Contents

1. What is Maternity Benefit? 3
2. How do I qualify? 3
3. What are the PRSI contribution conditions? 4
4. Does social insurance outside Ireland count? 6
5. How do you work out my payment? 7
6. Do I get extra payments for a qualified adult or qualified children? 7
7. How do I get my payment? 11
8. Is my Maternity Benefit subject to PRSI? 11
9. Is my Maternity Benefit taxable? 11
10. Can I get another social welfare payment as well as my Maternity Benefit? 12
11. Can I get paid my Maternity Benefit if I go to another country? 13
12. How long does my payment last? 14

Continued over the page

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Qualifying conditions for our schemes change from time to time. Always check with your local Intreo Centre, your local Social Welfare Office or with Information Services to see if qualifying conditions have changed (see page 21 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.

13.	What happens if my baby is premature?	15
14.	What happens if my baby is stillborn or I have a miscarriage?	15
15.	Can I qualify for Credits while I am getting Maternity Benefit or am on unpaid Maternity Leave?	16
16.	Can I work while getting Maternity Benefit?	17
17.	Can I postpone maternity leave and Maternity Benefit?	18
18.	What is parental leave?	18
19.	When and how do I apply?	20
20.	Where can I get more information?	21
	Application for maternity leave credits	23

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.

Note
Maternity Benefit is reckonable for income 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. If you stop 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 copies of their current GNIB Card and Passport, as well as copies of all Work Permits held within the last 3 years, where applicable.

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, E and H count.

Maternity Benefit is not paid to current serving members of the Defence Forces who pay PRSI at Class H.

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.

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, H 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, E and H) 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
2016 →	2014
2017 →	2015

4. Does social insurance outside Ireland count?

If you were previously insurably employed in a country covered by EU Regulations and you have paid at least one full rate PRSI contribution in Ireland, you may combine your insurance record in that country with your Irish PRSI contributions to help you qualify for Maternity Benefit. You must be in insurable employment in Ireland currently and have paid your most recent PRSI contribution in Ireland.

The countries covered by EC Regulations for Maternity Benefit purposes are:

- Austria
- Belgium
- Bulgaria
- Croatia
- Cyprus
- Czech Republic
- Denmark
- Estonia
- Finland
- France
- Germany
- Greece
- Hungary
- Iceland
- Ireland
- Italy
- Latvia
- Liechtenstein
- Lithuania
- Luxembourg
- Malta
- Norway
- Poland
- Portugal
- 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?

For claims beginning on or after 6 January 2014

In the case of a claim for Maternity Benefit in respect of a period of maternity leave which begins on or after 6 January 2014, the standard rate payable will be €230.00 per week.

Employees and self-employed

In all cases, 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 (see section 6 for further details).

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.

If you have dependants, 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 rates.

Although the Illness Benefit rate begins from a lower base amount of €188 (maximum personal rate), it then also takes into account extra payments for spouse and children, and this is why, depending on the circumstances of your spouse and how many children you have, your rate of Maternity Benefit may be greater than the personal rate to which you would have otherwise been entitled.

There are a number of factors that decide whether or not you will receive an extra payment for a spouse or child:

- If your spouse is in receipt of a Benefit in their own right, you cannot receive an extra payment for them, but you may get half of the €29.80 child entitlement for each qualified child you have (which is €14.90 per week)
- If your spouse has either no income or gross weekly earnings (earnings before deductions) of between €0.01 and €100.00, you may get a full rate for them and full rate for each qualified child you have
- If your spouse has earnings of between €100.01 and €310.00, you may receive a reduced rate for them and full rate for each qualified child you have
- If your spouse has gross weekly earnings of €310.01 and €400.00, you cannot receive any extra payment for them, but may receive half rate for each qualified child you have
- If your spouse has gross weekly earnings of more than €400 you cannot receive any extra payment for them or your children.

Who is regarded as a qualified adult?

If you are married, in a civil partnership, or cohabitating and you are supporting them, you may get an increase for them as a qualified adult.

You will not get an increase for them if they:

- have average gross weekly earnings or income of more than €310,

  or

- are getting a social welfare payment (except Disablement Benefit, Child Benefit or certain Supplementary Welfare Allowance payments),

  or

- are disqualified from getting Jobseeker's Allowance because of a trade dispute,

  or

- are taking part in certain courses.

If you are single, widowed, a former civil partner or separated, and your children are living with you, you can claim an increase for a person aged 16 or over who is caring for them, if you are supporting that person.

Note

Your spouse's, civil partner's or cohabitant's income or earnings includes earnings from employment, self-employment, occupational pensions and other sources, such as property, savings, capital and investments.

Who is regarded as a qualified child?

