



DÁIL ÉIREANN

AN BILLE UM ATHCHÓIRIÚ AN DLÍ LEASA SHÓISIALAIGH AGUS UM PINSIN 2006 SOCIAL WELFARE LAW REFORM AND PENSIONS BILL 2006

LEASUITHE COISTE COMMITTEE AMENDMENTS

DÁIL ÉIREANN

AN BILLE UM ATHCHÓIRIÚ AN DLÍ LEASA SHÓISIALAIGH AGUS UM PINSIN 2006 —ROGHCHOISTE

SOCIAL WELFARE LAW REFORM AND PENSIONS BILL 2006 —SELECT COMMITTEE

Leasuithe Amendments

SECTION 1

1. In page 5, before section 1, to insert the following new section:

“1.—The Minister shall within 6 months from after the passing of this Act prepare and lay before both Houses of the Oireachtas a report on continued anomalies affecting persons who were recipients of deserted wife’s benefit.”

—Seán Ryan, Willie Penrose.

2. In page 5, before section 1, to insert the following new section:

“1.—The Minister shall within 6 months from after the passing of this Act prepare and lay before both Houses of the Oireachtas a report on the effect and operation of means tests overall in the social welfare system and in particular in relation to the carer’s allowance.”

—Seán Ryan, Willie Penrose.

3. In page 5, before section 1, to insert the following new section:

“1.—The Minister shall within 6 months from after the passing of this Act prepare and lay before both Houses of the Oireachtas a report on introducing an earnings disregard for the purposes of social welfare benefits for relatives who assist in childminding similar to that for childminders.”

—Seán Ryan, Willie Penrose.

4. In page 5, before section 1, to insert the following new section:

“1.—The Minister shall within 6 months from after the passing of this Act prepare and lay before both Houses of the Oireachtas a report on a statutory indexation of disregards.”

—Seán Ryan, Willie Penrose.

[SECTION 1]

5. In page 5, before section 1, to insert the following new section:

“1.—The Minister shall within 6 months from after the passing of this Act prepare and lay before both Houses of the Oireachtas a report on the clawback policy by the State from the estates of the deceased of non-contributory pensions where the assets were accrued exclusively or partly from savings for pensions.”

—Seán Ryan, Willie Penrose.

6. In page 5, before section 1, to insert the following new section:

“1.—The Minister shall within 6 months from after the passing of this Act prepare and lay before both Houses of the Oireachtas a report on the social insurance treatment of self-employed people in receipt of the carer’s allowance who are looking after ill spouses.”

—Seán Ryan, Willie Penrose.

7. In page 5, before section 1, to insert the following new section:

“1.—The Minister shall within 6 months from after the passing of this Act prepare and lay before both Houses of the Oireachtas a report on providing that carers who provide the required number of hours would not also qualify for a carer’s credit.”

—Seán Ryan, Willie Penrose.

8. In page 5, before section 1, to insert the following new section:

“1.—The Minister shall within 6 months from after the passing of this Act prepare and lay before both Houses of the Oireachtas a report on introducing a disregard of income from Family Income Supplement when applying the spouse means test for the Household Benefit Package.”

—Seán Ryan, Willie Penrose.

9. In page 5, before section 1, to insert the following new section:

“1.—The Minister shall within 6 months from after the passing of this Act prepare and lay before both Houses of the Oireachtas a report on ensuring Parents on Child Benefit Book Payments claim their final child benefit payment.”

—Seán Ryan, Willie Penrose.

10. In page 5, before section 1, to insert the following new section:

[SECTION 1]

“1.—The Minister shall within 6 months from after the passing of this Act prepare and lay before both Houses of the Oireachtas a report on addressing the anomaly whereby having a dependent child older than 22 years of age (i.e. in full-time education) prevents parental qualification for free schemes.”

—Seán Ryan, Willie Penrose.

