

Nru. 74

13. 6. 78

MALTA

KAMRA TAD-DEPUTATI

HOUSE OF REPRESENTATIVES

ABBOZZ ta' Ligi mressaq mill-Onorevoli Joseph Cassar, M.P., Ministru tal-Gustizzja, Artijiet, Djar u Affarijiet tal-Parlament, u moqri għall-Ewwel darba fis-Seduta tat-12 ta' Ġunju, 1978.

A BILL introduced by the Honourable Joseph Cassar, M.P., Minister of Justice, Lands, Housing and Parliamentary Affairs, and read the First time at the Sitting of the 12th June, 1978.

ATT biex ikompli jemenda l-Att ta' l-1956 dwar is-Sigurtà Nazzjonali.

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

C. MIFSUD

Skrivan tal-Kamra tad-Deputati

C. MIFSUD

Clerk to the House of Representatives

ABBOZZ TA' LIĠI

msejjah

ATT biex ikompli jemenda l-Att ta' l-1956 dwar is-Sigurtà Nazzjonali.

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

Titolu fil-qosor
u bidu fis-sehh.

1. (1) Dan l-Att jista' jissejjah l-Att ta' l-1978 li jemenda l-Att dwar is-Sigurtà Nazzjonali (Emenda Nru. 2), u għandu jinqara u jif-tiehem haġa waħda ma' l-Att ta' l-1956 dwar is-Sigurtà Nazzjonali, hawnhekk iżjed 'il quddiem imsejjah "l-Att prinċipali".

(2) Id-disposizzjonijiet ta' dan l-Att għandu jkollhom ef-fett kif ġej:

(a) il-paragrafu (ċ) ta' l-artikolu 6, l-artikoli mis-7 sa l-10, is-sub-paragrafu (iii) tal-paragrafu (b) u l-paragrafu (ċ) ta' l-arti-kolu 11, is-sub-paragrafu (i) tal-paragrafu (a) u l-paragrafu (b) ta' l-artikolu 12, u l-artikoli mill-14 sad-19 għandhom jitqiesu li bdew isehħu fl-1 ta' April, 1978;

(b) l-artikolu 3, l-artikolu 4 (bl-eċċezzjoni tal-paragrafu (e) tiegħu) u l-paragrafi (a) u (b) ta' l-artikolu 6 għandhom jitqiesu li bdew isehħu fit-3 ta' April, 1978;

(ċ) il-paragrafu (a) u s-sub-paragrafu (i) tal-paragrafu (b) ta' l-artikolu 11 u l-artikolu 13 għandhom jitqiesu li bdew isehħu fit-3 ta' Ġunju, 1978;

(d) l-artikolu 2, il-paragrafu (e) ta' l-artikolu 4 u l-artikolu 5 għandhom jitqiesu li bdew isehħu fil-5 ta' Ġunju, 1978; u

(e) is-sub-paragrafu (ii) tal-paragrafu (b) ta' l-artikolu 11 u s-sub-paragrafu (ii) tal-paragrafu (a) ta' l-artikolu 12 għandhom jibdwew isehħu fit-12 ta' Lulju, 1978.

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

2. L-artikolu 2 ta' l-Att prinċipali għandu jiġi emendat kif ġej:

(a) minflok it-tifsira ta' "persuna mpjegata" għandu jidhol dan li ġej:

““persuna mpjegata” tfisser persuna bejn l-etajiet ta' erbatax u hamsa u sittin sena li tkun impjegata f'impieg assigurabbli;”, u

(b) minflok it-tifsira ta' “persuna li timpjega lilha nnifisha” ghandu jidhol dan li ġej:

““persuna li timpjega lilha nnifisha” tfisser persuna bejn l-etajiet ta' erbatax u hamsa u sittin sena li ma tkunx persuna mpjegata u li ordinarjament tirisjedi f'Malta;”.

3. Minflok l-artikolu 3 ta' l-Att prinċipali ghandu jidhol dan li ġej:

Sostituzzjoni ta' l-artikolu 3 ta' l-Att prinċipali.

“3. Bla hsara għad-disposizzjonijiet ta' dan l-Att, kull persuna 'l fuq mill-età ta' erbatax-il sena għandha tkun assigurata taht dan l-Att.”.

