I assent.

(L.S.)

CENSU TABONE
President

14th July, 1992

ACT No. VIII of 1992

AN ACT further to amend the Social Security Act, 1987

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 same, as follows:—

Short Title and Commencement. Act X of 1987.

1. (1) This Act shall be cited as the Social Security (Amendment) Act, 1992 and shall be read and construed as one with the Social Security Act, 1987, hereinafter referred to as "the principal Act".

(2) The provisions of this Act shall be deemed to have come into force as follows:

(a) section 21 shall be deemed to have come into force on the 6th January, 1990;

(b) paragraph (a) of section 5 shall be deemed to have come into force on the 7th January, 1991;

(c) paragraphs (a) to (d) of section 2, section 3, sections 6 to 20, sections 22 to 38, sections 40 to 45 and sections 47 to 49 shall be deemed to have come into force on the 4th January, 1992; and

(d) section 4, paragraphs (b) and (c) of section 5 and sections 39 and 46 shall be deemed to have come into force on the 6th January, 1992.

Amendment to the Arrangement of Sections in the principal Act.

2. The Arrangement of Sections in the principal Act shall be amended as follows:—

(a) in item 15, immediately after the words "Government impressed vehicles" there shall be added the words "and certain farmers and fishermen";

(b) immediately after the item "75. Increased National Minimum Pension" there shall be inserted the following new item 75A:—

"75A. National Minimum Pension Additional Allowance";

(c) immediately after the item "78. Parent's Pension" there shall be inserted the following new item 78A:—

"78A. Carer's Pension";

(d) the item "96. Limitation of applicability of sections 26 and 78 and Parts IV and V" shall be deleted;

(e) in the item "Sixth Schedule", immediately after sub-item Part IIA thereof there shall be added the following sub-item:—

"Part IIB — Highest Rate of Carer's Pension"; and

(f) the item "Fifteenth Schedule — Notional Rate of Age Pension" shall be deleted.

Amendment of Section 2 of the principal Act.

3. Subsection (1) of section 2 of the principal Act shall be amended as follows:

(a) immediately after the definition of the word "father" there shall be added the following new definition:

""full-time basis and regularly" means physically available at home in a way as will ensure unfailing attendance and attention to and the caring of —

(a) for the purposes of subsection (8) of section 30 of this Act —

(i) a relative suffering from mental severe subnormality; or

(ii) a severely handicapped relative; or

(iii) a relative who is aged 60 years or over; and

(b) for the purposes of section 78A of this Act, a parent who is aged 60 years or over who by reason of infirmity is bedridden or confined to a wheel-chair;";

(b) in the definition of the words "service pension", for the words "on an uncommuted basis;" there shall be substituted the words "on an uncommuted basis:

Provided that, with effect from the 4th January 1992, where such person is in receipt of two or more service pensions, only the higher or the highest, as the case may be, of such service pensions shall be deemed to be a service pension for the purpose of assessing, revising or re-assessing a pension in respect of retirement or invalidity under this Act;

sohowever that, solely for the purpose of assessing, revising or re-assessing a Retirement Pension in accordance with section 53 and paragraph (i) of subsection (1) of section 56 of this Act, a person who is in receipt of two or more such service pensions one of which is payable by or on behalf of the United Kingdom Government, shall have the right to elect which of such service pensions as aforesaid is to be deemed to be the service pension for this latter purpose:

Provided further that, with effect from the aforesaid date, and solely for the purpose referred to in the foregoing proviso of this definition, where a service pension as aforesaid in this definition had been —

(a) commuted in whole, and the pensioner concerned has not yet reached his 72nd birthday, 20% of such service pension shall not be deemed to form part of his service pension; or

(b) commuted in whole or in part, and the pensioner concerned has reached his 72nd birthday, 40% of the commuted service pension or of the commuted part of such service pension, as the case may be, shall not be deemed to form part of his service pension;"; and

(c) immediately after the definition of the words "severely handicapped person" there shall be added the following new definition:

""single parent" means a parent who is widowed, separated (whether 'de facto' or 'de jure'), divorced or unmarried who is solely and entirely responsible for the upkeep and upbringing of his or her dependant sons or daughters who have not yet reached 18 years of age;".

