VERŻJONI ELETTRONIKA

B 4538

L. N. 355 of 2013

SOCIAL SECURITY ACT
(CAP. 318)

Increase in the Rates of Benefits Order, 2013

IN exercise of the powers conferred by article 84 of the Social Security Act, hereinafter referred to as "the Act", the Minister for the Family and Social Solidarity, with the concurrence of the Minister for Finance, has made the following order:-

Title and commencement.

1. (1) The title of this order is the Increase in the Rates of Benefits Order, 2013.

(2) This order shall come into force on the following dates:

(a) in the case of the Tenth Schedule, with effect from the 7th January, 2013;

(b) in the case of the Third, Sixth, Seventh, Eight, Ninth, Twelfth and Fourteenth Schedules, except Part V thereof, with effect from the 5th January, 2013;

(c) in the case of Seventh Schedule, with effect from 1st January, 2012; and

(d) Part V of the Fourteenth Schedule, with effect from 6th July, 2013.

Substitues the Third Schedule to the Act.

2. The Third Schedule to the Act shall be substituted by the following new Schedule:

"**THIRD SCHEDULE**

(Articles 18, 28, 29 u 30)

PART I

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

	Daily Rate of Benefit	
Type of Benefit	A Single Parent or a Married Person maintaining a Spouse who is not employed on a full-time basis	Any Other Person

Sickness Benefit	€19.05	€12.32
Injury Benefit	€28.59	€21.51
Unemployment Benefit	€11.55	€7.56
Special Unemployment Benefit	€19.41	€12.67

PART II

Amounts of Injury Grant

Degree of Disablement	**Amount of Grant**
%	€
1	233.50
2	466.97
3	700.46
4	933.93
5	1,167.30
6	1,400.78
7	1,643.26
8	1,867.75
9	2,101.22
10	2,334.69
11	2,568.15
12	2,801.64
13	3,305.11
14	3,268.59
15	3,501.99
16	3,735.43
17	3,968.92
18	4,202.36
19	4,435.83

PART III

Highest Rate of Injury Pension

Weekly Rate
€67.32

PART IV

Orphan's Allowance

Weekly Rate
€54.71

PART V

Orphan's Supplementary Allowance

Weekly Rate
€97.06

".

Substitues the Sixth Schedule to the Act.

3. The Sixth Schedule to the Act shall be substituted by the following new Schedule:

"**SIXTH SCHEDULE**

(Articles 27, 30, 66, 68)

PART I

Scale Rates of Social Assistance per week inclusive of any measures under the provisions of article 90A

A Household of ONE eligible Member Only
€98.15

Where the number of eligible members in the household exceeds the number indicated in the above column, the respective weekly rate indicated therein shall be increased by €8.15 per week in respect of every other eligible member in that household.

PART II

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

Category of Pensioner	**Highest Rate of Age Pension per week**
1. A married couple where both spouses qualify for a pension under article 66	€130.00
2. A married couple where only one of the spouses qualifies for a pension under article 66	€84.62
3. Widowed, single persons or a married person whose spouse is in receipt of a State Financed Residential Service in terms of article 93	€102.23

PART III

Highest Rate of Disability Pension and Pension for the Visually Impaired per Week inclusive of any increases under the provisions of article 90A

Weekly Rate
€97.07

PART IV

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

Highest Rate of Carer's Pension per week
€101.41

PART V

House Rent

The rates in Parts I, II, III and IV of this Schedule shall be increased by €1.16 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 a residence.".

4. The Seventh Schedule to the Act shall be substituted by the following new Schedule: Substitues the Seventh Schedule to the Act.

"**SEVENTH SCHEDULE**

(Article 20)

Scale rates of means governing Sickness Assistance

Number of persons in Household	**Scale Rate**
One person only	€21.66

Where the number of members in the household exceeds one, the weekly rate indicated above shall be increased by €8.15 per week in respect of every other member in that household.".

5. The Eighth Schedule to the Act shall be substituted by the following new Schedule: Substitues the Eighth Schedule to the Act.

"**EIGHTH SCHEDULE**

(Article 23)

PART I

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

Number of Persons in Household	**Scale Rate**
One person only	€143.56

Where the number of members in the household exceeds one, the weekly rate indicated above shall be increased by €8.15 per week in respect of every other member in that household.

PART II

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

Number of Persons in Household	**Scale Rate**
One person only	€27.37

Where the number of members in the household exceeds one, the weekly rate indicated above shall be increased by €8.15 per week in respect of every other member in that household.".

6. The Ninth Schedule to the Act shall be substituted by the following new Schedule: Substitues the Ninth Schedule to the Act.

