



STATUTORY INSTRUMENTS.

S.I. No. 74 of 2022

SOCIAL WELFARE (CONSOLIDATED CLAIMS, PAYMENTS AND
CONTROL) (AMENDMENT) (NO. 5) (COVID-19 PANDEMIC
UNEMPLOYMENT PAYMENT) REGULATIONS 2022

SOCIAL WELFARE (CONSOLIDATED CLAIMS, PAYMENTS AND CONTROL) (AMENDMENT) (NO. 5) (COVID-19 PANDEMIC UNEMPLOYMENT PAYMENT) REGULATIONS 2022

I, HEATHER HUMPHREYS, Minister for Social Protection, having regard to the continuing risks to public health arising from COVID-19 and the consequent impact on employers and employees, and having regard to the matters specified in subsection (3) of section 68N and subsection (2) of section 68P of Chapter 12B (inserted by section 11 of the Social Welfare (Covid-19) (Amendment) Act 2020 (No. 12 of 2020)) and in exercise of the powers conferred on me by sections 4 (as adapted by the Employment Affairs and Social Protection (Alteration of Name of Department and Title of Minister) Order 2020 (S.I. No. 447 of 2020)) and 68N(1), 68N(2), and 68P of the Social Welfare Consolidation Act 2005 (No. 26 of 2005), with the consent of the Minister for Public Expenditure 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. 5) (Covid-19 Pandemic Unemployment Payment) Regulations 2022.

(2) These Regulations and the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 to 2022 shall be construed together as one and may be cited together as the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 to 2022.

Covid-19 Pandemic Unemployment Payment

2. Chapter 5B (amended by article 2 of the Social Welfare (Consolidated Claims, Payments and Control) (Amendment) (No. 18) (Covid-19 Pandemic Unemployment Payment) Regulations 2021 (S.I. No. 699 of 2021)) of the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 are amended—

(a) in article 52J—

(i) in sub-article (1), by the substitution of the following paragraphs for paragraph (a):

“(a) €203.00, from 3 September 2021, and

(b) €208.00, from 24 December 2021.”,

(ii) in sub-article (2), by the substitution of the following paragraphs for paragraph (a):

“(a) €203.00, from 3 September 2021, and

(b) €208.00, from 24 December 2021.”,

(iii) in sub-article (3), by the substitution of the following paragraphs for paragraphs (a) and (b):

- “(a) €250.00, from 3 September 2021,
- (b) €203.00, from 5 November 2021 and
- (c) €208.00, from 24 December 2021.”,

and

(iv) in sub-article (4), by the substitution of the following paragraph for paragraph (c):

- “(c) €208.00, from 25 February 2022.”,

(b) in article 52LA, by the insertion of the following sub-article after sub-article (2):

“(3) For the purposes of sub-article (2), the 22nd day of January 2022 shall be the date on which the temporary restrictions on certain business sectors introduced by the Government Decision of 3 December 2021 shall cease.”,

(c) in article 52M—

(i) in sub-article (2)—

(I) in paragraph (b)(ii) by the substitution of “25th day of February” for “28th day of January”,

(II) in paragraph (c)—

(A) in subparagraph (i) by the substitution of “25th day of March” for “28th day of January”,

and

(B) in subparagraph (iii)—

(a) in clause (I) by the substitution of “24th day of March” for “27th day of January”,

and

(b) by the substitution of the following clause for clause (II):

“(II) has not made an application for jobseeker’s benefit (self-employed) or jobseeker’s allowance by the 24th day of March 2022, the 25th day of March 2022 is prescribed as the date on which payment of Covid-19 pandemic unemployment payment shall cease to be made.”,

and

(ii) in sub-article (3) by the substitution of “31st day of May” for “25th day of March”,

- (d) in article 52MB, by the insertion of the following sub-article after sub-article (2):

“(3) In the case of a person to whom article 52LA applies whose average reckonable weekly income, calculated in accordance with article 52I, is equal to or greater than €151.50 the weekly rate of Covid-19 pandemic unemployment payment shall be:

€208.00 from 25th February 2022.”,

and

- (e) by the insertion of the following article after article 52MB:

“Date on which payment of the Covid-19 pandemic unemployment payment shall cease to be made in the case of a person to whom article 52LA applies.

