



STATUTORY INSTRUMENTS

S.I. No. 536 of 2007.

SOCIAL WELFARE (CONSOLIDATED CLAIMS, PAYMENTS AND
CONTROL) (AMENDMENT NO. 4) (BEREAVEMENT GRANT AND
PAYMENTS AFTER DEATH) REGULATIONS 2007

(Prn. A7/1456)

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SOCIAL WELFARE (CONSOLIDATED CLAIMS, PAYMENTS AND CONTROL) (AMENDMENT NO. 4) (BEREAVEMENT GRANT AND PAYMENTS AFTER DEATH) REGULATIONS 2007

The Minister for Social and Family Affairs, in exercise of the powers conferred on him by sections 4, 248 and 300 to the Social Welfare Consolidation Act 2005 (No. 26 of 2005), hereby makes the following regulations:

1. (1) These Regulations may be cited as the Social Welfare (Consolidated Claims, Payments and Control) (Amendment No. 4) (Bereavement Grant and Payments after Death) Regulations 2007.

(2) These Regulations shall be construed as one with the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007 (S.I. No. 142 of 2007) and shall be included in the collective citation “the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007”.

2. In these Regulations “the Principal Regulations” means the Social Welfare (Consolidated Claims, Payments and Control) Regulations 2007.

3. The Principal Regulations are amended by the insertion of the following sub-articles after article 181(7):

“(8) For the purposes of section 300(6), where the deceased person is

- (a) a person who has been, on the date of his or her death, in receipt of State pension (contributory) or State pension (transition) which included an increase in respect of a qualified adult under section 112(1) or 117(1) as the case may be, or whose spouse is in receipt of any benefit in his or her own right, or
- (b) the qualified adult of a person in receipt of State pension (contributory) or State pension (transition) in respect of whom an increase is payable under section 112(1) or 117(1) as the case may be, or
- (c) a qualified child in respect of whom an increase is payable under section 112(2) or (3) or section 117(2) or (3) as the case may be,

the prescribed information shall be

- (i) a copy of an entry in respect of the deceased person in the register of deaths under the Civil Registration Act 2004 (No. 3 of 2004) provided to the Minister by An tArd-Chláraitheoir, or

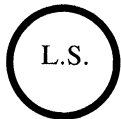
Notice of the making of this Statutory Instrument was published in “Iris Oifigiúil” of 27th July, 2007.

(ii) a copy of the death certificate issued in respect of the deceased person in pursuance of the Civil Registration Act 2004 submitted in respect of the deceased person.

(9) Bereavement grant and a payment under section 248(2) may be awarded in accordance with sub-article (8) to

- (a) the person who is in receipt of State pension (contributory) or State pension (transition) on the death of his or her qualified adult within the meaning of paragraph (a)(i) or qualified child, or
- (b) the qualified adult within the meaning of paragraph (a)(i) on the death of the recipient of the State pension (contributory) or State pension (transition)

where the information provided is sufficient to authenticate the public service identity of the deceased person.”.



GIVEN under the Official Seal,
18 July 2007

MARTIN CULLEN.
Minister for Social and Family Affairs.

EXPLANATORY NOTE

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

These Regulations outline the circumstances under which an award of Bereavement Grant and six weeks after death payments may be made without the need for formal application or referral to a Deciding Officer for decision. These are—

- where a person in receipt of State Pension (Transition) or State Pension (Contributory) dies and an increase in respect of a qualified adult was in payment to him or her at the date of death or would have been but for the receipt by the spouse of social welfare payment in his or her own right, or
- where the spouse of a person in receipt of State Pension (Transition) or State Pension (Contributory) dies and an increase was in payment on that pension in respect of him or her at the date of his or her death, or
- in respect of the death of a child where an increase is payable to a person in receipt of State Pension (Transition) or State Pension (Contributory) for that child at date of his or her death, and

details of the death registration have been notified to the Minister by An tArd-Chláraitheoir, or a copy of the death certificate issued in respect of the deceased person in pursuance of the Civil Registration Act 2004 is submitted and, the information provided is sufficient to validate the identity of the deceased person.

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(Teil: 01 - 6476834/35/36/37; Fax: 01 - 6476843)
nó trí aon díoltóir leabhar.

DUBLIN
PUBLISHED BY THE STATIONERY OFFICE
To be purchased directly from the
GOVERNMENT PUBLICATIONS SALE OFFICE
SUN ALLIANCE HOUSE, MOLESWORTH STREET, DUBLIN 2
or by mail order from
GOVERNMENT PUBLICATIONS, POSTAL TRADE SECTION,
51 ST. STEPHEN'S GREEN, DUBLIN 2
(Tel: 01-6476834/35/36/37; Fax: 01-6476843)
or through any bookseller.

€2.54

ISBN 1-4064-3195-8



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