I assent.

(L.S.)

ANTON BUTTIGIEG
President

29th September, 1981

ACT No. XLIV of 1981

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.

1. (1) This Act may be cited as the National Insurance (Amendment) (No. 2) Act, 1981, and shall be read and construed as one with the National Insurance Act, 1956, hereinafter referred to as "the principal Act".

(2) The following provisions of this Act shall have effect as follows:

(a) sections 3, 5, 6, 9, 10, 13, 14 and 15 as from the 2nd day of January, 1982;

(b) section 12 as from the 4th day of January, 1982.

Amendment of section 16A of the principal Act.

2. For paragraph (b) of subsection (1) of section 16A of the principal Act there shall be substituted the following:

"(b) he would, but for this incapacity, have been gainfully occupied in Malta, or registered as unemployed under Part One of the Employment Register kept in accordance with the provisions of the Employment Service Act, 1955; and".

Amendment of section 35 of the principal Act.

3. In sub-paragraph (iii) of paragraph (b) of subsection (1) of section 35 of the principal Act, for the words "thirteen weeks" there shall be substituted the words "twenty-six weeks".

Addition of new section to the principal Act.

4. Immediately after section 63C of the principal Act, there shall be added the following new section:

"Appeals at the instance of the Attorney General.

63D. Notwithstanding the provisions of the Criminal Code, the Attorney General shall always have a right of appeal to the Court of Criminal Appeal from any judgment given by the Court of Magistrates of Judicial Police in respect of criminal proceedings arising out of the provisions of this Ordinance.".

5. In subsection (1) of section 69B of the principal Act, for the figures "£50" there shall be substituted the figures "£58". Amendment of section 69B of the principal Act.

6. In section 76 of the principal Act, for the figures "310", "245" and "155" there shall be substituted the figures "350", "270" and "170" respectively. Amendment of section 76 of the principal Act.

7. Section 77 of the principal Act shall be amended as follows: Amendment of section 77 of the principal Act.

(a) in paragraph (b) of subsection (4) thereof, for the words "twelve months" there shall be substituted the words "three months"; and

(b) in subsection (5) thereof —

(i) in paragraph (b) thereof, for the words "twelve months" there shall be substituted the words "three months"; and

(ii) in paragraph (b) of the proviso thereof, for the words "twelve months" there shall be substituted the words "three months".

8. In paragraph (b) of subsection (2) of section 82 of the principal Act, for the words "twelve months" there shall be substituted the words "three months". Amendment of section 82 of the principal Act.

9. Subsection (3) of section 91 of the principal Act shall be amended as follows: Amendment of section 91 of the principal Act.

(a) in paragraph (a) thereof, for the figures "£26.88" and "£30.75" there shall be substituted the figures "£29.88" and "£34.20" respectively; and

(b) in paragraph (c) thereof, for the figures "£86.53" there shall be substituted the figures "£105.77".

10. In subsection (i) of section 104 of the principal Act, for the figures "£5" wherever they occur, there shall be substituted in each case the figures "£5.50". Amendment of section 104 of the principal Act.

11. For the proviso to paragraph 1 of Part I of the First Schedule to the principal Act there shall be substituted the following: Amendment of the First Schedule to the principal Act.

"Provided that, saving the provisions of any agreement with any other country, employment as aforesaid outside Malta shall be treated as employment in Malta if the employee concerned is ordinarily resident in Malta and the employer is the Government of Malta or has a place of business in Malta or is represented in Malta by an agent for the purposes of such employment.".

12. For the Second Schedule to the principal Act there shall be substituted the following: Substitution of the Second Schedule to the principal Act.

"SECOND SCHEDULE

Sections 5, 5A

Weekly Rates of Contributions

PART I

Class One Contributions

Category	Employed Persons	Weekly rate of contribution payable by the employed person, by his employer, and out of the Consolidated Fund
A	1. Boys and girls over the age of 14 but under insurable age ...	£1.37,0
	2. Persons of insurable age and over whose basic wage or salary (excluding overtime, commissions, remuneration in kind or any form of bonus) —	
B	(i) does not exceed £29.88 per week or £1,554 per annum	£2.49,0
C	(ii) exceeds £29.88 per week or £1,554 per annum but does not exceed £105.77 per week or £5,500 per annum ...	one-twelfth, calculated to the nearest cent, of the basic weekly wage or of the weekly equivalent of the basic salary
D	(iii) exceeds £105.77 per week or £5,500 per annum ...	£8.81,0

PART II

Class Two Contributions

Category	Weekly rate of Class Two Contributions	Pensionable Income
SA	£3.90	£1640
SB	£5.20	£2170
SC	£6.50	£2700
SD	£7.80	£3230
SE	£9.05	£3760
SF	£10.85	£4500
SG	£13.20	£5500".

