

L.N. 326 of 2012

**SOCIAL SECURITY ACT
(CAP. 318)
State Financed Residential Services Rates
(Amendment) Regulations, 2012**

IN exercise of the powers conferred by articles 84, 93 and 131 of the Social Security Act, the Minister for Justice, Dialogue and the Family, with the concurrence of the Minister of Finance, the Economy and Investment, has made the following regulations:-

1. The title of these regulations is the State Financed Residential Services Rates (Amendment) Regulations, 2012, and these regulations shall be read and construed as one with the State Financed Residential Services Rates Regulations, hereinafter referred to as "the principal regulations".

Citation.

S.L. 318.13

2. Regulation 3 of the principal regulations shall be amended as follows:

Amends
regulation 3 of
the principal
regulations.

(a) in sub-regulation (4) thereof, for the words "So however that such contribution made by the resident shall not be such as to leave the resident", there shall be substituted the words "So however that such contribution made by the resident shall not exceed the cost of the service provided *per diem* such as to leave the resident"; and

(b) immediately after sub-regulation (6) thereof, there shall be added the following new sub-regulation:

"(7) For the purpose of these regulations, in the calculation for the purpose of establishing the contribution due by a resident according to these regulations where such resident is:

(a) a parent, who is, on the date the contribution to Government is due, the sole bread winner, and who is still raising (i) a minor child, or if not a minor, (ii) a child over 16 years of age who is still undergoing full-time education or training in an educational institution recognised by the Government under the Education Act or (iii) is registered as unemployed under the Part 1 Register, or (iv) is a child over 16 years of age who due to disability cannot work nor is registering as unemployed under the Part 1 Register, all contributions in respect of care and

upkeep are to be waived; or

(b) a parent, who prior to acquiring the disability was part of a dual earner couple, and who is still raising (i) a minor child, or if not a minor, (ii) a child over 16 years of age who is still undergoing full-time education or training in an educational institution recognised by the Government under the Education Act or (iii) is registered as unemployed under the Part 1 Register, or (iv) is a child over 16 years of age who due to disability cannot work nor is registering as unemployed under the Part 1 Register, account is only to be taken of the part of all the social security benefits or pensions due to be apportioned to the resident. Any other income is not to be considered, except where the resident is in receipt of insurance money intended to cover part or all of the treatment required by the resident."

Amends
regulation 4 of
the principal
regulations.

3. Regulation 4 of the principal regulations shall be amended as follows:

(a) in paragraph (d) thereof, for the words "assessed at a lower rate.", there shall be substituted the words "assessed at a lower rate;"; and

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

"(e) the cost *per diem* of the service being provided."

Amends
regulation 5 of
the principal
regulations.

4. Regulation 5 of the principal regulations shall be amended as follows:

(a) the words "St Luke's Hospital" shall be deleted;

(b) for the words "Żejtun, and", there shall be substituted the word "Żejtun"; and

(c) immediately after the word "Żejtun", there shall be added the words "Mellieħa, and".

