

Nru. 64

20. 3. 78

MALTA**KAMRA TAD-DEPUTATI****HOUSE OF REPRESENTATIVES**

ABBOZZ ta' Liġi mressaq mill-Onorevoli Agatha Barbara, M.P., Ministru tax-Xoghol, Ghajnuna Soċjali u Kultu-
ra, u moqri għall-Ewwel darba fis-
Seduta tas-7 ta' Marzu, 1978.

A BILL introduced by the Honour-
able Agatha Barbara, M.P., Minister of
Labour, Welfare and Culture, and read
the First time at the Sitting of the 7th
March, 1978.

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

AN ACT further to amend the Nation-
al Insurance Act, 1956.

C. MIFSUD*Skriivan 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, u għandu jnqara u jiftiehem 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 għandhom jibdw isehħu kif ġej:

(i) il-paragrafi (a), (e), (f) u (i) ta' l-artikolu 2, l-artikoli mit-12 sas-26, l-artikoli mit-28 sat-30, l-artikoli 36, 39, 42 u l-artikoli mill-45 sas-47, mill-1 ta' April, 1978; u

(ii) il-paragrafi mill-(b) sad-(d) u l-paragrafi (ġ) u (ħ) ta' l-artikolu 2, l-artikoli mit-3 sal-11, l-artikolu 27, l-artikoli mill-31 sal-35, l-artikoli 37, 38, 40, 41, 43, 44 u 48 mit-3 ta' April, 1978.

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

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

(a) it-tifsira ta' "attwarju" għandha tithassar;

(b) minflok it-tifsira ta' "sena ta' benefiċċju" għandha tidhol it-tifsira ġdida li ġejja:

"sena ta' benefiċċju" tfisser il-perijodu li jibda fl-ewwel Tnejn ta' Gunju 1978 u li jispiċċa fl-aħħar Hadd qabel l-ewwel Tnejn ta' Lulju 1979; u, wara, il-perijodu li jibda fl-ewwel Tnejn ta' Lulju u li jispiċċa fl-aħħar Hadd qabel l-ewwel Tnejn ta' Lulju tas-sena ta' wara;"

(ċ) minflok it-tifsira ta' "kontribuzzjoni tat-tielet klassi" għandha tidhol it-tifsira ġdida li ġejja:

“kontribuzzjoni tat-tielet klassi” tfisser kontribuzzjoni li persuna assigurata kienet obbligata thalla; bhala persuna mhux impjegata qabel it-3 ta' April, 1978;”;

(d) minflok it-tifsira ta' “sena ta' kontribuzzjoni” ghandha tidhol it-tifsira gdida li ghejja:

““sena ta' kontribuzzjoni” tfisser il-perijodu li jibda fl-ewwel Tnejn ta' Mejju 1976 jew ta' Awissu 1976 jew ta' Novembru 1976 jew ta' Frar 1977 kif jigi deciż mid-Direttur bhala applikabbli fil-każ ta' kull persuna assigurata u li jispiċċa fl-aħħar Hadd qabel l-ewwel Tnejn ta' Mejju 1977, Awissu 1977, Novembru 1977 u Frar 1978, rispettivament; u mill-1 ta' Jannar 1979 u wara, il-perijodu li jibda fl-ewwel Tnejn ta' Jannar u li jispiċċa fl-aħħar Hadd qabel l-ewwel Tnejn ta' Jannar tas-sena ta' wara;”;

(e) minnufih wara t-tifsira ta' “impieg eċċettwat” ghandha tidhol it-tifsira gdida li ghejja:

““taħdem bi qliegħ” tfisser li tkun tagħmel kwalunkwe xorta ta' hidma li minnha jkun qed jinkiseb xi qliegħ;”;

(f) minnufih wara t-tifsira ta' “Ministru” ghandha tidhol it-tifsira gdida li ghejja:

““dhul nett” tfisser id-dhul nett kollu li minnu jitnaqqsu l-ispejjeż li jsiru direttament biex jinqala' dak id-dhul;”;

(g) it-tifsira ta' “persuna mhux impjegata” ghandha tit-hassar;

(h) minflok it-tifsira ta' “persuna li timpjega lilha nnifisha” ghandha tidhol it-tifsira gdida li ghejja:

““persuna li timpjega lilha nnifisha” tfisser persuna fuq l-età ta' erbatax-il sena li ma tkunx persuna mpjegata;”;

u

(i) minnufih wara t-tifsira ta' “persuna li timpjega lilha nnifisha” ghandha tidhol it-tifsira gdida li ghejja:

““pensjoni tas-servizz” tfisser pensjoni jew allowance oħra li tinghata lil persuna dwar servizzi li tkun tat fil-passat f'Malta jew barra minn Malta u ghandha fi kwalunkwe każ titqies fuq bażi li ma kenitx kommutata;”.

3. Minflok l-artikolu 3 ta' l-Att prinċipali ghandu jidhol l-artikolu ġdid li ghej:

“Persuni li għandhom ikunu assigurati.

3. Bla hsara għad-disposizzjonijiet ta' dan l-Att, kull persuna li jkollha iżjed minn erbatax-il sena għandha tkun assigurata taħt dan l-Att u tibqa' hekk assigurata għal matul hajjitha.”.

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

4. Minflok l-artikolu 3A ta' l-Att prinċipali ghandu jidhol l-artikolu ġdid li ghej:

“Klassijiet ta' persuni assigurati.

3A. Bla hsara għad-disposizzjonijiet ta' dan l-Att kull persuna assigurata għandha tkun assigurata jew bhala persuna mpjegata jew bhala persuna li timpjega lilha nnifisha.”.

