I assent.

(L.S.)

UGO MIFSUD BONNICI
President

31st October, 1995

ACT No. XXVII of 1995

AN ACT to amend the Social Security Act, Cap. 318.

BE IT ENACTED by the President, by and with the advice and consent of the House of Representatives, in this present Parliament assembled, and by the authority of the same, as follows:–

Short title and commencement.

Cap. 318.

1. (1) This Act may be cited as the Social Security (Amendment) Act, 1995, and shall be read and construed as one with the Social Security Act, hereinafter referred to as "the principal Act".

(2) This Act shall be deemed to have come into force as follows:

(a) sections 11 to 12 shall be deemed to have come into force on the 1st January, 1994;

(b) section 18 shall be deemed to have come into force on the 2nd January, 1995;

(c) sections 2 to 10, sections 13 to 17, and section 19 shall be deemed to have come into force on the 7th January, 1995; and

(d) section 20 shall come into force on the 6th January, 1996.

Amendment of section 18 of the principal Act.

2. In subsection (2) of section 18 of the principal Act for the words, "incapacity for work.", there shall be substituted the words, "incapacity for work in respect of which it would otherwise be payable in terms of subsection (1) hereof.".

Amendment of section 27 of the principal Act.

3. In subsection (4) of section 27 of the principal Act, for the words "Lm2.60 per week" there shall be substituted the words "Lm2.82 per week".

Amendment of section 30 of the principal Act.

4. Section 30 of the principal Act shall be amended as follows: —

(a) in subsection (9) thereof, for the words "Lm7 per week" there shall be substituted the words "Lm7.60 per week"; and

(b) in subsection (10) thereof, for the words "Lm2.60 per week" there shall be substituted the words "Lm2.82 per week".

Amendment of section 54 of the principal Act.

5. In section 54 of the principal Act, for the words "Lm47.25 per week", "Lm41.88 per week", and "Lm114.02 per week", there shall be substituted the words "Lm49.95 per week", "Lm44.78 per week" and "Lm116.27 per week", respectively.

Amendment of section 66 of the principal Act.

6. In subsection (3) of section 66 of the principal Act for the words "Lm2.60 per week" there shall be substituted the words "Lm2.82 per week".

Amendment of section 69 of the principal Act.

7. Section 69 of the principal Act shall be amended as follows: —

(a) in subsection (1) thereof, for the words "Lm9.25 per week" there shall be substituted the words "Lm10.50 per week"; and

(b) in subsection (2) thereof, for the words "Lm19.45 per week" there shall be substituted the words "Lm20.95 per week".

Amendment of section 70 of the principal Act.

8. In section 70 of the principal Act, for the words "Lm63" there shall be substituted the words "Lm66".

Amendment of section 72 of the principal Act.

9. In paragraphs (a) and (b) of subsection (1) of section 72 of the principal Act, for the words "Lm7.30 per week", wherever they occur, there shall, in each case, be substituted the words "Lm8.80 per week".

Amendment of section 73 of the principal Act.

10. In paragraph (iii) of subsection (1) of section 73 of the principal Act, for the words "Lm2860" there shall be substituted the words "Lm2938".

Amendment of section 89 of the principal Act.

11. In the proviso to section 89 of the principal Act for the words from "to a lower increase; sohowever that," to the words "of the aforesaid maximum pensionable income.", there shall be substituted the words, "to a lower increase.".

Amendment of section 90A of the principal Act.

12. In section 90A of the principal Act for the words "Save as provided for in the proviso to section 89 of this Act, notwithstanding" there shall be substituted the word "Notwithstanding".

Amendment of the second Schedule to the principal Act.

