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MALTA

KAMRA TAD-DEPUTATI

ABBOZZ ta' Ligi mressaq mill-Onorevoli George Bonello Du Puis, M.P., u moqri għall-Ewwel darba fis-Seduta tat-12 ta' April, 1988.

ATT biex ikompli jemenda l-Att ta' l-1979 dwar il-Pensjoni tal-Membri tal-Parlament

P. MUSCAT TERRIBILE
Skrivan tal-Kamra tad-Deputati

HOUSE OF REPRESENTATIVES

A BILL introduced by the Honourable George Bonello Du Puis, M.P., and read the First time at the Sitting of the 12th April, 1988.

AN ACT further to amend the Members of Parliament Pensions Act, 1979.

P. MUSCAT TERRIBILE
Clerk to the House of Representatives

ABBOZZ TA' LIĠI msejjah

ATT biex ikompli jemenda l-Att ta' l-1979 dwar il-Pensjoni tal-Membri tal-Parlament

IL-PRESIDENT, bil-parir u l-kunsens tal-Kamra tad-Deputati, imlaqqgħa f'dan il-Parlament, u bl-awtorità ta' l-istess, hareġ b'liġi dan li ġej:—

1. (1) Dan l-Att jista' jissejjah l-Att ta' l-1988 li jemenda l-Att dwar il-Pensjoni tal-Membri tal-Parlament, u għandu jinqara u jfittiehem haġa waħda ma' l-Att ta' l-1979 dwar il-Pensjoni tal-Membri tal-Parlament, hawnhekk iżjed 'il quddiem imsejjah "l-Att prinċipali".

Titolu
fil-qosor.

Att XXVI
ta'
l-1979.

(2) Id-dispożizzjonijiet ta' dan l-Att, minbarra dan l-artikolu u l-paragrafu (a) ta' l-artikolu 2, għandhom jidhlu fis-sehħ minn dik id-data li l-Ministru jista' jiffissa b'avviż fil-Gazzetta.

(3) Il-paragrafu (a) ta' l-artikolu 2 ta' dan l-Att għandu jitqies li beda jsehħ fl-14 ta' Awissu, 1979.

2. Is-subartikolu (1) ta' l-artikolu 2 ta' l-Att prinċipali għandu jiġi emendat kif ġej:—

Emenda ta'
l-artikolu 2
ta'
l-Att prinċipali.

(a) fit-tifsira ta' "hlas pensjonabbli", minnufih wara l-paragrafu (b) tiegħu, għandu jidied dan il-proviso li ġej:

"Izda meta membru jkun okkupa kariga bħal dik għal perijodu ta' inqas minn hames snin, jew ikun okkupa xi tnejn jew iktar minn dawk il-karigi għal perijodu ta' inqas minn hames snin b'kollox, il-medja tas-salarju li jithallas dwar dik il-kariga u tal-onorarju li jithallas lil membru, għal perijodu ta' hames snin b'kollox, jew il-medja tas-salarji li jithallsu dwar dawk il-karigi u tal-onorarju li jithallas lil membru, għal perijodu ta' hames snin b'kollox, għandhom jiġu kalkolati bil-mod fuq imsemmi matul il-hames snin l-aktar favorevoli għall-membri fid-data ta' l-irtir tiegħu;" u

(b) minflok it-tifsira ta' "pensjoni tas-servizz" ghandha tidhol din it-tifsira għdida li ġejja:

““pensjoni tas-servizz” ghandha l-istess tifsir kif mogħti lilha bl-artikolu 2 ta' l-Att ta' l-1987 dwar is-Sigurtà Soċjali;”.

Emenda ta' l-artikolu 4 ta' l-Att prinċipali.

3. L-artikolu 4 ta' l-Att prinċipali għandu jiġi emendat kif ġej:

(a) fis-subartikolu (2) tiegħu, minflok il-kliem “il-pensjoni li jkollha hekk tithallas flimkien ma' kull pensjoni li tkun tithallas lil dik il-persuna taht l-Att ta' l-1956 dwar is-Sigurtà Nazzjonali u ma' kull pensjoni tas-servizz” għandhom jidhlu l-kliem “il-pensjoni li jkollha hekk tithallas flimkien ma' kull pensjoni tas-servizz”; u

(b) minflok is-subartikolu (3) tiegħu għandu jidhol dan is-subartikolu għdid li ġej:

“(3) F'kull każ li għalih japplika s-subartikolu (2) ta' dan l-artikolu, għandhom japplikaw id-dispożizzjonijiet ta' l-Att ta' l-1987 dwar is-Sigurtà Soċjali, sakemm dawn ikunu jirreferu għal pensjonijiet taht dak l-Att.”.

Emenda ta' l-artikolu 5 ta' l-Att prinċipali.

4. Fl-artikolu 5 ta' l-Att prinċipali, minflok il-kliem “l-Att ta' l-1956 dwar is-Sigurtà Nazzjonali” kull fejn jinsabu għandhom jidhlu l-kliem “l-Att ta' l-1987 dwar is-Sigurtà Soċjali”.

