

**MALTA**

**ATT Nru. VI ta' l-1987**

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

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

**ACT No. VI of 1987**

AN ACT enacted by the Parliament of Malta.

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

Naghti l-kunsens tiegħi.

(L.S.)

AGATHA BARBARA  
President

30 ta' Jannar, 1987

**ATT Nru. VI ta' l-1987**

*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:—

1. (1) Dan l-Att jista' jissejjaħ l-Att ta' l-1987 li jemenda l-Att dwar is-Sigurtà Nazzjonali, u għandu jinqara u jiftiehem haġa waħda ma' l-Att ta' l-1956 dwar is-Sigurtà Nazzjonali, hawnhekk iżjed 'il quddiem imsejjaħ "l-Att prinċipali".

Titolu fil-qosor  
u bidu fis-sehħ.  
Att VI ta' l-1956.

(2) Dan l-Att għandu jitqies li beda fis-sehħ kif ġej:

(i) l-artikoli minn 6 sa 13, 15 u 16 b'sehħ mit-3 ta' Jannar, 1987; u

(ii) l-artikoli minn 2 sa 5 u 14 b'sehħ mill-5 ta' Jannar, 1987.

2. Fis-subartikolu (1) ta' l-artikolu 2 ta' l-Att prinċipali, minnufih qabel it-tifsira ta' "benefiċjarju" għandha tidhol din it-tifsira ġdida li ġejja:

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

“paga fil-ġimgħa bażika” u “salarju bażiku” ifissru il-paga jew salarju totali li jithallsu lil persuna mpjegata minn jew għannom tal-prinċipal tagħha b'eskluzjoni ta' kull rimunerazzjoni għal *overtime*, xi forma ta' bonus, xi *allowance* żejda, xi forma ta' rimunerazzjoni li mhiex flus u kummissjonijiet;”.

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

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

(a) fis-subartikolu (1) tiegħu —

(i) minnufih wara l-kliem “jew bhala gwida tat-turisti” għandhom jidhlu l-kliem “jew bhala xufier ta' vettura *impressed* mal-Gvern”; u

(ii) minnufih wara l-kliem “tirċievi minghand dik il-persuna” għandhom jidhlu l-kliem “jew minghand il-Gvern, kif ikun il-każ,”; u

(iii) minflok il-kliem “tar-rimunerazzjoni miftiehma” għandhom jidhlu l-kliem “tar-rimunerazzjoni li għandha tithallas; u

(b) fis-subartikolu (2) tiegħu, minnufih wara l-kliem “mill-persuna li magħha tkun hekk imqabbdha” għandhom jidhlu l-kliem “, u “vettura *impressed* mal-Gvern” tisser kull vettura li tkun *impressed* mal-Gvern skond kull proċedura li tkun saret mill-Gvern għal dan il-ghan.”.

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

4. L-artikolu 9 ta’ l-Att prinċipali għandu jiġi emendat kif ġej:

(a) minflok is-subartikolu (2) tiegħu għandu jidhol dan li ġej —

“(2) (a) Jiġu akkreditati kontribuzzjonijiet —

(i) lil armla, sew jekk tkun persuna assigurata sew jekk le, u, sew jekk tkun intitolata għal pensjoni ta’ l-armla sew jekk le, għal kull perijodu li fih ikollha l-kustodja ta’ xi iben jew bint tal-mejjet żewġha u li tul dak iż-żmien ma tkunx reġgħet iżżewġet; u

(ii) b’senh mill-5 ta’ Jannar, 1987, lil wiehed li kien membru tal- Korp tal-Pulizija ta Malta jew tal-Forzi Armati ta’ Malta li jirtira jew irtira mis-servizz b’pensjoni shiha mill-Gvern bhala l-prinċipal tiegħu hekk kif jispiċċa mis-servizz qabel ma jilhaq l-età tal-pensjoni, għal kull perijodu li matulu ma jkunx qiegħed jaħdem bi qliegħ u ma jkunx għadu lahaq l-età tal-pensjoni; u

(b) Tiġi akkreditata kontribuzzjoni lil persuna assigurata —

(i) għal kull ġimgħa ta’ kontribuzzjoni li għal kull jum tagħha tkun intitolata għal benefiċċju għal mard, jew benefiċċju għal korriment, jew benefiċċju għal disimpieg, jew benefiċċju speċjali għal disimpieg, jew pensjoni miżjuda għal invalidità, jew pensjoni għal inkapaċità meta l-grad ta’ inkapaċità ikun stmat bil-mija fil-mija, jew, qabel ma tilhaq l-età tal-pensjoni, pensjoni minima nazjonali;

