



Number 41 of 2004

SOCIAL WELFARE ACT 2004

ARRANGEMENT OF SECTIONS

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SCHEDULE A

SCHEDULE B

[No. 41.]

Social Welfare Act 2004.

[2004.]

ACTS REFERRED TO

Health Contributions Act 1979	1979, No. 4
Social Welfare (Consolidation) Act 1993	1993, No. 27
Social Welfare Act 1996	1996, No. 7
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Number 41 of 2004

SOCIAL WELFARE ACT 2004

AN ACT TO AMEND AND EXTEND THE SOCIAL WELFARE ACTS AND TO AMEND THE HEALTH CONTRIBUTIONS ACT 1979. [17th December, 2004]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

1.—In this Act—

Definitions.

“Act of 2003” means the Social Welfare Act 2003;

“Principal Act” means the Social Welfare (Consolidation) Act 1993.

2.—(1) The Second Schedule to the Principal Act is amended by substituting the Parts set out in *Schedule A* to this Act for Parts I to IV (inserted by section 2(1) of the Act of 2003) of the said Second Schedule. Social insurance benefits (new rates).

(2) This section comes into operation—

- (a) in so far as it relates to unemployment benefit, on 30 December 2004,
- (b) in so far as it relates to disability benefit, health and safety benefit, injury benefit and disablement gratuity, on 3 January 2005,
- (c) in so far as it relates to carer’s benefit, retirement pension, invalidity pension and a relevant payment by virtue of section 18(1)(a) of the Social Welfare Act 1996, on 6 January 2005, and
- (d) in so far as it relates to disablement pension, death benefit under section 60, 61 or 62 of the Principal Act, old age (contributory) pension, widow’s and widower’s (contributory) pension and orphan’s (contributory) allowance, on 7 January 2005.

3.—(1) The Fourth Schedule to the Principal Act is amended by substituting the Parts set out in *Schedule B* to this Act for Parts I, II, IIA, IIB and IIC (inserted by section 3(1) of the Act of 2003) of the said Fourth Schedule. Social assistance payments (new rates).

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(2) This section comes into operation—

- (a) in so far as it relates to unemployment assistance, pre-retirement allowance and farm assist, on 29 December 2004,
- (b) in so far as it relates to supplementary welfare allowance, on 3 January 2005,
- (c) in so far as it relates to disability allowance, on 5 January 2005,
- (d) in so far as it relates to one-parent family payment (other than where payable in respect of a widow or widower), carer's allowance and a relevant payment by virtue of section 18(1)(b) or (c) of the Social Welfare Act 1996, on 6 January 2005, and
- (e) in so far as it relates to old age (non-contributory) pension, blind pension, widow's and widower's (non-contributory) pension, one-parent family payment payable in respect of a widow or widower and orphan's (non-contributory) pension, on 7 January 2005.

Family income supplement (new weekly rates).

4.—(1) The Principal Act is amended by substituting the following for section 198 (inserted by section 4(1) of the Act of 2003):

“198. Subject to this Act, an allowance (in this Act referred to as ‘family income supplement’) shall be payable out of moneys provided by the Oireachtas in respect of a family where the weekly family income is less than—

- (a) in the case of a family which includes only 1 child, €446,
- (b) in the case of a family which includes 2 children, €472,
- (c) in the case of a family which includes 3 children, €497,
- (d) in the case of a family which includes 4 children, €522,
- (e) in the case of a family which includes 5 children, €554,
- (f) in the case of a family which includes 6 children, €580,
- (g) in the case of a family which includes 7 children, €601, or
- (h) in the case of a family which includes 8 or more children, €623.”.

(2) This section comes into operation on 6 January 2005.

Employment contributions (amendment to earnings ceiling).

5.—(1) Section 10(1)(c) (as amended by section 5(1) of the Act of 2003) of the Principal Act is amended by substituting “€44,180” for “€42,160”.

(2) This section comes into operation on 1 January 2005.

Optional contributions (amendment to income ceiling).

6.—(1) Section 24B(1)(b) (as amended by section 6(1)(b) of the Act of 2003) of the Principal Act is amended by substituting “€44,180” for “€42,160”.

(2) This section comes into operation on 1 January 2005.

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7.—(1) Sections 39(1)(a) and 41I(1)(a) (inserted by section 11 of the Social Welfare Act 1997) of the Principal Act are amended by substituting “75 per cent” for “70 per cent”. Maternity and adoptive benefit (new rate).

(2) This section comes into operation on 1 January 2005.

8.—(1) The Health Contributions Act 1979 is amended in section 7A (as amended by section 39 of the Social Welfare Act 2001): Amendment to Health Contributions Act 1979.

(a) in paragraph (1)(a) by substituting “€400” for “€356”,

(b) in paragraph (1)(b) by substituting “€20,800” for “€18,512”,
and

(c) in subsection (2) by substituting “€20,800” for “€18,512”.

(2) This section comes into operation on 1 January 2005.

9.—(1) This Act may be cited as the Social Welfare Act 2004. Short title and construction.

(2) The Social Welfare Acts and this Act (other than *section 8*) shall be read together as one.