



STATUTORY INSTRUMENTS.

S.I. No. 636 of 2024

SOCIAL WELFARE (CONSOLIDATED CLAIMS, PAYMENTS AND
CONTROL) (AMENDMENT) (NO. 16) (JOBSEEKER'S PAY-RELATED
BENEFIT) REGULATIONS 2024

SOCIAL WELFARE (CONSOLIDATED CLAIMS, PAYMENTS AND CONTROL) (AMENDMENT) (NO. 16) (JOBSEEKER'S PAY-RELATED BENEFIT) REGULATIONS 2024

I, HEATHER HUMPHREYS, Minister for Social Protection, in exercise of the powers conferred on me by sections 4 (amended by reference 1 of the Schedule to the Social Welfare (Miscellaneous Provisions) Act 2024 (No. 24 of 2024)), 62(12), 68KC and 68KF (inserted by section 13 of the Social Welfare (Miscellaneous Provisions) Act 2024 (No. 24 of 2024)) of the Social Welfare Consolidation Act 2005 (No. 26 of 2005), with the consent of the Minister for Public Expenditure, National Development Plan Delivery and Reform, hereby make the following Regulations:

Citation and construction

1. (1) These Regulations may be cited as the Social Welfare (Consolidated Claims, Payments and Control) (Amendment) (No. 16) (Jobseeker's Pay-Related Benefit) Regulations 2024.

(2) These Regulations and the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 to 2024 shall be construed together as one and may be cited together as the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 to 2024.

Commencement

2. These Regulations come into operation on 31 March 2025.

3. In these Regulations “the Principal Regulations” means the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 (S.I. No. 142 of 2007).

Jobseeker's Benefit

4. The Principal Regulations are amended by the insertion of the following article after article 47A—

“Applications shall cease to be made for jobseeker’s benefit

47B. For the purposes of section 62(12)(a), the 31st day of March 2025 is prescribed as the date on which applications for jobseeker’s benefit shall not be made by a class or classes of persons to whom section 68KC(1)(a) and article 52HD apply.”.

Jobseeker's Pay-Related Benefit

5. The Principal Regulations are amended in Part 2—

(a) by the insertion of the following articles after article 52HE—

“Casual Employment”

52HF. (1) For the purposes of Chapter 12AA of Part 2 of the Principal Act and subject to sub-article (2), a person shall be regarded as being engaged in casual employment where –

- (a) he or she is normally employed for periods of less than a week,
- (b) the number of days and the days of the week on which he or she is employed in each period varies with the level of activity in the employer’s business, and
- (c) on the termination of each period of employment he or she has no assurance of being re-employed with the same employer.

(2) In determining, for the purposes of sub-article (1), whether a person is engaged in casual employment account shall be taken of his or her employment in the 6 months immediately preceding the first day of his or her claim for jobseeker’s pay-related benefit.

(3) Where a deciding officer or appeals officer considers that the period referred to in sub-article (2) is not appropriate to determine whether a person is engaged in casual employment, he or she may have regard to such other period which appears to him or her to be appropriate for that purpose.

- (b) in article 52HJ by the insertion of the following sub-articles after sub-article (1)-

“(2) The prescribed period for the purposes of section 68KF(4)(b)(i) shall be 52 weeks.

(3) (a) The number of weeks prescribed for the purposes of section 68KF(4)(b)(ii)(II) shall be 39 weeks for a person to whom section 68KF(1)(b)(i) applies and 26 weeks for a person to whom section 68KF(1)(b)(ii) applies.

- (b) The period prescribed for the purposes of section 68KF(4)(b)(ii)(II) shall be –

(i) in the case of periods where the person is in receipt of jobseeker’s pay-related benefit, the current and previous calendar year, or

(ii) in the case of periods where the person is in receipt of jobseeker’s benefit, jobseeker’s benefit (self-employed) or jobseeker’s allowance in respect of any day in any week of unemployment (within the meaning of section 141(3)) where the person is entitled to jobseeker’s benefit, jobseeker’s benefit (self-employed) or jobseeker’s pay-related benefit, the period prescribed shall be six months, or

(iii) a combination of (i) and (ii) as may be determined by or on behalf of the Minister from time to time.”.

The Minister for Public Expenditure, National Development Plan Delivery and Reform consents to the making of the foregoing Regulations.



GIVEN under my Official Seal,
6 November, 2024.

PASCHAL DONOHOE,
Minister for Public Expenditure, National Development
Plan Delivery and Reform.



GIVEN under my Official Seal,
6 November, 2024.

HEATHER HUMPHREYS,
Minister for Social Protection.

EXPLANATORY NOTE

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

The Social Welfare (Miscellaneous Provisions) Act 2024 amended the Social Welfare Consolidation Act 2005 to provide for a new social insurance scheme entitled Jobseeker's Pay-Related Benefit which provides that the amount of benefit a person may get when they become unemployed will be directly linked to their previous earnings. The scheme will commence from 31st March 2025.

The Social Welfare (Consolidated Claims, Payments and Control) Regulations (Amendment) (No. 14) (Jobseeker's Pay-Related Benefit) Regulations 2024 inserted a new Chapter 5AA into Part 2 of the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 (S.I. No. 142 of 2007) containing a number of provisions required for the operation of the new Jobseeker's Pay-Related Benefit.

These Regulations, which come into operation on 31st March 2025 and are countersigned by the Minister for Social Protection and the Minister for Public Expenditure, NDP Delivery and Reform, insert additional provisions required for the new scheme into the new Chapter 5AA. They provide for the circumstances in which a person is considered to be engaged in casual employment and include provisions in relation to how a person may requalify for Jobseeker's Pay-Related Benefit.

Key features of the new Jobseeker's Pay-Related Benefit scheme include:

- The weekly rate of payment for people who have at least 5 years paid PRSI contributions will be set at 60% of previous earnings, subject to a maximum of €450 for the first 3 months.
- After that, the rate will reduce to 55% of earnings, subject to a maximum of €375 for the following 3 months.
- A further 3 months will be paid at the rate of 50%, up to a maximum €300 payment.
- For people who have between 2 and 5 years paid contributions, the rate will be set at 50% of previous earnings subject to a maximum for €300 per week and 6 month's duration.

These Regulations also provide that Jobseeker's Benefit will not be available to persons eligible to apply for Jobseeker's Pay-Related Benefit from 31st March 2025.

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