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

5. Minnufih wara l-artikolu 3A ta' l-Att prinċipali ghandu jidhol l-artikolu ġdid li ghej:

Zieda ta' artikolu ġdid 3B ma' l-Att prinċipali.

“Estensjoni ta’ kontribuzzjonijiet tat-tieni klassi, 3B. Bla hsara ghad-disposizzjonijiet ta’ dan l-Att, kontribuzzjoni tat-tielet klassi mhallsa qabel it-3 ta’ April, 1978 ghandha titqies li hi kontribuzzjoni tat-tieni klassi.”.

Zieda ta’ artikolu gdid 4A ma’ l-Att prinċipali.

6. Minnufih wara l-artikolu 4 ta’ l-Att prinċipali ghandu jiz-
died l-artikolu gdid li ġej:

“Persuni li jimpjegaw lilhom innifishom. 4A. Ghall-finijiet ta’ dan l-Att persuna li ordinarja-
ment tirisjedi f’Malta ma titqiesx li hi persuna li timpjega
lilha nnifisha jekk dik il-persuna tkun —

(a) mara mizzewġa li r-raġel tagħha jkun għadu
ħaj; jew

(b) tkun qed tirċievi pensjoni għal min jirtira,
pensjoni miżjuda għal min jirtira, pensjoni minima
nazzjonali, pensjoni għal inkapaċità stmata bhala mija
fil-mija, pensjoni ta’ armla jew benefiċċju ta’ armla, li
tithallas taħt dan l-Att; jew

(ċ) li tkun qed tirċievi tagħlim jew taħriġ *full-
time* f’istituzzjoni edukattiva magħrufa mill-Gvern
skond l-Att ta’ l-1974 dwar l-Edukazzjoni u ebda xorta
ta’ rimunerazzjoni jew *allowance* (barra minn *allow-
ance* li tithallas taħt dan l-Att) ma tkun qed tithallas
lilha matul dak iż-żmien;

u ma tkunx qed taħdem bi qliegħ; jew

(d) tkun qed tirċievi pensjoni għal invalidità,
benefiċċju ta’ armel jew *allowance* ta’ ġenituri li tit-
hallas taħt dan l-Att; jew

(e) tkun qed tirċievi pensjoni għax-xjuħ jew
allowance għax-xjuħ li tithallas taħt l-Att ta’ l-1948
dwar il-Pensjonijiet għax-Xjuħ; jew

(f) tkun qed tirċievi għajnuna soċjali li tithallas
taħt l-Att ta’ l-1956 dwar l-Għajnuna Nazzjonali.”.

Att Nru. VIII
ta’ l-1956.

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

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

(a) il-proviso għas-subartikolu (2) hu b’dan imħassar;

(b) fis-subartikolu (4) minflok il-kliem “taħt l-artikolu li
jaħbat sew sew wara dan u taħt l-artikolu sebgha” għandhom
jidhlu l-kliem “u taħt l-artikolu hamsa A ta’ dan l-Att”.

Emenda ta’
l-artikolu 5A
ta’ l-Att
prinċipali.

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

(a) minnufih wara s-subartikolu (1) tiegħu għandhom jiz-
diedu l-provisos li ġejjin:

“Izda, meta persuna li timpjega lilha nnifisha ma tkunx
qed taħdem bi qliegħ, jekk dik il-persuna tipprova għas-
sodisfazzjon tad-Direttur li l-mezzi tagħha fis-sena, kalko-
lati skond id-disposizzjonijiet tat-Tmien Skeda li tinsab ma’
dan l-Att, ma jkunux iżjed minn —

(i) £405 fil-każ ta’ raġel mizzewweġ li jkun iman-
tni għal kollox lil martu, jew

(ii) £205 fil-każ ta' persuna mhux miżżewġa jew armel jew armla,

dik il-persuna jkollha jedd, meta tagħmel applikazzjoni lid-Direttur, li tirċievi ċertifikat ta' dhul baxx li jkun validu għal sitt xhur, u, fil-waqt li jkollha dak iċ-ċertifikat u sakemm ma jkunx hemm tibdil rilevanti fiċ-ċirkostanzi, din ma tkunx obligata thallas l-imsemmija kontribuzzjoni:

Izda wkoll, jekk dik il-persuna tonqos li tissottometti ruhha għal revizzjoni tal-mezzi tagħha kull sitt xhur fi żmien xahar mid-data li fiha ċ-ċertifikat ta' dik il-persuna jkun skada, dik il-persuna titqies li hi obligata li thallas kontribuzzjoni tat-tieni klassi għall-perijodu li jibda mid-data ta' l-iskadenza taċ-ċertifikat sad-data li fiha dan jiġi mġedded.”;

(b) is-subartikolu (2) tiegħu hu b'dan imħassar; u

(ċ) minflok is-subartikoli (3) u (4) tiegħu għandu jidhol dan li ġej:

“(3) Bla hsara għad-disposizzjonijiet ta' dan l-Att, ir-rati fil-ġimgha ta' kontribuzzjonijiet tat-tieni klassi li għandhom jithallsu skond dan l-artikolu minn persuna assigurata ta' xi waħda mill-klassijiet murija fl-ewwel kolonna tal-Parti II tat-Tieni Skeda li tinsab ma' dan l-Att ikunu r-rati murija għal dik il-klassi fit-tieni kolonna ta' dik il-Parti:

Izda l-hlas tal-kontribuzzjoni tat-tieni klassi bir-rata aktar baxxa għandu jsir biss minn persuna assigurata li tipprowa għas-sodisfazzjon tad-Direttur li d-dhul nett totali tagħha ma jkunx iżjed minn £1,100 fis-sena; u għall-finijiet ta' dan il-proviso, meta persuna assigurata ma tkunx taħdem bi qliegh, pensjoni tas-servizz ma titqiesx li tagħmel parti mid-dhul nett totali tagħha.

