



**AN BILLE LEASA SHOISIALAIGH (FORALACHA
ILGHNEITHEACHA), 1963.
SOCIAL WELFARE (MISCELLANEOUS PROVISIONS)
BILL, 1963.**

*Mar a tugadh isteach.
As introduced.*

ARRANGEMENT OF SECTIONS

Section.

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19. Amendment of section 29 of Act of 1942.
20. Short title, construction and collective citations.



AN BILLE LEASA SHOISIALAIGH (FORALACHA
ILGHNEITHEACHA), 1963.

SOCIAL WELFARE (MISCELLANEOUS PROVISIONS)
BILL, 1963.

BILL

entitled

5

AN ACT TO AMEND AND EXTEND THE OLD AGE
PENSIONS ACTS, 1908 TO 1962, THE UNEMPLOYMENT
ASSISTANCE ACTS, 1933 TO 1962, THE WIDOWS' AND
ORPHANS' PENSIONS ACTS, 1935 TO 1962, THE 10
INSURANCE (INTERMITTENT UNEMPLOYMENT)
ACT, 1942, THE SOCIAL WELFARE (CHILDREN'S
ALLOWANCES) ACTS, 1944 TO 1957, AND THE SOCIAL
WELFARE ACTS, 1952 TO 1962.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:— 15

Interpretation.

1.—In this Act—

1933, No. 46.

“ the Act of 1933 ” means the Unemployment Assistance Act, 1933;

1935, No. 29.

“ the Act of 1935 ” means the Widows' and Orphans' Pensions
Act, 1935;

1942, No. 7.

“ the Act of 1942 ” means the Insurance (Intermittent Unemploy- 20
ment) Act, 1942;

1946, No. 8.

“ the Act of 1946 ” means the Children's Allowances (Amendment)
Act, 1946;

1952, No. 11.

“ the Act of 1952 ” means the Social Welfare Act, 1952;

1960, No. 25.

“ the Act of 1960 ” means the Social Welfare (Amendment) Act, 25
1960;

1962, No. 17.

“ the Act of 1962 ” means the Social Welfare (Miscellaneous
Provisions) Act, 1962.

Rates of old age
pensions.

2.—(1) Section 77 of the Act of 1952 is hereby amended by the
substitution for the Table (inserted by the Act of 1962) to sub- 30
section (2) of the following Table:

“ TABLE.

Rate of Pension.

Means of Claimant or Pensioner				Rate of pension per week	
				s. d.	
Where the yearly means of the claimant or pensioner as duly calculated—					
do not exceed £52 10s. 0d.				35	0
exceed £52 10s. 0d. but do not exceed	£65 10s. 0d.	£78 10s. 0d.	£104 15s. 0d.	30	0
“ £65 10s. 0d. “ “ “ “	“ “ “ “	“ “ “ “	“ “ “ “	25	0
“ £78 10s. 0d. “ “ “ “	“ “ “ “	“ “ “ “	“ “ “ “	20	0
“ £104 15s. 0d. “ “ “ “	“ “ “ “	“ “ “ “	“ “ “ “	15	0
“ £117 15s. 0d. “ “ “ “	“ “ “ “	“ “ “ “	“ “ “ “	10	0
“ £130 15s. 0d. “ “ “ “	“ “ “ “	“ “ “ “	“ “ “ “	5	0
“ £143 15s. 0d. “ “ “ “	“ “ “ “	“ “ “ “	“ “ “ “	No pension	

1924, No. 19.

(2) Section 8 of the Old Age Pension Act, 1924, is hereby
amended by the substitution in subsection (1) of “ one hundred and

forty three pounds" for "one hundred and thirty pounds" (inserted by the Act of 1962).

(3) Subsections (1) and (2) of this section shall come into operation on the 1st day of November, 1963.

- 5 3.—(1) In the Act of 1933 for the Schedule thereto inserted by section 3 of the Act of 1962, there is hereby substituted the following: Rates of unemployment assistance.

" SCHEDULE.

Rates of Unemployment Assistance.

Classes of persons to whom the rates of unemployment assistance set out in this Schedule are applicable	Rate of unemployment assistance applicable to persons resident in any urban area	Rate of unemployment assistance applicable to persons resident in any other place
	per week	per week
Person without a dependant	26s. 6d.	20s. 6d.
Person with an adult dependant	47s. 6d.	39s. 6d.
Person with an adult dependant and one child dependant ...	57s. 6d.	49s. 6d.
Person with an adult dependant and two or more child dependants	67s. 6d. plus, where there are more than two child dependants, 5s. for each child dependant in excess of two.	59s. 6d. plus, where there are more than two child dependants, 5s. for each child dependant in excess of two.
Person with one child dependant	36s. 6d.	30s. 6d.
Person with two or more child dependants ...	46s. 6d. plus, where there are more than two child dependants, 5s. for each child dependant in excess of two.	40s. 6d. plus, where there are more than two child dependants, 5s. for each child dependant in excess of two.