11. In page 5, before section 1, to insert the following new section:

“1.—The Minister shall within 6 months from after the passing of this Act prepare and lay before both Houses of the Oireachtas a report on establishing a Statutory Review process of Reciprocal welfare arrangements with other EU states.”

—Seán Ryan, Willie Penrose.

12. In page 5, before section 1, to insert the following new section:

“1.—The Minister shall within 6 months from after the passing of this Act prepare and lay before both Houses of the Oireachtas a report on addressing the anomaly whereby if a carer who is looking after his or her spouse (the spouse being in receipt of a social assistance payment) takes up the option of 10 hours of employment per week, the spouse’s payment reduces.”

—Seán Ryan, Willie Penrose.

13. In page 5, before section 1, to insert the following new section:

“1.—The Minister shall within 6 months from after the passing of this Act prepare and lay before both Houses of the Oireachtas a report on clarifying the impact of the extra €100 per week in September on secondary benefits of NCOAPs.”

—Seán Ryan, Willie Penrose.

14. In page 5, before section 1, to insert the following new section:

“1.—The Minister shall within 6 months from after the passing of this Act prepare and lay before both Houses of the Oireachtas a report on addressing the imbalance whereby the qualified adults of old age pensioners who turn 80 do not receive an over 80 allowance whereas the main recipient does.”

—Seán Ryan, Willie Penrose.

SECTION 2

15. In page 5, before section 2, but in Part 2, to insert the following new section:

“Definition.

2.—In this Act, “Minister” means the Minister for Social and Family Affairs.”

—David Stanton.

[SECTION 4]

SECTION 4

16. In page 6, before section 4, to insert the following new section:

“Child poverty and child benefit.

4.—The Minister shall, within 3 months of the commencement of this Act, lay a report on the effectiveness of Child Benefit and Child Income Support as a tool for tackling child poverty, before the Houses of the Oireachtas.”.

—David Stanton.

17. In page 6, lines 11 to 14, to delete subsection (1) and substitute the following:

“4.—(1) Each provision of the Principal Act and each instrument mentioned in *column (2)* of *Schedule 1* to this Act is amended in the manner specified in *column (3)* of that Schedule opposite the mention of that provision or instrument in *column (2)*.”.

—An tAire Gnóthaí Sóisialacha agus Teaghlaigh.

18. In page 6, subsection (3), line 19, to delete “pension” and substitute “allowance”.

—David Stanton.

19. In page 6, subsection (3), line 20, to delete “State” and substitute “national”.

—David Stanton.

20. In page 6, subsection (6), line 28, to delete “State” and substitute “national”.

—David Stanton.

21. In page 6, subsection (7), line 32, to delete “jobseeker’s” and substitute “workseeker’s”.

—David Stanton.

22. In page 6, subsection (8), line 35, to delete “jobseeker’s” and substitute “workseeker’s”.

—David Stanton.

SECTION 6

23. In page 7, line 11, to delete “for a contribution” and substitute “only for a single contribution”.

—David Stanton.

[SECTION 8]

SECTION 8

24. In page 7, before section 8, to insert the following new section:

“Carers.

8.—The Minister shall, within three months of the commencement of this Act, lay before the Houses of the Oireachtas, a report on the review of social welfare payments for carers.”.

—David Stanton.

SECTION 14

25. In page 10, before section 14, to insert the following new section:

“Retirement
pension.

14.—The Minister shall, within 6 months of the commencement of this Act, prepare and lay before the Houses of the Oireachtas, a report on the implications of extending the—

(a) new means,

(b) income, and

(c) capital disregards,

as introduced in the new national (non-contributory) pension, to those in receipt of the retirement pension.”.

—David Stanton.

SECTION 15

Section opposed.

—Seán Ryan, Willie Penrose, David Stanton.

SECTION 16

26. In page 11, line 8, to delete “State” and substitute “national”.

—David Stanton.

27. In page 11, line 23, to delete “State” and substitute “national”.

—David Stanton.

