



STATUTORY INSTRUMENTS.

S.I. No. 723 of 2022

SOCIAL WELFARE (CONSOLIDATED SUPPLEMENTARY WELFARE
ALLOWANCE) (AMENDMENT) (NO. 6) (EARNINGS DISREGARD)
REGULATIONS 2022

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SOCIAL WELFARE (CONSOLIDATED SUPPLEMENTARY WELFARE ALLOWANCE) (AMENDMENT) (NO. 6) (EARNINGS DISREGARD) REGULATIONS 2022

I, HEATHER HUMPHREYS, Minister for Social Protection, in exercise of the powers conferred on me by section 4 (amended by section 10 of the Social Welfare Act 2020 (No. 30 of 2020)), and Rule 1(2)(b)(iv) of Part 4 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 Supplementary Welfare Allowance) (Amendment) (No. 6) (Earnings Disregard) Regulations 2022.

(2) These Regulations and the Social Welfare (Consolidated Supplementary Welfare Allowance) Regulations 2007 to 2021 shall be construed together as one and may be cited together as the Social Welfare (Consolidated Supplementary Welfare Allowance) Regulations 2007 to 2022.

Commencement

2. These Regulations come into operation—

- (a) in so far as they relate to disability allowance, on 4 January 2023, and
- (b) in so far as they relate to blind pension, on 6 January 2023.

3. The Social Welfare (Consolidated Supplementary Welfare Allowance) Regulations 2007 (S.I. No. 412 of 2007) are amended by the substitution of the following article for article 33 (amended by article 3 of the Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No.1) (Earnings Disregard) Regulations 2022 (S.I. No. 401 of 2022)):

“Earnings disregard — certain supplementary welfare allowance supplements

33. In assessing the means of a person for the purposes of Rule 1(2)(b)(iv) of Part 4 of Schedule 3 to the Principal Act, the amount to be disregarded in respect of earnings received by that person from employment shall be the first €165.00 of such weekly earnings.”.



GIVEN under my Official Seal,
21 December, 2022.

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.)

Budget 23 provided for an increase of €25 (from €140 to €165) in the weekly earnings disregard for claimants of Disability Allowance or Blind Pension. The Social Welfare (Consolidated Claims, Payments and Control) (Amendment) (No. 15) (Earnings Disregard) (S.I. No. 614 of 2022) provides for this increase.

Where the earnings disregard is availed of by a claimant of Disability Allowance or Blind Pension, Rule 1(2)(b)(iv) of Part 4 of Schedule 3 of the Social Welfare Consolidation Act 2005 provides that the disregard will also be taken into account in determining their entitlement to supplements, such as Rent Supplement, under the Supplementary Welfare Allowance (SWA) Scheme.

These Regulations substitute article 33 of the Social Welfare (Consolidated Supplementary Welfare Allowance) Regulations 2007, to provide that for the purposes of Supplementary Welfare Allowance, the current weekly earnings disregard for Disability Allowance and Blind Pension claimants, is increased from €140 to €165. The new weekly earnings disregard applies from 4 January 2023 in the case of Disability Allowance and from 6 January 2023 in the case of Blind Pension.

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