4. Section 15 of the principal Act shall be amended as follows:— Amendment of section 15 of the principal Act.

(a) in the title thereto, immediately after the words "Government impressed vehicles" there shall be added the words "and certain farmers and fishermen";

(b) immediately after subsection (1) thereof there shall be added the following new subsection (1A):

"(1A) With effect from the 6th January, 1992, a self-employed person who is a member of a farmers' or fishermen's co-operative primary society in terms of the Co-operative Societies Act and who is considered by the Director of Agriculture and Fisheries to be a full-time farmer or a full-time fisherman shall be entitled to retrieve from the Director of Agriculture and Fisheries the equivalent of one-half of the contribution which he would have been liable to pay under this Act on that part of his annual net income derived solely from farming or fishing, as the case may be; and for this

Cap. 278.

purpose the words "farmer" and "fisherman" shall include a dairy farmer, an animal, poultry or fish breeder and an animal, poultry or fish rearer, and the words "farming" and "fishing" shall be construed accordingly."; and

(c) in subsection (2) thereof, immediately after the words "For the purposes" there shall be inserted the words "of subsection (1)".

Amendment of Section 16 of the principal Act.

5. Section 16 of the principal Act shall be ameded as follows:—

(a) paragraph (c) of subsection (2) thereof shall be amended as follows:—

(i) the word "with effect from the first Monday of January, 1981," shall be deleted; and

(ii) for the words "in such volunteer work." there shall be substituted the words "in such volunteer work:

Provided that where any such volunteer work as aforesaid in this paragraph was performed between the 5th January, 1981 and the 6th January, 1991 the foregoing provisions of this paragraph shall also apply if the Minister is satisfied that the projects on which such volunteer work was performed were restricted to the areas aforesaid in this paragraph; sohowever that any credited contributions that have to be awarded in accordance with the foregoing provisions of this paragraph shall cover consecutive periods starting from the 6th January, 1991 backwards.".

(b) in paragraph (a) of subsection (3) thereof, for the words "a national minimum pension;" there shall be substituted the words "a National Minimum Pension under section 26 of this Act, or for any calendar week during which he is entitled to a Carer's Pension under section 78A of this Act and at any time prior to his becoming entitled to a Carer's Pension as aforesaid in this paragraph was employed in insurable employment or was self-occupied and immediately prior to his becoming entitled to such Carer's Pension had —

(i) paid a total of 156 contributions; and

(ii) paid or been credited with an average of at least 20 contributions per annum;

since attaining his 18th birthday;" and

(c) for sub-paragraph (ii) of paragraph (a) of subsection (4) thereof there shall be substituted the following:—

"(ii) is entitled to Sickness Benefit or to Injury Benefit or to an Invalidity Pension or to an Increased Invalidity Pension or, prior to reaching pension age, to a National Minimum Pension, or to a Carer's Pension, and when last

gainfully occupied prior to becoming entitled to such benefit or pension as aforesaid in this sub-paragraph was a self-occupied person;".

Amendment of Section 17 of the principal Act.

6. For subsection (5) of section 17 of the principal Act, there shall be subsituted the following:—

"(5) Where a person would be entitled to a pension payable under the sections referred to in subsection (2) of this section but for the fact that the relevant contribution conditions are not satisfied as regards the yearly average of contributions paid or credited, that person shall nevertheless be entitled, if the said yearly average is not less than 20, to a pension of that kind at the reduced rate specified for a pension of that kind in the Twelfth Schedule to this Act.".

Amendment of Section 18 of the principal Act.

7. Subsection (1) of section 18 of the principal Act shall be amended as follows:

(a) the words "who is aged 18 years or over but" shall be deleted;

(b) in the proviso thereto, for the words "exceed six." there shall be substituted the words "exceed six:

Provided further that —

(a) entitlement to such benefit as aforesaid in this subsection shall cease forthwith if the incapacity for work is, at any time, considered by the Director to be of a permanent nature or such as will render the insured person concerned incapable for work for a period exceeding 3 years; and such insured person may only be entitled to a pension in respect of invalidity under and in accordance with the provisions of section 26 of this Act; and for this purpose the provisions of paragraph (a) of the proviso to section 109 of this Act, insofar as they refer to the medical consultations that need to be made by the Director before allowing the claim for such a pension, shall not apply; and

(b) where an insured person becomes entitled to benefit as aforesaid in this subsection, if his spell of incapacity for work extends into a new benefit year which is related, in terms of the Eleventh Schedule to this Act, to a contribution year during which less than 20 contributions had been paid or credited in his respect, such person shall, nonetheless, but save as provided for in subsections (5) and (6) of this section, remain entitled to Sickness Benefit as aforesaid in this subsection till the last day of such spell of incapacity for work.".

Amendment of Section 26 of the principal Act.

8. In paragraph (i) of subsection (2) of section 26 of the principal Act:—

(a) for the words "January, 1990" there shall be substituted the words "January, 1992"; and

(b) for the words from "sohowever that," up to and including the words "was awarded; or" there shall be substituted the word "or".

Amendment of Section 27 of the principal Act.

9. In subsection (4) of section 27 of the principal Act, for the words "Lm2.25 per week" there shall be substituted the words "Lm2.35 per week".

Amendment of Section 30 of the principal Act.

