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Qualifying conditions for our schemes change from time to time. Always check with your local Social Welfare Office or with Information Services to see if qualifying conditions have changed (see page 18 for contact details).

The information in this booklet is correct at the time of publication. This booklet is intended as a guide only, and is not a legal interpretation.

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# 1. What is Maternity Benefit?

Maternity Benefit is a payment for employed and self-employed people who satisfy certain PRSI contribution conditions on their own social insurance record. Maternity Benefit is not taken into account for tax purposes.

# 2. How do I qualify?

To qualify for Maternity Benefit as an **employee** you must:

- be in insurable employment that is covered by the Maternity Protection Act, 1994 immediately before the first day of maternity leave. The last day of insurable employment must be within 16 weeks of the end of the week your baby is due. If you cease employment your maternity leave must start from the following day,

**and**

- satisfy certain PRSI contribution conditions.

To qualify for Maternity Benefit as a **self-employed person** you must:

- be in insurable self-employment,

**and**

- satisfy certain PRSI contribution conditions.

## Note

**Non-EEA claimants should submit verified documentation (e.g. copy of GNIB Card / Work Permit)\* that confirms that they are authorised to work in the State.**

**\*to have verified, please bring to any office of the Department of Social Protection or Garda Station. Please note only verified copies are acceptable.**

### 3. What are the PRSI contribution conditions?

#### Employees

To qualify for Maternity Benefit, you must satisfy **one** of the following PRSI contribution conditions. You must have:

- at least 39 paid PRSI\* contributions in the 12-month period before the first day of your maternity leave,
- or**
- at least 39 paid PRSI\* contributions since first starting work **and** at least 39 paid or credited PRSI\* contributions in the relevant tax year, or in the year following the relevant tax year,
- or**
- at least 26 paid PRSI\* contributions in the relevant tax year **and** at least 26 paid PRSI\* contributions in the tax year before the relevant tax year.

\* Only PRSI at Classes A and E count.

Maternity Benefit is not paid to serving members of the Defence Forces.

#### Previous employment

If you were in insurable self-employment before starting insurable employment as an employee, your Class S PRSI contributions may help you qualify for Maternity Benefit, if you do not satisfy the employee conditions outlined above.

You may use contributions in the tax year before and after the relevant tax year (see note on page 5) to help you satisfy the PRSI contribution conditions. **However, the amount of Maternity Benefit you may get depends only on your earnings in the relevant tax year.**

## Self-employed

To qualify for Maternity Benefit, you must satisfy **one** of the following PRSI contribution conditions. You must have:

- 52 paid PRSI\* contributions in the relevant tax year,
- or**
- 52 paid PRSI\* contributions in the tax year before the relevant tax year,
- or**
- 52 paid PRSI\* contributions in the tax year following the relevant tax year.

\* Only PRSI at Classes A, E and S count.

### Note

**Self-employment contributions, PRSI Class S, are not awarded for any particular year until you have paid your total tax for that year.**

## Previous employment

If you were in insurable employment before starting self-employment, your PRSI contributions (Classes A and E) may help you qualify for Maternity Benefit if you do not satisfy the self-employment conditions.

### Note

**The relevant tax year is the second last complete tax year before the benefit year in which your maternity leave starts.**

**The benefit year begins each year on the first Monday in January and ends on the Sunday immediately before the first Monday in January the following year.**

For an application made in	The relevant tax year is
2011	→ 2009
2012	→ 2010

## 4. Does social insurance outside Ireland count?

If you were previously insurably employed in a country covered by EC Regulations or in a country with which Ireland has a Bilateral Agreement, you may combine your insurance record in that country with your Irish PRSI contributions to help you qualify for Maternity Benefit in Ireland. To qualify in this regard, you must have paid at least one full rate PRSI contribution in Ireland within 16 weeks of the end of the week in which your baby is due.

