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*Number 2 of 2008*

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**SOCIAL WELFARE AND PENSIONS ACT 2008**

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ARRANGEMENT OF SECTIONS

PART 1

PRELIMINARY AND GENERAL

Section

1. Short title, construction, collective citation and commencement.

PART 2

AMENDMENT OF SOCIAL WELFARE ACTS

2. Definitions.
3. Child benefit — new rates.
4. Early childcare supplement — increase in rate.
5. Transfer of pension rights to EC institutions scheme.
6. Illness benefit — improvement.
7. State pension (non-contributory) — improvements.
8. One-parent family payment — increase in income limit and amendment.
9. Respite care grant — increase.
10. Detention in legal custody.
11. State pension (contributory) — homemakers.
12. Blind welfare allowance.
13. Blind welfare allowance — consequential amendments.
14. Blind welfare allowance — commencement and transitional.
15. Domiciliary care allowance.
16. Domiciliary care allowance — consequential amendments.
17. Domiciliary care allowance — commencement and transitional.

[No. 2.] *Social Welfare and Pensions Act 2008.* [2008.]

18. Supplementary welfare allowance.
19. Claims.
20. Payments to persons other than claimant or beneficiary.
21. Provisions with respect to habitual residence.
22. Proceedings.
23. Schedule 3, Part 2.
24. Supplementary welfare allowance — calculation of weekly means.
25. Amendments of Act of 2007.

### PART 3

#### AMENDMENT OF PENSIONS ACT 1990

26. Definitions.
27. Registered administrators.
28. Trustee training.
29. Miscellaneous amendments of Pensions Act 1990.

### PART 4

#### AMENDMENT OF OTHER ACTS

30. Amendment of Family Law Act 1995.
31. Amendment of Family Law (Divorce) Act 1996.

### SCHEDULE 1

#### AMENDMENTS RELATING TO SUPPLEMENTARY WELFARE ALLOWANCE

### SCHEDULE 2

#### FORMAL AMENDMENTS OF THE PENSIONS ACT 1990

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ACTS REFERRED TO

Blind Persons Act 1920	10 & 11 Geo. 5, c. 49
Children Act 2001	2001, No. 24
Companies Act 1990	1990, No. 33
Criminal Law (Insanity) Act 2006	2006, No. 11
Family Law Act 1995	1995, No. 26
Family Law (Divorce) Act 1996	1996, No. 33
Health Act 1947	1947, No. 28
Health Act 1970	1970, No. 1
Health Contributions Act 1979	1979, No. 4
Lunacy (Ireland) Act 1821	1 & 2 Geo. 4, c. 33
Mental Health Act 2001	2001, No. 25
Pensions (Amendment) Act 1996	1996, No. 18
Pensions (Amendment) Act 2002	2002, No. 18
Pensions Act 1990	1990, No. 25
Pensions Acts 1990 to 2006	
Social Welfare Acts	
Social Welfare and Pensions Act 2007	2007, No. 8
Social Welfare Consolidation Act 2005	2005, No. 26
Social Welfare Law Reform and Pensions Act 2006	2006, No. 5
Taxes Consolidation Act 1997	1997, No. 39
Trial of Lunatics Act 1883	46 & 47 Vic., c. 38





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*Number 2 of 2008*

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**SOCIAL WELFARE AND PENSIONS ACT 2008**

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AN ACT TO AMEND THE SOCIAL WELFARE ACTS AND THE PENSIONS ACT 1990 AND TO MAKE RELATED AMENDMENTS OF THE FAMILY LAW ACT 1995 AND THE FAMILY LAW (DIVORCE) ACT 1996.

[7th March, 2008]

BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

PART 1

PRELIMINARY AND GENERAL

**1.—(1)** This Act may be cited as the Social Welfare and Pensions Act 2008.

Short title,  
construction,  
collective citation  
and  
commencement.

(2) The Social Welfare Acts and *sections 2 to 25* shall be read together as one.

(3) *Sections 26 to 29* and the Pensions Acts 1990 to 2007 may be cited together as the Pensions Acts 1990 to 2008.

(4) Subject to *subsections (5) and (6)*, this Act shall come into operation on its passing.

(5) *Sections 3, 8, 9 and 10* shall come into operation, or be taken to have come into operation, on the dates respectively specified in those sections.

(6) *Sections 5, 12 to 17, 18(2) to (4) and 27 to 31* shall come into operation on such day or days as the Minister may appoint by order or orders either generally or with reference to any particular purpose or provision, and different days may be so appointed for different purposes or different provisions.