(2) Subsection (1) of this section shall come into operation on the 1st day of November, 1963.

- 10 4.—(1) Section 20 (inserted by the Act of 1952) of the Act of 1935 is hereby amended by— Rates of widows' (non-contributory) pensions.

(a) the substitution of "eight shillings and sixpence" for "six shillings" in subparagraph (i) and subparagraph (ii) of paragraph (b) (inserted by the Act of 1962) of subsection (1),

(b) the substitution for subparagraph (ii) of paragraph (c) (inserted by the Act of 1962) of the said subsection (1) of the following subparagraphs:

" (ii) being children, grand-children or step-children of the husband or of the widow, became normally resident with her subsequent to the death of the husband, or

(iii) were adopted by the widow pursuant to the provisions of the Adoption Act, 1952, subsequent to the death of the husband." 1952, No. 25.

(c) the substitution for subparagraph (ii) of paragraph (a) of subsection (4) of the following subparagraphs:

" (ii) being a child, grand-child or step-child of the husband or of the widow, became normally resident with her subsequent to the death of the husband, or

(iii) was adopted by the widow pursuant to the provisions of the Adoption Act, 1952, subsequent to the death of the husband.”

(d) the substitution for subparagraph (ii) of paragraph (b) of subsection (4) of the following subparagraphs: **5**

“ (ii) being children, grand-children or step-children of the husband or of the widow, became normally resident with her subsequent to the death of the husband, or

(iii) were adopted by the widow pursuant to the provisions of the Adoption Act, 1952, subsequent to the death of the husband.”, and

(e) the substitution for Table B of the following Table:

“ TABLE B.

Weekly Rates of Widows' (Non-Contributory) Pensions.

Means of Widow (1)	Weekly Rates		
	Widow, no qualified child (2)	Widow, one qualified child (3)	Widow, two or more qualified children (4)
	s. d.	s. d.	s. d.
Where the yearly means of the widow as duly calculated—			
do not exceed £52 10s. 0d.	33 6	43 6	53 6
exceed £52 10s. 0d. but do not exceed £65 10s. 0d.	28 6	38 6	48 6
exceed £65 10s. 0d. but do not exceed £78 10s. 0d.	23 6	33 6	43 6
exceed £78 10s. 0d. but do not exceed £104 15s. 0d.	18 6	28 6	38 6
exceed £104 15s. 0d. but do not exceed £117 15s. 0d.	13 6	23 6	33 6
exceed £117 15s. 0d. but do not exceed £130 15s. 0d.	8 6	18 6	28 6
exceed £130 15s. 0d. but do not exceed £143 15s. 0d.	no pension	13 6	23 6
exceed £143 15s. 0d. but do not exceed £156 15s. 0d.	no pension	8 6	18 6
exceed £156 15s. 0d. but do not exceed £169 15s. 0d.	no pension	no pension	13 6
exceed £169 15s. 0d. but do not exceed £182 15s. 0d.	no pension	no pension	8 6

Plus, where there are more than two qualified children, five shillings for each qualified child in excess of two.

(2) Subsection 1 of this section shall come into operation on the 1st day of November, 1963. **15**

Amendment of section 5 of Act of 1946.

1952, No. 12.

5.—(1) Section 5 of the Act of 1946 is hereby amended by the substitution for subsection (1) (inserted by the Social Welfare (Children's Allowances) Act, 1952) of the following subsection:

“ (1) A person with whom a qualified child normally resides shall be qualified for a children's allowance in respect of that child.” **20**

(2) Subsection (1) of this section shall come into operation on the 31st day of October, 1963.

Rates of children's allowances.

1952, No. 12.

6.—(1) Section 6 of the Act of 1946 is hereby amended by the substitution for subsection (1) (inserted by the Social Welfare (Children's Allowances) Act, 1952) of the following subsection: **25**

“ (1) Subject to the provisions of the Social Welfare (Children's Allowances) Acts, 1944 to 1963, and of the regulations thereunder, a person who is found to be qualified for a children's allowance shall, so long as he remains so qualified, be paid, out of moneys provided by the Oireachtas, a monthly allowance at the rate of— **30**

- (i) ten shillings for the first qualified child, and
(ii) if and so long as there are two or more qualified children, fifteen shillings and sixpence for the second qualified child and twenty-six shillings and sixpence for the third and each subsequent qualified child."