(4) Għal kull kontribuzzjoni tat-tieni klassi li persuna assigurata thallas taht dan l-Att jew, qabel it-3 ta' April 1978, għal kull kontribuzzjoni tat-tielet klassi li persuna assigurata kienet hallset taht dan l-Att, kontribuzzjoni daqs nofs il-kontribuzzjoni tal-persuna assigurata għandha tit-hallas mill-Fond Konsolidat.”.

9. L-artikolu 7 ta' l-Att prinċipali hu b'dan imħassar.

Thassir ta' l-artikolu 7 ta' l-Att prinċipali.

10. L-artikolu 8 ta' l-Att prinċipali għandu jiġi emendat kif ġej:

(a) il-paragrafu (ċ) tas-subartikolu (1) tiegħu hu b'dan imħassar;

(b) is-subartikolu (2) tiegħu hu b'dan imħassar;

(ċ) fis-subartikolu (3A) tiegħu l-kliem “jew kontribuzzjoni tat-tielet klassi” huma b'dan imħassra;

(d) il-paragrafu (ċ) tas-subartikolu (4) tiegħu hu b'dan imħassar;

(e) minflok il-paragrafu (d) tas-subartikolu (4) tiegħu għandu jidhol dan li ġej:

“(d) għal kull ġimgha ta' kontribuzzjoni li għaliha hija sugġetta li thallas kontribuzzjoni tat-tieni klassi taht l-arti-

Emenda ta' l-artikolu 8 ta' l-Att prinċipali.

kolu 5A thallas il-kontribuzzjonijiet b'lura kull erba' xhur fid-Dipartiment tat-Taxxi Nterni f'dik il-forma u b'dak il-mod kif jiġi stabbilit mid-Direttur b'konsultazzjoni mal-Kummissarju tat-Taxxi Nterni jew b'dak il-mod l-ieħor li l-Ministru jista' jistabbilixxi minn żmien għal żmien bi ftehim mal-Ministru responsabbli għall-finanzi.”;

(f) is-subartikolu (5) tiegħu għandu jiġi emendat kif ġej:
 (i) il-proviso għall-paragrafu (b) tiegħu hu b'dan imhassar; u

(ii) il-paragrafu (d) tiegħu hu b'dan imhassar; u

(iii) minflok il-paragrafu (e) tiegħu għandu jidhol dan li ġej:

“(e) iħallas b'lura kull xahar lid-Dipartiment tat-Taxxi Nterni l-kontribuzzjonijiet kollha li għandhom jithallsu taht l-artikolu ħamsa f'dik il-forma u b'dak il-mod kif jiġi stabbilit mid-Direttur b'konsultazzjoni mal-Kummissarju tat-Taxxi Nterni jew b'dak il-mod l-ieħor li l-Ministru jista' jistabbilixxi minn żmien għal żmien bi ftehim mal-Ministru responsabbli għall-finanzi.”; u

(g) is-subartikolu (6) tiegħu hu b'dan imhassar.

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

11. Minflok is-subartikolu (3) ta' l-artikolu 9 ta' l-Att prinċipali għandhom jidhru s-subartikoli ġodda li ġejjin:

“(3) Kontribuzzjoni akkreditata skond dan l-artikolu għal xi ġimgħa ta' kontribuzzjoni tkun —

(a) kontribuzzjoni tat-tieni klassi jekk tkun akkreditata minħabba li l-persuna assicurata —

(i) tkun armla li għaliha japplika s-subartikolu (2) ta' dan l-artikolu; jew

(ii) ikollha dritt għal pensjoni għal invalidità, pensjoni miżjuda għal invalidità jew pensjoni għal inkapaċità meta l-grad ta' inkapaċità jkun stmat bħala mija fil-mija; jew

(iii) ikollha dritt għal benefiċċju għal mard u ma tissodisfax il-kondizzjonijiet ta' kontribuzzjoni għal benefiċċju għal disimpieg jew benefiċċju speċjali għal disimpieg fl-ewwel ġurnata ta' dik il-ġimgħa;

(b) kontribuzzjoni ta' l-ewwel klassi f'kull każ ieħor.

(4) Kontribuzzjoni li qabel it-3 ta' April 1978 kienet ġiet akkreditata bħala kontribuzzjoni tat-tielet klassi għandha titqies li hi akkreditata bħala kontribuzzjoni tat-tieni klassi.”.

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

12. L-artikolu 10 ta' l-Att prinċipali għandu jiġi emendat kif ġej:

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

“(1) Il-benefiċċju jkun ta' dawn l-għamliet —

(a) Bonus għal żwieġ;

(b) Benefiċċju għal mard;

(c) Benefiċċju għal disimpieg;

(d) Benefiċċju speċjali għal disimpieg;

- (e) Pensjoni ta' armla;
- (f) *Allowance* speċjali ta' armla;
- (g) Pensjoni għal invalidità;
- (h) Pensjoni miżjuda għal invalidità;
- (i) Pensjoni għal min jirtira;
- (j) Pensjoni miżjuda għal min jirtira;
- (k) Pensjoni minima nazzjonali;
- (l) *Allowance* ta' tutur;
- (m) Benefiċċju għal korriment;
- (n) Benefiċċju għal inkapaċità;
- (o) Benefiċċju għal mewt.”;