13. For the Third Schedule to the principal Act there shall be substituted the following: Substitution of the Third Schedule to the principal Act.

"THIRD SCHEDULE

Sections 10, 24, 30

PART I

Rate of Benefit other than Sickness Benefit, Unemployment Benefit, Special Unemployment Benefit, Injury Benefit, Disablement Pension, Guardian's Allowance and Orphan's Allowance

Kind of Benefit	Weekly Rate	
	Single Person or Married Woman	Married Man
	£ c m	£ c m
(a) National Minimum Pension ...	14.50,0	22.80,0
(b) Increased Retirement Pension ...	16.25,0	24.70,0
(c) Retirement Pension	7.40,0	12.10,0
(d) Increased Invalidity Pension ...	13.25,0	21.70,0
(e) Invalidity Pension	7.40,0	12.10,0
(f) Widow's Pension	13.25,0	—
(g) Widow's Special Allowance ...	4.90,0	—
(h) Death Benefit:		
(i) Widow's Benefit	15.30,0	—
(ii) Widower's Benefit ...	15.30,0	—
(iii) Widow's Allowance ...	5.85,0	—
(iv) Parent's Allowance ...	13.25,0	21.70,0

PART IA

Rate of Sickness Benefit, Unemployment Benefit, Special Unemployment Benefit and Injury Benefit

Kind of Benefit	Daily Rate	
	Single Person or Married Woman	Married Man
	£ c m	£ c m
(a) Sickness Benefit	2.20,0	3.55,0
(b) Unemployment Benefit	1.24,0	2.02,0
(c) Special Unemployment Benefit	2.20,0	3.55,0
(d) Injury Benefit —		
Persons of insurable age ...	4.10,0	5.55,0
Persons under insurable age ...	1.85,0	3.30,0

PART II

Amount of Marriage Grant Per Person

£ c m
55.00,0

PART III

Amounts of Disablement Gratuity

Degree of Disablement	Amount of Gratuity
%	£ c m
1	48.00,0
2	96.00,0
3	144.00,0
4	192.00,0
5	240.00,0
6	288.00,0
7	336.00,0
8	384.00,0
9	432.00,0
10	480.00,0
11	528.00,0
12	576.00,0
13	624.00,0
14	672.00,0
15	720.00,0
16	768.00,0
17	816.00,0
18	864.00,0
19	912.00,0

PART IV

Rates of Disablement Pension

Degree of Disablement	WEEKLY RATES	
	Persons of Insurable Age	Persons under Insurable Age
%	£ c m	£ c m
100	13.25,0	6.60,0
90	12.60,0	6.30,0
80	10.35,0	5.15,0
70	9.25,0	4.60,0
60	7.85,0	3.90,0
50	7.05,0	3.50,0
40	5.65,0	2.80,0
30	4.45,0	2.20,0
20	3.15,0	1.55,0

PART V

Increase of Disablement Benefit of a wife when the loss of faculty renders husband incapable for work and likely to remain permanently so incapable

Weekly Rate
£ c m
8.45,0

PART VI

Increase of Widow's Pension, Widow's Benefit and Widower's Benefit for a child

Kind of Benefit	Weekly Rate per child for children in respect of whom a child's allowance is being paid under Part VIII of this Act	Weekly Rate per child for all other children
	£ c m	£ c m
(a) Widow's Pension	0.85,0	1.55,0
(b) Widow's Benefit	0.85,0	1.55,0
(c) Widower's Benefit	0.85,0	1.55,0

PART VII

Rate of Guardian's Allowance and Orphan's Allowance

Kind of Benefit	Weekly Rate where a child's allowance is being paid under Part VIII of this Act	Weekly Rate where no child's allowance is being paid under Part VIII of this Act
	£ c m	£ c m
Guardian's Allowance	1.89,0	3.05,0
Orphan's Allowance	2.97,0	4.90,0".