(ii) jekk normalment tkun impjegata f’impieg assigurabbli u normalment toqgħod fuq dak l-impieg sabiex tgħix, għal kull ġimgħa ta’ kontribuzzjoni li għal kull jum tagħha tkun għaliha jum ta’ inkapaċità għax-xogħol jew jum ta’ disimpieg;

(iii) għal kull ġimgħa ta’ kontribuzzjoni li għal kull jum tagħha tkun intitolata, jew kienet tkun intitola\* hliet għad-dispożizzjonijiet tas-sub-paragrafu (i) tal-paragrafu (a) tal-proviso li hemm mas-subartikolu (1) ta’ l-artikolu 16A ta’ dan l-Att, għal pensjoni għal invalidità:

Iżda taht dan is-subartikolu mhux iżjed minn kontribuzzjoni wahda ma għandha tkun akkreditata lil persuna għal ġimgha wahda, u ebda kontribuzzjoni ma għandha tkun akkreditata għal xi ġimgha li għaliha kontribuzzjoni ta' l-ewwel klassi jew tat-tieni klassi għandha tithallas minnha jew dwarha taht dan l-Att.”;

(b) fis-sub-paragrafu (i) tal-paragrafu (a) tas-subartikolu (3) tiegħu, minnufih wara l-kliem “tkun armla li għaliha japplika” għandhom jidhlu l-kliem “s-sub-paragrafu (i) tal-paragrafu (a) ta' ”.

**5.** Is-subartikolu (3) ta' l-artikolu 10 ta' l-Att prinċipali għandu jiġi emendat kif ġej:

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

(a) fil-paragrafu (a) tiegħu, minnufih qabel il-kliem “kontribuzzjonijiet tat-tieni klassi m'għandux” għandhom jidhlu l-kliem “kull kontribuzzjoni ta' l-ewwel klassi akkreditata skond il-paragrafu (b) tas-subartikolu (3) ta' l-artikolu 9 ta' dan l-Att bis-sahha tas-sub-paragrafu (ii) tal-paragrafu (a) tas-subartikolu (2) tal-imsemmi artikolu 9 ma għandhiex titqies dwar kull talba għal benefiċċju għal mard, benefiċċju għal disimpieg u benefiċċju speċjali għal disimpieg, u”; u

(b) fil-paragrafu (b) tiegħu, minnufih wara l-kliem “tas-subartikolu (4) ta' l-artikolu 9” għandhom jidhlu l-kliem “kontribuzzjonijiet ta' l-ewwel klassi akkreditati skond il-paragrafu (b) tas-subartikolu (3) ta' l-artikolu 9 ta' dan l-Att bis-sahha tas-subparagrafu (ii) tal-paragrafu (a) tas-subartikolu (2) tal-imsemmi artikolu 9”.

**6.** Minflok is-subartikolu (3) ta' l-artikolu 17 ta' l-Att prinċipali, għandu jidhol dan li ġej:

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

“(3) Bla ħsara għad-dispożizzjonijiet ta' dan l-Att, meta persuna jkollha jedd għal pensjoni tas-servizz:

(a) b'seħħ mit-2 ta' Jannar, 1988, jekk il-pensjoni tas-servizz tiegħu u r-rata tal-Pensjoni għal Min Jirtira li tkun tapplika fil-każ tiegħu ikunu flimkien jaqbzu ż-żewġ terzi tad-dhul pensjonabbli tiegħu, dik il-persuna tkun intitolata għal Pensjoni għal Min Jirtira, iżda b'dak il-mod illi, meta r-rata ta' dik il-Pensjoni għal Min Jirtira u l-pensjoni tas-servizz tiegħu flimkien ikunu jaqbzu il-paga fil-ġimgha bażika korrenti jew is-salarju bażiku korrenti tal-post li fuqu tkun inġhatat il-pensjoni tas-servizz tiegħu, dik il-persuna għandha tkun intitolata li tirċevi bhala Pensjoni għal Min Jirtira dik il-parti li tkun tiżgura li l-pensjoni tas-servizz tiegħu u l-Pensjoni għal Min Jirtira flimkien ma jkunux jaqbzu il-paga fil-ġimgha bażika korrenti jew is-salarju bażiku korrenti imsemmija qabel tal-post li fuqu tkun inġhatat il-pensjoni tas-servizz tiegħu:

Iżda b'seħħ mit-3 ta' Jannar, 1987, —

(i) persuna li tkun ġa intitolata għal Pensjoni għal Min Jirtira fit-2 ta' Jannar, 1987, kif imhallsa taht id-dispożizzjonijiet ta' l-Att tal-1956 dwar is-Sigurtà Nazzjonali kif ikun fis-seħħ f'dik id-data, għandha, b'żieda mar-rata

ta' Pensjoni ghal Min Jirtira kif tithallas lilha fil-jum imsemmi qabel, tkun intitolata ghal nofs id-differenza bejn dik ir-rata ta' Pensjoni ghal Min Jirtira li tkun tghodd fil-każ tagħha taht dan l-Att skond il-Ħames Skeda li tinsab ma' dan l-Att u r-rata ta' Pensjoni ghal Min Jirtira kif tithallas lilha fil-jum imsemmi qabel; u

(ii) persuna li tkun intitolata ghal Pensjoni ghal Min Jirtira għall-ewwel darba f'xi jum bejn it-3 ta' Jannar, 1987 u l-ewwel ta' Jannar, 1988, għandha, b'żieda mar-rata ta' Pensjoni ghal Min Jirtira li kieku kienet tithallas lilha taht id-dispożizzjonijiet ta' l-Att ta' l-1956 dwar is-Sigurtà Nazzjonali kif fis-sehħ qabel it-2 ta' Jannar, 1987, tkun intitolata ghal nofs id-differenza bejn dik ir-rata ta' Pensjoni ghal Min Jirtira kif tkun tghodd fil-każ tagħha taht dan l-Att skond il-Ħames Skeda li tinsab ma' dan l-Att u r-rata ta' Pensjoni ghal Min Jirtira li kienet xort'ohra tithallas lilha taht id-dispożizzjonijiet imsemmija qabel ta' l-Att ta' l-1956 dwar is-Sigurtà Nazzjonali; jew

(b) jekk il-pensjoni tas-servizz tagħha u r-rata tal-Pensjoni ghal Min Jirtira li jkunu japplikaw fil-każ tagħha skond id-dispożizzjonijiet imsemmija qabel ta' dan is-subartikolu ma jkunux flimkien jaqbzu ż-żewġ terzi tad-dhul pensjonabbli tagħha, dik il-persuna għandha tkun intitolata ghal Pensjoni ghal Min Jirtira Miżjuda jew ghal dik il-parti minnha li tkun tiżgura li ż-żewġ-terzi msemmija qabel tad-dhul pensjonabbli tagħha ma jinqabzux.

Għall-għanijiet ta' dan l-artikolu “il-paga fil-ġimgha bażika korrenti jew is-salarju bażiku korrenti” għandhom jittiehdu li jkunu daww korrenti nhar l-ewwel Sibb tas-sena li dwarha jkun dovut xi hla taht dan l-artikolu.”.

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

7. Fis-subartikolu (1) ta' l-artikolu 17B ta' l-Att prinċipali min-nufih wara l-kliem “mahruġa mill-Kummissarju tal-Pulizija” għandhom jidhlu l-kliem “, hliet jekk id-detentur tal-liċenza jipprova għas-sodisfazzjon tad-Direttur li ebda użu ta' dik il-liċenza ma jkun qiegħed b'xi mod isir mid-detentur tal-liċenza u li dik il-liċenza ma tkunx tista' tingħata favur jew tiġi trasferita lil persuna oħra mingħajr ma jkun hemm konsegwenzi severi għad-detentur tal-liċenza:”.

Emenda ta' l-artikolu 76 ta' l-Att prinċipali.

8. Fil-paragrafu (ċ) ta' l-artikolu 76 ta' l-Att prinċipali min-flok il-kliem “50 ċenteżmu fil-ġimgha” għandhom jidhlu l-kliem “100 ċenteżmu fil-ġimgha”.

Emenda ta' l-artikolu 78 ta' l-Att prinċipali.

9. Is-subartikolu (1) ta' l-artikolu 78 ta' l-Att prinċipali għandu jithassar.

Emenda ta' l-artikolu 87A ta' l-Att prinċipali.

10. Il-paragrafu (i) tas-subartikolu (1) ta' l-artikolu 87A ta' l-Att prinċipali għandu jithassar.

Emenda ta' l-artikolu 89 ta' l-Att prinċipali.

11. Il-paragrafu (d) ta' l-artikolu 89 ta' l-Att prinċipali għandu jithassar.

**12.** Fis-subartikolu (3) ta' l-artikolu 90 ta' l-Att prinċipali minnufih wara l-kliem "biex tmexxi kummerċ jew negozju" għandhom jidhlu l-kliem "hlief jekk id-detentur tal-liċenza jipprova għas-sodisfazzjon tad-Direttur li ebda użu ta' dik il-liċenza ma jkun qiegħed b'xi mod isir mid-detentur tal-liċenza u li dik il-liċenza ma tkunx tista' tinghata favur jew tiġi trasferita lil persuna oħra minghajr ma jkun hemm konsegwenzi severi għad-detentur tal-liċenza:".