(b) minflok il-paragrafu (b) tas-subartikolu (2) tiegħu għandu jidhhol dan li ġej:

“(b) il-kondizzjonijiet tal-kontribuzzjoni tal-bonus għal żwieġ, benefiċċju għal mard, benefiċċju għal disimpieg, benefiċċju speċjali għal disimpieg, pensjoni ta' armla, *allowance* speċjali ta' armla, pensjoni għal invalidità, pensjoni miżjuda għal invalidità, pensjoni għal min jirtira, pensjoni miżjuda għal min jirtira u l-pensjoni minima nazzjonali jkun kif muri fir-Raba' Skeda li tinsab ma' dan l-Att.”;

(ċ) minflok il-paragrafi (a) u (b) tas-subartikolu (3) tiegħu għandu jidhhol dan li ġej:

“(a) kontribuzzjonijiet tat-tieni klassi m'għandux jittiehed kont tagħhom dwar —

(i) xi talba għal benefiċċju għal disimpieg, jew

(ii) xi talba għal benefiċċju għal mard, jekk il-Ministru ma jkunx sodisfatt illi l-persuna li tkun qed tagħmel it-talba tkun qed taħdem bi qliegħ u li matul it-tax-il xahar li jibdew fl-1 ta' Jannar tas-sena li fiha ssir it-talba, x'aktarx li l-qliegħ totali ta' min jagħmel it-talba minn dak ix-xogħol bi qliegħ ma jkunx iżjed minn £1,100;

(b) kontribuzzjonijiet tat-tieni klassi li jitqiesu li huma hekk bis-saħħa ta' l-artikolu 3B u tas-subartikolu (4) ta' l-artikolu 9 u kontribuzzjonijiet tat-tieni klassi akkreditati skond is-sub-paragrafi (i) u (ii) tal-paragrafu (a) tas-subartikolu (3) ta' l-artikolu 9 m'għandux jittiehed kont tagħhom dwar xi talba għal benefiċċju għal disimpieg, benefiċċju speċjali għal disimpieg, benefiċċju għal mard, pensjoni għal invalidità, pensjoni miżjuda għal invalidità jew qabel ma tintlahaq l-età tal-pensjoni, għal pensjoni minima nazzjonali;”;

(d) fis-subartikolu (4) tiegħu minflok il-kliem “imsemmi f'dik il-kolonna tal-Parti I tal-Hames Skeda li tinsab ma' dan l-Att li hija xierqa għan-numru ta' kontribuzzjonijiet hekk imħallsa minnha” għandhom jidhlu l-kliem “imsemmi fil-Parti I tal-Hames Skeda li tinsab ma' dan l-Att”; u

(e) fis-subartikolu (5) tiegħu minflok il-kliem “fil-kolonna tal-Parti II tal-Hames Skeda li tinsab ma' dan l-Att li hija xierqa għan-numru ta' kontribuzzjonijiet jew numru ta' kontribuzzjonijiet minn sena għal oħra hekk imħallsa jew akkreditati” għandhom jidhlu l-kliem “fil-Parti II tal-Hames Skeda li tinsab ma' dan l-Att”;

Emenda ta' l-artikolu 11 ta' l-Att prinċipali.

13. Fl-artikolu 11 ta' l-Att prinċipali, minflok il-kliem "benefiċċju għal mard jew disimpieg", kull fejn jinsabu, għandhom jidhlu f'kull każ il-kliem "benefiċċju għal mard, benefiċċju għal disimpieg jew benefiċċju speċjali għal disimpieg".

Emenda ta' l-artikolu 12 ta' l-Att prinċipali.

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

- (a) is-subartikolu (1) tiegħu għandu jiġi emendat kif ġej:
- (i) minnufih wara l-kliem "benefiċċju għal disimpieg" għandhom jidhlu l-kliem "jew benefiċċju speċjali għal disimpieg"; u
- (ii) minflok il-proviso li hemm għalih għandu jidhlo dan li ġej:

"Izda —

(i) benefiċċju speċjali għal disimpieg għandu jithallas lil persuna assigurata meta dik il-persuna assigurata tkun il-kap tal-familja kif imfisser fl-Att ta' l-1956 dwar l-Għajnuna Nazzjonali u jkollha dritt għal għajnuna soċjali taħt l-imsemmi Att; u

(ii) persuna assigurata ma jkollhiex dritt għal benefiċċju għal mard għall-ewwel tlett ijiem ta' kull darba ta' inkapaċità għax-xogħol;" u

(b) il-paragrafu (f) tas-subartikolu (3) tiegħu hu b'dan imhassar.

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

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

(a) fis-subartikolu (1) tiegħu minflok il-kliem "jew benefiċċju għal mard jew benefiċċju għal disimpieg" għandhom jidhlu l-kliem "benefiċċju għal mard, benefiċċju għal disimpieg jew benefiċċju speċjali għal disimpieg";

(b) fis-subartikolu (2) tiegħu minflok il-kliem "benefiċċju għal mard jew benefiċċju għal disimpieg" għandhom jidhlu l-kliem "benefiċċju għal mard, benefiċċju għal disimpieg jew benefiċċju speċjali għal disimpieg";

(ċ) fis-subartikolu (3) tiegħu minflok il-kliem "benefiċċju għal mard u għal disimpieg" għandhom jidhlu l-kliem "benefiċċju għal mard, benefiċċju għal disimpieg u benefiċċju speċjali għal disimpieg"; u

(d) fis-subartikolu (5) tiegħu minflok il-kliem "benefiċċju għal mard jew benefiċċju għal disimpieg" għandhom jidhlu l-kliem "benefiċċju għal mard, benefiċċju għal disimpieg jew benefiċċju speċjali għal disimpieg".

