

**Changes to Legislation:** as of 14 June 2024, there are changes to this Act which have not been implemented by the Revised Acts editorial team, see highlighted entries [here](#). Note that some amendments may not be in force until commenced by a commencement order or other provision.



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S.I. No. 412 of 2007

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**SOCIAL WELFARE (CONSOLIDATED SUPPLEMENTARY WELFARE ALLOWANCE)  
REGULATIONS 2007**

**REVISED**

**Updated to 24 March 2023**

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This Revised Statutory Instrument is an administrative consolidation of the *Social Welfare (Consolidated Supplementary Welfare Allowance) Regulations 2007*. It is prepared by the Law Reform Commission in accordance with its function under the *Law Reform Commission Act 1975* (3/1975) to keep the law under review and to undertake revision and consolidation of statute law.

All Acts up to and including *Environmental Protection Agency (Emergency Electricity Generation) (Amendment) Act 2023* (6/2023), enacted 10 March 2023, and all statutory instruments up to and including the *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Calculation of Means) Regulations 2023* (S.I. No. 161 of 2023), made 24 March 2023, were considered in the preparation of this Revised Statutory Instrument.

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S.I. No. 412 of 2007

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**SOCIAL WELFARE (CONSOLIDATED SUPPLEMENTARY WELFARE ALLOWANCE)  
REGULATIONS 2007**

**REVISED**

**Updated to 24 March 2023**

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*Notice of the making of this Statutory Instrument was  
published in "Iris Oifigiúil" of 10th July, 2007.*

The Minister for Social and Family Affairs, in exercise of the powers conferred on him by sections 4, 188, 190, 191, 194, 195, 198, 241, 242, 244, 251, 294, 295, 312 and 330, Rules 1(2), 1(2)(b)(iv) and 1(5)(a) of Part 4, and reference 19 of Table 2 of Schedule 3 to the [Social Welfare Consolidation Act 2005](#) (No. 26 of 2005), hereby makes the following Regulations:

**PART 1**

**PRELIMINARY**

**Citation.** 1. These Regulations may be cited as the Social Welfare (Consolidated Supplementary Welfare Allowance) Regulations 2007.

**Commencement.** 2. These Regulations come into operation on 2 July 2007.

**Definitions.** 3. In these Regulations, save where the context otherwise requires—

“bank” means the holder of a licence under [section 9](#) of the [Central Bank Act 1971](#), or a trustee savings bank certified under the [Trustee Savings Banks Act 1989](#);

“beneficiary” means a person who is entitled to supplementary welfare allowance;

“building society” means a building society within the meaning of the [Building Societies Act 1989](#);

“claimant” means a person who has made a claim for supplementary welfare allowance;

F1[“couple” means—

(a) a married couple who are living together,

(b) both civil partners of the same civil partnership who are living together, or

(c) both cohabitants;]

“credit union” means a society which is—

(a) registered as a credit union under the Industrial and Provident Societies Acts 1893 to 1978, by virtue of the [Credit Union Act 1997](#), or

(b) registered under the Industrial and Provident Societies Acts (Northern Ireland) 1969 and 1976 of the British Parliament;

“Executive” means the Health Service Executive;

F2[“home” means a residential premises situated in the State which is owned and personally used and enjoyed by the person as his or her sole or main residence;]

“hospital consultant” means a registered medical practitioner in hospital practice who, by reason of his or her training, skill and experience in a designated speciality, is consulted by other registered medical practitioners and undertakes full clinical responsibility for patients in his or her care on which he or she has been consulted, without supervision in professional matters by any other person;

“housing authority” has the meaning assigned to it by [section 23 of the Housing \(Miscellaneous Provisions\) Act 1992](#) (No. 18 of 1992);

F2[“immediate family member” means for the purposes of these Regulations:

(a) a spouse, civil partner, or cohabitant,

(b) a child, son-in-law or daughter-in-law,

(c) a parent, step-parent, mother-in-law or father-in-law,

(d) a brother, sister, step-brother, step-sister, brother-in-law or sister-in-law,

(e) a grandparent or grandchild,

(f) an aunt or uncle, or

(g) a nephew or niece;]

F3[“institution” has the meaning assigned to it by [section 187](#);]

“loan” means any loan or advance or any other arrangement by virtue of which interest is paid or payable to a bank, building society, credit union, housing authority or the Housing Finance Agency plc;

“Minister” means the Minister for Social and Family Affairs;

F3[“mortgage interest” has the meaning assigned to it by [section 187](#);]

F4[“qualified adult” has the meaning assigned to it in [section 187](#);]

F5[“qualified child” has, subject to [article 15\(5\)](#), the meaning assigned to it in [section 188\(1\)](#);]

“qualified dietitian” means a member of, or a person who holds a qualification that is recognised by, the Irish Nutrition and Dietetic Institute;

“refusal”, for the purposes of [paragraph \(f\) of article 9\(2\)](#), includes a failure to accept within such time limit or in such manner as is specified by the relevant housing authority or other approved body for acceptance;

“registered medical practitioner” means a person whose name is entered on the General Register of Medical Practitioners established under [section 26 of the Medical Practitioners Act 1978](#) (No. 4 of 1978);

“rent” includes any periodical payment in the nature of rent made in return for a special possession of a dwelling or for the use, occupation or enjoyment of a dwelling, but does not include so much of any rent or payment as—

(a) relates to the provision of goods or services,

(b) is paid or made to defray the cost of maintenance of, or repairs to, a dwelling for which in the absence of agreement to the contrary the tenant would be liable, or

(c) relates to any right or benefit other than the bare right to use, occupy and enjoy the dwelling as a residence;

“residence” means a residential premises, other than an institution, that is used as the sole or main residence of the claimant;

“residential premises” means a building or part of a building, used or suitable for use, as a dwelling and any land which the occupier of a building or part of a building used as a dwelling has for his or her own occupation and enjoyment with the said building or part thereof as its garden;

F2[“residential premises” means a building or part of a building used as a dwelling;]

“supplement” means a supplement payable by virtue of *article 9, 10, 15, or 38*, as the case may be;

F4[“spouse” has the meaning assigned to it in section 3(10);]

“supplementary welfare allowance” means an allowance in cash or in kind granted under Chapter 9 of Part 3 of the Principal Act;

“tenant” means a person for the time being entitled to the occupation of any residential premises by virtue of any contract, agreement or license under or in respect of which rent is paid;

“the Principal Act” means the *Social Welfare Consolidation Act 2005* (No. 26 of 2005).

#### Annotations

##### Amendments:

- F1** Inserted (1.01.2012) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 5) (Rent Supplement) Regulations 2011* (S.I. No. 729 of 2011), art. 4, in effect as per art. 3.
- F2** Inserted (12.07.2022) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Calculation of Means) Regulations 2022* (S.I. No. 396 of 2022), art. 2(1)(a).
- F3** Substituted (30.11.2012) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Miscellaneous Amendments) Regulations 2012* (S.I. No. 478 of 2012), art. 3.
- F4** Inserted (21.11.2011) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 4) (Civil Partnership) Regulations 2011* (S.I. No. 603 of 2011), art. 3.
- F5** Inserted (1.01.2015) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 5) (Rent Supplement) Regulations 2014* (S.I. No. 604 of 2014), art. 4, in effect as per art. 3.

##### Modifications (not altering text):

- C1** References to “Minister for Social and Family Affairs” construed (21.10.2020) as references to the Minister for Social Protection by *Employment Affairs and Social Protection (Alteration of Name of Department and Title of Minister) Order 2020* (S.I. No. 447 of 2020), arts. 2 to 4, in effect as per art. 1(2). Intervening titles of minister dealt with in E-Notes below.

2. The name of the Department of State, the present name of which is, in the Irish language, an Roinn Gnóthaí Fostaíochta agus Coimirce Sóisialaí and, in the English language, the Department of Employment Affairs and Social Protection, is altered, in the Irish language, to that of an Roinn Coimirce Sóisialaí and, in the English language, to that of the Department of Social Protection.

3. The title of the Minister having charge of the Department of State, whose present title is, in the Irish language, an tAire Gnóthaí Fostaíochta agus Coimirce Sóisialaí and, in the English language, the Minister for Employment Affairs and Social Protection, is altered, in the Irish language, to that of an tAire Coimirce Sóisialaí and, in the English language, to that of the Minister for Social Protection.

4. In any enactment or any instrument made under an enactment—

(a) references to the Department of Employment Affairs and Social Protection shall be construed as references to the Department of Social Protection;

(b) references to the Minister for Employment Affairs and Social Protection shall be construed as references to the Minister for Social Protection.

**Editorial Notes:**

- E1** Previous affecting provision: provision made (12.07.2022) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Calculation of Means) Regulations 2022* (S.I. No. 396 of 2022), art. 2(2) that amendments to this article made on that same date should cease to have effect on 17 March 2023, or such other date as specified by the Minister after consultation with the Minister for Public Expenditure and Reform; revoked (24.03.2023) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Calculation of Means) Regulations 2023* (S.I. No. 161 of 2023), art. 2(2).
- E2** Previous affecting provision: references to “Minister for Social and Family Affairs” construed (2.09.2017) as references to, respectively, the Department of Employment Affairs and Social Protection and the Minister for Employment Affairs and Social Protection by *Social Protection (Alteration of Name of Department and Title of Minister) Order 2017* (S.I. No. 366 of 2017), arts. 2 to 4, in effect as per art. 1(2); altered (21.10.2020) as per F-Note above.
- E3** Previous affecting provision: references to “Minister for Social and Family Affairs” construed (2.05.2010) as references to, respectively, the Department of Social Protection and the Minister for Social Protection by *Social Protection (Alteration of Name of Department and Title of Minister) Order 2017* (S.I. No. 186 of 2010), arts. 2 to 4, in effect as per art. 1(2); altered (2.09.2017) as per E-Note above.

**Interpretation.**

**4.** In these Regulations, save where the context otherwise requires—

(a) a reference to a Part, Chapter or section, is to a Part, Chapter or section of the Principal Act,

(b) a reference to a Schedule is to a Schedule to these Regulations,

(c) a reference to an article is to an article of these Regulations,

(d) a reference to a sub-article is to a sub-article of the article in which the reference occurs, and

(e) a reference to a paragraph is to a paragraph of the sub-article or article in which the reference occurs.

**Revocations.**

**5.** The Regulations specified in *column (2)* of *Schedule 4* to these Regulations are hereby repealed to the extent specified in *column (3)* of that Schedule.

## PART 2

### GENERAL PROVISIONS



**Persons in full-time work.**

6. (1) Section 191(1) shall not apply to a person on becoming engaged in remunerative full-time work until the expiration of a period of 30 days after the commencement of the engagement or the date on which the claimant first receives remuneration, whichever is the earlier.

F6[(2) A person shall not be disqualified for receiving supplementary welfare allowance while engaged in remunerative full-time work where that person is participating in—

(a) a scheme provided by the Minister and known as Community Employment, or

(b) a scheme administered by the Minister and known as—

(i) Back to Work Enterprise Allowance (Self-Employed),

(ii) Back to Work Allowance (Employees), or

(iii) Back to Work Short-Term Enterprise Allowance.]

(3) A person shall be regarded as being engaged in remunerative full-time work where he or she is so engaged for not less than 30 hours per week.

**Annotations****Amendments:**

F6 Substituted (30.11.2012) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Miscellaneous Amendments) Regulations 2012* (S.I. No. 478 of 2012), art. 4.

**Persons in full-time education.**

7. A person shall not be disqualified for receiving supplementary welfare allowance while attending a course of study within the meaning of section 148 where that person is participating in—

(a) a scheme administered by the Minister for Education and Science and known as the Vocational Training Opportunities Scheme,

F7[(b) a scheme administered by the Minister and known as Back to Education Allowance, or]

(c) such other course of education as the Minister may, from time to time, approve.

**Annotations****Amendments:**

F7 Substituted (30.11.2012) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Miscellaneous Amendments) Regulations 2012* (S.I. No. 478 of 2012), art. 5.

