



AN BILLE LEASA SHÓISIALAIGH, 2011
SOCIAL WELFARE BILL 2011

Mar a tionscnaíodh
As initiated

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[No. 76 of 2011]

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15. Amendment of section 29 of Redundancy Payments Act 1967.

ACTS REFERRED TO

Child Care Act 1991	1991, No. 17
Children Act 2001	2001, No. 24
Redundancy Payments Act 1967	1967, No. 21
Redundancy Payments Act 1979	1979, No. 7
Redundancy Payments Acts 1967 to 2007	
Social Welfare (Miscellaneous Provisions) Act 2010	2010, No. 28
Social Welfare Act 2010	2010, No. 34
Social Welfare and Pensions Act 2008	2008, No. 2
Social Welfare and Pensions Act 2010	2010, No. 37
Social Welfare Consolidation Act 2005	2005, No. 26
Social Welfare Law Reform and Pensions Act 2006	2006, No. 5



AN BILLE LEASA SHÓISIALAIGH, 2011
SOCIAL WELFARE BILL 2011

BILL

entitled

5 AN ACT TO AMEND AND EXTEND THE SOCIAL WELFARE
ACTS AND TO AMEND THE REDUNDANCY PAY-
MENTS ACTS 1967 TO 2007.

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

PART 1

10 PRELIMINARY AND GENERAL

1.—(1) This Act may be cited as the Social Welfare Act 2011.

Short title,
construction and
collective citation.

(2) The Social Welfare Acts and *Parts 1* and 2 of this Act shall be read together as one.

15 (3) The Redundancy Payments Acts 1967 to 2007 and *Part 3* of
this Act shall be read together as one and may be cited together as
the Redundancy Payments Acts 1967 to 2011.

2.—In this Act—

Definitions.

“Act of 2010” means the Social Welfare and Pensions Act 2010;

“Principal Act” means the Social Welfare Consolidation Act 2005.

20 PART 2

AMENDMENTS TO SOCIAL WELFARE ACTS

3.—(1) Section 75 of the Principal Act is amended—

Disablement
benefit.

(a) in subsection (1) by substituting “not less than 15 per cent”
for “not less than 1 per cent”,

25 (b) by inserting the following subsection after subsection (1):

“(1A) In the case of any assessment of disablement—

- (a) where the period to be taken into account by the assessment began before 1 January 2012, or
- (b) where there has been a provisional assessment, and—
 - (i) the initial period to be taken into account by the assessment began before 1 January 2012, and 5
 - (ii) any subsequent period to be taken into account by the assessment begins on or after 1 January 2012, 10

subsection (1) shall be read as if ‘not less than 1 per cent’ were substituted for ‘not less than 15 per cent.’,

- (c) in subsection (2) by substituting “would amount to less than 15 per cent” for “would not amount to 1 per cent”,
- (d) by inserting the following subsection after subsection (2): 15

“(2A) In the case of any assessment of disablement—

- (a) where the period to be taken into account by the assessment began before 1 January 2012, or
- (b) where there has been a provisional assessment, and— 20
 - (i) the initial period to be taken into account by the assessment began before 1 January 2012, and
 - (ii) any subsequent period to be taken into account by the assessment begins on or after 1 January 2012, 25

subsection (2) shall be read as if ‘would not amount to 1 per cent’ were substituted for ‘would amount to less than 15 per cent.’,

- (e) in subsection 10(a) by substituting “not less than 15 per cent” for “not less than 10 per cent”, and 30
- (f) by substituting the following subsection for subsection (11):

“(11) (a) In the case of any assessment of disablement where the period to be taken into account by the assessment began before 1 May 1990, subsection (10)(a) shall be read as if the reference to ‘and the extent of disablement is assessed as amounting to not less than 15 per cent and not more than 19 per cent’ were deleted. 35 40

- (b) In the case of any assessment of disablement where the period to be taken into account by the assessment began on or after 1 May 1990 but before 1 January 2012, subsection (10)(a) shall be read as if a reference to ‘and the extent of disablement is assessed as amounting to not less than 10 per cent and not more than 19 per 45

cent' were substituted for the reference to 'and the extent of disablement is assessed as amounting to not less than 15 per cent and not more than 19 per cent'.