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

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

(a) il-kliem “li ordinarjament tirisjedi f'Malta” għandhom jithassru;

(b) minnufih wara l-paragrafu (c) tiegħu għandu jidhol isubartikolu ġdid li ġej:

“(c) 'il fuq mill-età ta' pensjoni;”;

(c) fil-paragrafu (d) tiegħu, minnufih wara l-kliem “pensjoni għal invalidità,” għandhom jiżdiedu l-kliem “pensjoni miżjuda għal invalidità;”;

(d) il-kelma “jew” għandha tiżdied fit-tarf tal-paragrafu (f) tiegħu; u

(e) minnufih wara l-paragrafu (f) tiegħu għandu jiżdied il-paragrafu ġdid li ġej:

“(g) 'il fuq mill-età ta' pensjoni iżda taht il-65 sena u tkun qed taħdem bi qliegh matul xi perijodu li dwaru tipprova għas-sodisfazzjon tad-Direttur li l-qliegh tagħha minn dak ix-xogħol ma jkunx iżjed minn £20 f'xi perijodu ta' 4 ġimghat jew £65 f'xi perijodu ta' 13-il ġimgha, skond liema minnhom ikun japplika.”.

5. Minnufih wara l-paragrafu (b) tal-proviso għas-subartikolu (1) ta' l-artikolu 5 ta' l-Att prinċipali għandu jiżdied il-paragrafu ġdid li ġej:

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

“(c) meta persuna mpjegata 'l fuq mill-età ta' pensjoni tipprova, għas-sodisfazzjon tad-Direttur, li ma tkunx iddahhal mill-impieg tagħha qliegh ta' iżjed minn £20 f'xi perijodu ta' erba' ġimghat jew £65 f'xi perijodu ta' tlettax-il ġimgha, ebda kontribuzzjoni ma jkollha tithallas dwar dak il-perijodu, skond liema minnhom ikun japplika.”.

6. L-artikolu 9 ta' l-Att prinċipali għandu jiġi emendat kif ġej:

Emenda ta' l-artikolu 9 ta' l-Att prinċipali.

(a) minflok il-paragrafu (a) tas-subartikolu (2) tiegħu għandu jidhol dan li ġej:

“(a) għal kull ġimgha ta' kontribuzzjoni li għal kull gurnata tagħha jkollha dritt għal benefiċċju għal mard, jew benefiċċju għal korriment, jew benefiċċju għal disimpieg, jew benefiċċju speċjali għal disimpieg, jew pensjoni għal invalidità, jew pensjoni miżjuda għal invalidità, jew pensjoni għal inkapaċità meta l-grad ta' inkapaċità jkun stmat mija

fil-mija, jew, qabel ma tilhaq l-età ta' pensjoni, pensjoni minima nazzjonali; u";

(b) fil-proviso għas-subartikolu (2) tiegħu, il-kliem "jew li għaliha tkun hallset kontribuzzjoni taht l-artikolu sebgha" għandhom jithassru, u

(c) minflok is-sub-paragrafu (ii) tal-paragrafu (a) tas-subartikolu (3) tiegħu għandu jidhol dan li ġej:

"(ii) ikollha dritt għal pensjoni għal invalidità, jew għal pensjoni miżjuda għal invalidità, jew qabel ma tilhaq l-età ta' pensjoni għal pensjoni minima nazzjonali, jew għal pensjoni għal inkapaçità meta l-grad ta' inkapaçità jkun stmat mija fil-mija; jew".

Emenda ta' l-artikolu 10 ta' l-Att prinçipali.

7. Fis-sub-paragrafu (i) tal-paragrafu (a) tas-subartikolu (3) ta' l-artikolu 10 ta' l-Att prinçipali, minflok il-kliem "benefiççju għal disimpieg" għandhom jidhlu l-kliem "benefiççju għal disimpieg jew benefiççju speçjali għal disimpieg".

Emenda ta' l-artikolu 13 ta' l-Att prinçipali.

8. Fis-subartikolu (5) ta' l-artikolu 13 ta' l-Att prinçipali, minflok il-kliem "id-dritt tagħha għall-benefiççju għal mard u għal disimpieg" kull fejn jinsabu għandhom jidhlu f'kull każ il-kliem "id-dritt tagħha għall-benefiççju għall-mard, għal benefiççju għal disimpieg jew għal benefiççju speçjali għal disimpieg".

Emenda ta' l-artikolu 16 ta' l-Att prinçipali.