A qualified child is a child under 18 years of age who normally lives with you and is being supported by you. Sometimes a child who is not living with you can also be your qualified child if you are supporting them.

A child who is aged 18 and over and being maintained by you is also considered a qualified child:

- for the 3 month period after they leave second level education,

  or

- for the 3 month period after they finish the Leaving Certificate,

  or

- up to the end of the academic year in which they reach 18, as long as they are attending a full-time course of study by day at a school, college or university.

You will not get the Qualified Child Increase if the child gets:

- a social welfare payment in their own right (except Disablement Benefit),

  or

- if they are employed.

What rate of Qualified Child Increase can I get?

You will get the full Qualified Child Increase if you:

- qualify for an increase for your spouse, civil partner or cohabitant,

  or

- are a lone parent and not getting:
  - One-Parent Family Payment,

    or
  - Deserted Wife's Benefit,

    or
  - Widow's, Widower's or Surviving Civil Partner (Contributory) Pension.

You will get half the Qualified Child Increase if:

- your spouse, civil partner or cohabitant is getting a social welfare payment in their own right. In this case, they will get half the Qualified Child Increase with their payment and you will get half the Qualified Child Increase,

  or

- your spouse, civil partner or cohabitant has average gross weekly earnings between €310.01 and €400.00.

Note

You will not get a Qualified Child Increase if your spouse, civil partner or cohabitant has average gross weekly earnings or income of more than €400 a week.

7. How do I get my payment?

Maternity Benefit is paid directly into your bank or building society account (a current or deposit account, not a mortgage account) or you can choose to have it paid directly into your employer's bank account. Payment is made each week in advance.

8. Is my Maternity Benefit subject to PRSI?

Maternity Benefit is not subject to PRSI. If you choose to have your Benefit paid to your employer, who then continues to pay your normal weekly wage, you may be entitled to a PRSI refund. You should complete the Refund of PRSI Contributions Application FORM **PRSIREF 1**, which can be accessed online at **www.welfare.ie**.

9. Is my Maternity Benefit taxable?

Maternity Benefit (including any increases for adult and child dependents) became reckonable for income tax purposes from 1 July 2013. This Department pays Maternity Benefit directly to recipients without any deduction for tax.

To assist in the taxation of Maternity Benefit, this Department will notify the Office of the Revenue Commissioners of the taxable amount of Maternity Benefit to be taken into account for income tax purposes.

Maternity Benefit in respect of any period up to and including 30 June 2013 is not taxable.

If you chose to have your Benefit paid to your employer, who then continued to pay your normal weekly wage while receiving Benefit, you may be entitled to a tax refund if the Benefit was payable in respect of any period prior to 1 July 2013. In this instance, you should write to Maternity Benefit Section or complete the online form, **click here**, to request an **MB21** Statement in respect of a tax refund (which you should then forward to your local Tax Office).

There is no need to request an **MB21** statement for any period of maternity leave which began on or after 1 July 2013.

For more information on the taxation of Maternity Benefit please log on to **www.Revenue.ie**.

Note
Any enquires in relation to tax affairs should be directed to your local Tax Office. The phone number and address of your local Tax Office are supplied on the 'Notice of Determination of Tax Credits and Standard Rate cut-off point' form.

10. 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**.

11. 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.

If you intend to leave the State for any period of your paid Maternity Benefit, you must inform Maternity Benefit Section.

12. 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.

If you decide to return to work earlier than you had stated on your application form, you will not be entitled to payment from the date you return to work. You must notify Maternity Benefit Section at least 2 weeks before your new return to work date.

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.

13. What happens if my baby is premature?

If your baby is born prematurely (before your maternity leave is due to start), you should inform Maternity Benefit Section enclosing written confirmation from your doctor of your PPS number, the date your baby was born and your original due date.

14. What happens if my baby is stillborn or I have a miscarriage?

If you have a stillbirth or miscarriage any time after the 24th week of pregnancy, you are entitled to 26 weeks maternity leave. You may also be entitled to 26 weeks paid Maternity Benefit provided you satisfy the social insurance (PRSI) requirements. In addition to a completed Maternity Benefit application form, you should enclose written confirmation from your doctor of your PPS number, your original due date, the date your baby was stillborn and the number of weeks gestation.

15. Can I qualify for Credits while I am getting Maternity Benefit or am on unpaid Maternity Leave?

Maternity leave consists of 26 weeks leave and an optional 16 weeks unpaid leave.

Credits while you are getting Maternity Benefit

If you are in insurable employment and are awarded Maternity Benefit from the Department of Social Protection, credits will be automatically added to your record for the period Benefit is paid to you (up to a maximum of 26 weeks).

