DÁIL ÉIREANN

AN BILLE LEASA SHÓISIALAIGH (PINSEAN PÁIRTNÉARA FAOI MHÉALA), 2025
SOCIAL WELFARE (BEREAVED PARTNER'S PENSION) BILL 2025

LEASUITHE COISTE
COMMITTEE AMENDMENTS

[No. 7 of 2025] [24 June, 2025]

DÁIL ÉIREANN

AN BILLE LEASA SHÓISIALAIGH (PINSEAN PÁIRTNÉARA FAOI MHÉALA), 2025 —ROGHCHOISTE

SOCIAL WELFARE (BEREAVED PARTNER'S PENSION) BILL 2025 —SELECT COMMITTEE

Leasuithe
Amendments

SECTION 1

1. In page 3, line 11, to delete "Social Welfare (Bereaved Partner's Pension) Bill 2025" and substitute "Social Welfare (Bereaved Partner's Pension and Miscellaneous Provisions) Act 2025".

—An tAire Coimirce Sóisialaí.

2. In page 3, line 12, to delete "(other than *section 18*)" and substitute "(other than *sections 18* and *21**)".

—An tAire Coimirce Sóisialaí.

[**This is a reference to a section proposed to be inserted by amendment No. 27.*]

SECTION 4

3. In page 4, to delete lines 34 to 41 and in page 5, to delete lines 1 to 19.

—Ruth Coppinger, Paul Murphy.

4. In page 4, to delete lines 34 to 41, and in page 5, to delete lines 1 to 21.

—Louise O'Reilly, Mark Wall, Liam Quaide.

5. In page 4, lines 36 and 37, to delete "*Social Welfare (Bereaved Partner's Pension) Act 2025*" and substitute "*Social Welfare (Bereaved Partner's Pension and Miscellaneous Provisions) Act 2025*".

—An tAire Coimirce Sóisialaí.

SECTION 5

6. In page 5, lines 25 and 26, to delete "*Social Welfare (Bereaved Partner's Pension) Act 2025*" and substitute "*Social Welfare (Bereaved Partner's Pension and Miscellaneous Provisions) Act 2025*".

—An tAire Coimirce Sóisialaí.

7. In page 5, to delete lines 30 to 32.

—Ruth Coppinger, Paul Murphy.

[SECTION 5]

8. In page 5, line 30, to delete "not".

—Louise O'Reilly, Mark Wall, Liam Quaide.

9. In page 5, to delete lines 39 and 40, and in page 6, to delete lines 1 to 3.

—Louise O'Reilly, Mark Wall, Liam Quaide.

10. In page 6, to delete lines 32 to 37.

—Ruth Coppinger, Paul Murphy.

11. In page 6, line 32, to delete "not".

—Louise O'Reilly, Mark Wall, Liam Quaide.

12. In page 6, line 35, to delete "not".

—Louise O'Reilly, Mark Wall, Liam Quaide.

13. In page 7, to delete lines 6 to 43, and in page 8, to delete lines 1 and 2.

—Louise O'Reilly, Mark Wall, Liam Quaide.

SECTION 6

14. In page 8, line 10, to delete "living together".

—Ruth Coppinger, Paul Murphy.

15. In page 8, to delete lines 12 to 14.

—Ruth Coppinger, Paul Murphy.

16. In page 8, line 14, to delete "for a period of 5 years or more" and substitute "for a period of 3 years or more".

—Liam Quaide.

17. In page 8, line 20, to delete "not more than 2 years".

—Louise O'Reilly, Mark Wall, Liam Quaide.

18. In page 8, to delete lines 34 to 37.

—Louise O'Reilly, Mark Wall, Liam Quaide.

19. In page 9, to delete lines 32 to 37.

—Louise O'Reilly, Mark Wall, Liam Quaide.

