

## Contents

1	What is Injury Benefit?	3
2	How do I qualify?	4
3	How much can I get?	5
4	How do I get my payment?	8
5	How long does payment last?	9
6	When and how do I apply?	9
7	Can I get Injury Benefit while living in another country?	10
8	Can I claim Injury Benefit while getting another social welfare payment?	11
9	What other benefits can I get under the Occupational Injuries Scheme?	12
10	What extra benefits can I get while claiming Injury Benefit?	14
11	Who decides on my Injury Benefit application?	15
12	What can I claim if I do not qualify for either Injury Benefit or Illness Benefit?	16

continued over the page

February 2016

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 22 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	Will I have to be medically assessed while claiming Injury Benefit?	17
14	Can I be disqualified from claiming Injury Benefit?	18
15	Conditions while receiving Injury Benefit	18
16	Does payment continue after death?	19
17	Do I pay income tax on Injury Benefit?	21
18	Where can I get more information?	22

# 1. What is Injury Benefit?

Injury Benefit is one of the benefits available under the Occupational Injuries Scheme.

It is a weekly payment made to you if you are unfit for work due to an accident at work or because you have contracted a disease due to the type of work you do.

An occupational disease is a disease that you contract in the course of your work, for example, from contact with physical or chemical agents. Diseases from an occupation are generally contracted over time but may occasionally develop from a once-off accident at work.

For a list of prescribed occupational diseases, log on to **[www.welfare.ie](http://www.welfare.ie)**.

## Note

**An accident while on an unbroken journey to or from work is also regarded as an accident at work.**

In general, if you pay PRSI at Classes **A**, **D**, **J** and **M**, you are covered for Injury Benefit.

PRSI Class **B** (paid by Civil Servants recruited before 6 April 1995) does not give cover for Injury Benefit but does give cover for other benefits under the Occupational Injuries Scheme.

## Note

**Self-employed people are not covered under the scheme.**

## 2. How do I qualify?

You will qualify if:

- you are unfit for work due to illness because of an accident at work or if you contract a prescribed occupational disease,  
and
- your illness lasts for at least 7 days (excluding Sundays).  
See also page 10 regarding declarations.

### **Note**

**Pending a decision on your claim to Injury Benefit, Illness Benefit can be paid to you if you satisfy the PRSI contribution conditions for that benefit.**

### **Accidents or diseases while working abroad**

If you are working for an employer in another EU country, you are generally covered by the social security laws of that country. In such cases, you should make a claim for occupational accidents or diseases to the social security authorities there. However, if you have been sent by an Irish employer to work in another EU country and if you continue to pay Irish PRSI contributions, you are covered for Injury Benefit under Irish legislation. See page 10 for more information.

Under special rules, employment abroad in a developing country is normally covered for Injury Benefit if you arranged the work either through:

- the Agency for Personal Services Overseas (APSO),
- an Irish-based non-governmental organisation,
- a governmental or non-governmental agency in another member state of the EU,  
or
- the government of a developing country.

### 3. How much can I get?

Injury Benefit is made up of a personal rate for yourself and may include increases for your qualified adult and qualified child(ren).

#### Who is a qualified adult?

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

If your spouse's, civil partner's or cohabitant's gross weekly income or earnings is **€100 or less**, you will receive a full increase for them.

You will **not** get an increase for your spouse, civil partner or cohabitant if they:

- have a gross weekly earnings or income of **more than €310** before deductions such as PRSI or tax.
- or**
- are getting a social welfare payment in their own right (except Disablement Benefit\*, Child Benefit or Supplementary Welfare Allowance),

\* You cannot get an increase for them if they are getting Incapacity Supplement with their Disablement Benefit,

- or**
- are disqualified from getting a Jobseeker's Allowance/Benefit because of a trade dispute,
- or**
- are taking part in a full-time SOLAS (formerly FÁS) non-craft training course.

If you are single, widowed 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.**

### **How we assess your spouse's, civil partner's or cohabitant's property, savings, capital and investments**

When working out their means from investments and savings we use a special formula and add together the following items:

- the cash value of investments and property (except the home),
- money in a savings account, or any other kind of bank account,

**and**

- cash-in-hand.