"NINTH SCHEDULE

(Article 25)

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

Type of Assistance	Weekly Rate
1. Sickness Assistance:	
(i) in respect of the first member of the household	€24.11
(ii) in respect of any other member of the same household	€18.97
2. Milk Grant	€19.92
3. Leprosy Assistance:	
(i) in respect of the head of household who is a leper	€34.24
(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	€19.92
(*b*) if 16 years of age or over	€34.24
(iii) in respect of any other member of the household who is not gainfully occupied	€19.92
4. Tuberculosis Assistance:	
(i) basic amount of tuberculosis assistance payable in respect of a household, one member of which is affected by tuberculosis	€26.90
(ii) allowance payable in respect of each additional member of the household affected by, or particularly vulnerable to, tuberculosis	€16.67

".

Substitues the Tenth Schedule to the Act.

7. The Tenth Schedule to the Act shall be substituted by the following new Schedule:

"TENTH SCHEDULE

(Articles 7 and 10)

RATES OF CONTRIBUTIONS

PART I

Class One Contributions

(Employed Persons)

Category	Type of Employed Persons	Weekly Rate of Contribution Payable by Employed Person	Weekly Rate of Contribution Payable by the Employer

A	Persons under 18 years of age whose basic weekly wage or the weekly equivalent of their basic monthly salary does not exceed €162.19	€6.62	€6.62
B	Persons over 18 years of age whose basic weekly wage or the weekly equivalent of their basic monthly salary does not exceed €162.19	€16.22, or if the insured person elects, 10% calculated to the nearest cent of such person's basic weekly wage or the weekly equivalent of such person's basic monthly salary (**see note 1 below**)	€16.22
C	Persons born on 31 December 1961 **or before** whose basic weekly wage or the weekly equivalent of their basic monthly salary exceeds €162.11 but does not exceed €339.04	10% calculated to the nearest cent of their basic weekly wage or the weekly equivalent of their basic monthly salary	10% calculated to the nearest cent of their basic weekly wage or the weekly equivalent of their basic monthly salary
	Persons born on 1 January 1962 or after whose basic weekly wage or the weekly equivalent of their basic monthly salary exceeds €162.19 but does not exceed €403.15 (**see note 2 below**)		
D	Persons born on 31 December 1961 **or before** whose basic weekly wage or the weekly equivalent of their basic monthly salary exceeds €339.04	€33.90	€33.90
	Persons born on 1 January 1962 **or after** whose basic weekly wage or the weekly equivalent of their basic monthly salary exceeds €403.15 (**see note 2 below**)	€40.32	€40.32

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	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 €4.38	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 €4.38
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	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 €7.94	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 €7.94
NOTE 1: If the insured person elects to pay a contribution of 10% of a basic wage or salary less than the weekly equivalent of the National Minimum Wage, such contribution may, if the person qualifies for a contributory benefit or a contributory pension, result in the payment of a reduced contributory benefit or contributory pension.			
NOTE 2: As a result of the pension reform enacted by virtue of Act XIX of 2006 and Legal Notice 336 of 2006, the increase in the highest contribution rate payable, with effect from January, 2013, is related to a guaranteed maximum pensionable income of €20,964 for persons born on or after 1st January 1962 .			

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 earnings (excluding Maternity Benefit, Children's Allowance and any ex-gratia Benefit payable under article 88) during the calendar year immediately preceding the contribution year in which the contribution is being paid:	
SP	Exceeds €1,005 but does not exceed €8,197 (this category is applicable ONLY to single persons who are not self-occupied)	€23.65
SA	is less than €9,657	€27.86

SB	Persons born on 31 December 1961 **or before** whose annual net income exceeds €9,657 but does not exceed €17,629	The weekly equivalent of 15% of their annual income calculated to the nearest cent
	Persons born on 1 January 1962 **or after** whose annual net income exceeds €9,657 but does not exceed €20,964	
SC	Persons born on 31 December 1961 **or before** whose annual net income exceeds €17,629	€50.85
	Persons born on 1 January 1962 **or after** whose annual net income exceeds €20,964 (**see Note 1 below**)	€60.47
NOTE 1: As a result of the pension reform enacted by virtue of Act XIX of 2006 and Legal Notice 336 of 2006, the increase in the highest contribution rate payable, with effect from January, 2013, is related to a guaranteed maximum pensionable income of €20,964 for persons born on or after 1st January 1962.		