**Registration for employment.**

8. (1) The provisions of section 195(a) which enable F8[a designated person] to determine that a person shall not be entitled to supplementary welfare allowance unless he or she is registered for employment shall not apply to a person who satisfies F8[a designated person] that he or she is incapable of work by reason of some specific disease or physical or mental disability.

(2) Where F8[a designated person] determines under section 195(a) that the entitlement of any person to supplementary welfare allowance shall be subject to the condition that he or she is registered for employment he or she shall be required to prove unemployment in accordance with Regulations made under section 141(1)(b).

**Annotations****Amendments:**

- F8** Substituted (1.10.2011) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Administrative Responsibility for Supplementary Welfare Allowance) Regulations 2011* (S.I. No. 514 of 2011), art. 6 and sch. 1, in effect as per art. 3.

**F9**[Refusal to engage with activation measures — prescribed schemes, courses etc.]

**8A.** F10[(1) The following schemes and programmes of employment and work experience are prescribed for the purposes of section 195B—

- (a) the scheme provided by the Minister and known as Community Employment,
- (b) the scheme administered by the Minister and known as Youth Developmental Internship, and
- (c) such other scheme or programme of employment or work experience as may be approved by or on behalf of the Minister from time to time.]

(2) The following courses of training and development are prescribed for the purposes of section 195B—

- (a) a course of training or development provided by or on behalf of—
  - (i) An Foras Áiseanna Saothair, or
  - (ii) a body established by or under an enactment that provides for the dissolution of An Foras Áiseanna Saothair and confers on that body functions that are similar to the functions that, immediately before the day on which the body stands established, were vested in An Foras Áiseanna Saothair,
- (b) a course of training or development provided by or on behalf of—
  - (i) a vocational education committee, within the meaning of section 7 of the Vocational Education Act 1930, or
  - (ii) an education and training board specified in Schedule 2 to the Education and Training Boards Act 2013,
 or
- (c) such other course of training or development as may be approved by or on behalf of the Minister from time to time.

(3) The following courses of education are prescribed for the purposes of section 195B—

- (a) a course of education provided by or on behalf of—
  - (i) a vocational education committee, within the meaning of section 7 of the Vocational Education Act 1930, or
  - (ii) an education and training board specified in Schedule 2 to the Education and Training Boards Act 2013,
 or
- (b) such other course of education as may be approved by or on behalf of the Minister from time to time.]

**Annotations****Amendments:**

- F9** Inserted (15.07.2013) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Prescribed Activation Measures) Regulations 2013* (S.I. No. 258 of 2013), art. 2.
- F10** Substituted (6.10.2014) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 4) (Prescribed Employment Schemes) Regulations 2014* (S.I. No. 441 of 2014), art. 3, in effect as per art. 2.

**PART 3****RENT AND MORTGAGE SUPPLEMENTS****Entitlement to rent supplement.**

9. (1) F11[[Subject to Chapter 9 of Part 3 of the Principal Act and to these Regulations,](#)] a person shall be entitled to a supplement towards the amount of rent payable by him or her in respect of his or her residence.

(2) It shall be a condition of any claimant's entitlement to a supplement under *sub-article (1)* that—

(a) F12[...]

(b) F12[...]

(c) F13[...]

F14[(c) he or she has made application, on being so required by a designated person, to a housing authority for a social housing assessment within the meaning of section 20 of the Housing (Miscellaneous Provisions) Act 2009,]

(d) F13[...]

(e) he or she has not vacated accommodation provided by a housing authority or if he or she has vacated such accommodation F15[[a designated person](#)] is satisfied that he or she had good cause for so doing,

F16[(f) the claimant has not refused for a second time, within any continuous 12 month period commencing on or after 27 July 2009, an offer of accommodation provided by either a housing authority or a body approved by the Minister for the Environment, Heritage and Local Government for the purposes of section 6 of the Housing (Miscellaneous Provisions) Act 1992 (including accommodation provided under the scheme known as the Rental Accommodation Scheme) and, where such refusal has occurred, a supplement under *sub-article (1)* shall not be payable for a period of 12 months from the date of the refusal,]

(g) he or she is not in receipt of, or entitled to, an allowance in accordance with regulations made under [section 23 of the Housing \(Private Rented Dwellings\) Act 1982](#) (No. 6 of 1982),

(h) the person beneficially entitled to the rent payable under the tenancy is not—

(i) a housing authority,

(ii) the Executive,

- (iii) a body which provides services on behalf of, or similar or ancillary to, the Executive using residential care staff and which receives a subvention from the Minister for Health and Children in respect of the claimant, or
- (iv) a voluntary housing body which receives a subsidy under the scheme, known as the “F17[capital loan and subsidy scheme]”, administered by housing authorities under section 7 of the Housing (Miscellaneous Provisions) Act 1992,

F18[(i) a designated person is satisfied that—

- (i) the claimant is in need of accommodation and is unable to provide for it from his or her own resources,
- (ii) the residence is reasonably suited to the residential and other needs of the claimant, and
- (iii) the rent payable by the claimant is just and proper having regard to the nature, character and location of the residence,

and for this purpose, the appropriate maximum amount of rent in respect of which a supplement is payable F19[...] shall be—

- (I) the monthly amount set out in *Schedule 1* in respect of such class of claimant referred to in *columns (2) to (8)* of the said *Schedule*, and
- (II) the monthly amount as determined by the Minister in respect of any other class of claimant,

having regard to the circumstances and location of the residence of such claimant,

and]

- (j) where the person beneficially entitled to the rent payable under the tenancy is an approved body in receipt of assistance under the scheme of capital assistance for the provision of housing accommodation operated under section 6 of the Housing (Miscellaneous Provisions) Act 1992 and F20[section 12 of the Housing (Miscellaneous Provisions) Act 2009], F15[a designated person] receives confirmation from the relevant housing authority that the rent has been fixed in accordance with the terms of the scheme.

(3) A rent supplement shall not be payable where the amount of rent exceeds the appropriate maximum amount of rent as determined under *paragraph (i)* of *sub-article (2)*.

F21[(4) F22[...]]

#### Annotations

#### Amendments:

- F11** Substituted (15.09.2014) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Rent Supplement) Regulations 2014* (S.I. No. 411 of 2014), art. 4, in effect as per art. 3.
- F12** Revoked (9.09.2011) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) (Rent Supplement) Regulations 2011* (S.I. No. 462 of 2011), art. 5.
- F13** Deleted (30.11.2012) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Miscellaneous Amendments) Regulations 2012* (S.I. No. 478 of 2012), art. 6(a).

- F14** Inserted anew (23.04.2013) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Rent and Mortgage Supplement) Regulations 2013* (S.I. No. 139 of 2013), art. 4.
- F15** Substituted (1.10.2011) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Administrative Responsibility for Supplementary Welfare Allowance) Regulations 2011* (S.I. No. 514 of 2011), art. 6 and sch. 1, in effect as per art. 3.
- F16** Substituted (27.07.2009) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) (Rent Supplement) Regulations 2009* (S.I. No. 265 of 2009, art. 4, in effect as per art. 2.
- F17** Substituted (30.11.2012) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Miscellaneous Amendments) Regulations 2012* (S.I. No. 478 of 2012), art. 6(b).
- F18** Substituted (17.06.2013) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) (Rent Supplement) Regulations 2013* (S.I. No. 215 of 2013), art. 4, in effect as per art. 3.
- F19** Deleted (1.01.2015) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 5) (Rent Supplement) Regulations 2014* (S.I. No. 604 of 2014), art. 5(a), in effect as per art. 3.
- F20** Substituted (30.11.2012) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Miscellaneous Amendments) Regulations 2012* (S.I. No. 478 of 2012), art. 6(c).
- F21** Inserted (21.11.2011) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 4) (Civil Partnership) Regulations 2011* (S.I. No. 603 of 2011), art. 4.
- F22** Deleted (1.01.2012) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 5) (Rent Supplement) Regulations 2011* (S.I. No. 729 of 2011), art. 5(b), in effect as per art. 3.

**Modifications (not altering text):**

- C2** References in sub-arts. 2(f) and 2(j) construed (1.01.2022) as per *Housing (Regulation of Approved Housing Bodies) Act 2019 (47/2019)*, s. 68, S.I. No. 728 of 2021.

68. References in— ...

(b) any instrument made under an Act of the Oireachtas, other than this Act, before the coming into operation of this section, or

...

to—

(i) an approved housing body,

(ii) a housing body approved under section 6 of the Act of 1992,

(iii) an approved body or a body approved, under, or for the purposes of, section 6 of the Act of 1992, or

(iv) to a body approved of or standing approved of, under, or for the purposes of, section 6 of the Act of 1992,

as the case may be (howsoever described), shall, on and after the coming into operation of this section, unless the contrary intention appears, be construed as references to an approved housing body (within the meaning of this Act), save where other provision is made as respects the construction of the references in paragraphs (i) to (iv), as the case may be, by any Act of the Oireachtas (other than this Act) passed before that coming into operation.

**Editorial Notes:**

- E4** Previous affecting provision: sub-art (2)(c) inserted anew (21.12.2012) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) (Rent and Mortgage Supplement) Regulations 2012* (S.I. No. 568 of 2012), art. 3. These regulations of 2012 revoked (23.04.2013) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Rent and Mortgage Supplement) Regulations 2013* (S.I. No. 139 of 2013), art. 3(a) in circumstances where, as per the Explanatory Note therein, "the *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) (Rent and Mortgage Supplement) Regulations 2012* contained an error in the reference to the statutory powers that were used to make those Regulations".
- E5** Previous affecting provision: sub-art (2)(i)(iii) amended (1.01.2012) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 5) (Rent Supplement) Regulations 2011* (S.I. No. 729 of 2011), art. 5(a), in effect as per art. 3; substituted () as per F-Note above.
- E6** Previous affecting provision: sub-art (2)(b) amended (1.10.2011) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Administrative Responsibility for Supplementary Welfare Allowance) Regulations 2011* (S.I. No. 514 of 2011), art. 6 and sch. 1, in effect as per art. 3; same provision having already been deleted (9.09.2011) as per F-Note above.
- E7** Previous affecting provision: sub-art (2)(c) amended (1.10.2011) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Administrative Responsibility for Supplementary Welfare Allowance) Regulations 2011* (S.I. No. 514 of 2011), art. 6 and sch. 1, in effect as per art. 3; deleted (30.11.2012) as per E-Note above.
- E8** Previous affecting provision: sub-art. (2)(d) amended (1.10.2011) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Administrative Responsibility for Supplementary Welfare Allowance) Regulations 2011* (S.I. No. 514 of 2011), art. 6 and sch. 1, in effect as per art. 3; deleted (30.11.2012) as per F-Note above.
- E9** Previous affecting provision: sub-art. (2)(i) amended (1.10.2011) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Administrative Responsibility for Supplementary Welfare Allowance) Regulations 2011* (S.I. No. 514 of 2011), art. 6 and sch. 1, in effect as per art. 3; substituted (17.06.2013) as per F-Note above.
- E10** Previous affecting provision: paras. (a) and (b) of sub-art. (2) revoked (26.07.2011) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (Rent Supplement) Regulations 2011* (S.I. No. 393 of 2011), art. 4(1); revoked (9.09.2011) as per F-Note above by instrument in which it was indicated in the Explanatory Note that the earlier instrument had been "made incorrectly".
- E11** Previous affecting provision: sub-art. (2)(i) amended (16.06.2010) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (Rent Supplement) Regulations 2010* (S.I. No. 295 of 2010), art. 4, in effect as per art. 2; substituted (17.06.2013) as per F-Note above.
- E12** Previous affecting provision: sub-art. (2)(i) amended (1.06.2009) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (Rent Supplement) Regulations 2009* (S.I. No. 202 of 2009), art. 6, in effect as per art. 2; substituted (17.06.2013) as per F-Note above.
- E13** Previous affecting provision: sub-art. (2)(i) amended (11.08.2008) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (Maximum Rent Limits) Regulations 2008* (S.I. No. 334 of 2008), art. 3; substituted (1.06.2009) as per E-Note above.