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

(a) in the proviso to subsection (1) thereof, for the words "as aforesaid in this subsection." there shall be substituted the words "as aforesaid in this subsection:

Provided further that, where a person becomes entitled to Unemployment Benefit or Special Unemployment Benefit as aforesaid in this subsection, if his spell of unemployment extends into a new benefit year which is related in terms of the Eleventh Schedule to this Act to a contribution year during which less than 20 contributions had been paid or credited in his respect, such person shall, nonetheless, but save as provided for in subsection (2) of this section, remain entitled to Unemployment Benefit or Special Unemployment Benefit, as the case may be, till the last day of such spell of unemployment.";

(b) in subsection (8A) thereof, for the words "Lm2.25 per week" there shall be substituted the words "Lm2.35 per week"; and

(c) in subsection (8B) thereof, for the words "Lm2.25 per week" there shall be substituted the words "Lm2.35 per week".

Amendment of Section 31 of the principal Act.

11. Section 31 of the principal Act shall be amended as follows:—

(a) in paragraph (a) thereof, the word "and" shall be deleted;

(b) in paragraph (b) thereof;

(i) for the words "155 cents" there shall be substituted the words "Lm1.55"; and

(ii) for the words "in respect of such child:" there shall be substituted the words "in respect of such child; or";

(c) immediately after paragraph (b) thereof there shall be added the following new paragraph (c):

"(c) Lm3 per week where an allowance under sections 83 or 84 of this Act is being paid in respect of such son or daughter and the widow concerned is neither in insurable employment nor self-occupied and such son or daughter has not yet reached his or her 18th birthday; sohowever that, where a widow is entitled to an increase in her rate of pension under this paragraph she shall not be entitled to any of the increases referred to in paragraph (a) and (b) of this section."; and

(d) the proviso thereto shall be deleted.

Amendment of Section 32 of the principal Act.

12. Section 32 of the principal Act shall be amended as follows:

(a) in paragraph (i) of subsection (1) thereof, for the words from "do not exceed" up to and including the words "thirteen weeks:" there shall be substituted the following:

"do not exceed a weekly average equivalent to the National Minimum Wage as is applicable to persons of 18 years of age or over established by a National Standard Order issued under the Conditions of Employment (Regulation) Act, and the Employment and Training Corporation had been duly informed of such gainful occupation:"; and

(b) for subsection (2) and the proviso thereto there shall be substituted the following:—

"(2) Notwithstanding the provisions of subsection (1) of this section, a widow under the age of 60 years who is taking care of her son or daughter in respect of whom an allowance under section 83 or 84 of this Act is being paid and such son or daughter has not yet reached his or her 18th birthday shall still be entitled to a pension payable under this Part whilst she is gainfully occupied, whatever the earnings derived therefrom.".

Amendment of Section 38 of the principal Act.

13. In section 38 of the principal Act the words "and 63" shall be deleted.

Amendment of Section 39 of the principal Act.

14. In section 39 of the principal Act for the words "The full rate of" there shall be substituted the words "Save as provided for in the proviso to section 44 of this Act, the full rate of".

Amendment of Section 42 of the principal Act.

15. In section 42 of the principal Act, for the words "shall be abated" there shall be substituted the words "shall, save as provided for in the proviso to section 44 of this Act, be abated".

Amendment of Section 44 of the principal Act.

16. In section 44 of the principal Act, for the words "of the said section 71." there shall be substituted the words "of the said section 71:

Provided that any such reassessed Survivor's Pension shall be such as shall ensure to the widow an increase in pension of not less than two-thirds of the wage increase that is required by law to be awarded generally; sohowever that, where the yearly average of contributions paid by or credited to her husband in accordance with the provisions of sections 64 and 66 of this Act is less than 50 but not less than 15, the proportion of two-thirds referred to above in this proviso shall be multiplied by the proportion that the yearly average of such contributions bears to 50, and the result of such multiplication shall substitute the said proportion of two-thirds.".

Amendment of Section 49 of the principal Act.

17. Section 49 of the principal Act shall be amended as follows:—

(a) the words "other than a Survivor's Pension," shall be deleted; and

(b) for the words from "equivalent to" up to and including the words "such remarriage." there shall be substituted the words "equivalent to —

(a) where the widow was in receipt of a Widow's Pension, 52 times the weekly rate of Widow's Pension that is payable to her imediately before such remarriage; or

(b) where the widow was in receipt of a Survivor's Pension, 52 times the weekly rate of Widow's Pension that would otherwise had been payable to her immediately before such remarriage had she not been in receipt of a Survivor's Pension.".

Amendment of Section 54 of the principal Act.

