



# **SEANAD ÉIREANN**

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## **AN BILLE LEASA SHÓISIALAIGH AGUS PINSEAN 2008 SOCIAL WELFARE AND PENSIONS BILL 2008**

### **LEASUITHE COISTE COMMITTEE AMENDMENTS**

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[It is proposed to take Committee stage of this Bill on Thursday 6th March 2008. Accordingly, this list of amendments is circulated in advance of the conclusion of the Second Stage. 05-03-08]

# SEANAD ÉIREANN

## AN BILLE LEASA SHÓISIALAIGH AGUS PINSEAN 2008

### SOCIAL WELFARE AND PENSIONS BILL 2008 —COMMITTEE STAGE

#### *Leasuithe Amendments*

1. In page 6, before section 3, to insert the following new section:

“Rent Supplement  
to be paid in  
advance and not in  
arrears.

- 3.—The Principal Act is amended in section 198 by inserting the following subsection after subsection (3D)

The payment of a supplement towards the amount of rent payable by a person in respect of his or her residence will be paid to this person on the day it is due according to the tenancy agreement of this person with their landlord.”.”.

——*Senators Dominic Hannigan, Alan Kelly, Michael McCarthy, Phil Prendergast, Brendan Ryan, Alex White.*

2. In page 6, before section 3, to insert the following new section:

“Payment of Rent  
Supplement to be  
tied to registration  
with the PRTB.

- 3.—The Principal Act is amended in section 198 by inserting the following subsection after subsection (3D)

“(3E) The landlord in receipt of a payment of a supplement towards the amount of rent payable of a tenant shall, as soon as practicable, submit to the Health Service Executive the registration details of the tenancy where registration is required by section 134 of the Residential Tenancies Act 2004.”.”.

——*Senators Dominic Hannigan, Alan Kelly, Michael McCarthy, Phil Prendergast, Brendan Ryan, Alex White.*

3. In page 6, before section 3, to insert the following new section:

“Rent Supplement  
further amendment.

- 3.—The Principal Act is amended in section 198 by inserting the following subsection after subsection (3D)

“(3E) (i) The payment of a supplement towards the amount of rent payable by a person in respect of his or her residence shall be paid in its entirety by the Health Service Executive to the landlord.

(ii) The tenant shall pay to the Health Service Executive the portion of the rent for which they are liable.”.”.

——*Senators Dominic Hannigan, Alan Kelly, Michael McCarthy, Phil Prendergast, Brendan Ryan, Alex White.*

4. In page 6, before section 3, to insert the following new section:

“Rent supplement.

- 3.—The Minister shall as soon as may be after the passing of this Act prepare and lay before both Houses of the Oireachtas a report on allowing rent supplement claimants on the waiting list for the Rental Accommodation Scheme switch to the terms of the differential rent of their local authority.”.

——*Senators Dominic Hannigan, Alan Kelly, Michael McCarthy, Phil Prendergast, Brendan Ryan, Alex White.*

5. In page 6, before section 3, to insert the following new section:

“Rent supplement recipients.

3.—The Minister shall as soon as may be after the passing of this Act prepare and lay before both Houses of the Oireachtas a report on restricting the number of rent supplement recipients to 20 per cent in a given location.”

——*Senators Dominic Hannigan, Alan Kelly, Michael McCarthy, Phil Prendergast, Brendan Ryan, Alex White.*

6. In page 6, before section 3, to insert the following new section:

“Non-resident landlords.

3.—The Minister shall as soon as may be after the passing of this Act prepare and lay before both Houses of the Oireachtas a report on ensuring that 20 per cent of rent supplement is withheld from direct payments to non-resident landlords.”

——*Senators Dominic Hannigan, Alan Kelly, Michael McCarthy, Phil Prendergast, Brendan Ryan, Alex White.*

7. In page 6, before section 3, to insert the following new section:

“Carers.

3.—The Minister shall as soon as may be after the passing of this Act prepare and lay before both Houses of the Oireachtas a report on extending the number of hours a week a Carer may be gainfully employed while still retaining entitlement to Carer’s Allowance/Benefit.”

——*Senators Dominic Hannigan, Alan Kelly, Michael McCarthy, Phil Prendergast, Brendan Ryan, Alex White.*

8. In page 6, before section 3, to insert the following new section:

“Carer’s Allowance.

3.—The Minister shall as soon as may be after the passing of this Act prepare and lay before both Houses of the Oireachtas a report on removing Carer’s Allowance from the list of welfare payments requiring the Habitual Residence Condition to be met.”

——*Senators Dominic Hannigan, Alan Kelly, Michael McCarthy, Phil Prendergast, Brendan Ryan, Alex White.*

9. In page 6, before section 3, to insert the following new section:

“Qualification for Carer’s Allowance – “full time care and attention” rule.

3.—The Minister shall as soon as may be after the passing of this Act prepare and lay before both Houses of the Oireachtas a report on the implications of extending qualification for carer’s allowance to any person who provides care to such an extent that the care recipient would require nursing home care or significant professional assistance if they were not receiving assistance from the person.”

——*Senators Dominic Hannigan, Alan Kelly, Michael McCarthy, Phil Prendergast, Brendan Ryan, Alex White.*

10. In page 6, before section 3, to insert the following new section:

“Initial period of claim.

3.—The Minister shall as soon as may be after the passing of this Act prepare and lay before both Houses of the Oireachtas a report on any arrangements whereby claimants under the Social Welfare Acts are not provided with payments for the first 3 days of any claim and the continued justification for any such practice.”

——*Senators Dominic Hannigan, Alan Kelly, Michael McCarthy, Phil Prendergast, Brendan Ryan, Alex White.*

[ SECTION 3 ]

11. In page 6, before section 3, to insert the following new section:

“Determination of means.