Emenda ta' l-artikolu 90 ta' l-Att prinċipali.

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

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

(a) minnufih fi tmiem is-subartikolu (1) tiegħu għandu jidhol dan il-proviso:

"Iżda fil-każ ta' persuna li timpjega lilha nnifisha li tkun hallset inqas minn 156 kontribuzzjoni wara l-21 ta' Jannar, 1979, meta d-Direttur ikun sodisfatt li dak in-nuqqas ta' kontribuzzjonijiet kien dovut minhabba f'ċirkostanzi li l-persuna li timpjega lilha nnifisha konċernata ma kellhiex kontroll fuqhom, il-proporzjon imsemmi ta' żewġ-terzi għandu jkun sostitwit minn dak il-proporzjon l-iehor kif in-numru ta' kontribuzzjonijiet imhallsir wara l-21 ta' Jannar, 1979, għandu għal 234: inkella, dik il-persuna li timpjega lilha nnifisha ma jkollhiex dritt għal Pensjoni ta' Żewġ-Terzi taht din il-Parti iżda minflok ikollha dritt għal pensjoni bħalma tithallas taht u skond id-dispożizzjonijiet tal-Parti III ta' dan l-Att.";

(b) fis-subartikolu (2) tiegħu, minflok il-kliem "Ir-rata shiha ta' pensjoni" għandhom jidhlu l-kliem "Dik ir-rata ta' pensjoni bħalma hi msemmija fis-subartikolu (1) ta' dan l-artikolu";

(ċ) minnufih fi tmiem is-subartikolu (3) tiegħu għandu jidhol dan il-proviso li ġej:

"Iżda fil-każijiet imsemmija taht is-sub-paragrafu (i) tal-paragrafu (a) u taht il-paragrafu (ċ) ta' dan is-subartikolu id-dispożizzjonijiet tal-proviso għas-subartikolu (1) ta' dan l-artikolu għandhom ikunu madankollu jghoddu."; u

(d) fis-subartikolu (4) tiegħu, minnufih wara l-kliem "imsemmi fis-subartikoli (1) u (3) ta' dan l-artikolu" u l-kliem "jissostitwixxi l-imsemmi proporzjon ta' żewġ-terzi" għandhom jidhlu f'kull każ il-kliem "jew kull proporzjon iehor sostitwit għalih skond il-proviso għas-subartikolu (1) ta' dan l-artikolu".

Emenda ta' t-Tieni Skeda li tinsab ma' l-Att prinċipali.

14. Minflok il-Parti I ta' t-Tieni Skeda li tinsab ma' l-Att prinċipali ghandu jidhol dan li ġej:

“PARTI I

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

| Kategorija | Xorta ta' persuna mpjegata  | Rata fil-ġimgha ta' kontribuzzjoni li ghandha tithallas mill-persuna mpjegata, nall-prinċipal taghha u mill-Fond Konsolidat   |
|------------|---|---|
| A          | Persuni li jkunu qeghdin jaghmlu kors ta' studju <i>full-time</i> jew taghlim taht l-Iskema Skular-Ħaddiem, l-Iskema Student-Ħaddiem, jew Skemi oħrajn simili (inklużi l- <i>Extended Skills Training Schemes</i> , iżda esklużi l-Iskemi ta' Ħaddiem-Student) li jkunu jinvolvu perjodi distinti ta' xogħol u studju li għalihom ikunu qeghdin jirċevu rimunerazzjoni. | 1/12, maħduma sa l-eqreb ċenteżmu, tar-rimunerazzjoni bażika fil-ġimgha jew ta' l-ekwivalenti fil-ġimgha tar-rimunerazzjoni bażika fix-xahar iżda li ma tkunx taqbeż rata ta' kontribuzzjoni massima ta' Lm1.37 fil-ġimgha fil-każ ta' persuni li jkunu taht l-età assigurabbli jew rata ta' kontribuzzjoni massima ta' Lm2.49 fil-ġimgha fil-każ ta' persuni li jkunu għalqu l-età assigurabbli. |
| B          | <p>Persuni li ma humiex dawk imsemmijin taht il-Kategorija A ta' din il-Parti li jkunu —</p> <p>(a) taht l-età assigurabbli</p> <p>(b) għalqu l-età assigurabbli</p>  | <p>Lm1.37</p> <p>1/12, maħduma sa l-eqreb ċenteżmu, tal-paga bażika fil-ġimgha jew ta' l-ekwivalenti fil-ġimgha tas-salarju bażiku soġġetta għal rata ta' kontribuzzjoni minima ta' Lm2.49 fil-ġimgha u għal rata ta' kontribuzzjoni massima ta' Lm8.81 fil-ġimgha.”.</p>   |