Emenda ta' l-artikolu 6A ta' l-Att prinċipali.

5. L-artikolu 6A ta' l-Att prinċipali għandu jiġi emendat kif ġej:

(a) fis-subartikolu (4) tiegħu l-kliem “bl-ammont ta' kull pensjoni li għandha tithallas lil armla taht l-Att ta' l-1956 dwar is-Sigurtà Nazzjonali, u” għandhom jithassru; u

(b) fis-subartikolu (5) tiegħu, minflok il-kliem “is-subartikolu (1) ta' l-artikolu 90 ta' l-Att ta' l-1956 dwar is-Sigurtà Nazzjonali,” għandhom jidhlu l-kliem “l-artikolu 54 ta' l-Att ta' l-1987 dwar is-Sigurtà Soċjali,”.

Għanijiet u Raġunijiet

L-Għan ta' dan l-Abbozz hu sabiex jitqies fl-ikkalkular tal-ħlasijiet pensjonabli dwar is-servizz mogħti minn membri li jkunu okkupaw il-kariga ta' Speaker, jew ta' Prim Ministru, jew ta' Ministru, jew ta' Segretarju Parlamentari, jew ta' Deputat Speaker jew ta' Kap ta' l-Oppożizzjoni, kull perjodu ta' żmien li matulu dawk il-membri jkunu okkupaw dik il-kariga għal perjodu ta' inqas minn hames snin, jew xi tnejn jew aktar minn dawk il-karigi għal perjodu li b'kollox ikun ta' inqas minn hames snin. L-Abbozz jipprova wkoll sabiex il-pensjonijiet li jingħataw taht l-Att ta' l-1979 dwar il-Pensjoni tal-Membri tal-Parlament għandhom jitqiesu pensjoni tas-servizz.

**A BILL
entitled**

*AN ACT further to amend the Members of Parliament Pensions Act,
1979*

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:—

1. (1) This Act may be cited as the Members of Parliament Pensions (Amendment) Act, 1988, and shall be read and construed as one with the Members of Parliament Pensions Act, 1979, hereinafter referred to as “the principal Act”.

short title
and com-
mencement
Act XXVI
of 1979.

(2) The provisions of this Act, other than this section and paragraph (a) of section 2, shall come into force on such date as the Minister may by notice in the Gazette appoint.

(3) Paragraph (a) of section 2 of this Act shall be deemed to have come into force on 14 August, 1979.

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

Amendment
to
section 2 of
the principal
Act.

(a) in the definition of “pensionable emoluments”, immediately after paragraph (b) thereof, there shall be added the following proviso:

“Provided that where a member has held any such office for a period of less than five years, or has held any two or more of such offices for a period of less than five years in the aggregate, the average of the salary payable in respect of such office and of the honorarium payable to a member, for a period of five years in the aggregate, or the average of the salaries payable in respect of the said offices and of the honorarium pay-

able to a member, for a period of five years in the aggregate, shall be calculated in the manner aforesaid during the five years more favourable to the member on the date of his retirement;"; and

(b) for the definition of "service pension" there shall be substituted the following new definition:

"service pension" has the same meaning as is assigned to it by section 2 of the Social Security Act, 1987;".

Amendment
to
section 4 of
the principal
Act.

3. Section 4 of the principal Act shall be amended as follows:

(a) in subsection (2) thereof, for the words "the pension so payable together with any pension payable to such person under the National Insurance Act, 1956 and any service pension" there shall be substituted the words "the pension so payable together with any other service pension"; and

(b) for subsection (3) thereof there shall be substituted the following new subsection:

"(3) In any case in which subsection (2) of this section applies, the provisions of the Social Security Act, 1987, in so far as they refer to pensions under that Act, shall apply."

Amendment
to
section 5 of
the principal
Act.

4. In section 5 of the principal Act, for the words "National Insurance Act, 1956" wherever they occur there shall be substituted the words "Social Security Act, 1987".

Amendment
to
section 6A
of
the principal
Act.

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

(a) in subsection (4) thereof the words "by the amount of any pension payable to the widow under the National Insurance Act, 1956, and" shall be deleted; and

(b) in subsection (5) thereof, for the words "subsection (1) of section 90 of the National Insurance Act, 1956," there shall be substituted the words "section 54 of the Social Security Act, 1987,".

Objects and Reasons

The Object of this Bill is to take into consideration for the purpose of assessing the pensionable emoluments in respect of service by members who have held the office of Speaker, or Prime Minister, or Minister, or Parliamentary Secretary, or Deputy Speaker or Leader of the Opposition, any period of time during which such members have held such office for a period of less than five years, or any two or more of such offices for an aggregate period of less than five years. The Bill also provides for pensions granted under the Members of Parliament Pensions Act, 1979, to be considered as service pension.