SECTION 8

20. In page 10, between lines 35 and 36, to insert the following:

"(5) A person who, having ceased to be entitled to a pension by virtue of that person's marriage or remarriage, his or her entry into a civil partnership or a new civil partnership, or his or her becoming a qualified cohabitant or again becoming a qualified cohabitant shall, on again becoming a widow, widower, surviving civil partner, or surviving qualified cohabitant, be entitled to a pension at the rate

which would have been payable had the person not married, remarried, entered into a civil partnership or a new civil partnership, become a qualified cohabitant or again become a qualified cohabitant where the person—

(a) fails to satisfy the conditions set out in subsection (1), or

(b) on satisfying the conditions set out in subsection (1), is entitled to a pension at a rate below that which would have been payable had the person not married, or remarried, not entered into a civil partnership or a new civil partnership, or not become a qualified cohabitant or again become a qualified cohabitant.”.”.

—Louise O’Reilly, Mark Wall, Liam Quaide.

SECTION 9

21. In page 11, to delete lines 1 to 31.

—Louise O’Reilly, Mark Wall, Liam Quaide.

22. In page 11, to delete lines 32 to 36.

—Louise O’Reilly, Mark Wall, Liam Quaide.

SECTION 11

23. In page 12, line 32, to delete “*Social Welfare (Bereaved Partner’s Pension) Act 2025*” and substitute “*Social Welfare (Bereaved Partner’s Pension and Miscellaneous Provisions) Act 2025*”.

—An tAire Coimirce Sóisialaí.

SECTION 13

24. In page 14, lines 24 and 25, to delete “*Social Welfare (Bereaved Partner’s Pension) Act 2025*” and substitute “*Social Welfare (Bereaved Partner’s Pension and Miscellaneous Provisions) Act 2025*”.

—An tAire Coimirce Sóisialaí.

NEW SECTION

25. In page 20, after line 17, to insert the following:

“PART 3

MISCELLANEOUS AMENDMENTS TO PRINCIPAL ACT AND FAMILY COURTS ACT 2024

Invalidity Pension

19. The Principal Act is amended—

(a) in section 113A—

(i) in subsection (1) by the insertion of “, and subject to subsection (1A),” after “under this Chapter”, and

(ii) by the insertion of the following subsection after subsection (1):

"(1A) In the case of a person who, on the date of passing of the *Social Welfare (Bereaved Partner's Pension and Miscellaneous Provisions) Act 2025*, has attained pensionable age and is in receipt of a payment under Chapter 17 of this Part, the following shall apply on and after that date:

(a) invalidity pension shall cease to be payable, and

(b) State pension (contributory) shall be payable in accordance with this section.",

(b) in section 118, by the substitution of the following subsection for subsection (1):

"(1) Subject to this Act, a person shall be entitled to invalidity pension where he or she—

(a) is under pensionable age,

(b) is permanently incapable of working in insurable employment or insurable self-employment, and the reason for which incapacity is as a direct result of the person concerned being incapable of work and for no other reason,

(c) would be available to work in insurable employment or insurable self-employment were it not for this incapacity, and

(d) satisfies the contribution conditions in section 119.",

(c) in section 122, by the deletion of subsection (5),

and

(d) in Part 1 of Schedule 2, by the substitution of the following reference for reference 4:

"

Invalidity Pension:	249.50	178.30	50.00	62.00	22.00	-	20.00
additional increase where a qualified adult has attained pensionable age before 2 January 2014	-	81.10	-	-	-	-	-

"."

—An tAire Coimirce Sóisialaí.

[NEW SECTION]

26. In page 20, after line 17, to insert the following:

"Attendance at, and participation in, questioning of detained person by relevant officers during interview by member of An Garda Síochána

20. The Principal Act is amended by the insertion of the following section after section 250B:

"250C. (1) Where a member of An Garda Síochána arrests, whether in a Garda Síochána station or elsewhere, a person whom he or she, with reasonable cause, suspects of committing or of having committed an offence under section 262A and the person has been taken to and detained in a Garda Síochána station, or if the person is arrested in a Garda Síochána station, has been detained pursuant to section 4 of the Act of 1984, a relevant officer or officers (but not more than 2 such officers) may, if and for so long as the officer or officers is, or are, accompanied by a member of An Garda Síochána, attend at, and participate in, the questioning of a person so detained in connection with the investigation of the offence, but only if the member of An Garda Síochána requests the relevant officer or officers to do so and the member is satisfied that the attendance at, and participation in, such questioning of the relevant officer or officers is necessary for the proper investigation of the offence concerned.