### **The countries covered by EC Regulations or under a Bilateral Agreement for Maternity Benefit purposes are:**

- Austria
- Belgium
- Bulgaria
- Czech Republic
- Denmark
- Estonia
- Finland
- France
- Germany
- Greece
- Hungary
- Iceland
- Ireland
- Italy
- Latvia
- Liechtenstein
- Lithuania
- Luxembourg
- Malta
- Norway
- Poland
- Portugal
- Republic of Cyprus (Cyprus South)
- Romania
- Slovakia
- Slovenia
- Spain
- Sweden
- Switzerland
- the Netherlands
- the United Kingdom

If you were working in one of the countries listed above in the relevant tax year, please submit your application form 12 weeks before your due date to give us time to get your insurance record from the appropriate country.

## 5. How do you work out my payment?

### Employees

We work out your weekly rate of Maternity Benefit by dividing your gross income in the relevant tax year by the number of weeks you actually worked in that year.

You may get 80% of this amount, subject to a minimum payment of €217.80 and a maximum payment of €262.00 a week. These rates are from 3<sup>rd</sup> January 2011.

#### **Note**

**If you are eligible for Benefit but have no recorded earnings in the relevant tax year, you will receive payment at the minimum amount.**

### Self-employed

We work out your weekly rate of Maternity Benefit by dividing your reckonable income in the relevant tax year by 52.

You may get 80% of this amount, subject to a minimum payment of €217.80 and a maximum payment of €262.00 a week. These rates are from 3<sup>rd</sup> January 2011.

#### **Note**

**If you are eligible for Benefit but have no recorded earnings in the relevant tax year, you will receive payment at the minimum amount.**

### Employees and self-employed

We compare the rate of Maternity Benefit to the rate of Illness Benefit that you would get if you were absent from work through illness. We will check this for you and you will get the higher of the two automatically.

## 6. Do I get extra payments for a qualified adult or qualified children?

You may get extra payments for a qualified adult and qualified children.

A qualified adult is someone with whom you are married, in a civil partnership or cohabiting.

A qualified child is a child who normally lives with you and is being maintained by you up to the end of the academic year in which they reach age 18 **or** they are aged 18 to 22 and in full-time education by day at a recognised school or college.

If you have dependants, your rate of Maternity Benefit (excluding increases for dependants) is compared to the rate of Illness Benefit (including increases for dependants) that would be paid to you if you were absent from work through illness. The higher of the two rates is paid to you.

If the adult dependant is getting a social welfare payment, an Increase for a Qualified Adult (IQA) cannot be paid to you but a half-rate Increase for a Qualified Child (IQC) may be payable.

You will qualify for a full-rate IQA, if your adult dependant is unemployed and signing on for credits or is earning under €100.01 gross per week. If the adult dependant is earning between €100.01 and €310 gross per week, you will get a tapered rate of IQA and a full-rate of IQC. If the adult dependant is earning between €310.01 and €400 gross per week, you will not get an IQA but will get half-rate IQC. If the adult dependant earns over €400 gross per week, you will not get an IQA or IQC.

You will **not** get an increase for a qualified adult if they:

- have earnings or income\* of more than €310.00 gross per week,

**or**

- are receiving a social welfare payment (except Disablement Pension, Death Benefit, Guardian's Payment (Contributory) and (Non-Contributory), Supplementary Welfare Allowance or Child Benefit) in their own right,

**or**

- are disqualified from receiving unemployment payments while taking part in a trade dispute,

**or**

- are getting an Infectious Diseases Maintenance Allowance (IDMA) from the Health Service Executive (HSE),

**or**

- are taking part in a full-time FÁS non-craft training course.

\* Income includes earnings from self-employment or employment, occupational pensions or savings and investments.

If you have children living with you and you are single, widowed, a surviving civil partner or separated, you may get an increase for the person who is caring for your child(ren), as long as the person is:

- aged 16 or over,
- living with you,

**and**

- being supported by you.

You cannot get an Increase for Qualified Child if the child is getting a social welfare or HSE payment in their own right, such as One-Parent Family or Disability Allowance.