**F23[Prescribed periods for purposes of section 198.**

**9A. (1)** For the purposes of section 198(3F), the prescribed period shall be the period of not less than 183 days during the 12 months immediately preceding the date of the making of the application.

**(2)** For the purposes of paragraph (a) of section 198(3FA), the specified period prescribed shall be the period of 12 months immediately preceding the date of the making of the application.

(3) For the purposes of paragraphs (b) and (c) of section 198(3FA), the prescribed period shall be the period of not less than 183 days during the 12 months immediately preceding the date of the making of the application.

(4) For the purposes of paragraph (a)(i) of section 198(3G), the prescribed period shall be the period of 18 months.]

**Annotations**

**Amendments:**

- F23** Substituted (15.09.2014) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Rent Supplement) Regulations 2014* (S.I. No. 411 of 2014), art. 5, in effect as per art. 3.

**Editorial Notes:**

- E14** Previous affecting provision: art. inserted (27.07.2009) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) (Rent Supplement) Regulations 2009* (S.I. No. 265 of 2009, art. 5, in effect as per art. 2; substituted (15.09.2014) as per F-Note above.

**F24**[Provision by  
landlord of tax  
reference  
number for rent  
supplement.

**9B.** For the purposes of sections 198(4A), 198(4B) and 198A(2), a landlord shall provide to F25[a designated person]—

(a) details of his or her tax reference number, or

(b) where that landlord does not have a tax reference number, notification to that effect and the reasons for which he or she does not have a tax reference number,

in respect of each tenancy for which a rent supplement referred to in section 198(3) is payable, in the form for the time being approved by the Minister or in such other manner as the Minister may accept as sufficient in the circumstances.]

**Annotations**

**Amendments:**

- F24** Substituted (9.09.2011) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) (Rent Supplement) Regulations 2011* (S.I. No. 462 of 2011), art. 4.

- F25** Substituted (30.11.2012) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Miscellaneous Amendments) Regulations 2012* (S.I. No. 478 of 2012), art. 7.

**Editorial Notes:**

- E15** Previous affecting provision: art. inserted (26.07.2011) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (Rent Supplement) Regulations 2011* (S.I. No. 393 of 2011), art. 3; substituted (9.09.2011) as per F-Note above.

- E16** Previous affecting provision: provision made (1.01.2011) in identical terms to art. 9B by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) (Rent Supplement) Regulations 2010* (S.I. No. 680 of 2010), art. 4, in effect as per art. 2; revoked (26.07.2011) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (Rent Supplement) Regulations 2011* (S.I. No. 393 of 2011), art. 4(2); revoked afresh (9.09.2011) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) (Rent Supplement) Regulations 2011* (S.I. No. 462 of 2011), art. 3(a).

F26[Entitlement to mortgage interest supplement.

10. (1) Subject to section 198 and to these Regulations, a person shall be entitled to a supplement towards the amount of mortgage interest payable by him or her in respect of his or her residence.

(2) Subject to *sub-article (3)*, it shall be a condition of any claimant's entitlement to a supplement under *sub-article (1)* that a designated person is satisfied that—

(a) the loan agreement was entered into at a time when the claimant was in a position to meet the repayments under that loan agreement,

(b) the amount of the mortgage interest payable by the claimant does not exceed such amount as a designated person considers reasonable to meet his or her residential and other needs, and

(c) it is reasonable to award a supplement having regard to the amount of any arrears outstanding on the loan.

(3) Notwithstanding *sub-article (2)*, a designated person may award a supplement where the amount of mortgage interest payable by the claimant exceeds such amount as a designated person considers reasonable to meet his or her residential and other needs, but a supplement awarded under this sub-article shall not be paid in respect of any period more than 12 months from the date on which that claim is made.]

**Annotations**

**Amendments:**

F26 Substituted (1.01.2014) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 6) (Mortgage Interest Supplement) Regulations 2013* (S.I. No. 513 of 2013), art. 3(a), in effect as per art. 2.

**Editorial Notes:**

E17 Previous affecting provision: sub-art (1)(b) substituted (23.04.2013) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Rent and Mortgage Supplement) Regulations 2013* (S.I. No. 139 of 2013), art. 5; substituted (1.01.2014) as per F-Note above.

E18 Previous affecting provision: sub-art (1)(b) substituted (21.12.2012) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) (Rent and Mortgage Supplement) Regulations 2012* (S.I. No. 568 of 2012), art. 4. These regulations of 2012 revoked (23.04.2013) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Rent and Mortgage Supplement) Regulations 2013* (S.I. No. 139 of 2013), art. 3(a) in circumstances where, as per the Explanatory Note therein, "the *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) (Rent and Mortgage Supplement) Regulations 2012* contained an error in the reference to the statutory powers that were used to make those Regulations".

E19 Previous affecting provision: art. amended (1.10.2011) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Administrative Responsibility for Supplementary Welfare Allowance) Regulations 2011* (S.I. No. 514 of 2011), art. 6 and sch. 1, in effect as per art. 3; substituted (1.01.2014) as per F-Note above.

F27[Duration of supplement.

11. (1) Subject to these Regulations, the payment of a supplement referred to in section 198(3), which is payable in accordance with *Part 3* of these Regulations towards the amount of rent payable by a person in respect of his or her residence, shall continue to be made for the period in which the beneficiary resides continuously in the residence in respect of which that supplement has been awarded.

(2) Subject to subsections (10) and (11) of section 198 and to these Regulations, the payment of a supplement referred to in section 198(5), which is payable immediately before 1 January 2014 in accordance with *Part 3* of these Regulations towards the amount of mortgage interest payable by a person in respect of his or her



residence, shall continue to be made on and after 1 January 2014 for the period in which that person resides continuously in the residence in respect of which that supplement has been awarded, but a supplement referred to in section 198(5) shall not be paid on or after 1 January 2018.

(3) In determining whether a person resides continuously in a residence for the purposes of *sub-articles (1) and (2)*, any period of absence from his or her residence by virtue of his or her temporary residence in an institution for any period which does not exceed 13 weeks shall be disregarded.]

#### Annotations

#### Amendments:

- F27** Substituted (1.01.2014) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 6) (Mortgage Interest Supplement) Regulations 2013* (S.I. No. 513 of 2013), art. 3(a), in effect as per art. 2.

**F28**[Amount of supplement.

**12.** (1) Subject to these Regulations, the amount of a supplement payable under *Part 3* of these Regulations in respect of a week—

- (a) to a claimant who is a single person, and who is not a person to whom *sub-article (2), (3) or (4)* applies, shall be determined by the following formula—

$$(N-A) - (M-R),$$

and

- (b) to a claimant who is not a single person, and who is not a person to whom *sub-article (2), (3) or (4)* applies, shall be determined by the following formula—

$$(N-B) - (M-R),$$

where—

N is the claimant's weekly needs, as provided for in section 196,

M is the claimant's weekly means, as provided for in section 196,

R is the weekly amount of rent or mortgage interest, as the case may be, payable by the claimant,

A is €30, and

B is €40.

(2) In the case of a person to whom section 142A(1) or section 197(2) applies, the amounts specified in *sub-article (1)* shall be construed—

- (a) as if "€10" were substituted for "€30" in the amount represented by A in the formula in *paragraph (a)* of that sub-article, and
- (b) as if "€20" were substituted for "€40" in the amount represented by B in the formula in *paragraph (b)* of that sub-article.

(3) In the case of a person to whom section 142B(1) or section 197(4) applies, the amounts specified in *sub-article (1)* shall be construed—

- (a) as if "€20" were substituted for "€30" in the amount represented by A in the formula in *paragraph (a)* of that sub-article, and

(b) as if "€30" were substituted for "€40" in the amount represented by B in the formula in *paragraph (b)* of that sub-article.

(4) In the case of a person participating in a scheme administered by the Minister and known as Back to Education Allowance who is in receipt of a payment on that scheme at the weekly rate of €160, the amounts specified in *sub-article (1)* shall be construed—

(a) as if "€20" were substituted for "€30" in the amount represented by A in the formula in *paragraph (a)* of that sub-article, and

(b) as if "€30" were substituted for "€40" in the amount represented by B in the formula in *paragraph (b)* of that sub-article.

(5) Where the weekly amount of a supplement determined in accordance with *sub-article (1), (2), (3) or (4)* is a negative amount, no supplement shall be paid.

(6) The amount of supplement payable referred to in *sub-article (1), (2), (3) or (4)* shall not exceed such amount as a designated person considers reasonable to meet the residential needs of the claimant.

(7) Where a person, other than a qualified adult or a qualified child of the claimant, resides with the claimant other than as a sub-tenant, a designated person shall reduce the amount of the supplement payable, by such amount, which in the opinion of a designated person, is reasonably attributable to that other person.

(8) In the case of a person to whom article 6(7) of the Social Welfare (Supplementary Welfare Allowance) Regulations 1977 to 1994 applied on commencement of the Social Welfare (Consolidated Supplementary Welfare Allowance) Regulations 1995 (S.I. No. 382 of 1995) *sub-article (1)* shall be construed—

(a) as if "€5.71" were substituted for "€30" in the amount represented by A in the formula in *paragraph (a)* of that sub-article, and

(b) as if "€5.71" were substituted for "€40" in the amount represented by B in the formula in *paragraph (b)* of that sub-article.]

#### Annotations

##### Amendments:

- F28** Substituted (2.01.2017) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) (Rent Supplement) Regulations 2016* (S.I. No. 669 of 2016), art. 3, in effect as per art. 2.

##### Editorial Notes:

- E20** Previous affecting provision: sub-arts. (1) and (4) substituted and sub-art. (1A) inserted (1.01.2014) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 5) (Rent and Mortgage Interest Supplement) Regulations 2013* (S.I. No. 516 of 2013), art. 3, in effect as per art. 2; substituted (2.01.2017) as per F-Note above.
- E21** Previous affecting provision: sub-arts. (1) and (4) substituted (1.01.2012) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 5) (Rent Supplement) Regulations 2011* (S.I. No. 729 of 2011), art. 6, in effect as per art. 3; substituted (1.01.2014) as per E-Note above.
- E22** Previous affecting provision: sub-arts. (2) and (3) amended (1.10.2011) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Administrative Responsibility for Supplementary Welfare Allowance) Regulations 2011* (S.I. No. 514 of 2011), art. 6 and sch. 1, in effect as per art. 3; substituted (2.01.2017) as per F-Note above.

- E23** Previous affecting provision: sub-art. (1) amended (1.06.2009) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (Rent Supplement) Regulations 2009* (S.I. No. 202 of 2009), art. 4, in effect as per art. 2; substituted (1.01.2014) as per E-Note above.
- E24** Previous affecting provision: sub-art. (1) amended (5.01.2009) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) Regulations 2008* (S.I. No. 603 of 2008), art. 3, in effect as per art. 2; substituted (1.06.2009) as per E-Note above.

**Amount of supplement in certain cases.**

**13.** In the case of a claimant whose tenancy is with an approved body which is in receipt of assistance under the scheme of capital assistance referred to in *article 9(2)(j)*, the maximum supplement payable under *Part 3* of these Regulations shall be—

F29[(a) €60.00, in any case where the claimant is a spouse, civil partner or cohabitant, and]

(b) €55.00, in any other case.

**Annotations**

**Amendments:**

- F29** Substituted (21.11.2011) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 4) (Civil Partnership) Regulations 2011* (S.I. No. 603 of 2011), art. 5.

**Modifications (not altering text):**

- C3** References to "an approved body" construed (1.01.2022) as per *Housing (Regulation of Approved Housing Bodies) Act 2019 (47/2019)*, s. 68, S.I. No. 728 of 2021..

**68.** References in—

...

(b) any instrument made under an Act of the Oireachtas, other than this Act, before the coming into operation of this section, or

...

to—

(i) an approved housing body,

(ii) a housing body approved under section 6 of the Act of 1992,

(iii) an approved body or a body approved, under, or for the purposes of, section 6 of the Act of 1992, or

(iv) to a body approved of or standing approved of, under, or for the purposes of, section 6 of the Act of 1992,

as the case may be (howsoever described), shall, on and after the coming into operation of this section, unless the contrary intention appears, be construed as references to an approved housing body (within the meaning of this Act), save where other provision is made as respects the construction of the references in paragraphs (i) to (iv), as the case may be, by any Act of the Oireachtas (other than this Act) passed before that coming into operation.

