



AN BILLE LEASA SHÓISIALAIGH, 1984
SOCIAL WELFARE BILL, 1984

Mar a tionscnaíodh
As initiated

ARRANGEMENT OF SECTIONS

PART I

PRELIMINARY

Section

1. Short title, construction and collective citation.
2. Definitions.

PART II

INCREASES AND MISCELLANEOUS AMENDMENTS

3. Social insurance benefits (new rates).
4. Social assistance payments (new rates).
5. Amendment of sections 4 and 67 of Principal Act (expenses).
6. Amendment of section 65 of Principal Act (employment contributions).
7. Amendment of section 73 of Principal Act (pay-related benefit).
8. Amendment of section 76 of Principal Act (pay-related benefit).
9. Amendment of sections 146 and 210 of, and Third Schedule to, Principal Act (calculation of means).
10. Amendment of section 223 of Principal Act (qualified child).
11. Amendment of section 226 of Principal Act (time limit for payment of children's allowances).
12. Insertion of section 306A in Principal Act.

2

PART III

FAMILY INCOME SUPPLEMENT

Section

13. Insertion of Part IVA in Principal Act.
14. Amendment of section 3 of Principal Act (regulations).
15. Amendment of section 130 of Principal Act (overlapping provisions).
16. Further amendment of section 146 of, and Third Schedule to, Principal Act (calculation of means).
17. Commencement of this Part.

PART IV

CESSEY OF LOCAL PENSION COMMITTEES, ETC., AND CONSEQUENTIAL PROVISIONS

18. Repeals (cesser of local pension committees, etc.).
19. Appointment, duties of social welfare officers.
20. Cesser of certain offices to local pension committees and provision for compensation.
21. Further amendment of section 4 of Principal Act (expenses).
22. Amendment of section 159 of Principal Act (statutory conditions for old age pension).
23. Amendment of section 167 of Principal Act (commencement of old age pensions).
24. Amendment of section 169 of Principal Act (legal proceedings).
25. Amendment of section 170 of Principal Act (regulations).
26. Amendment of section 175 of Principal Act (blind pension).
27. Amendment of section 296 of Principal Act (decisions by deciding officers).
28. Amendment of section 298 of Principal Act (appeals, etc.).
29. Continuity of this Part with repealed, amended provisions.
30. Commencement of this Part.

SCHEDULE A

SCHEDULE B

ACTS REFERRED TO

Civil Liability (Amendment) Act, 1964	1964, No. 17
Housing Acts, 1966 to 1984	
Labourers Acts, 1883 to 1965	
Postal and Telecommunications Services Act, 1983	1983, No. 24
Road Traffic Act, 1961	1961, No. 24
Social Welfare (Consolidation) Act, 1981	1981, No. 1
Social Welfare (Amendment) Act, 1981	1981, No. 3
Social Welfare Act, 1982	1982, No. 2
Social Welfare Act, 1983	1983, No. 6



AN BILLE LEASA SHÓISIALAIGH, 1984
SOCIAL WELFARE BILL, 1984

BILL

entitled

AN ACT TO AMEND AND EXTEND THE SOCIAL WELFARE 5
ACTS, 1981 TO 1983, AND TO PROVIDE THAT CERTAIN
PAYMENTS UNDER THOSE ACTS SHALL BE TAKEN
INTO ACCOUNT IN ASSESSING DAMAGES FOR PER-
SONAL INJURIES ARISING OUT OF THE USE OF A
MECHANICALLY PROPELLED VEHICLE BEING USE IN 10
RESPECT OF WHICH LIABILITY IS REQUIRED TO BE
COVERED BY AN APPROVED POLICY OF INSURANCE.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

PART I

PRELIMINARY

15

Short title,
construction and
collective citation.

1.—(1) This Act may be cited as the Social Welfare Act, 1984.

(2) The Social Welfare Acts, 1981 to 1983, and this Act shall be construed together as one and may be cited together as the Social Welfare Acts, 1981 to 1984.

Definitions.

2.—In this Act—

20

“the Amendment Act of 1981” means the Social Welfare (Amendment) Act, 1981;

“the Act of 1983” means the Social Welfare Act, 1983;

“the Principal Act” means the Social Welfare (Consolidation) Act, 1981.

25

PART II

INCREASES AND MISCELLANEOUS AMENDMENTS

Social insurance
benefits (new rates).

3.—(1) The Principal Act is hereby amended by the substitution for Parts I to V of the Second Schedule (inserted by the Act of 1983) of the Parts set out in *Schedule A* to this Act.

30

(2) This section shall come into operation—

5 (a) in so far as it relates to disability benefit, unemployment benefit, maternity allowance, deserted wife's benefit, invalidity pension, retirement pension, injury benefit, disablement gratuity and disablement pension, on the 5th day of July, 1984, and

10 (b) in so far as it relates to death benefit under section 50, 51 or 52 of the Principal Act, old age (contributory) pension, widow's (contributory) pension and orphan's (contributory) allowance, on the 6th day of July, 1984.

4.—(1) The Principal Act is hereby amended by the substitution for—

Social assistance payments (new rates).

15 (a) Part I of the Fourth Schedule (inserted by the Act of 1983 and varied by the Social Welfare (Variation of Rates of Unemployment Assistance) Regulations, 1983 (S.I. No. 268 of 1983)),

(b) Part III of that Schedule (inserted by the Act of 1983), and

(c) Part IV of that Schedule (inserted by the Social Welfare Act, 1982),

20 of the Parts set out in *Schedule B* to this Act.

(2) This section shall come into operation—

(a) in so far as it relates to unemployment assistance and supplementary welfare allowance, on the 4th day of July, 1984,

25 (b) in so far as it relates to deserted wife's allowance, prisoner's wife's allowance, social assistance allowance and single woman's allowance, on the 5th day of July, 1984,

(c) in so far as it relates to old age pension, blind pension, widow's (non-contributory) pension and orphan's (non-contributory) pension, on the 6th day of July, 1984, and

30 (d) in so far as it relates to children's allowances, on the 7th day of August, 1984.