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

16. Fl-artikolu 15 ta' l-Att prinċipali minnufih wara l-kliem "benefiċċju għal disimpieg" kull fejn jinsabu għandhom jidhlu f'kull każ il-kliem "jew benefiċċju speċjali għal disimpieg".

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

17. L-artikolu 16A ta' l-Att prinċipali għandu jiġi emendat kif ġej:

(a) fis-subartikolu (1) tiegħu —

(i) minnufih wara l-kliem "pensjoni għal invalidità" għandhom jidhlu l-kliem "jew pensjoni miżjuda għal invalidità";

(ii) fil-paragrafu (a) tiegħu, minnufih wara l-kliem "jew mentali" għandhom jidhlu l-kliem "(barra minn *anxiety neurosis*)"; u

(iii) minnufih fit-tarf tiegħu għandu jżied il-proviso li ġej:

"Iżda —

(a) meta persuna assigurata jkollha dritt għal pensjoni tas-servizz, —

(i) jekk il-pensjoni tas-servizz tagħha u r-rata ta' pensjoni għal invalidità applikabbli fil-każ tagħha flimkien ikunu iżjed minn żewġ terzi tal-paga jew tas-salarju li għal dak iż-żmien ikun qed jithallas għall-post li kellha, jew post analogu għalih, minnufih qabel ma giet invalidata, dik il-persuna assigurata jkollha dritt għal pensjoni għal invalidità, hekk iżda li fil-każ ta' persuna assigurata li l-aħħar gurnata tagħha f'impieg assigurabbli taħbat wara l-31 ta' Marzu, 1978, il-pensjoni għal invalidità tagħha għandha titnaqqas b'ammont li jkun daqs dik il-parti tal-pensjoni li tkun r-lattiva għaż-żieda jew għaż-żidiet fil-paga jew fis-salarju tagħha li jkunu bdew isehhu wara l-31 ta' Marzu, 1978; jew

(ii) jekk il-pensjoni tas-servizz tagħha u r-rata ta' pensjoni għal invalidità applikabbli fil-każ tagħha flimkien ma jkunux iżjed minn żewġ terzi tal-paga jew tas-salarju li għal dak iż-żmien ikun qed jithallas għall-post li kellha jew post analogu għalih, minnufih qabel ma giet invalidata, dik il-persuna assigurata jkollha dritt għal pensjoni miżjuda għal invalidità jew għal dik il-parti minnha, hekk li jiġi żgurati li l-imsemmija żewġ terzi ma jiġux maqbuża; jew

(iii) jekk id-data ta' l-ewwel dħul f'impieg assigurabbli ta' dik il-persuna assigurata taħbat fl-1 jew wara l-1 ta' April, 1978, dik il-persuna assigurata ma jkollhiex dritt għal pensjoni għal invalidità iżda għal pensjoni miżjuda għal invalidità jew għal dik il-parti minnha hekk li jiġi żgurati li l-pensjoni miżjuda għal invalidità tagħha u l-pensjoni tas-servizz flimkien ma jkunux iżjed minn żewġ terzi tal-paga jew tas-salarju li għal dak iż-żmien ikun qed jithallas għall-post li kellha, jew post analogu għalih minnufih qabel ma giet invalidata,

u, għall-finijiet ta' dan il-paragrafu, meta l-pensjoni tas-servizz li għaliha persuna assigurata jkollha dritt tkun inqas minn żewġ terzi tal-paga jew tas-salarju u ta' emolumenti pensjonabbli oħra tagħha minnufih qabel ma saret invalida r-riferenzi f'dan il-paragrafu għall-proporzjon ta' żewġ terzi għandhom jiġu sostitwiti b'riferenzi għall-proporzjon li dik il-pensjoni tas-servizz ikollha ma' l-imsemmija paga jew salarju u emolument oħra;

(b) persuna assicurata li ma jkollhiex dritt għal pensjoni tas-servizz ikollha dritt għal pensjoni minima nazzjonali; u

(c) minkejja d-disposizzjonijiet tal-paragrafu (a) tal-proviso għas-subartikolu (1) ta' dan l-artikolu, meta persuna assicurata jkollha dritt għal pensjoni tas-servizz u l-pensjoni tas-servizz tagħha flimkien mar-rata tal-pensjoni għal invalidità jew tal-pensjoni miżjuda għal invalidità applikabbli fil-każ tagħha tkun inqas mir-rata tal-pensjoni minima nazzjonali applikabbli fil-każ tagħha, dik il-persuna assicurata jkollha dritt għall-pensjoni minima nazzjonali kif imnaqqsa bil-pensjoni tas-servizz tagħha.”; u

(b) is-subartikolu (2) tiegħu hu b'dan imħassar.