15. Minflok il-Parti I tat-Tielet Skeda li tinsab ma' l-Att prinċipali ghandu jidhol dan li ġej:

“PARTI I

**Rata ta' Benefiċċju barra minn Benefiċċju ghal Mard,  
Benefiċċju ghal Disimpieg, Benefiċċju Speċjali ghal Disimpieg,  
Benefiċċju ghal Korriment, Pensjoni ghal Inkapaċità,  
u Allowance ghal Iltiema**

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

| Xorta ta' Benefiċċju                     | Rata fil-Ġimgha   |                    |  |                    |
|--|---|--------------------|--|--------------------|
|  | Persuna Wahedha<br>jew Mara Mizżewġa  |                    | Raġel<br>Mizzewweg   |                    |
|  | Lm  | c m                | Lm   | c m                |
| (a) Pensjoni Minima<br>Nazżjonali        | 14.50,0   |                    | 22.80,0  |                    |
| (b) Pensjoni Miżjuda<br>ghal Min Jirtira | 16.25,0   |                    | 24.70,0  |                    |
| (c) Pensjoni Miżjuda<br>ghal Invalidità  | 13.25,0   |                    | 21.70,0  |                    |
| (d) Pensjoni ghal<br>Invalidità          | 7.40,0  |                    | 12.10,0  |                    |
| (e) Pensjoni ta' Armla                   | 13.25,0   |                    | —  |                    |
| (f) Allowance<br>Speċjali ta' Armla      | 4.90,0  |                    | —  |                    |
| (g) Benefiċċju ghal<br>Mewt:             |   |                    |  |                    |
| (i) Benefiċċju ghal<br>Armla             | 15.30,0   |                    | —  |                    |
| (ii) Benefiċċju ghal<br>Armel            | 15.30,0   |                    | —  |                    |
| (iii) Allowance<br>ghal Armla            | 5.85,0  |                    | —  |                    |
| (iv) Allowance<br>tal-Ġenituri           | 13.25,0   |                    | 21.70,0  |                    |
|  | Rata fil-Ġimgha   |                    |  |                    |
|  | Persuni li jkunu<br>qeghdin ukoll jirċievu<br>pensjoni tas-servizz<br>li tithallas minn jew<br>ghan-nom tal-Gvern<br>tar-Renju Unit |                    | Persuni li jkunu<br>qeghdin ukoll jirċievu<br>pensjoni tas-servizz<br>li ma tithallasx minn<br>jew ghan-nom tal-<br>Gvern tar-Renju Unit |                    |
|  | Persuna<br>Wahedha<br>jew<br>Mara<br>Mizzewġa   | Raġel<br>Mizzewweg | Persuna<br>Wahedha<br>jew<br>Mara<br>Mizzewġa  | Raġel<br>Mizzewweg |
|  | Lm c m  | Lm c m             | Lm c m   | Lm c m             |
| (h) Pensjoni ghal Min<br>Jirtira         | 12.00,0   | 19.60,0            | 7.40,0   | 12.10,0".          |

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

16. Il-Parti II tal-Hames Skeda li tinsab ma' l-Att prinċipali għandha tiġi emendata kif ġej:

(a) fit-taqsimi D tagħha il-kliem “Pensjoni għal Min Jirtira u” għandhom jithassru minn kull fejn jinsabu; u

(b) it-taqsimiet E, F, G u H għandhom jiġu indikati mill-ġdid bl-ittri F, G, H u I rispettivament; u

(c) minnufih wara t-taqsimi D għandha tidhol din it-taqsimi E li ġejja:

**“E. Pensjoni għal Min Jirtira**

| Medja fis-sena ta' kontribuzzjonijiet imhallsa jew akkreditati | Rata fil-gimgha ta' Pensjoni għal Min Jirtira   |                |  |                |
|--|---|----------------|--|----------------|
|  | Persuni li jkunu qeghdin ukoll jirċevu pensjoni tas-servizz li tithallas minn jew għan-nom tal-Gvern tar-Renju Unit |                | Persuni li jkun qeghdin ukoll jirċevu pensjoni tas-servizz li ma tithallasx minn jew għan-nom tal-Gvern tar-Renju Unit |                |
|  | Persuna Wahedha jew Mara Mizżewġa   | Raġel Mizżewwġ | Persuna Wahedha jew Mara Mizżewġa  | Raġel Mizżewwġ |
|  | Lm c m  | Lm c m         | Lm c m   | Lm c m         |
| 50 jew iktar (rata shiha) .                                    | 12.00,0   | 19.60,0        | 7.40,0   | 12.10,0        |
| 40 – 49 . . . . .  | 10.68,0   | 17.44,0        | 6.66,0   | 10.98,0        |
| 30 – 39 . . . . .  | 8.28,0  | 13.52,0        | 5.10,0   | 8.34,0         |
| 20 – 29 . . . . .  | 5.88,0  | 9.60,0         | 3.72,0   | 6.12,0”.       |

