

**AN BILLE LEASA SHOISIALAIGH (FORALACHA
ILGNEITHEACHA), 1964**
**SOCIAL WELFARE (MISCELLANEOUS PROVISIONS) BILL,
1964**

*Mar a tugadh isteach
As introduced*

ARRANGEMENT OF SECTIONS

Section

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3. Increase of rates of unemployment assistance.
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AN BILLE LEASA SHOISIALAIGH (FORALACHA
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SOCIAL WELFARE (MISCELLANEOUS PROVISIONS) BILL,
1964

BILL

5

entitled

AN ACT TO AMEND AND EXTEND THE OLD AGE PENSIONS ACTS, 1908 TO 1963, THE UNEMPLOYMENT ASSISTANCE ACTS, 1933 TO 1963, THE WIDOWS' AND ORPHANS' PENSIONS ACTS, 1935 TO 1963, AND THE SOCIAL WELFARE ACTS, 1952 TO 1963. 10

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:—

Interpretation.

1.—In this Act—

1933, No. 46.

“the Act of 1933” means the Unemployment Assistance Act, 1933; 15

1935, No. 29.

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

1952, No. 11.

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

1963, No. 26.

“the Act of 1963” means the Social Welfare (Miscellaneous Provisions) Act, 1963. 20

Increase of rates of old age pensions.

2.—(1) The rates of 35s. 0d., 30s. 0d., 25s. 0d., 20s. 0d., 15s. 0d., 10s. 0d., and 5s. 0d. set forth in the Table (inserted by the Act of 1963) to subsection (2) of section 77 of the Act of 1952 are each hereby increased by 2s. 6d.

(2) *Subsection (1)* of this section shall come into operation on the 1st day of August, 1964. 25

Increase of rates of unemployment assistance.

3.—(1) In the Act of 1933, for the Schedule thereto inserted by section 3 of the Act of 1963, there is hereby substituted the following:

“SCHEDULE

30

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	29s. 0d.	23s. 0d.
Person with an adult dependant	52s. 6d.	44s. 6d.

SCHEDULE—continued.

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 with an adult dependant and one child dependant ...	62s. 6d.	54s. 6d.
Person with an adult dependant and two or more child dependants	72s. 6d. plus, where there are more than two child dependants, 5s. for each child dependant in excess of two.	64s. 6d. plus, where there are more than two child dependants, 5s. for each child dependant in excess of two.
Person with one child dependant ...	39s. 0d.	33s. 0d.
Person with two or more child dependants ...	49s. 0d. plus, where there are more than two child dependants, 5s. for each child dependant in excess of two.	43s. 0d. 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 August, 1964.

4.—(1) Section 20 (inserted by the Act of 1952) of the Act of 1935 is hereby amended by—

Increase of rates of widows' (non-contributory) pensions.

- 5 (a) the substitution of " exceed one hundred and ninety-five pounds and fifteen shillings " for " exceed one hundred and eighty-two pounds and fifteen shillings " in paragraph (b) (inserted by the Social Welfare (Miscellaneous Provisions) Act, 1962) of subsection (1),
- 10 (b) the substitution of " two hundred and eight pounds and fifteen shillings " for " one hundred and ninety-five pounds and fifteen shillings " and " six shillings " for " eight shillings and sixpence " (inserted by the Act of 1963) in subparagraph (i) of the said paragraph (b),
- 15 (c) the substitution of " one hundred and eighty-two pounds and fifteen shillings " for " one hundred and sixty-nine pounds and fifteen shillings ", " one hundred and ninety-five pounds and fifteen shillings " for " one hundred and eighty-two pounds and fifteen shillings ",
- 20 " one hundred and eighty-two pounds, fifteen shillings and one penny " for " one hundred and sixty-nine pounds, fifteen shillings and one penny " and " six shillings " for " eight shillings and sixpence " (inserted by the Act of 1963) in subparagraph (ii) of the said paragraph (b), and
- 25 (d) the substitution for Table B of the following Table :

1962, No. 17.