The following formula is used:

<b>Capital:</b>	<b>Weekly means assessed:</b>
<b>First €20,000</b>	<b>Nil</b>
<b>€20,000 - €30,000</b>	<b>€1 per €1,000</b>
<b>€30,000 - €40,000</b>	<b>€2 per €1,000</b>
<b>Over €40,000</b>	<b>€4 per €1,000</b>

When property is held jointly (for example by a couple), half the value of the asset is taken as belonging to each person.

## Who is 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.

If you are getting a combination of Injury Benefit and certain other short-term payments for more than 156 days, you may be paid a Qualified Child Increase for a child in full-time education up to the age of 22 or up to the end of the academic year in which they reach 22.

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

- a social welfare payment in their own right (except Disablement Benefit). If the child gets Incapacity Supplement with the Disablement Benefit you will not be paid an increase for them.

## What rate of Qualified Child Increase can I get?

You will get the **full** Qualified Child Increase if you:

- qualify for an increase either full or reduced, for your spouse, civil partner or cohabitant, **or**
- are a lone parent and **not** getting:
  - One-Parent Family Payment
  - Deserted Wife's Benefit, or
  - Widow's, Widower's or Surviving Civil Partner's (Contributory) Pension.

You will get **half** the Qualified Child Increase if:

- your spouse, civil partner or cohabitant has average gross weekly earnings between €310.01 and €400.00.
- or**
- your spouse, civil partner or cohabitant is getting a social welfare payment in their own right. In this case, your spouse, civil partner or cohabitant will get half the Qualified Child Increase with their payment and you will get half the Qualified Child Increase with your Injury Benefit.

### Note

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

## 4. How do I get my payment?

You can get Injury Benefit paid weekly by Electronic Fund Transfer (EFT) to your account in a financial institution. Payments must be made to a current or deposit savings account, **not** a mortgage account. In certain circumstances, payment can also be made by cheque or at a post office of your choice.



## 5. How long does payment last?

Injury Benefit is normally paid from the 7th day of your illness or incapacity, and you may be paid for up to 26 weeks after your accident or contracting a prescribed disease.

If you are still unable to work after 26 weeks, you may qualify for Illness Benefit if you satisfy certain PRSI contribution conditions.

For more information, log on to **[www.welfare.ie](http://www.welfare.ie)**.

You may also qualify for Disablement Benefit if you suffer a loss of physical or mental ability because of the accident or disease. See page 13.

If you do not qualify for Illness Benefit and you are awarded Disablement Benefit, you may qualify for Incapacity Supplement.

## 6. When and how do I apply?

You should apply for Injury Benefit **within 21** days of becoming ill, otherwise you may lose benefit.

To apply for Injury Benefit, you should:

- go to a doctor and get a first social welfare medical certificate which includes an application form, and
- complete the medical certificate and application form fully.

You can hand your certificate into your local Intreo Centre or your local Social Welfare office or post it to:

### **Injury Benefit Section**

Department of Social Protection

P. O. Box 1650

Dublin 1

You should forward a medical certificate each week as long as you are unfit for work.

**Important:**

**All work accidents and diseases do not result immediately in illness or incapacity. In such a case, to secure your future right to benefit, you should apply for a declaration (using Form IB/OB1) that your accident or disease occurred at work. You can get the application from Injury Benefit Section at the address on page 22.**

## 7. Can I get Injury Benefit while living in another country?

EU Regulations apply if you work or have worked or you move between the following countries.

### **Countries covered by EU Regulations:**

- Austria
- Belgium
- Bulgaria
- Croatia
- 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

### **Going to a country covered by EU Regulations**

If you are receiving Injury Benefit from this Department and you intend to move to another country covered by EU Regulations you should tell us as soon as possible. If you delay you may lose benefit or your payment may be delayed.

**Note**

**Contact your local office of the Health Service Executive if you have any questions about health services while abroad.**

## 8. Can I claim Injury Benefit while getting another social welfare payment?

Injury Benefit can be paid with Blind Pension or with Disablement Benefit (excluding Incapacity Supplement).