18. In section 54 of the principal Act for the words from "Lm30" up to and including the words "thirteen weeks:" there shall be substituted the words "a weekly average equivalent to the National Minimum Wage as is applicable to persons of 18 years of age or over established by a National Standard Order issued under the Conditions of Employment (Regulation) Act, and the Employment and Training Corporation had been duly informed of such gainful occupation:".

Amendment of Section 64 of the principal Act.

19. Section 64 of the principal act shall be amended as follows:—

(a) in paragraph (d) of the provisio to subsection (1) thereof, for the words "and the date of his retirement." there shall be substituted the words "and the date of his retirement:

Provided further that, where a person had paid contributions after the 21st January 1979 and was at any time thereafter entitled to a pension under section 26 of this Act, with effect from the 4th January, 1992, any contributions credited under section 16 of this Act after the 21st January 1979 while he was entitled to such pension shall, for the purposes of assessing his right to a Two-Thirds Pension under this Act, be taken into account notwithstanding the fact that thereafter he never ceased to be entitled to such pension as aforesaid in the foregoing proviso of this paragraph; sohowever that, any such number of such credited contributions after the 21st January, 1979 as is taken into account shall not exceed the number of contributions paid by him after the 21st January, 1979."; and

(b) in subsection (2) thereof, for the words "In arriving" there shall be substituted the words "For the purposes of this section, and with effect from the 22nd January, 1979, in arriving".

Amendment of Section 65 of the principal Act.

20. In section 65 of the principal Act, for the words "Lm40.95 per week", "Lm34.13 per week", and "Lm110.02 per week" there shall be substituted the words "Lm42.75 per week", "Lm37.87 per week" and "Lm111.52 per week", respectively.

Amendment of Section 67 of the principal Act.

21. In section 67 of the principal Act, immediately after the words "is entitled to a service pension" there shall be inserted the words "which is or had been commuted, at any time, in whole or in part".

Amendment of Section 71 of the principal Act.

22. In the first proviso to subsection (3) of section 71 of the principal Act, for the words "in the foregoing subsection of this section" there shall be substituted the words "in the foregoing provisions of this section".

23. Immediately after section 75 of the principal Act there shall be added the following new section 75A: Addition of new Section 75A of the principal Act.

"National Minimum Pension Additional Allowance.

75A. Any person who is not a married man who is maintaining his wife and who is entitled to a National Minimum Pension in virtue of the provisions of sections 60 and 61 of this Act shall, in addition to such pension, receive a National Minimum Pension Additional Allowance in accordance with the Twelfth Schedule to this Act, and, for the purposes of this Act, such allowance shall be treated as if it were a pension payable under this Act.".

24. Section 77 of the principal Act shall be amended as follows:— Amendment of Section 77 of the principal Act.

(a) for subsection (2) thereof there shall be substituted the following:—

"(2) A person who becomes entitled to a pension under subsection (1) of this section shall receive such weekly rate of pension as will bring his total weekly means calculated in accordance with the provisions of subsection (1) of this section up to the highest rate of pension payable in accordance with Part II of the Sixth Schedule to this Act; sohowever that, save as provided for in Section 100 of this Act and in the second proviso to paragraph 3 of Part III of the Second Schedule to this Act, where a married man and his wife both qualify for a pension under the provisions of this section or of section 27 of this Act, any such pension as is payable to the wife shall cease to be payable."; and

(b) in subsection (3) thereof, for the words "Lm2.25 per week" there shall be substituted the words "Lm2.35 per week".

25. Immediately after section 78 of the principal Act there shall be added the following new section 78A: Addition of new Section 78A to the principal Act.

"Carer's Pension.

78A. (1) Subject to the provisions of this Act, a single or widowed person who proves to the satisfaction of the Director that —

(a) he is a citizen of Malta and is regularly residing in Malta; and

(b) his yearly means, calculated in accordance with the provisions of Part III of the Second Schedule to this Act, do not exceed Lm325;

shall be entitled to a Carer's Pension in accordance with subsection (2) of this section if such person proves to the satisfaction of the Director that he is taking care, all by himself, on a full-time basis and regularly of his parent who —

(i) is aged 60 years or over; and

(ii) is living in the same household as that of such person; and

(iii) because of infirmity is bedridden or confined to a wheel-chair.

(2) A person who becomes entitled to a pension under subsection (1) of this section shall receive such weekly rate of pension as will bring his total weekly means calculated in accordance with the provisions of subsection (1) of this section up to the highest rate of pension payable in accordance with Part IIB of the Sixth Schedule to this Act.".

Amendment of Section 79 of the principal Act.

26. Section 79 of the principal Act shall be amended as follows:—

(a) in subsection (1) thereof, for the words "Lm8 per week" there shall be substituted the words "Lm8.50 per week"; and

(b) in subsection (1A) thereof, for the words "Lm16.95 per week" there shall be substituted the words "Lm17.95 per week".