(2) *Subsection (1)* of this section shall come into operation on the 1st day of November, 1963.

7.—Section 2 of the Act of 1952 is hereby amended by the insertion after "place of residence" in the definition of "domestic service" in subsection (1) of "or which is rendered mainly in relation to students in boarding schools or colleges."

Amendment of section 2 of Act of 1952.

8.—(1) Section 6 of the Act of 1952 is hereby amended by—

Amendment of section 6 of Act of 1952.

(a) the substitution of "three shillings and one penny" for "two shillings and tenpence" (inserted by the Act of 1962) in paragraph (a) of subsection (2) (inserted by the Act of 1960), and

(b) the substitution of "six shillings" for "five shillings and fivepence" (inserted by the Act of 1962) in paragraph (b) of the said subsection (2).

(2) *Subsection (1)* of this section shall come into operation on the 6th day of January, 1964.

9.—Section 12 of the Act of 1952 is hereby amended by the insertion in subsection (1) after subparagraph (d) of the following subparagraph:

Amendment of section 12 of Act of 1952.

"(dd) persons employed as teachers in domestic science training colleges recognised by the Minister for Education, or"

10.—(1) Section 22 of the Act of 1952 is hereby amended by the insertion in subsection (1) after "or by her husband's insurance" of "or if her husband was entitled to payment of an old age (contributory) pension at an increased weekly rate by virtue of subsection (2) of section 26 of this Act in respect of a period ending on his death,".

Amendment of section 22 of Act of 1952.

(2) *Subsection (1)* of this section shall come into operation on the 3rd day of January, 1964.

11.—(1) Section 26 of the Act of 1952 is hereby amended by the substitution for subsection (3) (inserted by the Act of 1960) of the following subsection:

Amendment of section 26 of Act of 1952.

"(3) (a) Subject to the provisions of the Social Welfare Acts, 1952 to 1963, on the death of a woman to whom an old age (contributory) pension was payable at an increased weekly rate by virtue of this section in respect of a period ending on such death, her husband shall be entitled to benefit the weekly rate of which is equal to the rate of widow's (contributory) pension, including increases in respect of qualified children where appropriate, which would be payable to him under the provisions of this Act if he were a widow.

- (b) Benefit under this subsection shall not be payable for any period after the remarriage of the person to whom it had been payable, or for any period after he ceased to be incapable of self-support by reason of some physical or mental infirmity. 5
- (c) A man shall be disqualified for receiving benefit under this subsection if and so long as he and any other person are cohabiting as man and wife.
- (d) Where, but for the provisions of this paragraph, benefit under this subsection and old age (contributory) pension would be payable to a person in respect of any period— 10
- (i) benefit under this subsection shall not be payable in respect of that period unless the rate thereof is greater than the rate of the pension, 15 and
- (ii) the pension shall not be payable in respect of that period unless the rate thereof is equal to or greater than the rate of benefit under this subsection.” 20
- (2) Subsection (1) of this section shall come into operation on the 3rd day of January, 1964. 21

Amendment of
section 27 of
Act of 1952.

12.—(1) Section 27 of the Act of 1952 is hereby amended by the substitution for subparagraph (b) of subsection (2) of the following subparagraphs: 25

“(b) being a child, grand-child or step-child, or children, grand-children or step-children, of the husband or of the beneficiary, became normally resident with her subsequent to the death of the husband, or

1952, No. 25.

(c) was or were adopted by the beneficiary pursuant to the provisions of the Adoption Act, 1952, subsequent to the death of the husband,” 30

(2) Subsection (1) of this section shall come into operation on the 1st day of November, 1963. 32

Amendment of
section 47 of
Act of 1952.

13.—Section 47 of the Act of 1952 is hereby amended by the insertion in subsection (3) after paragraph (a) of the following paragraph: 35

“(aa) where it appears to the Minister that the circumstances so warrant, for enabling a person to be appointed to receive and deal with, on behalf of a claimant or beneficiary, in respect of old age (contributory) pension, so much of the pension as is payable by virtue of section 26 of this Act,” 40

Amendment of
Second Schedule
to Act of 1952.

