

MALTA

ATT Nru. XIII ta' l-1991

ATT mahruġ b'ligi mill-Parlament ta' Malta.

ATT biex jemenda l-Att ta' l-1987 dwar is-Sigurtà Soċjali.

ACT No. XIII of 1991

AN ACT enacted by the Parliament of Malta.

AN ACT to amend the Social Security Act, 1987.

Naghti l-kunsens tiegħi.

(L.S.)

ĊENSU TABONE
President

31 ta' Mejju, 1991

ATT Nru. XIII ta' l-1991

ATT biex jemenda l-Att ta' l-1987 dwar is-Sigurtà Soċjali.

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

1. (1) Dan l-Att jista' jissejjah l-Att ta' l-1991 li jemenda l-Att dwar is-Sigurtà Soċjali u għandu jinqara u jftiehem haġa wahda ma' l-Att ta' l-1987 dwar is-Sigurtà Soċjali, hawnhekk iżjed 'il quddiem imsejjah "l-Att prinċipali".

Titolu fil-qosor
u bidu fis-sehh.

(2) Id-dispożizzjonijiet ta' dan l-Att għandhom jitqiesu li bdew isehħu kif ġej:

(a) l-artikolu 2, is-sub-paragrafu (ii) tal-paragrafu (a) u l-paragrafu (b) ta' l-artikolu 6, l-artikoli 7, 8, 9 u 10, is-sub-paragrafu (ii) tal-paragrafu (c), il-paragrafu (e), is-sub-paragrafu (ii) tal-paragrafu (f) u l-paragrafu (g) ta' l-artikolu 11, l-artikoli mit-12 sas-17, l-artikoli mid-19 sat-28, il-paragrafu (b) ta' l-artikolu 29, l-artikolu 30, il-paragrafu (a) ta' l-artikolu 31, l-artikoli mit-32 sal-35, l-artikolu 39, l-artikolu 41, l-artikolu 42 (barra mill-ewwel proviso li hemm għall-partita (d) tas-sub-paragrafu (ii) tal-paragrafu (a) u l-paragrafi (b) u (c), l-artikoli mit-43 sas-47 u l-artikoli 49 u 50 għandhom jitqiesu li bdew isehħu fil-5 ta' Jannar, 1991;

(b) l-artikolu 3, il-paragrafi (a) u (b) ta' l-artikolu 5 u l-artikolu 48 għandhom jitqiesu li bdew isehħu fis-7 ta' Jannar, 1991;

(c) l-artikolu 4, il-paragrafu (c) ta' l-artikolu 5, is-sub-paragrafu (i) tal-paragrafu (a) ta' l-artikolu 6, l-artikolu 18 u l-ewwel proviso li hemm għall-partita (d) tas-sub-paragrafu (ii) tal-paragrafu (a) u l-paragrafi (b) u (c) ta' l-artikolu 42 għandhom jitqiesu li bdew isehħu fl-1 ta' Jannar, 1987;

(d) il-paragrafi (a) u (b), is-sub-paragrafu (i) tal-paragrafu (ċ) u l-paragrafu (d) ta' l-artikolu 11 u l-paragrafi (a) u (ċ) ta' l-artikolu 40 ghandhom jitqiesu li bdew isehhu fl-1 ta' Novembru, 1990;

(e) is-sub-paragrafi (i), (iii) u (iv) tal-paragrafu (f) ta' l-artikolu 11 u l-paragrafu (b) ta' l-artikolu 40 ghandhom jitqiesu li bdew isehhu fis-6 ta' Jannar, 1990;

(f) il-paragrafi (a) u (ċ) ta' l-artikolu 29, il-paragrafu (b) ta' l-artikolu 31 u l-artikolu 36 ghandhom jitqiesu li bdew isehhu fit-22 ta' Jannar, 1979;

(g) l-artikolu 37 ghandu jitqies li beda jseh fl-1 ta' Lulju, 1989; u

(h) l-artikolu 38 ghandu jitqies li beda jseh fl-20 ta' April, 1990.

Emenda ta'
l-Arrangamenti
ta' l-artikoli
fl-Att prinċipali.

2. L-Arrangamenti ta' l-Artikoli fl-Att prinċipali ghandhom jigu emendati kif ġej:

(a) minnufih wara l-partita "32. Non-elegibilità ghal pensjoni tar-romol" ghandha tidhol il-partita ġdida li ġejja:—

"32A. Mill-Pensjoni tar-Romol titnaqqas il-pensjoni minghand il-prinċipal tal-mejjet żewġha";

(b) il-partiti "34. Pensjoni lil romol li jkollhom 'il fuq minn sittin sena", "37. Benefiċċju ghar-Romol", "45. Rata minima ta' Pensjoni ta' Superstiti", "46. Skwalifika minn Pensjoni ta' Superstiti", "50. Pensjoni Supplimentari u t-tnaqqis taghha" u "63. Skwalifika minn Pensjoni ta' Żewġ-Terzi" ghandhom jithassru;

(ċ) minnufih wara l-partita "52. Armla fi sptar jew istituzzjoni ta' l-Istat" ghandha tidhol il-partita ġdida li ġejja:—

"52A. Pensjoni ta' Armel";

(d) minflok il-partita "79. Allowance ta' Ltim" ghandha tidhol il-partita "79. Allowance ta' Ltim u Allowance Supplimentari ta' Ltim";

(e) fil-partita "it-Tieni Skeda" il-kliem "u Ghajjnuna Medika Bla Hlas" relattivament ghas-sotto-partita "PARTI II" ghandhom jithassru u minnufih wara l-imsemmija sotto-partita "PARTI II" ghandha tizdied is-sotto-partita ġdida li ġejja:—

"PARTI IIA — Ghajjnuna Medika Bla Hlas";

(f) fil-partita "Is-Sitt Skeda" minnufih qabel il-kliem "Rata ta' Pensjoni ta' l-Età" relattivament ghas-sotto-partita "PARTI II" ghandha tidhol il-kelma "L-Oghla"; u

(g) minnufih wara l-partita “L-Erbatax-il Skeda — Kif Jinhadem id-Dhul Pensjonabbli” ghandha tidhol il-paritita għdida li ġejja:—

“Il-Ħmistax-il Skeda — Rata Nozzjonali ta’ Pensjoni ta’ l-Età”.

3. Fis-subartikolu (1) ta’ l-artikolu 13 ta’ l-att prinċipali, minflok il-kliem “kontribuzzjoni ta’ l-Ewwel Klassi li jkun fiha kemm is-sehem tagħha u dak tal-prinċipal li jkun fuq il-valur ta’ dik il-kontribuzzjoni ta’ l-Ewwel Klassi.”, ghandhom jidhlu l-kliem “kontribuzzjoni ta’ l-Ewwel Klassi; u, għal dan il-ghan, ebda kontribuzzjoni ma jkollha tithallas mill-prinċipal tiegħu jew f’ismu jew dwaru.”.

Emenda ta’
l-artikolu 13
ta’ l-Att
prinċipali.

4. Fit-test Inġliż tas-subartikolu (1) ta’ l-artikolu 15 ta’ l-Att prinċipali, minflok il-kliem “of this agreement” ghandhom jidhlu l-kliem “of his agreement”.

Emenda ta’
l-artikolu 15
ta’ l-Att
prinċipali.

5. L-artikolu 16 ta’ l-Att prinċipali għandu jiġi emendat kif ġej:

Emenda ta’
l-artikolu 16
ta’ l-Att
prinċipali.

(a) is-subartikolu (2) tiegħu għandu jiġi emendat kif ġej:

(i) fil-paragrafu (a) tiegħu, minflok il-kliem “qabel mewtu; u” ghandhom jidhlu l-kliem “qabel mewtu;”;

(ii) fil-paragrafu (b) tiegħu, minflok il-kliem “ma jkunx għadu lahaq l-età tal-pensjoni.” ghandhom jidhlu l-kliem “ma jkunx għadu lahaq l-età tal-pensjoni; u” u

(iii) minnufih wara l-paragrafu (b) tiegħu għandu jżied il-paragrafu għdid (ċ) li ġej:—

“(ċ) b’senh mill-ewwel Tnejn ta’ Jannar, 1981, kull ċittadin ta’ Malta li jsiefer bhala haddiem voluntier fuq proġetti fl-oqsma ta’ assistenza u żvilupp soċjali u ta’ tharis ta’ l-ambjent li jkunu hekk maghrufa bil-quddiem mill-Ministru, għal kull perijodu li jkun qed jagħmel dak ix-xogħol ta’ voluntier u ma jkunx lahaq l-età tal-pensjoni; b’dan iżda li, għal dan l-ghan, kull numru ta’ kontribuzzjonijiet hekk akkreditati ma għandu f’ebda każ ikun iżjed minn total ta’ 260 f’xi perjodu ta’ 10 snin f’dak ix-xogħol ta’ voluntier.”;

(b) fil-paragrafu (b) tas-subartikolu (3) tiegħu, minflok il-kliem “għurnata ta’ disimpieg:” ghandhom jidhlu l-kliem “għurnata ta’ disimpieg u tkun irregistrata jew taħt l-Ewwel Taqsima tar-Registru miżmum skond id-dispożizzjonijiet ta’ l-Att ta’ l-1990 dwar is-Servizzi ta’ Impieg u Tahriġ jew ċertifikata mill-Korporazzjoni stabbilita bl-imsemmi Att bhala persuna li ma tistax tiġi mpjegata u minhabba f’hekk tkun registrata taħt it-Tielet Taqsima ta’ l-imsemmi Regjistru:”; u

(ċ) fis-sub-paragrafu (ii) tal-paragrafu (a) tas-subartikolu (4) tiegħu, minnufih wara l-kliem “benefiċċju għal mard” ghandhom jidhlu l-kliem “jew benefiċċju għal korriment”.

Emenda ta' l-artikolu 17 ta' l-Att prinċipali.

6. Is-subartikolu (3) ta' l-artikolu 17 ta' l-Att prinċipali għandu jiġi emendat kif ġej:

(a) il-paragrafu (b) tiegħu għandu jiġi emendat kif ġej:—

(i) fit-test Malti tas-sub-paragrafu (i) tiegħu minnufih wara l-kelma “għal” għandhom jidhlu l-kliem “benefiċċju għad-disimpieg u”; u

(ii) fis-sub-paragrafu (ii) tiegħu minflok il-kliem “kienet taħdem għaliha nnifisha; u” għandhom jidhlu l-kliem “kienet taħdem għaliha nnifisha.”; u

(b) il-paragrafu (ċ) tiegħu għandu jithassar.

Emenda ta' l-artikolu 18 ta' l-Att prinċipali.

7. Fis-subartikolu (3) ta' l-artikolu 18 ta' l-Att prinċipali, minflok il-kliem minn “minhabba f'dik l-inkapaċità” sa u inklużi l-kliem “għal dak il-benefiċċju.” għandhom jidhlu l-kliem “minhabba f'dik l-inkapaċità.”.

Emenda ta' l-artikolu 23 ta' l-Att prinċipali.

8. Fil-paragrafu (b) tas-subartikolu (1) ta' l-artikolu 23 ta' l-Att prinċipali, minflok il-kliem “tal-Parti II” għandhom jidhlu l-kliem “tal-Parti IIA”.

Emenda ta' l-artikolu 26 ta' l-Att prinċipali.

9. Fis-subartikolu (6) ta' l-artikolu 26 ta' l-Att prinċipali, minflok il-kliem minn “ekwivalenti għal” sa u inklużi l-kliem “ta' xi persuna oħra.” għandhom jidhlu l-kliem “ekwivalenti għal —

(a) fil-każ ta' raġel miżżewweġ li jkun qiegħed imantni lil martu, erba kwinti, u

(b) fil-każ ta' kull persuna oħra, żewġ terzi

tal-paga minima nazzjonali li tkun applikabbli għal persuni ta' l-età ta' 18-il sena jew iktar stabbilita b'Ordni ta' *Standard* Nazzjonali mahruġ taħt l-Att li Jirregola l-Kondizzjonijiet ta' l-Impieg matul il-perijodu li dwaru l-pensjoni tkun dovuta.”.

Emenda ta' l-artikolu 27 ta' l-Att prinċipali.

10. Fis-subartikolu (4) ta' l-artikolu 27 ta' l-Att prinċipali, minflok il-kliem “Lm2.20 fil-ġimgha” għandhom jidhlu l-kliem “Lm2.25 fil-ġimgha”.

Emenda ta' l-artikolu 30 ta' l-Att prinċipali.

11. L-artikolu 30 ta' l-Att prinċipali għandu jiġi emendat kif ġej:—

(a) is-subartikolu (1) tiegħu għandu jiġi emendat kif ġej:

(i) minflok il-kliem “il-Parti I tar-Registru ta' l-Impiegi miżmum skond id-dispożizzjonijiet ta' l-Att l-1955 dwar is-Servizz ta' l-Impieg;” għandhom jidhlu l-kliem “l-Ewwel Taqsima tar-Registru miżmum skond id-dispożizzjonijiet ta' l-Att ta' l-1990 dwar is-Servizzi ta' Impieg u Tahriġ;” u

(ii) fil-proviso li hemm għalih, minflok il-kliem “il-Parti I tar-Registru ta' l-Impiegi” għandhom jidhlu l-kliem “l-Ewwel Taqsima tar-Registru”;

(b) fis-subartikolu (3) tiegħu minflok il-kliem “il-Parti I tar-Registru ta’ l-Impiegi miżmum skond id-dispożizzjonijiet ta’ l-Att ta’ l-1955 dwar is-Servizz ta’ l-Impieg” għandhom jidhlu il-kliem “l-Ewwel Taqsima tar-Registru miżmum skond id-dispożizzjonijiet ta’ l-Att ta’ l-1990 dwar is-Servizzi ta’ Impieg u Tahrig”;

(ċ) is-subartikolu (4) tiegħu għandu jiġi emendat kif ġej:—

(i) fil-paragrafu (a) tiegħu, minflok il-kliem “il-Parti I tar-Registru ta’ l-Impiegi miżmum skond id-dispożizzjonijiet ta’ l-Att ta’ l-1955 dwar is-Servizz ta’ l-Impieg” għandhom jidhlu l-kliem “l-Ewwel Taqsima tar-Registru miżmum skond id-dispożizzjonijiet ta’ l-Att ta’ l-1990 dwar is-Servizzi ta’ Impieg u Tahrig”; u

(ii) minnufih wara l-paragrafu (a) tiegħu għandu jiżdied il-paragrafu ġdid (aa) li ġej:

“(aa) ċertifikata mill-Korporazzjoni stabbilita bl-Att ta’ l-1990 dwar is-Servizzi ta’ Impieg u Tahrig bħala persuna li ma tistax tiġi mpjegata, u minhabba f’hekk tkun registrata taħt it-Tielet Taqsima ta’ l-imsemmi Regjistru; jew”;

(d) fis-subartikolu (5) tiegħu, minflok il-kliem “il-Parti II tar-Registru ta’ l-Impiegi miżmum skond id-dispożizzjonijiet ta’ l-Att ta’ l-1955 dwar is-Servizz ta’ l-Impiegi, u li, kieku kien registrat taħt il-Parti I ta’ l-imsemmi registru” għandhom jidhlu l-kliem “it-Tieni Taqsima tar-Registru miżmum skond id-dispożizzjonijiet ta’ l-Att ta’ l-1990 dwar is-Servizzi ta’ Impieg u Tahrig u li kieku kien registrat taħt l-Ewwel Taqsima ta’ l-imsemmi Regjistru”;

(e) fis-subartikolu (6) tiegħu —

(i) minflok il-kliem “tal-membri kollha tal-familja tiegħu,” għandhom jidhlu l-kliem “tal-membri kollha tal-familja tiegħu li skond dan l-Att la jkunu persuni mpjegati u lanqas persuni li jimpjegaw lilhom infushom,”;

(ii) minflok il-kliem “kif stabbilit bil-Parti I tas-Sitt Skeda li tinsab ma’ dan l-Att:” għandhom jidhlu l-kliem “kif stabbilit bil-Parti I tas-Sitt Skeda li tinsab ma’ dan l-Att; hekk iżda li, meta fil-familja jkun hemm membri, li ma jkunux il-kap tal-familja u martu, li skond dan l-Att huma jew persuni mpjegati jew persuni li jimpjegaw lilhom infushom, dak l-ammont fil-gimgha ta’ Ghajjnuna Soċjali għandu jitnaqqas bid-differenza li tinkiseb bejn ir-rata ta’ l-iskala li kienet tkun xort’ohra applikabbli għall-familja kieku daww il-membri ma kienux persuni mpjegati jew persuni li jimpjegaw lilhom infushom kif intqal qabel f’dan is-subartikolu u r-rata ta’ l-iskala li fil-fatt tapplika għal dik il-familja dwar il-membri l-ohra kollha tal-familja:”;

(iii) fil-paragrafu (ii) tal-proviso li hemm ghalih, minflok il-kliem “kif ikun il-każ.” ghandhom jidhlu l-kliem “kif ikun il-każ; u”;

(iv) minnufih wara l-paragrafu (ii) tal-proviso li hemm ghalih ghandhom jizdedu l-paragrafi ġodda (iii) u (iv) li ġejjin:—

Kap. 262.

“(iii) meta żewġ persuni jew iktar jitqieghdu flimkien f'dar waħda fil-komunità bhala parti minn programm ta' rijabilitazzjoni għal dawk li qabel kienu rkuvrati fi sptar ta' l-istat għal mard mentali, fuq ir-rakkomandazzjoni tat-Tribunal ta' Reviżjoni dwar Sahha Mentali stabbilit bl-Att ta' l-1976 dwar is-Sahha Mentali, id-Direttur għandu jqis lil kull waħda minn dawk il-persuni bhala li tkun familja fiha nnifisha; hekk iżda li l-ammont ta' Ghajjnuna Soċjali li jithallas taht dan l-artikolu lil kull waħda minn dawk il-familji ma għandux ikun iżjed minn 75% tar-rata li tithallas lil familja ta' persuna waħda skond l-imsemmija Parti I tas-Sitt Skeda, u kull kera tad-dar li tithallas skond dan l-Att għandha tithallas shiha iżda biss lil min ikollu l-ktieb tal-kera f'ismu; u

Kap. 135.

