



STATUTORY INSTRUMENTS.

S.I. No. 783 of 2021

SOCIAL WELFARE (CONSOLIDATED CLAIMS, PAYMENT AND
CONTROL) (AMENDMENT) (NO. 17) (EARNINGS DISREGARD)
REGULATIONS 2021

S.I. No. 783 of 2021

SOCIAL WELFARE (CONSOLIDATED CLAIMS, PAYMENT AND CONTROL) (AMENDMENT) (NO. 17) (EARNINGS DISREGARD) REGULATIONS 2021

I, HEATHER HUMPHREYS, Minister for Social Protection, 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)) and 100(3), and by Rule 1(2)(b)(viii) of Part 2 of Schedule 3, Rule 1(2)(b)(x) of Part 5 of Schedule 5 and Rule 1(5) of Part 5 of Schedule 3 to the Social Welfare Consolidation Act 2005 (No. 26 of 2005) hereby make the following Regulations:

Citation and construction

1. (1) These Regulations may be cited as the Social Welfare (Consolidated Claims, Payment and Control) (Amendment) (No. 17) (Earnings Disregard) Regulations 2021.

(2) These Regulations and the Social Welfare (Consolidated Claims, Payment 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;

“Regulations of 2008” means the Social Welfare (Consolidated Claims, Payments and Control) (Amendment) (Carer’s Income Disregard) Regulations 2008 (S.I. No. 75 of 2008).

Commencement

3. These Regulations come into operation in so far as they relate to carer’s benefit and carer’s allowance, on 2 June 2022.

Earnings disregard

4. The Principal Regulations are amended—

(a) in article 57 (amended by article 4 of the Regulations of 2008) —

(i) by the substitution of “€350.00” for “€332.50” in each place that it occurs, and

(ii) in sub-article (5)(a) by the substitution of “Regulation 31 of the Income Tax (Employments) Regulations 2018 (S.I. No.

345 of 2018)” for “Regulations 41 and 42 of the Income Tax (Employments) (Consolidation) Regulations 2001 (S.I. No. 559 of 2001)”.

- (b) in article 144 (amended by article 4 of the Regulations of 2008)—
- (i) in paragraph (a), by the substitution of “€350” for “€332.50”, and
- (ii) in paragraph (b), by the substitution of “€750” for “€665”,
- (c) by the substitution of the following article for article 147:

“Earnings disregard – disability allowance

“147 (1) For the purposes of Rule 1(2)(b)(viii) of Part 2 of Schedule 3 to the Principal Act, in calculating the value of any weekly earnings derived by a claimant for each week in respect of which he or she is engaged in employment or self-employment, the following amounts shall be disregarded:

- (a) any allowable contribution referred to in Regulation 31 of the Income Tax (Employments) Regulations 2018 (S.I. No. 345 of 2018),
- (b) any contributions payable under section 13(2)(b) and regulations made under section 14 or section 21,
- (c) any payment to a trade union,
- (d) the first €140 of earnings from employment or self-employment, and
- (e) where the claimant’s weekly earnings exceed the aggregate of the amounts calculated in accordance with paragraphs (a), (b), (c) and (d), half the weekly earnings in excess of that aggregate amount below €350.

(2) For the purposes of this article, for any period after 30 May 2022, paragraph (e) of sub-article (1) shall be read as if “€375” were substituted for “€350”.’.

- (d) by the substitution of the following article for article 150:

“Earnings disregard – blind pension

150(1)(a) For the purposes of Rule 1(2)(b)(x) of Part 5 of Schedule 3 to the Principal Act, in calculating the value of any weekly earnings derived by a claimant for each week in respect of which he or she is engaged in employment or self-employment, the following amounts shall be disregarded:

- (a) any allowable contribution referred to in Regulation 31 of the Income Tax (Employments) Regulations 2018 (S.I. No. 345 of 2018),
- (b) any contributions payable under section 13(2)(b) and regulations made under section 14 or section 21,

- (c) any payment to a trade union,
- (d) the first €140 of earnings from employment or self-employment, and
- (e) where the claimant's weekly earnings exceed the aggregate of the amounts calculated in accordance with paragraphs (a), (b), (c) and (d), half the weekly earnings in excess of that aggregate amount below €350.

(2) For the purposes of this article, for any period after 30 May 2022, paragraph (e) of sub-article (1) shall be read as if "€375" were substituted for "€350".



GIVEN under my Official Seal,
14 December, 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 for increases in the earning disregards for Carer's Benefit, Carer's Allowance, Disability Allowance and Blind Pension arising from Budget 22.

In the case of Carer's Benefit, the weekly earnings disregard is being increased from €332.50 to €350.00 with effect from 2 June 2022.

Similarly, in the case of Carer's Allowance, the weekly earnings disregard is being increased from €332.50 to €350.00 for a single person and €665 to €750 for a couple. This will take effect from 2 June 2022.

The Regulations also provide for an increase in the earnings disregard for claimants of Disability Allowance and Blind Pension. The earnings disregard in both cases is being increased to €375 from 1 June 2022.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
BÓTHAR BHAILE UÍ BHEOLÁIN,
CILL MHAIGHNEANN,
BAILE ÁTHA CLIATH 8,
D08 XAO6

Tel: 046 942 3100
r-phost: publications@opw.ie

DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased from
GOVERNMENT PUBLICATIONS,
MOUNTSHANNON ROAD,
KILMAINHAM, DUBLIN 8,
D08 XAO6

Tel: 046 942 3100
E-mail: publications@opw.ie

€3.00