5.—(1) Section 4 of the Principal Act is hereby amended by the insertion after subsection (3) of the following subsection:

Amendment of sections 4 and 67 of Principal Act (expenses).

35 “(3A) Any expenses incurred by An Post under the provisions of Part II, other than Chapter 5 (determined on such basis as may be agreed upon between the Minister, the Minister for Finance and An Post) shall be paid by the Minister out of the Social Insurance Fund to An Post at such times and in such manner as the Minister for Finance may direct.”.

40 (2) Section 67 of the Principal Act is hereby amended by the insertion after subsection (10) of the following subsection:

45 “(10A) Any expenses incurred by An Post under the provisions of this Chapter (determined on such basis as may be agreed upon between the Minister, the Minister for Finance and An Post) shall be paid by the Minister out of the Occupational Injuries

Fund to An Post at such times and in such manner as the Minister for Finance may direct.”.

Amendment of section 65 of Principal Act (employment contributions).

6.—(1) Section 65 of the Principal Act (as amended by the Amendment Act of 1981) is hereby amended by the substitution for the percentage rates specified in subsection (2) (a) (ii) and subsection (2) (b) of 0.4 per cent. 5

(2) This section shall come into operation on the 6th day of April, 1984.

Amendment of section 73 of Principal Act (pay-related benefit).

7.—(1) Section 73 of the Principal Act (inserted by the Act of 1983) is hereby amended by the substitution for “£36” of “£43”. 10

(2) *Subsection (1)* of this section shall have effect in relation to any period of interruption of employment commencing on or after the 2nd day of April, 1984.

Amendment of section 76 of Principal Act (pay-related benefit).

8.—Section 76 of the Principal Act is hereby amended by the insertion after subsection (1) of the following subsection: 15

“(1A) Notwithstanding section 72, the Minister may, with the consent of the Minister for Finance, make regulations providing that, for the purposes of a scheme administered by the Department of Labour and known as the Enterprise Allowance Scheme, a person accepted into that Scheme who, if he had continued to be unemployed, would be entitled to continue to receive pay-related benefit, shall be entitled, subject to such conditions as may be specified in the regulations, to receive such benefit in the form of a lump sum equivalent to the amount which he would otherwise have received in respect of the unexpired portion (subject to a maximum of 26 weeks) of the relevant period of interruption of employment.”. 20 25

Amendment of sections 146 and 210 of, and Third Schedule to, Principal Act (calculation of means).

9.—(1) Section 146 of the Principal Act is hereby amended—

(a) by the substitution for paragraph (a) of subsection (1) of the following paragraph: 30

“(a) the yearly value ascertained in the prescribed manner of all property belonging to him (not being property personally used or enjoyed by him or a farm of land leased by him under a lease which has been certified by the Irish Land Commission to be *bona fide* and in accordance with sound land use practice) which is invested or is otherwise put to profitable use or is capable of being but is not invested or put to profitable use;”, 35

and 40

(b) by the substitution for paragraph (c) of subsection (1) of the following paragraph:

“(c) the yearly value ascertained in the prescribed manner of any advantage accruing to him from—

(i) the use of property (other than a domestic dwelling or farm building owned and occupied, furniture 45

and personal effects) which is personally used or enjoyed by him, and

- 5 (ii) the leasing by him of a farm of land under a lease which has been certified by the Irish Land Commission to be *bona fide* and in accordance with sound land use practice;”

(2) Section 210 of the Principal Act is hereby amended—

(a) by the substitution for subparagraph (iii) of subsection (2) (a) of the following subparagraph:

- 10 “(iii) any sums arising from the investment or profitable use of property (not being property personally used or enjoyed by such person or a farm of land leased by him under a lease which has been certified by the Irish Land Commission to be *bona fide* and in accordance with sound land use practice);”

(b) by the substitution for paragraph (b) of subsection (2) of the following paragraph:

- 20 “(b) the value of any property belonging to such person (not being property personally used or enjoyed by him or a farm of land leased by him under a lease which has been certified by the Irish Land Commission to be *bona fide* and in accordance with sound land use practice) which is invested or is otherwise put to profitable use or which, though capable of investment or profitable use, is not invested or put to profitable use, the yearly value of the first £400 of the property being taken to be one-twentieth part of the capital value and the yearly value of so much of the capital value of the property as exceeds the sum of £400 being taken to be one-tenth part of the capital value; and the weekly value of the property being calculated as one fifty-second part of the yearly value so calculated;”

35 and

(c) by the substitution for paragraph (c) of subsection (2) of the following paragraph:

- 40 “(c) the value of any advantage accruing to such person from—
(i) the use or enjoyment of property (other than a domestic dwelling or a farm building owned and occupied, or furniture and personal effects) which is personally used or enjoyed by him, and
45 (ii) the leasing by him of a farm of land under a lease which has been certified by the Irish Land Commission to be *bona fide* and in accordance with sound land use practice;”

(3) Rule 1 of the Rules contained in the Third Schedule is hereby amended—

(a) by the substitution for paragraph (1) of the following paragraph:

“(1) the yearly value of any property belonging to the person (not being property personally used or enjoyed by the person or a farm of land leased by him under a lease which has been certified by the Irish Land Commission to be *bona fide* and in accordance with sound land use practice) which is invested or is otherwise put to profitable use by the person or which, though capable of investment or profitable use is not invested or put to profitable use by the person, the yearly value of the property being calculated as follows:

- (a) the first £200 of the capital value of the property shall be excluded, and
- (b) the yearly value of the next £375 of the capital value of the property shall be taken to be one-twentieth part of the capital value, and
- (c) the yearly value of so much of the capital value of the property as exceeds £575 shall be taken to be one-tenth part of the capital value,

but no account shall be taken under any other provision of these Rules of any appropriation of the property for the purpose of current expenditure.”,

(b) by the substitution for clause (a) of paragraph (4) of the following clause:

“(a) any sums arising from the investment or profitable use of property (not being property personally used or enjoyed by the person or a farm of land leased by him under a lease which has been certified by the Irish Land Commission to be *bona fide* and in accordance with sound land use practice),”

and

(c) by the substitution for paragraph (5) of the following paragraph:

“(5) The yearly value of any advantage accruing to the person from—

- (a) the use or enjoyment of property (other than a domestic dwelling or a farm building owned and occupied, furniture and personal effects) which is personally used or enjoyed by the person, and
- (b) a farm of land leased by the person under a lease which has been certified by the Irish Land Commission to be *bona fide* and in accordance with sound land use practice,

but for the purposes of this Rule a cottage provided under the Labourers Acts, 1883 to 1965, and vested in the person or the spouse of that person pursuant to those Acts or pursuant to the Housing Acts, 1966 to

1984, shall not be treated as property which is personally used or enjoyed by that person or the spouse of that person so long as payment of the purchase annuity has not been completed.”.

5 **10.**—Section 223 of the Principal Act is hereby amended by the substitution in subsection (2) for “who resides with his father while the father” of “who resides with a qualified person while such person”. Amendment of section 223 of Principal Act (qualified child).

10 **11.**—Section 226 of the Principal Act is hereby amended by the substitution for “3 months (or, where the Minister so thinks fit, 6 months)” of “6 months”. Amendment of section 226 of Principal Act (time limit for payment of children’s allowances).

11 **12.**—(1) The Principal Act is hereby amended by the insertion of the following section after section 306: Insertion of section 306A in Principal Act.

15 “Taking of certain benefits, etc., into account in assessing damages. 306A.—(1) Notwithstanding section 2 of the Civil Liability (Amendment) Act, 1964, and section 306 of this Act, where in any action relating to the use of a mechanically propelled vehicle damages are assessed in respect of any liability for personal injuries which is required to be covered by an approved policy of insurance, there shall be taken into account the value of any rights arising from such injuries which have accrued, or probably will accrue, to the injured person in respect of disability benefit (including any amount payable therewith by way of pay-related benefit) and invalidity pension for the five years beginning with the time when the cause of action accrued.

20 (2) The reference in *subsection (1)* to the assessment of damages shall, in cases where damages otherwise recoverable are subject to reduction under the law relating to contributory negligence or are limited by or under any Act, be taken as referring to the total damages which would have been recoverable apart from the reduction or limitation.

25 (3) In *subsection (1)*:

30 “approved policy of insurance” means a policy of insurance which, by virtue of section 62 of the Road Traffic Act, 1961, as amended by the European Communities (Road Traffic) (Compulsory Insurance) Regulations, 1975 (S.I. No. 178 of 1975), is an approved policy of insurance for the purposes of that Act;

35 “mechanically propelled vehicle” has the meaning assigned by section 3 of the Road Traffic Act, 1961.”.

40 (2) The Principal Act is hereby further amended by the insertion in section 306 of “and section 306A” after “section 68” in subsection (2).

45 (3) This section shall not apply in relation to any action instituted before the date of the passing of the *Social Welfare Act, 1984*.

PART III

FAMILY INCOME SUPPLEMENT

Insertion of Part IVA in Principal Act.

13.—The Principal Act is hereby amended by the insertion of the following Part after Part IV:

“PART IVA

5

FAMILY INCOME SUPPLEMENT

Interpretation.

232A.—In this Part—

“child” means a person who by virtue of section 223 (1) (as amended by the Social Welfare Act, 1983) is a qualified child for the purposes of Part IV;

10

“family” means—

(a) a person who is engaged in remunerative full-time employment as an employee, and

(b) where such person is a married person living with his or her spouse, that spouse, and

15

(c) a child or children in respect of whom any of the foregoing is qualified for a children’s allowance under section 224;

“family income supplement” shall be construed in accordance with section 232B;

20

“weekly family income” means, subject to regulations under section 232F, the amount of income received in a week by a family, less any income of a person who in respect of that family is a child.

Entitlement to family income supplement.

232B.—Subject to this Part, an allowance (in this Part referred to as “family income supplement”) shall be payable out of moneys provided by the Oireachtas in respect of a family where the weekly family income is less than—

25

(a) in the case of a family which includes only one child, £95, or

30

(b) in the case of a family which includes more than one child, £95 increased by £15 for each additional child up to and including the fifth child.

Weekly rate of family income supplement.

232C.—(1) Subject to this Part, the weekly rate of family income supplement shall be 25 per cent. of the amount by which the weekly family income is less than the amount appropriate in the particular case under section 232B.

35

(2) The weekly rate calculated pursuant to subsection (1) shall not in any case exceed the following amounts:

(a) in the case of a family which includes only one child, £8, and

40

(b) in the case of a family which includes more than one child, £8 increased by £1.75 for each additional child up to and including the fifth child.

5 (3) Where the weekly rate calculated pursuant to *subsection (1)* is less than £1, family income supplement shall not be payable.

(4) For the purposes of this section, any fraction of £1 of weekly family income greater than 50p shall be treated as £1 and any other fraction of £1 shall be disregarded.

10 232D.—(1) Family income supplement shall be payable for a period of 52 weeks (or such other period as may be prescribed) beginning on the date on which it is receivable in accordance with regulations and, except where regulations otherwise provide, the weekly rate of family income supplement payable shall not be affected by any change of circumstances during that period.

Period of payment of family income supplement.

15 (2) Where family income supplement is payable in respect of a particular family for any period, no person who was included in that family at the beginning of such period shall be regarded as a member of any other family during that period.

20 232E.—Family income supplement shall be payable to the member of the family (other than a child) who is engaged in remunerative full-time employment as an employee or, where there are two members of the family so engaged, to the member whose weekly income as calculated for the purposes of family income supplement forms the greater part of the weekly family income as so calculated.

Person to whom family income supplement is payable.

25 232F.—(1) The Minister may make regulations for the purpose of giving effect to this Part.

Regulations.