Injury Benefit will **not** be paid to you, if you are getting any of the following payments at the **full** personal rate:

- Widow's, Widower's or Surviving Civil Partner's (Contributory) Pension, or
- One-Parent Family Payment,

However, if you are getting any of them at less than the full personal rate, Injury Benefit will be paid to you a rate equivalent to the difference between the reduced rate paid to you and the maximum personal rate for that payment.

Even if you do not you qualify for payment you should make a claim for Injury Benefit as you may be entitled to a declaration (see page 10). You may also be able to apply for other benefits available under the Occupational Injuries Scheme for example Medical Care and Disablement Benefit (see pages 12 and 13). You may also qualify for credited contributions, by applying for Injury Benefit.

If you apply for Injury Benefit and you do not qualify for a payment you may still be entitled to credited contributions.

If you qualify for credits you should continue to send in medical certificates.

## Special Arrangements for Carer's Allowance

If you are getting Injury Benefit and you satisfy the conditions for **Carer's Allowance**, you may get half the personal rate of **Carer's Allowance** along with your Injury Benefit payment.

It may also be possible for you to receive an Increase for a Qualified Adult for someone on your Injury Benefit claim while they receive a half rate **Carer's Allowance** for caring for you or someone else.

If you are applying for Injury Benefit and you are in receipt of **Carer's Allowance**, you may be able to retain half your Carer's payment while receiving Injury Benefit.

For more information, log on to **www.welfare.ie**.

## 9. What other benefits can I get under the Occupational Injuries Scheme?

### Medical Care

Under the Medical Care Scheme, you may get a refund of certain medical expenses incurred because of your occupational accident or disease where these expenses are not paid by the Health Service Executive or this Department's Treatment Benefit Scheme.

For more information, log on to **www.welfare.ie** or contact:

### Medical Care Section

Department of Social Protection  
 Áras Mhic Dhiarmada  
 Store Street  
 Dublin 1

Telephone: (01) 704 3000

LoCall: 1890 928 400

If calling from outside the Republic of Ireland please call +353 1 704 3000

## Disablement Benefit

You may get this after Injury Benefit if you lose any physical or mental abilities because of an occupational accident or disease. A doctor from the Department will first need to examine you to assess the degree of illness or disability so that we can decide the amount of Disablement Benefit you are due. If it is awarded, it can be backdated to the date Injury Benefit ended.

For more information, log on to **[www.welfare.ie](http://www.welfare.ie)**.

## Death Benefits (Survivor's Benefits)

If you die because of an accident at work or occupational disease, or if you get a Disablement Pension assessed at 50% or more at the time of your death, your dependants may get Death Benefit. This benefit includes:

- Widow's, Widower's or Surviving Civil Partner's Pension,
- Guardian's Payment,
- Dependent Parent's Pension, and
- a funeral grant of €850

For more information, log on to **[www.welfare.ie](http://www.welfare.ie)** or contact:

### Disablement Benefit Section

Department of Social Protection  
Government Buildings  
Ballinalee Road  
Longford

LoCall: 1890 927 770

Telephone: Longford (043) 334 0000

Dublin (01) 704 3000

If calling from outside the Republic of Ireland please call  
+353 43 334 0123

## 10. What extra benefits can I get while claiming Injury Benefit?

### Rent Supplement

If you are getting Injury Benefit and you have difficulty paying your rent, you may qualify for a supplement under the Supplementary Welfare Allowance Scheme.

Apply to your local Intreo Centre or your local Social Welfare Office. The Department takes your situation into account and they decide whether or not you can get a supplement.

For more information, log on to **[www.welfare.ie](http://www.welfare.ie)**.

### Back to School Clothing and Footwear Allowance

You may also qualify for a Back to School Clothing and Footwear Allowance for school-going children under the Supplementary Welfare Allowance Scheme. This allowance operates from June to September each year and helps towards the cost of children's uniforms and footwear.

Your total income must be at or below a certain amount. You should apply to your local Intreo Centre or your local Social Welfare Office.

For more information, log on to **[www.welfare.ie](http://www.welfare.ie)**.

