



STATUTORY INSTRUMENTS.

S.I. No. 672 of 2016



SOCIAL WELFARE ACT 2016 (SECTION 18) (COMMENCEMENT)
ORDER 2016

S.I. No. 672 of 2016

SOCIAL WELFARE ACT 2016 (SECTION 18) (COMMENCEMENT)
ORDER 2016

I, LEO VARADKAR, Minister for Social Protection, in exercise of the powers conferred on me by section 26(3) of the Social Welfare Act 2016 (No. 15 of 2016), hereby order as follows:

1. This Order may be cited as the Social Welfare Act 2016 (Section 18) (Commencement) Order 2016.

2. The 31st day of December 2016 is appointed as the day on which section 18, insofar as it is not already in operation, of the Social Welfare Act 2016 (No. 15 of 2016) shall come into operation.



GIVEN under my Official Seal,
23 December 2016.

LEO VARADKAR,
Minister for Social Protection.

*Notice of the making of this Statutory Instrument was published in
"Iris Oifigiúil" of 6th January, 2017.*

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation.)

This Order provides for the commencement of section 18 (other than paragraph (a)(i)) of the Social Welfare Act 2016 with effect from 31st December 2016.

Section 18 provides for amendments to section 246 of the Social Welfare Consolidation Act 2005 which relates to habitual residence. The amendments provide for the relevant provisions of the European Communities (Free Movement of Persons) Regulations 2015 and the International Protection Act 2015 to be appropriately referenced in section 246.

Paragraph (a)(i) of section 18 relates to the European Communities (Free Movement of Persons) Regulations 2015 and took effect on the enactment of the Bill on 19 December 2016.

The remaining provisions in section 18 update section 246 of the Social Welfare Consolidation Act 2005 by providing the appropriate reference to the relevant provisions of the International Protection Act 2015 which will maintain the current policy with respect to habitual residence. These provisions are being commenced from 31st December 2016 in order for them to take effect in social welfare legislation on the same date the related provisions of the International Protection Act 2015 are being commenced by the Minister for Justice and Equality.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
52 FAICHE STIABHNA, BAILE ÁTHA CLIATH 2
(Teil: 01 - 6476834 nó 1890 213434; Fax: 01 - 6476843)
nó trí aon díoltóir leabhar.

DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased from
GOVERNMENT PUBLICATIONS,
52 ST. STEPHEN'S GREEN, DUBLIN 2.
(Tel: 01 - 6476834 or 1890 213434; Fax: 01 - 6476843)
or through any bookseller.

€1.27



Wt. (B32541). 285. 1/17. Essentra. Gr 30-15.