(2) Regulations under this section may, in particular and without prejudice to the generality of *subsection (1)*—

30 (a) provide for the manner of calculation or estimation of weekly family income;

35 (b) provide, in calculating or estimating weekly family income, for the disregarding in whole or in part of any amount of that income from any source specified in the regulations;

(c) determine the circumstances in which a person shall be regarded as being engaged in remunerative full-time employment as an employee;

40 (d) require employers to furnish such information as the Minister may require for the purpose of determining a claim for family income supplement;

(e) apply (with or without modification), or make provisions corresponding (with or without modification) to, any provisions of or made under Parts I, II, VII and VIII.

45 (3) The Minister may by regulations vary—

- (a) the amounts specified in *section 232B*,
- (b) the percentage rate specified in *section 232C (1)*, and
- (c) the weekly rates specified in *section 232C (2)*,

but any such variation shall not reduce the amounts, the percentage rate or the weekly rates applicable immediately before 5 the commencement of such regulations.”

Amendment of section 3 of Principal Act (regulations).

14.—Section 3 of the Principal Act is hereby amended by the insertion in subsection (4) (a) of “130(4),” after “108 (4) (6),” and of “232F (2) (a) (b) (c), (3),” after “210 (3),”.

Amendment of section 130 of Principal Act (overlapping provisions).

15.—Section 130 of the Principal Act is hereby amended by the 10 insertion after subsection (3) of the following subsection:

“(4) Regulations shall be made by the Minister, in respect of cases in which family income supplement is payable to a person together with unemployment benefit, disability benefit, unemployment assistance or retirement pension, providing for the 15 adjustment, after such period as may be specified in the regulations, of such supplement (including the disallowance of payment of the whole thereof).”

Further amendment of section 146 of, and Third Schedule to, Principal Act (calculation of means).

16.—(1) Section 146 of the Principal Act is hereby amended by the 20 substitution for “or children’s allowance,” of “, children’s allowance or family income supplement,” in subsection (1) (b) (v).

(2) Rule 1 (4) of the Rules contained in the Third Schedule to the Principal Act is hereby amended by the substitution for clause (b) of the following clause:

“(b) any sums received by way of pension, allowance, assistance, 25 benefit or supplement under Part II, III, IV or IVA,”.

Commencement of this Part.

17.—This Part shall come into operation on such day as the Minister appoints by order.

PART IV

CESSER OF LOCAL PENSION COMMITTEES, ETC., AND CONSEQUENTIAL 30 PROVISIONS

Repeals (cesser of local pension committees, etc.).

18.—Sections 162 (2), 164, 165 and 166 of the Principal Act are hereby repealed.

Appointment, duties of social welfare officers.

19.—(1) The Minister may, with the sanction of the Minister for the Public Service, appoint such and so many persons as he thinks fit 35 to be social welfare officers for the purposes of Chapter 3 of Part III of the Principal Act.

(2) Every officer so appointed shall investigate into and report to the Minister upon every claim for or in respect of an old age pension

and any question arising out of or in relation to such pension which may be referred to him by the Minister.

20.—(1) The offices of clerk to a local pension committee and clerk to a local pension sub-committee shall cease to exist.

Cesser of certain offices to local pension committees and provision for compensation.

5 (2) The Minister may provide for the payment of compensation to a clerk who, at the time of the cesser of his office by virtue of this section, was in receipt of and entitled to retain the remuneration payable in respect of his office.

10 (3) The amount of the compensation payable to a person under this section shall be equal to—

(a) one week's remuneration for each completed year of his service up to fifteen years, and

(b) two weeks' remuneration for each completed year of his service in excess of fifteen years,

15 subject to a maximum of seventy-eight weeks' remuneration, his remuneration being taken to be the remuneration payable to him at the time of the cesser of his office by virtue of this section.

20 21.—Section 4 of the Principal Act is hereby amended by the deletion in subsection (1) of "and the expenses of the local pension committees under Chapter 3 of Part III up to an amount approved by the Minister".

Further amendment of section 4 of Principal Act (expenses).

22.—Section 159 of the Principal Act (as amended by the Amendment Act of 1981) is hereby amended by the substitution for paragraph (c) of subsection (1) of the following paragraph:

Amendment of section 159 of Principal Act (statutory conditions for old age pension).

25 "(c) the means of the person as calculated in accordance with the Rules contained in the Third Schedule must not exceed the appropriate highest amount of means at which pension may be paid to that person in accordance with section 161."

30 23.—Section 167 of the Principal Act is hereby amended by the substitution for subsection (2) of the following subsection:

Amendment of section 167 of Principal Act (commencement of old age pensions).

35 "(2) Subject to regulations under section 170 (4), where old age pension is first allowed the pension shall commence to accrue on the first Friday after the date on which the claim for the pension is received by the Minister or on the first Friday after the date on which the claimant first becomes entitled to the pension, whichever is the later or, if the later of those two dates is a Friday, on that Friday."

24.—Section 169 of the Principal Act is hereby amended—

Amendment of section 169 of Principal Act (legal proceedings).

40 (a) by the deletion of subsection (6), and

(b) by the substitution for subsection (7) of the following subsection:

“**(7)** Where a person who is in receipt of old age pension is liable to repay to the Minister any sums under subsection **(3)**, the Minister shall be entitled, without prejudice to his powers under that subsection, to direct the deduction of those sums from any sums to which that person becomes entitled on account of old age pension, as provided by regulations made for the purpose under section 170: provided that, in the case of a personal representative the deduction shall only be made from any sum to which that person becomes entitled as a personal representative.”

Amendment of section 170 of Principal Act (regulations).

25.—Section 170 of the Principal Act (as amended by the Postal and Telecommunications Services Act, 1983) is hereby amended by the substitution for subsections **(1)** to **(3)** of the following subsections:

“(1) The Minister may, in consultation with An Post (so far as relates thereto), make regulations for the purposes of this Chapter—

- (a) specifying the evidence to be required as to the fulfilment of statutory conditions, and
- (b) specifying the manner in which claims to pensions may be made.