(iv) meta membru, li ma jkunx il-kap tal-familja jew martu, ikun persuna mpjegata, jew persuna li timpjega lilha nnifisha, jekk il-paga *gross* tagħha jew id-dhul *gross* tagħha, skond il-każ, ma jkunx iżjed minn 40% tal-paga minima nazzjonali applikabbli għal persuni ta' l-età ta' 18-il sena jew iktar stabbilita b'Ordni ta' *Standard* Nazzjonali mahruġ taht l-Att li Jirregola l-Kondizzjonijiet ta' l-Impieg matul il-perijodu li dwaru l-Ghajjnuna Soċjali tkun dovuta, dak il-memburu ma għandux, għall-finijiet ta' dan is-subartikolu, jitqies bhala persuna mpjegata jew persuna li timpjega lilha nnifisha.”; u

(v) minnufih wara l-proviso li hemm ghalih għandu jizded il-proviso ġdid li ġej:—

“Iżda wkoll, meta xi membru tal-familja jibda jahdem bi qligh bis-sahha ta' xi waħda mill-*Manpower Incentive Schemes* imħabbrin mill-Gvern, dak il-memburu m'għandux, għall-finijiet ta' l-ghoti jew tal-kalkolu ta' xi Ghajjnuna Soċjali dovuta lill-kap tal-familja skond dan l-artikolu, jitqies li jkun persuna mpjegata jew persuna li timpjega lilha nnifisha kif intqal qabel f'dan l-artikolu matul l-ewwel 12-il ġimgha tal-jedd tiegħu għal xi benefiċċju, dhul, privileġġ jew ghotja dovuta lilu taht xi waħda mill-imsemmija Schemes, u kull benefiċċju, dhul, privileġġ jew ghotja bhal dawk ma jkunux kalkolati matul l-imsemmi żmien ta' 12-il ġimgha.”;

(f) is-subartikolu (8A) tiegħu għandu jiġi emendat kif ġej:—

(i) minflok il-kliem “Kap ta’ familja li” ghandhom jidhlu l-kliem “B’senh mis-6 ta’ Jannar, 1990, kull membru ta’ familja li”;

(ii) minflok il-kliem “Lm2.20 fil-gimgha” ghandhom jidhlu l-kliem “Lm2.25 fil-gimgha”;

(iii) minflok il-kliem “kienu mod iehor jiskwalifikawh milli jirċievi Ghajnuna Soċjali li kieku kien” ghandhom jidhlu l-kliem “kienu mod iehor jiskwalifikaw lill-kap tal-familja milli jirċievi Ghajnuna Soċjali li kieku dak il-membru kien”; u

(iv) minnufih fit-tarf tiegħu ghandu jizdied il-proviso li ġej:—

“Izda meta l-jedd għal ghajnuna kif intqal qabel f’dan is-subartikolu jinholoq bhala rizzultat ta’ dak id-dhul f’ċentru komunitarju terapewtiku, id-dispożizzjonijiet ta’ qabel f’dan is-subartikolu ghandhom japplikaw ukoll.”; u

(g) minnufih wara s-subartikolu (8A) ghandu jidhol dan is-subartikolu (8B) ġdid li ġej:—

“(8B) Persuna li, minkejja l-fatt illi ghadha ma tkunx lahqet l-eta ta’ 60 sena, tkun b’danakollu persuna rikoverta ta’ dik l-istituzzjoni statali għal kura u hsieb ta’ nies xjuh kif imsemmi fil-paragrafu (a) tas-subartikolu (1) ta’ l-artikolu 99 ta’ dan l-Att, tkun intitolata li tirċievi *allowance* ta’ Lm2.25 fil-gimgha sakemm tkun ghadha persuna rikoverata ta’ dik l-istituzzjoni kif imsemmi qabel u sakemm il-mezzi totali tagħha fil-gimgha kienu jintitolawha għal ghajnuna taht dan l-artikolu li kieku ma kinetx persuna rikoverata ta’ dik l-istituzzjoni.

Għall-finijiet ta’ dan is-subartikolu, persuna kif imsemmija qabel ghandha, fil-mod ta’ kif jiġu stabbiliti l-mezzi fil-gimgha tagħha, tiġi kkunsidrata li qed tiffirma familja għaliha waheda.”.

12. Minflok l-artikolu 31 ta’ l-Att prinċipali ghandu jidhol dan li ġej:—

“31. Armla li r-raġel tagħha jkun jissodisfa l-kondizzjonijiet tal-kontribuzzjoni relattivi kif provdut taht l-artikolu 17 ta’ dan l-Att fid-data tal-mewt tiegħu, jew li r-raġel tagħha jkun miet minhabba korriment personali li jsofri f’incident li jiġri minhabba jew fil-kors ta’ l-impjeg tiegħu jew xogħol li jagħmel għalih innifsu, jew hekk meqjus skond id-dispożizzjonijiet ta’ l-artikolu 28 ta’ dan l-Att, jew minhabba marda dovuta għax-xorta tax-xogħol tiegħu kif imsemmi f’dak l-artikolu 28, tkun intitolata għal Pensjoni tar-Romol skond ir-rata relattiva murija fit-Tnax-il Skeda li tinsab ma’ dan l-Att, jew għal Pensjoni ta’ Superstiti; u meta l-armla jkollha l-kura u l-kustodja ta’ iben jew bint tal-mejjet żewġha, ir-rata ta’ pensjoni tagħha taht dan l-artikolu tiżdied dwar kull tifel jew tifla minn dawn bi —

(a) 85 ċenteżmu fil-gimgha meta dwar dak l-iben jew dik il-bint tkun qed tithallas *allowance* taht il-paragrafu (i), (ii) jew (iii) ta’ l-artikolu 83 ta’ dan l-Att; u

(b) 155 ċenteżmu fil-gimgha meta dwar dak l-iben jew dik il-bint tkun qed tithallas *allowance* taht il-paragrafu (iv) ta’ l-imsemmi artikolu 83:

Sostituzzjoni ta’ l-artikolu 31 ta’ l-Att prinċipali.

Izda meta, qabel il-5 ta' Jannar, 1991, armla kienet intitolata ghal Benefiċċju ghar-Romol li kien jithallas taht dan l-Att kif fis-sehh qabel l-imsemmija data, din ghandha, b'seħh mill-5 ta' Jannar, 1991, tkun intitolata li tircievi *bonus* ta' pensjoni ta' Lm1 fil-gimgha b'zieda mar-rata tal-Pensjoni tar-Romol li tithallas lilha skond id-dispożizzjonijiet ta' dan l-artikolu.”.

Emenda ta' l-artikolu 32 ta' l-Att prinċipali.

13. Is-subartikolu (2) ta' l-artikolu 32 ta' l-Att prinċipali ghandu jiġi emendat kif ġej:

(a) minflok il-kliem “medja ta' Lm32.88 fil-gimgha:” ghandhom jidhlu l-kliem “medja fil-gimgha li tkun ekwivalenti għall-paga minima nazzjonali applikabbli għal persuni ta' l-età ta' 18-il sena jew iktar stabbilita b'Ordni ta' *Standard* Nazzjonali mahruġ taht l-Att li Jirregola l-Kondizzjonijiet ta' l-Impieg matul il-perijodu li dwaru il-pensjoni tkun dovuta:” u

(b) minflok il-proviso li hemm għalih għandu jidhol dan li ġej:

“Izda, meta dik il-medja tad-dhul tkun iżjed mill-imsemmi ekwivalenti għall-paga minima nazzjonali r-rata tagħha ta' dik il-pensjoni ghandha titnaqqas b'ammont ekwivalenti għad-differenza bejn id-dhul medju tagħha fil-gimgha u l-imsemmi ekwivalenti għall-paga minima nazzjonali.”.

Zieda ta' artikolu 32A ma' l-Att prinċipali.

14. Minnufih wara l-artikolu 32 ta' l-Att prinċipali għandu jiżdied l-artikolu ġdid 32A li ġej:

“Mill-Pensjoni tar-Romol titnaqqas il-pensjoni minghand il-prinċipal tal-mejjet zewġha.

32A. Meta armla tkun intitolata tircievi Pensjoni tar-Romol taht din it-Taqsima, ir-rata tagħha ta' dik il-pensjoni titnaqqas b'kull pensjoni li hi tkun intitolata tircievi minghand dak li qabel kien il-prinċipal tal-mejjet zewġha minhabba l-impieg tiegħu:

Izda l-ammont li bih il-Pensjoni tar-Romol tagħha taht din it-Taqsima tista' titnaqqas skond dan l-artikolu ma għandux ikun iżjed minn Lm7.63 fil-gimgha.”.

15. L-artikolu 34 ta' l-Att prinċipali għandu jithassar.

16. L-artikolu 37 ta' l-Att prinċipali għandu jithassar.

17. Fil-proviso għall-artikolu 38 ta' l-Att prinċipali minflok il-kliem minn “wara l-21 ta' Jannar, 1979” sa u inklużi l-kliem “ma għandhomx japplikaw.” għandhom jidhlu l-kliem “wara l-21 ta' Jannar, 1979.”.

18. Fit-test Inġliż ta' l-artikolu 44 ta' l-Att prinċipali, minflok il-kliem “subsection (i)” għandhom jidhlu l-kliem “subsection (1)”.

19. L-artikolu 45 ta' l-Att prinċipali għandu jithassar.

20. L-artikolu 46 ta' l-Att prinċipali għandu jithassar.

Thassir ta' l-artikolu 34 ta' l-Att prinċipali.

Thassir ta' l-artikolu 37 ta' l-Att prinċipali.

Emenda ta' l-artikolu 38 ta' l-Att prinċipali.

Emenda ta' l-artikolu 44 ta' l-Att prinċipali.

Thassir ta' l-artikolu 45 ta' l-Att prinċipali.

Thassir ta' l-artikolu 46 ta' l-Att prinċipali.

21. Fl-artikolu 48 ta' l-Att prinċipali, minflok il-kliem "xi pensjoni ohra" ghandhom jidhlu l-kliem "Pensjoni tar-Romol". Emenda ta' l-artikolu 48 ta' l-Att prinċipali.
22. Minflok l-artikolu 49 ta' l-Att prinċipali ghandu jidhol dan li ġej:— Sostituzzjoni ta' l-artikolu 49 ta' l-Att prinċipali.
- "49. Armla li tkun qed tirċievi xi pensjoni taht din it-Taqsima ghandha, hekk kif terġa' tiżżewweġ, titef id-dritt ghal dik il-pensjoni; hekk iżda li, fejn dik l-armla tkun qed tirċievi dik il-pensjoni, li ma tkunx Pensjoni ta' Superstiti, ghandha tirċievi minflok, bhala Ghotja Ghal Min Jerġa' Jizzewweġ, somma f'daqqa, mhallsa fuq bażi ta' darba wahda biss, ekwivalenti ghal 52 darba tar-rata fil-ġimgha ta' pensjoni li tkun tithallas lilha minnufih qabel dak iż-żwieġ taghha mill-ġdid."
23. L-artikolu 50 ta' l-Att prinċipali ghandu jithassar. Thassir ta' l-artikolu 50 ta' l-Att prinċipali.
24. Fl-artikolu 51 ta' l-Att prinċipali, minflok il-kliem "iżda ma jkollhiex dritt ghall-Pensjoni Supplimentari mhallsa taht id-dispożizzjonijiet ta' l-artikolu 50 ta' dan l-Att." ghandhom jidhlu l-kliem "u kemm-il darba, b'seħh mill-5 ta' Jannar, 1991, id-dispożizzjonijiet ta' qabel ta' din it-Taqsima ma jaghtuhiex dritt ghal rata ahjar ta' pensjoni." Emenda ta' l-artikolu 51 ta' l-Att prinċipali.
25. Minnufih wara l-artikolu 52 ta' l-Att prinċipali ghandu jiddied l-artikolu ġdid 52A li ġej:— Zieda ta' artikolu ġdid 52A ma' l-Att prinċipali.
- 52A. Id-dispożizzjonijiet ta' qabel ta' din it-Taqsima, hliet ghal dawk taht is-subartikolu (2) ta' l-artikolu 32, ghandhom, *mutatis mutandis*, japplikaw ukoll fil-każ ta' armel li minnufih qabel il-mewt ta' martu kien jiddependi mill-ghejjun finanzjarji taghha ghall-ghixien tieghu jew li, ghalkemm minnufih qabel mewtha ma kienx jiddependi mill-ghejjun finanzjarji taghha ghall-ghixien tieghu, minhabba il-mewt taghha jitlaq temporanjament jew ghal kollox xi xoghol bi qliegh li setgha kellu minnufih qabel il-mewt taghha sabieħ jiehu hsieb uliedu dipendenti subien jew bniet li jkunu parti mill-familja tieghu."
26. Il-paragrafu (i) tas-subartikolu (1) ta' l-artikolu 56 ta' l-Att prinċipali ghandu jiġi emendat kif ġej: Emenda ta' l-artikolu 56 ta' l-Att prinċipali.
- (a) minflok il-kliem "Jannar 1987" ghandhom jidhlu l-kliem "Jannar 1991"; u
- (b) minflok il-kliem minn "tkun intitolata ghal Pensjoni ghal Min Jirtira" sa u inklużi l-kliem "li fuqu tkun inghatat il-pensjoni tas-servizz tieghu:" ghandhom jidhlu l-kliem "tkun intitolata ghal Pensjoni ghal Min Jirtira;"
27. Fl-artikolu 60 ta' l-Att prinċipali, minflok il-kliem minn "ekwivalenti ghal" sa u nklużi l-kliem minn "ta' kull persuna ohra." ghandhom jidhlu l-kliem "ekwivalenti ghal —" Emenda ta' l-artikolu 60 ta' l-Att prinċipali.
- (a) fil-każ ta' raġel miżżewweġ li jkun qieghed imantni lil martu, erba' kwinti, u

¹Pensjoni ta' Armel.

(b) fil-każ ta' kull persuna ohra, żewġ terzi

tal-paga minima nazzjonali li tkun applikabbli ghal persuni ta' l-età ta' 18-il sena jew iktar stabbilita b'Ordni ta' *Standard Nazzjonali* mahruġ taht l-Att li Jirregola l-Kondizzjonijiet ta' l-Impieg matul il-perijodu li dwaru dik il-pensjoni tkun dovuta.”.

Thassir ta'
l-artikolu 63 ta'
l-Att prinċipali.

28. L-artikolu 63 ta' l-Att prinċipali ghandu jithassar.

Emenda ta'
l-artikolu 64 ta'
l-Att prinċipali.

29. L-artikolu 64 ta' l-Att prinċipali ghandu jiġi emendat kif ġej:—

(a) id-dispożizzjoni prezenti ghandha tiġi numerata mill-ġdid bhala subartikolu (1) tiegħu;

(b) il-proviso ghas-subartikolu (1) tiegħu kif numerat mill-ġdid ghandu jiġi emendat kif ġej:—

(i) fil-paragrafu (b) tiegħu, minnufih qabel il-kliem “ma ghandhomx jitqiesu” ghandhom jidhlu l-kliem “hlief kif provdut fil-paragrafu (d) ta' dan il-proviso,”;

(ii) fil-paragrafu (ċ) tiegħu, minflok il-kliem “id-dispożizzjonijiet l-ohra ta' din it-Taqsima.” ghandhom jidhlu l-kliem “id-dispożizzjonijiet l-ohra ta' din it-Taqsima; u”;

(iii) minnufih wara l-paragrafu (ċ) tiegħu ghandu jizded il-paragrafu (d) ġdid li ġej:—

“(d) b'seħħ mill-1 ta' Jannar, 1987, meta persuna kienet, f'xi żmien, intitolata ghal pensjoni taht l-artikolu 26 ta' dan l-Att, u, f'xi żmien wara ma tkomplix tkun intitolata minhabba li tibda taħdem bi qliegh, kull kontribuzzjonijiet akkreditati taht l-artikolu 16 ta' dan l-Att filwaqt li kienet intitolata ghal dik il-pensjoni ghandhom, għall-finijiet tal-kalkolu tal-jedd tagħha ghal Pensjoni ta' Żewġ Terzi taht dan l-Att, jitqiesu fil-kalkolu minkejja d-dispożizzjonijiet tal-paragrafu (b) ta' dan il-proviso; hekk iżda li, dak in-numru ta' kontribuzzjonijiet hekk akkreditati u li jitqiesu fil-kalkolu m'ghandux ikun iżjed minn numru ta' kontribuzzjonijiet imhallsa minnha bejn id-data li ma tkomplix tkun intitolata ghal dik il-pensjoni u d-data ta' l-irtir tagħha.”; u

(ċ) minnufih wara s-subartikolu (1) tiegħu kif numerat mill-ġdid ghandu jizded is-subartikolu (2) ġdid li ġej:—

“(2) Fil-kalkolu tal-medja ta' kontribuzzjonijiet fis-sena kif imsemmi fis-subartikolu (1) ta' dan l-artikolu, il-medja fis-sena tal-kontribuzzjonijiet li tkun relatata ma' l-ahhar ghaxar snin konsekuttivi kif imsemmi fil-paragrafu (a) tal-proviso għall-imsemmi subartikolu (1) u l-medja tal-

kontribuzzjonijiet fis-sena li tkun relatata mas-snin minnufih qabel l-imsemmija l-ahhar għaxar snin konsekuttivi, għandhom ikunu kalkolati separatament, u l-medja ta' dawn iż-żewġ medji fis-sena tikkostitwixxi l-medja tal-kontribuzzjonijiet fis-sena li skond dan l-Att hi mehtieġa għall-fini ta' l-ghoti tal-Pensjoni ta' Żewġ Terzi.”.

30. L-artikolu 65 ta' l-Att prinċipali għandu jiġi emendat kif ġej:—

Emenda ta' l-artikolu 65 ta' l-Att prinċipali.