13. The Second Schedule to the principal Act shall be amended as follows:

(a) paragraph 3 of Part I thereof shall be amended as follows:—

(i) in sub-paragraph (d) thereof, for the words "paid apart from this Act." there shall be substituted the words "paid apart from this Act; and"; and

(ii) immediately after sub-paragraph (d) thereof there shall be added the following new sub-paragraph (e):—

"(e) the first Lm200 by way of earnings derived by any person from the carrying out of hand knitting, lace making, crochet and embroidery activities, at home, and the manufacture of which does not involve any mechanical processes.";

(b) paragraph 4 of Part II thereof shall be amended as follows:

(i) in sub-paragraph (d) thereof, for the words "74.3%" there shall be substituted the words "75.7%";

(ii) in sub-paragraph (f) thereof, for the words "any stipend received" there shall be substituted the words "any stipend received by any member of the household, other than the head of the household or the spouse of such head of household" and for the words "such a scheme." there shall be substituted the words "such a scheme;"; and

(iii) immediatley after sub-paragraph (f) thereof there shall be added the following new sub-paragraph (g):—

"(g) the first Lm200 by way of earnings derived by any person from the carrying out of hand knitting, lace making, crochet and embroidery activities, at home, and the manufacture of which does not involve any mechanical processes.";

(c) paragraph 4 of Part III thereof shall be amended as follows:

(i) sub-paragraph (d) thereof, shall be amended as follows:

(a) for the words "74.3%" there shall be substituted the words "75.7%";

(b) sub-paragraph (ii) thereof, shall be deleted; and

(c) sub sub-paragraphs (iii) and (iv) shall be re-numbered as sub sub-paragraphs (ii) and (iii), respectively;

(ii) in sub-paragraph (g) thereof, for the words "of entitlement." there shall be substituted the words "of entitlement;"; and

(iii) immediately after sub-paragraph (g) thereof, there shall be added the following new sub-paragraphs (h) and (i):—

"(h) contributions under this Act; and

(i) the first Lm200 by way of earnings derived by any person from the carrying out of hand knitting, lace making, crochet and embroidery activities, at home, and the manufacture of which does not involve any mechanical processes.";

(d) in paragraph 2 of Part IV thereof, immediately after sub-paragraph (c) thereof there shall be added the following new sub-paragraph (d):—

"(d) the first Lm200 by way of earnings derived by any person from the carrying out of hand knitting, lace making, crochet and embroidery activities, at home, and the manufacture of which does not involve any mechanical processes.";

(e) paragraph 3 of Part V thereof shall be amended as follows:

(i) in sub-paragraph (c) thereof, for the words "payable under this Act." there shall be substituted the words "payable under this Act;"; and

(ii) immediately after sub-paragraph (c) thereof, there shall be added the following new sub-paragraph (d):

"(d) the first Lm200 by way of earnings derived by any person from the carrying out of hand knitting, lace making, crochet and embroidery activities, at home, and the manufacture of which does not involve any mechanical processes."; and

(f) in paragraph 1 of Part VI thereof, for the words "indicated in paragraph 1 of Part II of this Schedule," there shall be substituted the words "indicated in paragraph 1 of Part II of this Schedule; sohowever that, no account shall be taken of the first Lm200 by way of earnings derived by any person from the carrying out of hand knitting, lace making, crochet and embroidery activities, at home, and the manufacture of which does not involve any mechanical processes;".

Substitution of the Third Schedule to the principal Act.

14. For the Third Schedule to the principal Act there shall be substituted the following:

"THIRD SCHEDULE

Sections 18, 28, 29, 30

Rates of Sickness, Unemployment, Special Unemployment, Injury, Injury Grant and Injury Pension

Part I

Type of Benefit	Daily Rate of Benefit	
	A Single Person or a married man who is maintaining his wife	Any other person
	Lm c	Lm c
Sickness Benefit	4.71	3.05
Injury Benefit	7.11	5.35
Unemployment Benefit	2.87	1.87
Special Unemployment Benefit ...	4.82	3.12

Part II

Amounts of Injury Grant

Degree of Disablement	Amount of Grant
%	Lm c
1	58.00
2	116.00
3	174.00
4	232.00
5	290.00
6	348.00
7	406.00
8	464.00
9	522.00
10	580.00
11	638.00
12	696.00
13	754.00
14	812.00
15	870.00
16	928.00
17	976.00
18	1044.00
19	1102.00

Part III

Highest Rate of Injury Pension

Weekly Rate
Lm c
16.75

".