(2) The regulations shall provide for enabling claimants for pensions to make their claims and obtain information as respects old age pensions under this Chapter through An Post and for provisionally allowing claims to pensions before the date on which the claimant will become actually entitled to the pension, in such manner and subject to such conditions as may be laid down by the regulations.

(3) Regulations may also be made for enabling a person to be appointed to exercise, on behalf of any claimant or pensioner who is, by reason of any mental or other incapacity, unable to act, any right to which that claimant or pensioner may be entitled under this Chapter and to authorise any person so appointed to receive, on behalf of and for the benefit of the claimant or pensioner, any sums payable by way of old age pension.”

Amendment of section 175 of Principal Act (blind pension).

26.—Section 175 of the Principal Act (as amended by the Amendment Act of 1981) is hereby amended by the substitution for subsection **(1)** of the following subsection:

“(1) Every blind person who has attained the age of 18 years shall be entitled to receive and to continue to receive such pension (in this Act referred to as a blind pension) as under this Chapter he would be entitled to receive if he had attained pensionable age; and the provisions of this Chapter shall apply in all respects in the case of such person subject to the modification that, for the statutory condition contained in section 159 **(1)** **(a)** there shall be substituted the conditions that the person must be a person who has attained the age of 18 years and that he is so blind that he either cannot perform any work for which eyesight is essential or cannot continue his ordinary occupation.”

Amendment of section 296 of Principal Act (decisions by deciding officers).

27.—Section 296 of the Principal Act is hereby amended by the substitution for paragraph **(b)** of subsection **(2)** of the following paragraph:

“(b) Part III (social assistance) other than Chapter 6 (supplementary welfare allowance),”.

28.—Section 298 of the Principal Act is hereby amended by the deletion of—

Amendment of section 298 of Principal Act (appeals, etc.).

5 (a) in subsection (1) “or by a local pension committee”, and

(b) subsection (2).

29.—The Minister may make regulations for the purpose of securing the continuity of this Part with any provisions repealed or amended by this Part.

Continuity of this Part with repealed, amended provisions.

10 30.—This Part shall come into operation on such day as the Minister appoints by order.

Commencement of this Part.

SCHEDULE A

“SECOND SCHEDULE RATES OF BENEFITS

Section 3.

PART I

RATES OF PERIODICAL BENEFITS AND INCREASES THEREOF

Description of benefit (1)	Weekly rate (2)	Increase for adult dependant (where payable) (3)	Increase for first qualified child (where payable) (4)	Increase for second qualified child (where payable) (4a)	Increase for each of third, fourth and fifth qualified children (where payable) (5)	Increase for each qualified child in excess of five (where payable) (5a)	Increase for prescribed relative under section 50 (11), 51 (2), 81 (3), 86 (3), 91 (3), 95 (2) or 103 (2) (where payable) (6)	Increase where the person has attained pensionable age and is living alone (where payable) (7)
							(6)	
1. (A) Disability Benefit and Unemployment Benefit:	£	£	£	£	£	£	£	£
(a) in the case of persons over the age of 18 years—								
(i) for a man, single woman or widow, married woman living apart from and unable to obtain any financial assistance from her husband or a married woman entitled to an increase for a qualified child or qualified children or for a husband ...	37.25	24.15	8.85	9.90	8.20	6.55	—	—
(ii) for any other married woman ...	32.75	—	—	—	—	—	—	—

Description of benefit (1)	Weekly rate (2)	Increase for adult dependant (where payable) (3)	Increase for first qualified child (where payable) (4)	Increase for second qualified child (where payable) (4a)	Increase for each of third, fourth and fifth qualified children (where payable) (5)	Increase for each qualified child in excess of five (where payable) (5a)	Increase for prescribed relative under section 50 (11), 51 (2), 81 (3), 86 (3), 91 (3), 95 (2) or 103 (2) (where payable) (6)	Increase where the person has attained pensionable age and is living alone (where payable) (7)
	£	£	£	£	£	£	£	£
(b) in the case of persons under the age of 18 years—								
(i) where the person is entitled to an increase for a qualified child or qualified children or for an adult dependant ...	37.25	24.15	8.85	9.90	8.20	6.55	—	—
(ii) where the person is not so entitled ...	32.75	—	—	—	—	—	—	—
(B) Reduced rates of Unemployment Benefit:								
(a) person entitled to an increase in respect of a qualified child but not entitled to an increase in respect of an adult dependant ...	31.25	—	7.70	8.75	6.85	5.45	—	—
(b) any other person ...	30.90	22.30	7.70	8.75	6.85	5.45	—	—
2. Maternity Allowance ...	37.25	—	—	—	—	—	—	—
3. Injury Benefit:								
(a) in the case of persons over the age of 18 years—								
(i) for a man, single woman or widow, married woman living apart from and unable to obtain any financial assistance from her husband, or a married woman entitled to an increase for a qualified child or qualified children or for a husband ...	51.25	24.15	8.85	9.90	8.20	6.55	—	—
(ii) for any other married woman ...	40.55	—	—	—	—	—	—	—
(b) in the case of persons under the age of 18 years—								
(i) where the person is entitled to an increase for a qualified child or qualified children or for an adult dependant ...	51.25	24.15	8.85	9.90	8.20	6.55	—	—
(ii) where the person is not so entitled ...	40.55	—	—	—	—	—	—	—
4. Death Benefit:								
(a) pension payable to a widow (section 50 (2)) or widower (section 50 (6))								