52MC. (1) For the purposes of section 68N(2)(b), in the case of a person to whom article 52LA applies-

- (i) where, subject to subparagraph (iii), that person is a person who would qualify for payment of jobseeker’s benefit, the 25th day of March 2022 is prescribed as the date on which payment of Covid-19 pandemic unemployment payment shall cease to be made,
- (ii) where, in accordance with article 223F, that person is in receipt of Covid-19 pandemic unemployment payment and other than child benefit, any payment specified in sub-article (2) of that article, the 25th day of March 2022 is prescribed as the date on which payment of Covid-19 pandemic unemployment payment shall cease to be made, or
- (iii) where that person, notwithstanding the fact that he or she may be a person who would qualify for payment of jobseeker’s benefit —
 - (I) has made an application for jobseeker’s benefit (self-employed) or jobseeker’s allowance by the 24th day of March 2022, and a deciding officer has made a decision regarding that person’s eligibility for payment of jobseeker’s benefit (self-employed) or jobseeker’s allowance, the date on which the decision takes effect is prescribed as the date on which payment of Covid-19 pandemic unemployment payment shall cease to be made,
 - or
 - (II) has not made an application for jobseeker’s benefit (self-employed) or jobseeker’s allowance by the 24th day of March 2022, the 25th day of March 2022 is prescribed as the

date on which payment of Covid-19 pandemic unemployment payment shall cease to be made.

(2) Notwithstanding the provisions of sub-article (1), the 31st day of May 2022 is prescribed as the date on which payment of Covid-19 pandemic unemployment payment shall cease to be made for any person who would otherwise have an entitlement to the payment on that date.”.

The Minister for Public Expenditure and Reform consents to the foregoing Regulations.



L.S.

GIVEN under my Official Seal,
3 February, 2022.

MICHAEL MCGRATH,
Minister for Public Expenditure and Reform.



L.S.

GIVEN under my Official Seal,
3 February, 2022.

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 (Consolidated Claims, Payments and Control) (Amendment) (No. 13) (Covid-19 Pandemic Unemployment Payment) Regulations 2021 (S.I. No. 332 of 2021) specified the 8th of July 2021 as the date when applications for Covid-19 pandemic unemployment payment should cease.

The Social Welfare (Consolidated Claims, Payments and Control) (Amendment) (No. 16) (Covid-19 Pandemic Unemployment Payment) Regulations 2021 (S.I. No. 546 of 201) provided for the phased ending of the payment of Covid-19 Pandemic Unemployment Payment, with 25 March 2022 specified as the final date after which no further payments of the Covid-19 Pandemic Unemployment Payment would be made, regardless of individual circumstances.

The Social Welfare (Consolidated Claims, Payments and Control) (Amendment) (No. 18) (Covid-19 Pandemic Unemployment Payment) Regulations 2021 (S.I. No. 699 of 2021) provided for an exception to the two foregoing Regulations in circumstances where, directly as a result of the Government's decision of 3rd December 2021 to restrict the operating hours of certain hospitality and entertainment venues, a person's income from employment ceased, or in the case of the self-employed, ceased or was substantially reduced. A person so affected could apply for payment of Covid-19 Pandemic Unemployment Payment in respect of any period after 7th December 2021.

These Regulations amend the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 to provide for the phased ending of Covid-19 Pandemic Unemployment Payments for those who became entitled to the payment as a result of the Government's decision of 3rd December 2021 to restrict the operating hours of certain hospitality and entertainment venues. The Regulations specify the 22nd of January as the date when applications for the payment cease. Payments to this group will cease on 25th March 2022 with those eligible for Jobseeker's benefit transitioning to that payment, while 31st May 2022 is specified as the final date after which no further payments of the Covid-19 Pandemic Unemployment Payment will be made, regardless of individual circumstances.

The Regulations also provide for a one month's deferral in the reduction of rates and transition of Covid-19 Pandemic Unemployment Payments for those who are still in payment.

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DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased from
GOVERNMENT PUBLICATIONS,
MOUNTSHANNON ROAD,
KILMAINHAM, DUBLIN 8,
D08 XAO6

Tel: 046 942 3100
E-mail: publications@opw.ie

ISBN 978-1-3993-1474-9



€3.00

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