Amendment of the Sixth Schedule to the principal Act.

15. For Parts I, II, III and IV of the Sixth Schedule to the principal Act there shall be substituted the following:—

"Part I

Scale Rates of Social Assistance per week, inclusive of any increases under the provisions of section 90A of this Act

Where a child allowance IS NOT PAYABLE in respect of ANY child in a household of ONE eligible member only	Where a child allowance IS PAYABLE in respect of ONE child in a household of TWO eligible members only	Where a child allowance IS PAYABLE in respect of TWO children in a household of THREE eligible members only	Where a child allowance IS PAYABLE in respect of THREE children in a household of FOUR eligible members only
Lm c	Lm c	Lm c	Lm c
20.95	22.85	24.30	26.45

Where the number of eligible members in the household exceeds the number indicated in each of the above columns, the respective weekly rates indicated therein shall be increased by Lm3 per week in respect of every other eligible member in that household. For the purposes of this Part, "child allowance" means any or all of the allowances payable under paragraphs (i), (ii) and (iii) of section 76 of this Act.

Part II

Highest Rate of Age Pension per week, inclusive of any increases under the provisions of section 90A of this Act

Category of Pensioner	Highest Rate of Age Pension per week
	Lm c
1. A married man whose wife:–	
(i) also qualifies for a pension in her own right under sections 27 or 66 of this Act	30.85
(ii) does not qualify for a pension in her own right under sections 27 or 66 of this Act	15.93
2. A married woman whose husband does not qualify for a pension in his own right under sections 27 or 66 of this Act	15.93
3. Widowed or single persons	20.95

Part III

Highest Rate of Disability Pension and Blindness Pension per week, inclusive of any increases under the provisions of section 90A of this Act

Category of Pensioner	Highest Rate of Disability Pension or Blindness Pension per week
	Lm c
1. A married man whose wife:–	
(i) also qualifies for a pension in her own right under sections 27 or 66 of this Act	30.85
(ii) does not qualify for a pension in her own right under sections 27 or 66 of this Act	15.93
2. A married woman whose husband does not qualify for a pension in his own right under sections 27 or 66 of this Act	15.93
3. Widowed or single persons	20.95

Part IV

Highest Rate of Carer's Pension per week inclusive of any increases under the provisions of section 90A of this Act

Highest Rate of Carer's Pension per week
Lm c
20.95

".

Amendment of the Eighth Schedule to the principal Act.

16. In Part I of the Eighth Schedule to the principal Act, for the words "32.13,0" there shall be substituted the words "34.38,0".

Substitution of the Ninth Schedule to the principal Act.

17. For the Ninth Schedule to the principal Act there shall be substituted the following:

"NINTH SCHEDULE

Section 25

Amounts of Sickness Assistance, Milk Grant, Leprosy Assistance and Tuberculosis Assistance

Type of Assistance	Weekly Rate
	Lm c
1. Sickness Assistance:–	
(i) in respect of the first member of the household	4.50
(ii) in respect of any other member of the same household	2.30
2. Milk Grant	2.70
3. Leprosy Assistance:–	
(i) in respect of the head of a household who is a leper	8.85
(ii) in respect of any other member of the household who is a leper and not gainfully occupied:–	
(a) if under sixteen years of age	2.70
(b) if sixteen years of age or over	8.85
(iii) in respect of any other member of the household who is not gainfully occupied	2.70
4. Tuberculosis Assistance:–	
(i) basic amount of tuberculosis assistance payable in respect of a household one member of which is affected by tuberculosis	5.70
(ii) allowance payable in respect of each additional member of the household affected by or particularly vulnerable to tuberculosis	1.30

".

18. For the Tenth Schedule to the principal Act there shall be substituted the following:

Substitution of the Tenth Schedule to the principal Act.