5 (2) This section comes into operation on 1 January 2012.

4.—(1) Section 77A (inserted by section 6 of the Social Welfare Act 2010) of the Principal Act is amended— Qualified child increase.

(a) by substituting the following subsection for subsection (2):

10 “(2) Subject to subsection (3), any increase of disablement pension payable under subsection (1)(b) in respect of a qualified child who normally resides with the beneficiary and with the spouse, civil partner or cohabitant of the beneficiary shall be payable at the rate of one-half of the appropriate amount in any case where the spouse, 15 civil partner or cohabitant of the beneficiary is not a qualified adult and subsection (1)(b) shall be read and have effect accordingly.”,

and

(b) by substituting the following subsection for subsection (3):

20 “(3) Subsection (2) shall not apply and no increase of disablement pension payable under subsection (1)(b) in respect of a qualified child who normally resides with the beneficiary and with the spouse, civil partner or cohabitant of the beneficiary shall be payable where the weekly 25 income of that spouse, civil partner or cohabitant, calculated or estimated in the manner that may be prescribed, exceeds the amount that may be prescribed.”.

(2) The Principal Act is amended—

30 (a) in section 102 (amended by section 26 of the Act of 2010)—

(i) by substituting the following subsection for subsection (2):

35 “(2) Subject to subsections (3) and (4), any increase of carer’s benefit payable under subsection (1) in respect of a qualified child who normally resides with the beneficiary and with the spouse, civil partner or cohabitant of the beneficiary shall be payable at the rate of one-half of the appropriate amount and subsection (1) shall be read and have effect 40 accordingly.”,

and

(ii) by inserting the following subsections after subsection (2):

45 “(3) Subsection (2) shall not apply and no increase of carer’s benefit payable under subsection (1) in respect of a qualified child who normally resides with the beneficiary and with the spouse, civil partner or cohabitant of the beneficiary shall be payable where

the weekly income of that spouse, civil partner or cohabitant, calculated or estimated in the manner that may be prescribed, exceeds the amount that may be prescribed.

(4) Subsection (3) shall not apply in the case of any claim for carer's benefit which is made before 5 July 2012.”, 5

(b) in section 112 (amended by section 26 of the Act of 2010)—

(i) in subsection (3), by substituting “Subject to subsections (3A) and (3B), any increase of” for “Any increase of”, and 10

(ii) by inserting the following subsections after subsection (3):

“(3A) Subsection (3) shall not apply and no increase of State pension (contributory) payable under subsection (2) in respect of a qualified child who normally resides with the beneficiary and with the spouse, civil partner or cohabitant of the beneficiary shall be payable where the weekly income of that spouse, civil partner or cohabitant, calculated or estimated in the manner that may be prescribed, exceeds the amount that may be prescribed. 15 20

(3B) Subsection (3A) shall not apply in the case of any claim for State pension (contributory) which is made before 6 July 2012.”, 25

(c) in section 117 (amended by section 26 of the Act of 2010)—

(i) in subsection (3), by substituting “Subject to subsections (3A) and (3B), any increase of” for “Any increase of”, and 30

(ii) by inserting the following subsections after subsection (3):

“(3A) Subsection (3) shall not apply and no increase of State pension (transition) payable under subsection (2) in respect of a qualified child who normally resides with the beneficiary and with the spouse, civil partner or cohabitant of the beneficiary shall be payable where the weekly income of that spouse, civil partner or cohabitant, calculated or estimated in the manner that may be prescribed, exceeds the amount that may be prescribed. 35 40

(3B) Subsection (3A) shall not apply in the case of any claim for State pension (transition) which is made before 5 July 2012.”, 45

and

(d) in section 122 (amended by section 26 of the Act of 2010)—

(i) in subsection (3), by substituting “Subject to subsections (3A) and (3B), any increase of” for “Any increase of”, and

5 (ii) by inserting the following subsections after subsection (3):

10 “(3A) Subsection (3) shall not apply and no increase of invalidity pension payable under subsection (2) in respect of a qualified child who normally resides with the beneficiary and with the spouse, civil partner or cohabitant of the beneficiary shall be payable where the weekly income of that spouse, civil partner or cohabitant, calculated or estimated in the manner that may be prescribed, exceeds the amount that may be prescribed.