Description of benefit (1)	Weekly rate (2)	Increase for adult dependant (where payable) (3)	Increase for first qualified child (where payable) (4)	Increase for second qualified child (where payable) (4a)	Increase for each of third, fourth and fifth qualified children (where payable) (5)	Increase for each qualified child in excess of five (where payable) (5a)	Increase for prescribed relative under section 50 (11), 51 (2), 81 (3), 86 (3), 91 (3), 95 (2) or 103 (2) (where payable) (6)	Increase where the person has attained pensionable age and is living alone (where payable) (7)
	£	£	£	£	£	£	£	£
(i) aged under 66 years	55.05	—	11.65	12.80	12.80	11.05	—	—
(ii) aged over 66 years	56.25	—	11.95	12.95	12.95	11.30	23.10	3.20
(b) pension payable to a parent, the deceased having been at death a married person, where the parent is—								
(i) aged under 66 years	24.55	—	—	—	—	—	—	—
(ii) aged over 66 years	25.05	—	—	—	—	—	23.10	3.20
(c) pension payable to a parent, the deceased having been at death a widower, a widow or a single person—								
(i) where the parent is the father and was, at the death of the deceased, incapable of self-support by reason of some physical or mental infirmity and likely to remain permanently so incapable and is—								
(a) aged under 66 years ...	55.05	—	—	—	—	—	—	—
(b) aged over 66 years ...	56.25	—	—	—	—	—	23.10	3.20
(ii) where the parent is the mother, having been, at the death of the deceased, a widow or having thereafter become a widow and is—								
(a) aged under 66 years ...	55.05	—	—	—	—	—	—	—
(b) aged over 66 years ...	56.25	—	—	—	—	—	23.10	3.20
(iii) where the parent is the mother, not being a widow, and a pension at the rate set out at (i) above is not payable to her husband and she is—								
(a) aged under 66 years ...	55.05	—	—	—	—	—	—	—
(b) aged over 66 years ...	56.25	—	—	—	—	—	23.10	3.20
(iv) in any other case where the parent is—								
(a) aged under 66 years ...	24.55	—	—	—	—	—	—	—

Description of benefit (1)	Weekly rate (2)	Increase for adult dependant (where payable) (3)	Increase for first qualified child (where payable) (4)	Increase for second qualified child (where payable) (4a)	Increase for each of third, fourth and fifth qualified children (where payable) (5)	Increase for each qualified child in excess of five (where payable) (5a)	Increase for prescribed relative under section 50 (11), 51 (2), 81 (3), 86 (3), 91 (3), 95 (2) or 103 (2) (where payable) (6)	Increase where the person has attained pensionable age and is living alone (where payable) (7)
	£	£	£	£	£	£	£	£
(b) aged over 66 years ...	25.05	—	—	—	—	—	23.10	3.20
(d) pension payable to an orphan ...	29.00	—	—	—	—	—	—	—
5. Old Age (Contributory) Pension and Retirement Pension:								
(a) in the case of persons under the age of 80 years ...	48.25	30.80	9.95	11.00	9.15	7.50	23.10	3.20
(b) in any other case ...	51.55	30.80	9.95	11.00	9.15	7.50	23.10	3.20
(c) additional increase for an adult dependant who has attained pensionable age	—	5.20	—	—	—	—	—	—
6. Invalidity Pension:								
(a) for a man, single woman or widow, married woman living apart from and unable to obtain any financial assistance from her husband, or a married woman entitled to an increase for a qualified child or qualified children or for a husband, where the person is—								
(i) aged under 66 years	42.55	27.60	9.80	10.80	8.95	7.30	23.10	—
(ii) aged over 66 years	43.40	28.15	9.95	11.00	9.15	7.50	23.10	3.20
(b) for any other married woman								
(i) aged under 66 years	37.45	—	—	—	—	—	23.10	—
(ii) aged over 66 years	38.10	—	—	—	—	—	23.10	3.20
7. Widow's (Contributory) Pension and Deserted Wife's Benefit in the case of persons:								
(a) aged under 66 years ...	43.45	—	11.65	12.80	12.80	11.05	—	—
(b) aged between 66 and 80 years ...	44.30	—	11.95	12.95	12.95	11.30	23.10	3.20
(c) aged over 80 years ...	47.30	—	11.95	12.95	12.95	11.30	23.10	3.20
8. Orphan's (Contributory) Allowance								
...	27.45	—	—	—	—	—	—	—

PART II

OCCUPATIONAL INJURIES BENEFITS—GRATUITIES AND GRANT

	£
1. Disablement Benefit:	
Maximum gratuity in the case of persons—	
(i) aged under 66 years	3,940
(ii) aged over 66 years	4,020
2. Death Benefit:	
(i) Widower's gratuity in the case of persons—	
(a) aged under 66 years	2,870
(b) aged over 66 years	2,930
(ii) Grant in respect of funeral expenses	220

PART III

DISABLEMENT PENSION

Degree of disablement (1)	Weekly rate (persons over the age of 18 years) (2)		Weekly rate (persons under the age of 18 years and certain married women) (3)	
	Persons under the age of 66 years	Persons over the age of 66 years	Persons under the age of 18 years and certain married women under the age of 66 years	Certain married women over the age of 66 years
	£	£	£	£
100 per cent ...	56.80	58.00	45.00	45.90
90 " " ...	51.12	52.20	40.50	41.31
80 " " ...	45.44	46.40	36.00	36.72
70 " " ...	39.76	40.60	31.50	32.13
60 " " ...	34.08	34.80	27.00	27.54
50 " " ...	28.40	29.00	22.50	22.95
40 " " ...	22.72	23.20	18.00	18.36
30 " " ...	17.04	17.40	13.50	13.77
20 " " ...	11.36	11.60	9.00	9.18

PART IV

INCREASES OF DISABLEMENT PENSION

	£
1. Increase where the person is permanently incapable of work:	
(a) in the case of persons over the age of 18 years—	
(i) for a man, single woman or widow, married woman living apart from and unable to obtain any financial assistance from her husband, or a married woman entitled to an increase for a qualified child or qualified children or for a husband, where the person is—	
(a) aged under 66 years	37.25
(b) aged over 66 years	38.00
(ii) for any other married woman—	
(a) aged under 66 years	32.75
(b) aged over 66 years	33.45
(b) in the case of persons under the age of 18 years—	
(i) where the person is entitled to an increase for a qualified child or qualified children or for an adult dependant ...	37.25
(ii) where the person is not so entitled	32.75
2. Increase where the beneficiary requires constant attendance:	
(a) limit of increase except in cases of exceptionally severe dis- ablement where the person is—	
(i) aged under 66 years	22.70
(ii) aged over 66 years	23.10
(b) limit in any case where the person is—	
(i) aged under 66 years	45.40
(ii) aged over 66 years	46.20