"TENTH SCHEDULE

Sections 7 and 10

RATES OF CONTRIBUTIONS

Part I

Class One Contributions
(Employed Persons)

Category	Type of Employed Person	Weekly Rate of Contribution payable by employed person	Weekly Rate of Contribution payable by the employer
A.	Persons under eighteen years of age (other than those falling under Category 'E' below of this Part) whose basic weekly wage or the weekly equivalent of their basic monthly salary does not exceed Lm40.38	Lm1.95	Lm2.34
B.	Persons over eighteen years of age (other than those falling under Category 'F' of this Part) whose basic weekly wage or the weekly equivalent of their basic monthly salary does not exceed Lm40.38	Lm3.37	Lm4.04
C.	Persons (other than those falling under Category 'E' and 'F' of this Part) whose basic weekly wage or the weekly equivalent of their basic monthly salary exceeds Lm40.38 but does not exceed Lm116.27	1/12, calculated to the nearest cent, of their basic weekly wage or the weekly equivalent of their basic monthly salary	1/10, calculated to the nearest cent, of their basic weekly wage or the weekly equivalent of their basic monthly salary
D.	Persons (other than those falling under Categories 'E' and 'F' of this Part) whose basic weekly wage or the weekly equivalent of their basic monthly salary exceeds Lm116.27	Lm9.69	Lm11.63

Category	Type of Employed Person	Weekly Rate of Contribution payable by employed person	Weekly Rate of Contribution payable by the employer
E.	Persons under eighteen years of age who are following a full-time course of studies or instruction under the Student-Worker Scheme, or other similar schemes (including the Extended Skills Training Schemes, but excluding the Worker-Student Schemes) involving distinct work and study periods for which they are receiving remuneration	1/12, calculated to the nearest cent, of the basic weekly remuneration or the weekly equivalent of their basic monthly remuneration up to a maximum rate of contribution of Lm1.57	1/10, calculated to the nearest cent, of the basic weekly remuneration or the weekly equivalent of their basic monthly remuneration up to a maximum rate of contribution of Lm1.88
F.	Persons over eighteen years of age who are following a full-time course of studies or instruction under the Student-Worker Scheme, or other similar schemes (including the Extended Skills Training Schemes, but excluding the Worker-Student Schemes) involving distinct work and study periods for which they are receiving remuneration	1/12, calculated to the nearest cent, of the basic weekly remuneration or the weekly equivalent of their basic monthly remuneration up to a maximum rate of contribution of Lm2.84	1/10, calculated to the nearest cent, of the basic weekly remuneration or the weekly equivalent of their basic monthly remuneration up to a maximum rate of contribution of Lm3.41

Part II

Class Two Contributions
(Self-Employed Persons)

Category	Type of Self-Employed Persons	Weekly Rate of Contributions payable by a self-employed person
	Persons whose annual net income (excluding Maternity Benefit, Children's Allowance and any Ex-gratia Benefit payable under section 88 of this Act) during the calendar year immediately preceding the contribution year in which the contribution is being paid:–	
NW	exceeds Lm430 but does not exceed Lm1991 *(this category is applicable ONLY to single persons who are not self-occupied)*	Lm5.30
SA	does not exceed Lm2,599.....	Lm6.75
SB	exceeds Lm2,599 but does not exceed Lm3,129	Lm8.05
SC	exceeds Lm3,129 but does not exceed Lm3,659	Lm9.35
SD	exceeds Lm3,659 but does not exceed Lm4,189	Lm10.60
SE	exceeds Lm4,189 but does not exceed Lm4,929	Lm12.40
SF	exceeds Lm4,929	Lm14.75

.".

Substitution of the Twelfth Schedule to the principal Act.

19. For the Twelfth Schedule to the principal Act there shall be substituted the following:

"TWELFTH SCHEDULE

Sections 26, 31, 44, 50, 63, 64, 67

Rates of several kinds of pension

A. Full Rates of Retirement Pension per week, inclusive of any increases under the provisions of section 90A of this Act, where the yearly average of contributions paid or credited is 50 or more

Persons who are also in receipt of a Service Pension that is payable by or on behalf of the Government of the United Kingdom		Persons who are also in receipt of a Service Pension that is NOT payable by or on behalf of the Government of the United Kingdom	
Married Man who is maintaining his wife	Any other person	Married Man who is maintaining his wife	Any other person
Lm c	Lm c	Lm c	Lm c
27.17	18.48	23.28	16.35