Amendment of Section 80 of the principal Act.

27. In section 80 of the principal Act, for the words "Lm60.50" there shall be substituted the words "Lm63".

Amendment of Section 82 of the principal Act.

28. In subsection (1) of section 82 of the principal Act, for the words "Lm6.05 per week" wherever they occur there shall be substituted the words "Lm6.30 per week".

Amendment of Section 82A of the principal Act.

29. In paragraph (iii) of subsection (1) of section 82A of the principal Act, for the words "Lm2,665" there shall be substituted the words "Lm2730".

Amendment of Section 83A of the principal Act.

30. In the proviso to section 83A of the principal Act, for the words "in his respect." there shall be substituted the words "in his respect:

Provided further that, where a child in respect of whom this section applies reaches his 16th birthday (or his 14th birthday in the case of a blind child) and for some reason fails to qualify for a pension under section 27 of this Act, he shall remain eligible to an allowance under this section if he is not gainfully occupied and is still undergoing full-time education or training in an educational institution recognized by the Government in terms of the Education Act, and no form of remuneration or allowance (excluding any allowance payable under this Act) is being paid to him or her during such time.".

Amendment of Section 87 of the principal Act.

31. In subsection (2) of section 87 of the principal Act, for the words "shall not be payable" there shall be substituted the words "shall neither be payable nor due".

Amendment of Section 94 of the principal Act.

32. In section 94 of the principal Act, for the words from "shall be taken into account" up to and including the words "before such revision or reassessment." there shall be substituted the words "shall then be taken into account:

Provided that any such increases shall not only not adversely affect the rate of pension as is already payable to him or her immediately before such revision or reassessment as aforesaid in this section, but such pensioner shall, furthermore, be entitled to an increase in his or her rate of pension under this Act equivalent to two-thirds of the wage increase that is required by law to be awarded generally if such revised or re-assessed pension as is payable under this Act would otherwise entitle such pensioner to a lower increase.".

Amendment of Section 95 of the principal Act.

33. In section 95 of the principal Act, for the words "and an Age Pension" there shall be substituted the words "an Age Pension and a Carer's Pension".

Repeal of Section 96 of the principal Act.

34. Section 96 of the principal Act shall be repealed.

Amendment of Section 101 of the principal Act.

35. Section 101 of the principal Act shall be amended as follows:—

(a) in paragraph (b) of subsection (2) thereof, immediately after the words "a Blindness Pension," there shall be inserted the words "a Carer's Pension"; and

(b) immediately after subsection (3) thereof, there shall be added the following new subsection (4):—

"(4) Unless otherwise stated in the relative provisions of this Act, where a person is in any way disqualified from receiving benefit, pension, allowance or assistance under this Act, he shall not again become entitled to such benefit, pension, allowance or assistance under and in accordance with the provisions of this Act unless he makes a fresh claim therefor in terms of the foregoing provisions of this section and for this purpose, the respective time limits laid down in subsection (2) of this section shall, in each and every case, take effect as from the date on which such disqualification as aforesaid in this section ceases.".

Amendment of Section 102 of the principal Act.

36. Section 102 of the principal Act shall be amended as follows:—

(a) in subsection (2) thereof:—

(i) for the words "payment shall be made only, or the new rate shall take effect only," there shall be substituted the words "with effect from the 15th October, 1977, entitlement to such pension, allowance or assistance and/or its new rate shall, notwithstanding the foregoing provisions of this Act, accrue only"; and

(ii) for the words "for the whole week" there shall be substituted the words "in respect of the whole week"; and

(b) in subsection (4) thereof for the words "if the assessment on such a claim" there shall be substituted the words "if the

assessment or reassessment or the continued payment of such a claim".

Amendment of Section 105 of the principal Act.

37. Subsection (1) of section 105 of the principal Act shall be amended as follows:

(a) immediately after the words "of section 102 of this Act," there shall be inserted the words "with effect from the 1st of April 1978,"; and

(b) in the provisio thereto, for the words "Provided that —" there shall be substituted the words "Provided that, with effect from the 6th January, 1990, —".

Amendment of Section 109 of the principal Act.

38. In paragraph (a) of the proviso to section 109 of the principal Act, immediately after the words "section 30 of this Act," there shall be inserted the words "a Carer's Pension,".

Amendment of the First Schedule to the principal Act.

39. In Part II of the First Schedule to the principal Act, immediately after item 7 thereof there shall be added the following new items 8 and 9 respectively:—

"8. With effect from the 6th January, 1992, employment of a person who has reached pension age, provided his weekly wage or salary does not exceed the national minimum wage, or its monthly equivalent, as is applicable to persons of 18 years of age or over established by a National Standard Order issued under the Conditions of Employment (Regulation) Act.

