



STATUTORY INSTRUMENTS.

S.I. No. 1 of 2022

HEALTH (RESIDENTIAL SUPPORT SERVICES MAINTENANCE AND
ACCOMMODATION CONTRIBUTIONS) (AMENDMENT)
REGULATIONS 2022

HEALTH (RESIDENTIAL SUPPORT SERVICES MAINTENANCE AND ACCOMMODATION CONTRIBUTIONS) (AMENDMENT)
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I, STEPHEN DONNELLY, Minister for Health, in exercise of the powers conferred on me by section 67C (2) (as amended by section 43 (b) of the Health (Miscellaneous Provisions) Act 2014 (No. 33 of 2014)) of the Health Act 1970 (No. 1 of 1970), with the consent of the Minister for Public Expenditure and Reform, hereby make the following regulations:

1. (1) These Regulations may be cited as the Health (Residential Support Services Maintenance and Accommodation Contributions) (Amendment) Regulations 2022.

(2) The Principal Regulations and these Regulations may be cited together as the Health (Residential Support Services Maintenance and Accommodation Contributions) Regulations 2016 and 2022 and shall be construed together as one.

(3) Subject to Regulation 4 these Regulations come into operation on 7 January 2022.

2. In these Regulations—

“Act of 2005” means the Social Welfare Consolidation Act 2005, as amended, (No. 26 of 2005);

“Principal Regulations” means the Health (Residential Support Services Maintenance and Accommodation Contributions) Regulations 2016 (S.I. No. 467 of 2016), as amended by the Regulations of 2019;

“rate change date” means, in relation to a relevant benefit, the date specified in paragraph (3) of Regulation 3 in relation to that relevant benefit;

“Regulations of 2019” means the Health (Residential Support Services Maintenance and Accommodation Contributions) (Amendment) Regulations 2019 (S.I. No. 106 of 2019);

“relevant benefit” means a benefit, payment, pension, gratuity, assistance or allowance specified in paragraph (3) of Regulation 3;

“relevant benefit increase” means, in relation to a relevant benefit recipient, the difference between the rate of the relevant benefit which applies on the rate change date and the rate of that relevant benefit that applied immediately before the rate change date;

“relevant benefit recipient” means an RSS recipient whose income includes a relevant benefit;

“RSS recipient” has the meaning assigned to it by the Principal Regulations.

3. (1) The Principal Regulations are amended by the substitution of—

- (a) Schedule 1 for Schedule 1 to the Principal Regulations,
- (b) Schedule 2 for Schedule 2 to the Principal Regulations, and
- (c) Schedule 3 for Schedule 3 to the Principal Regulations.

(2) Regulation 3 comes into operation on 7 January 2022.

4. (1) Notwithstanding Regulation 9 (2) of the Principal Regulations, during the transitional period, in the case of a relevant benefit recipient, the contribution required to be paid by such recipient under that Regulation shall be the transitional contribution amount.

(2) For the purposes of this Regulation, “transitional period” means, in relation to a relevant benefit recipient, the period which commences on the rate change date for the relevant benefit concerned and ends on 7 January 2022.

(3) For the purposes of this Regulation “transitional contribution amount” means, in relation to a relevant benefit recipient, the daily amount specified in column (3) of the relevant Schedule to the Principal Regulations opposite the mention of the relevant weekly income band specified in column (2) of that Schedule within which that recipient’s weekly income, excluding the relevant benefit increase or the total amount of all such relevant benefit increases, falls.

(4) Regulation 4 comes into operation on the rate change date applicable to the person in respect of a relevant benefit payable to that person or, where more than one rate change date applies to a relevant benefit recipient, on the earliest occurring rate change date.

(5) For the purposes of paragraph (4),

- (i) the rate change date is 3 January 2022 for each relevant benefit specified below—
 - (a) illness benefit,
 - (b) injury benefit,
 - (c) maternity benefit,
 - (d) adoptive benefit,
 - (e) paternity benefit,
 - (f) parent’s benefit,
 - (g) health and safety benefit, and
 - (h) supplementary welfare allowance.
- (ii) the rate change date is 4 January 2022 for each relevant benefit specified below—
 - (a) Covid-19 pandemic unemployment payment,
 - (b) jobseeker’s allowance (other than where payable in accordance with section 148A of the Act of 2005), and
 - (c) farm assist.
- (iii) the rate change date is 5 January 2022 for each relevant benefit specified below—
 - (a) jobseeker’s benefit and jobseeker’s benefit (self-employed), and
 - (b) disability allowance.