**Saver.**

**14.** F30[...]

**Annotations****Amendments:**

- F30** Deleted (1.01.2014) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 6) (Mortgage Interest Supplement) Regulations 2013* (S.I. No. 513 of 2013), art. 3(b), in effect as per art. 2.

**PART 4****DIET SUPPLEMENT****Entitlement to diet supplement.**

**15.** (1) Subject to these Regulations, a claimant shall be entitled to a supplement towards the cost of a diet, being a diet specified for the purposes of this article, which the claimant, or his or her qualified adult or qualified child has been prescribed by virtue of a specified medical condition.

(2) The following diets are specified for the purposes of this article—

- (a) low lactose, milk free diet,
- (b) gluten free diet,
- (c) high protein, high calorie diet,
- (d) altered consistency (liquidised) diet.

**F31**[(3) It shall be a condition of any claimant's entitlement to a supplement under *sub-article (1)* that—

- (a) it is certified by a registered medical practitioner, in his or her capacity as a hospital consultant or a hospital registrar, that the claimant or a qualified adult or any qualified child of his or hers has been prescribed a diet specified for the purposes of this article by virtue of a specified medical condition, or
- (b) it is specified by a registered medical practitioner that the claimant or a qualified adult or any qualified child (of or over the age of 18 years) of his or hers has been prescribed a diet specified for the purposes of *sub-article (2)(b)* by virtue of a specified medical condition,

and the nature and duration of the diet which has been prescribed is verified by the said medical practitioner or by a qualified dietician.]

(4) A supplement under *sub-article (1)* shall not be payable for any period during which the person, for whom the diet has been prescribed, is residing in an institution.

**F32**[(4A) An application for a supplement under *sub-article (1)* shall not be made on or after 1 February 2014.]

(5) In this Part, save where the context otherwise requires, a "qualified child" means in relation to any claimant, any child, not being a qualified adult who is dependent on that claimant for support and who is—

- (a) under the age of 18 years, or
- (b) of or over the age of 18 years and under the age of 22 years and is receiving full-time education within the meaning of article 14 of the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 (S.I. No. 142 of 2007).

**Annotations****Amendments:**

- F31** Substituted (1.02.2014) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Diet Supplement) Regulations 2014* (S.I. No. 36 of 2014), art. 4(a), in effect as per art. 2.
- F32** Inserted (1.02.2014) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Diet Supplement) Regulations 2014* (S.I. No. 36 of 2014), art. 4(b), in effect as per art. 2.

**Amount of supplement.**

**16.** (1) F33[**Subject to this article and *article 17*,**] the amount of weekly supplement payable, other than in respect of a qualified child, regarding a diet which is specified in *article 15(2)* shall be at the amount set out in *column (2)* opposite the specified diet shown in *column (1)* of *Schedule 2*, less,

(a) where the claimant is not in receipt of a supplement under *Part 3* of these Regulations—

F34[(i) **one sixth of the claimant's weekly means exclusive of any increase in any benefit or assistance payable under the Principal Act in respect of a qualified child (within the meaning of the Principal Act), in any case where the claimant is a spouse, civil partner or cohabitant,**]

(ii) one third of the claimant's weekly means exclusive of any increase in any benefit or assistance payable under the Principal Act in respect of a qualified child (within the meaning of the Principal Act), in any other case, or

(b) where the claimant is in receipt of a supplement under *Part 3* of these Regulations—

F34[(i) **one sixth of the weekly amount of supplementary welfare allowance set out in column (2) of Part 1 of Schedule 4 to the Principal Act, increased by the amount set out in column (3) of the said Part, in any case where the claimant is a spouse, civil partner or cohabitant,**]

(ii) one third of the weekly amount of supplementary welfare allowance set out in column (2) of Part 1 of Schedule 4 to the Principal Act, in any other case.

(2) In the case of a claim for a supplement under *Part 4* of these Regulations in respect of a qualified child, the amount of the supplement payable in respect of a week shall be—

(a) in the case of a diet which is specified in *paragraph (a)* of *article 15(2)*, €3.50,

(b) in the case of a diet specified in *paragraph (b)* of *article 15(2)*, €6.50,

(c) in the case of a diet specified in *paragraph (c)* of *article 15(2)*, €9.50, and

(d) in the case of a diet specified in *paragraph (d)* of *article 15(2)*, €13.00.

(3) F35[...]

**Annotations****Amendments:**

- F33** Substituted (1.02.2014) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Diet Supplement) Regulations 2014* (S.I. No. 36 of 2014), art. 5(a), in effect as per art. 2.
- F34** Substituted (21.11.2011) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 4) (Civil Partnership) Regulations 2011* (S.I. No. 603 of 2011), art. 6(a), (b).
- F35** Deleted (1.02.2014) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Diet Supplement) Regulations 2014* (S.I. No. 36 of 2014), art. 5(b), in effect as per art. 2.

**Editorial Notes:**

- E25** Previous affecting provision: sub-art. (3) amended (1.10.2011) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Administrative Responsibility for Supplementary Welfare Allowance) Regulations 2011* (S.I. No. 514 of 2011), art. 4(a), in effect as per art. 3; deleted (1.02.2014) as per F-Note above.

**F36** [Continuation of payment of supplement where entitlement commences before 1 February 2014.

**17.** (1) Subject to these Regulations, where a supplement towards the cost of a diet is payable immediately before 1 February 2014 in accordance with *Part 4* of these Regulations, the payment of that supplement shall continue to be made on and after 1 February 2014, subject to the provisions of this article.

(2) The payment of a supplement towards the cost of a diet, which continues to be made on and after 1 February 2014 in accordance with *sub-article (1)*, shall cease to be made—

(a) where the person for whom the diet had been prescribed—

(i) no longer satisfies the conditions specified in *sub-article (3) of article 15*,

(ii) is a person who—

(I) qualified for that supplement before 3 April 2006 by virtue of a special dietary requirement specified in article 15(2) of the Regulations of 1995, not being a special dietary requirement specified in *article 15(2)* of these Regulations,

(II) continued to receive that supplement on and after 3 April 2006 in accordance with article 16(3) of the Regulations of 1995 (inserted by article 4 of the *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (Diet Supplement) Regulations 2006* (S.I. No. 146 of 2006)) and further continued to receive that supplement on and after 2 July 2007 in accordance with *article 16(3)* of these Regulations, and

(III) is no longer certified as requiring the special dietary requirement referred to in *clause (I)* by a hospital consultant,

or

(iii) is residing in an institution,

and

(b) in the case of a supplement which is being paid in respect of the qualified child of a claimant, where that child ceases to be a qualified child within the meaning of *article 15(5)*.

(3) Where the payment of a supplement towards the cost of a diet continues to be made on and after 1 February 2014 in accordance with *sub-article (1)*, that supplement shall continue to be payable at the weekly rate payable immediately before 1 February 2014, provided that the claimant's weekly means (exclusive of any increase in any benefit or assistance payable under the Principal Act in respect of a qualified child) have not increased on or after 1 February 2014.

(4) Where the weekly means of a claimant to whom *sub-article (3)* applies (exclusive of any increase in any benefit or assistance payable under the Principal Act in respect of a qualified child) have increased on or after 1 February 2014, the amount of the weekly supplement payable in accordance with *sub-article (3)* shall be reduced by the amount of the increase in such weekly means and where the amount of such increase in weekly means exceeds the amount of the weekly supplement payable in accordance with *sub-article (3)*, no supplement shall be payable.

F37[(4A) Notwithstanding *sub-article (4)*, in the case of a claimant who is in receipt of a supplement under *Part 4* of these Regulations, any increase in the weekly rate of benefit or assistance payable to that claimant, as provided for—

(a) by the Social Welfare Act 2022, or

(b) by virtue of Regulations made, which commence on or after 28 December 2022 but before 6 January 2023, under the Principal Act, insofar as such Regulations relate to an increase in the weekly rate of benefit or assistance,

shall not have the effect of reducing the rate of supplement below that which was payable before the said increase occurs.]

(5) In this article "Regulations of 1995" means the Social Welfare (Consolidated Supplementary Welfare Allowance) Regulations 1995 (S.I. No. 382 of 1995).]

#### Annotations

##### Amendments:

**F36** Substituted (1.02.2014) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Diet Supplement) Regulations 2014* (S.I. No. 36 of 2014), art. 6, in effect as per art. 2.

**F37** Substituted (15.12.2022) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 5) (Diet Supplement) Regulations 2022* (S.I. No. 717 of 2022), art. 2.

##### Editorial Notes:

**E26** Previous affecting provision: sub-art. (4A) substituted (20.12.2021) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Diet Supplement) Regulations 2021* (S.I. No. 785 of 2021), art. 2; substituted (15.12.2022) as per F-Note above.

**E27** Previous affecting provision: sub-art. (4A) substituted (13.03.2019) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) (Diet Supplement) Regulations 2019* (S.I. No. 108 of 2019), art. 2; substituted (20.12.2021) as per E-Note above.

**E28** Previous affecting provision: sub-art. (4A) substituted (26.03.2018) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) (Diet Supplement) Regulations 2018* (S.I. No. 104 of 2018), art. 2; substituted (13.03.2019) as per E-Note above.

**E29** Previous affecting provision: sub-art. (4A) inserted (7.03.2017) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Diet Supplement) Regulations 2017* (S.I. No. 71 of 2017), art. 2; substituted (26.03.2018) as per E-Note above.

## CLAIMS AND PAYMENTS

**Claims.**

F38[18. Every claim for supplementary welfare allowance (including any increase thereof) shall be made to the Minister in the form for the time being approved by the Minister or in such other manner as the Minister may accept as sufficient in all the circumstances.]

**Annotations****Amendments:**

**F38** Substituted (1.10.2011) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Administrative Responsibility for Supplementary Welfare Allowance) Regulations 2011* (S.I. No. 514 of 2011), art. 4(b), in effect as per art. 3.

**Information to be given when making claim.**

19. Every claimant shall furnish such certificates, documents, information and evidence as may be required by F39[a designated person] for the purpose of deciding the claim and shall, for the purposes of making any such claim, attend at such time and at such office or place as F39[a designated person] may direct.

**Annotations****Amendments:**

**F39** Substituted (1.10.2011) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Administrative Responsibility for Supplementary Welfare Allowance) Regulations 2011* (S.I. No. 514 of 2011), art. 6 and sch. 1, in effect as per art. 3.

**Prescribed time for making claim.**

20. The prescribed time for making a claim for supplementary welfare allowance shall be the day in respect of which the claim is made.

**Claims made outside prescribed time.**

21. Subject to *article 22*, where a person fails to make a claim for supplementary welfare allowance within the prescribed time, he or she shall be disqualified for receiving payment in respect of any period before the date on which the claim is made.

**Extension of time for making claim.**

22. (1) F40[Subject to subsections (10) and (11) of section 198 and to *sub-article (2)*,] where a claimant proves to the satisfaction of F41[the Minister] that—

(a) on a date earlier than the date on which his or her claim for supplementary welfare allowance was made, apart from satisfying the condition of making a claim, he or she was entitled thereto, and

(b) throughout the period between the earlier date and the date on which his or her claim was made there was good cause for the delay in making such a claim,

he or she shall not be disqualified for receiving payment of the amount to which he or she would have been entitled if the claim had been made on the earlier date.

(2) A payment referred to in *sub-article (1)* shall not be paid to a claimant on account of supplementary welfare allowance in respect of any period more than 6 months before the date on which the claim (including any increase thereof) therefor is made.



**Annotations****Amendments:**

- F40** Substituted (1.01.2014) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 6) (Mortgage Interest Supplement) Regulations 2013* (S.I. No. 513 of 2013), art. 3(c), in effect as per art. 2.
- F41** Substituted (1.10.2011) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Administrative Responsibility for Supplementary Welfare Allowance) Regulations 2011* (S.I. No. 514 of 2011), art. 4(c), in effect as per art. 3.