28. In page 11, line 29, to delete “State” and substitute “national”.

—David Stanton.

29. In page 12, line 38, to delete “State” and substitute “national”.

—David Stanton.

[SECTION 16]

- 30.** In page 12, line 46, to delete “State” and substitute “national”.
—David Stanton.
- 31.** In page 13, line 7, to delete “State” and substitute “national”.
—David Stanton.
- 32.** In page 13, line 16, to delete “State” and substitute “national”.
—David Stanton.
- 33.** In page 13, line 24, to delete “State” and substitute “national”.
—David Stanton.
- 34.** In page 13, line 38, to delete “State” and substitute “national”.
—David Stanton.
- 35.** In page 13, line 40, to delete “State” and substitute “national”.
—David Stanton.
- 36.** In page 13, line 49, to delete “State” and substitute “national”.
—David Stanton.
- 37.** In page 14, subsection (2), line 8, to delete “State” and substitute “national”.
—David Stanton.
- 38.** In page 14, subsection (3), line 22, to delete “State” and substitute “national”.
—David Stanton.
- 39.** In page 14, subsection (4), line 30, to delete “State” and substitute “national”.
—David Stanton.

SECTION 17

- 40.** In page 14, before section 17, to insert the following new section:

[SECTION 17]

“National
(Contributory)
Pension.

17.—The Minister shall, within 6 months of the commencement of this Act, prepare and lay before the Houses of the Oireachtas, a report on the implications of allowing—

- (a) similar earnings,
- (b) means,
- (c) income, and
- (d) capital disregards,

to recipients of the national (contributory) pension, as each is available to those in receipt of the national (non-contributory) pension, before their entitlement to secondary benefits are affected.”.

—David Stanton.

41. In page 14, before section 17, to insert the following new section:

“State pension (non-
contributory) —
consequential
amendments to
Principal Act.

17.—Each provision of the Principal Act and each instrument mentioned in *column (1)* of *Schedule 3* to this Act is amended in the manner specified in *column (2)* of that Schedule opposite the mention of that provision or instrument in *column (1)*.”.

—An tAire Gnóthaí Sóisialacha agus Teaghlaigh.

[*Acceptance of this amendment involves the deletion of section 17 of the Bill.*]

SECTION 18

42. In page 14, line 40, to delete “State” and substitute “national”.

—David Stanton.

SECTION 19

43. In page 14, line 44, to delete “State” and substitute “national”.

—David Stanton.

SECTION 28

44. In page 18, before section 28, to insert the following new section:

“One Parent
Families.

28.—The Minister shall, within three months of the commencement of this Act, lay before the Houses of the Oireachtas, a report on the position of one parent families.”.

—David Stanton.

[SECTION 28]

45. In page 18, before section 28, to insert the following new section:

“Lone Parents. 28.—The Minister shall, within 6 months of the commencement of this Act, prepare and lay before the Houses of the Oireachtas, a report on the work of the Maintenance Recovery Unit of his Department.”.

—David Stanton.

46. In page 18, before section 28, to insert the following new section:

“Second Tier Payment. 28.—The Minister shall, within 6 months of the commencement of this Act, prepare and lay before the Houses of the Oireachtas, a report on the progress of his proposal to develop a second tier payment.”.

—David Stanton.

SECTION 32

47. In page 20, before section 32, to insert the following new section:

“Qualified Adults. 32.—The Qualified Adult Allowance shall be paid directly to the qualified adult in all cases, should he or she wish to receive the payment directly or at all.”.

—David Stanton.

48. In page 20, before section 32, to insert the following new section:

“Back to Education Allowance. 32.—The Minister shall, within three months of the commencement of this Act, lay before the Houses of the Oireachtas, a report on the support provided by the Back to Education Allowance.”.

—David Stanton.

49. In page 20, before section 32, to insert the following new section:

“Jobseekers. 32.—The Minister shall, within three months of the commencement of this Act, lay before the Houses of the Oireachtas, a report on the position of jobseekers.”.