9. L-artikolu 16 ta' l-Att prinçipali għandu jiġi emendat kif ġej:

(a) minflok il-kliem "pensjoni għal min jirtira" kull fejn jinsabu fis-subartikolu (1A) tiegħu iżda mhux fil-proviso li hemm għalih għandhom jidhlu f'kull każ il-kliem "pensjoni għal min jirtira jew pensjoni miżjuda għal min jirtira jew pensjoni minima nazzjonali", u

(b) minflok il-kliem "pensjoni għal min jirtira" fis-subartikolu (1B) tiegħu għandhom jidhlu l-kliem "pensjoni għal min jirtira jew pensjoni miżjuda għal min jirtira jew pensjoni minima nazzjonali".

Emenda ta' l-artikolu 16A ta' l-Att prinçipali.

10. Fil-paragrafu (a) tal-proviso li hemm għas-subartikolu (1) ta' l-artikolu 16A ta' l-Att prinçipali, minflok il-figura "360" għandha tidhol il-figura "540".

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

11. L-artikolu 17 ta' l-Att prinçipali għandu jiġi emendat kif ġej:

(a) minflok il-paragrafu (a) tas-subartikolu (1A) tiegħu għandu jidhol dan li ġej:

"(a) għandu jitqies li qed jaħdem bi qliegh kemm-il darba ma jippruvax għas-sodisfazzjon tad-Direttur li l-qliegh li huwa jikseb minn xi xogħol ma jkunx iżjed minn £20 f'xi perijodu ta' erba' ġimgħat jew £65 f'xi perijodu ta' tlettax-il ġimgħa;"

(b) fil-paragrafu (1C) tiegħu —

(i) minflok il-kliem "żewġ liri u hamsin centezmu fil-ġimgħa f'xi perijodu ta' erba' ġimgħat" għandhom jidhlu l-kliem "ghorin lira f'xi perijodu ta' erba' ġimgħat jew hamsa u sittin lira f'xi perijodu ta' tlettax-il ġimgħa";

(ii) il-kliem "jew ikollha fil-pussess tagħha liċenza biex tikkumerċja jew hi meqjusa skond id-disposizzjonijiet ta' l-artikolu 17B ta' dan l-Att" għandhom jithassru, u

(iii) minflok il-kliem "għal pensjoni miżjuda għal min jirtira jekk f'dak iż-żmien ma jkollhiex l-età ta' hamsa u sittin sena" għandhom jidhlu l-kliem "għal pensjoni miżjuda għal min jirtira jew pensjoni minima nazzjonali qabel ma tillhaq l-età ta' hamsa u sittin sena", u

(ċ) fis-subartikolu (4) tiegħu, minflok il-figura "360" għandha tidhol il-figura "540".

12. L-artikolu 17B ta' l-Att prinċipali għandu jiġi emendat kif ġej: Emenda ta' l-artikolu 17B ta' l-Att prinċipali.

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

(i) minflok il-kliem "Persuna assigurata" għandhom jidhlu l-kliem "Persuna assigurata taht l-età ta' 65 sena", u

(ii) minflok il-proviso preżenti li hemm għalih għandu jidhol il-proviso li ġej:

"Izda, meta l-persuna li jkollha liċenza bhal dik tkun persuna li tkun miżżewġa lil persuna assigurata, il-persuna assigurata xorta jkollha d-dritt li tircievi pensjoni bir-rata li tithallas lil persuna waħedha jekk ma jkunx hemm komunjoni ta' l-akkwisti bejn dawk il-persuni miżżewġin jew għax tkun għet eskluża minnhom fil-kuntratt taż-żwieġ li jkun sar qabel iż-żwieġ tagħhom jew kienet għet eskluża minnhom bil-mezz ta' kuntratt skond il-liġi li jkun sar qabel l-1 ta' April, 1978, jew għax tkun għet xolta bħala riżultat tal-firda legali tagħhom minn ma' xulxin", u

(b) fis-subartikolu (2) tiegħu, minflok il-kliem "lil xi persuna li tkun tirisjedi magħha" għandhom jidhlu l-kliem "lil xi persuna oħra li tkun tirisjedi magħha bħala familja waħda".

13. Minnufih wara s-subartikolu (1) ta' l-artikolu 19 ta' l-Att prinċipali għandu jidhol is-subartikolu ġdid li ġej: Emenda ta' l-artikolu 19 ta' l-Att prinċipali.

"(1A) Ebda beneficiċċju kif imsemmi fis-subartikolu (1) ta' dan l-artikolu ma għandu jithallas dwar korriment li jiġġarrab minn persuna assigurata wara li tkun laqget l-età ta' 65 sena."