**F42[Provision of information.]** **23.** (1) Every claimant or beneficiary and every person by whom any supplementary welfare allowance is receivable on behalf of a claimant or beneficiary shall—

- (a) furnish in such manner and at such times as an officer of the Minister may determine, such certificates, documents and information affecting the right to supplementary welfare allowance or to the receipt thereof as the said officer may require, and
- (b) notify the Minister of any change in circumstances which may affect the right to supplementary welfare allowance, or to the receipt thereof, as soon as is reasonably practicable thereafter.]

(2) The period prescribed for the purposes of section 251(10) shall, in the case of supplementary welfare allowance, be 7 days.

**Annotations****Amendments:**

- F42** Substituted (1.10.2011) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Administrative Responsibility for Supplementary Welfare Allowance) Regulations 2011* (S.I. No. 514 of 2011), art. 4(d), in effect as per art. 3.

**Administration of payment.** **24.** (1) F43[...]

(2) F44[...]

**Annotations****Amendments:**

- F43** Deleted (30.11.2012) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Miscellaneous Amendments) Regulations 2012* (S.I. No. 478 of 2012), art. 8.
- F44** Deleted (1.10.2011) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Administrative Responsibility for Supplementary Welfare Allowance) Regulations 2011* (S.I. No. 514 of 2011), art. 4(e), in effect as per art. 3.

**F45[Time and manner of payment.]**

**25.** (1) Where, in accordance with a decision under the Principal Act or regulations made under that Act, supplementary welfare allowance is payable to a claimant or beneficiary or to any other person authorised to receive payment of supplementary welfare allowance under the said Act or regulations (in this article referred to as the "authorised person"), that allowance shall be paid—

- (a) as soon as practicable after such determination is made, and

(b) in the manner provided for in this article.

(2) For the purposes of *sub-article (1)*, supplementary welfare allowance shall be paid—

(a) subject to *paragraph (b)*, by means of any one of the following methods as may be determined by the Minister in relation to any particular case or class of case:

(i) by cash payable at a post office designated by the claimant, beneficiary or authorised person, as the case may be, or where the Minister considers it appropriate, at a post office designated by the Minister;

(ii) by cheque;

(iii) by electronic funds transfer to an account nominated by the claimant, beneficiary or authorised person, as the case may be, and which is of a type determined by the Minister to be appropriate,

or

(b) where the circumstances so warrant, in such other manner as may be determined by the Minister to be appropriate.

(3) Where benefit is paid by electronic funds transfer in accordance with this article, the claimant, beneficiary or authorised person, as the case may be, shall be deemed to have received such payment.]

#### Annotations

##### Amendments:

**F45** Substituted (4.09.2015) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) (Manner of Payment) Regulations 2015* (S.I. No. 375 of 2015), art. 2.

##### Editorial Notes:

**E30** Previous affecting provision: art. substituted (1.10.2011) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Administrative Responsibility for Supplementary Welfare Allowance) Regulations 2011* (S.I. No. 514 of 2011), art. 4(f), in effect as per art. 3; substituted (4.09.2015) as per F-Note above.

**E31** Previous affecting provision: sub-art. (1)(a) amended (1.06.2009) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (Rent Supplement) Regulations 2009* (S.I. No. 202 of 2009), art. 5, in effect as per art. 2; substituted (1.10.2011) as per E-Note above.

#### Extinguishment of right to payment.

**26.** Where supplementary welfare allowance has been awarded to a claimant or beneficiary and is being paid to that person, the right to any sum payable by way of such allowance shall be extinguished where payment thereof is not obtained within 6 months.

#### Nominated persons.

**27.** (1) A claimant or beneficiary may nominate another person to receive payment of supplementary welfare allowance, in whole or in part, on his or her behalf and subject to the consent of F46[the Minister], such supplementary welfare allowance may be payable to the person so nominated.

(2) Every nomination under *sub-article (1)*—

(a) shall be made to F46[the Minister] in the form for the time being approved by F46[the Minister], and

(b) may be revoked by the claimant or beneficiary on giving notice in writing of that fact to F46[the Minister].

(3) F46[the Minister] may withdraw its consent to a nomination under *sub-article (1)*.

**Annotations**

**Amendments:**

**F46** Substituted (1.10.2011) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Administrative Responsibility for Supplementary Welfare Allowance) Regulations 2011* (S.I. No. 514 of 2011), art. 4(g), in effect as per art. 3.

**Persons unable to act.**

**28.** (1) Where a claimant or beneficiary is unable for the time being to act, F47[the Minister may, subject to such conditions as he or she thinks fit,] appoint some other person to exercise, on behalf of the claimant or beneficiary, any right or power which the claimant or beneficiary may be entitled to exercise under the Principal Act and any such person may receive and deal with any sum payable by way of supplementary welfare allowance on behalf of the claimant or beneficiary.

(2) An appointment made under *sub-article (1)* shall terminate on the day on which F48[the Minister] receives notice that a Committee of the Estate of the claimant or beneficiary has been appointed.

(3) Anything required to be done by a claimant or beneficiary in relation to supplementary welfare allowance may be done as respects a claimant or beneficiary who is unable to act, by the person appointed under *sub-article (1)* to act on his or her behalf.

**Annotations**

**Amendments:**

**F47** Substituted (1.10.2011) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Administrative Responsibility for Supplementary Welfare Allowance) Regulations 2011* (S.I. No. 514 of 2011), art. 4(h), in effect as per art. 3.

**F48** Substituted (1.10.2011) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Administrative Responsibility for Supplementary Welfare Allowance) Regulations 2011* (S.I. No. 514 of 2011), art. 4(i), in effect as per art. 3.

**Payment to appointed persons.**

**29.** F49[The Minister may, where it appears] that the circumstances so warrant, appoint a person to receive and deal with supplementary welfare allowance, on behalf of a claimant or beneficiary.

**Annotations**

**Amendments:**

**F49** Substituted (1.10.2011) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Administrative Responsibility for Supplementary Welfare Allowance) Regulations 2011* (S.I. No. 514 of 2011), art. 4(j), in effect as per art. 3.

**Payment to  
appointed person  
living together  
with applicant.**

**30.** F50[(1) Subject to *sub-article (2)*, in the case of a claimant or beneficiary who is entitled to receive an increase of supplementary welfare allowance in respect of a qualified adult, the Minister may, where he or she considers that the circumstances so warrant, appoint the qualified adult to receive and deal with on behalf of the claimant or beneficiary so much of the allowance as the Minister considers reasonable.]

(2) The amount referred to in *sub-article (1)*, to be received and dealt with as aforesaid, shall not exceed the total amount payable by virtue of section 197(b), together with—

(a) one-half of the allowance as is payable by virtue of sections 197 and 197(a), and

(b) the amount of supplement, if any, as is payable under *Parts 3* or *4* of these Regulations.

**Annotations****Amendments:**

**F50** Substituted (21.11.2011) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 4) (Civil Partnership) Regulations 2011* (S.I. No. 603 of 2011), art. 7.

**Editorial Notes:**

**E32** Previous affecting provision: sub-art. (1) amended (1.10.2011) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Administrative Responsibility for Supplementary Welfare Allowance) Regulations 2011* (S.I. No. 514 of 2011), art. 4(k), in effect as per art. 3; substituted (21.11.2011) as per F-Note above.

**Provisions  
relating to  
appointments.**

**31.** (1) F51[**The Minister**] may at any time revoke an appointment made under *article 28* or *29* and a person appointed may resign on giving to F51[**the Minister**] one month's notice of his or her intention to do so.

(2) The receipt of supplementary welfare allowance by a person nominated under *article 27* or appointed under *article 28* or *29* shall be a good discharge by F51[**the Minister**] of any amount so paid.

**Annotations****Amendments:**

**F51** Substituted (1.10.2011) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Administrative Responsibility for Supplementary Welfare Allowance) Regulations 2011* (S.I. No. 514 of 2011), art. 4(l), in effect as per art. 3.

**Offences.**

**32.** A person who fails to comply with *article 23* shall be guilty of an offence and shall be liable on summary conviction to the penalties provided for in section 257(a).

**PART 6**

## MISCELLANEOUS

**Annotations****Editorial Notes:**

E33

F52[Earnings disregard — certain supplementary welfare allowance supplements.]

**33.** In assessing the means of a person for the purposes of Rule 1(2)(b)(iv) of Part 4 of Schedule 3 to the Principal Act, the amount to be disregarded in respect of earnings received by that person from employment shall be the first €165.00 of such weekly earnings.]

**Annotations****Amendments:**

**F52** Substituted (4.01.2023 as regards disability allowance, 6.01.2023 as regards blind pension) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 6) (Earnings Disregard) Regulations 2022* (S.I. No. 723 of 2022), art. 3, in effect as per art. 2.

**Editorial Notes:**

**E34** Previous affecting provision: article amended (with retrospective effect from 2.06.2021 as regards disability allowance, 4.06.2021 as regards blind pension) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No.1) (Earnings Disregard) Regulations 2022* (S.I. No. 401 of 2022), art. 3, in effect as per art. 2; substituted (4.01.2023 and 6.01.2023) as per F-Note above.

**E35** Previous affecting provision: article substituted (31.12.2018) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No.1) (Earnings Disregard) Regulations 2019* (S.I. No. 41 of 2019), art. 3, in effect as per art. 2; substituted (4.01.2023 and 6.01.2023) as per F-Note above.

Prescribed age for the purposes of benefit and privilege.

**34.** The age prescribed for the purposes of Rule 1(5)(a) of Part 4 of Schedule 3 to the Principal Act shall be 25 years.

F53[Assessment of means — non-cash benefits.]

**35.** (1) The non-cash benefits prescribed for the purposes of Rule 1(2) of Part 4 of Schedule 3 to the Principal Act shall, where the costs of such benefits are met in full by the State, be the net cash value of housing, food and associated benefits provided in kind by the Department of Justice and Equality to—

(a) a person who, having been granted refugee status, subsidiary protection or permission to remain under the Refugee Act 1996 or the International Protection Act 2015, receives, on an administrative basis, housing, food and associated benefits equivalent to those provided under the European Communities (Reception Conditions) Regulations 2018 (S.I. No. 230 of 2018) after the date of such grant of refugee status, subsidiary protection or permission to remain, or

(b) a person who is residing in a centre operated by the Department of Justice and Equality for persons who are Programme Refugees within the meaning of section 24 of the Refugee Protection Act 1996 or section 59 of the International Protection Act 2015.

F54[(2) This article will cease to have effect on 30 September 2020.]]

**Annotations****Amendments:**

- F53** Substituted (24.07.2018) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Assessment of Means) Regulations 2018* (S.I. No. 307 of 2018), art. 2.
- F54** Substituted (17.12.2019) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 6) (Assessment of Means) Regulations 2019* (S.I. No. 667 of 2019), art. 2.

**Editorial Notes:**

- E36** Previous affecting provision: sub-art. (2) substituted (27.06.2019) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 5) (Assessment of Means) Regulations 2019* (S.I. No. 304 of 2019), art. 2; substituted (17.12.2019) as per F-Note above.
- E37** Previous affecting provision: sub-art. (2) substituted (31.12.2018) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No.7) (Assessment of Means) Regulations 2018* (S.I. No. 650 of 2018), art. 2; substituted (27.06.2019) as per E-Note above.

F55[Calculation  
of means.