- (iv) the rate change date is 6 January 2022 for each relevant benefit specified below—
- (a) invalidity pension,
 - (b) a payment referred to in paragraph (a) of the definition of “relevant payment” in section 178(1) of the Act of 2005,
 - (c) a payment referred to in paragraph (b) or (c) of the definition of “relevant payment” in section 178(1) of the Act of 2005,
 - (d) one-parent family payment (other than where payable in respect of a widow, widower or surviving civil partner),
 - (e) jobseeker’s allowance payable in accordance with section 148A of the Act of 2005,
 - (f) carer’s allowance,
 - (g) carer’s benefit, and
 - (h) working family payment.

(6) A word or expression which is used in paragraph (5) and which is also used in the Act of 2005 shall, unless the context otherwise requires, have the same meaning as the Act of 2005.

SCHEDULE 1*Regulation 3*

“Schedule 1

Part 3

Contributions (Category A accommodation)

Reference Number (1)	Weekly Income* (2)	Daily Amount (3)	Weekly Equivalent Amount (4)
1.	€228.00 or any greater amount	€25.58	€179.00
2.	€223.00 to €227.99	€24.86	€174.00
3.	€218.00 to €222.99	€24.15	€169.00
4.	€213.00 to €217.99	€23.43	€164.00
5.	€208.00 to €212.99	€22.72	€159.00
6.	€203.00 to €207.99	€22.00	€154.00
7.	€198.00 to €202.99	€21.29	€149.00
8.	€193.00 to €197.99	€20.58	€144.00
9.	€188.00 to €192.99	€19.86	€139.00
10.	€183.00 to €187.99	€19.15	€134.00
11.	€178.00 to €182.99	€18.43	€129.00
12.	€173.00 to €177.99	€17.72	€124.00
13.	€168.00 to €172.99	€17.00	€119.00
14.	€163.00 to €167.99	€16.29	€114.00
15.	€158.00 to €162.99	€15.58	€109.00
16.	€153.00 to €157.99	€14.86	€104.00
17.	€148.00 to €152.99	€14.15	€99.00
18.	€143.00 to €147.99	€13.43	€94.00
19.	€138.00 to €142.99	€12.72	€89.00
20.	€133.00 to €137.99	€12.00	€84.00
21.	€128.00 to €132.99	€11.29	€79.00
22.	€123.00 to €127.99	€10.58	€74.00
23.	€118.00 to €122.99	€9.86	€69.00
24.	€113.00 to €117.99	€9.15	€64.00
25.	€108.00 to €112.99	€8.43	€59.00
26.	€103.00 to €107.99	€7.72	€54.00
27.	€98.00 to €102.99	€7.00	€49.00
28.	€93.00 to €97.99	€6.29	€44.00
29.	€88.00 to €92.99	€5.58	€39.00
30.	€83.00 to €87.99	€4.86	€34.00
31.	€78.00 to €82.99	€4.15	€29.00
32.	€73.00 to €77.99	€3.43	€24.00
33.	€68.00 to €72.99	€2.72	€19.00
34.	€63.00 to €67.99	€2.00	€14.00
35.	€58.00 to €62.99	€1.29	€9.00
36.	€53.00 to €57.99	€0.58	€4.00

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37.	€52.99 or any lesser amount	Nil	Nil
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*This column does not apply where the RSS recipient is required to pay a contribution under Regulation 8.”.

SCHEDULE 2*Regulation 3*

“Schedule 2

Part 3

Contributions (Category B accommodation)