## 7. How do I get my payment?

You can get Maternity Benefit by direct payment every week into your current, deposit or savings account in a financial institution or you can choose to have it paid directly into your employer's bank account.

## 8. Is my Maternity Benefit taxable?

Maternity Benefit is not taxable. However, if you choose to have your Benefit paid to your employer, who then continues to pay your normal weekly wage while you are receiving Benefit, you may be entitled to a tax and PRSI refund. If this is the case, once your Benefit has expired, please write to Maternity Benefit Section or email the Maternity Benefit Section using the **secure Maternity Benefit enquiry form** to request an **MB21** Statement in respect of a tax refund (which you should then forward to your local Tax Office).

In respect of PRSI refund, please complete the Refund of PRSI Contributions Application Form **PRSIREF 1**, which you can get online at **[www.welfare.ie](http://www.welfare.ie)**.

## 9. Can I get another social welfare payment as well as my Maternity Benefit?

### Reduced rates

You may get half-rate Maternity Benefit if you are getting any of the following payments:

- One-Parent Family Payment
  - Widow's, Widower's or Surviving Civil Partner Contributory Pension
  - Widow's, Widower's or Surviving Civil Partner Non-Contributory Pension
  - Deserted Wife's Benefit
  - Prisoner's Wife's Allowance
  - Deserted Wife's Allowance
- or
- Death Benefit by way of Widow's, Widower's, Surviving Civil Partner's or Dependent Parent(s) Pension (under the Occupational Injuries Scheme).

### Half-rate Carer's Allowance

If you are providing full-time care to another person, you may also qualify for a half-rate Carer's Allowance along with a standard rate Maternity Benefit. For more information, log on to **[www.welfare.ie](http://www.welfare.ie)**.

## 10. Can I get paid my Maternity Benefit if I go to another country?

You will not be paid Maternity Benefit for any period you spend outside the EU. If you are an EU citizen, you can get Maternity Benefit for any period of your maternity leave spent in an EU country. If you are not an EU citizen, you will only get Maternity Benefit for any period you spend in the Republic of Ireland.

## 11. How long does my payment last?

You may get Maternity Benefit for a continuous period of 26 weeks whether or not you return to work following your maternity leave. To qualify for the maximum 26 weeks Maternity Benefit, you **must** take at least 2 weeks and at most 16 weeks leave before the end of the week in which your baby is due. If you fail to take the minimum 2 weeks leave, you may lose out on some benefit.

### Can I be disqualified from receiving Maternity Benefit?

You will be disqualified from receiving Maternity Benefit under the following circumstances:

- you engage in any form of insurable employment or insurable self employment during the period for which benefit is payable
- you fail, without good cause, to attend for or to submit yourself for any medical examination that may be required
- for any period of time spent outside the EU during the period for which benefit is payable
- failure to apply for Maternity Benefit within six months of the birth of the child may result in loss of benefit.

## 12. What happens if my baby is premature?

If your baby is born prematurely (before your maternity leave is due to start), please send a letter to Maternity Benefit Section from your doctor confirming that your baby was born prematurely and on what date.

## 13. What happens if my baby is stillborn?

If your baby is stillborn after the 24<sup>th</sup> week of pregnancy, you can still get 26 weeks Maternity Benefit as long as you satisfy the PRSI conditions. You should send us a letter from your doctor with your Maternity Benefit application form confirming expected due date, the actual date of birth and the number of weeks gestation.

## 14. Can I qualify for maternity leave credits?

Maternity leave consists of 26 weeks paid leave and an optional 16 weeks unpaid leave. If you get Maternity Benefit, you will get credits automatically.

### What happens to my social insurance record if I take unpaid maternity leave?

Under the terms of the Maternity Protection Act, 1994, if you are in insurable employment, an employment contribution may be credited to your record for each week that you take unpaid maternity leave. This makes sure that your cover for social welfare benefits is kept up to date.

This PRSI credit/employment contribution may be credited to your record:

- for each week (up to a maximum of 16 weeks) of additional unpaid maternity leave that you have taken immediately after your paid Maternity Benefit. Additional unpaid maternity leave must start **immediately after** your paid Maternity Benefit otherwise you will not be entitled to credits for your unpaid leave.