3.—The Minister shall as soon as may be after the passing of this Act prepare and lay before both Houses of the Oireachtas a report on the ending of counting as means, other welfare payments.”.

—*Senators Dominic Hannigan, Alan Kelly, Michael McCarthy, Phil Prendergast, Brendan Ryan, Alex White.*

12. In page 6, before section 3, to insert the following new section:

“Payment book method.

3.—The Minister shall as soon as may be after the passing of this Act prepare and lay before both Houses of the Oireachtas a report on providing that current welfare and pension recipients who are paid by payment book method shall retain that method of payment until they opt of their own volition for another method.”.

—*Senators Dominic Hannigan, Alan Kelly, Michael McCarthy, Phil Prendergast, Brendan Ryan, Alex White.*

13. In page 6, before section 3, to insert the following new section:

“Swipe cards.

3.—The Minister shall as soon as may be after the passing of this Act prepare and lay before both Houses of the Oireachtas a report on difficulties for older people in rural areas using swipe cards when the rural post office may not be activated.”.

—*Senators Dominic Hannigan, Alan Kelly, Michael McCarthy, Phil Prendergast, Brendan Ryan, Alex White.*

14. In page 6, before section 3, to insert the following new section:

“Fostering.

3.—The Minister shall as soon as may be after the passing of this Act prepare and lay before both Houses of the Oireachtas a report on the need for foster parents to be considered a qualified parent and for fostered children to be considered a qualified child for the purposes of qualifying for the one parent family payment.”.

—*Senators Dominic Hannigan, Alan Kelly, Michael McCarthy, Phil Prendergast, Brendan Ryan, Alex White.*

15. In page 6, before section 3, to insert the following new section:

“Report on Habitual Residency Condition as applied to Child Benefit.

3.—The Minister shall, within three months of the commencement of this Act, lay before each House of the Oireachtas, a report on the prospect of removing the Habitual Residence Condition from the Child Benefit payment.”.

—*Senator Nicky McFadden.*

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

“Report on Rent Supplement.

4.—The Minister shall, within three months of the commencement of this Act, lay before each House of the Oireachtas, a report on how the Rent Supplement Scheme could be improved to—

(a) make it more responsive to beneficiaries needs,

(b) reflect rental market changes.”.

—*Senator Nicky McFadden.*

[ SECTION 4 ]

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

“Report on take up of Family Income Supplement.

4.—The Minister shall, within three months of the commencement of this Act, lay before each House of the Oireachtas, a report on the number of eligible persons and proportion thereof availing of the Family Income Supplement.”.

—Senator Nicky McFadden.

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

“Report on Back to School Clothing and Footwear Allowance.

4.—The Minister shall, within three months of the commencement of this Act, lay before each House of the Oireachtas, a report on the number of eligible persons and proportion thereof availing of the Back-to-School Clothing and Footwear Allowance, among low income families.”.

—Senator Nicky McFadden.

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

“Report on eligibility for Early Childcare Supplement.

4.—The Minister shall, within three months of the commencement of this Act, lay before each House of the Oireachtas, a report on eligibility for the Early Childcare Supplement.”.

—Senator Nicky McFadden.

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

“Paternal Leave and Benefit.

4.—The Minister shall, within three months of the commencement of this Act, lay before each House of the Oireachtas, a report on the possible introduction of a scheme to provide paternity leave and benefit, including details of—

(a) qualification criteria, and

(b) payment methods,

for the scheme, which shall be run on a similar basis to entitlement to maternity leave and benefit.”.

—Senator Nicky McFadden.

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

“Report on implication of Transfer of Pension Rights to EC institutions scheme.

5.—The Minister shall, within three months of the commencement of this Act, lay before each House of the Oireachtas, an information report detailing—

(a) number of persons expected to benefit per annum,

(b) the estimates of amounts that will be transferred out of and to be received by the Social Insurance Fund (SIF) over the next 5 and 10 years,

(c) if the legislation will apply retrospectively, if so how many persons will benefit, what are the expected amounts in terms of benefits that will be paid by the SIF, amounts that will be transferred from SIF, and the amounts the SIF will receive.”.

—Senator Nicky McFadden.

[ SECTION 6 ]

22. In page 7, before section 6, to insert the following new section:

“Report on supports available to individuals in receipt of Illness Benefit.

6.—The Minister shall, within three months of the commencement of this Act, lay before each House of the Oireachtas, a report on supports available to individuals in receipt of Illness Benefit.”.

—*Senator Nicky McFadden.*

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

“Report on the progress to date in replacing the One Parent Family Payment with the new parental allowance for all low income families to be laid before the Oireachtas.

8.—The Minister for Social and Family Affairs shall, within three months of the commencement of this Act, lay before the Houses of the Oireachtas a report on the progress to date in replacing the One Parent Family Payment with the new parental allowance for all low income families.”.

—*Senator Nicky McFadden.*

24. In page 8, before section 9, to insert the following new section:

“Progress Report on National Carers Strategy.

9.—The Minister shall, within one month of the commencement of this Act, lay before each House of the Oireachtas, a report on the progress of the National Carers Strategy.”.

—*Senator Nicky McFadden.*

25. In page 8, before section 9, to insert the following new section:

“Report on support available to young carers.

9.—The Minister shall, within three months of the commencement of this Act, lay before each House of the Oireachtas, a report on the levels of support available to young carers.”.

—*Senator Nicky McFadden.*

26. In page 20, before section 15, to insert the following new section:

“Report on support available to people with disabilities.

15.—The Minister shall, within three months of the commencement of this Act, lay before each House of the Oireachtas, a report on the possibility of the introduction of a cost of disability payment for people with disabilities.”.

—*Senator Nicky McFadden.*