15 (3B) Subsection (3A) shall not apply in the case of any claim for invalidity pension which is made before 5 July 2012.”.

(3) Subsection (2) comes into operation—

20 (a) in so far as it relates to paragraphs (a), (c) and (d), on 5 July 2012, and

(b) in so far as it relates to paragraph (b), on 6 July 2012.

5.—(1) Section 109 of the Principal Act is amended—

(a) by inserting the following subsection after subsection (1):

25 “(1A) In the case of a person who attained pensionable age before 6 April 2002, subsection (1) shall be read as if the following condition were substituted for the condition in paragraph (b):

30 ‘(b) that the claimant has qualifying contributions in respect of not less than 156 contribution weeks since his or her entry into insurance.’”.

and

(b) by substituting the following subsection for subsection (2):

35 “(2) In the case of a person, other than a person who on or before 6 April 1997 is a voluntary contributor paying contributions under Chapter 4 of Part 2, who attained pensionable age on or after 6 April 2002, but before 6 April 2012, subsection (1) shall be read as if the following condition were substituted for the condition in paragraph (b):

40 ‘(b) that the claimant has qualifying contributions in respect of not less than 260 contribution weeks since his or her entry into insurance.’”.

(2) Section 115 of the Principal Act is amended—

(a) by inserting the following subsection after subsection (1):

45 “(1A) In the case of a person who attained the age of 65 years before 6 April 2002, subsection (1) shall be read

State pension
(contributory) and
State pension
(transition) —
conditions for
receipt.

as if the following condition were substituted for the condition in paragraph (b):

‘(b) that the claimant has qualifying contributions in respect of not less than 156 contribution weeks since his or her entry into insurance.’, 5

and

(b) by substituting the following subsection for subsection (2):

“(2) In the case of a person, other than a person who on or before 6 April 1997 is a voluntary contributor paying contributions under Chapter 4 of Part 2, who attained the age of 65 years on or after 6 April 2002, but before 6 April 2012, subsection (1) shall be read as if the following condition were substituted for the condition in paragraph (b): 10

‘(b) that the claimant has qualifying contributions in respect of not less than 260 contribution weeks since his or her entry into insurance.’. 15

(3) This section comes into operation on 6 April 2012.

Widow’s
(contributory)
pension, widower’s
(contributory)
pension and
surviving civil
partner’s
(contributory)
pension.

6.—(1) Section 125 of the Principal Act is amended—

(a) in subsection (1) (amended by section 17 of the Act of 2010) by substituting the following paragraph for paragraph (a): 20

“(a) that the widow, widower or surviving civil partner has qualifying contributions in respect of not less than 520 contribution weeks in the period beginning with his or her entry into insurance and ending immediately before the relevant time, and”, 25

and

(b) by inserting the following subsections after subsection (1):

“(1A) Where the date of death occurs before 6 July 2012, subsection (1)(a) shall be read as if ‘156’ were substituted for ‘520’. 30

(1B) Where the date of death occurs on or after 6 July 2012 and before 5 July 2013, subsection (1)(a) shall be read as if ‘260’ were substituted for ‘520’.”. 35

(2) This section comes into operation on 6 July 2012.

Entitlement to one-
parent family
payment.