" TABLE B

Weekly Rates of Widows' (Non-Contributory) Pensions

Means of Widow (1)	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.	36 0	46 0	56 0
exceed £52 10s. 0d. but do not exceed £65 10s. 0d.	31 0	41 0	51 0
exceed £65 10s. 0d. but do not exceed £78 10s. 0d.	26 0	36 0	46 0
exceed £78 10s. 0d. but do not exceed £104 15s. 0d.	21 0	31 0	41 0
exceed £104 15s. 0d. but do not exceed £117 15s. 0d.	16 0	26 0	36 0
exceed £117 15s. 0d. but do not exceed £130 15s. 0d.	11 0	21 0	31 0
exceed £130 15s. 0d. but do not exceed £143 15s. 0d.	6 0	16 0	26 0
exceed £143 15s. 0d. but do not exceed £156 15s. 0d.	No pension	11 0	21 0
exceed £156 15s. 0d. but do not exceed £169 15s. 0d.	No pension	6 0	16 0
exceed £169 15s. 0d. but do not exceed £182 15s. 0d.	No pension	No pension	11 0
exceed £182 15s. 0d. but do not exceed £195 15s. 0d.	No pension	No pension	6 0

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 August, 1964.

Increase of rates of old age pensions for qualified children.

5.—(1) Section 77 of the Act of 1952 is hereby amended by the deletion of subsection (2) and the insertion of the following subsections:

“ (2) A pension shall, in lieu of any other rate, be—

(a) where the yearly means of the claimant or pensioner as duly calculated do not exceed one hundred and forty-three pounds and fifteen shillings, at the rate set forth in the Table to this subsection, and

(b) where the yearly means of the claimant or pensioner as duly calculated exceed one hundred and forty-three pounds and fifteen shillings, at the rate at which the pension would be payable if the yearly means of the claimant or pensioner as duly calculated exceeded one hundred and thirty pounds and fifteen shillings but did not exceed one hundred and forty-three pounds and fifteen shillings, less five shillings for each amount (if any) of thirteen pounds by which the said yearly means exceed one hundred and forty-three pounds and fifteen shillings, any fraction of thirteen pounds being treated for this purpose as thirteen pounds; provided that if the rate calculated pursuant to this paragraph, at which, but for this proviso, the pension would be payable is less than seven shillings and sixpence, the pension shall not be payable.

TABLE
RATE OF PENSION

Means of claimant or pensioner (1)	Weekly Rates		
	Claimant or pensioner, no qualified child (2)	Claimant or pensioner, one qualified child (3)	Claimant or pensioner, two or more qualified children (4)
	s. d.	s. d.	s. d.
Where the yearly means of the claimant or pensioner as duly calculated—			
do not exceed £52 10s. 0d. ...	37 6	47 6	57 6
exceed £52 10s. 0d. but do not exceed £65 10s. 0d.	32 6	42 6	52 6
exceed £65 10s. 0d. but do not exceed £78 10s. 0d.	27 6	37 6	47 6
exceed £78 10s. 0d. but do not exceed £104 15s. 0d.	22 6	32 6	42 6
exceed £104 15s. 0d. but do not exceed £117 15s. 0d.	17 6	27 6	37 6
exceed £117 15s. 0d. but do not exceed £130 15s. 0d.	12 6	22 6	32 6
exceed £130 15s. 0d. but do not exceed £143 15s. 0d.	7 6	17 6	27 6

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

(2A) In applying the Table to subsection (2) of this section to that subsection—

- (a) columns (1) and (3) shall have effect in case the claimant or pensioner has one qualified child (and not more),
- 5 (b) columns (1) and (4) shall have effect in case the claimant or pensioner has two or more qualified children,
- (c) columns (1) and (2) shall have effect in any other case.