—David Stanton.

SECTION 37

50. In page 22, before section 37, to insert the following new section:

“37.—The Minister shall make regulations—

that free travel be extended to older Irish emigrants, at the very least to Irish pensioners living in the UK, who are in receipt of an Irish Pension when they return

[SECTION 37]

here on their holidays.”.

—Jerry Cowley.

SECTION 41

51. In page 25, before section 41, to insert the following new section:

“41.—The Principal Act is amended in section 27 by the insertion of the following new definition:

“pension coverage” means the number of people who are covered by pension plans;”.

—David Stanton.

52. In page 25, before section 41, to insert the following new section:

“Pension coverage. 41.—The Principal Act is amended by the insertion of the following new section after section 39:

“40.—The Minister shall, within the first three months of each calendar year, lay before the Houses of the Oireachtas, a report on pension coverage.”.

—David Stanton.

NEW SECTION

53. In page 28, before Schedule 1, to insert the following new section:

“49.—The Minister shall make regulations—

- (a) providing for the establishment of a Disability Access Card Scheme (is this section referred to as a “Blue Card Scheme”) for the purpose of minimising the degree to which persons with disabilities are required to undergo repeated medical eligibility assessments,
- (b) enabling the holder of a Blue Card to access cross-departmental services as may be specified in the Scheme so as to ensure a cohesive and coordinated delivery of services to persons with disabilities.”.

—Jerry Cowley.

SCHEDULE 1

54. In page 29, line 3, column (2), to delete “Provision of Principal Act amended” and substitute “Provision or Instrument Affected”.

—An tAire Gnóthaí Sóisialacha agus Teaghlaigh.

[SCHEDULE 1]

55. In page 29, line 6, column 3, to delete “State” and substitute “national”.
—David Stanton.

56. In page 30, line 18*, column 3, to delete “State” and substitute “national”.
—David Stanton.

*[*Note: A printing error has resulted in incorrect line references in page 30 of the Bill. The line reference in this amendment relates to the actual number of lines of text contained in page 30 of the Bill.]*

SCHEDULE 2

57. In page 34, line 49*, to delete “State” and substitute “National”.
—David Stanton.

*[*Note: A printing error has resulted in incorrect line references in page 34 of the Bill. The line reference in this amendment relates to the actual number of lines of text contained in page 34 of the Bill.]*

SCHEDULE 3

58. In page 40, line 4, column (1), to delete “Provisions affected” and substitute “Provision or Instrument Affected” .
—An tAire Gnóthaí Sóisialacha agus Teaghlaigh.

59. In page 40, line 14, column 2 to delete “State” and substitute “National”.
—David Stanton.

60. In page 40, line 25, column 2 to delete “State” and substitute “national”.
—David Stanton.

61. In page 40, line 45, column 2 to delete “State” and substitute “national”.
—David Stanton.

SCHEDULE 4

62. In page 45, line 33 to delete “State” and substitute “national”.
—David Stanton.

63. In page 45, line 44 to delete “State” and substitute “national”.
—David Stanton.

[SCHEDULE 7]

SCHEDULE 7

- 64.** In page 53, line 41, column (1), to delete “Provisions affected” and substitute “Provision Affected” .

—An tAire Gnóthaí Sóisialacha agus Teaghlaigh.

- 65.** In page 53, between lines 44 and 45, to insert the following:

Section 109(16)	Delete “and who does not have an entitlement to an old age (contributory) pension by virtue of Regulation (EEC) No. 1408/71 of the Council of the European Communities or by virtue of a reciprocal arrangement under the provisions of section 287”.
--------------------	---

—An tAire Gnóthaí Sóisialacha agus Teaghlaigh.

SCHEDULE 9

- 66.** In page 56, line 3, column (1), to delete “Provisions affected” and substitute “Provision Affected”.

—An tAire Gnóthaí Sóisialacha agus Teaghlaigh.