(a) il-paragrafu (a) tiegħu għandu jiġi emendat kif ġej:—

(i) fil-paragrafu (i) tiegħu, minflok il-kliem “Lm39.45 fil-ġimgha” għandhom jidhlu l-kliem “Lm40.95 fil-ġimgha”; u

(ii) fis-sub-paragrafu (ii) tiegħu, minflok il-kliem “Lm32.88 fil-ġimgha” għandhom jidhlu l-kliem “Lm34.13 fil-ġimgha”; u

(b) fil-paragrafu (b) tiegħu, minflok il-kliem “Lm108.77 fil-ġimgha” għandhom jidhlu l-kliem “Lm110.02 fil-ġimgha”.

31. Is-subartikolu (3) ta' l-artikolu 71 ta' l-Att prinċipali għandu jiġi emendat kif ġej:—

Emenda ta' l-artikolu 71 ta' l-Att prinċipali.

(a) fil-paragrafu (i) tiegħu, minflok il-kliem minn “u meta dik il-paga jew salarju” sa u nkluzi l-kliem “mill-Gvern:” għandu jidhol dan li ġej:—

“hekk iżda li, meta l-imsemmija l-oghla kariga kienet fis-servizz tal-Gvern jew hekk analogata skond dan is-subartikolu, b'seħħ mill-5 ta' Jannar 1991 l-imsemmija paga jew salarju kurrenti ta' dik l-oghla kariga jkun dak kurrentement imhallas lill-okkupant tal-kariga kurrenti skond u taht l-istruttura l-ġdida ta' pagi/salarji ta' mpjegati tal-Gvern kif implimentata mill-Gvern b'seħħ mill-1 ta' Jannar 1991; u, għal dan il-ghan, kull inkrimenti tas-servizz li jkollhom jithallsu b'seħħ mill-1 ta' Jannar 1994, skond l-imsemmija struttura ġdida ta' pagi/salarji, lill-okkupant ta' dik l-oghla kariga jitqiesu biss jekk dawk l-inkrimenti jkunu diġà ttiehdu qabel l-irtir tiegħu.”; u

(b) fl-ewwel proviso li hemm għalih minflok il-kliem minn “ma tkunx teżisti aktar,” sa u nkluzi l-kliem “kienet l-ahhar miżmuma mill-pensjonant:” għandhom jidhlu l-kliem “ma tkunx teżisti aktar. —

(a) jekk dik il-kariga kienet okkupata f'Malta, minflokha għandha tidhol dik il-kariga analogha f'Malta fis-servizz tal-Gvern ta' Malta, jew, jekk dik il-kariga analogha ma tkunx teżisti fis-servizz tal-Gvern ta' Malta, fis-servizz ta' xi organizzazzjoni parastatali f'Malta, li kellha paga jew salarju li l-aktar kienu jikkorrispondu għal dawk ta' l-ewwel kariga fiż-żmien meta kienet l-ahhar okkupata mill-pensjonant; jew

(b) jekk dik il-kariga kienet okkupata barra minn Malta, —

(i) meta pensjoni tas-servizz tkun inghatat lill-pensjonant fuq dik il-kariga, minflokha ghandha tidhol dik il-kariga analoga fil-pajjiż fejn kien jeżisti dak l-impieg fis-servizz tal-Gvern ta' dak il-pajjiż jew, jekk dik il-kariga analoga ma tkunx teżisti fis-servizz ta' dak il-Gvern, fis-servizz ta' organizzazzjoni parastatali f'dak il-pajjiż, li kellha paga jew salarju li l-aktar kienu jikkorrispondu ghal dawk ta' l-ewwel kariga fiż-żmien meta kienet l-aħhar okkupata mill-pensjonant; u

(ii) meta pensjoni tas-servizz ma tkunx inghatat lill-pensjonant fuq dik il-kariga, id-dispożizzjonijiet tal-paragrafu (a) ta' dan il-proviso ghandhom japplikaw minkejja l-fatt li dik il-kariga kienet okkupata barra minn Malta:".

Emenda ta'
l-artikolu 77 ta'
l-Att prinċipali.

32. L-artikolu 77 ta' l-Att prinċipali ghandu jiġi emendat kif ġej:—

(a) fis-subartikolu (2) tiegħu, minflok il-kliem "għandha tirċievi l-pensjoni tagħha skond il-Parti II tas-Sitt Skeda li tinsab ma' dan l-Att; iżda b'dak il-mod illi" għandhom jidhlu l-kliem "għandha, meta l-mezzi fis-sena kalkolati kif imsemmi qabel f'dan l-artikolu —

(a) ikunu iżjed minn Lm125 fil-każ ta' koppja miżżewġa jew Lm75 fil-każ ta' romol jew persuna wahedha, ikollha r-rata tal-pensjoni tagħha taht dan l-artikolu kalkolata skond il-formoli li ġejja:

$$(i) \quad A + \frac{(B - C - A + Lm2.40)}{2} = D,$$

fil-każ ta' koppja miżżewġa, u

$$(ii) \quad A + \frac{(B - C - A + Lm1.44)}{2} = D,$$

fil-każ ta' persuna li tkun romlot jew mhux miżżewġa,

meta, fiż-żewġ formoli, A tirrappreżenta r-Rata Nozzjonali ta' Pensjoni ta' l-Età skond il-Ħmistax-il Skeda li tinsab ma' dan l-Att, B tirrappreżenta l-Oghla Rata ta' Pensjoni ta' l-Età li tithallas skond il-Parti II tas-Sitt Skeda li tinsab ma' dan l-Att, C tirrappreżenta l-mezzi fil-ġimgha kalkolati skond il-Parti III tat-Tieni Skeda li tinsab ma' dan l-Att sa l-egreb ċenteżmu shih u D tirrappreżenta l-Pensjoni ta' l-Età fil-ġimgha li bhala riżultat għandha tithallas taht dan l-Att; u

(b) ma jkunux iżjed mill-limiti kif imsemmija f'dan is-subartikolu, ikollha r-rata tal-pensjoni tagħha mhallsa skond il-Parti II tas-Sitt Skeda li tinsab ma' dan l-Att;

iżda b'dak il-mod illi,";u

(b) fis-subartikolu (3) tiegħu, minflok il-kliem "Lm2.20 fil-ġimgha" għandhom jidhlu l-kliem "Lm2.25 fil-ġimgha".

33. L-artikolu 79 ta' l-Att prinċipali għandu jiġi emendat kif ġej:—

Emenda ta' l-artikolu 79 ta' l-Att prinċipali.

(a) fit-test Malti, minflok in-nota margċinali tiegħu għandu jidhol dan li ġej:

“*Allowance* ta' Ltim u *Allowance* Supplimentari ta' Ltim.”;

(b) fit-test Inġliż, għanda tiżdied in-nota margċinali li ġejja:

“*Orphan's Allowance and Orphan's Supplementary Allowance.*”;

(ċ) fis-subartikolu (1) tiegħu minflok il-kliem minn “bir-rata ta' —” sa u inkluzi l-kliem “ebda xorta ta' dik l-*allowance* ma tkun qegħda tithallas dwar dak it-tifel jew tifla.” għandhom jidhlu l-kliem “bir-rata ta' Lm8 fil-ġimgħa dwar kull tifel jew tifla bħal dawk.”; u

(d) minnufih wara s-subartikolu (1) tiegħu għandhom jiżdiedu s-subartikoli ġodda (1A) u (1B) li ġejjin:—

“(1A) Kull persuna li jkollha l-kura ta' iben jew bint ta' xi haddiehor, jekk iż-żewġ ġenituri ta' l-imsemmija iben jew bint ikunu mejtin u mill-inqas wiehed mill-ġenituri kien persuna assigurata u ċittadin ta' Malta filwaqt ta' mewtu, għandu jkollha dritt ta' *Allowance* Supplimentari ta' Ltim bir-rata ta' Lm16.95 fil-ġimgħa dwar kull iben jew bint bħal dawk jekk dak l-iben jew dik il-bint ikunu —

(a) bejn l-etajiet ta' 16-il sena u 21 sena; u

(b) ma jkunux qed jagħmlu xi xogħol bi qliegh li d-dhul *gross* minnu jkun iżjed minn medja fil-ġimgħa li tkun daqs id-differenza bejn l-ekwivalenti għall-paga minima nazzjonali applikabbli għal persuni ta' l-età ta' 18-il sena jew iktar stabbilita b'ordni ta' *Standard* Nazzjonali mahruġ taht l-Att li Jirregola l-Kondizzjonijiet ta' l-Impieg matul il-perijodu li dwaru dik l-*Allowance* Supplimentari ta' Ltim tkun dovuta u l-imsemmija rata ta' *Allowance* Supplimentari ta' Ltim.

(1B) Meta l-qliegh *gross* imsemmi fis-subartikolu (1A) ta' dan l-artikolu jkun iżjed mill-medja imsemmija fil-paragrafu (b) ta' l-imsemmi subartikolu (1A) ir-rata fil-ġimgħa ta' *Allowance* Supplimentari ta' Ltim imsemmija f'dak is-subartikolu (1A) għandha titnaqqas b'dak l-ammont li jkun jiżgura li t-total ta' dik il-medja ta' qliegh *gross* fil-ġimgħa u kull *Allowance* Supplimentari ta' Ltim li tithallas taht dan l-artikolu ma jkunx iżjed mill-ekwivalenti ta' l-imsemmija paga minima nazzjonali.”.

34. Fil-paragrafu (iii) tas-subartikolu (1) ta' l-artikolu 82A ta' l-Att prinċipali minflok il-kliem “ma jeċċedix Lm2,600” għandhom jidhlu l-kliem “ma jeċċedix Lm2,665”.

Emenda ta' l-artikolu 82A ta' l-Att prinċipali.

35. L-artikolu 91 ta' l-Att prinċipali għandu jiġi emendat kif ġej:—

Emenda ta' l-artikolu 91 ta' l-Att prinċipali.

(a) minnufih wara l-kliem “*Allowance* ta' Ltim,” għandhom jidhlu l-kliem “*Allowance* Supplimentari ta' Ltim,”; u

(b) minnufih wara l-kliem “l-artikolu 30 ta’ dan l-Att” għandhom jidhlu l-kliem “,iżda inkluża dik imhallsa taht id-dispożizzjonijiet tas-subartikolu (8B) ta’ l-imsemmi artikolu 30”.

Emenda ta’
l-artikolu 94 ta’
l-Att prinċipali.

36. Fl-artikolu 94 ta’ l-Att prinċipali minflok il-kliem “tal-mejjet żewġha.” għandhom jidhlu l-kliem “tal-mejjet żewġha; hekk iżda li, meta xi pensjoni bħal dik li tithallas taht dan l-Att ikollha tiżdied minhabba reviżjoni jew kalkolu mill-ġdid tar-rati ta’ dik il-pensjoni, kull żidiet li jithallsu lil dik il-persuna bħala pensjoni tas-servizz jew, fil-każ ta’ armla, bħala pensjoni minn prinċipal tal-mejjet żewġha li jkollha x’taqsam ma’ l-impieg tal-mejjet żewġha, li tibda ssehh wara li dik il-persuna jew l-armla jibda jkollha dritt għal dik il-pensjoni kif issemma’ qabel, għandhom imbagħad ikunu kalkolati sakemm żidiet bħal dawk ma jolqtux b’mod avvers ir-rata tal-pensjoni li diġa’ tkun qed tithallas lill-persuna jew lill-armla minnufih qabel dik ir-reviżjoni jew dak il-kalkolu mill-ġdid.”.

Emenda ta’
l-artikolu 95 ta’
l-Att prinċipali.

37. Fil-paragrafu (ċ) tal-proviso għall-artikolu 95 ta’ l-Att prinċipali, minnufih wara l-kliem “sub-normalità mentali severa” għandhom jidhlu l-kliem “jew minn *palsy* ċerebrali”.

Emenda ta’
l-artikolu 101 ta’
l-Att prinċipali.

38. L-artikolu 101 ta’ l-Att prinċipali għandu jiġi emendat kif ġej:—

(a) minflok is-subartikolu (1) tiegħu għandu jidhol dan li ġej:—

(1) Tkun kondizzjoni tal-jedd ta’ xi persuna għal xi benefiċċju, pensjoni, *allowance* jew għajjnuna mogħtija taht id-dispożizzjonijiet ta’ dan l-Att li —

(a) tagħmel talba għaliha fuq il-formola provduta mid-Direttur għal dak il-benefiċċju, pensjoni, *allowance* jew għajjnuna jew b’dak il-mod l-ieħor li d-Direttur jista’ xort’ohra jiddeċiedi dwar xi benefiċċju, pensjoni, *allowance* jew għajjnuna partikolari jew dwar xi talba partikolari, u li dik it-talba tkun uffċjalment riċevuta mid-Dipartiment fil-limiti taż-żmien rispettivi stabbiliti bis-subartikolu (2) ta’ dan l-artikolu;

(b) tipproduċi dawk iċ-ċertifikati, dokumenti, informazzjoni u xiehda għall-fini li jiġi stabbilit il-jedd tagħha għal dak il-benefiċċju, pensjoni, *allowance* jew għajjnuna li d-Direttur jista’, minn żmien għal żmien, jehtieg u għal dak il-ghan tmur f’dak l-uffiċċju jew post kif id-Direttur jista’ jistabbilixxi.”;

(b) il-proviso li hemm għas-subartikolu (2) tiegħu għandu jiġi emendat kif ġej:—

(i) minflok il-kliem “it-talba relattiva tasal għand id-Direttur;” għandhom jidhlu l-kliem “it-talba relattiva tkun aċċettata mid-Direttur bħala li tkun uffċjalment riċevuta mid-Dipartiment;” u

(ii) minnufih wara l-kliem “Għotja taż-Żwieġ” għandhom jidhlu l-kliem “jew Benefiċċju dwar il-Maternità”;

(ċ) minnufih wara l-proviso li hemm ghas-subartikolu (2) tiegħu għandu jidhol il-proviso ġdid li ġej:—

“Iżda wkoll —

(i) għall-finijiet ta' dan is-subartikolu kull talba hekk kif imsemmija f'dan is-subartikolu ma tkunx aċċettata bħala li kienet riċevuta uffiċjalment mid-Dipartiment jekk u sakemm ma jkollhiex dak it-timbru uffiċjali tad-Dipartiment kif ikun stabbilit mid-Direttur, liema timbru jkun jinkludi d-data li fiha dik it-talba tkun ġiet riċevuta uffiċjalment mid-Dipartiment; u

(ii) meta l-persuna li tagħmel talba għal dak il-benefiċċju, pensjoni, *allowance* jew għajnuna oħra kif intqal qabel tipprova ghas-sodisfazzjon tad-Direttur li xi dewmien li kellha biex it-talba tagħha tkun uffiċjalment riċevuta mid-Dipartiment ma kienx dovut minhabba xi negligenza minnaha tagħha, id-Direttur jista', fid-diskrezzjoni tiegħu, jikkunsidra t-talba bħala li tkun ġiet uffiċjalment riċevuta filhin jekk dak id-dewmien ma jkunx iżjed minn perijodu ta' erba' ġimgħat.”; u

(d) is-subartikolu (3) tiegħu għandu jiġi emendat kif ġej:—

(i) fil-proviso li hemm għalih minflok il-kliem “iżda f'kull każ bhal dan” għandhom jidhlu l-kliem “jew fil-każ ta' talba għal *Allowance* Speċjali li ssir dwar persuna li tkun laqgħet l-età ta' 16-il sena fit-23 ta' Awissu 1989 jew wara; iżda f'kull każijiet bhal dawn”; u

(ii) minnufih wara l-proviso li hemm għalih għandu jiżdied il-proviso ġdid li ġej:—

“Iżda wkoll id-dispożizzjonijiet ta' qabel ta' dan is-subartikolu għandhom japplikaw ukoll għal talbiet li kienu oriġinarjament saru bejn it-23 ta' Frar 1990 u d-19 ta' April 1990 dwar perijodi qabel it-23 ta' Frar 1990.”.

39. Minnufih wara s-subartikolu (4) ta' l-artikolu 102 ta' l-Att prinċipali għandhom jiżdiedu s-subartikoli ġodda (5) u (6) li ġejjin:—

Emenda ta' l-artikolu 102 ta' l-Att prinċipali.

“(5) Meta xi benefiċċju, pensjoni, għajnuna jew *allowance* taht dan l-Att jithallsu wara l-parir tal-*panel* mediku tad-Dipartiment skond il-proviso għall-artikolu 109 ta' dan l-Att, jekk dan il-parir sussegwentement jinbidel wara eżami mill-ġdid tal-każ, il-parir mediku ta' qabel jibqa' validu sal-jum li fih l-imsemmi parir jinbidel.

(6) Meta l-hlas għal xi benefiċċju, pensjoni, għajnuna jew *allowance* taht dan l-Att ma jinkisibx mill-benefiċjarju fi żmien sentejn mid-data tal-hruġ taċ-ċekk oriġinali, id-dritt għal dak il-benefiċċju, pensjoni, għajnuna jew *allowance* jintilef.”.

Emenda ta' l-artikolu 105 ta' l-Att prinċipali.