9. With effect from the 4th July, 1988, employment of a person as a Casual Social Assistant by the Department for the Care of the Elderly of the Government of Malta.".

Amendment of the Second Schedule to the principal Act.

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

(a) the words "Sections 12, 20, 23, 27 and 30" immediately before the words "SECOND SCHEDULE" shall be deleted and immediately after the words "SECOND SCHEDULE" there shall be inserted the words "Sections 12, 20, 23, 27, 30, 77 and 78A";

(b) for the words "and a Blindness Pension." before Part I thereof, there shall be substituted the words ", a Blindness Pension and a Carer's Pension.";

(c) Part II thereof shall be amended as follows:—

(i) in the proviso to sub-paragraph (a) of paragraph 1 thereof, for the words "together exceed Lm2,200, the person claiming" there shall be substituted the words "together exceed —

(i) Lm4,000 in the case of a household consisting of one member only or a number of members headed by a single person or a single parent; or

(ii) Lm7,000 in the case of a household consisting of at least the head of household and his wife;

the person claiming"; and

(ii) in sub-paragraph (d) of paragraph 5 thereof, for the words "70.8%" there shall be substituted the words "72.5%";

(d) Part IIA thereof shall be amended as follows:—

(i) in the proviso to sub-paragraph (a) of paragraph 1 thereof, for the words "together exceed Lm2,200, the person claiming" there shall be substituted the words "together exceed —

(i) Lm4,000 in the case of a household consisting of one member only or a number of members headed by a single person or a single parent; or

(ii) Lm7,000 in the case of a household consisting of at least the head of household and his wife;

the person claiming"; and

(ii) in sub-paragraph (d) of paragraph 4 thereof, for the words "70.8%" there shall be substituted the words "72.5%"; and

(e) Part III thereof shall be amended as follows:—

(i) in the title thereto, immediately after the words "Age Pension" there shall be added the words "and Carer's Pension";

(ii) in paragraph 1 thereof —

(a) for the words "of section 77" there shall be substituted the words "of sections 77 and 78A"; and

(b) for the words "an age pension" there shall be substituted the words "an Age Pension or a Carer's Pension, as the case may be,"; and

(iii) in paragraph 2 thereof, for the words from "no account shall be taken of" up to and including the words "under this Act." there shall be substituted the words "no account shall be taken of —

(a) the first Lm165 of such means, in the case of a married couple; or

(b) the first Lm115 of such means, in the case of a single or widowed person; and

(c) any family bonus payable under and in accordance with section 93A of this Act, any Medical Assistance, Parental Allowance, Children's Allowance, Handicapped Child Allowance or Maternity Benefit payable under this Act.".

Substitution of the Third Schedule to the principal Act.

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

"THIRD SCHEDULE

Sections 18, 28, 29, 30.

Rate of Sickness, Unemployment, Special Unemployment, Injury and Disablement Benefits

Part I

Type of Benefit	Daily Rate of Benefit	
	A Single Parent or a married man who is maintaining his wife	Any other person
	Lm c m	Lm c m
Sickness Benefit	4.05,0	2.50,0
Injury Benefit	6.35,0	4.70,0
Unemployment Benefit	2.35,0	1.40,0
Special Unemployment Benefit	4.25,0	2.60,0

Part II

Amounts of Disablement Gratuity

Degree of Disablement	Amount of Gratuity
%	Lm c m
1	55.00,0
2	110.00,0
3	165.00,0
4	220.00,0
5	275.00,0
6	330.00,0
7	385.00,0
8	440.06,0
9	495.00,0
10	550.00,0
11	605.00,0
12	660.00,0
13	715.00,0
14	770.00,0
15	825.00,0
16	880.00,0
17	935.00,0
18	990.00,0
19	1,045.00,0

Part III

Highest Rate of Disablement Pension

Weekly Rate
Lm c m
15.25,0

".

42. For the Sixth Schedule to the principal Act there shall be substituted the following:— **Substitution of the Sixth Schedule to the principal Act.**

"SIXTH SCHEDULE

Sections 27, 30, 77, 78A

Part I

Scale Rates of Social Assistance

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 m	Lm c m	Lm c m	Lm c m
17.95,0	19.85,0	21.30,0	23.45,0

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 83 of this Act.