10 (2B) In this section 'qualified child' in relation to a claimant or pensioner means a child in respect of whom the claimant or pensioner is entitled to a children's allowance under the Social Welfare (Children's Allowances) Acts, 1944 to 1963."

15 (2) Section 8 (as amended by the Act of 1963) of the Old Age Pensions Act, 1924, is hereby amended by the deletion in subsection (1) of "do not exceed one hundred and forty-three pounds and fifteen shillings" and the insertion of "do not exceed—

- 20 (i) in case the person has no children (in this subsection referred to as qualified children) in respect of whom he is entitled to a children's allowance under the Social Welfare (Children's Allowances) Acts, 1944 to 1963, one hundred and forty-three pounds and fifteen shillings,
- 25 (ii) in case the person has one qualified child or two qualified children, the sum of twenty-six pounds for each qualified child and one hundred and forty-three pounds and fifteen shillings, and
- 30 (iii) in case the person has more than two qualified children, the sum of twenty-six pounds for each of two qualified children and thirteen pounds for each qualified child in excess of two and one hundred and forty-three pounds and fifteen shillings."

(3) Rule 1 of the Seventh Schedule to the Act of 1952 shall have

effect in calculating the means of a claimant or pensioner, in the case of a pension under the Old Age Pensions Acts, 1908 to 1964, as if in paragraph (II) the following subparagraph were substituted for subparagraph (j) (inserted by the Social Welfare (Miscellaneous Provisions) Act, 1960)—

1960, No. 28.

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“(j) in the case of a person who is not a blind person and who has a qualified child or qualified children who normally resides or reside with him all earnings derived by the person from an employment which is an employment specified in Part I of the First Schedule to this Act except and in so far as the annual amount of such earnings is calculated to exceed £39 for each such child.”

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(4) This section shall come into operation on such day as the Minister may appoint by order.

15

Amendment of section 12 of Act of 1952.

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

“(cc) persons employed as teachers in training colleges recognised by the Minister for Education for teachers in national schools, or”.

20

Amendment of section 25 of Act of 1952.

7.—Section 25 of the Act of 1952 is hereby amended by the deletion in subsection (3) of “(subject to a limit of five hundred thousand pounds in each financial year)”.

Amendment of section 27 of Act of 1952.

8.—(1) Section 27 of the Act of 1952 is hereby amended by the insertion in subsection (1) after “unemployment benefit” of “or old age (contributory) pension”.

25

(2) Sections 9 and 10 of this Act and this section shall come into operation on such day as the Minister may appoint by order.

30

Amendment of section 28A of Act of 1952.

1960, No. 25.

9.—Section 28A (inserted by the Social Welfare (Amendment) Act, 1960) of the Act of 1952 is hereby amended by the insertion in subsection (2) after “section 26” of “or subsection (1) of section 27”.

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Amendment of Third Schedule to Act of 1952.

10.—The Third Schedule to the Act of 1952 is hereby amended by—

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(a) the insertion in column (4) of Part I (inserted by the Act of 1963) at reference number 5 of “13”, and

(b) the insertion in column (5) of the said Part I at the said reference number 5 of “8”.

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Operative date of reversals or revisions of certain decisions in relation to unemployment assistance.

11.—(1) Where, as a result of a reversal or revision of a decision, a person becomes entitled to hold a qualification certificate under the Unemployment Assistance Acts, 1933 to 1964, the person shall, for the purposes of those Acts, be deemed to have been the holder of a qualification certificate as on and from the date on which the decision as so reversed or revised came into effect.

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(2) Where, as a result of a reversal or revision of a decision, a qualification certificate issued to a person under the Unemployment Assistance Acts, 1933 to 1964, is revoked, the person shall, for the purposes of those Acts, be deemed not to have been the holder of a qualification certificate as on and from the date on which the decision as so reversed or revised came into effect.