7.—(1) Section 173 (amended by section 25 of the Social Welfare (Miscellaneous Provisions) Act 2010) of the Principal Act is amended—

(a) in subsection (4) by substituting the following paragraph for paragraph (b): 40

“(b) payable for a period not exceeding 6 consecutive months from the date on which, but for

this subsection, that person would have ceased to be so entitled.”,

(b) by substituting the following subsection for subsection (5B):

5 “(5B) Subject to subsection (5C), subsections (4), (5) and (5A) shall not apply in any case where a person, by virtue of his or her gross weekly earnings exceeding the amount specified for the purposes of subsection (3), ceases to be entitled to one-parent family payment on or after 5
10 January 2012.”,

and

(c) by inserting the following subsection after subsection (5B):

15 “(5C) Notwithstanding subsection (5B), a person who qualifies for the continuation of one-parent family payment in accordance with subsection (4) before 5 January 2012 may continue to receive that payment for the unexpired portion of the period of continuation which occurs on or after 5 January 2012 if—

20 (a) the qualified person continues, during that unexpired portion of that period, to satisfy subsection (4), and

25 (b) the total period of the continuation of that payment does not exceed, in accordance with subsection (4), 6 months from the date on which, but for that subsection, that person would have ceased to be so entitled.”.

(2) This section comes into operation on 5 January 2012.

30 **8.—(1)** Section 186C (inserted by section 26 of the Social Welfare (Miscellaneous Provisions) Act 2010) of the Principal Act is amended— Entitlement to domiciliary care allowance.

(a) in subsection (1) by substituting “18 years” for “16 years”, and

(b) by inserting the following subsection after subsection (1):

35 “(1A) A person shall be disqualified from receiving domiciliary care allowance where—

(a) he or she has attained the age of 16 years but has not attained the age of 18 years on 1 January 2012, and

40 (b) he or she is entitled to disability allowance in accordance with section 210(1A) (inserted by section 9 of the Social Welfare Act 2011).”.

(2) This section comes into operation on 1 January 2012.

Entitlement to disability allowance.

9.—(1) Section 210 of the Principal Act is amended—

(a) in paragraph (a) of subsection (1) by substituting “18 years” for “16 years”, and

(b) by inserting the following subsection after subsection (1):

“(1A) Where a person— 5

(a) has attained the age of 16 years but has not attained the age of 18 years on 1 January 2012, and

(b) is in receipt of disability allowance immediately before 1 January 2012, 10

subsection (1)(a) shall be read as if ‘16 years’ were substituted for ‘18 years’.”.

(2) This section comes into operation on 1 January 2012.

Disability allowance — amendments.

10.—(1) Section 211 (amended by section 26 of the Act of 2010) of the Principal Act is amended in subsection (1) by substituting “Subject to sections 211A and 211B, the rate (in this Chapter referred to as ‘the scheduled rate’) of disability allowance shall be the weekly rate set out in column (2) at reference 3(a) of Part 1 of Schedule 4” for “The rate (in this Chapter referred to as ‘the scheduled rate’) of disability allowance shall be the weekly rate set out in column (2) of Part 1 of Schedule 4”. 15 20

(2) The Principal Act is amended by inserting the following sections after section 211:

“Rates of allowance — ages 18 to 21 years.

211A.—(1) Notwithstanding section 211(1), in the case of a person who— 25

(a) has attained the age of 18 years and has not attained the age of 22 years,

(b) is not a person, who immediately before disability allowance is claimed, was in receipt of— 30

(i) one-parent family payment, but has ceased to be entitled to that payment by virtue of no longer being regarded as a qualified parent within the meaning of section 172(1), 35

(ii) widow’s (non-contributory) pension, widower’s (non-contributory) pension or surviving civil partner’s (non-contributory) pension, but has ceased to be entitled to that pension by virtue of no longer being regarded as a widow, widower or surviving civil partner within the meaning of section 162(1), or 40 45

- (iii) carer's allowance, but has ceased to be entitled to that allowance by virtue of no longer being regarded as a carer within the meaning of section 179(1),

and

- (c) is not entitled to an increase in respect of a qualified child,

the scheduled rate of disability allowance for such person shall be the weekly rate set out in column (2) at reference 3(b) in Part 1 of Schedule 4, increased by the amount set out in column (3) of that Part opposite that reference for any period during which the claimant or beneficiary has a qualified adult, subject to the restriction that the claimant or beneficiary shall not be entitled for the same period to an increase of allowance under this subsection in respect of more than one person.