Part II

Highest Rate of Age Pension

Category	Highest Rate of Age Pension per week
	Lm c m
1. Married Men:	
(i) where the wife also qualifies for a pension in her own right under sections 27 or 77	27.30,0
(ii) where the wife does not qualify for a pension in her own right under sections 27 or 77	13.65,0
2. Married women whose husband does not qualify for a pension in his own right under sections 27 or 77	13.65,0
3. Widowed or single persons	17.95,0

Parti IIA

Rate of Handicapped Pension and Blindness Pension

A. Married Men

Category	Rate of pension per week
	Lm c m
where the wife also qualifies for a pension under sections 27 or 77	27.30,0
where the wife does not qualify for a pension under sections 27 or 77	13.65,0

B. Persons not being married men

Category	Rate of pension per week
	Lm c m
married women whose husband does not qualify for a pension under sections 27 or 77	13.65,0
widowed or single persons ..	17.95,0

Part IIB

Highest Rate of Carer's Pension

Rate of pension per week
Lm c m
17.95,0

Part III

House Rent

The rates in Parts I, II, IIA and IIB of this Schedule shall be increased by 50c per week if the household is paying rent for its normal place of habitation:

Provided that, where more than one household live within the same premises, the rent allowance shall be paid only once and shall be paid to the head of household responsible for the payment of such rent to third parties.

The ground rent payable by the household in respect of premises which are held in emphyteusis for a period not exceeding twenty-five years shall be deemed to be the house rent for the purposes of this paragraph if such premises are used exclusively by the household and solely as residence.".

Substitution of the Seventh Schedule to the principal Act.

43. For the Seventh Schedule to the principal Act there shall be substituted the following:—

"SEVENTH SCHEDULE

Section 20

Scale Rates of Means Governing Sickness Assistance

Number of Persons in household	Scale Rate
1 person only	Lm c m 9.30,0

Where the number of members in the household exceeds 1, the weekly rate indicated above shall be increased by Lm3 per week in respect of every other member in that household.".

Substitution of the Eighth Schedule to the principal Act.

44. For the Eighth Schedule to the principal Act there shall be substituted the following:—

"EIGHTH SCHEDULE

Section 23

Part I

Scale rates of means governing Free Medical Aids where the head of household is in insurable employment or self-occupied

Number of Persons in household	Scale Rate
1 person only	Lm c m 29.63,0

Where the number of members in the household exceeds 1, the weekly rate indicated above shall be increased by Lm3 per week in respect of every other member in that household.

Part II

Scale rates of means governing Free Medical Aids where the head of household is neither in insurable employment nor self-occupied

Number of Persons in household	Scale Rate
1 person only	Lm c m 11.75,0

Where the number of members in the household exceeds 1, the weekly rate indicated above shall be increased by Lm3 per week in respect of every other member in that household.".

45. For the Ninth Schedule to the principal Act there shall be substituted the following:— Substitution of the Ninth Schedule to the principal Act.

"NINTH SCHEDULE

Section 25

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

Type of Assistance	Weekly Rate
	Lm c m
1. Sickness Assistance —	
(i) in respect of the first member of the household	4.30,0
(ii) in respect of any other member of the household	2.20,0
2. Milk Grant	2.50,0

3. Leprosy Assistance —	
(i) in respect of the head of a household who is a leper	8.65,0
(ii) in respect of any other member of the household who is a leper and not gainfully occupied —	
(a) if under 16 years of age	2.60,0
(b) if 16 years of age or over	8.65,0
(iii) in respect of any other member of the household who is not gainfully occupied	2.60,0
4. Tuberculosis Assistance —	
(i) basic amount of tuberculosis assistance payable in respect of a household one member of which is affected by tuberculosis	5.50,0
(ii) allowance payable in respect of each additional member of the household affected by or particularly vulnerable to tuberculosis	1.20,0

.".

Substitution of the Tenth Schedule to the principal Act.

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

"TENTH SCHEDULE

Sections 7 and 10

Rates of Contributions

Part I

Class One Contributions
(Employed Persons)

Category	Type of Employed Persons	Weekly Rate of Contribution payable by the employed person and his employer
A.	Persons under 18 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 Lm35.63,0	Lm1.64,0

B.	Persons over 18 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 Lm35.63,0	Lm2.97,0
C.	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 Lm35.63,0 but does not exceed Lm111.52,0	1/12, calculated to the nearest cent, of the 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 Lm111.52,0 ..	Lm9.29,0
E	Persons under 18 years of age who are following a full-time course of studies or instruction under the Pupil-Worker Scheme, 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 the basic monthly remuneration up to a maximum rate of contribution of Lm1.57,0.
F.	Persons over 18 years of age who are following a full-time course of studies or instruction under the Pupil-Worker Scheme, 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 the basic monthly remuneration up to a maximum rate of contribution of Lm2.84,0.

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 93A of this Act) during the calendar year immediately preceding the contribution year in which the contribution is being paid —	
A.	does not exceed Lm1,861	Lm 4.65.0
B.	exceeds Lm1,861 but does not exceed Lm2,391	Lm 5.95.0
C.	exceeds Lm2,391 but does not exceed Lm2,921	Lm 7.25.0
D.	exceeds Lm2,921 but does not exceed Lm3,451	Lm 8.55.0
E.	exceeds Lm3,451 but does not exceed Lm3,981	Lm 9.80.0
F.	exceeds Lm3,981 but does not exceed Lm4,721	Lm11.60.0
G.	exceeds Lm4,721	Lm13.95.0

".

