



STATUTORY INSTRUMENTS.

S.I. No. 377 of 2025

SOCIAL WELFARE (CONSOLIDATED OCCUPATIONAL INJURIES)
(AMENDMENT) (NO. 1) (PRESCRIBED TIME) REGULATIONS 2025

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I, DARA CALLEARY, Minister for Social Protection, in exercise of the powers conferred on me by sections 4 (amended by section 14 and reference 1 of the Schedule to the Social Welfare (Miscellaneous Provisions) Act 2024 (No. 24 of 2024)), and 241(2) (amended by section 14 of the Social Welfare (Miscellaneous Provisions) Act 2024 (No. 24 of 2024)) of the Social Welfare Consolidation Act 2005 (No. 26 of 2005), hereby make the following Regulations:

Citation and construction

1. (1) These Regulations may be cited as the Social Welfare (Consolidated Occupational Injuries) (Amendment) (No. 1) (Prescribed Time) Regulations 2025.

(2) These Regulations and the Social Welfare (Consolidated Occupational Injuries) Regulations 2007 to 2024 shall be construed together as one and may be cited together as the Social Welfare (Consolidated Occupational Injuries) Regulations 2007 to 2025.

Prescribed time

2. Article 43 (amended by the Social Welfare (Consolidated Occupational Injuries) (Amendment) (No. 2) (Prescribed Time) Regulations 2018 (S.I. No. 376 of 2018)) of the Social Welfare (Consolidated Occupational Injuries) Regulations 2007 (S.I. No. 102 of 2007) is amended—

- (a) by the substitution of the following paragraph for paragraph (d):
“(d) subject to paragraph (da), in the case of death benefit, the period of 3 months commencing on the date of death of the deceased,”, and
- (b) by the insertion of the following paragraphs after paragraph (d):
“(da) subject to paragraph (db), in the case of death benefit, apart from satisfying the condition of making a claim, where the claimant is a surviving qualified cohabitant—
 - (i) whose deceased partner died before 22 January 2024, the period of 6 months from the date of enactment of the Social Welfare (Bereaved Partner’s Pension and Miscellaneous Provisions) Act 2025, and in such a case, a claim made within the prescribed time shall be payable from 22 January 2024,
 - (ii) whose deceased partner died on or after 22 January 2024 but before the date of enactment of the Social Welfare (Bereaved Partner’s Pension and Miscellaneous Provisions) Act 2025, the period of 6

months from the date of enactment of the Social Welfare (Bereaved Partner's Pension and Miscellaneous Provisions) Act 2025, and in such a case, a claim made within the prescribed time shall be payable from the date of death of the deceased partner,

(db) in the case of death benefit, apart from satisfying the condition of making a claim, where the claimant is a surviving qualified cohabitant—

- (i) who would otherwise be a person to whom subparagraph (i) or (ii) of paragraph (da) applied, but for his or her failure to claim within the prescribed time specified, or
- (ii) the death of the deceased partner occurred after the date of enactment of the Social Welfare (Bereaved Partner's Pension and Miscellaneous Provisions) Act 2025,

the period of 3 months from the day on which, apart from satisfying the condition of making a claim, the claimant becomes entitled thereto.”.

GIVEN under my Official Seal,
29 July, 2025.

DARA CALLEARY,
Minister for Social Protection.



L.S.

EXPLANATORY NOTE

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

These Regulations amend article 43 of the Social Welfare (Consolidated Occupational Injuries) Regulations 2007 to 2024, which, in paragraph (d), relates to the prescribed time for making a claim in the case of death benefit.

This arises in the context of the enactment of the Social Welfare (Bereaved Partner's Pension and Miscellaneous Provisions) Act 2025. Part 2 of that Act amends the Social Welfare Consolidation Act 2005 to provide for the expansion of the eligibility for the Widow's, Widower's and Surviving Civil Partner's Contributory Pension to include certain surviving qualified cohabitants. It also provides that eligibility criteria based on being a qualified cohabitant applies to a small number of other schemes, including death benefit under section 81 of the Social Welfare Consolidation Act 2005.

In line with the other schemes affected, these Regulations provide for a once-off provision that allows for surviving qualified cohabitants to be paid death benefit from 22 January 2024, in the case of deaths that occurred before that date, or from the date of death for any death that occurred on or after that date, provided the claim is made within six months of enactment. In all other cases the prescribed time for making a claim remains at three months.

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