



STATUTORY INSTRUMENTS.

S.I. No. 241 of 2019



SOCIAL WELFARE (CONSOLIDATED CLAIMS, PAYMENTS AND
CONTROL) (AMENDMENT) (NO. 9) (DAYS TO BE TREATED AS DAYS
OF INCAPACITY FOR WORK) REGULATIONS 2019

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SOCIAL WELFARE (CONSOLIDATED CLAIMS, PAYMENTS AND CONTROL) (AMENDMENT) (NO. 9) (DAYS TO BE TREATED AS DAYS OF INCAPACITY FOR WORK) REGULATIONS 2019

I, REGINA DOHERTY, Minister for Employment Affairs and 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 2017 (S.I. No. 366 of 2017)), and 40(4) of the Social Welfare Consolidation Act 2005 (No. 26 of 2005), hereby make the following Regulations:

Citation and construction

1. (1) These Regulations may be cited as the Social Welfare (Consolidated Claims, Payments and Control) (Amendment) (No. 9) (Days to be treated as days of Incapacity for Work) Regulations 2019.

(2) These Regulations and the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 to 2019 shall be construed together as one and may be cited together as the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 to 2019.

Commencement

2. These Regulations shall have effect from 31 May 2019.

Days to be treated as days of incapacity for work

3. The Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 (S.I. No. 142 of 2007) are amended-

(a) by the insertion of the following article after article 20:

“Days to be treated as days of incapacity for work.

20A. For the purposes of Chapter 8 of Part 2, and for no other purpose, a day or days may be deemed to be a day or days of incapacity for work, and form part of a period of interruption of employment of a person, if it is a day or days falling immediately after the end date of a period of incapacity for work as determined in accordance with article 20.”, and

(b) in article 21, by the insertion of “and subject to article 20A,” after “Part 2.”



GIVEN under my Official Seal,
30 May 2019.

REGINA DOHERTY,
Minister for Employment Affairs and Social Protection.

EXPLANATORY NOTE

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

These Regulations provide that, in the interests of a claimant of Illness Benefit, a day or days can be deemed to be a day or days on which the person concerned is incapable of working.

By way of example, a situation can arise where there is a gap between the end of a certified period of incapacity for work and the beginning of a subsequent certified period of incapacity for work in respect of the same illness or disability. In such circumstances, to avoid the potential for interruption to the person's Illness Benefit payment, these Regulations make provision to allow the day or days between the two certified periods to be treated as a day or days of incapacity for work.

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