Mghoddi mill-Kamra tad-Deputati fis-Seduta Nru. 438 tad-29 ta' Jannar, 1987.

PAUL XUEREB  
*Speaker*

P. MUSCAT TERRIBILE  
*Agent Scrivan tal-Kamra tad-Deputati*

I assent.

(L.S.)

AGATHA BARBARA  
President

30th January, 1987

**ACT No. VI of 1987**

*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) Act, 1987, 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.  
Act VI of  
1956.

(2) This Act shall be deemed to have come into force, as follows:

(i) sections 6 to 13, 15 and 16 with effect from 3rd January, 1987; and

(ii) sections 2 to 5 and 14 with effect from 5th January, 1987.

2. In subsection (1) of section 2 of the principal Act, immediately before the definition of “beneficiary” there shall be inserted the following new definition:

Amendment  
of section 2  
of the  
principal  
Act.

““basic weekly wage” and “basic salary” mean the gross wage or salary that is payable to an employed person by or on behalf of his employer excluding any remuneration for overtime, any form of bonus, any extra allowances, any remuneration in kind and commissions;”.

3. Section 5D of the principal Act shall be amended as follows:

Amendment  
of section 5D  
of the  
principal  
Act.

(a) in subsection (1) thereof —

(i) immediately after the words "or as a tourist guide" there shall be inserted the words "or as a driver of a Government impressed vehicle"; and

(ii) immediately after the words "receive from such person" there shall be inserted the words "or from Government, as the case may be,"; and

(iii) for the words "remuneration agreed upon" there shall be substituted the words "remuneration payable"; and

(b) in subsection (2) thereof, immediately after the words "by the person with whom he is so engaged" there shall be inserted the words ", and 'Government impressed vehicle' means any vehicle which is impressed by Government in accordance with any procedure which is laid down by Government for this purpose."

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

(a) for subsection (2) thereof there shall be substituted the following —

"(2) (a) Contributions shall be credited —

(i) to a widow, whether she is an insured person or not, and, whether she is entitled to a widow's pension or not, for any period during which she has the care of a child of her late husband's and during which she does not re-marry; and

(ii) with effect from the 5th January, 1987, to an ex-member of the Malta Police Force or of the Armed Forces of Malta who retires or has retired from the service on a full pension from Government as his employer on completion of service prior to reaching pension age, for any period during which he is not gainfully occupied and has not yet reached pension age; and

(b) A contribution shall be credited to any insured person —

(i) 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 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;

(ii) if he is normally employed in insurable employment and normally relies on such employment for his livelihood, for any contribution week each day of which is for him a day of incapacity for work or a day of unemployment;

(iii) for any contribution week for each day of which he is entitled, or would but for the provisions of sub-paragraph (i) of paragraph (a) of the proviso to subsection (1) of section 16A of this Act have been entitled, to an invalidity pension:

Provided that under this subsection no more than one contribution shall be credited to an insured person for any one week, and no contribution shall be credited for any week for which a class one or class two contribution is payable by or in respect of him under this Act.”;

(b) in sub-paragraph (i) of paragraph (a) of subsection (3) thereof, immediately after the words “is a widow to whom” there shall be inserted the words “sub-paragraph (i) of paragraph (a) of”.

5. Subsection (3) of section 10 of the principal Act shall be amended as follows:

Amendment  
of section 10  
of the  
principal  
Act.

(a) in paragraph (a) thereof, immediately before the words “class two contributions shall” there shall be inserted the words “any class one contributions credited in accordance with paragraph (b) of subsection (3) of section 9 of this Act in virtue of sub-paragraph (ii) of paragraph (a) of subsection (2) of the said section 9 shall not be taken into account in connection with any claim for sickness benefit, unemployment benefit and special unemployment benefit, and”; and

(b) in paragraph (b) thereof, immediately after the words “subsection (4) of section 9” there shall be inserted the words “, class one contributions credited in accordance with paragraph (b) of subsection (3) of section 9 of this Act in virtue of sub-paragraph (ii) of paragraph (a) of subsection (2) of the said section 9”.