14.—(1) (a) The Second Schedule to the Act of 1952 is hereby amended by— 45

(i) the substitution of “5s. 11d.” for “5s. 3d.” (inserted by the Act of 1962) and of “4s. 10d.” for “4s. 2d.” (inserted by the Act of 1962) in subparagraph (a) of paragraph 1, 50

(ii) the substitution of “5s. 11d.” for “5s. 3d.” (inserted by the Act of 1962) and of “5s. 7d.” for “4s. 11d.” (inserted by the Act of 1962) in subparagraph (b) of the said paragraph 1, 50

(iii) the substitution of “3s. 8d.” for “3s. 0d.” (inserted in both subparagraphs by the Act of 1962) in subparagraphs (a) and (b) of paragraph 2, 55

(iv) the substitution of “2s. 10d.” for “2s. 4d.” (inserted by the Act of 1962) in subparagraph (a) of paragraph 3 and of “3s. 8d.” for “3s. 1d.” (inserted by the Act of 1962) in subparagraph (b) of the said paragraph 3, 60

- (v) the substitution of "3s. 7d." for "3s. 1d." (inserted by the Act of 1962) in subparagraph (a) of paragraph 3A (inserted by the Act of 1960) and of "4s. 5d." for "3s. 10d." (inserted by the Act of 1962) in subparagraph (b) of the said paragraph 3A,
- (vi) the substitution of "1s. 6d." for "1s. 5d." (inserted by the Act of 1962) in subparagraph (a) of paragraph 4 (inserted by the Regulations of 1956) and of "1s. 7d." for "1s. 5d." (inserted by the Act of 1962) in subparagraph (b) of the said paragraph 4,
- (vii) the substitution of "1s. 6d." for "1s. 5d." (inserted by the Act of 1962) in subparagraph (b) of paragraph 5 (inserted by the Regulations of 1956),
- (viii) the substitution of "4s. 2d." for "3s. 6d." (inserted by the Act of 1962) in subparagraph (a) of paragraph 6 (inserted by the Regulations of 1956),
- (ix) the substitution of "5s. 7d." for "4s. 11d." (inserted by the Act of 1962) in subparagraph (b) of the said paragraph 6,
- (x) the substitution of "4s. 2d." for "3s. 6d." (inserted by the Act of 1962) in subparagraph (a) of paragraph 7 (inserted by the Regulations of 1956), and
- (xi) the substitution of "4s. 8d." for "4s. 0d." (inserted by the Act of 1962) in subparagraph (b) of the said paragraph 7.
- (b) In this subsection "the Regulations of 1956" means the Social Welfare (Modifications of Insurance) Regulations, 1956. 1956, S.I. No. 236.

(2) Subsection (1) of this section shall come into operation on the 6th day of January, 1964.

15.—(1) The Third Schedule to the Act of 1952 is hereby amended by the substitution for Part I (inserted by the Act of 1962) of the following Part:

Amendment of
Third Schedule
to Act of 1952.

"PART I.

Rates of Periodical Benefits and of Increases thereof.

Description of benefit	Weekly Rate	Increase for adult dependant (where payable)	Increase for qualified child or for each of two qualified children (where payable)	Increase for each qualified child in excess of two (where payable)
(1)	(2)	(3)	(4)	(5)
1. Disability Benefit and Unemployment Benefit:	shillings	shillings	shillings	shillings
(a) in the case of persons over the age of eighteen—				
(i) for a man, single woman or widow, married woman living apart from and unable to obtain any financial assistance from her husband or married woman entitled to an increase, for a qualified child or qualified children or for a husband ...	42½	30	13	8

Description of benefit	Weekly Rate	Increase for adult dependant (where payable)	Increase for qualified child or for each of two qualified children (where payable)	Increase for each qualified child in excess of two (where payable)
(1)	(2)	(3)	(4)	(5)
	shillings	shillings	shillings	shillings
(ii) for any other married woman	32½	—	—	—
(b) in the case of persons under the age of eighteen—				
where the person is entitled to an increase for a qualified child or qualified children or for an adult dependant	42½	30	13	8
where the person is not so entitled	32½	—	—	—
2. Maternity Allowance ...	45	—	—	—
3. Widow's (contributory) Pension :				
where the widow is entitled to an increase for a qualified child or qualified children	45	—	13	8
where the widow is not so entitled	42½	—	—	—
4. Orphan's (contributory) Allowance	25	—	—	—
5. Old Age (contributory) Pension	50	37½	—	—

(2) Subsection (1) of this section shall, in so far as it relates to disability benefit, unemployment benefit and maternity allowance under the Act of 1952, come into operation on the 6th day of January, 1964, and shall, in so far as it relates to widow's (contributory) pension, orphan's (contributory) allowance and old age (contributory) pension under the Act of 1952, come into operation on the 3rd day of January, 1964.

Amendment of
Seventh Schedule
to Act of 1952.