Reference Number (1)	Weekly Income* (2)	Daily Amount (3)	Weekly Equivalent Amount (4)
1.	€214.00 or any greater amount	€19.15	€134.00
2.	€209.00 to €213.99	€18.43	€129.00
3.	€204.00 to €208.99	€17.72	€124.00
4.	€199.00 to €203.99	€17.00	€119.00
5.	€194.00 to €198.99	€16.29	€114.00
6.	€189.00 to €193.99	€15.58	€109.00
7.	€184.00 to €188.99	€14.86	€104.00
8.	€179.00 to €183.99	€14.15	€99.00
9.	€174.00 to €178.99	€13.43	€94.00
10.	€169.00 to €173.99	€12.72	€89.00
11.	€164.00 to €168.99	€12.00	€84.00
12.	€159.00 to €163.99	€11.29	€79.00
13.	€154.00 to €158.99	€10.58	€74.00
14.	€149.00 to €153.99	€9.86	€69.00
15.	€144.00 to €148.99	€9.15	€64.00
16.	€139.00 to €143.99	€8.43	€59.00
17.	€134.00 to €138.99	€7.72	€54.00
18.	€129.00 to €133.99	€7.00	€49.00
19.	€124.00 to €128.99	€6.29	€44.00
20.	€119.00 to €123.99	€5.58	€39.00
21.	€114.00 to €118.99	€4.86	€34.00
22.	€109.00 to €113.99	€4.15	€29.00
23.	€104.00 to €108.99	€3.43	€24.00
24.	€99.00 to €103.99	€2.72	€19.00
25.	€94.00 to €98.99	€2.00	€14.00
26.	€89.00 to €93.99	€1.29	€9.00
27.	€84.00 to €88.99	€0.58	€4.00
28.	€83.99 or any lesser amount	Nil	Nil

*This column does not apply where the RSS recipient is required to pay a contribution under Regulation 8.”.

SCHEDULE 3*Regulation 3*

“Schedule 3

Part 3

Contributions (Category C accommodation)

Reference Number (1)	Weekly Income* (2)	Daily Amount (3)	Weekly Equivalent Amount (4)
1.	€208.00 or any greater amount	€10.58	€74.00
2.	€204.50 to €207.99	€10.08	€70.50
3.	€201.00 to €204.49	€9.58	€67.00
4.	€197.50 to €200.99	€9.08	€63.50
5.	€194.00 to €197.49	€8.58	€60.00
6.	€190.50 to €193.99	€8.08	€56.50
7.	€187.00 to €190.49	€7.58	€53.00
8.	€183.50 to €186.99	€7.08	€49.50
9.	€180.00 to €183.49	€6.58	€46.00
10.	€176.50 to €179.99	€6.08	€42.50
11.	€173.00 to €176.49	€5.58	€39.00
12.	€169.50 to €172.99	€5.08	€35.50
13.	€166.00 to €169.49	€4.58	€32.00
14.	€162.50 to €165.99	€4.08	€28.50
15.	€159.00 to €162.49	€3.58	€25.00
16.	€155.50 to €158.99	€3.08	€21.50
17.	€152.00 to €155.49	€2.58	€18.00
18.	€148.50 to €151.99	€2.08	€14.50
19.	€145.00 to €148.49	€1.58	€11.00
20.	€141.50 to €144.99	€1.08	€7.50
21.	€138.00 to €141.49	€0.58	€4.00
22.	€137.99 or any lesser amount	Nil	Nil

*This column does not apply where the RSS recipient is required to pay a contribution under Regulation 8.”.

The Minister for Public Expenditure and Reform consents to the
making of the foregoing Regulations,
31 December 2021

MICHAEL MCGRATH,
Minister for Public Expenditure and Reform.

GIVEN under my Official Seal,
2 January, 2022.

STEPHEN DONNELLY,
Minister for Health.



EXPLANATORY NOTE

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

These Regulations amend three Schedules to the Health (Residential Support Services Maintenance and Accommodation Contributions) Regulations 2016 (“the Principal Regulations”) by adjusting upwards, by €5, the weekly income bands which determine the amount of the contribution a recipient of “residential support services” (as defined in section 67A(1) of the Health Act 1970) is required to make under the Principal Regulations.

The main effect of these amendments is that a social welfare payment recipient is not required to make an increased contribution under the Principal Regulations where the relevant social welfare payment rate increases by €5 in January 2022.

These Regulations also include a transitional provision ensuring that specified social welfare payment rate increases, which come into operation between 3 January 2022 and 7 January 2022 inclusive, will not trigger contribution rate increases during that period.

The income band adjustments provided for in these Regulations come into operation on 7 January 2022.

BAILE ÁTHA CLIATH
ARNA FHOILSIÚ AG OIFIG AN tSOLÁTHAIR
Le ceannach díreach ó
FOILSEACHÁIN RIALTAIS,
BÓTHAR BHAILE UÍ BHEOLÁIN,
CILL MHAIGHNEANN,
BAILE ÁTHA CLIATH 8,
D08 XAO6

Tel: 046 942 3100
r-phost: publications@opw.ie

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