### Health Services

You may be eligible for a medical card from the Health Service Executive. Assistance is also available under the Drugs Payment Scheme towards the cost of prescribed medicines. You should contact the local office of the Health Service Executive for more information on health services or visit their website **[www.hse.ie](http://www.hse.ie)**.

See also page 12 concerning Medical Care under the Occupational Injuries Scheme.

### Other supplements

If your income is too low to meet certain special needs, you may be granted a payment for certain emergencies. These are 'once-off' payments to help if you have difficulty in making a specific payment.

## 11. Who decides on my Injury Benefit application?

A Deciding Officer from the Department of Social Protection decides on every application for Injury Benefit. If you are not satisfied with their decision, you can have it reviewed. You can also appeal it to the Social Welfare Appeals Office, either straight away or after the review.

To request a review, please send any relevant written evidence to the **Injury Benefit Section** at the following address within 21 days:

### **Injury Benefit Section**

Department of Social Protection  
Áras Mhic Dhiarmada  
Store Street  
Dublin 1

A Deciding Officer will review your case. If you are not satisfied with their decision after the review, you may appeal it to the Social Welfare Appeals Office, which is independent of the Department of Social Protection.

If you wish to appeal, you should do so in writing within 21 days of the date you were told of the decision. You can send your appeal to the **Injury Benefit Section** or directly to:

**Social Welfare Appeals Office**

D'Olier House  
D'Olier Street  
Dublin 2

LoCall: 1890 74 74 34 (from the Republic of Ireland only)

## 12. What can I claim if I do not qualify for either Injury Benefit or Illness Benefit?

If you do not qualify for either Injury Benefit or Illness Benefit, you may qualify for either Disability Allowance or Supplementary Welfare Allowance.

**Disability Allowance**

This is a means-tested allowance, which you may get if the illness is expected to last for at least 12 months.

For more information, log on to **www.welfare.ie** or contact:

**Disability Allowance Section**

Department of Social Protection  
Government Buildings  
Ballinalee Road  
Longford

LoCall: 1890 927 770

Telephone: Longford (043) 334 0000

Dublin (01) 704 3000

If calling from outside the Republic of Ireland please call +353 43 334 0000



### Supplementary Welfare Allowance

If your means are too low to meet your needs, you may qualify for Supplementary Welfare Allowance, payable by this Department. You should apply to your local Intreo Centre or your local Social Welfare Office.

For more information, log on to **[www.welfare.ie](http://www.welfare.ie)**.

## 13. Will I have to be medically assessed while claiming Injury Benefit?

While claiming Injury Benefit, you may have to attend a medical examination by a Medical Assessor. This examination is conducted by a doctor employed by this Department. Their function is to give a second opinion on whether you are incapable of work, taking account of your current state of health. We will give you notice of an appointment for your medical examination. At the examination, you may bring along whatever medical evidence you wish the Medical Assessor to see.

The Deciding Officer will take the Medical Assessor's opinion into account when considering your continued entitlement to Injury Benefit.

If your payment is stopped on the basis of the medical examination, we will tell you immediately and tell you of your right to appeal the decision.

## 14. Can I be disqualified from claiming Injury Benefit?

Yes. Your Injury Benefit payment may be suspended for up to 9 weeks if you do not observe the conditions (see below and page 19) while receiving Injury Benefit.

If you get Injury Benefit that you do not qualify for, you must repay it to us. The Minister for Social Protection may get the repayment by legal action or through deductions from any other social welfare payment you qualify for.

For more information, log on to **[www.welfare.ie](http://www.welfare.ie)**.

### **Note**

**If you make a false or misleading statement to get Injury Benefit for yourself or any other person, you may face a fine, a prison term or both.**

## 15. Conditions while receiving Injury Benefit

While receiving Injury Benefit, you must not:

- fail, without good reason, to attend a medical examination by a Medical Assessor of this Department,
- fail to obey your doctor's instructions,
- behave in a way that is likely to delay your recovery,
- fail to see any Officials from this Department and answer reasonable enquiries concerning your claim.