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

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

(a) fis-subartikolu (1) tiegħu —

(i) minflok il-kliem “raġel ikollu dritt” għandhom jidhru l-kliem “individwu jkollu dritt”;

(ii) minnufih wara l-kliem “pensjoni għal min jirtira” kull fejn jinsabu għandhom jidhru f'kull każ il-kliem “jew pensjoni miżjuda għal min jirtira jew pensjoni minima nazzjonali”; u

(iii) minflok il-proviso għall-paragrafu (c) tiegħu għandu jidhol dan li ġej:

“Izda, jekk ma jagħmilx talba u l-imsemmija dikjarazzjoni fi żmien tliet xhur meta jilhaq l-età ta' pensjoni, hu jkollu dritt għall-pensjoni fil-gurnata li jagħmel it-talba u l-imsemmija dikjarazzjoni.”;

(b) fis-subartikolu (1A) tiegħu minflok il-kelma “raġel” għandha tidhol il-kelma “individwu”;

(c) fis-subartikolu (1B) tiegħu minflok il-kliem “(li ma tkunx Kontribuzzjoni tat-Tielet Klassi jew Kontribuzzjoni Volontarja)” għandhom jidhru l-kliem “(li ma tkunx Kontribuzzjoni tat-Tieni Klassi meqjusa hekk bis-saħħa ta' l-artikolu 3B ta' dan l-Att)”;

(d) minnufih wara s-subartikolu (1B) tiegħu għandu jiż-
died il-proviso li ġej:

“Izda dan is-subartikolu ma japplikax għal persuni li jilhq u l-età tal-pensjoni tagħhom fl-1 jew wara l-1 ta' April, 1978 u fil-każ ta' raġel li jkun lahaq l-età ta' wiehed u sittin sena iżda mhux l-età ta' erbgha u sittin sena fil-31 ta' Marzu, 1978, dan is-subartikolu m'għandux ikompli japplika ma' l-anniversarju ta' twelidu li jkun jaħbat wara d-data laħhar imsemmija.”;

(e) minflok is-subartikolu (1C) tiegħu għandu jidhol dan li ġej:

“(1C) Mara li tkun qed tirċievi pensjoni għal min jirtira fl-1 ta' April 1978 u li tkun qed taħdem xi xogħol bi qliegh li minnu taqla' iktar minn żewġ liri u hamsin centezmu fil-gimgha f'xi perijodu ta' erba' gimghat jew ikollha fil-pussess tagħha liċenza biex tikkummerċja jew hi hekk meqjusa skond id-disposizzjonijiet ta' l-artikolu 17B ta' dan

l-Att ma jkollhiex dritt għal pensjoni miżjuda għal min jirtira jekk f'dak iż-żmien ma jkollhiex l-età ta' hamsa u sittin sena:

Izda ma jiġi kalkolat ebda qlieġ li jinkiseb minn persuna bħala membru ta' xi bord, kumitat jew kunsill imwaqqaf minn jew taht xi liġi jew dik il-klassi jew dawk il-klassijiet l-oħra ta' qlieġ li l-Ministru jista', b'ordni, jiddikjara." u

(f) minnufih wara s-subartikolu (2) tiegħu għandhom jiżdiedu s-subartikoli ġodda li ġejjin:

"(3) Bla hsara għad-disposizzjonijiet ta' dan l-Att meta persuna assigurata jkollha dritt għal pensjoni tas-servizz, —

(i) jekk il-pensjoni tas-servizz tagħha u r-rata tal-pensjoni għal min jirtira applikabbli għaliha flimkien ikunu iżjed minn żewġ terzi tal-paga jew tas-salarju li għal dak iż-żmien ikun qed jithallas għall-post li kellha, jew post analogu għalih, minnufih qabel ma irtirat, dik il-persuna assigurata jkollha dritt għall-pensjoni għal min jirtira, hekk iżda li fil-każ ta' persuna assigurata li l-aħħar ġurnata tagħha f'impieg assigurabbli kienet wara l-31 ta' Marzu, 1978, il-pensjoni għal min jirtira tagħha għandha titnaqqas b'ammont li jkun daqs dik il-parti tal-pensjoni tas-servizz tagħha li tkun relattiva għaż-żieda jew għaż-żidiet fil-paga jew fis-salarju tagħha li jkunu bdew isehhu wara l-31 ta' Marzu, 1978; jew

(ii) jekk il-pensjoni tas-servizz tagħha u r-rata ta' pensjoni għal min jirtira applikabbli għaliha flimkien ma jkunux iżjed minn żewġ terzi tal-paga jew tas-salarju li għal dak iż-żmien ikun qed jithallas għall-post li kellha, jew post analogu għalih, minnufih qabel ma rtirat, dik il-persuna assigurata jkollha dritt għall-pensjoni miżjuda għal min jirtira jew għal dik il-parti minnha hekk li jiġi żgurat li l-imsemmija żewġ terzi ma jiġux maqbuża; jew

(iii) jekk id-data ta' l-ewwel dhul f'impieg assigurabbli ta' dik il-persuna assigurata taħbat fl-1 jew wara l-1 ta' April, 1978 dik il-persuna assigurata ma jkollhiex dritt għal pensjoni għal min jirtira iżda għal pensjoni miżjuda għal min jirtira jew għal dik il-parti minnha hekk li jiġi żgurat li l-pensjoni miżjuda għal min jirtira tagħha u l-pensjoni tas-servizz flimkien ma jkunux iżjed minn żewġ terzi tal-paga jew tas-salarju li għal dak iż-żmien ikun qed jithallas għall-post li kellha, jew post analogu għalih, minnufih qabel ma rtirat.

(4) Għall-finijiet tas-subartikolu (3) ta' dan l-artikolu, meta l-pensjoni tas-servizz li għaliha persuna assigurata jkollha dritt tkun inqas minn żewġ terzi tal-paga jew tas-salarju u ta' emolumenti pensjonabbli oħra tagħha minnufih qabel ma rtirat, ir-riferenzi f'dan is-subartikolu għall-proporzjon ta' żewġ terzi għandhom jiġu sostitwiti b'riferenzi għall-proporzjon li dik il-pensjoni tas-servizz ikollha ma' l-imsemmija paga jew salarju u emolumenti oħra;

(5) Bla hsara għad-disposizzjonijiet ta' dan l-Att, persuna assigurata li ma jkollhiex dritt għal pensjoni tas-servizz ikollha dritt għal pensjoni minima nazzjonali.

