



Clerk of the Committee
Committee on Social Protection, Community and Rural Development and the Islands
Leinster House
Dublin 2

13 February 2024

Re: Subsidiary employment with respect to Jobseeker's Benefit

For the attention of the Committee,

I am writing to the Committee to respond to the request for details of the treatment of subsidiary employment with respect to Jobseeker's Benefit, arising from questions raised at the Committee meeting of 31 January 2024. The discussion arose in the context of small-scale farming in addition to a person's usual employment.

A person may qualify for Jobseeker's Benefit where they have sustained a substantial loss in their employment. The benefit is payable in respect of any day of unemployment as set out in section 62(1), Chapter 12 of the Social Welfare Consolidation Act 2005 (as amended) where they meet the conditions of the scheme.

A day is not normally treated as a day of unemployment if the person is engaged in an occupation from which they derive any remuneration or profit.

Section 62(9) of the Act specifically provides for Regulations which provide for the days which are not to be treated as days of unemployment. This sets out the circumstances where it is possible for a person to be engaged in employment on a given day and still satisfy the unemployment condition for that day.

In this context, the Regulations provide that a person may be eligible for Jobseeker's Benefit if they are in an occupation which could ordinarily have been followed by the person in addition to their usual employment and outside the ordinary working hours of that employment and the total remuneration or profit from any days of such occupation does not exceed €7,500 on an annual basis, or, €144 on a weekly basis. Alternatively, where they have at least 117 employment contributions paid from employment at class A or H, in respect of the period of 3 years immediately preceding that day, or in respect of the last 3 complete contribution years immediately preceding that day, then no earnings limit is applicable.

This is referred to as subsidiary employment and could include occupations such as small-scale farming where these conditions are met.

If a person is engaged in farming and where they may not have an entitlement to Jobseeker's Benefit, or if they exhaust their benefit entitlement, they may qualify for the means-tested Farm Assist scheme subject to satisfying the normal conditions for the payment.

I trust this clarifies the matter for the Committee.

Yours sincerely

Jackie Harrington
Principal