You may do the following types of work, but you must get **written permission** from the Department **before** starting:

- work which is part-time (up to 20 hours a week) and is part of a rehabilitation or occupational therapy programme,
- an approved training course with a view to taking up some other occupation.

You may do the following types of work without getting written permission from the Department before starting:

- light work for which no payment is, or would normally be payable,
- work which is done as part of treatment while you are a patient in hospital or other similar place provided the earnings are not more than €50 per week,
- work done under a charitable scheme, provided that the earnings are not more than €50 per week.

## 16. Does payment continue after death?

### **Death of a person receiving Injury Benefit**

If you die while getting Injury Benefit, payment will continue for 6 weeks to your spouse, civil partner or cohabitant if your payment:

- included an increase for your spouse, civil partner or cohabitant,  
or
- did not include an increase for your spouse, civil partner or cohabitant because they were getting a social welfare payment of their own.

We should be told of the death as soon as possible so that we can arrange to continue this payment. A Widow's, Widower's or Surviving Civil Partner's Pension or a One-Parent Family Payment will not be paid until the end of the 6 week period.

### **Death of a qualified adult or qualified child**

If a qualified adult or qualified child dies, the increase due for that dependant will continue for 6 weeks.

For more information, log on to **[www.welfare.ie](http://www.welfare.ie)**.

### **Widowed or Surviving Civil Partner Grant**

If you are widowed or are a surviving civil partner and have any qualified children you may also qualify for a Widowed or Surviving Parent Grant.

For more information, log on to **[www.welfare.ie](http://www.welfare.ie)**.

### **Widow's, Widower's or Surviving Civil Partner's Pension**

If you are widowed or a surviving civil partner you may qualify for a Widow's, Widower's or Surviving Civil Partner's Pension.

For more information, log on to **[www.welfare.ie](http://www.welfare.ie)**.

## 17. Do I pay income tax on Injury Benefit?

Injury Benefit, both the personal rate and increase for qualified adult (excluding any increase for qualified children), is considered as income for tax purposes and is taxable from the first day of payment.

Injury Benefit is paid directly to you without any deduction of income tax. The taxation of your payment is dealt with as follows:

**If you are employed**, your employer will take your Injury Benefit into account for PAYE purposes.

**If you are unemployed or become unemployed**, Revenue will take account of the amount of Injury Benefit paid to you, where relevant, when they adjust your tax credits or review the tax affairs of your spouse, civil partner or cohabitant.

More information on the taxation of Injury Benefit is available at your local tax office or at **[www.revenue.ie](http://www.revenue.ie)**.

## 18. Where can I get more information?

For further information on Injury Benefit, contact your local Intreo Centre or your local Social Welfare Office,

or

### **Injury Benefit Section**

Department of Social Protection  
 Áras Mhic Dhiarmada  
 Store Street  
 Dublin 1

Telephone: (01) 704 3300

LoCall: 1890 928 400

If calling from outside the Republic of Ireland please call +353 1 704 3300

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 23)
- 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 Citizens Information Centre, your local Intreo Centre or your local Social Welfare Office.

### **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.

<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>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 (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>

**Other useful booklets:**

<b>Social Welfare Appeals Office An Introduction</b>	<b>SW 56</b>
<b>Carer's Allowance</b>	<b>SW 41</b>
<b>Carer's Benefit</b>	<b>SW 49</b>
<b>Death Benefits</b>	<b>SW 32</b>
<b>Disability Allowance</b>	<b>SW 29</b>
<b>Disablement Benefit</b>	<b>SW 31</b>
<b>Free Travel</b>	<b>SW 40</b>
<b>Household Benefits</b>	<b>SW 107</b>
<b>Illness Benefit</b>	<b>SW 119</b>
<b>Medical Care</b>	<b>SW 34</b>
<b>Prescribed Occupational Diseases</b>	<b>SW 33</b>
<b>Rates of Payment Booklet</b>	<b>SW 19</b>
<b>Widowed or Surviving Civil Partner Grant</b>	<b>SW 114</b>
<b>Widow's, Widower's or Surviving Civil Partner's Non-Contributory Pension</b>	<b>SW 26</b>