(6) Minkejja d-disposizzjonijiet tas-subartikolu (4) ta' dan l-artikolu, meta persuna assigurata jkollha dritt għal pensjoni tas-servizz u l-pensjoni tas-servizz tagħha flimkien mar-rata ta' pensjoni għal min jirtira jew ta' pensjoni miżjuda għal min jirtira applikabbli għaliha jkunu inqas mir-rata ta' pensjoni minima nazzjonali applikabbli għaliha, dik il-persuna assigurata jkollha dritt għall-pensjoni minima nazzjonali mnaqqsa bil-pensjoni tas-servizz tagħha.”.

Zieda ta' artikoli godda 17A u 17B ma' l-Att prinċipali.

19. Minnufih wara l-artikolu 17 ta' l-Att prinċipali għandhom jiżdiedu l-artikoli godda li ġejjin:

“Hlas ta' pensjoni bir-rata ta' persuna waħedha lil raġel miżżewweġ.

17A. Meta raġel miżżewweġ isir invalidu jew inkapaċitat jew jilhaq l-età tal-pensjoni fl-1 jew wara l-1 ta' April, 1978, u jiġi ntitolat li jirċievi pensjoni li tithallas taħt l-artikolu 16A, l-artikolu 17 jew l-artikolu 24 ta' dan l-Att, f'dan il-każ, jekk martu tkun qed tirċievi fid-dritt tagħha stess xi pensjoni li tithallas taħt l-imsemmija artikoli, il-pensjoni li għandha tithallas tkun dik bir-rata applikabbli għal persuna waħedha:

Iżda fil-każ li mara, li tkun diġà qed tirċievi pensjoni li tithallas taħt l-imsemmija artikoli, tirrinunzja għall-imsemmi dritt, il-pensjoni li tithallas lil żewġha tkun dik bir-rata applikabbli għal raġel miżżewweġ.

Limitazzjoni ta' l-applikabilità ta' l-artikoli 16A, 17 u 17A.

17B. (1) Persuna assigurata tkun skwalifikata milli tirċievi pensjoni li tithallas taħt l-artikoli 16A, 17 u 17A ta' dan l-Att għal kull perijodu li matulu dik il-persuna assigurata jew mart jew żewġ dik il-persuna assigurata, skond il-każ, ikollha fil-pussess tagħha xi liċenza biex tmexxi kummerċ jew negozju maħruġa mill-Kummissarju tal-Pulizija:

Iżda meta raġel miżżewweġ ikollu dritt li jirċievi xi pensjoni bħal dik u martu jkollha fil-pussess tagħha liċenza biex tikkummerċja dwar negozju li hi ma tkunx akkwistat la b'titolu oneruż u lanqas wara li tkun iżżewweġ, dak ir-raġel miżżewweġ ikollu dritt li jirċievi l-pensjoni tiegħu bir-rata ta' persuna waħedha.

(2) Għall-finijiet ta' dan l-artikolu meta liċenza biex tikkummerċja tkun f'xi żmien f'isem persuna assigurata, u n-negozju li għalih tirreferi l-liċenza jkun f'xi żmien trasferit mill-imsemmija persuna assigurata lil xi persuna li tkun tirrisjedi magħha fiż-żmien meta ssir l-applikazzjoni għal pensjoni kif imsemmi fis-subartikolu (1) ta' dan l-artikolu jew meta dik il-pensjoni tkun qed tithallas, dik il-persuna assigurata għandha titqies li tkun għadha fil-pussess tal-liċenza biex tikkummerċja.”.

Emenda ta' l-artikolu 24 ta' l-Att prinċipali.

20. Minnufih wara s-subartikolu (7) ta' l-artikolu 24 ta' l-Att prinċipali għandu jiżdied is-subartikolu ġdid li ġej:

“(8) Meta raġel li jkollu dritt għal pensjoni għal inkapaċità jibqa', minhabba telf ta' fakoltà relativa, mhux tajjeb għax-xogħol u x'aktarx hekk jibqa' permanentement, ir-rata ta' benefiċċju fil-gimgha tiegħu għandha tiżdied, jekk ikun miżżewweġ, b'ammont kif muri fil-Parti V tat-Tielet Skeda li tinsab ma' dan l-Att.”.