40. L-artikolu 105 ta' l-Att prinċipali għandu jiġi emendat kif ġej:—

(a) id-dispożizzjoni preżenti għandha tiġi numerata mill-ġdid bħala subartikolu (1);

(b) minnufih wara l-proviso għas-subartikolu (1) tiegħu kif numerat mill-ġdid għandu jiżdied il-proviso li ġej:

“Iżda wkoll, hlief għad-dispożizzjonijiet tal-paragrafu (i) tal-proviso ta' qabel ta' dan is-subartikolu u d-dispożizzjonijiet relatati mal-perijodu ta' snin li dwaru flus mħallsa żejda għandhom jiġu rifiżi kif imsemmi fil-paragrafu (ii) ta' l-imsemmi proviso, il-proviso ta' qabel ta' dan is-subartikolu għandu, b'effett mis-6 ta' Jannar, 1990, japplika wkoll għal każijiet fejn dak il-hlas żejjed sar jaf bih id-Dipartiment f'xi żmien qabel is-6 ta' Jannar 1990 u dak il-hlas żejjed jew parti minnu kien għadu dovut lid-Dipartiment wara d-data fuq imsemmija.”; u

(ċ) minnufih wara s-subartikolu (1) tiegħu kif numerat mill-ġdid għandu jiżdied is-subartikolu (2) ġdid li ġej:—

“(2) Meta xi persuna tirċievi b'qerq xi Benefiċċju għal Disimpieg, Benefiċċju Speċjali għal Disimpieg jew Għajjnuna Soċjali taht dan l-Att, u bejn l-1 ta' Novembru 1990 u l-31 ta' Diċembru 1990, iż-żewġ dati nklużi, minn jhedha marret u għarrfet lill-Korporazzjoni ta' Xogħol u Tahriġ bl-abbuż tagħha dwar dan, dik il-persuna m'għandhiex, għall-finijiet ta' dan l-artikolu, titqies li għandha thallas lura lid-Direttur xi benefiċċju jew għajjnuna kif imsemmija f'dan is-subartikolu li jkunu thallsu lilha dwar kull perijodu sad-data li hekk tkun għarrfet lill-imsemmija Korporazzjoni.”.

Emenda ta' l-artikolu 120 ta' l-Att prinċipali.

41. Minnufih wara s-subartikolu (2) ta' l-artikolu 120 ta' l-Att prinċipali għandu jiżdied is-subartikolu (3) ġdid li ġej:—

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ta' l-1974.

“(3) Meta prinċipal jonqos li jaderixxi ma' dispożizzjonijiet ta' l-Ordni ta' l-1974 dwar il-Kotba tax-Xogħol safejn għandu x'jaqsam ma' l-ingaġġ jew reklutaġġ ta' impjegati u minhabba f'hekk dik il-persuna tirċievi xi benefiċċju, pensjoni, *allowance* jew għajjnuna taht dan l-Att b'mod illeġittimu u li kieku xort'ohra ma kienx ikollha dritt għalihom taht id-dispożizzjonijiet ta' dan l-Att, dak il-prinċipal ikollu jhallas lid-Direttur danni ekwivalenti għall-ammont hekk riċevut minn dik il-persuna bħala benefiċċju, pensjoni, *allowance* jew għajjnuna fi żmien ġimgha minn talba tad-Direttur għal hlas ta' dawk id-danni u, għall-finijiet ta' dan is-subartikolu, sakemm ma jiġix pruvat l-kuntrarju mill-prinċipal għas-sodisfazzjon tad-Direttur, l-ammont hekk mitlub mid-Direttur jikkostitwixxi talba leġittima lil dak il-prinċipal.”.

Emenda tat-Tieni Skeda li tinsab ma' dan l-Att.

42. It-Tieni Skeda li tinsab ma' l-Att prinċipali għandha tiġi emendata kif ġej:—

(a) il-Parti II tagħha għandha tiġi emendata kif ġej:—

(i) fit-titlu tagħha l-kliem “u Għajjnuna Medika Bla Hlas” għandhom jiħassru;

(ii) il-paragrafu 1 taghha ghandu jigi emendat kif ġej:—

(a) minflok il-kliem “l-artikoli 20 u 23” ghandhom jidhlu l-kliem “l-artikolu 20”;

(b) fis-sub-paragrafu (a) tiegħu, minnufih wara l-kliem “tal-membri kollha tal-familja” ghandhom jidhlu l-kliem “li la jkun persuni mpjegati lanqas persuni li jimpjegaw lilhom infushom skond dan l-Att” u minflok il-kliem “jew l-assistenza medika bla hlas ma ghandhiex titqies li tkun intitolata għal kull għajjnuna; u” ghandhom jidhlu l-kliem “ma ghandhiex titqies li tkun intitolata għal dik l-għajjnuna;u”;

(c) fis-sub-paragrafu (b) tiegħu, minnufih wara l-kliem “xi membru tal-familja” ghandhom jidhlu l-kliem “li la jkun persuna mpjegata lanqas persuna li timpjega lilha nnifisha skond dan l-Att”; u

(d) il-provisos li ġejjin ghandhom jizdiedu fit-tarf tiegħu:—

“Izda kull proprjetà jew dhul li ghandhom ikunu kalkolati għall-finijiet ta’ din il-Parti skond id-dispożizzjonijiet ta’ qabel ta’ dan il-paragrafu ghandhom jinkludu kull proprjetà jew dhul li xi membru tal-familja kif intqal qabel f’ din il-Parti kien direttament jew indirettament caħhad lilu nniffsu minnhom sabiex ikollu jedd għal Għajjnuna għal Mard jew sabiex ikollu jedd għal rata aktar vantaġġuza:

Izda wkoll, meta membru, li ma jkunx il-kap tal-familja jew martu, jkun persuna mpjegata jew persuna li timpjega lilha nnifisha, jekk il-paga *gross* jew id-dhul *gross* taghha, skond il-każ, ma jkunx iżjed minn 40% tal-paga minima nazzjonali applikabbli għal persuni ta’ l-età ta’ 18-il sena jew iktar stabbilita b’Ordni ta’ *Standard* Nazzjonali mahruġ taħt l-Att li Jirregola l-Kondizzjonijiet ta’ l-Impieg, matul il-perijodu li dwaru dik l-għajjnuna tkun dovuta, dak il-membri ma ghandux, għall-finijiet ta’ dan il-paragrafu, jitqies bhala persuna mpjegata jew persuna li timpjega lilha nnifisha.”;

(iii) fil-paragrafu 3 taghha, minnufih wara l-kliem “Meta xi membru” ghandhom jidhlu l-kliem “kif intqal qabel f’ din il-Parti” u l-kliem “jew għall-għajjnuna medika bla hlas” ghandhom jithassru;

(iv) il-paragrafu 5 taghha ghandu jigi emendat kif ġej:—

(a) minnufih wara l-kliem “minn xi membru” ghandhom jidhlu l-kliem “kif intqal qabel f’ din il-Parti”;

(b) minflok is-sub-paragrafu (d) tiegħu ghandu jidhol dan li ġej:

“(d) 70.8% tad-dhul nett totali jew ta' xi privileġġ, benefiċċju jew *allowance* jew ta' xi pensjoni żejda li tkun qeghda jew tista' tiġi riċevuta jew gawduta minn dak il-membru tal-familja, barra mill-kap tal-familja jew mill-mara tiegħu, u, għal dan il-ghan, id-dhul nett totali, il-privileġġ, il-benefiċċju, l-*allowance* jew il-pensjoni żejda għandhom jitnaqqsu b'kull hlas ta' taxxa fuq l-*income* li jsir mill-persuna li tkun skond l-Att dwar it-Taxxa fuq l-*Income*, u l-espressjoni “pensjoni żejda” tfisser kull parti mill-pensjoni li tkun 'il fuq mill-Pensjoni Minima Nazzjonali kif imsemmi fis-sub-paragrafu (b) ta' dan il-paragrafu;” u

(ċ) is-sub-paragrafi (f) u (g) tiegħu għandhom jithassru;

(v) fil-paragrafu 6 tagħha, il-kliem “jew matul kull perijodu li matulu l-ghajjnuna medika bla hlas tkun qiegħda jew tista' tingħata lill-kap tal-familja skond id-dispożizzjonijiet ta' dan l-Att” għandhom jithassru; u

(vi) fil-paragrafu 7 tagħha, minnufih wara l-kliem “hu jew xi membru iehor” għandhom jidhlu l-kliem “kif intqal qabel f'din il-Parti”;

(b) minnufih wara l-Parti II tagħha għandha tizzied il-Parti IIA ġdida li ġejja:—

“PARTI IIA

Ghajjnuna Medika bla Hlas

1. Fil-kalkolu ta' mezzi għall-finijiet ta' l-artikolu 23 ta' dan l-Att, għandu jitqies —

(a) bla hsara għad-dispożizzjonijiet tal-paragrafu 3 ta' din il-Parti, il-valur ta' kull proprjetà (minbarra d-dar tar-residenza) li tkun tal-membri kollha tal-familja li hija jew tista' tkun, investita jew użata bi profitt b'eskluzjoni ta' għamara, gojjellerija jew oġġetti ohra personali:

Iżda, meta l-flus fil-bank u fl-idejn (inklużi assi likwidi, depożiti għal xi żmien, *bonds*, *stocks*, azzjonijiet u *securities* ohra) u l-valur kapitali ta' kull proprjetà immobbli urbana (bl-eskluzjoni tad-dar fejn wiehed joqgħod) li ma tkunx qed tintuża bi qliegh, ikunu flimkien jaqbzū Lm2,200 il-persuna li tkun qed titlob l-Ghajjnuna Medika bla Hlas ma għandhiex titqies li tkun intitolata għal dik l-ghajjnuna; u

(b) bla hsara għad-dispożizzjonijiet tal-paragrafu 4 ta' din il-Parti, kull dhul jew privileġġ li huwa jew jista' jiġi riċevut jew ikun ta' tgawdija minn xi membru tal-familja:

Iżda kull proprjetà jew dhul li ghandhom ikunu kalkolati għall-finijiet ta' din il-Parti skond id-dispożizzjonijiet ta' qabel ta' dan il-paragrafu għandhom jinkludu kull proprjetà jew dhul li xi membru tal-familja kien direttament jew indirettament caħhad lilu nnifsu minnhom sabiex ikollu jedd għal Ghajnuna Medika bla Hlas.

2. Meta r-rizorsi kapitali kollha li hemm riferenza għalihom fis-sub-paragrafu (a) tal-paragrafu 1 ta' din il-Parti, ma jkunux jaqbu il-limiti imsemmija —

(a) l-ewwel Lm250 ta' dawn ir-rizorsi kapitali ma għandhomx jitqiesu; u

(b) il-valur ta' kull proprjetà immobbli urbana imsemmija fil-proviso li tinsab ma' l-imsemmi sub-paragrafu (a) għandu jitqies li jkun qiegħed jipproduci dhul fis-sena ekwivalent għal 5.5% tal-valur kapitali tiegħu.

3. Meta xi membru tal-familja, minbarra l-kap tal-familja u l-mara tiegħu, ikollu fil-pussess tiegħu xi proprjetà bħal dik imsemmija fis-sub-paragrafu (a) tal-paragrafu 1 ta' din il-Parti —

(a) il-valur kollu ta' xi dar tar-residenza li jkollu fil-futur jew parti minnha li tkun proprjetà ta' dan il-membru bil-hsieb li jkun ser jiżzewweg, ma għandux jitqies;

(b) nofs il-valur ta' xi proprjetà oħra bħal din ma għandux jitqies hliet jekk din il-proprjetà ma tkunx għet trasferita jew mogħtija lilu mill-kap tal-familja jew il-mara tiegħu fi żmien it-tmax-il xahar minnufih qabel ma ssir it-talba għall-Ghajnuna Medika bla Hlas.

4. Fil-kalkolu tad-dhul jew privilegġ li huwa jew jista' jiġi riċevut jew jitgawda minn xi membru tal-familja, ma għandhomx jitqiesu —

(a) l-ewwel Lm40 li johorġu mill-użu tal-proprjetà;

(b) xi Ghajnuna Soċjali, Ghajnuna dwar il-Lebbra, Ghajnuna dwar it-Tuberkolozi, Għotja għal Hlib u Ghajnuna għal Mard li jithallsu taht dan l-Att u xi pensjoni jew pensjonijiet (sew jekk imhallsin taht dan l-Att sew jekk le) sa ammont massimu totali ekwivalenti għall-ogħla rata tal-Pensjoni Minima Nazzjonali skond l-istat ċivili ta' min ikun qed jagħmel it-talba kif imsemmi fit-Tmax-il Skeda li tinsab ma' dan l-Att;

(c) kull *bonus* lil familja mhallas taht u skond l-artikolu 93A ta' dan l-Att, kull *Allowance* ta' Ġenitur, *Allowance* tat-Tfal, *Allowance* għal Tifel Handikappat jew Benefiċċju tal-Maternità imhallas taht dan l-Att; u

(d) 70.8% tad-dhul nett totali, jew ta' xi paga jew salarju jew ta' xi privileġġ, benefiċċju jew *allowance* jew ta' pensjoni żejda li tkun qeghda jew tista' tigi riċevuta jew imgawdija minn xi membru tal-familja, barra mill-kap tal-familja jew mill-mara tiegħu; u għal dan il-għan, id-dhul nett totali, paga, salarju jew pensjoni għandhom jitqiesu bhala d-dhul *gross* totali, paga, salarju jew pensjoni neqsin kull hlas li wiehed jista' jagħmel ta'

(i) taxa tad-dhul skond l-Att ta' l-1948 dwar it-Taxxa fuq l-*Income*;

(ii) kontribuzzjonijiet taht dan l-Att;

(iii) spejjeż li jintefqu għall-ivjaġġar permezz tat-trasport pubbliku, jew b'kull forma oħra ta' trasport li tista' tkun provduta mill-prinċipal tal-persuna konċernata, sal-post tax-xogħol u lura; u

(iv) dawk l-ispejjeż li jsiru mill-persuna konċernata sabiex tiġġenera dak id-dhul;

u l-espressjoni "pensjoni żejda" tfisser kull parti mill-pensjoni li tkun 'il fuq mill-Pensjoni Minima Nazzjonali kif imsemmija fis-sub-paragrafu (b) ta' dan il-paragrafu;

(e) kull ammont imsemmi fis-sub paragrafu (b) u (ċ) tal-paragrafu 3 tal-Parti I ta' din l-Iskeda;

(f) kull *allowance* fil-ġimgha li tithallas minn prinċipal skond l-Ordni ta' *Standard* Nazzjonali ta' l-1988 dwar *Allowance* fil-Ġimgha;

(g) kull benefiċċju, dhul, privileġġ jew għotja dovuta lil membru ta' familja taht u skond id-dispożizzjonijiet ta' xi waħda mill-*Manpower Incentive Schemes* imħabbrin mill-Gvern, għall-ewwel 12-il ġimgha ta' jedd għalihom.

5. Għall-finijiet ta' din il-parti, "mara tiegħu" għandha tinkludi dik il-mara li, fl-opinjoni tad-Direttur, qed tghix mal-kap tal-familja daqslikieku kienet il-mara tiegħu miżżewġa matul kull perijodu li matulu l-Għajnuna Medika bla Hlas tkun qeghda jew tista' tinghata lill-kap tal-familja skond id-dispożizzjonijiet ta' dan l-Att."; u

(ċ) fil-Parti III tagħha, minnufih wara l-paragrafu 2 tiegħu għandu jiżdied il-paragrafu ġdid 2A li ġej:—

"2A. Kull proprjetà jew dhul li għandhom ikunu kalkolati għall-finijiet ta' din il-Parti skond id-dispożizzjonijiet ta' qabel ta' din il-Parti għandhom jinkludu kull proprjetà jew dhul li l-persuna konċernata tkun direttament jew

indirettament çahhdet lilha nnifisha minnhom sabiex ikollha jedd ghal Pensjoni ta' l-Età jew biex ikollha jedd ghal rata aktar vantaġġuża; hekk iżda li, meta d-dhul li l-persuna konċernata tkun direttament jew indirettament çahhdet lilha nnifisha minnu jkollu x'jaqsam ma' xi skema ohra ta' ghajjnuna finanzjarja jew sussidju ghal pensonanti li tkun imhaddma mill-Gvern ta' Malta jew f'ismu, id-dispożizzjonijiet ta' dal-paragrafu m'għandhomx japplikaw dwar dik l-ghajjnuna jew dak is-sussidju.”.

43. Il-Parti I tat-Tielet Skeda li tinsab ma' l-Att prinċipali għandha tiġi emendata kif ġej:

Emenda tat-Tielet Skeda li tinsab ma' l-Att prinċipali.

(a) fit-tabella A tagħha l-kliem “u Benefiċċju Speċjali għal Disimpieg” u l-kliem “jew Benefiċċju Speċjali għal Disimpieg” għandhom jithassru; u

(b) minnufih wara t-tabella Ċ għandha tiżdied it-tabella D ġdida li ġejja:—

“D. Benefiċċju Speċjali għal Disimpieg

Numru ta' kontribuzzjonijiet imhallsa jew akkreditati fis-sena ta' kontribuzzjoni relattiva	Rata ta' Kuljum tal-Benefiċċju Speċjali għal Disimpieg	
	Raġel mizzewweg li jkun qiegħed imantni lil martu	Kull persuna ohra
	Lm c m	Lm c m
50 jew iżjed (rata shiha)	4.05,0	2.50,0
40 – 49	3.60,0	2.20,0
30 – 39	2.80,0	1.70,0
20 – 29	2.00,0	1.20,0

.”.

44. Il-Hames Skeda li tinsab ma' l-Att prinċipali għandha tiġi emendata kif ġej:

Emenda tal-Hames Skeda li tinsab ma' l-Att Prinċipali.

(a) Il-Parti I tagħha għandha tiġi emendata kif ġej:

(i) fis-sub-partita (b) tal-partita 2 tagħha, minnufih wara l-kliem “l fuq minn 110” għandhom jidhlu l-kliem “jekk imhollija mhux ikkurata”; u

(ii) minflok is-sub-partita (b) tal-partita 7 tagħha għandu jidhol dan li ġej:

“(b) il-każijiet kollha ta' diabete.”; u

(b) il-Parti II tagħha għandha tiġi emendata kif ġej:

(i) fis-sub-partita (b) tal-partita 2 tagħha, minnufih wara l-kliem “l fuq minn 110” għandhom jidhlu l-kliem “jekk imhollija mhux ikkurata”; u

(ii) minnufih wara l-partita 12 tagħha għandhom jidhlu dawn il-partiti 13, 14 u 15 godda li ġejjin:

- “13. Glawkoma.
14. Psorjasi Estensiva.
15. *Huntington's Chorea*.”.