6. For subsection (3) of section 17 of the principal Act, there shall be substituted the following:

Amendment  
of section 17  
of the  
principal  
Act.

“(3) Subject to the provisions of this Act, where an insured person is entitled to a service pension:

(a) with effect from the 2nd January, 1988, if his service pension and the rate of Retirement Pension applicable in his case together exceed two-thirds of his pensionable income, such person shall be entitled to a Retirement Pension, so however that, where the rate of such Retirement Pension and his service pension together exceed the current basic weekly wage or basic salary of the post on which his service pension was awarded, such person shall be entitled to receive by way of a Retirement Pension such part as shall ensure that his service pension and his Retirement Pension together do not exceed the aforesaid current basic weekly wage or basic salary of the post on which his service pension was awarded:

Provided that, with effect from 3rd January, 1987 —

(i) a person who is already entitled to a Retirement Pension on 2nd January, 1987, as payable under the provisions of the National Insurance Act 1956 as in force on such date, shall, in addition to the rate of Retirement Pension as is payable to him on the date aforesaid, be entitled to one-half of the difference between such rate of Retirement Pension as is applicable in his case in terms of this Act in accordance with the Fifth Schedule

to this Act and the rate of Retirement Pension as is payable to him on the date aforesaid; and

(ii) a person who is entitled to a Retirement Pension for the first time on any day between the 3rd January, 1987 and 1st January, 1988, shall, in addition to the rate of Retirement Pension as would have been payable to him under the provisions of the National Insurance Act 1956 as in force on 2nd January, 1987, be entitled to one-half of the difference between such rate of Retirement Pension as is applicable in his case in terms of this Act in accordance with the Fifth Schedule to this Act and the rate of Retirement Pension as would otherwise have been payable to him under the aforesaid provisions of the National Insurance Act 1956; or

(b) if his service pension and the rate of Retirement Pension applicable in his case in terms of the foregoing provisions of this subsection together do not exceed two-thirds of his pensionable income, such a person shall be entitled to an Increased Retirement Pension or such part thereof as shall ensure that the afore-mentioned two-thirds of his pensionable income are not exceeded.

For the purposes of this section, the “current basic weekly wage or basic salary” shall be taken to be that current on the first Saturday of the year in respect of which any payment under this section falls due.”.

Amendment  
of section 17B  
of the  
principal  
Act.

7. In subsection (1) of section 17B of the principal Act immediately after the words “issued by the Commissioner of Police” there shall be inserted the words “, unless the licensee proves to the satisfaction of the Director that no use of such a licence is being made in any way by the licensee and that such licence cannot be relinquished or transferred to another person without severe consequences to the licensee:”.

Amendment  
of section 76  
of the  
principal  
Act.

8. In paragraph (c) of section 76 of the principal Act for the words “50 cents per week” there shall be substituted the words “100 cents per week”.

Amendment  
of section 78  
of the  
principal  
Act.

9. Subsection (1) of section 78 of the principal Act shall be deleted.

Amendment  
of section 87A  
of the  
principal  
Act.

10. Paragraph (i) of subsection (1) of section 87A of the principal Act shall be deleted.

Amendment  
of section 89  
of the  
principal  
Act.

11. Paragraph (d) of section 89 of the principal Act shall be deleted.

Amendment  
of section 90  
of the  
principal  
Act.

12. In subsection (3) of section 90 of the principal Act immediately after the words “to carry on a trade or business” there shall be inserted the words “unless the licensee proves to the satisfaction of

the Director that no use of such a licence is being made in any way by the licensee and that such licence cannot be relinquished or transferred to another person without severe consequences to the licensee.”.

**13.** Section 91 of the principal Act shall be amended as follows:

Amendment  
of section 91  
of the  
principal  
Act.

(a) immediately at the end of subsection (1) thereof there shall be inserted the following proviso:

“Provided that in the case of a self-employed person who has paid less than 156 contributions after the 21st day of January, 1979, where the Director is satisfied that such lack of contributions was due to circumstances beyond the control of the self-employed person concerned, the said proportion of two-thirds shall be substituted by such other proportion as the number of contributions paid after the 21st day of January, 1979, bears to 234; otherwise, such self-employed person shall not be entitled to a Two-Thirds Pension under this Part but shall instead be entitled to a pension as is payable under and in accordance with the provisions of Part III of this Act.”;

(b) in subsection (2) thereof, for the words “The full rate of pension” there shall be substituted the words “Such rate of pension as is referred to in subsection (1) of this section”;

(c) immediately at the end of subsection (3) thereof there shall be inserted the following proviso:

“Provided that in the cases referred to under sub-paragraph (i) of paragraph (a) and under paragraph (c) of this subsection the provisions of the proviso to subsection (1) of this section shall nonetheless apply.”; and

(d) in subsection (4) thereof, immediately after the words “referred to in subsections (1) and (3) of this section” and the words “shall substitute the said proportion of two-thirds” there shall be inserted in each case the words “or any other proportion substituted therefor in accordance with the proviso to subsection (1) of this section”.