14. Fis-subartikolu (3) ta' l-artikolu 38 ta' l-Att prinċipali, minflok il-kliem "u addebitati lill-Fond ta' Sigurtà Nazzjonali, stabbilit iżjed 'il quddiem" għandhom jidhlu l-kliem "u addebitati lill-Kont tas-Sigurtà Nazzjonali". Emenda ta' l-artikolu 38 ta' l-Att prinċipali.

15. Fis-subartikolu (3) ta' l-artikolu 39 ta' l-Att prinċipali, minflok il-kliem "akkreditat lill-Fond ta' Sigurtà Nazzjonali, stabbilit iżjed 'il quddiem għandhom jidhlu l-kliem "akkreditat lill-Kont tas-Sigurtà Nazzjonali". Emenda ta' l-artikolu 39 ta' l-Att prinċipali.

16. Fis-sub-paragrafu (i) tal-paragrafu (a) tas-subartikolu (4) ta' l-artikolu 43 ta' l-Att prinċipali, minflok il-kliem "pensjoni għal invalidità" għandhom jidhlu l-kliem "pensjoni għal invalidità jew pensjoni miżjuda għal invalidità". Emenda ta' l-artikolu 43 ta' l-Att prinċipali.

17. Minflok il-proviso għall-artikolu 45 ta' l-Att prinċipali għandu jidhol dan li ġej: Emenda ta' l-artikolu 45 ta' l-Att prinċipali.

“Izda kull benefiċċju għal mard jew benefiċċju għal disimpieg jew benefiċċju speċjali għal disimpieg li kien thallas skond l-ewwel deċiżjoni għandu jittiehed każ tiegħu biex jiġi deċiż jekk il-persuna assigurata tkunx, skond l-artikolu tlettax ta' dan l-Att, użat għal kollox id-dritt tagħha għal benefiċċju għal mard, benefiċċju għal disimpieg jew benefiċċju speċjali għal disimpieg.”

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

18. Fil-paragrafu (ċ) ta' l-artikolu 46 ta' l-Att prinċipali, minflok il-kliem “lill-Fond ta' Sigurtà Nazzjonali” għandhom jidhlu l-kliem “lill-Kont tas-Sigurtà Nazzjonali”.

Emenda ta' l-artikolu 84 ta' l-Att prinċipali.

19. Fl-artikolu 84 ta' l-Att prinċipali, minflok il-kliem “mill-Fond tas-Sigurtà Nazzjonali mwaqqaf” għandhom jidhlu l-kliem “mill-Kont tas-Sigurtà Nazzjonali miżmum”.

Għanijiet u Raġunijiet

L-Għan ta' dan l-Abbozz huwa li jemenda l-Att ta' l-1956 dwar is-Sigurtà Nazzjonali, sabiex —

(i) jeżenta lill-persuni kollha 'l fuq mill-età ta' ħamsa u sittin sena milli jhallsu l-kontribuzzjonijiet;

(ii) jeżenta persuni bejn l-età ta' pensjoni u l-ħamsa u sittin sena milli jhallsu kontribuzzjonijiet jekk ma jkunux jaħdmu bi qliegħ u, jekk ikunu jaħdmu bi qliegħ, meta l-qliegħ tagħhom ikun taħt ċertu limitu;

(iii) jikkonferma li persuni 'l fuq mill-età ta' ħamsa u sittin sena ma jkunux skwalifikati milli jirċievu pensjoni minkejja li jkollhom fil-pussess tagħhom liċenza biex jikkummerċjaw;

(iv) iżid l-ammont li persuna li tkun qed tirċievi pensjoni tista' taqla' mingħajr ma titlef il-pensjoni tagħha;

(v) titneħħa d-distinzjoni bejn raġel u mara meta wieħed minnhom ikollu liċenza biex jikkummerċja;

(vi) jipprovdli li persuna żżomm id-dritt tagħha għal pensjoni jekk tittrasferixxi liċenza biex tikkummerċja lil persuna oħra li ma tkunx tgħix magħha bħala familja waħda;

(vii) jipprovdli għal emendi zġhar u konsegwenzjali.

A BILL
entitled

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

BE IT ENACTED by the President, by and with the advice and consent of the House of Representatives, in this present Parliament assembled, and by the authority of the same, as follows:—

1. (1) This Act may be cited as the National Insurance (Amendment) (No. 2) Act, 1978, and shall be read and construed as one with the National Insurance Act, 1956, hereinafter referred to as "the principal Act".

Short title and commencement.