Emenda
tas-Sitt Skeċċa
li tinsab
ma' l-Att
prinċipali.

45. Minflok il-Partijiet I, II u IIA tas-Sitt Skeda li tinsab ma' l-Att prinċipali ghandhom jidhlu dawn li ġejjin:—

“Parti I

Rata ta' Skala ta' Ghajjnuna Soċjali

Numru ta' Membri eliġibbli fil-familja	Meta allowance tat-tfal ma tithallasx dwar xi tifel jew tifla	Meta allowance tat-tfal tithallas dwar tifel wiehed jew tifla wahda	Meta allowance tat-tfal tithallas dwar żewġ itfal	Meta allowance tat-tfal tithallas dwar tliet itfal
	Lm c m	Lm c m	Lm c m	Lm c m
1	16.95,0	—	—	—
2	19.80,0	17.70,0	—	—
3	22.55,0	20.45,0	18.90,0	—
4	25.05,0	23.00,0	21.50,0	20.55,0
5	27.60,0	25.50,0	23.95,0	23.00,0

Meta n-numru ta' membri eliġibbli fil-familja jkun jeċċedi 5 irati li hemm indikati ghal familja ta' 5 ghandhom jizdedu b'Lm1.75 fil-ġimgha ghal kull membru eliġibbli ghar-rigward tas-sitt membru eliġibbli u l-membri eliġibbli l-oħra sussegwenti f'dik il-familja. Għall-finijiet ta' din il-Parti, “allowance tat-tfal” tfisser xi wahda jew kull allowance li jithallsu skond il-paragrafi (i), (ii) u (iii) tal-artikolu 83 ta' dan l-Att.

Parti II

L-Oghla Rata ta' Pensjoni ta' l-Età

Kategorija	L-Oghla Rata ta' Pensjoni ta' l-Età fil-ġimgha
1. Irġiel Miżżewġa:	Lm c m
(i) meta l-mara wkoll tikkwalifika ghal pensjoni fil-jedd tagħha taht l-artikoli 27 jew 77	26.10,0
(ii) meta l-mara ma tikkwalifikax ghal pensjoni fil-jedd tagħha taht l-artikoli 27 jew 77	13.05,0
2. Nisa miżżewġa li l-irġiel tagħhom ma jkunux jikkwalifikaw ghal pensjoni fil-jedd tagħhom taht l-artikoli 27 jew 77	13.05,0
3. Romol jew persuni wahedhom	16.95,0

Parti II

Rata ta' Pensjoni ghall-Handikappati u Pensjoni ghall-Ghomja

A. Irġiel Miżżewġa

Kategorija	Rata ta' pensjoni fil-gimgha
	Lm c m
Meta l-mara tkun tikkwalifika wkoll ghal pensjoni skond l-artikoli 27 jew 77	26.10,0
Meta l-mara ma tkunx tikkwalifika wkoll ghal pensjoni skond l-artikoli 27 jew 77	13.05,0

B. Persuni li m'humiex irġiel miżżewġa

Kategorija	Rata ta' pensjoni fil-gimgha
	Lm c m
Nisa miżżewġa li l-irġiel taghom ma jkunux jikkwalifikaw ghal pensjoni skond l-artikoli 27 jew 77	13.05,0
Persuni romol jew wahedhom	16.95,0

46. Minflok it-Tmien Skeda li tinsab ma' l-Att prinċipali ghandu jidhol dan li ġej:—

Sostituzzjoni tat-Tmien Skeda li tinsab ma' l-Att prinċipali.

"IT-TMIEN SKEDA**Artikolu 23****Parti I**

Rata ta' Skala tal-Mezzi li jirregolaw l-Ghajjuna Medika Bla Hlas meta l-kap tal-familja jkollu mpieg assigurabbli jew ikun jahdem ghalih innifsu.

Numru ta' Persuni fil-familja	Rata ta' Skala
	Lm c m
1	26.50,0
2	29.25,0
3	32.05,0
4	34.80,0
5	37.60,0

Meta n-numru ta' membri fil-familja jkun jeċċedi 5 ir-rata li hemm indikata ghal familja ta' 5 ghandha tiżdied b'Lm2.80c ghal kull membru ghar-rigward tas-sitt membru u l-membri l-oħra sussegwenti f'dik il-familja.

Parti II

Rata ta' Skala tal-Mezzi li jirregolaw l-Ghajjnuna Medika Bla Hlas meta l-kap tal-familja ma jkollux impieg assigurabbli u anqas ma jkun jahdem ghalih innifsu.

Numru ta' Persuni fil-familja	Rata ta' Skala
	Lm c m
1	7.75,0
2	11.75,0
3	12.75,0
4	13.75,0
5	14.75,0

Meta n-numru ta' membri fil-familja jkun jeċċedi 5 ir-rata li hija indikata għall-familja ta' 5 ghandha tiżdied b'Lm1 għal kull membru għar-rigward tas-sitt membru u l-membri sussegwenti f'dik il-familja.”.

Sostituzzjoni tad-Disa' Skeda li tinsab ma' l-Att principali.

47. Minflok id-Disa' Skeda li tinsab ma' l-Att principali għandu jidhol dan li ġej:—

“ID-DISA' SKEDA**Artikolu 25**

Ammonti ta' Ghajjnuna għal Mard, Ghotja għal Halib, Ghajjnuna dwar il-Lebbra u Ghajjnuna dwar it-Tuberkulozi

Xorta ta' Ghajjnuna	Rata fil-gimgha
	Lm c m
1. Ghajjnuna għal Mard—	
(i) dwar l-ewwel membru tal-familja ...	4.10,0
(ii) dwar kull membru ieħor tal-familja	2.10,0
2. Ghotja għal Halib	2.40,0

Xorta ta' Ghajnuna	Rata fil-gimgha
	Lm c m
3. Ghajnuna dwar il-Lebbra —	
(i) dwar il-kap ta' familja li jkun lebbruz	8.30,0
(ii) dwar kull membru iehor tal-familja li jkun lebbruz u li dan ma jkunx jahdem bi qliegh —	
(a) jekk taht is-16-il sena	2.50,0
(b) jekk ikollu 16-il sena jew iktar	8.30,0
(iii) dwar kull membru iehor ta' familja li ma jkunx jahdem bi qliegh	2.50,0
4. Ghajnuna dwar it-Tuberkulozi —	
(i) l-ammont baziku ta' ghajnuna dwar it-Tuberkulozi li jithallas dwar familja li membru taghha huwa milqut bit-tuberkulozi	5.25,0
(ii) allowance li tithallas dwar kull membru ta' familja iehor li jkun milqut bit-tuberkulozi jew partikolarment suggett ghat-tuberkulozi	1.15,0

48. Minflok l-Ghaxar Skeda li tinsab ma' l-Att prinċipali ghandu jidhol dan li ġejj:

Sostituzzjoni ta' l-Ghaxar Skeda li tinsab ma' l-Att prinċipali.

“L-GHAXAR SKEDA

Artikoli 7 u 10

Rata ta' Kontribuzzjonijiet

Parti I

*Kontribuzzjonijiet ta' l-Ewwel Klassi
(Persuni Mpjeġati)*

Kategorija	Xorta ta' persuna mpjeġata	Rata fil-gimgha ta' kontribuzzjoni li ghandha tithallas mill-persuna mpjeġata u mill-prinċipal taghha
A.	Persuni taht it-18-il sena (li ma humiex dawk li jaqghu taht il-kategorija 'E' hawn isfel im-semmija)	Lm1.57,0

Kategorija	Korta ta' persuna mpejgata	Rata fil-gimgha ta' kontribuzzjoni li ghandha tithallas mill-persuna mpejgata u mill-principal taghha
B.	Persuni li ghalqu t-18-il sena (li ma humiex dawk li jaqghu taht il-kategorija 'F' hawn isfel imsemmija) li l-paga bażika taghhom fil-gimgha jew l-ekwivalenti fil-gimgha tas-salarju bażiku taghhom fix-xahar ma jkunx jeċċedi Lm34.13,0	Lm2.84,0
C.	Persuni li ghalqu t-18-il sena (li ma humiex dawk li jaqghu taht il-kategorija 'F' hawn isfel imsemmija) li l-paga bażika taghhom fil-gimgha jew l-ekwivalenti fil-gimgha tas-salarju bażiku taghhom fix-xahar ikun jeċċedi Lm34.13,0 iżda ma jkunx jeċċedi Lm110.02,0	¹ / ₁₂ , maħduma sa l- <i>eqreb ċenteżmu</i> , tal-paga bażika fil-gimgha jew ta' l- <i>ekwivalenti fil-gimgha tas-salarju bażiku taghhom fix-xahar</i> .
D.	Persuni li ghalqu t-18-il sena (li ma humiex dawk li jaqghu taht il-kategorija 'F' hawn isfel imsemmija) li l-paga bażika taghhom fil-gimgha jew l-ekwivalenti fil-gimgha tas-salarju bażiku taghhom fix-xahar ikun jeċċedi Lm110.02,0	Lm9.16,0
E.	Persuni taht it-18-il sena li jkunu qeghdin jaghmlu kors ta' studju <i>full-time</i> jew taghlim taht l- <i>Iskema Skular-Ħaddiem</i> , l- <i>Iskema Student-Ħaddiem</i> jew skemi oħrajn simili (inkluż l- <i>Extended Skills Training Schemes</i> , iżda eskluż l- <i>Iskemi ta' Ħaddiem-Student</i>) li jkunu jinvolvu perijodi distinti ta' xogħol u studju li ghalihom ikunu qeghdin jirċievu rimunerazzjoni	¹ / ₁₂ , maħduma sa l- <i>eqreb ċenteżmu</i> , tar-rimunerazzjoni bażika fil-gimgha jew ta' l- <i>ekwivalenti fil-gimgha tar-rimunerazzjoni fix-xahar sa rata massima ta' kontribuzzjoni ta' Lm1.57,0</i> .
F.	Persuni li ghalqu t-18-il sena li jkunu qeghdin jaghmlu kors ta' studju <i>full-time</i> jew taghlim taht l- <i>Iskema Skular-Ħaddiem</i> ,	¹ / ₁₂ , maħduma sa l- <i>eqreb ċenteżmu</i> , tar-

Kategorija	Xorta ta' persuna mpjegata	Rata fil-gimgha ta' kontribuzzjoni li ghandha tithallas mill-persuna mpjegata u mill-principal taghha
	I-Iskema Student-Haddiem jew skemi oħrajn simili (inkluż l- <i>Extended Skills Training Schemes</i> , iżda eskluż l-Iskemi ta' Haddiem-Student) li jkunu jinvolvu perijodi distinti ta' xogħol u studju li għalihom ikunu qegħdin jirċievu rimunerazzjoni	rimunerazzjoni bażika fil-gimgha jew ta' l-ekwivalenti fil-gimgha tar-rimunerazzjoni bażika fix-xahar sa rata massima ta' kontribuzzjoni ta' Lm2.84,0.

Parti II

Kontribuzzjonijiet tat-Tieni Klassi (Persuni li jimpjegaw lilhom infushom)

Kategorija	Xorta ta' persuna li timpjega lilha nnifisha	Rati ta' kontribuzzjonijiet fil-gimgha li jithallsu minn persuna li timpjega lilha nnifisha
	Persuni li d-dhul nett tagħhom fis-sena (b'eskluzjoni ta' benefiċċju ta' maternità, <i>allowance</i> tat-tfal u kull benefiċċju <i>ex-gratia</i> imhallas taħt l-artikolu 93A ta' dan l-Att) matul is-sena kalendarja minnufih qabel is-sena ta' kontribuzzjoni li fiha tithallas il-kontribuzzjoni —	
A.	ma jaqbiżx Lm1,796	Lm 4.46,0
B.	jaqbeż Lm1,796 iżda mhux Lm2,326	Lm 5.76,0
C.	jaqbeż Lm2,326 iżda mhux Lm2,856	Lm 7.06,0
D.	jaqbeż Lm2,856 iżda mhux Lm3,386	Lm 8.36,0
E.	jaqbeż Lm3,386 iżda mhux Lm3,916	Lm 9.61,0
F.	jaqbeż Lm3,916 iżda mhux Lm4,656	Lm11.41,0
G.	jaqbeż Lm4,656	Lm13.76,0

49. Minflok it-Tnax-il Skeda li tinsab ma' l-Att prinċipali ghandu jidhol dan li ġejj:

IT-TNAX-IL SKEDA

Artikoli 26, 31, 37, 53, 60, 75, 78

Rati ta' diversi tipi ta' Pensjonijiet

A. Pensjoni għal Min Jirtira

Medja fis-sena ta' kontribuzzjonijiet imhallsa jew akkreditati	Rata fil-ġimgħa ta' Pensjoni għal Min Jirtira			
	Persuni li jkunu qeghdin ukoll jirċievu pensjoni tas-servizz li tithallas minn jew għan-nom tal-Gvern tar-Renju Unit		Persuni li jkunu qeghdin ukoll jirċievu pensjoni tas-servizz li MA tithallas minn jew għan-nom tal-Gvern tar-Renju Unit	
	Raġel Miżzewweg li jkun qiegħed imantni lil martu	Kull persuna ohra	Raġel Miżzewweg li jkun qiegħed imantni lil martu	Kull persuna ohra
	Lm c m	Lm c m	Lm c m	Lm c m
50 jew iktar (rata shiha)	22.55,0	14.05,0	16.00,0	9.85,0
40 – 49	20.05,0	12.50,0	14.25,0	8.75,0
30 – 39	15.55,0	9.70,0	11.05,0	6.80,0
20 – 29	11.05,0	6.85,0	7.85,0	4.80,0

B. Pensjoni Miżjuda għal min Jirtira

Medja fis-sena ta' kontribuzzjonijiet imhallsa jew akkreditati	Rata fil-ġimgħa ta' Pensjoni Miżjuda għal min Jirtira	
	Raġel Miżzewweg li jkun qiegħed imantni lil martu	Kull persuna ohra
	Lm c m	Lm c m
50 jew iżjed (rata shiha)	32.00,0	22.75,0
40 – 49	28.50,0	20.25,0
30 – 39	22.10,0	15.70,0
20 – 29	15.70,0	11.15,0

Ċ. Pensjoni ghal Invalidità

Medja fis-sena ta' kontribuzzjonijiet imhallsa jew akkreditati	Rata fil-gimgha ta' Pensjoni ghal Invalidità	
	Raġel Miżżewweġ li jkun qiegħed imantni lil martu	Kull persuna ohra
	Lm c m	Lm c m
50 jew iżjed (rata shiha)	14.30,0	9.00,0
40 — 49	12.75,0	8.00,0
30 — 39	9.85,0	6.20,0
20 — 29	7.00,0	4.40,0

D. Pensjoni Miżjuda ghal Invalidità

Medja fis-sena ta' kontribuzzjonijiet imhallsa jew akkreditati	Rata fil-gimgha ta' Pensjoni Miżjuda ghal Invalidità	
	Raġel Miżżewweġ li jkun qiegħed imantni lil martu	Kull persuna ohra
	Lm c m	Lm c m
50 jew iżjed (rata shiha)	27.90,0	18.45,0
40 — 49	24.85,0	16.40,0
30 — 39	19.25,0	12.70,0
20 — 29	13.65,0	9.05,0

E. Pensjoni ta' Armla

Medja fis-sena ta' kontribuzzjonijiet imhallsa jew akkreditati	Rata fil-gimgha ta' Pensjoni ta' Armla
	Lm c m
50 jew iżjed (rata shiha)	24.60,0
40 — 49	22.73,0
30 — 39	19.34,0
20 — 29	15.94,0

F. Pensjoni Minima Nazzjonali

Medja fis-sena ta' kontribuzzjonijiet imhallsa jew akkreditati	Rata fil-gimgha ta' Pensjoni Minima Nazzjonali	
	Raġel Miżżewweġ li jkun qiegħed imantni lil martu	Kull persuna oħra
50 jew iżjed (rata shiħa)	Lm c m 27.30,0	Lm c m 22.75,0
40 — 49	24.30,0	20.25,0
30 — 39	18.85,0	15.70,0
20 — 29	13.40,0	11.15,0

G. Pensjoni Minima Nazzjonali Miżjuda

Medja fis-sena ta' kontribuzzjonijiet imhallsa jew akkreditati	Rata fil-gimgha ta' Pensjoni Minima Nazzjonali Miżjuda li tithallas lil raġel miżżewweġ li jkun qiegħed imantni lil martu
50 jew iżjed (rata shiħa)	Lm c m 32.00,0
40 — 49	28.50,0
30 — 39	22.10,0
20 — 29	15.70,0

H. Pensjoni ta' Ġenitur

Rata fil-gimgha ta' Pensjoni ta' Ġenitur	
Raġel miżżewweġ li jkun qiegħed imantni lil martu	Kull persuna oħra
Lm c m 27.30,0	Lm c m 22.75,0

Zieda tal-Hmistax-il Skeda ġdida ma' l-Att prinċipali.

50. Minnufih wara l-Erbatax-il Skeda li tinsab ma' l-Att prinċipali għandha tiżdied l-Iskeda ġdida li ġejja:—

"IL-HMISTAX-IL SKEDA

Artikolu 77

Rata Nozzjonali ta' Pensjoni ta' l-Età

Irgiel Miżżewġa

Kategorija	Rata Nozzjonali ta' Pensjoni ta' l-Età fil-gimgha	
	Meta l-mara wkoll tikkwalifika għal pensjoni fil-jedd tagħha taht l-artikoli 27 jew 77	Meta l-mara ma tikkwalifikax għal pensjoni fil-jedd tagħha taht l-artikoli 27 jew 77
	Lm c m	Lm c m
meta l-mezzi fis-sena tal-koppja— ikunu iżjed minn Lm125 iżda mhux iżjed minn Lm225	22.35,0	11.20,0
ikunu iżjed minn Lm225 iżda mhux iżjed minn Lm325	18.30,0	9.15,0
ikunu iżjed minn Lm325 iżda mhux iżjed minn Lm425	13.90,0	6.95,0
ikunu iżjed minn Lm425 iżda mhux iżjed minn Lm525	9.30,0	4.65,0
ikunu iżjed minn Lm525 iżda mhux iżjed minn Lm625	4.25,0	2.15,0

Nisa miżżewġa li r-raġel tagħhom ma jkunx jikkwalifika għal pensjoni fil-jedd tiegħu taht l-artikoli 27 jew 77.