**36.** The income prescribed for the purposes of Reference 19 in Table 2 to Schedule 3 to the Principal Act shall be—

(a) all income derived from compensation awarded

(i) by the Hepatitis C and HIV Compensation Tribunal,

(ii) by a court of competent jurisdiction to compensate certain persons who have contracted Hepatitis C or Human Immunodeficiency Virus within the State from the use of Human Immunoglobulin Anti-D, whole blood or other blood products,

(iii) by the Residential Institutions Redress Board,

(iv) in relation to disability caused by Thalidomide, or

(v) under the provisions of the Health (Repayment Scheme) Act 2006 to a relevant person within the meaning of that Act,

(b) any payment or payments made directly or indirectly by or on behalf of the Minister for Justice, Equality and Defence to a relevant individual, within the meaning of section 205A of the Taxes Consolidation Act 1997, which has or have been determined in accordance with the Magdalen Commission Report dated May 2013 on the establishment of an ex gratia scheme and related matters for the benefit of those women who were admitted to and worked in the Magdalen Laundries,

F56[(ba) any ex gratia payments—

(i) approved by the Lourdes Hospital Redress Board under the terms of the Lourdes Hospital Redress Scheme 2007,

(ii) made under the terms of the Lourdes Hospital Payment Scheme established by the Minister for Health, or

(iii) made under the terms of the Surgical Symphysiotomy ex gratia Scheme established by the Minister for Health and referred to as the Symphysiotomy Payment Scheme,]

F57[...]

F58[(bb) any ex gratia payments made under the Scheme of Compensation for Personal Injuries suffered at the Stardust, Artane on 14 February 1981,

- F59[... ]
- F60[(bc) any ex gratia payments made by the Minister for Health in accordance with recommendations proposed by the Scoping Inquiry into the Cervical Check Screening Programme,]
- F61[(bd) any income derived from the scheme to compensate persons who suffered harm or injury while in the care of Kerry CAMHS in the period 1st July 2016 to 19th April 2021, as identified through the Maskey Report and who have been notified by the Child and Adolescent Mental Health Services,]
- (c) any payment made by the Residential Institutions Statutory Fund F62[Board,]]
- F63[F64[...]
- (d) any payments administered under the aegis of the Minister for Education and Skills and known as the 1916 Bursary F65[Fund,]]
- F67[F68[...]
- F66[(da) any amount to a maximum of €7,000 per annum from payments made by Uversity and known as Higher Educational Scholarships for Adult Learners,]
- F61[(db) any payments made under the Tusla Educational Support for Children in Care and Aftercare Bursary scheme,
- (dc) any payments made from the KickStart Scholarship Fund administered by the Probation Service,]
- (e) any payments made directly or indirectly by or on behalf of the Minister for Health under the package of support measures established in 2018 for women diagnosed with cervical cancer since F69[2008,]]
- F70[(f) any payments made by Sport Ireland under the International Carding Scheme,
- F71[...]
- (g) any payments made by the Northern Ireland Victim and Survivor Service (VSS) in accordance with the Victims and Survivors (Northern Ireland) Order F72[2006,]]
- F61[(ga) any income derived from the Troubles Permanent Disablement Payment Scheme in accordance with the Victims' Payments Regulations 2020 (2020 No. 103) (Northern Ireland),]
- F73[F74[...]
- (h) any payments made by the Minister for Education and Skills as part of the School Transport Scheme for Children with Special Educational Needs in the form of the Special Transport F75[Grant,]]
- F76[F77[...]
- (i) Subject to F78[the cessation of this disregard on 17 March 2025, and] the conditions specified in *subparagraphs (i), (ii) and (iii)*, any income arising to a person in respect of the lawful rental of living accommodation of a room, or rooms, in his or her home to another person or persons, where that other person, or persons have the use of the room or rooms for a period of not less than 28 consecutive days.
- (i) The income disregard in this paragraph shall be subject to a maximum of €269.23 per week.

(ii) The income disregard in this paragraph shall apply only as long as the person or persons to whom the use of living accommodation of a room, or rooms have been made available, continue to use the room or rooms.

(iii) The income disregard in this paragraph shall not apply where the income arising to the person is received from an employee or an immediate family member of that F79[person,]]

F80[or

(j) any financial contribution paid by the Minister in accordance with section 8(1) of the Civil Law (Miscellaneous Provisions) Act 2022.]

#### Annotations

##### Amendments:

- F55** Substituted (26.03.2014) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) (Assessment of Means) Regulations 2014* (S.I. No. 156 of 2014), art. 2.
- F56** Inserted (16.01.2015) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Assessment of Means) Regulations 2015* (S.I. No. 14 of 2015), art. 2.
- F57** Deleted (23.02.2018) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Assessment of Means) Regulations 2018* (S.I. No. 60 of 2018), art. 2(a).
- F58** Substituted (23.02.2018) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Assessment of Means) Regulations 2018* (S.I. No. 60 of 2018), art. 2(b).
- F59** Deleted (17.08.2018) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 4) (Assessment of Means) Regulations 2018* (S.I. No. 334 of 2018), art. 2(a).
- F60** Inserted (27.09.2018) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 5) (Assessment of Means) Regulations 2018* (S.I. No. 390 of 2018), art. 2(a).
- F61** Inserted (16.06.2022) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) (Calculation of Means) Regulations 2022* (S.I. No. 292 of 2022), art. 3.
- F62** Substituted (17.08.2018) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 4) (Assessment of Means) Regulations 2018* (S.I. No. 334 of 2018), art. 2(b).
- F63** Inserted (17.08.2018) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 4) (Assessment of Means) Regulations 2018* (S.I. No. 334 of 2018), art. 2(c).
- F64** Deleted (27.09.2018) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 5) (Assessment of Means) Regulations 2018* (S.I. No. 390 of 2018), art. 2(b).
- F65** Substituted (27.09.2018) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 5) (Assessment of Means) Regulations 2018* (S.I. No. 390 of 2018), art. 2(c).
- F66** Inserted (30.04.2019) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 4) (Assessment of Means) Regulations 2019* (S.I. No. 203 of 2019), art. 2.
- F67** Inserted (27.09.2018) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 5) (Assessment of Means) Regulations 2018* (S.I. No. 390 of 2018), art. 2(d).
- F68** Deleted (21.12.2018) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 6) (Assessment of Means) Regulations 2018* (S.I. No. 652 of 2018), art. 2(a).
- F69** Substituted (21.12.2018) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 6) (Assessment of Means) Regulations 2018* (S.I. No. 652 of 2018), art. 2(b).
- F70** Inserted (21.12.2018) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 6) (Assessment of Means) Regulations 2018* (S.I. No. 652 of 2018), art. 2(c).



- F71** Deleted (25.03.2019) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Assessment of Means) Regulations 2019* (S.I. No. 131 of 2019), art. 2(a).
- F72** Substituted (25.03.2019) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Assessment of Means) Regulations 2019* (S.I. No. 131 of 2019), art. 2(b).
- F73** Inserted (25.03.2019) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Assessment of Means) Regulations 2019* (S.I. No. 131 of 2019), art. 2(c).
- F74** Deleted (12.07.2022) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Calculation of Means) Regulations 2022* (S.I. No. 396 of 2022), art. 2(1)(b)(a).
- F75** Substituted (12.07.2022) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Calculation of Means) Regulations 2022* (S.I. No. 396 of 2022), art. 2(1)(b)(b).
- F76** Inserted (12.07.2022) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Calculation of Means) Regulations 2022* (S.I. No. 396 of 2022), art. 2(1)(b)(c).
- F77** Deleted (26.07.2022) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 4) (Calculation of Means) Regulations 2022* (S.I. No. 431 of 2022), art. 2(a).
- F78** Inserted (24.03.2023) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Calculation of Means) Regulations 2023* (S.I. No. 161 of 2023), art. 2(1).
- F79** Substituted (26.07.2022) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 4) (Calculation of Means) Regulations 2022* (S.I. No. 431 of 2022), art. 2(b).
- F80** Inserted (26.07.2022) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 4) (Calculation of Means) Regulations 2022* (S.I. No. 431 of 2022), art. 2(c).

**Editorial Notes:**

- E38** Previous affecting provision: provision made (12.07.2022) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Calculation of Means) Regulations 2022* (S.I. No. 396 of 2022), art. 2(2) that amendments to this article made on that same date should cease to have effect on 17 March 2023, or such other date as specified by the Minister after consultation with the Minister for Public Expenditure and Reform; revoked (24.03.2023) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Calculation of Means) Regulations 2023* (S.I. No. 161 of 2023), art. 2(2).

**F81**[Additional income disregard for rent and mortgage interest supplement — prescribed employment, training etc.

**36A.** (1) The following employment is prescribed for the purposes of paragraph (i) of the sum represented by A in the formula set out in Rule 2 of Part 4 to Schedule 3 to the Principal Act—

- (a) employment or self-employment where the number of hours worked per week is less than 30, or
- (b) employment or self-employment where—
  - (i) the number of hours worked per week is 30 or more, and
  - (ii) the person has been accepted as being in need of accommodation under a scheme funded by the Minister for the Environment, Community and Local Government and known as the Rental Accommodation Scheme.

(2) The following training is prescribed for the purposes of paragraph (i) of the sum represented by A in the formula set out in Rule 2 of Part 4 to Schedule 3 to the Principal Act—

- (a) a course of training provided by or on behalf of An Foras Áiseanna Saothair,
- (b) a course of training provided by or on behalf of An tSeirbhís Oideachais Leanúnaigh agus Scileanna,

- (c) a course of training provided by or on behalf of a vocational education committee within the meaning of section 7 of the Vocational Education Act 1930, or
- (d) a course of training provided by or on behalf of an education and training board specified in Schedule 2 to the Education and Training Boards Act 2013.
- (3) Participation or placement in the following schemes and programmes is prescribed for the purposes of paragraph (i) of the sum represented by A in the formula set out in Rule 2 of Part 4 to Schedule 3 to the Principal Act—
- (a) a programme provided by or on behalf of An Foras Áiseanna Saothair and known as Youthreach,
- (b) a scheme administered by the Minister and known as—
- (i) Back to Work Enterprise Allowance (Self-Employed),
- (ii) Back to Work Allowance (Employees),
- (iii) Back to Work Short-Term Enterprise Allowance,
- (iv) the Rural Social Scheme,
- (v) JobBridge,
- (vi) Tús, or
- (vii) the Part-Time Job Incentive scheme,
- (c) the work placement programme within the meaning of subsection (3) of section 142B,
- (d) a scheme provided by the Minister and known as Community Employment,
- (e) a programme approved of by the Minister of Education and Skills and known as—
- (i) Momentum, or
- (ii) Skillnets,
- (f) any variation, extension or replacement of the schemes and programmes referred to in *paragraphs (a) to (e)*, or
- (g) such other scheme or programme as may be approved by the Minister, from time to time.]

**Annotations****Amendments:**

- F81** Inserted (5.11.2013) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 4) (Rent and Mortgage Interest Supplement) Regulations 2013* (S.I. No. 422 of 2013), art. 2.

**Relevant  
payment —  
linked claims.**

**37.** (1) Subject to *sub-article (2)*, for the purpose of section 188(1)(b) of the Principal Act, any periods during which the applicant was previously entitled to or in receipt of a relevant payment may be taken into account in calculating the 156 days, provided that not more than 13 weeks has elapsed since the applicant's last relevant payment.

(2) Periods referred to in *sub-article (1)* during which the applicant was entitled to or in receipt of a relevant payment will only be taken into account where successive periods are not separated by more than 13 weeks.

(3) In this article, “relevant payment” has the meaning assigned in section 2(4) of the Principal Act.

**Payment in exceptional circumstances.**

**38.** (1) Notwithstanding the foregoing articles, F82[a designated person] may award a supplement in any case where it appears to F82[a designated person] that the circumstances of the case so warrant.

(2) Without prejudice to the generality of *sub-article (1)*, F82[a designated person] may award a supplement where—

(a) a claimant is living alone or only with his or her qualified adult or a qualified child (within the meaning of *article 15(5)*) and has, due to his or her ill-health or infirmity or that of any of the persons living with him or her, exceptional needs by reason of his or her having to maintain a high standard of heating in his or her residence, or

(b) a claimant has exceptional needs other than those specified in these Regulations.

**Annotations**

**Amendments:**

**F82** Substituted (1.10.2011) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Administrative Responsibility for Supplementary Welfare Allowance) Regulations 2011* (S.I. No. 514 of 2011), art. 6 and sch. 1, in effect as per art. 3.

