
exceed £88	Nil

”.

SCHEDULE C

Section 11.

Provision of Principal Act Amended (1)	Nature of Amendment (2)
Section 2(3)(b)(ii) (as amended by section 17 of the Act of 1999).	The insertion after "62(1)," of "82D(1),".
Section 4(4)(a) (as amended by section 10(3) of the Act of 1998).	The insertion after "82(2)," of "82A(3),".
Section 4(5) (as amended by section 14(2) of the Act of 1998).	The insertion after "82(1)(d)," of "82C(2),".
Section 205(2)(c) (as amended by section 19 of the Act of 1999).	The insertion after "and 62)," of "carer's benefit,".
Section 210 (as amended by section 17 of the Act of 1999).	The insertion in subsection (1) in the definition of "benefit" after paragraph (c) of the following paragraph: "(cc) carer's benefit,".
Section 210(2) (as amended by section 17 of the Act of 1999).	The substitution in paragraphs (d), (dd) and (e) for "pensioner" of "person" in each place where it occurs.
Section 210(2).	The substitution in paragraphs (d), (dd) and (e) for "carer's" of "carer's benefit or carer's" in each place where it occurs.
Part II of the Third Schedule to the Principal Act.	Paragraph (7) (inserted by section 12(b) of the Act of 1999) is renumbered as paragraph (8).

SCHEDULE D

Section 14.

Provision of Principal Act Amended (1)	Nature of Amendment (2)
Section 2(3)(b)(ii) (as amended by section 11 of this Act).	The insertion after "106," of "116A,".
Section 30(1) (as amended by section 11 of this Act).	The substitution for "(m) bereavement grant." of "(m) bereavement grant, (n) widowed parent grant, (paid by virtue of receipt of a benefit under Part II).".
Section 118(1) (as amended by section 17 of the Act of 1999).	The insertion after paragraph (e) of the following paragraph: "(f) widowed parent grant (paid by virtue of receipt of one-parent family payment under Part III),".
Section 205(2)(c) (as amended by section 11 of this Act).	The insertion after "bereavement grant," of "widowed parent grant,".
Section 209(1)(a) and (2)(a) (as amended by section 19 of the Act of 1999).	The substitution for "or bereavement grant," of ", bereavement grant or widowed parent grant,".
Section 209(1)(b) and (2)(b).	The substitution for "allowance," of "allowance or widowed parent grant,".
Section 211(5) (as amended by section 19 of the Act of 1999).	The substitution for "and retirement pension" of ", retirement pension and widowed parent grant,".

SCHEDULE E

Section 17.

Provision of Principal Act Amended (1)	Nature of Amendment (2)
Section 4(5) (as amended by section 11 of this Act).	The substitution for “or Rule 1(3A) of Part II of the Third Schedule and Rule 1(2A) of Part III of the Third Schedule” of the following: “or Rule 1(1A) of Part I of the Third Schedule, Rule 1(3A) of Part II of the Third Schedule, Rule 1(2A) of Part III of the Third Schedule and Rule 1(2A) of Part IV of the Third Schedule”.
Section 119(1) (as amended by section 10(4) of the Act of 1998).	The substitution for the definition of “weekly means” of the following definition: “ ‘weekly means’ shall, subject to Rules 1(1), 1(6), 1(6A) or 1(7), as the case may be, of Part I of the Third Schedule, be the yearly means divided by 52.”.
Section 127 (as amended by section 18 of the Act of 1998).	The substitution for subsection (3) of the following subsection: “(3) In this Chapter ‘weekly means’ shall, subject to Rules 1(1) or 1(6A), as the case may be, of Part I of the Third Schedule, be the yearly means divided by 52; means shall be calculated in accordance with the Rules contained in Part I of the Third Schedule.”.
Section 132 (as amended by section 10 of the No. 2 Act of 1995).	The substitution for the definition of “weekly means” of the following definition: “ ‘weekly means’ shall, subject to Rule 1(1) of Part II of the Third Schedule, be the yearly means divided by 52.”.
Section 142(1) (as amended by section 5 of the No. 2 Act of 1995).	The substitution for the definition of “weekly means” of the following definition: “ ‘weekly means’ shall, subject to Rule 1(1) of Part II of the Third Schedule, be the yearly means divided by 52.”.
Section 157(1) (as amended by section 17 of the Act of 1996).	The substitution for the definition of “weekly means” of the following definition: “ ‘weekly means’ means, subject to Rule 1(1) and 1(7) of Part II of the Third Schedule, the yearly means divided by 52.”.
Section 163(1) (as amended by section 10 of the Act of 1999).	The substitution for the definition of “weekly means” of the following definition: “ ‘weekly means’ means, subject to Rule 1(1) of Part II of the Third Schedule, the yearly means divided by 52.”.
Section 191A(1) (inserted by section 13 of the Act of 1996).	The substitution for the definition of “weekly means” of the following definition: “ ‘weekly means’ means, subject to Rule 1(1) of Part I of the Third Schedule, the yearly means divided by 52.”.
Section 191L(1) (inserted by section 15 of the Act of 1999).	The substitution for the definition of “weekly means” of the following definition: “ ‘weekly means’ means, subject to Rule 1(2) of Part IV of the Third Schedule, the yearly means divided by 52.”.
Rule 1(4) of Part I of the Third Schedule.	The deletion of “ascertained in the prescribed manner” and “so ascertained”.
Rule 1(4) of Part I, Rule 3(1) and 3(3) of Part II and Rule 1(4) of Part IV of the Third Schedule.	The deletion of “yearly” in each place where it occurs.