Kategorija	Rata Nozzjonali ta' Pensjoni ta' l-Età fil-ġimgħa
	Lm c m
Meta l-mezzi fil-ġimgħa tal-koppja – ikunu iżjed minn Lm125 iżda mhux iżjed minn Lm225	11.20,0
ikunu iżjed minn Lm225 iżda mhux iżjed minn Lm325	9.15,0
ikunu iżjed minn Lm325 iżda mhux iżjed minn Lm425	6.95,0
ikunu iżjed minn Lm425 iżda mhux iżjed minn Lm525	4.65,0
ikunu iżjed minn Lm525 iżda mhux iżjed minn Lm625	2.15,0

Persuni Romol jew Mhux Miżżewġa

Kategorija	Rata Nozzjonali ta' Pensjoni ta' l-Età fil-ġimgħa
	Lm c m
Meta l-mezzi fis-sena tal-persuna – ikunu iżjed minn Lm75 iżda mhux iżjed minn Lm125	14.70,0
ikunu iżjed minn Lm125 iżda mhux iżjed minn Lm175	12.30,0
ikunu iżjed minn Lm175 iżda mhux iżjed minn Lm225	9.70,0
ikunu iżjed minn Lm225 iżda mhux iżjed minn Lm275	6.85,0
ikunu iżjed minn Lm275 iżda mhux iżjed minn Lm325	3.45,0

Mghoddi mill-Kamra tad-Deputati fis-Seduta Nru. 523 tal-15 ta' Mejju, 1991.

LAWRENCE GONZI
Speaker

RICHARD J. CAUCHI
Agent Skrivani tal-Kamra tad-Deputati.

I assent.

(L.S.)

CENSU TABONE
President

31st May, 1991

ACT No. XIII of 1991

AN ACT to amend the Social Security Act, 1987.

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 same, as follows :—

Short title and commencement.

1. (1) This Act shall be cited as the Social Security (Amendment) Act, 1991, and shall be read and construed as one with the Social Security Act, 1987, hereinafter referred to as "the principal Act".

(2) The provisions of this Act shall be deemed to have come into force as follows:

(a) section 2, sub-paragraph (ii) of paragraph (a) and paragraph (b) of section 6, sections 7, 8, 9 and 10, sub-paragraph (ii) of paragraph (c), paragraph (e), sub-paragraph (ii) of paragraph (f) and paragraph (g) of section 11, sections 12 to 17, 19 to 28, paragraph (b) of section 29, section 30, paragraph (a) of section 31, sections 32 to 35, section 39, section 41, section 42 (excluding the first proviso contained in item (d) of sub-paragraph (ii) of paragraph (a) and paragraphs (b) and (c)), sections 43 to 47 and sections 49 and 50 shall be deemed to have come into force on the 5th January, 1991;

(b) section 3, paragraphs (a) and (b) of section 5 and section 48 shall be deemed to have come into force on the 7th January 1991;

(c) section 4, paragraph (c) of section 5, sub-paragraph (i) of paragraph (a) of section 6, section 18 and the first proviso contained in item (d) of sub-paragraph (ii) of paragraph (a) and paragraphs (b) and (c) of section 42 shall be deemed to have come into force on the 1st January 1987;

(d) paragraphs (a) and (b), sub-paragraph (i) of paragraph (c) and paragraph (d) of section 11 and paragraphs (a) and (c) of section 40 shall be deemed to have come into force on the 1st November 1990;

(e) sub-paragraphs (i), (iii) and (iv) of paragraph (f) of section 11 and paragraph (b) of section 40 shall be deemed to have come into force on 6th January 1990;

(f) paragraphs (a) and (c) of section 29, paragraph (b) of section 31 and section 36 shall be deemed to have come into force on the 22nd January 1979;

(g) section 37 shall be deemed to have come into force on 1st July 1989; and

(h) section 38 shall be deemed to have come into force on 20th April 1990.

2. The Arrangement of Sections in the principal Act shall be amended as follows:

Amendment of
the Arrangement
of Sections in
the principal Act.

(a) immediately after the item "32. Non-eligibility to a pension in respect of widowhood" there shall be inserted the following new item:—

"32A. Widow's Pension to be abated by pension from late husband's employer";

(b) the items "34. Pension to widows over the age of sixty years", "37. Widow's Benefit", "45. Minimum rate of Survivor's Pension", "46. Disqualification from Survivor's Pension", "50. Supplementary Pension and its abatement" and "63. Disqualification from Two-Thirds Pension" shall be deleted;

(c) immediately after the item "52. Widow in State-owned hospital or institution" there shall be inserted the following new item:—

"52A. Widower's Pension";

(d) for the item "79. Orphan's Allowance" there shall be substituted the item "79. Orphan's Allowance and Orphan's Supplementary Allowance";

(e) in the item "Second Schedule" the words "and Free Medical Aids" against the sub-item "PART II" shall be deleted and immediately after the said sub-item "PART II" there shall be added the following new sub-item:—

"PART IIA — Free Medical Aids";

(f) in the item "Sixth Schedule" immediately before the words "Rate of Age Pension" against the sub-item "PART II" there shall be inserted the word "Highest"; and

(g) immediately after the item "Fourteenth Schedule — Calculation of the Pensionable Income" there shall be inserted the following new item:—

"Fifteenth Schedule — Notional Rate of Age Pension".

Amendment of
Section 13 of
the principal Act.

3. In subsection (1) of section 13 of the principal Act, for the words "a Class One contribution comprising both his and his employer's share of the value of such a Class One contribution." there shall be substituted the words "a Class One contribution; and, for this purpose, no contribution shall be payable by or on behalf of or in respect of his employer."

Amendment of
Section 15 of
the principal Act.

4. In the English text of subsection (1) of section 15 of the principal Act, for the words "of this agreement" there shall be substituted the words "of his agreement".

Amendment of
Section 16 of
the principal Act.

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

(a) subsection (2) thereof shall be amended as follows:

(i) in paragraph (a) thereof, for the words "prior to his death; and" there shall be substituted the words "prior to his death;"

(ii) in paragraph (b) thereof, for the words "not yet reached pension age." there shall be substituted the words "not yet reached pension age; and"; and

(iii) immediately after paragraph (b) thereof there shall be added the following new paragraph (c):—

"(c) with effect from the first Monday of January, 1981, any citizen of Malta who goes abroad as a volunteer worker on projects in the areas of human welfare and development and environmental protection which are recognized as such by the Minister in advance, for any period during which he is performing such volunteer work and has not yet reached pension age; so however that, for this purpose, any such number of credited contributions shall in no case exceed an aggregate of 260 in any period of 10 years in such volunteer work.";

(b) in paragraph (b) of subsection (3) thereof, for the words "a day of unemployment:" there shall be substituted the words "a day of unemployment and either registered under Part One of the Register kept in accordance with the provisions of the Employment and Training Services Act, 1990 or certified by the Corporation established by the Act aforesaid to be unemployable and for this reason is registered under Part Three of the said Register:"; and

(c) in sub-paragraph (ii) of paragraph (a) of subsection (4) thereof, immediately after the words "sickness benefit" there shall be inserted the words "or injury benefit".

6. Subsection (3) of section 17 of the principal Act shall be amended as follows: Amendment of
Section 17 of
the principal Act.

(a) paragraph (b) thereof shall be amended as follows:

(i) in sub-paragraph (i) thereof of the Maltese text, immediately after the word “ghal” there shall be inserted the words “benefiċċju għal disimpieg u”; and

(ii) in sub-paragraph (ii) thereof, for the words “was self-occupied; and” there shall be substituted the words “was self-occupied.”; and

(b) paragraph (c) thereof shall be deleted.

7. In subsection (3) of section 18 of the principal Act, for the words from “for that incapacity” up to and including the words “for such benefit.” there shall be substituted the words “for that incapacity.”. Amendment of
Section 18 of
the principal Act.

8. In paragraph (b) of subsection (1) of section 23 of the principal Act, for the words “of Part II” there shall be substituted the words “of Part IIA”. Amendment of
Section 23 of
the principal Act.

9. In subsection (6) of section 26 of the principal Act, for the words from “equivalent to” up to including the words “of any other person.” there shall be substituted the words “equivalent to — Amendment of
Section 26 of
the principal Act.

(a) in the case of a married man who is maintaining his wife, four-fifths, and

(b) in the case of any other person, two-thirds

of the national minimum wage as is applicable to persons of 18 years of age or over established by a National Standard Order issued under the Conditions of Employment (Regulation) Act during the period in respect of which the pension is due.”.

10. In subsection (4) of section 27 of the principal Act, for the words “Lm2.20 per week” there shall be substituted the words “Lm2.25 per week”. Amendment of
section 27 of
the principal
Act.

11. Section 30 of the principal Act shall be amended as follows:— Amendment of
Section 30 of
the principal Act.

(a) subsection (1) thereof, shall be amended as follows:—

(i) for the words “Part I of the Employment Register kept in accordance with the Employment Service Act, 1955;” there shall be substituted the words “Part One of the Register kept in accordance with the provisions of the Employment and Training Services Act, 1990;”; and

(ii) in the proviso thereto, for the words “Part I of the Employment Register” there shall be substituted the words “Part One of the Register”;

(b) in subsection (3) thereof, for the words “Part I of the Employment Register kept in accordance with the Employment

Service Act, 1955" there shall be substituted the words "Part One of the Register kept in accordance with the provisions of the Employment and Training Services Act, 1990";

(c) subsection (4) thereof shall be amended as follows:—

(i) in paragraph (a) thereof, for the words "Part I of the Employment Register kept in accordance with the Employment Service Act, 1955" there shall be substituted the words "Part One of the Register kept in accordance with the provisions of the Employment and Training Services Act, 1990"; and

(ii) immediately after paragraph (a) thereof there shall be added the following new paragraph (aa):—

"(aa) certified by the Corporation established by the Employment and Training Services Act, 1990 to be unemployable, and for this reason is registered under Part Three of the aforesaid Register; or";

(d) in subsection (5) thereof, for the words "Part II of the Employment Register kept in accordance with the Employment Service Act, 1955, and who, had he been registered under Part I of the said register" there shall be substituted the words "Part Two of the Register kept in accordance with the provisions of the Employment and Training Services Act, 1990, and who, had he been registered under Part One of the said Register";

(e) in subsection (6) thereof —

(i) for the words "of all the members of his household," there shall be substituted the words "of all the members of his household who are neither employed persons nor self-employed persons in terms of this Act,";

(ii) for the words "as determined by Part I of the Sixth Schedule to this Act:" there shall be substituted the words "as determined by Part I of the Sixth Schedule to this Act; so however that, where in the household there are members, not being the head of household and his wife, who are either employed persons or self-employed persons in terms of this Act, such weekly amount of Social Assistance shall be reduced by the difference obtaining between the scale rate that would otherwise had been applicable to the household had such members not been employed persons or self-employed persons as aforesaid in this subsection and the scale rate that is in fact applicable to the household in respect of all the other members of the household:";

(iii) in paragraph (ii) of the proviso thereto, for the words "as the case may be." there shall be substituted the words "as the case may be; and";

(iv) immediately after paragraph (ii) of the proviso thereto there shall be added the following new paragraphs (iii) and (iv):—

“(iii) where two or more persons have been housed together in the community as part of a rehabilitation programme for ex-inmates of a State-owned hospital for mental diseases on the recommendation of the Mental Health Review Tribunal established under the Mental Health Act, 1976, the Director shall consider each of such persons as forming a household on his own; so however that, the amount of Social Assistance payable under this section to each such household shall not exceed the equivalent of 75% of the rate payable to a household of one person in accordance with the aforesaid Part I of the Sixth Schedule, and any house rent payable in accordance with this Act shall be paid wholly but solely to whoever has the rent book in his name; and

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(iv) where a member, other than the head of household and his wife, is an employed person or a self-employed person, if his gross wage or gross income, as the case may be, does not exceed 40% of the national minimum wage as is applicable to persons of 18 years of age or over established by a National Standard Order issued under the Conditions of Employment (Regulation) Act, during the period in respect of which Social Assistance is due, such a member shall, for the purposes of this subsection, not be deemed to be an employed person or a self-employed person.”; and

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(v) immediately after the proviso thereto there shall be added the following new proviso:—

“Provided further that, where any member of the household becomes gainfully occupied as a result of any of the Manpower Incentive Schemes announced by Government, such member shall not, for the purposes of awarding and calculating any Social Assistance due to the head of household under this section, be deemed to be an employed person or a self-employed person as aforesaid in this section during the first 12 weeks of his entitlement to any benefit, income, privilege or grant accruing to him under any of the Schemes as aforesaid, and any such benefit, income, privilege or grant shall not be taken into account during the aforesaid 12-week period.”;

(f) subsection (8A) thereof shall be amended as follows:—

(i) for the words “A head of household who” there shall be substituted the words “With effect from the 6th January, 1990, any member of a household who”;

(ii) for the words “Lm2.20 per week” there shall be substituted the words “Lm2.25 per week”;

(iii) for the words “would otherwise have disqualified him from receiving Social Assistance had he” there shall be substituted the words “would otherwise have disqualified the

head of the household from receiving Social Assistance had such person"; and

(iv) immediately at the end thereof there shall be added the following proviso:—

“Provided that, where entitlement to assistance as aforesaid in this subsection commences as a result of such admittance into such a therapeutic community centre, the foregoing provisions of this subsection shall also apply.”; and

(g) immediately after subsection (8A) there shall be added the following new subsection (8B):—

“(8B) A person who, notwithstanding the fact that he has not yet reached the age of 60 years, is nonetheless an inmate of such a state-owned institution for the care and welfare of old people as is referred to in paragraph (a) of subsection (1) of section 99 of this Act, shall be entitled to receive an allowance of Lm2.25 per week for as long as he is an inmate of such an institution as aforesaid and provided his total weekly means would have entitled him to assistance under this section had he not been an inmate of such an institution.

For the purposes of this subsection, a person as aforesaid shall, in establishing his total weekly means, be considered as forming a household on his own.”.

Substitution of
Section 31 of
the principal Act.

12. For section 31 of the principal Act there shall be substituted the following:—

“31. A widow whose husband satisfies the relevant contribution conditions as provided under section 17 of this Act on the date of his death, or whose husband died as a result of personal injury caused by an accident arising out of or in the course of his employment or self-occupation, or deemed to be so in accordance with the provisions of section 28 of this Act, or as a result of an industrial disease as is referred to in the said section 28, shall be entitled to a Widow's Pension at the pertinent rate shown in the Twelfth Schedule to this Act, or to a Survivor's Pension; and where this widow has the care and custody of a child of her late husband, her rate of pension under this section shall be increased in respect of each such child by —

(a) 85 cents per week where an allowance under paragraph (i), (ii) or (iii) of section 83 of this Act is being paid in respect of such child; and

(b) 155 cents per week where an allowance under paragraph (iv) of the said section 83 is being paid in respect of such child:

Provided that where, prior to the 5th January, 1991, a widow was entitled to a Widow's Benefit payable under this Act as in force prior to the date aforesaid shall, with effect from the 5th January 1991, be entitled to receive a pension bonus of Lm1 per week in addition to her rate of Widow's Pension that is payable to her in accordance with the provisions of this section.”.

- 13.** Subsection (2) of section 32 of the principal Act shall be amended as follows:—
- Amendment of
Section 32 of
the principal Act.
- (a) for the words “an average of Lm32.88 per week:” there shall be substituted the words “a weekly average equivalent to the national minimum wage as is applicable to persons of 18 years of age or over established by a National Standard Order issued under the Conditions of Employment (Regulation) Act during the period in respect of which the pension is due:”; and
- (b) for the proviso thereto there shall be substituted the following:—
- “Provided that, where such average weekly earnings exceed the aforesaid equivalent of the national minimum wage, her rate of such pension shall be abated by an amount equivalent to the difference between her average weekly earnings and the aforesaid equivalent of the national minimum wage.”.
- 14.** Immediately after section 32 of the principal Act there shall be added the following new section 32A:—
- Addition of new
Section 32A to
the Principal Act.
- 32A. Where a widow is entitled to receive a Widow's Pension under this Part, her rate of such pension shall be abated by any pension that she is entitled to receive from a former employer of her late husband in connection with his employment:
- Provided that the amount by which her Widow's Pension under this Part may be abated in accordance with this section shall not exceed Lm7.63 per week.”.
- ~Widow's Pension to be abated by pension from late husband's employer.
- 15.** Section 34 of the principal Act shall be repealed.
- Repeal of
Section 34 of
the principal Act.
- 16.** Section 37 of the principal Act shall be repealed.
- Repeal of
Section 37 of
the principal Act.
- 17.** In the proviso to section 38 of the principal Act for the words from “after the 21st day of January 1979;” up to and including the words “shall not apply.” there shall be substituted the words “after the 21st day of January 1979.”.
- Amendment of
Section 38 of
the principal Act.
- 18.** In the English text of section 44 of the principal Act for the words “subsection (i)” there shall be substituted the words “subsection (1)”.
- Amendment of
Section 44 of
the principal Act.
- 19.** Section 45 of the principal Act shall be repealed.
- Repeal of Section
45 of the
principal Act.
- 20.** Section 46 of the principal Act shall be repealed.
- Repeal of Section
46 of the
principal Act.

Amendment of Section 48 of the principal Act.

21. In section 48 of the principal Act, for the words “any other pension” there shall be substituted the words “a Widow’s Pension”.

Substitution of Section 49 of the principal Act.