PART V

REDUCED RATES OF INJURY BENEFIT AND DISABLEMENT PENSION

	£
(a) In the case of persons over the age of 18 years—	
(i) for a man, single woman or widow, married woman living apart from and unable to obtain any financial assistance from her husband, or a married woman entitled to an increase for a qualified child or qualified children or for a husband where the person is—	
(a) aged under 66 years	11.36
(b) aged over 66 years	11.60
(ii) for any other married woman—	
(a) aged under 66 years	9.00
(b) aged over 66 years	9.18
(b) In the case of persons under the age of 18 years—	
(i) where the person is entitled to an increase for a qualified child or for an adult dependant or, if a disablement pension is payable, would be so entitled if injury benefit rather than disablement pension was payable	11.36
(ii) where the person is not, or would not be, so entitled ...	9.00

SCHEDULE B

Section 4.

“FOURTH SCHEDULE
RATES OF ASSISTANCE

PART I

RATES OF PERIODICAL SOCIAL ASSISTANCE AND INCREASES THEREOF

Description of assistance, pension or allowance (1)	Weekly rate or amount (2)	Increase for adult dependant (where payable) (3)	Increase for first qualified child (where payable) (4)	Increase for second qualified child (where payable) (4a)	Increase for each of third, fourth and fifth qualified children (where payable) (5)	Increase for each qualified child in excess of five (where payable) (5a)	Increase for prescribed relative under section 162(1)(a), 179(a), 195(2), 196(2) or 197(2) (where payable) (6)	Increase where the person has attained pensionable age and is living alone (where payable) (7)	Increase where the person has attained the age of 80 years (where payable) (8)
(1)	£	£	£	£	£	£	£	£	£
1. Unemployment Assistance:									
A. Persons other than those at B:									
(1) in the case of persons, other than those at (3), who, in any continuous period of unemployment as construed in accordance with section 135 (2), have been in receipt of unemployment benefit or unemployment assistance for not less than 390 days:									
(i) for persons resident in any urban area ...	32.80	23.65	8.15	9.30	7.25	5.80	—	—	—

Description of assistance, pension or allowance (1)	Weekly rate or amount (2)	Increase for adult dependant (where payable) (3)	Increase for first qualified child (where payable) (4)	Increase for second qualified child (where payable) (4a)	Increase for each of third, fourth and fifth qualified children (where payable) (5)	Increase for each qualified child in excess of five (where payable) (5a)	Increase for prescribed relative under section 162(1)(a), 179(a), 195(2) or 197(2) (where payable) (6)	Increase where the person has attained pensionable age and is living alone (where payable) (7)	Increase where the person has attained the age of 80 years (where payable) (8)
	£	£	£	£	£	£	£	£	£
(ii) for persons resident in any other place ...	31.75	23.05	8.15	9.30	7.25	5.80	—	—	—
(2) in the case of persons other than those at (1) or at (3)									
(i) for persons resident in any urban area ...	30.90	22.30	7.70	8.75	6.85	5.45	—	—	
(ii) for persons resident in any other place ...	29.95	21.75	7.70	8.75	6.85	5.45	—	—	
(3) in the case of persons for whom the yearly advantage from land is calculated in accordance with paragraph (a), (b) or (c) of section 147 (1)—									
(a) where the rateable valuation of the land does not exceed £10—									
(i) for persons resident in any urban area ...	21.90	15.75	5.40	6.25	4.80	3.85	—	—	
(ii) for persons resident in any other place ...	21.20	15.40	5.40	6.25	4.80	3.85	—	—	
(b) where the rateable valuation of the land exceeds £10 but does not exceed £15—									
(i) for persons resident in any urban area ...	18.55	13.20	4.25	5.15	4.15	3.30	—	—	
(ii) for persons resident in any other place ...	17.80	13.05	4.25	5.15	4.15	3.30	—	—	

Description of assistance, pension or allowance (1)	Weekly rate or amount (2)	Increase for adult dependant (where payable) (3)	Increase for first qualified child (where payable) (4)	Increase for second qualified child (where payable) (4a)	Increase for each of third, fourth and fifth qualified children (where payable) (5)	Increase for each qualified child in excess of five (where payable) (5a)	Increase for prescribed relative under section 162(1)(a), 179(a), 195(2), 196(2) or 197(2) (where payable) (6)	Increase where the person has attained pensionable age and is living alone (where payable) (7)	Increase where the person has attained the age of 80 years (where payable) (8)
	£	£	£	£	£	£	£	£	£
(c) where the rateable valuation of the land exceeds £15 but does not exceed £20—									
(i) for persons resident in any urban area ...	15.50	11.05	3.50	4.40	3.50	2.80	—	—	—
(ii) for persons resident in any other place ...	15.00	10.90	3.50	4.40	3.50	2.80	—	—	—
B. Persons without an adult dependant and with one or more qualified children—									
(1) in the case of persons, other than those at (3), who, in any continuous period of unemployment as construed in accordance with section 135 (2), have been in receipt of unemployment benefit or unemployment assistance for not less than 390 days:									
(i) for persons resident in any urban area ...	33.10	—	8.15	9.30	7.25	5.80	—	—	—
(ii) for persons resident in any other place ...	32.20	—	8.15	9.30	7.25	5.80	—	—	—
(2) in the case of persons other than those at (1) or at (3):									
(i) for persons resident in any urban area ...	31.25	—	7.70	8.75	6.85	5.45	—	—	—
(ii) for persons resident in any other place ...	30.40	—	7.70	8.75	6.85	5.45	—	—	—