B. Full Rates of Increased Retirement Pension, Invalidity Pension, Increased Invalidity Pension, National Minimum Pension and Increased National Minimum Pension per week, inclusive of any increases under the provisions of section 90A of this Act, where the yearly average of contributions paid or credited is 50 or more

Type of Pension	Married Man who is maintaining his wife	Any other person
	Lm c	Lm c
Increased Retirement Pension	40.40	30.83
Invalidity Pension	19.46	13.81
Increased Invalidity Pension	34.17	24.17
National Minimum Pension *	32.30	26.92
Increased National Minimum Pension	40.40	(non-applicable)

*N.B. The full rates of the National Minimum Pension are calculated at four-fifths (to the nearest whole cent) of the National Minimum Wage in the case of a married man who is maintaining his wife and at two-thirds (to the nearest whole cent) of the National Minimum Wage in the case of any other person, as provided for in section 50 of this Act.

C. Full Rate of Widow's Pension per week, inclusive of any increases under the provisions of section 90A of this Act, where the yearly average of contribution paid or credited is 50 or more

Lm c
29.85

D. Reduced Rates of Retirement Pension, Increased Retirement Pension, Invalidity Pension, Increased Invalidity Pension, National Minimum Pension and Increased National Minimum Pension per week, inclusive of any increases under the provisions of section 90A of this Act, where the yearly average of contributions paid or credited is between 20 and 49

Yearly average of contributions paid or credited	Rate of pension payable per week (calculated to the nearest whole cent)
40 – 49	[{FAP – INC} x 0.89] + INC
30 – 39	[{FAP – INC} x 0.69] + INC
20 – 29	[{FAP – INC} x 0.49] + INC

For the purposes of the above table, "FAP" means the full rate of the applicable weekly rate of pension in accordance with tables A or B, as the case may be, of this Schedule, and "INC" means all increases granted in terms of section 90A of this Act taking effect from 1st January, 1994 and subsequent years.

E. Rates of National Minimum Pension Additional Allowance per week

Yearly average of contributions paid or credited	Married man who is maintaining his wife	Any other person
	Lm c	Lm c
50 (full rate).....	1.00	2.93
40 – 49	0.89	3.09
30 – 39	0.69	3.02
20 – 29	0.49	2.95

F. Reduced Rates of Widow's Pension per week, inclusive of any increases under the provisions of section 90A of this Act, where the yearly average contributions paid or credited is between 20 and 49

Yearly average of contributions paid or credited	Rate of pension payable per week (calculated to the nearest whole cent)
40 – 49	[{FWP – (INC + Lm7.63)} x 0.89] + INC + Lm7.63
30 – 39	[{FWP – (INC + Lm7.63)} x 0.69] + INC + Lm7.63
20 – 29	[{FWP – (INC + Lm7.63)} x 0.49] + INC + Lm7.63

For the purposes of the above table, "FWP" means the full rate of Widow's Pension in accordance with table C of this Schedule, and " INC" means all increases granted in terms of section 90A of this Act taking effect from 1st January, 1994 and subsequent years; whilst the amount of Lm7.63 represents the weekly rate of Widow's Supplementary Pension which up to the year 1990 was payable to widows who were in receipt of a Widow's Pension irrespective of the yearly average of contributions paid or credited, which weekly amount was, with effect from the year 1991, incorporated with the rates payable by way of a Widow's Pension.

G. Rate of Parent's Pension per week, inclusive of any increases under the provisions of section 90A of this Act

Married man who is maintaining his wife	Any other person
Lm c	Lm c
32.30	26.92

Amendment of the Thirteenth Schedule to the principal Act.

20. In paragraph (3) of the Thirteenth Schedule to the principal Act, for the words "the pensionable income" there shall be substituted the words "the basic wage or salary or the net income as the case may be, and the resultant pensionable income".

Passed by the House of Representatives at Sitting No. 461 of the 18th October, 1995.

LAWRENCE GONZI
Speaker

RICHARD J. CAUCHI
Clerk to the House of Representatives

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