22. For section 49 of the principal Act there shall be substituted the following:—

“49. A widow who is in receipt of any pension under this Part shall, immediately upon remarriage, cease to be entitled to such pension; so however that, where such widow is in receipt of such a pension, other than a Survivor’s Pension, she shall receive instead, by way of a Remarriage Grant, a lump sum, payable on a once only basis, equivalent to 52 times the weekly rate of pension that is payable to her immediately before such remarriage.”.

Repeal of Section 50 of the principal Act.

23. Section 50 of the principal Act shall be repealed.

Amendment of Section 51 of the principal Act.

24. In section 51 of the principal Act, for the words “but shall not be entitled to the Supplementary Pension payable under the provisions of section 50 of this Act.” there shall be substituted the words “unless with effect from the 5th January 1991 the foregoing provisions of this Part entitle her to a better rate of pension.”.

Addition of a new Section 52A to the principal Act.

25. Immediately after section 52 of the principal Act there shall be added the following new section 52A:—

“Widower’s Pension

52A. The foregoing provisions of this Part, excluding those under subsection (2) of section 32, shall also apply, *mutatis mutandis*, in the case of a widower who immediately prior to his wife’s death relied on her financial resources for his livelihood or who, although immediately prior to her death he did not rely on her financial resources for his livelihood, as a result of her death gives up temporarily or permanently any gainful occupation he might have had immediately prior to her death in order to take care of his dependant sons or daughters that form part of his household.”.

Amendment of Section 56 of the principal Act.

26. Paragraph (i) of subsection (1) of section 56 of the principal Act shall be amended as follows:—

(a) for the words “January 1987” there shall be substituted the words “January 1991”; and

(b) for the words from “shall be entitled to a Retirement Pension,” up to and including the words “on which his service pension was awarded;” there shall be substituted the words “shall be entitled to a Retirement Pension;”.

27. In section 60 of the principal Act, for the words from "equivalent to" up to and including the words "of any other person." there shall be substituted the words "equivalent to —

Amendment of Section 60 of the principal Act.

(a) in the case of a married man who is maintaining his wife, four-fifths, and

(b) in the case of any other person, two-thirds of the national minimum wage as is applicable to persons of 18 years of age or over established by a National Standard Order issued under the Conditions of Employment (Regulation) Act during the period in respect of which such pension is due."

28. Section 63 of the principal Act shall be repealed.

Repeal of Section 63 of the principal Act.

29. Section 64 of the principal Act shall be amended as follows:—

Amendment of Section 64 of the principal Act.

(a) the current provision shall be renumbered as subsection (1) thereof;

(b) the proviso to subsection (1) thereof as renumbered shall be amended as follows:—

(i) in paragraph (b) thereof, immediately before the words "no account shall be taken of" there shall be inserted the words "save as provided for in paragraph (d) of this proviso,";

(ii) in paragraph (c) thereof, for the words "provisions of this Part." there shall be substituted the words "provisions of this Part; and"; and

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

"(d) with effect from the 1st January, 1987, where a person was, at any time, entitled to a pension under section 26 of this Act, and thereafter ceased to be entitled to such pension as a result of his becoming gainfully occupied, any contributions credited under section 16 of this Act while he was entitled to such pension shall, for the purposes of assessing his right to a Two-Thirds Pension under this Act, be taken into account notwithstanding the provisions of paragraph (b) of this proviso; so however that, any such number of such credited contributions as is taken into account shall not exceed the number of contributions paid by him between the date of his cessation of entitlement to such pension and the date of his retirement."; and

(c) immediately after subsection (1) thereof as renumbered there shall be added the following new subsection (2):—

“(2) In arriving at the yearly average of contributions referred to in subsection (1) of this section, the yearly average of the contributions as is related to the last ten consecutive years referred to in paragraph (a) of the proviso to the aforesaid subsection (1) and the yearly average of the contributions as is related to the years immediately prior to the said last ten consecutive years shall be assessed separately and the mean of these two yearly averages shall constitute the yearly average of contributions that is required under this Act for the purpose of awarding a Two-Thirds Pension.”.

Amendment of
Section 65 of the
principal Act.

30. Section 65 of the principal Act shall be amended as follows —

(a) paragraph (a) thereof shall be amended as follows:—

(i) in paragraph (i) thereof, for the words “Lm39.45 per week” there shall be substituted the words “Lm40.95 per week”; and

(ii) in sub-paragraph (ii) thereof, for the words “Lm32.88 per week” there shall be substituted the words “Lm34.13 per week”; and

(b) in paragraph (b) thereof, for the words “Lm108.77 per week” there shall be substituted the words “Lm110.02 per week”.

Amendment of
Section 71 of
the principal Act.

31. Subsection (3) of section 71 of the principal Act shall be amended as follows:—

(a) in paragraph (i) thereof, for the words from “and where such wage or salary” up to and including the words “by the Government:” there shall be substituted the following:—

“sohowever that, where the aforesaid highest post was in Government service or so analogued in terms of this subsection, with effect from the 5th January 1991 the aforesaid current wage or salary pertaining to such highest post shall be that currently paid to the occupier of the current post in terms of and in accordance with the new wage/salary structure for Government employees as implemented by Government with effect from 1st January 1991; and, for this purpose, any service increments that would become payable with effect from 1st January 1994 in accordance with the aforesaid new wage/salary structure to the occupier of such highest post shall only be taken into account if such increments have already been acquired prior to his retirement:”; and

(b) in the first proviso thereto for the words from “no longer exists,” up to and including the words “was last occupied by the pensioner:” there shall be substituted the words “no longer exists,—

(a) if such post was occupied in Malta, there shall be substituted therefor such analogous post in Malta in the service of the Government of Malta or, where such analogous post does not exist in the service of the Government of Malta, in the service of any parastatal organisation in Malta, which carried a wage or salary most nearly corresponding to that of the first mentioned post at the time when it was last occupied by the pensioner; or

(b) if such post was occupied outside Malta,—

(i) where a service pension has been awarded to the pensioner on such post, there shall be substituted therefor such analogous post in the country where such employment existed as is available in the service of the Government of that country or, where such analogous post does not exist in the service of that Government, in the service of any parastatal organisation in that country, which carried a wage or salary most nearly corresponding to that of the first mentioned post at the time when it was last occupied by the pensioner; and

(ii) where no service pension has been awarded to the pensioner on such post, the provisions of paragraph (a) of this proviso shall apply notwithstanding the fact that such post was occupied outside Malta:”.

32. Section 77 of the principal Act shall be amended as follows:—

Amendment of
Section 77 of the
principal Act.

(a) in subsection (2) thereof, for the words “shall receive his pension in accordance with Part II of the Sixth Schedule to this Act; so however that” there shall be substituted the words “shall, where the yearly means calculated as aforesaid in this section —

(a) exceed Lm125 in the case of a married couple or Lm75 in the case of a widowed or single person, have his rate of pension under this section calculated in accordance with the following formulæ:

$$(i) \quad A + \frac{(B-C-A+Lm2.40)}{2} = D,$$

in the case of a married couple, and

$$(ii) \quad A + \frac{(B-C-A+Lm1.44)}{2} = D,$$

in the case of a widowed or single person,

where, in both formulæ, A represents the Notional Rate of Age Pension in accordance with the Fifteenth Schedule to this Act, B represents the Highest Rate of Age Pension payable in accordance with Part II of the Sixth Schedule to this Act, C represents the weekly means calculated in accordance with Part III of the Second Schedule to this Act to the nearest whole cent and D represents the resultant weekly Age Pension that is payable under this Act; and

(b) do not exceed the limits as aforesaid in this subsection, have his rate of pension under this section payable in accordance with Part II of the Sixth Schedule to this Act;

so however that,"; and

(b) in subsection (3) thereof, for the words "Lm2.20 per week" there shall be substituted the words "Lm2.25 per week".

Amendment of
Section 79 of the
principal Act.

33. Section 79 of the principal Act shall be amended as follows:—

(a) in the Maltese text, for the marginal note thereto there shall be substituted the following:

"Allowance ta' Ltim u Allowance Supplimentari ta' Ltim.";

(b) in the English text, the following marginal note shall be added thereto:

"Orphan's Allowance and Orphan's Supplementary Allowance.";

(c) in subsection (1) thereof, for the words from "at the rate of –" up to and including the words "no form of such allowance is being paid in respect of such child." there shall be substituted the words "at the rate of Lm8 per week in respect of each such child."; and

(d) immediately after subsection (1) thereof there shall be added the following new subsections (1A) and (1B):—

"(1A) Any person who has the care of the son or daughter of another person shall, if both parents of the said son or daughter are dead and at least one of the parents was an insured person and a citizen of Malta at the time of his death, be entitled to an Orphan's Supplementary Allowance at the rate of Lm16.95 per week in respect of each such son or daughter if such son or daughter is —

(a) aged between 16 years and 21 years; and

(b) not following any gainful occupation the gross earnings of which exceed a weekly average equivalent to the difference between the equivalent of the national

minimum wage as is applicable to persons of 18 years of age or over established by a National Standard Order issued under the Conditions of Employment (Regulation) Act during the period in respect of which such Orphan's Supplementary Allowance is due and the aforesaid weekly rate of Orphan's Supplementary Allowance.

(1B) Where the gross earnings referred to in subsection (1A) of this section exceed the weekly average referred to in paragraph (b) of the said subsection (1A), the weekly rate of the Orphan's Supplementary Allowance referred to in the said subsection (1A) shall be abated by such an amount as shall ensure that the total of such average weekly gross earnings and any Orphan's Supplementary Allowance payable under this section do not exceed the equivalent of the aforesaid national minimum wage."

34. In paragraph (iii) of subsection (1) of section 82A of the principal Act for the words "does not exceed Lm2,600" there shall be substituted the words "does not exceed Lm2,665".

Amendment of Section 82A of the principal Act.

35. Section 91 of the principal Act shall be amended as follows:—

Amendment of Section 91 of the principal Act.

(a) immediately after the words "Orphan's Allowance," there shall be inserted the words "Orphan's Supplementary Allowance,"; and

(b) immediately after the words "section 30 of this Act" there shall be inserted the words ".but including that payable under the provisions of subsection (8B) of the aforesaid section 30".

36. In section 94 of the principal Act for the words "of her late husband." there shall be substituted the words "of her late husband; so however that, where any such pension as is payable under this Act needs to be increased as a result of a revision in or a reassessment of the rates of such pension, any increases payable to such person by way of a service pension or, in the case of a widow, by way of a pension from an employer of her late husband which is related to the employment of her late husband, taking effect after such person or widow becomes entitled to a pension as aforesaid shall then be taken into account insofar as any such increases will not adversely affect the rate of pension as is already payable to him or her immediately before such revision or reassessment."

Amendment of Section 94 of the principal Act.

37. In paragraph (c) of the proviso to section 95 of the principal Act, immediately after the words "from a mental severe subnormality" there shall be inserted the words "or from cerebral palsy".

Amendment of Section 95 of the principal Act.

Amendment of
Section 101 of the
principal Act.

38. Section 101 of the principal Act shall be amended as follows:—

(a) for subsection (1) thereof there shall be substituted the following:—

“(1) It shall be a condition of any person’s right to any benefit, pension, allowance or assistance granted under the provisions of this Act that —

(a) he makes a claim therefor on the form provided by the Director for that benefit, pension, allowance or assistance or in such other manner as the Director may otherwise determine in respect of any particular benefit, pension, allowance or assistance or with respect to any particular claim, and that this claim is officially received by the Department within the respective time limits laid down in subsection (2) of this section;

(b) he produces such certificates, documents, information and evidence for the purpose of determining his right to such benefit, pension, allowance or assistance as the Director may, from time to time, require and for that purpose attends at such office or place as the Director may appoint.”;

(b) the proviso to subsection (2) thereof shall be amended as follows:—

(i) for the words “the relevant claim is received by the Director;” there shall be substituted the words “the relevant claim is accepted by the Director as having been officially received by the Department;” and

(ii) immediately after the words “a Marriage Grant” there shall be inserted the words “or Maternity Benefit”;

(c) immediately after the proviso to subsection (2) thereof there shall be added the following further proviso:—

“Provided further that —

(i) for the purposes of this subsection any such claim as aforesaid in this subsection shall not be accepted as having been officially received by the Department unless and until it bears such official departmental stamp as may be determined by the Director, which stamp shall include the date on which such a claim had been so officially received by the Department; and

(ii) where the person making a claim for such benefit, pension, allowance or assistance as aforesaid proves to the satisfaction of the Director that any delay in having his claim officially received by the Department was not due to any

negligence on his part, the Director may, at his discretion, consider the claim as having been officially received in good time if such a delay does not exceed a period of four weeks.”; and

(d) subsection (3) thereof shall be amended as follows:—

(i) in the proviso thereto for the words “but in any such case” there shall be substituted the words “or, in the case of a claim for Special Allowance, made in respect of a person who has reached his 16th birthday on or after the 23rd August, 1989; but in any such cases”; and

(ii) immediately after the proviso thereto there shall be added the following new further proviso:—

“Provided further that, the foregoing provisions of this subsection shall also apply to claims which were originally lodged between the 23rd February, 1990 and the 19th April, 1990 in respect of periods prior to the 23rd February, 1990.”.

39. Immediately after subsection (4) of section 102 of the principal Act there shall be added the following new subsections (5) and (6):— Amendment of Section 102 of the principal Act.

“(5) Where any benefit, pension, assistance or allowance under this Act is paid following the advice of the Department’s medical panel in accordance with the proviso to section 109 of this Act, if this advice is subsequently changed following a re-examination of the case, the advice of the previous medical panel shall remain valid till the day when the aforesaid advice is changed.

(6) Where payment for any benefit, pension, assistance or allowance under this Act is not obtained by the beneficiary within 2 years from the date of the issue of the original cheque, the right for such benefit, pension, assistance or allowance shall be lost.”.

40. Section 105 of the principal Act shall be amended as follows:— Amendment of Section 105 of the principal Act.

(a) the current provision shall be renumbered as subsection (1);

(b) immediately after the proviso to subsection (1) thereof as renumbered there shall be added the following further proviso:

“Provided further that, with the exclusion of the provisions of paragraph (i) of the foregoing proviso of this subsection and the provisions relating to the period of years in respect of which overpayments shall be refunded as are referred to in paragraph (ii) of the said proviso, the foregoing proviso of this subsection shall, with effect from the 6th

January 1990, also apply to cases wherein such overpayment was discovered by the Department at any time before the 6th January, 1990 and such overpayment or part thereof was still due to the Department after the aforesaid date.”; and

(c) immediately after subsection (1) thereof as renumbered there shall be added the following new subsection (2):—

“(2) Where any person received any Unemployment Benefit, Special Unemployment Benefit or Social Assistance under this Act under false pretences, and between the 1st November 1990 and the 31st December 1990, both dates inclusive, voluntarily came forward and informed the Employment and Training Corporation of his abuse in this respect, such person shall, for the purposes of this section, not be deemed liable to repay to the Director any benefit or assistance as aforesaid in this subsection so paid to him in respect of any period up to the date when he so informed the above-mentioned Corporation.”.

Amendment of
Section 120 of the
principal Act.

41. Immediately after subsection (2) of section 120 of the principal Act there shall be added the following new subsection (3):—

L.N. 110
of 1974.

“(3) Where an employer fails to comply with the provisions of the Work Books Order, 1974 insofar as this applies to the engagement or recruitment of employees, and as a result such person unlawfully receives any benefit, pension, allowance or assistance under this Act to which he would otherwise not have been entitled under the provisions of this Act, such employer shall be liable to pay to the Director damages equivalent to the amount so received by such person by way of such benefit, pension, allowance or assistance within one week of a request by the Director for the payment of such damages; and, for the purposes of this subsection, unless the contrary is proved by the employer to the satisfaction of the Director, the amount so requested by the Director shall constitute a lawful claim on such employer.”.

Amendment of
the Second
Schedule to the
principal Act.

42. The Second Schedule to the principal Act shall be amended as follows:—

(a) Part II thereof shall be amended as follows:—

(i) in the title thereto the words “and Free Medical Aids” shall be deleted;

(ii) paragraph 1 thereof shall be amended as follows:—

(a) for the words “sections 20 and 23” there shall be substituted the words “section 20”;

(b) in sub-paragraph (a) thereof, immediately after the words “all the members of the household” there shall be inserted the words “who are neither employed persons nor self-employed persons in terms of this Act” and for the words “or free medical aids shall not be deemed to be entitled to such assistance or aids; and” there shall be substituted the words “shall not be deemed to be entitled to such assistance; and”;

(c) in sub-paragraph (b) thereof, immediately after the words “any member of the household” there shall be inserted the words “who are neither employed persons nor self-employed persons in terms of this Act”; and

(d) the following provisos shall be added immediately at the end thereof:—

“Provided that any such property or income that has to be taken into account for the purposes of this Part in accordance with the foregoing provisions of this paragraph shall include any property or income which any member of the household as aforesaid in this Part had directly or indirectly deprived himself in order to become entitled to Sickness Assistance or to become so entitled at a more advantageous rate:

Provided further that, where a member, not being the head of household and his wife, is an employed person or a self-employed person, if his gross wage or gross income, as the case may be, does not exceed 40% of the national minimum wage as is applicable to persons of 18 years of age or over established by a National Standard Order issued under the Conditions of Employment (Regulation) Act during the period in respect of which such assistance is due, such a member shall, for the purpose of this paragraph, not be deemed to be an employed person or a self-employed person.”;

(iii) in paragraph 3 thereof, immediately after the words “Where any member” there shall be inserted the words “as aforesaid in this Part” and the words “and free medical aids” shall be deleted;

(iv) paragraph 5 thereof shall be amended as follows:—

(a) immediately after the words “by any member” there shall be inserted the words “as aforesaid in this Part”;

(b) for sub-paragraph (d) thereof there shall be substituted the following:—

“(d) 70.8% of the total net income or of any privilege, benefit or allowance or of any excess pension which is being or could be received or enjoyed by such member of the household, other than the head of household or his wife, and, for this purpose, the total net income, privilege, benefit, allowance or excess pension shall be reduced by any income tax payments made by the person concerned in accordance with the Income Tax Act, and the term “excess pension” means any pension over the National Minimum Pension as indicated in sub-paragraph (b) of this paragraph;”;

(c) sub-paragraphs (f) and (g) thereof shall be deleted;

(v) in paragraph 6 thereof, the words “or during any period in which free medical aids is being, or would be, accorded to the head of household under the provisions of this Act” shall be deleted; and

(vi) in paragraph 7 thereof, immediately after the words “to which he or any member” there shall be inserted the words “as aforesaid in this Part”;

(b) immediately after Part II thereof there shall be added the following new Part IIA:—

“PART IIA

Free Medical Aids

1. In calculating means for the purposes of section 23 of this Act, account shall be taken of —

(a) save as provided for in paragraph 3 of this Part, the value of any property (excluding the house of residence) belonging to all the members of the household, which is or could be, invested or put to a profitable use excluding furniture, jewellery or other personal effects:

Provided that, where the cash at bank and in hand (including liquid assets, time deposits, bonds, stocks, shares and other securities) and the capital value of any urban immovable property (excluding the house of residence) which is not being put to profitable use, together exceed Lm2,200 the person claiming Free Medical Aids shall not be deemed to be entitled to such aids; and

(b) save as provided for in paragraph 4 of this Part, any income or privilege which is or could be received or enjoyed by any member of the household:

Provided that any such property or income that has to be taken into account for the purposes of this Part in accordance with the foregoing provisions of this paragraph shall include any property or income which any member of the household had directly or indirectly deprived himself in order to become entitled to Free Medical Aids.