**or**

- for each week of unpaid Maternity Leave (up to a maximum of 26 weeks) that you have taken if you have not qualified for Maternity Benefit from this Department.

If you avail of unpaid Maternity Leave in either of the above circumstances, you must get your employer to complete the application form for Maternity Leave Credits on page 19, **after you return to work.**

Send the completed application to:

**Maternity Benefit Section**

Department of Social Protection  
 Mc Carter's Road  
 Ardarvan  
 Buncrana  
 Co. Donegal

LoCall: 1890 690 690 (from the Republic of Ireland only)  
 + 353 1 47 15898 (from Northern Ireland or overseas)

## 15. Can I work while getting Maternity Benefit?

Voluntary work, public representative work (e.g. Councillor or TD), and courses of education are allowed while you are in receipt of Maternity Benefit. However, you may not engage in insurable (paid) employment and your Benefit payment will be stopped if you do so.

If you intend to return to work earlier than you had stated on your application form, you must notify Maternity Benefit Section **at least 2 weeks** before your new 'return-to-work date'.

## 16. Can I postpone maternity leave and Maternity Benefit?

You may postpone the last 12 weeks of your maternity leave and Maternity Benefit if your child is in hospital. Your Maternity Benefit must have been in payment for at least 14 weeks and you must have taken at least 4 weeks maternity leave after your baby was born.

You should apply in writing to the address on page 17 if you want to have your Maternity Benefit postponed. You can postpone your Maternity Benefit for up to 6 months. Your payment will resume when you send in written confirmation to Maternity Benefit Section that your child has been discharged from hospital and your employer certifies that you are entitled to resume postponed maternity leave.

Your payment will continue until your entitlement to Maternity Benefit finishes.

## 17. What is parental leave?

The Parental Leave Act, 1998, allows fathers and mothers to take unpaid leave to look after young children. You may take parental leave either as a single block of 14 weeks or, with your employer's agreement, as smaller blocks, broken up over a period of time.

The Act also allows limited paid leave ('force majeure' leave), of up to 3 days in any 12 months, or up to 5 days in any 36 months, to let you deal with emergencies resulting from a family member's injury or illness.

Parents who take parental leave may get a PRSI credit for each week taken. This makes sure that cover for social welfare benefits is kept up-to-date. Your employer should write to the EU/International Records Section (address below), confirming the number of weeks and exact dates of your parental leave.

For further information on PRSI credits for parental leave, contact:

**EU/International Records**

Department of Social Protection  
McCarter's Road  
Ardarvan  
Buncrana  
Co. Donegal

LoCall: 1890 690 690 (from the Republic of Ireland only)  
+ 353 1 47 15898 (from Northern Ireland or overseas)

For more information on parental leave, contact:

**The Equality Authority**

2 Clonmel Street  
Dublin 2

LoCall: 1890 245 545 (from the Republic of Ireland only)  
+353 1 4173336 (from Northern Ireland or overseas)

Website: **[www.equality.ie](http://www.equality.ie)**

For information about employment rights and responsibilities contact:

**The Dept of Enterprise, Trade and Innovation**

23 Kildare Street  
Dublin 2

LoCall: 1890 220 222 (from the Republic of Ireland only)  
+353 1 631 2121 (from Northern Ireland or overseas)

Website: **[www.entemp.ie](http://www.entemp.ie)**

## 18. When and how do I apply?

You should apply for Maternity Benefit 6 weeks (12 weeks if self-employed) **before** you intend to start your maternity leave.

In certain cases, you may apply after your baby is born. But if you fail to apply within 6 months of the birth of your baby, you may lose benefit.