(2) The provisions of this Act shall come into effect as follows:

(a) paragraph (c) of section 6, sections 7 to 10, sub-paragraph (iii) of paragraph (b) and paragraph (c) of section 11, sub-paragraph (i) of paragraph (a) and paragraph (b) of section 12, and sections 14 to 19 shall be deemed to have come into effect on the 1st day of April, 1978;

(b) section 3, section 4 (with the exception of paragraph (e) thereof) and paragraphs (a) and (b) of section 6 shall be deemed to have come into effect on the 3rd day of April, 1978;

(c) paragraph (a) and sub-paragraph (i) of paragraph (b) of section 11 and section 13 shall be deemed to have come into effect on the 3rd day of June, 1978;

(d) section 2, paragraph (e) of section 4 and section 5 shall be deemed to have come into effect on the 5th day of June, 1978, and

(e) sub-paragraph (ii) of paragraph (b) of section 11 and sub-paragraph (ii) of paragraph (a) of section 12 shall come into effect on the 12th day of July, 1978.

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

Amendment of section 2 of the principal Act.

(a) for the definition of "employed person" there shall be substituted the following:

““employed person” means a person between the ages of fourteen and sixty-five years who is employed in insurable employment;”, and

(b) for the definition of “self-employed person” there shall be substituted the following:

““self-employed person” means a person between the ages of fourteen and sixty-five years who is not an employed person and is ordinarily resident in Malta;”.

Substitution of section 3 of the principal Act.

3. For section 3 of the principal Act there shall be substituted the following:

“3. Subject to the provisions of this Act, every person over the age of fourteen years shall become insured under this Act.”.

Amendment of section 4A of the principal Act.

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

(a) the words “who is ordinarily resident in Malta” shall be deleted;

(b) immediately after paragraph (c) thereof there shall be inserted the following new subsection:

“(cc) over pension age;”;

(c) in paragraph (d) thereof, immediately after the words “invalidity pension,” there shall be added the words “increased invalidity pension;”;

(d) the word “or” shall be added at the end of paragraph (f) thereof; and

(e) immediately after paragraph (f) thereof there shall be added the following new paragraph:

“(g) over pension age but under 65 years of age and is gainfully occupied during any period in respect of which he proves to the satisfaction of the Director that his earnings from such occupation do not exceed £20 in any period of 4 weeks or £65 in any period of 13 weeks, whichever shall be applicable.”.

Amendment of section 5 of the principal Act.

5. Immediately after paragraph (b) of the proviso to subsection (1) of section 5 of the principal Act there shall be added the following new paragraph:

“(c) where an employed person over pension age proves, to the satisfaction of the Director, that he does not derive from his employment earnings exceeding £20 in any period of four weeks or £65 in any period of thirteen weeks, no contribution shall be payable in respect of that period, whichever shall be applicable.”.

Amendment of section 9 of the principal Act.

6. Section 9 of the principal Act shall be amended as follows:

(a) for paragraph (a) of subsection (2) thereof there shall be substituted the following:

“(a) for any contribution week for each day of which he is entitled to sickness benefit, or injury benefit, or unemployment benefit, or special unemployment benefit, or invalidity pension, or increased invalidity pension, or disablement pension where the degree of disablement is assessed at one hundred per cent, or, prior to reaching pension age, a national minimum pension; and”;

(b) in the proviso to subsection (2) thereof, the words “or for which he has paid a contribution under section seven” shall be deleted, and

(c) for sub-paragraph (ii) of paragraph (a) of subsection (3) thereof there shall be substituted the following:

“(ii) is entitled to an invalidity pension, or an increased invalidity pension, or prior to reaching pension age to a national minimum pension, or to a disablement pension where the degree of disablement is assessed at one hundred per cent; or”.

7. In sub-paragraph (i) of paragraph (a) of subsection (3) of section 10 of the principal Act, for the words “unemployment benefit” there shall be substituted the words “unemployment benefit or special unemployment benefit”.

Amendment of section 10 of the principal Act.

8. In subsection (5) of section 13 of the principal Act, for the words “his right to sickness and to unemployment benefit” wherever they occur there shall be substituted in each case the words “his right to sickness, unemployment or special unemployment benefit”.

Amendment of section 13 of the principal Act.

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

Amendment of section 16 of the principal Act.

(a) for the words “retirement pension” wherever they occur in subsection (1A) thereof but not in the proviso thereto there shall be substituted in each case the words “retirement pension or increased retirement pension or national minimum pension”, and

(b) for the words “retirement pension” in subsection (1B) thereof there shall be substituted the words “retirement pension or increased retirement pension or national minimum pension”.