2. Where the total capital resources referred to in subparagraph (a) of paragraph 1 of this Part do not exceed the limit laid down therein, —

(a) the first Lm250 of such capital resources shall be ignored; and

(b) the value of any urban immovable property as is referred to in the proviso to the aforesaid sub-paragraph (a) shall be treated as producing an annual income equivalent to 5.5% of its capital value.

3. Where any member of the household, other than the head of household and his wife, is in possession of any property as is referred to in sub-paragraph (a) of paragraph 1 of this Part, —

(a) the entire value of any future house of residence or part thereof belonging to such member in view of marriage shall be ignored;

(b) one-half of the value of any other such property shall be disregarded unless such property had been transferred or donated to him by the head of the household or his wife within the twelve months immediately preceding the claim for Free Medical Aids.

4. In calculating the income or privilege which is or could be received or enjoyed by any member of the household, no account shall be taken of —

(a) the first Lm40 arising out of the use of property;

(b) any Social Assistance, Leprosy Assistance, Tuberculosis Assistance, Milk Grant and Sickness Assistance payable under this Act and any pension or pensions (whether paid under this Act or not) up to a maximum aggregate amount equivalent to the highest rate of a National Minimum Pension according to claimant's marital status as is specified in the Twelfth Schedule to this Act;

(c) any family bonus payable under and in accordance with section 93A of this Act, any Parental Allowance, Children's Allowance, Handicapped Child Allowance or Maternity Benefit payable under this Act; and

(d) 70.8% of the total net income, or of any wage or salary or of any privilege, benefit or allowance or of any excess pension which is being or could be received or enjoyed by any member of the household, other than the head of household or his wife; and for this purpose, the total net income, wage, salary or pension shall be taken as the total gross income, wage, salary or pension less any payment made by the person concerned by way of —

(i) income tax under the Income Tax Act;

(ii) contributions under this Act;

(iii) expenses incurred for travelling by public transport, or by any other form of transport as may be provided by the employer of the person concerned, to and from the place of work; and

(iv) any expenses incurred by the person concerned in generating that income;

and the term "excess pension" means any pension over the National Minimum Pension as indicated in sub-paragraph (b) of this paragraph;

(e) any amounts as are referred to in sub-paragraphs (b) and (c) of paragraph 3 of Part I of this Schedule;

L.N. 112 of 1988.

(f) any weekly allowance payable by any employer in terms of the Weekly Allowance National Standard Order, 1988;

(g) any benefit, income, privilege or grant accruing to any member of the household under and in accordance with the provisions of any of the Manpower Incentive Schemes announced by Government, for the first 12 weeks of entitlement.

5. For the purposes of this Part, "wife" shall include such woman who, in the opinion of the Director, is living with the head of household as if she were his lawful wedded wife during any period in which Free Medical Aids is being, or would be, accorded to the head of household under the provisions of this Act."; and

(c) in Part III thereof, immediately after paragraph 2 thereof there shall be added the following new paragraph 2A:—

"2A. Any such property or income that has to be taken into account for the purposes of this Part in accordance with the foregoing provisions of this Part shall include any property or income which the person concerned had directly or indirectly deprived himself in order to become entitled to an Age Pension or to become so entitled at a more advantageous rate; so however that, where the income that the person concerned had directly or indirectly deprived himself is connected with some other scheme of financial aid or subsidy for pensioners that is run by the Government of Malta or on its behalf, the provisions of this paragraph shall not apply in respect of such aid or subsidy."

Amendment of the Third Schedule to the principal Act.

43. Part I of the Third Schedule to the principal Act shall be amended as follows:

(a) in table A thereof the words "and Special Unemployment Benefit" and the words "or Special Unemployment" shall be deleted; and

(b) immediately after table C there shall be added the following new table D:—

"D. Special Unemployment Benefit

Number of contributions paid or credited in the relevant contribution year	Daily Rate of Special Unemployment Benefit	
	Married man who is maintaining his wife	Any other person
	Lm c m	Lm c m
50 or more (full rate)	4.05,0	2.50,0
40 – 49	3.60,0	2.20,0
30 – 39	2.80,0	1.70,0
20 – 29	2.00,0	1.20,0

44. The Fifth Schedule to the principal Act shall be amended as follows:

Amendment of the Fifth Schedule to the principal Act.

(a) Part I thereof shall be amended as follows:

(i) in sub-item (b) of item 2 thereof, immediately after the words "above 110" there shall be added the words "if left untreated"; and

(ii) for sub-item (b) of item 7 thereof there shall be substituted the following:

"(b) all cases of diabetes."; and

(b) Part II thereof shall be amended as follows:

(i) in sub-item (b) of item 2 thereof, immediately after the words "above 110" there shall be added the words "if left untreated"; and

(ii) immediately after item 12 thereof there shall be added the following new items 13, 14 and 15:

- 13. Glaucoma.
- 14. Extensive Psoriasis.
- 15. Huntington's Chorea."

45. For Parts I, II and IIA of the Sixth Schedule to the principal Act there shall be substituted the following:—

Amendment of the Sixth Schedule to the principal Act.

“Part I*Scale Rate of Social Assistance*

Number of eligible members in household	Where a child allowance is not payable in respect of any child	Where a child allowance is payable in respect of one child	Where a child allowance is payable in respect of two children	Where a child allowance is payable in respect of three children
	Lm c m	Lm c m	Lm c m	Lm c m
1	16.95,0	—	—	—
2	19.80,0	17.70,0	—	—
3	22.55,0	20.45,0	18.90,0	—
4	25.05,0	23.00,0	21.50,0	20.55,0
5	27.60,0	25.50,0	23.95,0	23.00,0

Where the number of eligible members in the household exceeds 5 the rate indicated against a household of 5 shall be increased by Lm1.75 per week for every eligible member in respect of the 6th and subsequent eligible members in that household. For the purposes of this Part, “child allowance” means any or all of the allowances payable under paragraphs (i), (ii) and (iii) of section 83 of this Act.

Part II*Highest Rate of Age Pension*

Category	Highest Rate of Age Pension per week
	Lm c m
1. Married Men:	
(i) where the wife also qualifies for a pension in her own right under sections 27 or 77	26.10,0
(ii) where the wife does not qualify for a pension in her own right under sections 27 or 77	13.05,0
2. Married women whose husband does not qualify for a pension in his own right under sections 27 or 77	13.05,0
3. Widowed or single persons	16.95,0

Parti IIA*Rate of Handicapped Pension and Blindness Pension***A. Married Men**

Category	Rate of pension per week
	Lm c m
Where the wife also qualifies for a pension under sections 27 or 77	26.10,0
Where the wife does not qualify for a pension under sections 27 or 77	13.05,0

B. Persons not being married men

Category	Rate of pension per week
	Lm c m
Married women whose husband does qualify for a pension under sections 27 or 77	13.05,0
Widowed or single persons ..	16.95,0

46. For the Eighth Schedule to the principal Act there shall be substituted the following:—

Substitution
of the Eighth
Schedule
to the
principal Act.

“EIGHTH SCHEDULE

Section 23

Part I

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

Number of Persons in household	Scale Rate
	Lm c m
1	26.50,0
2	29.25,0
3	32.05,0
4	34.80,0
5	37.60,0

Where the number of members in the household exceeds 5 the rate indicated against a household of 5 shall be increased by Lm2.80 for every member in respect of the 6th and subsequent members in that household.

Part II

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

Number of Persons in household	Scale Rate
	Lm c m
1	7.75,0
2	11,75,0
3	12.75,0
4	13.75,0
5	14.75,0

Where the number of members in the household exceeds 5 the rate indicated against a household of 5 shall be increased by Lm1 for every member in respect of the 6th and subsequent members in that household.”.

Substitution of the Ninth Schedule to the principal Act.

47. For the Ninth Schedule to the principal Act there shall be substituted the following:—

“NINTH SCHEDULE

Section 25

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

Type of Assistance	Weekly Rate
1. Sickness Assistance—	Lm c m
(i) in respect of the first member of the household	4.10,0
(ii) in respect of any other member of the household	2.10,0
2. Milk Grant	2.40,0
3. Leprosy Assistance—	
(i) in respect of the head of a household who is a leper	8.30,0
(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	2.50,0
(b) if 16 years of age or over	8.30,0
(iii) in respect of any other member of the household who is not gainfully occupied	2.50,0

Type of Assistance	Weekly Rate
4. Tuberculosis Assistance —	
(i) basic amount of tuberculosis assistance payable in respect of a household one member of which is affected by tuberculosis	5.25,0
(ii) allowance payable in respect of each additional member of the household affected by or particularly vulnerable to tuberculosis	1.15,0

48. For the Tenth Schedule to the principal Act there shall be substituted the following:—

Substitution
of the
Tenth Schedule
to the
principal Act.

“TENTH SCHEDULE

Sections 7 and 10

Rates of Contributions

Part I

Class One Contributions (Employed Persons)

Category	Type of Employed Persons	Weekly Rate of Contribution payable by the employed person and his employer
A.	Persons under 18 years of age (other than those falling under Category 'E' below)	Lm1.57,0
B.	Persons over 18 years of age (other than those falling under Category 'F' below) whose basic weekly wage or the weekly equivalent of their basic monthly salary does not exceed Lm34.13,0	Lm2.84,0
C.	Persons over 18 years of age (other than those falling under Category 'F' below) whose basic weekly wage or the weekly equivalent of their basic monthly salary exceeds Lm34.13,0 but does not exceed Lm110.02,0	$\frac{1}{100}$, calculated to the nearest cent, of the basic weekly wage or the weekly equivalent of their basic monthly salary.

Category	Type of Employed Persons	Weekly Rate of Contribution payable by the employed person and his employer
D.	Persons over 18 years of age (other than those falling under Category 'F' below) whose basic weekly wage or the weekly equivalent of their basic monthly salary exceeds Lm110.02,0	Lm9.16,0
E.	Persons under 18 years of age who are following a full-time course of studies or instruction under the Pupil-Worker Scheme, 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	$\frac{1}{12}$, calculated to the nearest cent, of the basic weekly remuneration or the weekly equivalent of the basic monthly remuneration up to a maximum rate of contribution of Lm1.57,0.
F.	Persons over 18 years of age who are following a full-time course of studies or instruction under the Pupil-Worker Scheme, 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	$\frac{1}{12}$, calculated to the nearest cent, of the basic weekly remuneration or the weekly equivalent of the basic monthly remuneration up to a maximum rate of contribution of Lm2.84,0.

Part II*Class Two Contributions
(Self-Employed Persons)*

Category	Type of Self-employed Persons	Weekly Rates of Contributions payable by the self-employed person
	Persons whose annual net income (excluding maternity benefit, children's allowance and any ex-gratia benefit payable under section 93A of this Act) during the calendar year immediately preceding the contribution year in which the contribution is being paid —	
A.	does not exceed Lm1,796	Lm 4.46,0
B.	exceeds Lm1,796 but does not exceed Lm2,326	Lm 5.76,0
C.	exceeds Lm2,326 but does not exceed Lm2,856	Lm 7.06,0
D.	exceeds Lm2,856 but does not exceed Lm3,386	Lm 8.36,0
E.	exceeds Lm3,386 but does not exceed Lm3,916	Lm 9.61,0
F.	exceeds Lm3,916 but does not exceed Lm4,656	Lm11.41,0
G.	exceeds Lm4,656	Lm13.76,0

49. For the Twelfth Schedule to the principal Act there shall be substituted the following:—

Substitution
of the Twelfth
Schedule
to the
principal Act.

"TWELFTH SCHEDULE

Sections 26, 31, 37, 53, 60, 75, 78

Rates of several kinds of pension

A. Retirement Pension

Yearly average of contributions paid or credited	Weekly rate of Retirement Pension			
	Persons who are also in receipt of a service pension that is payable by or on behalf of the United Kingdom Government		Persons who are also in receipt of a service pension that is NOT payable by or on behalf of the United Kingdom Government	
	Married man who is maintaining his wife	Any other person	Married man who is maintaining his wife	Any other person
	Lm c m	Lm c m	Lm c m	Lm c m
50 or more (full rate)	22.55,0	14.05,0	16.00,0	9.85,0
40 – 49	20.05,0	12.50,0	14.25,0	8.75,0
30 – 39	15.55,0	9.70,0	11.05,0	6.80,0
20 – 29	11.05,0	6.85,0	7.85,0	4.80,0

B. Increased Retirement Pension

Yearly average of contributions paid or credited	Weekly Rate of Increased Retirement Pension	
	Married Man who is maintaining his wife	Any other person
	Lm c m	Lm c m
50 or more (full rate)	32.00,0	22.75,0
40 – 49	28.50,0	20.25,0
30 – 39	22.10,0	15.70,0
20 – 29	15.70,0	11.15,0

C. Invalidity Pension

Yearly average of contributions paid or credited	Weekly Rate of Invalidity Pension	
	Married man who is maintaining his wife	Any other person
	Lm c m	Lm c m
50 or more (full rate)	14.30,0	9.00,0
40—49	12.75,0	8.00,0
30—39	9.85,0	6.20,0
20—29	7.00,0	4.40,0

D. Increased Invalidity Pension

Yearly average of contributions paid or credited	Weekly Rate of Increased Invalidity Pension	
	Married man who is maintaining his wife	Any other person
	Lm c m	Lm c m
50 or more (full rate)	27.90,0	18.45,0
40—49	24.85,0	16.40,0
30—39	19.25,0	12.70,0
20—29	13.65,0	9.05,0

E. Widow's Pension

Yearly average of contributions paid or credited	Weekly Rate of Widow's Pension
	Lm c m
50 or more (full rate) ..	24.60,0
40 — 49	22.73,0
30 — 39	19.34,0
20 — 29	15.94,0

F. National Minimum Pension

Yearly average of contributions paid or credited	Weekly Rate of National Minimum Pension	
	Married man who is maintaining his wife	Any other person
	Lm c m	Lm c m
50 or more (full rate) ..	27.30,0	22.75,0
40 — 49	24.30,0	20.25,0
30 — 39	18.85,0	15.70,0
20 — 29	13.40,0	11.15,0

G. Increased National Minimum Pension

Yearly average of contributions paid or credited	Weekly Rate of Increased National Minimum Pension payable to a married man who is maintaining his wife
	Lm c m
50 or more (full rate) ..	32.00,0
40 — 49	28.50,0
30 — 39	22.10,0
20 — 29	15.70,0

H. Parent's Pension

Weekly rate of Parent's Pension	
Married man who is maintaining his wife	Any other person
Lm c m 27.30,0	Lm c m 22.75.0

50. Immediately after the Fourteenth Schedule to the principal Act there shall be added the following new Fifteenth Schedule:—

Addition of the Fifteenth Schedule to the principal Act.

"FIFTEENTH SCHEDULE

Section 77

Notional Rate of Age Pension

Married Men

Category	Notional Rate of Age Pension per week	
	Where the wife also qualifies for a pension in her own right under sections 27 or 77	Where the wife does not qualify for a pension in her own right under sections 27 or 77
	Lm c m	Lm c m
where the yearly means of the couple —		
exceed Lm125 but do not exceed Lm225 ...	22.35,0	11.20,0
exceed Lm225 but do not exceed Lm325 ...	18.30,0	9.15,0
exceed Lm325 but do not exceed Lm425 ...	13.90,0	6.95,0
exceed Lm425 but do not exceed Lm525 ...	9.30,0	4.65,0
exceed Lm525 but do not exceed Lm625 ...	4.25,0	2.15,0

Married women whose husband does not qualify for
a pension in his own right under sections 27 or 77

Category	Notional Rate of Age Pension per week
	Lm c m
where the yearly means of the couple – exceed Lm125 but do not exceed Lm225	11.20,0
exceed Lm225 but do not exceed Lm325	9.15,0
exceed Lm325 but do not exceed Lm425	6.95,0
exceed Lm425 but do not exceed Lm525	4.65,0
exceed Lm525 but do not exceed Lm625	2.15,0

Widowed or Single Persons

Category	Notional Rate of Age Pension per week
	Lm c m
where the yearly means of the person – exceed Lm75 but do not exceed Lm125	14.70,0
exceed Lm125 but do not exceed Lm175	12.30,0
exceed Lm175 but do not exceed Lm225	9.70,0
exceed Lm225 but do not exceed Lm275	6.85,0
exceed Lm275 but do not exceed Lm325	3.45,0

..”

Passed by the House of Representatives at Sitting No. 523 of the 15th May, 1991.

LAWRENCE GONZI
Speaker

RICHARD J. CAUCHI
Acting Clerk to the House of Representatives.