(2) In the case of a person referred to in subsection (1) disability allowance shall be payable—

- (a) where the weekly means of the claimant or beneficiary do not exceed €2.50, at the scheduled rate, and
- (b) where the weekly means exceed €2.50, at the scheduled rate reduced by €2.50 for each amount (if any) of €2.50 by which those weekly means exceed €2.50, any fraction of €2.50 in those weekly means being treated for this purpose as €2.50.

(3) This section shall not apply in the case of a claim for disability allowance where—

- (a) the period of entitlement to disability allowance commenced before 4 April 2012,
- (b) the period of entitlement to disability allowance commenced on or after 4 April 2012 and that period is not separated by more than 12 months from an earlier period of entitlement to disability allowance during which the claimant had been entitled to disability allowance at the weekly rate set out in column (2) at reference 3(a) of Part 1 of Schedule 4,
- (c) the period of entitlement to disability allowance commenced on or after 4 April 2012 and immediately before that period the claimant had been—
- (i) participating in a scheme administered by the Minister and known as—

- (I) Back to Education Allowance,
 - (II) Back to Work Allowance,
 - (III) Back to Work Enterprise Allowance,
 - (IV) Rural Social Scheme, or 5
 - (V) Tús,
 - (ii) participating in a scheme provided by the Minister and known as Community Employment,
 - (iii) participating in a scheme administered by the Minister for Education and Skills and known as the Vocational Training Opportunities Scheme, or 10
 - (iv) attending a training course provided by An Foras Áiseanna Saothair, 15
- and, immediately before the period of participation in such scheme or attendance at such training course, the claimant had been entitled to disability allowance at the weekly rate set out in column (2) at reference 3(a) of Part 1 of Schedule 4, 20
- (d) the claimant is participating in the programme commonly known as the work placement programme referred to in section 142B(4), or 25
 - (e) the claimant has attained the age of 18 years and has not attained the age of 22 years and at any time during the period of 12 months immediately before he or she attained the age of 18 years— 30
 - (i) he or she was in or was placed in the care of the Executive pursuant to an order of the High Court, or 35
 - (ii) he or she was in or was placed in the care of the Executive—
 - (I) pursuant to an order of the District Court or the Circuit Court on appeal from the District Court made under Part III, IV, IVA, (inserted by section 16 of the Children Act 2001) or VI of the Child Care Act 1991, 40 45
 - (II) under a voluntary care arrangement pursuant to

section 4 of the Child Care Act 1991, or

(III) under an accommodation arrangement pursuant to section 5 of the Child Care Act 1991.

Rates of allowance — ages 22 to 24 years.

211B.—(1) Notwithstanding section 211(1), in the case of a person who—

- (a) has attained the age of 22 years and has not attained the age of 25 years,
- (b) is not a person, who immediately before disability allowance is claimed, was in receipt of—
 - (i) one-parent family payment, but has ceased to be entitled to that payment by virtue of no longer being regarded as a qualified parent within the meaning of section 172(1),
 - (ii) widow's (non-contributory) pension, widower's (non-contributory) pension or surviving civil partner's (non-contributory) pension, but has ceased to be entitled to that pension by virtue of no longer being regarded as a widow, widower or surviving civil partner within the meaning of section 162(1), or
 - (iii) carer's allowance, but has ceased to be entitled to that allowance by virtue of no longer being regarded as a carer within the meaning of section 179(1),

and

- (c) is not entitled to an increase in respect of a qualified child,

the scheduled rate of disability allowance for such person shall be the weekly rate set out in column (2) at reference 3(c) in Part 1 of Schedule 4, increased by the amount set out in column (3) of that Part opposite that reference for any period during which the claimant or beneficiary has a qualified adult, subject to the restriction that the claimant or beneficiary shall not be entitled for the same period to an increase of allowance under this subsection in respect of more than one person.