PART III
Class Two Contributions
(Self Occupied Persons)

Category	Type of Self Occupied Persons	Weekly Rate of Contributions payable by a self-occupied person
	Persons whose annual net earnings (excluding Maternity Benefit, Children's Allowance and any ex-gratia Benefit payable under article 88) during the calendar year immediately preceding the contribution year in which the contribution is being paid:	
SA	is less than €9,657	€ 27.86 or 15% of the annual net earnings if the person is a part-time self-employed woman whose annual net earnings do not exceed € 9,657 (**see Note 1 below**) **or** €18.57 if the person is a full-time farmer or breeder whose annual net earnings do not exceed €9,657
SB	Persons born on 31 December 1961 **or before** whose annual net earnings exceeds €9,657 but does not exceed €17,629	The weekly equivalent of 15% of their annual earnings calculated to the nearest cent **or** The weekly equivalent of 10% if a full-time farmer or breeder
	Persons born on 1 January 1962 **or after** whose annual net earnings exceeds €9,657 but does not exceed €20,964	

SC	Persons born on 31 December 1961 **or before** whose annual net earnings exceeds €17,629	€50.85 **or** €33.90 if a full-time farmer or breeder
	Persons born on 1 January 1962 or after whose annual net earnings exceeds €20,964 (**see Note 2 below**)	€60.47 **or** €40.32 if a full-time farmer or breeder
NOTE 1: If the insured person elects to pay a contribution that is less than €27.86, such contribution may, if the person qualifies for a contributory benefit or a contributory pension, result in the payment of a reduced contributory benefit or contributory pension.		
NOTE 2: As a result of the pension reform enacted by virtue of Act XIX of 2006 and Legal Notice 336 of 2006, the increase in the highest contribution rate payable, with effect from January, 2013, is related to a guaranteed maximum pensionable income of €20,964 for persons born on or after 1st January 1962.		

".

Substitues the Twelfth Schedule to the Act.

8. The Twelfth Schedule to the Act shall be substituted by the following new Schedule:

"TWELFTH SCHEDULE

(Articles 26, 31, 44, 50, 54, 63, 64 and 67)

Rates of Several Kinds of Pension

A. Full Rates of Retirement Pension per week, inclusive of any increases under the provisions of article 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 person who is maintaining a spouse	Any other person	Married person who is maintaining a spouse	Any other person
€109.40	€89.16	€103.67	€86.55

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 article 90A, where the yearly average of contributions paid or credited is 50 or more.

Type of Pension	**Married person who is maintaining a spouse**	**Any other person**
Increased Retirement Pension	€143.95	€119.51
Invalidity Pension	€91.44	€78.28
Increased Invalidity Pension	€125.71	€102.41
National Minimum Pension*	€130.00	€108.54
Increased National Minimum Pension	€143.95	€119.51

*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 person who is maintaining a spouse 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 article 50.

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

€115.97

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 article 90A, 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 - < 50	[{FAP - INC} x 0.89] + INC
30 - < 40	[{FAP - INC} x 0.69] + INC
20 - < 30	[{FAP - INC} x 0.49] + INC

For the purposes of the above table "FAP" shall mean 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" shall mean all increases granted in terms of article 90A 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 person who is maintaining a spouse**	**Any other person**
50 (full rate)	€4.78	€7.43
40 - < 50	€4.26	€8.57
30 - < 40	€3.31	€10.72
20 -< 30	€5.64	€12.81

F. Reduced Rates of Widows' Pension per week, inclusive of any increases under the provisions of article 90A, 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 - < 50	[{FWP - (INC + €17.77)} x 0.89] + INC + €17.77
30 - < 40	[{FWP - (INC + €17.77)} x 0.69] + INC + €17.77
20 - < 30	[{FWP - (INC + €17.77)} x 0.49] + INC + €17.77

For the purposes of the above table "FWP" shall mean the full rate of Widow's Pension in accordance with Table C of this Schedule and "INC" shall mean all increases granted in terms of article 90A of this Act taking effect from 1st January 1994 and subsequent years; whilst the amount of €17.77 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 article 90A

Married person who is maintaining a spouse	Any other person
€130.00	€108.54

H. Rate of Widows' and Survivors' Pensions Additional Allowance per week.

Where Widow/Widower is entitled to an allowance under article 31(a)	Where Widow/Widower is entitled to an Allowance under article 31(b)
€4.54	€9.32

I. Highest Rate per week of a Two-Thirds pension

€226.43

J. The Cost of Living Bonus

Pensioner category	In the case of a married person maintaining a spouse and who is in receipt of a National Minimum Pension at the married rate	In the case of any other person
For pensioners whose pension initial award date is prior to 3rd January 2009	€4.66 per week	€7.77 per week
For pensioners whose pension initial award date falls between 3rd January 2009 and 1st January 2010	€3.96 per week	€6.60 per week
For pensioners whose pension initial award date falls between 1st January 2010 and 31st December 2010	€3.14 per week	€5.24 per week
For pensioners whose pension initial award date falls between 1st January 2011 and 31st December 2011	€1.98 per week	€3.30 per week
For pensioners whose pension initial award date falls between 1st January 2012 and 31st December 2012	€1.75 per week	€2.91 per week
For pensioners whose pension initial award date falls on 1st January 2013 or after	€0.82 per week	€1.36 per week

".

