



**An Bille um Leas Sóisialach, um Chlárú Sibhialta agus
um Charthanais (Leasú), 2026**
**Social Welfare, Civil Registration And Charities
(Amendment) Bill 2026**

Meabhrán Mínitheach
Explanatory Memorandum



**AN BILLE UM LEAS SÓISIALACH, UM CHLÁRÚ SIBHIALTA
AGUS UM CHARTHANAIS (LEASÚ), 2026
SOCIAL WELFARE, CIVIL REGISTRATION AND
CHARITIES (AMENDMENT) BILL 2026**

EXPLANATORY MEMORANDUM

Introduction

Main Provisions

This Bill amends the Social Welfare Consolidation Act 2005, the Civil Registration Act 2004, and the Charities Act 2009, and provides for related matters.

The Bill contains 26 sections in 4 Parts.

Part 1: Preliminary and General

Short title, construction, collective citation and commencement

Section 1 provides for the short title, construction, collective citation and commencement.

Definitions

Section 2 provides for the definitions used in the Act.

Repeal

Section 3 provides for the repeal of Section 14 of the Civil Registration (Electronic Registration) Act 2024, which required deaths occurring within the State to be notified to an tArd-Chláraitheoir within 5 working days of a death occurring. This section shall come into effect following the commencement of Section 21.

Part 2: Amendments to the Social Welfare Consolidation Act 2005

Pre-retirement allowance (repeal and consequential amendments)

Section 4 provides for the repeal of pre-retirement allowance and removes references to the scheme in the Principal Act. This scheme has been closed to new applicants since 2007 and there are no customers in receipt of this payment.

Amendments to sections 64 and 227 of, and Schedule 1 to, Principal Act (update of references to tax regulations)

Section 5 provides for an update of references to tax regulations in the Principal Act.

Amendment of section 68 of Principal Act

Section 6 provides for the abolition of the provision whereby a person may be disqualified from receipt of jobseeker's benefit for a certain period and in certain circumstances when they receive a redundancy payment.

References to bereaved partner's pension

Section 7 provides for a number of technical amendments to the name of schemes consequent to the Social Welfare (Bereaved Partner's Pension and Miscellaneous Provisions) Act 2025.

Amendment of section 263 of Principal Act

Section 8 provides for amendments to Section 263, to allow a Public Services Cardholder, at their request, to inscribe their date of birth on the Public Services Card, to enable the Public Services Card to be used as a means of verifying age. The cardholder may also request the removal of the date of birth from the Public Services Card.

In addition, it allows a cardholder to offer the Public Services Card, at their own discretion, as a form of identity for a purpose that is not necessarily a transaction with a specified body (i.e. a public sector body specified in Schedule 5 of the Act).

Finally, it clarifies that the Public Services Card remains the property of the Minister for Social Protection at all times and that the card is non-transferrable.

Amendment of section 300A of Principal Act

Section 9 amends the provisions of Section 300A, which provides a statutory basis for deciding officers to seek a medical assessor's opinion in determining entitlement to certain benefits. This amendment clarifies that appeals officers and the Chief Appeals Officer may seek the opinion of a medical assessor when deciding questions related to their relevant statutory duties.

Affirmation, revision, annulment and remittal by Chief Appeals Officer of decision of appeals officer

Section 10 provides that the Chief Appeals Officer may remit a decision back to an appeals officer for their consideration, in circumstances where remittal will resolve the matter faster overall.

Appeals to High Court

Section 11 provides for the allowance of an appeal to the High Court on a point of law from any decision of the Chief Appeals Officer, whether revised or unrevised.

Part 3: Amendment of the Civil Registration Act 2004

Definition (Part 3)

Section 12 provides for the definition used in Part 3.

Amendment of section 13 of Act of 2004

Section 13 provides for the inclusion of the "register of lived identity", as one of the registers to be maintained by an tArd-Chláraitheoir.

Amendment of section 22 of the Act of 2004

Section 14 provides that the Child and Family Agency (Tusla) can register or re-register the birth of a child with the father's details on foot of a court order naming him as the father of the child.

Amendment of section 23A of the Act of 2004

Section 15 provides for the re-registration of a birth to include the name of a father where the Child and Family Agency (Tusla) is the qualified informant, and where that agency has been granted a court order naming the father of a child under Section 35 of the Status of Children Act 1987.

Amendment of section 30F of Act of 2004

Section 16 amends Section 30F to replace the word “register” with “register of lived identity”.

Error in relevant entry

Section 17 provides for the substitution of Section 30H ‘Correction, cancellation or registration of entries in the register of births’ with a new section, ‘Error in relevant entry’.

Register of lived identity

Section 18 provides for the substitution of Section 30I “Register under Part 3B” with a new section “Register of lived identity”.

Amendment of section 30J of the Act of 2004

Section 19 amends Section 30J, which provides that an tArd-Chláraitheoir maintains an index to the “register of lived identity” and sets out who may apply for a search of the register and the index. This amendment allows a person who has been nominated by the affected person or a member of the public to make an application to an tArd-Chláraitheoir, where the person affected by the illegal birth registration gives their permission in writing.

Amendment of section 30K of the Act of 2004

Section 20 provides for the public inspection of information on the index linking the register of births and “the register of lived identity” where the affected person to whom the information pertains has given their consent to an tArd-Chláraitheoir to make the entry publicly available.

Notification of death and medical certification of cause of death

Section 21 provides that a medical practitioner who attended a deceased person outside of a hospital or other institution, may authorise a person to perform the medical practitioner’s duty to notify the particulars of a death to an tArd-Chláraitheoir.

Amendment of section 61 of the Act of 2004

Section 22 provides for the substitution in Section 61(3) of “register of lived identity” for “register under Part 3B”.

Amendment of section 64 of the Act of 2004

Section 23 allows an tArd-Chláraitheoir to correct a factual or clerical error in an online registration where that error has been notified to an tArd-Chláraitheoir by any person including the staff of an tArd-Chláraitheoir.

Amendment of section 73 of the Act of 2004

Section 24 updates the provisions for Vital Statistics in section 73 to align with the current practices in relation to the compilation, abstraction and publication of vital statistics, which is now primarily conducted by the Central Statistics Office.

Amendment of First Schedule to the Act of 2004

Section 25 provides that the required particulars of a birth and stillbirth can be registered online.

Part 4: Amendments to the Charities Act 2009

Amendment of Charities Act 2009

Section 26 amends Section 33 with revised definitions for relevant Minister, relevant body and relevant regulator.

In addition, it amends Section 77, setting the quorum of the Charity Appeals Tribunal at three members, including the chairperson.

The amendments also provide for the nomination of a deputy chairperson to chair a hearing of the Tribunal in the absence of the appointed chairperson.

Finally, it provides that witnesses before the Tribunal will have an immunity from disclosing information or providing evidence about a certain subject.

*An Roinn Coimirce Sóisialaí,
Meán Fómhair, 2026.*