(2) In the case of a person referred to in subsection (1) disability allowance shall be payable—

- (a) where the weekly means of the claimant or beneficiary do not exceed €2.50, at the scheduled rate, and
- (b) where the weekly means exceed €2.50, at the scheduled rate reduced by €2.50 for each amount (if any) of €2.50 by which those weekly means exceed €2.50, any fraction of €2.50 in those weekly means being treated for this purpose as €2.50.
- (3) This section shall not apply in the case of a claim for disability allowance where—
- (a) the period of entitlement to disability allowance commenced before 4 April 2012,
- (b) the period of entitlement to disability allowance commenced on or after 4 April 2012 and that period is not separated by more than 12 months from an earlier period of entitlement to disability allowance during which the claimant had been entitled to disability allowance at the weekly rate set out in column (2) at reference 3(a) of Part 1 of Schedule 4,
- (c) the period of entitlement to disability allowance commenced on or after 4 April 2012 and immediately before that period the claimant had been—
- (i) participating in a scheme administered by the Minister and known as—
- (I) Back to Education Allowance,
- (II) Back to Work Allowance,
- (III) Back to Work Enterprise Allowance,
- (IV) Rural Social Scheme, or
- (V) Tús,
- (ii) participating in a scheme provided by the Minister and known as Community Employment,
- (iii) participating in a scheme administered by the Minister for Education and Skills and known as the Vocational Training Opportunities Scheme, or
- (iv) attending a training course provided by An Foras Áiseanna Saothair,

and, immediately before the period of participation in such scheme or attendance at such training course, the claimant had been entitled to disability allowance at the weekly rate set out in column (2) at reference 3(a) of Part 1 of Schedule 4, or

(d) the claimant is participating in the programme commonly known as the work placement programme referred to in section 142B(4).”.

(3) The Principal Act is amended in Part 1 of Schedule 4 by substituting the following reference for reference 3:

“

	€	€	€	€	€	€	€
3. Disability Allowance							
(a) in the case of a person to whom section 211(1) applies	188.00	124.80	29.80	—	7.70	—	12.70
(b) in the case of a person to whom section 211A(1) applies	100.00	100.00	—	—	7.70	—	12.70
(c) in the case of a person to whom section 211B(1) applies	144.00	124.80	—	—	7.70	—	12.70

”.

(4) This section comes into operation on 4 April 2012.

11.—(1) Section 221 of the Principal Act is amended by substituting the following subsection for subsection (1) (amended by section 5 of the Social Welfare Act 2010):

Child benefit — amendments.

“(1) Subject to this Act, a qualified person shall be paid a monthly benefit—

(a) of the amount set out in column (2) of Part 4 of Schedule 4 for a qualified child referred to in column (1) of that Part of that Schedule opposite that amount for any entitlement to child benefit that occurs during the period beginning on 1 January 2012 and expiring on 31 December 2012, and

(b) of €140 for each qualified child in respect of any entitlement to child benefit that occurs on or after 1 January 2013.”.

(2) Schedule 4 to the Principal Act is amended by substituting the following Part for Part 4 (amended by section 5 of the Social Welfare Act 2010):

“PART 4

AMOUNTS OF CHILD BENEFIT DURING THE PERIOD
BEGINNING ON 1 JANUARY 2012 AND EXPIRING ON 31
DECEMBER 2012

Qualified child in respect of whom child benefit is payable (1)	Monthly rate of child benefit payable per qualified child during the period beginning on 1 January 2012 and expiring on 31 December 2012 (2)	5
1. Each of the first 2 qualified children	€ 140.00	10
2. Third qualified child	148.00	
3. Each qualified child in excess of 3 qualified children	160.00	15

”.

(3) Section 221 of the Principal Act is amended by deleting sub-sections (3), (4), (5), (6), (7) and (8).

(4) This section comes into operation on 1 January 2012.

Late claims.

12.—(1) Section 241(2) of the Principal Act is amended— 20

(a) in paragraph (a) (amended by section 26 of the Act of 2010) by substituting “6 months” for “12 months”, and

(b) by inserting the following subsection after subsection (2):

“(2A) In the case of a claim for—

(a) State pension (transition) made before 5 April 25
2012, or

(b) State pension (contributory), widow’s (con-
tributory) pension, widower’s (contributory)
pension, surviving civil partner’s (contributory) 30
pension and guardian’s payment (contributory)
made before 6 April 2012,

subsection (2)(a) shall be read as if ‘12 months’ were sub-
stituted for ‘6 months’.”.