(2) A relevant officer who attends at, and participates in, the questioning of a person in accordance with subsection (1) may not commit any act or make any omission which, if committed or made by a member of An Garda Síochána, would be a contravention of any regulation made under section 7 of the Act of 1984.

(3) An act committed, or omission made, by a relevant officer who attends at, and participates in, the questioning of a person in accordance with subsection (1) which, if committed or made by a member of An Garda Síochána, would be a contravention of any regulation made under section 7 of the Act of 1984 shall not of itself render the relevant officer liable to any criminal or civil proceedings or of itself affect the lawfulness of the custody of the detained person or the admissibility in evidence of any statement made by him or her.

(4) Where a person is before a court charged with an offence under section 262A, a copy of any recording of the questioning of the person by a member of An Garda Síochána or relevant officer while he or she was detained in a Garda Síochána station, or such questioning elsewhere, in connection with the investigation of the offence shall be given to the person or his or her legal representative only if the court so directs and subject to such conditions (if any) as the court may specify.

(5) A recording referred to in subsection (4) of the questioning of a person shall not be given to the person by An Garda Síochána except in

accordance with a direction or order of a court made under that subsection or otherwise.

(6) A court may admit in evidence at the trial of a person in respect of an offence under section 262A—

(a) a recording by electronic or similar means, or

(b) a transcript of such a recording,

or both, of the questioning of the person by a member of An Garda Síochána or relevant officer at a Garda Síochána station or elsewhere in connection with the investigation of the offence.

(7) Any statement made by the person concerned that is recorded in a recording which is admitted in evidence under subsection (6) may be admissible in evidence at the trial concerned notwithstanding the fact that—

(a) it was not taken down in writing at the time it was made, or

(b) that statement is not in writing and signed by the person who made it,

or both.

(8) Subsections (6) and (7) shall not affect the admissibility in evidence at the trial of a person in respect of an offence of any statement that is recorded in writing made by the person during questioning by a member of An Garda Síochána or relevant officer at a Garda Síochána station or elsewhere in connection with the investigation of the offence (whether or not that statement is signed by the person) and irrespective of whether the making of that statement is recorded by electronic or similar means.

(9) In this section—

'Act of 1984' means the Criminal Justice Act 1984;

'recording' means a recording on tape of—

(a) an oral communication, statement or utterance, or

(b) a series of visual images which, when reproduced on tape, appear as a moving picture,

or both;

'relevant officer' means—

(a) a social welfare inspector, or

(b) an authorised officer within the meaning of section 250A;

'tape' includes—

(a) a disc, magnetic tape, soundtrack or other device in which sounds

or signals may be embodied for the purpose of being reproduced (with or without the aid of some other instrument) in audible form, and

(b) a film, disc, magnetic tape or other device in which visual images may be embodied for the purpose of being reproduced (with or without the aid of some other instrument) in visual form.".".

—An tAire Coimirce Sóisialaí.

27. In page 20, after line 17, to insert the following:

"Amendment of Family Courts Act 2024

21. Schedule 2 to the Family Courts Act 2024 is amended, in item 6—

(a) insofar as it relates to the amendment of section 142A(4)(d)(ii)(I)(A) of the Principal Act, by the substitution of "Part III of the Child Care Act 1991, or" for "Part III of the Child Care Act 1991, and", and

(b) insofar as it relates to the amendment of section 197(3)(b)(ii)(I)(A) of the Principal Act, by the substitution of "Part III of the Child Care Act 1991, or" for "Part III of the Child Care Act 1991, and".".

—An tAire Coimirce Sóisialaí.

28. In page 20, after line 17, to insert the following:

"Review of the provisions of this Act

19. The Minister shall, not later than 12 months after the commencement of this Act, carry out a review of the operation of this Act.".

—Ruth Coppinger, Paul Murphy.

29. In page 20, after line 17, to insert the following:

"Report

19. The Minister shall, not later than 3 months after the passing of this Act, make a report in writing to each House of the Oireachtas on the estimated number of persons affected and the estimated savings to the Exchequer achieved by the provisions of *section 4* and *8* to the effect that an entitlement to a pension under this Act can arise no earlier than 22 January 2024.".

—Mark Wall.

TITLE

30. In page 3, line 6, after "1997" to insert ", to amend the Family Courts Act 2024".

—An tAire Coimirce Sóisialaí.