



STATUTORY INSTRUMENTS.

S.I. No. 140 of 2024



SOCIAL WELFARE (CONSOLIDATED CLAIMS, PAYMENTS AND
CONTROL) (AMENDMENT) (NO. 3) (INCOME DISREGARD)
REGULATIONS 2024

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SOCIAL WELFARE (CONSOLIDATED CLAIMS, PAYMENTS AND CONTROL) (AMENDMENT) (NO. 3) (INCOME DISREGARD) REGULATIONS 2024

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)) of the Social Welfare Consolidation Act 2005, and by section 2(2)(c), 232 and 297 of, and Reference 19 in Table 2 to Schedule 3 to, the Social Welfare Consolidation Act 2005, with the consent of the Minister of Public Expenditure, National Development Plan Delivery 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. 3) (Income Disregard) Regulations 2024.

(2) These Regulations and the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 to 2024 shall be construed together as one and may be cited together as the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 to 2024.

Definition

2. “The Regulations of 2023” means the Social Welfare (Consolidated Claims, Payments and Control) (Amendment) (No. 9) (Assessment of Means) Regulations 2023 (S.I. No. 533 of 2023).

Income disregard

3. The Social Welfare Consolidated Claims Payments and Control Regulations 2007 (S.I. No. 142 of 2007) are amended—

(a) in article 8(3) (amended by article 3(a) of the Regulations of 2023) —

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

(ii) by the substitution of “2022,” for “2022.” in paragraph (j), and

(iii) by the insertion of the following paragraph after paragraph (j):

“(k) any payment made under the Mother and Baby Institutions Payment Scheme, established under section 5 of the Mother and Baby Institutions Payment Scheme Act 2023 (No. 20 of 2023),

or

- (l) any payment made under the scheme operated by the State Claims Agency, known as the ‘Ex gratia scheme – Implementation of the ECtHR (European Court of Human Rights) Judgement in O’Keeffe v Ireland’.’,
- (b) in article 155 (amended by article 3(b) of the Regulations of 2023) —
 - (i) by the deletion of “or” after paragraph (i),
 - (ii) by the substitution of “2022,” for “2022.” in paragraph (j), and
 - (iii) by the insertion of the following paragraph after paragraph (j):
 - “(k) any payment made under the Mother and Baby Institutions Payment Scheme, established under section 5 of the Mother and Baby Institutions Payment Scheme Act 2023 (No. 20 of 2023),
 - or
 - (l) any payment made under the scheme operated by the State Claims Agency, known as the ‘Ex gratia scheme – Implementation of the ECtHR (European Court of Human Rights) Judgement in O’Keeffe v Ireland’.’,
- and
- (c) in article 174 (amended by article 3(c) of the Regulations of 2023) —
 - (i) by the deletion of “or” after paragraph (o),
 - (ii) by the substitution of “2022,” for “2022.” in paragraph (p), and
 - (iii) by the insertion of the following paragraph after paragraph (p):
 - “(q) any payment made under the Mother and Baby Institutions Payment Scheme, established under section 5 of the Mother and Baby Institutions Payment Scheme Act 2023 (No. 20 of 2023),
 - or
 - (r) any payment made under the scheme operated by the State Claims Agency, known as the ‘Ex gratia scheme – Implementation of the ECtHR (European Court of Human Rights) Judgement in O’Keeffe v Ireland’.’.

The Minister for Public Expenditure, National Development Plan Delivery and Reform consents to the making of the foregoing Regulations.



GIVEN under my Official Seal,
27 March, 2024.

PASCHAL DONOHOE,
Minister for Public Expenditure, National Development
Plan Delivery and Reform.



GIVEN under my Official Seal,
27 March, 2024.

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 any payments made to:

- Survivors and former residents of Mother and Baby and County Home Institutions, that come within the scope of the Mother and Baby Institutions Payment Scheme Act 2023,
and
- People who experienced sexual abuse as a pupil in a recognised day school prior to the issuing of the Guidelines for Procedures for Dealing with Allegations or Suspicions of Child Abuse and who had issued legal proceedings against the State in this regard,

will be disregarded in the assessment of means for the purposes of weekly social assistance payments, increases for qualified adults and the Working Family Payment.

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