



STATUTORY INSTRUMENTS.

S.I. No. 478 of 2012

SOCIAL WELFARE (CONSOLIDATED SUPPLEMENTARY WELFARE
ALLOWANCE) (AMENDMENT) (NO. 1) (MISCELLANEOUS
AMENDMENTS) REGULATIONS 2012

SOCIAL WELFARE (CONSOLIDATED SUPPLEMENTARY WELFARE ALLOWANCE) (AMENDMENT) (NO. 1) (MISCELLANEOUS AMENDMENTS) REGULATIONS 2012

I, JOAN BURTON, Minister for Social Protection, in exercise of the powers conferred on me by sections 4 (adapted by the Social and Family Affairs (Alteration of Name of Department and Title of Minister) Order 2010 (S.I. No. 186 of 2010)), 190, 191 and 198A of the Social Welfare Consolidation Act 2005 (No. 26 of 2005) and by section 198 of that Act, with the consent of the Minister for Public Expenditure and Reform, 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. 1) (Miscellaneous Amendments) Regulations 2012.

(2) These Regulations and the Social Welfare (Consolidated Supplementary Welfare Allowance) Regulations 2007 to 2011 shall be construed together as one and may be cited together as the Social Welfare (Consolidated Supplementary Welfare Allowance) Regulations 2007 to 2012.

Interpretation.

2. In these Regulations “Principal Regulations” means the Social Welfare (Consolidated Supplementary Welfare Allowance) Regulations 2007 (S.I. No. 412 of 2007).

Definitions.

3. Article 3 of the Principal Regulations is amended—

(a) by substituting the following definition for the definition of “institution”:

“‘institution’ has the meaning assigned to it by section 187;” and

(b) by substituting the following definition for the definition of “mortgage interest”:

“‘mortgage interest’ has the meaning assigned to it by section 187;”.

Persons in full-time work.

4. Article 6 of the Principal Regulations is amended by substituting the following sub-article for sub-article (2):

Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 4th December, 2012.

“(2) A person shall not be disqualified for receiving supplementary welfare allowance while engaged in remunerative full-time work where that person is participating in—

- (a) a scheme provided by the Minister and known as Community Employment, or
- (b) a scheme administered by the Minister and known as—
 - (i) Back to Work Enterprise Allowance (Self-Employed),
 - (ii) Back to Work Allowance (Employees), or
 - (iii) Back to Work Short-Term Enterprise Allowance.”.

Persons in full-time education.

5. Article 7 of the Principal Regulations is amended by substituting the following paragraph for paragraph (b):

“(b) a scheme administered by the Minister and known as Back to Education Allowance, or”.

Entitlement to rent supplement.

6. Article 9(2) of the Principal Regulations is amended—

- (a) by deleting paragraphs (c) and (d),
- (b) in paragraph (h)(iv) by substituting “capital loan and subsidy scheme” for “rental subsidy scheme”, and
- (c) in paragraph (j) by substituting “section 12 of the Housing (Miscellaneous Provisions) Act 2009” for “section 15 of the Housing Act 1988”.

Provision by landlord of tax reference number for rent supplement.

7. Article 9B of the Principal Regulations is amended by substituting “a designated person” for “the Executive”.

Administration of payment.

8. The Principal Regulations are amended by deleting article 24.

The Minister for Public Expenditure and Reform consents to the foregoing Regulations.



GIVEN under my Official Seal,
29 November 2012.

BRENDAN HOWLIN,
Minister for Public Expenditure and Reform.



GIVEN under my Official Seal,
30 November 2012.

JOAN BURTON,
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 a number of miscellaneous amendments to the Social Welfare (Consolidated Supplementary Welfare Allowance) Regulations 2007 as a consequence of the abolition of certain schemes and changes to the operation of other schemes. In particular, these Regulations provide for various amendments arising from—

- the transfer of administrative responsibility for certain employment and community services from FÁS to the Department of Social Protection; and
- the updating of references to various employment support schemes administered by the Department of Social Protection.

In addition, various references contained in the 2007 Regulations are being aligned with the provisions of the Social Welfare Consolidation Act 2005 and the relevant Housing Acts.

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