16.—(1) Rule 1 of the Seventh Schedule to the Act of 1952 shall have effect in calculating the means of a person, in the case of a pension under the Widows' and Orphans' Pensions Acts, 1935 to 1963, as if for subparagraphs (a), (b) and (c) of paragraph (I) there were substituted the following paragraphs:

- “(a) the first £100 of the capital value of the property shall be excluded, and
- (b) in the case of a widow who has a qualified child or qualified children normally residing with her an additional £100 of the capital value of the property shall be excluded in respect of each such qualified child in respect of whom an increase of pension is claimable, and
- (c) the yearly value of any remainder of the capital value of the property shall be taken to be one-twentieth part of such remainder.”

(2) Subsection (1) of this section shall come into operation on the 1st day of November, 1963.

17.—Section 7 of the Act of 1942 is hereby amended by the substitution of “eighteen years” for “twenty-one years” in subsection (1) and (3) and the substitution of “in which he has attained the age of eighteen years” for “in which he has attained the age of twenty-one years” in subsection (2).

Amendment of
section 7 of
Act of 1942.

18.—Section 28 of the Act of 1942 is hereby amended by the insertion after “continuous period” of “: Provided that where the working hours on any day consist of a number of hours and a fraction of an hour (not being less than a half hour) supplementary benefit shall be payable in respect of such fraction of an hour where intermittent unemployment occurs during the working hours on that day and extends over the whole of such hours.”

Amendment of
section 28 of
Act of 1942.

19.—Section 29 of the Act of 1942 is hereby amended by the insertion after “so substituted” of “: Provided that where supplementary benefit is payable in respect of a fraction of an hour, the amount of supplementary benefit so payable shall be half the appropriate hourly rate.”

Amendment of
section 29 of
Act of 1942.

20.—(1) This Act may be cited as the Social Welfare (Miscellaneous Provisions) Act, 1963.

Short title,
construction and
collective
citations.

(2) This Act, in so far as it amends and extends the Old Age Pensions Acts, 1908 to 1962, shall be construed as one therewith and may be cited together therewith as the Old Age Pensions Acts, 1908 to 1963, and in so far as it amends and extends the Unemployment Assistance Acts, 1933 to 1962, shall be construed as one therewith and may be cited together therewith as the Unemployment Assistance Acts, 1933 to 1963, and in so far as it amends and extends the Widows' and Orphans' Pensions Acts, 1935 to 1962, shall be construed as one therewith and may be cited together therewith as the Widows' and Orphans' Pensions Acts, 1935 to 1963, and in so far as it amends and extends the Act of 1942, shall be construed as one therewith and may be cited together therewith as the Insurance (Intermittent Unemployment) Acts, 1942 and 1963, and in so far as it amends and extends the Social Welfare (Children's Allowances) Acts, 1944 to 1957, shall be construed as one therewith and may be cited together therewith as the Social Welfare (Children's Allowances) Acts, 1944 to 1963, and in so far as it amends and extends the Social Welfare Acts, 1952 to 1962, shall be construed as one therewith and may be cited together therewith as the Social Welfare Acts, 1952 to 1963.

AN BILLE LEASA SHÓISIALAIGH
(FORÁLACHA ILGHNEITHEACHA), 1963.

SOCIAL WELFARE (MISCELLANEOUS
PROVISIONS) BILL, 1963.

BILLE

(mar a tugadh isteach)

dá ngairtear

Acht do leasú agus do leathnú Achtanna na bPinsean Sean-Aoise, 1908 go 1962, na nAchtanna um Chúnamh Dífhostaíochta, 1933 go 1962, na nAchtanna um Pinsin do Bhaintreacha agus do Dhílleachtaí, 1935 go 1962, an tAcht Arachais (Breac-Dhíomhaointeas), 1942, na nAchtanna Leasa Shóisialaigh (Liúntais Leanaí), 1944 go 1957, agus na nAchtanna Leasa Shóisialaigh, 1952 go 1962.

An tAire Leasa Shóisialaigh a thug isteach.

Ordaíodh ag Dáil Éireann a chlóbhualadh,
4 Iúil, 1963.

BAILE ATHA CLIATH:
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR

Le ceannach díreach ón Oifig Díolta Foilseachán Rialtais,
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BILL

(as introduced)

entitled

An Act to amend and extend the Old Age Pensions Acts, 1908 to 1962, the Unemployment Assistance Acts, 1933 to 1962, the Widows' and Orphans' Pensions Acts, 1935 to 1962, the Insurance (Intermittent Unemployment) Act, 1942, the Social Welfare (Children's Allowances) Acts, 1944 to 1957, and the Social Welfare Acts, 1952 to 1962.

Introduced by the Minister for Social Welfare.

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