(3) Where, as a result of a reversal or revision of a decision, the statement of the weekly rate of means contained in a qualification certificate issued to a person under the Unemployment Assistance Acts, 1933 to 1964, is varied, the person shall, for the purposes of those Acts, be deemed to have been the holder of such certificate as he is entitled to hold under the decision as so reversed or revised as on and from the date on which the decision as so reversed or revised came into effect.

(4) The application for unemployment assistance of a person who becomes entitled to a qualification certificate as a result of a reversal or revision of a decision may be deemed to have been made on the date from which the decision as so reversed or revised came into effect or on any subsequent date.

(5) In this section "decision" means a decision of a deciding officer or an appeals officer in relation to a qualification certificate under the Unemployment Assistance Acts, 1933 to 1964.

12.—Section 13 of the Act of 1933 is hereby amended by the insertion in paragraph (b) of subsection (1) after subparagraph (xi) (inserted by the Social Welfare (Miscellaneous Provisions) Act, 1962) of the following subparagraph:

Amendment of section 13 of Act of 1933.
1962, No. 17.

"(xii) where a person is engaged on a seasonal basis in the occupation of fishing, one-half of so much of the income derived therefrom as does not exceed £80 per year and one-third of so much of such income as exceeds £80 per year but does not exceed £200 per year"

13.—(1) The following section is hereby inserted in the Act of 1935 in lieu of section 21 (inserted by the Social Welfare Act, 1948):

Amendment of Act of 1935.

"21. A widow shall not be granted a widow's (non-contributory) pension unless she has not attained the age of seventy years."

1948, No. 17.

(2) Section 22 of the Act of 1935 is hereby amended by the deletion of subsection (2) (inserted by the Social Welfare Act, 1948).

1948, No. 17.

14.—(1) This Act may be cited as the Social Welfare (Miscellaneous Provisions) Act, 1964.

Short title, construction and collective citations.

(2) This Act, in so far as it amends and extends the Old Age Pensions Acts, 1908 to 1963, shall be construed as one therewith and may be cited together therewith as the Old Age Pensions Acts, 1908 to 1964, and in so far as it amends and extends the Unemployment Assistance Acts, 1933 to 1963, shall be construed as one therewith and may be cited together therewith as the Unemployment Assistance Acts, 1933 to 1964, and in so far as it amends and extends the Widows' and Orphans' Pensions Acts, 1935 to 1963, shall be construed as one therewith and may be cited together therewith as the Widows' and Orphans' Pensions Acts, 1935 to 1964, and in so far as it amends and extends the Social Welfare Acts, 1952 to 1963, shall be construed as one therewith and may be cited together therewith as the Social Welfare Acts, 1952 to 1964.

BILLE

(*mar a tugadh isteach*)

dá ngairtear

Acht do leasú agus do leathnú Achtanna na bPinsean Seanaoise, 1908 go 1963, na nAchtanna um Chúnamh Dífhostaíochta, 1933 go 1963, na nAchtanna um Pinsin do Bhaintreacha agus do Dhílleachtaí, 1935 go 1963, agus na nAchtanna Leasa Shóisialaigh, 1952 go 1963.

An tAire Leasa Shóisialaigh a thug isteach

*Ordaíodh ag Dáil Éireann a chlóbhualadh,
18 Meitheamh, 1964*

BAILE ATHA CLIATH :
NA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR

Le ceannach díreach ón Oifig Díolta Foilseachán Rialtais,
An Stuaire, Árd Oifig an Phoist, Baile Átha Cliath, nó trí
aon díoltóir leabhar.

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[*Luach : Naoi bPingin Glan*]

BILL

(*as introduced*)

entitled

An Act to amend and extend the Old Age Pensions Acts, 1908 to 1963, the Unemployment Assistance Acts, 1933 to 1963, the Widows' and Orphans' Pensions Acts, 1935 to 1963, and the Social Welfare Acts, 1952 to 1963.

Introduced by the Minister for Social Welfare

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