Amendment of the Eleventh Schedule to the principal Act.

47. In sub-paragraph (b) of paragraph 1 of the Eleventh Schedule to the principal Act, for the words "or had credited to him not less than fifty contributions" there shall be substituted the words "or had credited to him not less than twenty contributions".

Substitution of the Twelfth Schedule to the principal Act.

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

"TWELFTH SCHEDULE

Sections 26, 31, 37, 53, 60, 75, 75A, 78

Rates of several kinds of pension

A. Retirement Pension

Yearly average of contributions paid or credited	Weekly rate of Retirement Pension			
	Persons who are also in receipt of a service pension that is payable by or on behalf of the United Kingdom Government		Persons who are also in receipt of a service pension that is NOT payable by or on behalf of the United Kingdom Government	
	Married man who is maintaining his wife	Any other person	Married man who is maintaining his wife	Any other person
	Lm c m	Lm c m	Lm c m	Lm c m
50 or more (full rate)	24.00,0	15.55,0	19.00,0	12.50,0
40 – 49	21.35,0	13.85,0	16.90,0	11.15,0
30 – 39	16.55,0	10.75,0	13.10,0	8.65,0
20 – 29	11.75,0	7.60,0	9.30,0	6.15,0

B. Increased Retirement Pension

Yearly average of contributions paid or credited	Weekly Rate of Increased Retirement Pension	
	Married man who is maintaining his wife	Any other person
	Lm c m	Lm c m
50 or more (full rate)	35.00,0	25.60,0
40 — 49	31.15,0	22.80,0
30 — 39	24.15,0	17.65,0
20 — 29	17.15,0	12.55,0

C. Invalidity Pension

Yearly average of contributions paid or credited	Weekly Rate of Invalidity Pension	
	Married man who is maintaining his wife	Any other person
	Lm c m	Lm c m
50 or more (full rate)	16.50,0	11.00,0
40 — 49	14.70,0	9.80,0
30 — 39	11.40,0	7.60,0
20 — 29	8.10,0	5.40,0

D. Increased Invalidity Pension

Yearly average of contributions paid or credited	Weekly Rate of Increased Invalidity Pension	
	Married man who is maintaining his wife	Any other person
	Lm c m	Lm c m
50 or more (full rate)	31.00,0	21.00,0
40 — 49	27.60,0	18.70,0
30 — 39	21.40,0	14.50,0
20 — 29	15.20,0	10.30,0

E. Widow's Pension

Yearly average of contributions paid or credited	Weekly Rate of Widow's Pension
	Lm c m
50 or more (full rate) ..	26.60,0
40 — 49	24.50,0
30 — 39	20.70,0
20 — 29	16.90,0

F. National Minimum Pension

Yearly average of contributions paid or credited	Weekly Rate of National Minimum Pension	
	Married man who is maintaining his wife	Any other person
	Lm c m	Lm c m
50 or more (full rate) ..	28.50,0	23.75,0
40 — 49	25.35,0	21.15,0
30 — 39	19.65,0	16.40,0
20 — 29	13.95,0	11.65,0

G. Increased National Minimum Pension

Yearly average of contributions paid or credited	Weekly Rate of Increased National Minimum Pension payable to a married man who is maintaining his wife
	Lm c m
50 or more (full rate) ..	35.00,0
40 — 49	31.15,0
30 — 39	24.15,0
20 — 29	17.15,0

H. Parent's Pension

Weekly rate of Parent's Pension	
Married man who is maintaining his wife	Any other person
Lm c m	Lm c m
28.50,0	23.75.0

I. National Minimum Pension Additional Allowance

Yearly average of contributions paid or credited	Weekly Rate of National Minimum Pension Additional Allowance payable to persons other than a married man who is maintaining his wife
	Lm c m
50 or more (full rate) ..	1.50,0
40 — 49	1.35,0
30 — 39	1.05,0
20 — 29	0.75,0

".

Deletion of the Fifteenth Schedule to the principal Act.

49. The Fifteenth Schedule to the principal Act shall be deleted.

Passed by the House of Representatives at Sitting No. 33 of the 1st July, 1992.

LAWRENCE GONZI
Speaker

RICHARD J. CAUCHI
Clerk to the House of Representatives.

Ippubblikat mid-Dipartiment ta' l-Informazzjoni – Kastilja – Published by the Department of Information - *Castille*
Mitbugħ fl-Istamperija tal-Gvern – *Printed at the Government Printing Press*

Prezz 14c – *Price 14c*