Substitues the Fourteenth Schedule to the Act.

9. The Fourteenth Schedule to the Act shall be substituted by the following new Schedule:

"**FOURTEENTH SCHEDULE**

(Articles 30, 70, 72, 73, 76, 76A and 77)

Rates of Several Kinds of Allowances, Maternity Benefit and Marriage Grant

PART I

Rate per week of Allowance paid to residents of a therapeutic community in terms of article 30(9)

€23.29

PART II

(*Repealed by Act II. 2004.34.*)

PART III

Lump sum paid by way of Marriage Grant in terms of article 70

€265.32

PART IV

Rate per week of Maternity Benefit paid in terms of article 72(1)

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€83.28

RRate per week of Maternity Leave Benefit paid in terms of article 72(4)

.

€160.00

PART V

Supplementary Allowance

Table A

STATUS	**Maximum annual reckonable income that can be taken for entitlement purposes. (So however any reckonable income below € 6,106 shall be deemed to be equivalent to € 6,106)**	**Allowance payable**	**Maximum amount of annual allowance payable**
Married person who is maintaining a spouse and is not entitled to an allowance under article 76 or single parent who is not entitled to an allowance under article 76	€10,786	€422.69	Equivalent to 2.268% of the difference obtaining between €24,743 and actual reckonable income

Single person	€8,618	€237.61	Equivalent to 1.70% of the difference obtaining between €20,083 and actual reckonable income

No entitlement to an allowance under this Part is acquired where the annual reckonable income exceeds the maximum amounts indicated above as the case may be.

Table B

STATUS	**Maximum annual reckonable income that can be taken for entitlement purposes. (So however any reckonable income below € 6,106 shall be deemed to be equivalent to € 6,106)**	**Allowance payable**	**Maximum amount of annual allowance payable**
Married person who has reached the age of 65 who is maintaining a spouse and who is at risk of poverty * and is not entitled to an allowance under article 76 OR a single parent who is not entitled to an allowance under article 76	€10,786	€522.69	Equivalent to 2.268% of the difference obtaining between €24,743 and actual reckonable income + €100
Single person who has reached the age of 65 and who is at risk of poverty*	€8,618	€337.61	Equivalent to 1.70% of the difference obtaining between €20,083 and actual reckonable income + €100

*The at risk of poverty as established by the latest National Statistics Office data available stands at €9,776 for a two person household and €6,715 for a single person household.

PART VI

Children's Allowance

A. Where the maximum annual reckonable income for entitlement purposes is €24,439 or less. (So however any annual reckonable income below €5,174 shall be considered to be equivalent to €5,174)	
	Percentage rate payable, by way of an allowance, on difference obtaining between reckonable annual income and €24,439
Children in household under 16 years of age	6% for each such child

Over 16 years but under 21 years and still undergoing full time education or training in an educational institution recognised by the government in terms of the Education Act and who is not receiving any form of remuneration or allowance or is registered unemployed under the Part I Register and has never been gainfully occupied.	2% for each such child
Over 16 years but under 21 years and is registered as unemployed under Part I of the Register kept in accordance with the provisions of the Employment and Training Services Act and who has never been gainfully occupied, and who is not in receipt of any benefit, pension or assistance payable under this Act.	2% for each such child

1. An allowance payable to a household under Table A above shall, irrespective of the annual reckonable income of the household, in no case be less than the Fixed Children's Allowance specified in Table B of this Part.

2. An allowance payable to a household under Table A above, whose annual earnings from employment National Minimum Wage, is entitled to the maximum rate of Children's Allowance as specified in Table A.

B. Where the maximum annual reckonable income is more than €24,439	
	Fixed Children's Allowance
Children in household under 16 years of age	€8.65 per week up to a maximum amount of €450 per annum for each such child

PART VII

Rate per week per child of Disabled Child Allowance in terms of article 77

€16.31

PART VIII

Rate per week per child of Care Allowance paid in terms of article 76A

.

€70.00

An allowance payable under this Part shall continue to be payable when the child is over 16 years but under 21 years.".

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