**Application of Principal Act.**

**39.** F83[...]

**Annotations**

**Amendments:**

**F83** Deleted (1.10.2011) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Administrative Responsibility for Supplementary Welfare Allowance) Regulations 2011* (S.I. No. 514 of 2011), art. 5, in effect as per art. 3.

**F84**[PART 7

**DETERMINATIONS AND APPEALS]**

**Annotations**

**Amendments:**

**F84** Substituted (1.10.2011) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Administrative Responsibility for Supplementary Welfare Allowance) Regulations 2011* (S.I. No. 514 of 2011), art. 7, in effect as per art. 3.

F85[Determination  
of designated  
person.]

40. (1) A determination by a designated person for the purposes of determining a claim to supplementary welfare allowance shall be in writing and signed by him or her.

(2) Where any determination made by a designated person is not in favour of the person making the claim, the designated person shall attach to the determination a note of the reasons for the said determination.

(3) The Minister shall, as soon as may be after the making of the determination, cause a memorandum of—

(a) the determination, and

(b) where in accordance with *sub-article (2)* of this article the determination is not in favour of the person, the reasons for the said determination,

to be issued to the person making the claim.]

#### Annotations

#### Amendments:

**F85** Substituted (1.10.2011) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Administrative Responsibility for Supplementary Welfare Allowance) Regulations 2011* (S.I. No. 514 of 2011), art. 7, in effect as per art. 3.

F86[Submission  
of appeal under  
section 323.]

41. (1) In *Part 7* “Review Officer” is a person designated by the Minister under section 323 as the person to whom the appeal shall lie. Any person (in this and the following articles referred to as the “appellant”) who is dissatisfied with the determination by a designated person of a claim by him or her for supplementary welfare allowance under section 200, 201 and 202 and wishes to appeal against such determination shall give notice in that behalf, in writing to a review officer.

(2) (a) Subject to *paragraph (b)*, the time within which an appeal may be made shall be any time up to the expiration of 21 days from the date of the notification of the determination to the appellant.

(b) A notice of appeal referred to in *paragraph (a)* may be accepted after the end of the period referred to therein, with the approval of the designated person.

(3) The notice of appeal referred to shall contain a statement of the facts and contentions upon which the appellant intends to rely.

(4) The appellant shall send to the review person with the notice of appeal such documentary evidence as the appellant wishes to submit in support of his or her appeal, and the notice shall contain a list of any such documents.

(5) Any person wishing to withdraw an appeal may do so by sending a written notice to that effect to the review officer.]

#### Annotations

#### Amendments:

**F86** Substituted (1.10.2011) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Administrative Responsibility for Supplementary Welfare Allowance) Regulations 2011* (S.I. No. 514 of 2011), art. 7, in effect as per art. 3.

F87[Notice of appeal and information to be supplied.

42. The review officer shall cause notice of appeal to be sent to the Minister who shall as soon as possible furnish to the review officer—

- (a) a statement from the designated officer or on his or her behalf showing the extent to which the facts and contentions advanced by the appellant in relation to his or her appeal are admitted or disputed, and
- (b) any information, document or item in the power and control of the designated officer that is relevant to the appeal.]

**Annotations**

**Amendments:**

**F87** Substituted (1.10.2011) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Administrative Responsibility for Supplementary Welfare Allowance) Regulations 2011* (S.I. No. 514 of 2011), art. 7, in effect as per art. 3.

F88[Further information to be supplied and amendment of pleadings.

43. The review officer may at any time—

- (a) require the appellant or the designated officer to furnish him or her in writing, further particulars regarding the appeal,
- (b) allow the amendment of any notice of appeal, statement or particulars at any stage of the proceedings, and
- (c) fix the time for furnishing any such statement or particulars upon such terms as he or she may think fit.]

**Annotations**

**Amendments:**

**F88** Substituted (1.10.2011) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Administrative Responsibility for Supplementary Welfare Allowance) Regulations 2011* (S.I. No. 514 of 2011), art. 7, in effect as per art. 3.

F89[Determination of Review Officer.

44. (1) The determination of the review officer shall be in writing and signed by him or her.

(2) In any case where the determination of the review officer is not in favour of the appellant, he or she shall attach to his or her determination a note of the reasons for the said determination.

(3) The review officer shall cause a memorandum of—

- (a) the determination, and
- (b) where in accordance with *sub-article (2)* the determination is not in favour of the appellant, the reasons therefor,

to be issued to—

- (i) the appellant, and
- (ii) the Minister.]

**Annotations****Amendments:**

- F89** Substituted (1.10.2011) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Administrative Responsibility for Supplementary Welfare Allowance) Regulations 2011* (S.I. No. 514 of 2011), art. 7, in effect as per art. 3.

F90[**Method of  
sending  
documents.**

**45.** Any notice or other document required or authorised to be issued to any person for the purpose of this Part shall be deemed to be duly issued, if by post addressed to him or her at his ordinary address or at his or her place of business.]

**Annotations****Amendments:**

- F90** Inserted (1.10.2011) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Administrative Responsibility for Supplementary Welfare Allowance) Regulations 2011* (S.I. No. 514 of 2011), art. 7, in effect as per art. 3.

## F91[SCHEDULE 1

## Article 9

## MAXIMUM RENT LIMITS

Location	Single person in shared accommodation	Couple in shared accommodation	Single person	Couple with no qualified children	Couple with 1 qualified child or one-parent family with 1 qualified child	Couple with 2 qualified children or one-parent family with 2 qualified children	Couple with 3 qualified children or one-parent family with 3 qualified children
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	€	€	€	€	€	€	€
Dublin: Fingal	400	440	660	900	1,150	1,175	1,200
Dublin:Dun Laoghaire/Rathdown,South Dublin,Dublin City	430	500	660	900	1,250	1,275	1,300
Carlow	270	290	440	510	570	600	630
Cavan	190	220	380	420	450	470	490
Clare	220	240	360	400	480	515	550
Cork	300	330	550	650	900	925	950
Donegal	200	230	340	370	410	470	520
Galway	330	360	575	650	850	875	900
Kerry	200	230	380	410	525	550	575
Kildare	290	350	500	585	800	835	870
Kilkenny	230	270	480	530	630	660	690
Laois	240	280	420	433	580	610	630
Leitrim	200	220	340	370	450	475	500
Limerick	270	300	420	450	650	700	750
Longford	180	200	330	350	400	425	450
Louth	250	290	460	480	660	690	720
Mayo	200	220	390	410	480	500	520
Meath	240	310	460	500	730	740	750
Monaghan	200	220	330	390	500	515	530
Offaly	210	230	380	433	550	575	600
Roscommon	240	260	360	390	500	525	550
Sligo	220	250	460	490	550	575	600
Tipperary	210	230	380	420	525	560	600
Waterford	240	270	430	450	550	575	600
Westmeath	220	240	450	470	600	625	650

Location	Single person in shared accommodation	Couple in shared accommodation	Single person	Couple with no qualified children	Couple with 1 qualified child or one-parent family with 1 qualified child	Couple with 2 qualified children or one-parent family with 2 qualified children	Couple with 3 qualified children or one-parent family with 3 qualified children
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
	€	€	€	€	€	€	€
Wexford	280	300	420	433	530	565	600
Wicklow	250	300	440	475	700	735	770]

**Annotations****Amendments:**

- F91** Substituted (1.07.2016) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Rent Supplement) Regulations 2016* (S.I. No. 340 of 2016), art. 3, in effect as per art. 2.

**Editorial Notes:**

- E39** Previous affecting provision: schedule amended (1.01.2015) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 5) (Rent Supplement) Regulations 2014* (S.I. No. 604 of 2014), art. 5(b), in effect as per art. 3.; substituted (1.07.2016) as per F-Note above.
- E40** Previous affecting provision: schedule substituted (17.06.2013) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) (Rent Supplement) Regulations 2013* (S.I. No. 215 of 2013), art. 5, in effect as per art. 3; substituted (1.07.2016) as per F-Note above.
- E41** Previous affecting provision: schedule substituted (1.01.2012) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 5) (Rent Supplement) Regulations 2011* (S.I. No. 729 of 2011), art. 7, in effect as per art. 3; substituted (17.06.2013) as per E-Note above.
- E42** Previous affecting provision: schedule substituted (16.06.2010) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (Rent Supplement) Regulations 2010* (S.I. No. 295 of 2010), art. 5, in effect as per art. 2; substituted (1.01.2012) as per E-Note above.
- E43** Previous affecting provision: schedule substituted (1.06.2009) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (Rent Supplement) Regulations 2009* (S.I. No. 202 of 2009), art. 7, in effect as per art. 2; substituted (16.06.2010) as per E-Note above.

## SCHEDULE 2

## Article 16

## AMOUNT OF DIET SUPPLEMENT



Specified Diet	Amount
(1)	(2)
Low-Lactose Milk Free	€65.43
Gluten Free	€68.43
High Protein High Calorie	€71.43
Altered Consistency (Liquidised)	€74.93

### SCHEDULE 3

Article 39

#### APPLICATION OF PRINCIPAL ACT

F92[...]

#### Annotations

#### Amendments:

**F92** Deleted (1.10.2011) by *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Administrative Responsibility for Supplementary Welfare Allowance) Regulations 2011* (S.I. No. 514 of 2011), art. 5, in effect as per art. 3.

### SCHEDULE 4

Article 5

#### REVOCATIONS

S.I. Number (1)	Regulations (2)	Extent of Repeal (3)
<a href="#">S.I. No. 382 of 1995</a>	Social Welfare (Consolidated Supplementary Welfare Allowance) Regulations 1995	The whole Regulations
<a href="#">S.I. No. 190 of 1996</a>	Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) Regulations 1996	The whole Regulations
<a href="#">S.I. No. 202 of 1996</a>	Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) Regulations 1996	The whole Regulations
<a href="#">S.I. No. 334 of 1997</a>	Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) Regulations 1997	The whole Regulations
<a href="#">S.I. No. 107 of 1998</a>	Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (Determinations and Appeals) Regulations 1998	The whole Regulations
<a href="#">S.I. No. 183 of 1998</a>	Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) Regulations 1998	The whole Regulations

S.I. Number (1)	Regulations (2)	Extent of Repeal (3)
S.I. No. 102 of 2000	Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) Regulations 2000	The whole Regulations
S.I. No. 101 of 2001	Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) Regulations 2001	The whole Regulations
S.I. No. 653 of 2001	Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Income Disregards) Regulations 2001	The whole Regulations
S.I. No. 119 of 2002	Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) Regulations 2002	The whole Regulations
S.I. No. 527 of 2002	Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) Regulations 2002	The whole Regulations
S.I. No. 630 of 2002	Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) Regulations 2002	The whole Regulations
S.I. No. 324 of 2003	Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) Regulations 2003	The whole Regulations
S.I. No. 426 of 2003	Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) Regulations 2003	The whole Regulations
S.I. No. 454 of 2003	Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) Regulations 2003	The whole Regulations
S.I. No. 727 of 2003	Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) Regulations 2003	The whole Regulations
S.I. No. 728 of 2003	Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 4) Regulations 2003	The whole Regulations
S.I. No. 54 of 2005	Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) Regulations 2005	The whole Regulations
S.I. No. 386 of 2005	Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) Regulations 2005	The whole Regulations
S.I. No. 146 of 2006	Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (Diet Supplement) Regulations 2006	The whole Regulations
S.I. No. 203 of 2006	Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Training Course Disregard, Benefit and Privilege) Regulations 2006	The whole Regulations
S.I. No. 572 of 2006	Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) (Miscellaneous Provisions) Regulations 2006	The whole Regulations
S.I. No. 697 of 2006	Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Rent Supplement Means Disregard) Regulations 2006	The whole Regulations
S.I. No. 44 of 2007	Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (Diet Supplement and Maximum Rents) Regulations 2007	The whole Regulations
S.I. No. 221 of 2007	Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) (Rent Supplement) Regulations 2007	The whole Regulations
S.I. No. 267 of 2007	Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) Regulations 2007	The whole Regulations



GIVEN under the Official Seal of the Minister for Social and Family Affairs  
this 29 day of June 2007.