10. In paragraph (a) of the proviso to subsection (1) of section 16A of the principal Act, for the figure “360” there shall be substituted the figure “540”.

Amendment of section 16A of the principal Act.

11. Section 17 of the principal Act shall be amended as follows:

Amendment of section 17 of the principal Act.

(a) for paragraph (a) of subsection (1A) thereof there shall be substituted the following:

“(a) shall be deemed to be gainfully occupied unless he proves to the satisfaction of the Director that the earnings he derives from any occupation do not exceed £20 in any period of four weeks or £65 in any period of thirteen weeks;”;

(b) in paragraph (1C) thereof, —

(i) for the words “two pounds fifty cents per week in any period of four weeks” there shall be substituted the words “twenty pounds in any period of four weeks or sixty-five pounds in any period of thirteen weeks”;

(ii) the words “or is in possession of a trading licence or deemed to be so in accordance with the provisions of section 17B of this Act” shall be deleted, and

(iii) for the words “to an increased retirement pension if she is not then sixty-five years of age” there shall be substituted the words “to an increased retirement pension or a national minimum pension before she reaches the age of sixty-five years”, and

(c) in subsection (4) thereof, for the figure “360” there shall be substituted the figure “540”.

Amendment of section 17B of the principal Act.

12. Section 17B of the principal Act shall be amended as follows:

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

(i) for the words "An insured person" there shall be substituted the words "An insured person under the age of 65 years", and

(ii) for the present proviso thereto there shall be substituted the following proviso:

"Provided that, where it is the spouse of an insured person who is in possession of such a licence, the insured person shall still be entitled to receive a pension at the rate payable to a single person if there is no community of acquests between the spouses either because it was excluded by them in the marriage contract entered into before their marriage or it was excluded by them by means of a lawful contract entered into before the 1st day of April, 1978, or because it was dissolved as a result of their legal separation from bed and board", and

(b) in subsection (2) thereof, for the words "any other person residing with him" there shall be substituted the words "any other person living with him as one family".

Amendment of section 19 of the principal Act.

13. Immediately after subsection (1) of section 19 of the principal Act there shall be inserted the following new subsection:

"(1A) No such benefit as is referred to in subsection (1) of this section shall be payable in respect of an injury sustained by an insured person after his attaining the age of 65 years."

Amendment of section 38 of the principal Act.

14. In subsection (3) of section 38 of the principal Act, for the words "and charged on the National Insurance Fund, hereinafter established" there shall be substituted the words "and charged to the National Insurance Account".

Amendment of section 39 of the principal Act.

15. In subsection (3) of section 39 of the principal Act, for the words "to the credit of the National Insurance Fund hereinafter established" there shall be substituted the words "to the credit of the National Insurance Account".

Amendment of section 43 of the principal Act.

16. In sub-paragraph (i) of paragraph (a) of subsection (4) of section 43 of the principal Act, for the words "invalidity pension" there shall be substituted the words "invalidity pension or increased invalidity pension".

Amendment of section 45 of the principal Act.

17. For the proviso to section 45 of the principal Act there shall be substituted the following:

"Provided that any sickness benefit or unemployment benefit or special unemployment benefit which was paid in accordance with the former decision shall be taken into account in determining whether the insured person has, under section thirteen of this Act, exhausted his right to sickness benefit, unemployment benefit or special unemployment benefit."

Amendment of section 46 of the principal Act.

18. In paragraph (c) of section 46 of the principal Act, for the words "National Insurance Fund" there shall be substituted the words "National Insurance Account".

19. In section 84 of the principal Act, for the words "National Insurance Fund established" there shall be substituted the words "National Insurance Account kept".

Amendment of
section 84 of
the principal
Act.

Objects and Reasons

The Object of this Bill is to amend the National Insurance Act, 1956, so as to —

- (i) exempt all persons over the age of sixty-five from the payment of contributions;
- (ii) exempt persons between pension age and sixty-five from the payment of contributions if not gainfully occupied and, if gainfully occupied, where the earnings are below a certain limit;
- (iii) confirm that persons over sixty-five years of age are not disqualified from receiving a pension notwithstanding that they are in possession of a trading licence;
- (iv) increase the amount up to which a person in receipt of a pension may derive earnings without forfeiting his pension;
- (v) remove the distinction between husband and wife when one of them is in possession of a trading licence;
- (vi) provide that a person retains his right to a pension if he transfers a trading licence to another person who does not live with him as one family;
- (vii) provide for certain minor and consequential amendments.