



STATUTORY INSTRUMENTS.

S.I. No. 242 of 2019



**SOCIAL WELFARE (CONSOLIDATED OCCUPATIONAL INJURIES)
(AMENDMENT) (NO. 2) (PROVISIONS AS TO INCAPACITY FOR
WORK) REGULATIONS 2019**

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SOCIAL WELFARE (CONSOLIDATED OCCUPATIONAL INJURIES)
(AMENDMENT) (NO. 2) (PROVISIONS AS TO 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 92 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 Occupational Injuries) (Amendment) (No. 2) (Provisions as to Incapacity for Work) Regulations 2019.

(2) These Regulations and the Social Welfare (Consolidated Occupational Injuries) Regulations 2007 to 2019 shall be construed together as one and may be cited together as the Social Welfare (Consolidated Occupational Injuries) Regulations 2007 to 2019.

Commencement

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

Provisions as to incapacity for work

3. Article 14 of the Social Welfare (Consolidated Occupational Injuries) Regulations 2007 (S.I. No. 102 of 2007) is amended by the insertion of the following sub-article after sub-article (2):

“(2A). For the purposes of section 74, a day or days may, notwithstanding sub-articles (4) and (5), be deemed to be a day or days of incapacity for work, 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 this article.”.



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 Injury Benefit, a day or days can be deemed to be a day or days on which the person concerned is incapable of work.

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 injury. In such circumstances, to avoid the potential for interruption to the person's Injury 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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