I assent.

(L.S.)

AGATHA BARBARA
President

1st August, 1986

ACT No. XXX of 1986

AN ACT further to amend the National Insurance Act, 1956.

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. Act VI of 1956

1. (1) This Act may be cited as the National Insurance (Amendment) (No. 2) Act, 1986, and shall be read and construed as one with the National Insurance Act, 1956, hereinafter referred to as "the principal Act".

(2) Sections 2, 3, 4, 6, 7, 8, 10, 11 and 12 of this Act shall be deemed to have come into force on the 4th January, 1986, whilst sections 5 and 9 shall come into force on the 2nd August, 1986.

Amendment of section 10 of the principal Act.

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

(i) for paragraph (l) of subsection (1) thereof there shall be substituted the following:

"(l) Orphan's allowance;"; and

(ii) in paragraph (a) of subsection (2) thereof, the words "guardian's allowance," and "a guardian's allowance and" respectively, shall be deleted.

Amendment of section 16 of the principal Act.

3. Section 16 of the principal Act shall be amended as follows:

(i) in paragraph (b) of subsection (6) thereof, immediately after the words "shall not exceed two-thirds" there shall be inserted the words ", calculated to the nearest fifth cent,"; and

(ii) immediately at the end of subsection (7) thereof there shall be added the following proviso:

"Provided that:

(a) a widow who is entitled to receive the national minimum pension under the provisions of this section, but in whose respect paragraph (b) of subsection (6) of this section does not apply, shall receive an increase equivalent to twice the increase as aforesaid in this subsection in lieu of such aforesaid increase; and

(b) a widow in respect of whom paragraph (b) of subsection (6) of this section is applicable shall receive a further increase as shown under Part IV of the Ninth Schedule to this Act in addition to the increase payable under Part III of the said Schedule to this Act, calculated on the yearly average of contributions as aforesaid in this subsection.".

Substitution of section 18 of the principal Act.

4. For section 18 of the principal Act there shall be substituted the following:

"Orphan's allowance.

18. Subject to the provisions of this Act, any person who has the care of a child of another person shall, if both parents of the child are dead and at least one of the parents was, at the time of death, an insured person, be entitled to an Orphan's allowance for each such child.".

Addition of section 24A to the principal Act.

5. Immediately after section 24 of the principal Act there shall be added the following new section 24A:

"Extension of injury benefit and disablement benefit to certain self-employed persons.

24A. The provisions of sections 19 to 24 and 28 of this Act shall be applicable to any self-employed person who is gainfully occupied and who proves to the satisfaction of the Director that he has had no income from his gainful occupation during his incapacity for work or the line of business or similar concern or activity to which his gainful occupation relates has either been temporarily, but completely, suspended or that nobody is running the said business or similar concern on his behalf during his incapacity for work.".

Amendment of section 25 of the principal Act.

6. Section 25 of the principal Act shall be amended as follows:

(i) paragraph (d) of subsection (1) thereof shall be deleted; and

(ii) paragraph (c) of subsection (2) thereof shall be deleted.

Amendment of section 31 of the principal Act.

7. In paragraph (a) of the proviso to section 31 of the principal Act the words ", guardian's allowance" shall be deleted.

Amendment of section 32 of the principal Act.

8. In subsection (1) of section 32, the words "a guardian's allowance or" wherever they occur, shall be deleted.

9. Immediately at the end of paragraph (a) of section 33 of the principal Act there shall be added the following: Amendment of section 33 of the principal Act.

"Provided that, where such person is a married man who prior to such an event as aforesaid was wholly maintaining his wife, his wife shall be entitled to receive half the pension which would have been payable to her husband had he not been disqualified as aforesaid, provided she is not already entitled to a pension under this Act in her own right, or is in insurable employment, or is gainfully occupied as a self-employed person.".

10. Immediately after section 87 of the principal Act there shall be added the following new section: Addition of section 87A to the principal Act.

"Entitlement of child allowance where widow or widower re-marry.

87A. (1) Where a widow or a widower re-marries or had re-married before the 4th day of January, 1986, with effect from the 4th day of January, 1986, a child allowance shall be payable in respect of the first three children born as a result of such re-marriage at the rates specified in sub-paragraphs (i), (ii) and (iii) of paragraph (a) of section 76 of this Act, as the case may be, notwithstanding the fact that —

(i) such children may have been born after the first day of November, 1974, and

(ii) that such widow or widower may have had or still have other children from her or his previous marriage or marriages who had been or still are eligible for a child allowance.

(2) For the purposes of subsection (1) of this section the provisions of the proviso to section 72 and sections 75, 77 and 80 to 87 of this Act shall apply; and for all other purposes of this Act any child allowance payable in accordance with this section shall be considered as if payable under the provisions of section 72 of this Act.".

11. The Third Schedule to the principal Act shall be amended as follows: Amendment of the Third Schedule to the principal Act.

(i) in Part I thereof the words ", *Guardian's Allowance*" shall be deleted; and

(ii) for Part VII thereof there shall be substituted the following:

"PART VII

Weekly Rate of Orphan's Allowance per Child

Where a child allowance is being paid under Part VIII of this Act	Lm3.00,0
Where no child allowance is being paid under Part VIII of this Act	Lm4.90,0".

Amendment of the Ninth Schedule to the principal Act.

12. Immediately after Part III of the Ninth Schedule to the principal Act there shall be added the following new Part IV:

"PART IV

Further increase in the rate of pension to a widow under paragraph (b) of the proviso to subsection (7) of section 16 of the Act

Yearly average of contributions paid or credited	Maximum Weekly Rate of Increase
	Lm c m
50 or more (full rate)	0.30,0
40 — 49	0.25,0
30 — 39	0.20,0
20 — 29	0.15,0".

Passed by the House of Representatives at Sitting No. 374 of the 29th July, 1986.

PAUL XUEREB
Speaker

C. MIFSUD
Clerk to the House of Representatives

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