Description of assistance, pension or allowance (1)	Weekly rate or amount (2)	Increase for adult dependant (where payable) (3)	Increase for first qualified child (where payable) (4)	Increase for second qualified child (where payable) (4a)	Increase for each of third, fourth and fifth qualified children (where payable) (5)	Increase for each qualified child in excess of five (where payable) (5a)	Increase for prescribed relative under section 162(1)(a), 179(a), 195(2), 196(2) or 197(2) (where payable) (6)	Increase where the person has attained pensionable age and is living alone (where payable) (7)	Increase where the person has attained the age of 80 years (where payable) (8)
	£	£	£	£	£	£	£	£	£
(3) in the case of persons for whom the yearly advantage from land is calculated in accordance with paragraph (a), (b) or (c) of section 147(1):									
(a) where the rateable valuation of the land does not exceed £10—									
(i) for persons resident in any urban area ...	22.15	—	5.40	6.25	4.80	3.85	—	—	—
(ii) for persons resident in any other place ...	21.50	—	5.40	6.25	4.80	3.85	—	—	
(b) where the rateable valuation of the land exceeds £10 but does not exceed £15—									
(i) for persons resident in any urban area ...	18.80	—	4.25	5.15	4.15	3.30	—	—	
(ii) for persons resident in any other place ...	18.05	—	4.25	5.15	4.15	3.30	—	—	
(c) where the rateable valuation of the land exceeds £15 but does not exceed £20—									
(i) for persons resident in any urban area ...	15.80	—	3.50	4.40	3.50	2.80	—	—	
(ii) for persons resident in any other place ...	15.20	—	3.50	4.40	3.50	2.80	—	—	

Description of assistance, pension or allowance (1)	Weekly rate or amount (2)	Increase for adult dependant (where payable) (3)	Increase for first qualified child (where payable) (4)	Increase for second qualified child (where payable) (4a)	Increase for each of third, fourth and fifth qualified children (where payable) (5)	Increase for each qualified child in excess of five (where payable) (5a)	Increase for prescribed relative under section 162(1)(a), 179(a), 195(2), 196(2) or 197(2) (where payable) (6)	Increase where the person has attained pensionable age and is living alone (where payable) (7)	Increase where the person has attained the age of 80 years (where payable) (8)
	£	£	£	£	£	£	£	£	£
2. Old Age Pension and Blind Pension	41.30	—	8.75	9.85	7.65	6.10	23.10	3.20	3.00
3. Widow's (Non-Contributory) Pension, Deserted Wife's Allowance, Prisoner's Wife's Allowance and Social Assistance Allowance for persons—									
(a) aged under 66 years ...	40.50	—	10.55	11.60	11.60	9.95	—	—	—
(b) aged over 66 years ...	41.30	—	10.80	11.90	11.90	10.15	23.10	3.20	3.00
4. Orphan's (Non-Contributory) Pension ...	23.00	—	—	—	—	—	—	—	—
5. Single Woman's Allowance ...	35.35	—	—	—	—	—	—	—	—
6. Supplementary Welfare Allowance:									
(a) Persons other than those at (b) ...	29.95	21.75	7.70	8.75	6.85	5.45	—	—	—
(b) Persons without an adult dependant and with one or more child dependants	30.40	—	7.70	8.75	6.85	5.45	—	—	—

PART III

INCREASE OF OLD AGE PENSION FOR A SPOUSE

Means of claimant or pensioner	Weekly rate of increase
	£
Where the weekly means of the claimant or pensioner do not exceed £6 ...	20.75
exceed £6 but do not exceed £8 ...	19.75
exceed £8 but do not exceed £10 ...	18.75
exceed £10 but do not exceed £12 ...	17.75
exceed £12 but do not exceed £14 ...	16.75
exceed £14 but do not exceed £16 ...	15.75
exceed £16 but do not exceed £18 ...	14.75
exceed £18 but do not exceed £20 ...	13.75
exceed £20 but do not exceed £22 ...	12.75
exceed £22 but do not exceed £24 ...	11.75
exceed £24 but do not exceed £26 ...	10.75
exceed £26 but do not exceed £28 ...	9.75
exceed £28 but do not exceed £30 ...	8.75
exceed £30 but do not exceed £32 ...	7.75
exceed £32 but do not exceed £34 ...	6.75
exceed £34 but do not exceed £36 ...	5.75
exceed £36 but do not exceed £38 ...	4.75
exceed £38 but do not exceed £40 ...	3.75
exceed £40 but do not exceed £42 ...	2.75
exceed £42 but do not exceed £44 ...	1.75
exceed £44 ...	Nil

BILLE

(mar a tionscnaíodh)

dá ngairtear

Acht do leasú agus do leathnú na nAchtanna Leasa Shóisialaigh, 1981 go 1983, agus do dhéanamh socrú go gcuirfear íocaíochtaí áirithe faoi na hAchtanna sin i gcuntas le linn damáistí a bheith á measúnú i leith díobhálacha pearsanta de dhroim feithicil inn-eallghuaiste a úsáid ar úsáid í nach foláir an dliteanas ina leith a bheith cumhdaithe le polasaí árachais formheasta.

*An tAire Leasa Shóisialaigh a thíolaic,
12 Márta, 1984*

**BAILE ÁTHA CLIATH:
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR**

Le ceannach díreach ón Oifig Dhíolta Foilseachán Rialtais,
Teach Sun Alliance, Sráid Theach Laighean, Baile Átha
Cliath 2, nó trí aon díoltóir leabhar.

Clóbhualte ag CAHILL PRINTERS LIMITED.

£1.25

BILL

(as initiated)

entitled

An Act to amend and extend the Social Welfare Acts, 1981 to 1983, and to provide that certain payments under those Acts shall be taken into account in assessing damages for personal injuries arising out of the use of a mechanically propelled vehicle being use in respect of which liability is required to be covered by an approved policy of insurance.

*Presented by the Minister for Social Welfare,
12th March, 1984*

**DUBLIN:
PUBLISHED BY THE STATIONERY OFFICE**

To be purchased through any bookseller, or directly
from the Government Publications Sale Office,
Sun Alliance House, Molesworth Street, Dublin 2.

Printed by CAHILL PRINTERS LIMITED.

£1.25