MARTIN CULLEN,

Minister for Social and Family Affairs.

The Minister for Finance hereby consents to the making of the foregoing Regulations.



GIVEN under the Official Seal of the Minister for Finance this 29 day of  
June 2007.

BRIAN COWEN

Minister for Finance.

#### EXPLANATORY NOTE

*(This note is not part of the Instrument and does not purport to be a  
legal interpretation.)*

These Regulations consolidate the regulatory provisions governing Supplementary  
Welfare Allowance.



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S.I. No. 412 of 2007

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**SOCIAL WELFARE (CONSOLIDATED SUPPLEMENTARY WELFARE ALLOWANCE)  
REGULATIONS 2007**

**REVISED**

**Updated to 24 March 2023**

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**About this Revised Act**

This Revised Statutory Instrument presents the text of the instrument as it has been amended, and preserves the format in which it was made.

**Related legislation**

***Social Welfare (Consolidated Supplementary Welfare Allowance) Regulations 2007 to 2023***: this statutory instrument is one of a group of statutory instruments included in this collective citation, to be construed together as one (*Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Calculation of Means) Regulations 2023* (S.I. No. 161 of 2023), art. 1(2)). The instruments in this group are:

- *Social Welfare (Consolidated Supplementary Welfare Allowance) Regulations 2007* (S.I. No. 412 of 2007)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (Maximum Rent Limits) Regulations 2008* (S.I. No. 334 of 2008)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) Regulations 2008* (S.I. No. 603 of 2008)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (Rent Supplement) Regulations 2009* (S.I. No. 202 of 2009)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) (Rent Supplement) Regulations 2009* (S.I. No. 265 of 2009)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (Rent Supplement) Regulations 2010* (S.I. No. 295 of 2010)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) (Rent Supplement) Regulations 2010* (S.I. No. 680 of 2010)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (Rent Supplement) Regulations 2011* (S.I. No. 393 of 2011)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) (Rent Supplement) Regulations 2011* (S.I. No. 462 of 2011)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Administrative Responsibility for Supplementary Welfare Allowance) Regulations 2011* (S.I. No. 514 of 2011)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 4) (Civil Partnership) Regulations 2011* (S.I. No. 603 of 2011)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 5) (Rent Supplement) Regulations 2011* (S.I. No. 729 of 2011)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Miscellaneous Amendments) Regulations 2012* (S.I. No. 478 of 2012)

- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) (Rent and Mortgage Supplement) Regulations 2012 (S.I. No. 568 of 2012)*
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Rent and Mortgage Supplement) Regulations 2013 (S.I. No. 139 of 2013)*
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) (Rent Supplement) Regulations 2013 (S.I. No. 215 of 2013)*
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Prescribed Activation Measures) Regulations 2013 (S.I. No. 258 of 2013)*
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 4) (Rent and Mortgage Interest Supplement) Regulations 2013 (S.I. No. 422 of 2013)*
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 6) (Mortgage Interest Supplement) Regulations 2013 (S.I. No. 513 of 2013)*
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 5) (Rent and Mortgage Interest Supplement) Regulations 2013 (S.I. No. 516 of 2013)*
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Diet Supplement) Regulations 2014 (S.I. No. 36 of 2014)*
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) (Assessment of Means) Regulations 2014 (S.I. No. 156 of 2014)*
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Rent Supplement) Regulations 2014 (S.I. No. 411 of 2014)*
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 4) (Prescribed Employment Schemes) Regulations 2014 (S.I. No. 441 of 2014)*
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 5) (Rent Supplement) Regulations 2014 (S.I. No. 604 of 2014)*
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Assessment of Means) Regulations 2015 (S.I. No. 14 of 2015)*
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) (Manner of Payment) Regulations 2015 (S.I. No. 375 of 2015)*
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Rent Supplement) Regulations 2016 (S.I. No. 340 of 2016)*
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) (Rent Supplement) Regulations 2016 (S.I. No. 669 of 2016)*
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Diet Supplement) Regulations 2017 (S.I. No. 71 of 2017)*
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Assessment of Means) Regulations 2018 (S.I. No. 60 of 2018)*
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) (Diet Supplement) Regulations 2018 (S.I. No. 104 of 2018)*
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Assessment of Means) Regulations 2018 (S.I. No. 307 of 2018)*
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 4) (Assessment of Means) Regulations 2018 (S.I. No. 334 of 2018)*
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 5) (Assessment of Means) Regulations 2018 (S.I. No. 390 of 2018)*
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 7) (Assessment of Means) Regulations 2018 (S.I. No. 650 of 2018)*
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 6) (Assessment of Means) Regulations 2018 (S.I. No. 652 of 2018)*
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Earnings Disregard) Regulations 2019 (S.I. No. 41 of 2019)*
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) (Diet Supplement) Regulations 2019 (S.I. No. 108 of 2019)*
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Assessment of Means) Regulations 2019 (S.I. No. 131 of 2019)*
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 4) (Assessment of Means) Regulations 2019 (S.I. No. 203 of 2019)*
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 5) (Assessment of Means) Regulations 2019 (S.I. No. 304 of 2019)*
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 6) (Assessment of Means) Regulations 2019 (S.I. No. 667 of 2019)*
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Diet Supplement) Regulations 2021 (S.I. No. 785 of 2021)*
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) (Calculation of Means) Regulations 2022 (S.I. No. 292 of 2022)*

- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Calculation of Means ) Regulations 2022* (S.I. No. 396 of 2022)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No.1) (Earnings Disregard) Regulations 2022* (S.I. No. 401 of 2022)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 4) (Calculation of Means) Regulations 2022* (S.I. No. 431 of 2022)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 5) (Diet Supplement) Regulations 2022* (S.I. No. 717 of 2022)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 6) (Earnings Disregard) Regulations 2022* (S.I. No. 723 of 2022)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Calculation of Means) Regulations 2023* (S.I. No. 161 of 2023)

### **Annotations**

This Revised Statutory Instrument is annotated and includes textual and non-textual amendments and previous affecting provisions.

An explanation of how to read annotations is available at [www.lawreform.ie/annotations](http://www.lawreform.ie/annotations).

### **Material not updated in this revision**

Where other legislation is amended by this statutory instrument, those amendments may have been superseded by other amendments in other legislation, or the amended legislation may have been repealed or revoked. This information is not represented in this revision but will be reflected in a revision of the amended legislation if one is available.

Where legislation or a fragment of legislation is referred to in annotations, changes to this legislation or fragment may not be reflected in this revision but will be reflected in a revision of the legislation referred to if one is available.

A list of legislative changes to any Act, and to statutory instruments from 1987, may be found linked from the page of the Act or statutory instrument at [www.irishstatutebook.ie](http://www.irishstatutebook.ie).

### **Acts which affect or previously affected this revision**

- *Housing (Regulation of Approved Housing Bodies) Act 2019* (47/2019)

All Acts up to and including *Environmental Protection Agency (Emergency Electricity Generation) (Amendment) Act 2023* (6/2023), enacted 10 March 2023, were considered in the preparation of this revision.

### **Statutory instruments which affect or previously affected this revision**

- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Calculation of Means) Regulations 2023* (S.I. No. 161 of 2023)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 6) (Earnings Disregard) Regulations 2022* (S.I. No. 723 of 2022)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 5) (Diet Supplement) Regulations 2022* (S.I. No. 717 of 2022)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 4) (Calculation of Means) Regulations 2022* (S.I. No. 431 of 2022)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No.1) (Earnings Disregard) Regulations 2022* (S.I. No. 401 of 2022)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Calculation of Means ) Regulations 2022* (S.I. No. 396 of 2022)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) (Calculation of Means) Regulations 2022* (S.I. No. 292 of 2022)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Diet Supplement) Regulations 2021* (S.I. No. 785 of 2021)
- *Employment Affairs and Social Protection (Alteration of Name of Department and Title of Minister) Order 2020* (S.I. No. 447 of 2020)

- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 6) (Assessment of Means) Regulations 2019* (S.I. No. 667 of 2019)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 5) (Assessment of Means) Regulations 2019* (S.I. No. 304 of 2019)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 4) (Assessment of Means) Regulations 2019* (S.I. No. 203 of 2019)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Assessment of Means) Regulations 2019* (S.I. No. 131 of 2019)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) (Diet Supplement) Regulations 2019* (S.I. No. 108 of 2019)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No.1) (Earnings Disregard) Regulations 2019* (S.I. No. 41 of 2019)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 6) (Assessment of Means) Regulations 2018* (S.I. No. 652 of 2018)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No.7) (Assessment of Means) Regulations 2018* (S.I. No. 650 of 2018)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 5) (Assessment of Means) Regulations 2018* (S.I. No. 390 of 2018)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 4) (Assessment of Means) Regulations 2018* (S.I. No. 334 of 2018)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Assessment of Means) Regulations 2018* (S.I. No. 307 of 2018)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) (Diet Supplement) Regulations 2018* (S.I. No. 104 of 2018)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Assessment of Means) Regulations 2018* (S.I. No. 60 of 2018)
- *Social Protection (Alteration of Name of Department and Title of Minister) Order 2017* (S.I. No. 366 of 2017)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Diet Supplement) Regulations 2017* (S.I. No. 71 of 2017)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) (Rent Supplement) Regulations 2016* (S.I. No. 669 of 2016)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Rent Supplement) Regulations 2016* (S.I. No. 340 of 2016)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) (Manner of Payment) Regulations 2015* (S.I. No. 375 of 2015)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Assessment of Means) Regulations 2015* (S.I. No. 14 of 2015)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 5) (Rent Supplement) Regulations 2014* (S.I. No. 604 of 2014)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 4) (Prescribed Employment Schemes) Regulations 2014* (S.I. No. 441 of 2014)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Rent Supplement) Regulations 2014* (S.I. No. 411 of 2014)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) (Assessment of Means) Regulations 2014* (S.I. No. 156 of 2014)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Diet Supplement) Regulations 2014* (S.I. No. 36 of 2014)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 5) (Rent and Mortgage Interest Supplement) Regulations 2013* (S.I. No. 516 of 2013)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 6) (Mortgage Interest Supplement) Regulations 2013* (S.I. No. 513 of 2013)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 4) (Rent and Mortgage Interest Supplement) Regulations 2013* (S.I. No. 422 of 2013)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Prescribed Activation Measures) Regulations 2013* (S.I. No. 258 of 2013)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) (Rent Supplement) Regulations 2013* (S.I. No. 215 of 2013)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Rent and Mortgage Supplement) Regulations 2013* (S.I. No. 139 of 2013)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) (Rent and Mortgage Supplement) Regulations 2012* (S.I. No. 568 of 2012)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Miscellaneous Amendments) Regulations 2012* (S.I. No. 478 of 2012)

- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 5) (Rent Supplement) Regulations 2011* (S.I. No. 729 of 2011)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 4) (Civil Partnership) Regulations 2011* (S.I. No. 603 of 2011)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 3) (Administrative Responsibility for Supplementary Welfare Allowance) Regulations 2011* (S.I. No. 514 of 2011)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) (Rent Supplement) Regulations 2011* (S.I. No. 462 of 2011)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (Rent Supplement) Regulations 2011* (S.I. No. 393 of 2011)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) (Rent Supplement) Regulations 2010* (S.I. No. 680 of 2010)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (Rent Supplement) Regulations 2010* (S.I. No. 295 of 2010)
- *Social and Family Affairs (Alteration of Name of Department and Title of Minister) Order 2010* (S.I. No. 186 of 2010)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) (Rent Supplement) Regulations 2009* (S.I. No. 265 of 2009)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (Rent Supplement) Regulations 2009* (S.I. No. 202 of 2009)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 2) Regulations 2008* (S.I. No. 603 of 2008)
- *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (Maximum Rent Limits) Regulations 2008* (S.I. No. 334 of 2008)

All statutory instruments up to and including *Social Welfare (Consolidated Supplementary Welfare Allowance) (Amendment) (No. 1) (Calculation of Means) Regulations 2023* (S.I. No. 161 of 2023), made 24 March 2023, were considered in the preparation of this revision.