Credits while you are on unpaid Maternity Leave

If you choose to take any additional unpaid leave, you must apply to Maternity Benefit Section to have credits added to your record for the period of this unpaid leave (up to a maximum of 16 weeks) **after you return to work**.

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 additional unpaid maternity leave (up to a maximum of 16 weeks). This makes sure that your cover for social welfare benefits is kept up-to-date. In order to have credits added to your record for the period of your unpaid leave, you must get your employer to complete the application form for Maternity Leave Credits on page 23 **after you return to work only.**

Please note that this period of unpaid maternity leave must be taken **immediately after** the end of your 26 weeks' paid Maternity Benefit.

Am I still entitled to maternity leave credits even if I am not entitled to Maternity Benefit?

If you are not entitled to Maternity Benefit from the Department of Social Protection, but you take maternity leave from your employment, you will be entitled to have credits added to your record for the period of your maternity leave.

In this case, you must provide written confirmation from your employer of the periods of maternity leave for which you wish to apply for credit, **after you return to work only** (this applies up to a maximum of 42 weeks – 26 weeks maternity leave plus an additional unpaid maternity leave allowance of up to 16 weeks).

Send the completed application/employer letter to:

Maternity Benefit Section
Department of Social Protection
McCarter's Road
Buncrana
Co. Donegal

Telephone: (01) 471 5898
LoCall: 1890 690 690

If you are calling from outside the Republic of Ireland please call +353 1 471 5898.

16. Can I work while getting Maternity Benefit?

Voluntary work, public representative work (for example 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'.

17. 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 20 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.

18. What is parental leave?

The Parental Leave Act, 1998, as amended,allows fathers and mothers to take unpaid leave to look after young children. You may take parental leave either as a single block of 18 weeks or, with your employer's agreement, as smaller blocks, broken up over a period of time.

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 Records Section (address on page 19), confirming the number of weeks and exact dates of your parental leave.

For further information on PRSI credits for parental leave, contact:
Records Section
Department of Social Protection
McCarter's Road
Buncrana
Co. Donegal

Telephone: (01) 471 5898
LoCall: 1890 690 690

If you are calling from outside the Republic of Ireland please call +353 1 471 5898.

For more information on parental leave, contact:

Irish Human Rights and Equality Commission

16-22 Green Street
Dublin 7

Telephone: (01) 858 9601
LoCall: 1890 245 545

If you are calling from outside the Republic of Ireland please call +353 1 858 9601.

Website: http://www.ihrec.ie/

For information about employment rights and responsibilities contact:
Information and Customer Service
Workplace Relations Commission
O'Brien Road
Carlow

Telephone: (059) 917 8990
LoCall: 1890 80 80 90

If you are calling from outside the Republic of Ireland please call +353 59 917 8990.

Website: https://www.djei.ie/en/

19. When and how do I apply?

You can now apply for Maternity Benefit online at **www.mywelfare.ie**. You will need to set up a **MyGovID** account, and have a Public Services Card (SAFE certified) which you can get from your local social welfare office or Intreo centre. You should contact your local office to set up an appointment, which usually takes about 15 minutes to complete.

For more information about the Public Services Card, log on to **www.welfare.ie**.

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 by post, complete the application form **MB 1** and send it to:

Maternity Benefit Section
Department of Social Protection
McCarter's Road
Buncrana
Co. Donegal

Telephone: (01) 471 5898
LoCall: 1890 690 690

If you are calling from outside the Republic of Ireland please call +353 1 471 5898.

Note

Our normal procedure is to process your claim at least two weeks in advance of when you are due to start your Maternity Leave. Notification will issue to you once your claim has been processed.

20. Where can I get more information?

For more information on Maternity Benefit, contact **Maternity Benefit Section** at the address on page 20, your local Citizens Information Centre, your local Intreo Centre or your local Social Welfare Office.

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 22).
- Telephone: (071) 919 3302
  LoCall: 1890 66 22 44

  If you are calling from outside the Republic of Ireland please call + 353 71 91 93302.
- Drop in to your local Intreo Centre, 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 Carer's Allowance form, text FORM CARA MARY MURPHY 1 NEW STREET, OLD TOWN, CO. DONEGAL.

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

Application for maternity leave credits

To be completed by your employer when you return to work.
Employer, please note: Additional unpaid maternity leave **must start immediately after** paid Maternity Benefit (that is after Maternity Benefit paid by the Department) and is for maximum period of **16 weeks**.

PPS No.: | | | | | | | | | |

Name:

Address:

Telephone No.:

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):

From: **To:**

Total number of weeks of unpaid maternity leave taken:

Signed by or for employer

Signature (**not** block letters)

Position in company or organisation

Date:

Employer's official stamp

Employer's registered No.: | | | | | | | | | |

Telephone No.:

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