To apply, complete the application form **MB 10** and send it to:

### **Maternity Benefit Section**

Department of Social Protection  
McCarter's Road  
Ardarvan  
Buncrana  
Co. Donegal

LoCall: 1890 690 690 (from the Republic of Ireland only)  
+ 353 1 47 15898 (from Northern Ireland or overseas)

### **Note**

**You will be issued with an initial letter acknowledging receipt of your claim. Our normal procedure is to process your claim at least two weeks in advance of when you are due to start your Maternity Leave. Separate notification will issue to you once your claim has been processed.**

## 19. Where can I get more information?

For more information on **Maternity Benefit**, contact your local Social Welfare Office or **Maternity Benefit Section** at the address on page 17.

For information booklets, application forms and more information on social welfare services:

- Log on to **www.welfare.ie**.
- Text to **51909** (see details on Page 19).
- LoCall Information Line at **1890 66 22 44** (from the Republic of Ireland only) or **+353 71 91 93313** (from Northern Ireland or overseas).
- Drop in to your local Social Welfare Office or Citizens Information Centre.

### Note

**The rates charged for using 1890 (LoCall) numbers may vary among different service providers.**

To request forms, text the form code followed by your name and address to 51909 (from the Republic of Ireland only). Standard text rates apply.

For example, if you wanted to request the Bereavement Grant form, text FORM BG MARY MURPHY 1 NEW STREET, OLD TOWN, CO. DONEGAL.

<b>Social welfare payment or scheme</b>	<b>Form code</b>
<b>Back to School Clothing and Footwear Allowance</b>	<b>FORM BTSCFA</b>
<b>Bereavement Grant</b>	<b>FORM BG</b>
<b>Carer's Allowance</b>	<b>FORM CARA</b>
<b>Carer's Benefit</b>	<b>FORM CARB</b>
<b>Child Benefit (Form CB1)</b>	<b>FORM CHILD</b>
<b>Disability Allowance</b>	<b>FORM DA</b>
<b>Domiciliary Care Allowance</b>	<b>FORM DCA</b>
<b>Family Income Supplement</b>	<b>FORM FIS</b>
<b>Free Travel</b>	<b>FORM TRAVEL</b>
<b>Fuel Allowance</b>	<b>FORM FUEL</b>
<b>Household Benefits</b>	<b>FORM HHB</b>
<b>Invalidity Pension</b>	<b>FORM INV</b>
<b>Living Alone Increase</b>	<b>FORM LAA</b>
<b>Maternity Benefit</b>	<b>FORM MAT</b>
<b>One Parent Family Payment</b>	<b>FORM OPFP</b>
<b>Respite Care Grant</b>	<b>FORM RCG</b>
<b>State Pension (Non-Contributory)</b>	<b>FORM SPNC</b>
<b>State Pension (Transition/Contributory)</b>	<b>FORM SPC</b>
<b>Widow(er)'s/Surviving Civil Partner's Contributory Pension</b>	<b>FORM WCP</b>
<b>Widow(er)'s/Surviving Civil Partner's Non-Contributory Pension</b>	<b>FORM WNCP</b>

## Application for maternity leave credits

To be completed by your employer when you return to work.  
**To qualify for credits, additional unpaid maternity leave must start immediately after paid Maternity Benefit.**

<b>PPS No.:</b>	<input type="text"/>
<b>Name:</b>	<input type="text"/>
<b>Address:</b>	<input type="text"/>
<b>Telephone No.:</b>	<input type="text"/>

I/We certify that the above employee has taken unpaid maternity leave as follows (do not include the date your employee was getting Maternity Benefit):

<b>From:</b>	<b>To:</b>
<b>Total number of weeks of unpaid maternity leave taken:</b>	
<b>Signed by or for employer</b>	
<input type="text"/>	<b>Employer's official stamp</b>
<b>Signature (not block letters)</b>	
<input type="text"/>	
<b>Position in company or organisation</b>	
<b>Date:</b>	<input type="text"/>
<b>Employer's registered No.:</b>	<input type="text"/>
<b>Telephone No.:</b>	<input type="text"/>

Send the completed form to:  
 Maternity Benefit Section, Department of Social Protection,  
 Mc Carter's Road, Ardaran, Buncrana, Co. Donegal.