**14.** For Part I of the Second Schedule to the principal Act there shall be substituted the following:

**“PART I**

**Class One Contributions  
(Employed Persons)**

| Cate-<br>gory | Type of employed persons   | Weekly rate of contribution payable<br>by the employed person, by his<br>employer and out of the<br>Consolidated Fund   |
|---------------|--|---|
| A             | Persons who are following a full-time course of studies or instructions 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 of the weekly equivalent of the basic monthly remuneration but not exceeding a maximum contribution rate of Lm1.37 per week in the case of persons under insurable age or a maximum contribution rate of Lm2.49 per week in the case of persons of insurable age and over. |
| B             | Persons other than those referred to under Category A of this Part who are —   |   |
|               | (a) under insurable age  | Lm1.37  |
|               | (b) of insurable age and over  | $\frac{1}{12}$ , calculated to the nearest cent, of the basic weekly wage or of the weekly equivalent of the basic salary subject to a minimum contribution of Lm2.49 per week and to a maximum contribution rate of Lm8.81 per week.”.   |

15. For Part I of the Third Schedule to the principal Act there shall be substituted the following:

Amendment  
to the Third  
Schedule to  
the principal  
Act.

**"PART I**

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

| Kind of Benefit                  | Weekly Rate   |                   |   |                     |
|----------------------------------|---|-------------------|---|---------------------|
|                                  | Single Person<br>or Married Woman   |                   | Married Man   |                     |
|                                  | Lm c m  |                   | Lm c m  |                     |
| (a) National Minimum Pension     | 14.50,0   |                   | 22.80,0   |                     |
| (b) Increased Retirement Pension | 16.25,0   |                   | 24.70,0   |                     |
| (c) Increased Invalidity Pension | 13.25,0   |                   | 21.70,0   |                     |
| (d) Invalidity Pension           | 7.40,0  |                   | 12.10,0   |                     |
| (e) Widow's Pension              | 13.25,0   |                   | —   |                     |
| (f) Widow's Special Allowance    | 4.90,0  |                   | —   |                     |
| (g) Death Benefit:               |   |                   |   |                     |
| (i) Widow's Benefit              | 15.30,0   |                   | —   |                     |
| (ii) Widower's Benefit           | 15.30,0   |                   | —   |                     |
| (iii) Widow's Allowance          | 5.85,0  |                   | —   |                     |
| (iv) Parent's Allowance          | 13.25,0   |                   | 21.70,0   |                     |
|                                  | Weekly Rate   |                   |   |                     |
|                                  | 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 |                     |
|                                  | Single Person<br>or<br>Married<br>Woman   | Married<br>Man    | Single<br>Person<br>or<br>Married<br>Woman  | Married<br>Man      |
| (h) Retirement Pension           | Lm c m<br>12.00,0   | Lm c m<br>19.60,0 | Lm c m<br>7.40,0  | Lm c m<br>12.10,0". |

16. Part II of the Fifth Schedule to the principal Act shall be amended as follows:

(a) in table D thereof the words “Retirement Pension and” shall be deleted wherever they occur; and

(b) tables E, F, G and H shall be re-lettered F, G, H and I respectively; and

(c) immediately after table D the following table E should be inserted:

**“E. 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 |             |
|  | Single person or Married Woman  | Married Man | Single person or Married Woman  | Married Man |
|  | Lm c m  | Lm c m      | Lm c m  | Lm c m      |
| 50 or more (full rate) . . . . .                 | 12.00,0   | 19.60,0     | 7.40,0  | 12.10,0     |
| 40 – 49 . . . . .                                | 10.68,0   | 17.44,0     | 6.66,0  | 10.98,0     |
| 30 – 39 . . . . .                                | 8.28,0  | 13.52,0     | 5.10,0  | 8.34,0      |
| 20 – 29 . . . . .                                | 5.88,0  | 9.60,0      | 3.72,0  | 6.12,0”.    |

Passed by the House of Representatives at Sitting No. 438 of the 29th January, 1987

**PAUL XUEREB**  
*Speaker*

**P. MUSCAT TERRIBILE**  
*Acting Clerk of the House of Representatives*