(2) This section comes into operation—

(a) in so far as it relates to State pension (transition), on 5 35
April 2012, and

(b) in so far as it relates to State pension (contributory),
widow’s (contributory) pension, widower’s (contributory)
pension, surviving civil partner’s (contributory) pension
and guardian’s payment (contributory), on 6 April 2012. 40

Schedule 3 —
amendments.

13.—(1) Schedule 3 to the Principal Act is amended—

(a) in Part 2, in Rule 1(9) (amended by section 26 of the Act
of 2010)—

(i) in subparagraph (b)(ii)(I), by substituting “€127” for “€254”,

(ii) in subparagraph (b)(ii)(II), by substituting “€190.50” for “€381”, and

5 (iii) by substituting “85 per cent” for “70 per cent”,

(b) in Part 3 (amended by section 24 of the Social Welfare Law Reform and Pensions Act 2006) by deleting Rule 1(2)(b)(ix), and

(c) in Table 2 by deleting paragraph 9.

10 (2) This section comes into operation on 1 January 2012.

14.—(1) Part 5 of Schedule 3 to the Principal Act is amended in Rule 1(4) (amended by section 8 of the Social Welfare and Pensions Act 2008) by substituting the following subparagraphs for subparagraph (b):

One-parent family payment — means assessment.

15 “(b) in calculating the weekly earnings for the purposes of subparagraph (a) for any period commencing on or after 1 January 2012 but before 1 January 2013, an amount of €130 together with half the weekly earnings in excess of that amount shall be disregarded,

20 (c) in calculating the weekly earnings for the purposes of subparagraph (a) for any period commencing on or after 1 January 2013 but before 1 January 2014, an amount of €110 together with half the weekly earnings in excess of that amount shall be disregarded,

25 (d) in calculating the weekly earnings for the purposes of subparagraph (a) for any period commencing on or after 1 January 2014 but before 1 January 2015, an amount of €90 together with half the weekly earnings in excess of that amount shall be disregarded,

30 (e) in calculating the weekly earnings for the purposes of subparagraph (a) for any period commencing on or after 1 January 2015 but before 1 January 2016, an amount of €75 together with half the weekly earnings in excess of that amount shall be disregarded, and

35 and
40 (f) in calculating the weekly earnings for the purposes of subparagraph (a) for any period commencing on or after 1 January 2016, an amount of €60 together with half the weekly earnings in excess of that amount shall be disregarded;”.

(2) This section comes into operation on 1 January 2012.

PART 3

AMENDMENTS TO REDUNDANCY PAYMENTS ACT 1967

Amendment of
section 29 of
Redundancy
Payments Act 1967.

15.—(1) Section 29 of the Redundancy Payments Act 1967 (amended by section 6 of the Redundancy Payments Act 1979) is amended—

5

(a) in subsection (1), by substituting “15 per cent” for “60 per cent”,

(b) in subsection (2), by substituting “5 per cent” for “40 per cent”, and

(c) by inserting the following subsections after subsection (3): 10

“(4) Where an employer makes a claim for a rebate on or after 1 January 2012 in respect of a lump sum payment paid to an employee under section 19 and the date of dismissal by reason of redundancy, referred to in section 19, occurs before 1 January 2012—

15

(a) subsection (1) shall be read as if ‘60 per cent’ were substituted for ‘15 per cent’, and

(b) subsection (2) shall be read as if ‘40 per cent’ were substituted for ‘5 per cent’.

(5) Where an employer makes a claim for a rebate on or after 1 January 2012 in respect of a lump sum payment paid to an employee under section 19 in respect of an employee to whom section 12 applies and—

20

(a) the date of the notice of intention to claim, referred to in section 12(1)(b), or

25

(b) the date of the termination of the contract of employment of the employee concerned, referred to in section 12(2),

occurs before 1 January 2012—

(i) subsection (1) shall be read as if ‘60 per cent’ were substituted for ‘15 per cent’, and

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(ii) subsection (2) shall be read as if ‘40 per cent’ were substituted for ‘15 per cent’.”.

(2) This section comes into operation on 1 January 2012.