Substitution of the Fifth Schedule to the principal Act.

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

"FIFTH SCHEDULE

PART II

Reduced Rates of Benefit

A. National Minimum Pension

Yearly average of contributions paid or credited	Weekly Rate of National Minimum Pension	
	Single Person or Married Woman	Married Man
	£ c m	£ c m
50 or more (full rate)	14.50,0	22.80,0
40 — 49	12.90,0	20.30,0
30 — 39	10.00,0	15.75,0
20 — 29	7.10,0	11.15,0

B. Increased Invalidity Pension

Yearly average of contributions paid or credited	Weekly Rate of Increased Invalidity Pension	
	Single Person or Married Woman	Married Man
	£ c m	£ c m
50 or more (full rate)	13.25,0	21.70,0
40 — 49	11.80,0	19.30,0
30 — 39	9.15,0	14.95,0
20 — 29	6.50,0	10.65,0

C. Increased Retirement Pension

Yearly average of contributions paid or credited	Weekly Rate of Increased Retirement Pension	
	Single Person or Married Woman	Married Man
	£ c m	£ c m
50 or more (full rate)	16.25,0	24.70,0
40 — 49	14.45,0	22.00,0
30 — 39	11.20,0	17.05,0
20 — 29	7.95,0	12.10,0

D. Retirement Pension and Invalidity Pension

Yearly average of contributions paid or credited	Weekly Rate of Retirement Pension and Invalidity Pension	
	Single Person or Married Woman	Married Man
	£ c m	£ c m
50 or more (full rate)	7.40,0	12.10,0
40 — 49	6.66,0	10.98,0
30 — 39	5.10,0	8.34,0
20 — 29	3.72,0	6.12,0

E. Widow's Pension

Yearly average of contributions paid or credited	Weekly Rate of Widow's Pension
	£ c m
50 or more (full rate)	13.25,0
40 — 49	11.80,0
30 — 39	9.15,0
20 — 29	6.50,0

F. Sickness Benefit

Number of contributions paid or credited in the relevant contribution year	Daily Rate of Sickness Benefit	
	Single Person or Married Woman	Married Man
	£ c m	£ c m
50 or more (full rate)	2.20,0	3.55,0
40 — 49	1.95,0	3.15,0
30 — 39	1.50,0	2.45,0
20 — 29	1.10,0	1.75,0

G. Unemployment Benefit

Number of contributions paid or credited in the relevant contribution year	Daily Rate of Unemployment Benefit	
	Single Person or Married Woman	Married Man
	£ c m	£ c m
50 or more (full rate)	1.24,0	2.02,0
40 — 49	1.11,0	1.83,0
30 — 39	0.85,0	1.39,0
20 — 29	0.62,0	1.02,0

H. Special Unemployment Benefit

Number of contributions paid or credited in the relevant contribution year	Daily Rate of Special Unemployment Benefit	
	Single Person or Married Woman	Married Man
	£ c m	£ c m
50 or more (full rate)	2.20,0	3.55,0
40 — 49	1.95,0	3.15,0
30 — 39	1.50,0	2.45,0
20 — 29	1.10,0	1.75,0".

15. 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

Sections 16(6), 17C

PART I

Increase in the rate of National Minimum Pension under section 17C of the Act

Yearly average of contributions paid or credited	Maximum Weekly Rate of increase
	£ c m
50 or more (full rate)	3.00,0
40 — 49	2.65,0
30 — 39	2.05,0
20 — 29	1.45,0

PART II

Increase in the rate of pension to a widow under subsection (6) of section 16 of the Act

Yearly average of contributions paid or credited	Maximum Weekly Rate of increase
	£ c m
50 or more (full rate)	2.00,0
40 — 49	1.80,0
30 — 39	1.40,0
20 — 29	1.00,0".

Passed by the House of Representatives at Sitting No. 541 of the 28th September, 1981.

CALCIDON AGIUS
Speaker

C. MIFSUD
Clerk to the House of Representatives

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