21. Fil-paragrafu (b) ta' l-artikolu 26 ta' l-Att prinċipali min-flok il-kliem "19-il sena" kull fejn jinsabu għandhom jidhlu f'kull każ il-kliem "18-il sena". Emenda ta' l-artikolu 26 ta' l-Att prinċipali.
22. L-artikolu 29 ta' l-Att prinċipali hu b'dan imħassar. Thassir ta' l-artikolu 29 ta' l-Att prinċipali.
23. Fl-artikolu 30 ta' l-Att prinċipali, minflok il-kliem "fl-aħħar linja tal-Parti V" kull fejn jinsabu għandhom jidhlu f'kull każ il-kliem "fit-tieni u fit-tielet kolonna tal-Parti VI". Emenda ta' l-artikolu 30 ta' l-Att prinċipali.
24. L-artikolu 33 ta' l-Att prinċipali għandu jiġi emendat kif ġej: Emenda ta' l-artikolu 33 ta' l-Att prinċipali.
- (a) fil-paragrafu (b) tiegħu minnufih wara l-kelma "disimpieg" għandhom jidhlu l-kliem "speċjali ta' disimpieg"; u
- (b) fil-paragrafu (ċ) minflok il-kliem "pensjoni għal min jirtira li tithallas lil raġel" għandhom jidhlu l-kliem "pensjoni għal min jirtira, pensjoni miżjuda għal min jirtira jew pensjoni minima nazzjonali li tithallas lil persuna".
25. L-artikolu 34 ta' l-Att prinċipali għandu jiġi emendat kif ġej: Emenda ta' l-artikolu 34 ta' l-Att prinċipali.
- (a) fil-paragrafu (ċ) tas-subartikolu (1) tiegħu, minnufih wara l-kliem "benefiċċju għal disimpieg" għandhom jidhlu l-kliem "jew benefiċċju speċjali għal disimpieg"; u
- (b) is-subartikolu (2) tiegħu għandu jiġi emendat kif ġej:
- (i) fil-paragrafu (b) tiegħu minflok il-kliem "jew pensjoni għal invalidità" għandhom jidhlu l-kliem "pensjoni għal invalidità jew pensjoni miżjuda għal invalidità"; u
- (ii) fil-paragrafu (ċ) tiegħu minnufih wara l-kliem "benefiċċju għal disimpieg" għandhom jidhlu l-kliem "jew benefiċċju speċjali għal disimpieg".
26. L-artikolu 35 ta' l-Att prinċipali għandu jiġi emendat kif ġej: Emenda ta' l-artikolu 35 ta' l-Att prinċipali.
- (a) fil-paragrafu (b) tas-subartikolu (1) tiegħu —
- (i) minnufih wara l-kliem "jew disimpieg" fis-sub-paragrafu (ii) għandhom jiżdiedu l-kliem "jew benefiċċju speċjali għal disimpieg"; u
- (ii) minnufih wara l-kliem "minn żmien għal żmien" fis-sub-paragrafu (iii) għandhom jidhlu l-kliem "iżda kull meta r-rati jiżdiedu, id-differenza bejn ir-rati l-ġodda u r-rati l-qodma jistgħu jithallsu bil-quddiem f'intervalli ta' mhux iżjed minn tlettax-il ġimgħa mid-data meta jiżdiedu r-rati";
- (b) fis-subartikolu (2) tiegħu minflok il-kliem "pensjoni għal min jirtira" għandhom jidhlu l-kliem "pensjoni miżjuda għal invalidità, pensjoni għal min jirtira, pensjoni miżjuda għal min jirtira, u pensjoni minima nazzjonali".
27. L-artikolu 40 ta' l-Att prinċipali għandu jiġi emendat kif ġej: Emenda ta' l-artikolu 40 ta' l-Att prinċipali.
- (a) minflok il-paragrafu (b) tiegħu għandu jidhol dan li ġej:
- "(b) jekk persuna hijiex jew kenitx persuna mpjegata jew persuna li timpjega lilha nnifisha,"; u

(b) fil-paragrafu (d) tiegħu minflok il-kliem "taħt l-artikolu hamsa A jew taħt l-artikolu sebgha ta' dan l-Att" għandhom jidhlu l-kliem "jew taħt l-artikolu hamsa A ta' dan l-Att".

Emenda ta' l-artikolu 41 ta' l-Att prinċipali.

28. Fil-paragrafu (a) tal-proviso għall-artikolu 41 ta' l-Att prinċipali, minflok il-kliem "benefiċċju għal inkapaċità jew pensjoni għal invalidità" għandhom jidhlu l-kliem "benefiċċju għal inkapaċità, pensjoni għal invalidità jew pensjoni miżjuda għal invalidità".

Sostituzzjoni ta' l-artikolu 50 ta' l-Att prinċipali.

29. Minflok l-artikolu 50 ta' l-Att prinċipali għandu jidhol l-artikolu ġdid li ġej:

"Kont tas-Sigurtà Nazzjonali.

50. (1) Għall-finijiet ta' dan l-Att il-kontribuzzjonijiet kollha li jithallsu taħt dan l-Att minn persuni assigurati, minn prinċipali u mill-Fond Konsolidat, u l-pieni kollha mposti skond is-subartikolu (1) ta' l-artikolu 63 u l-artikolu 63A ta' dan l-Att għandhom jithallsu lit-Teżor għak-kreditu ta' kont speċjali li għandu jissejjaħ "il-Kont tas-Sigurtà Nazzjonali" hawnhekk iżjed 'il quddiem imsejjaħ "il-Kont".

(2) Il-benefiċċji kollha li jithallsu taħt dan l-Att għandhom joħroġu mill-Kont mingħajr aktar approprjazzjoni hlief dan l-Att.

(3) Jekk f'xi żmien il-flus fil-Kont ma jkunux biżżejjed biex ikunu jistgħu jithallsu l-benefiċċji mill-Kont, il-Ministru responsabbli għall-finanzi jista', biex jithallsu dawk il-benefiċċji, javvanza lill-Kont dawk is-somom li jidhirlu xierqa mill-Fond Konsolidat mingħajr aktar approprjazzjoni hlief dan l-Att jew mill-Fond ta' Helsien tat-Teżorerija. Meta l-avvanz ikun sar mill-Fond l-aħħar imsemmi dan għandu jithallas lura, fuq dawk il-pattijiet u l-kondizzjonijiet li l-Ministru responsabbli għall-finanzi jista' jistabbilixxi, mid-dhul li jithallas fil-Kont skond is-subartikolu (1) ta' dan l-artikolu.

(4) Dikjarazzjoni li turi id-dhul fil-Kont u l-hlasijiet li jsiru minnu għandha, kemm jista' jkun malajr wara l-egħluq ta' kull sena finanzjarja u f'ebda każ iktar tard minn tliet xhur wara l-egħluq ta' dik is-sena, tintbagħat mill-*Accountant General* lid-Direttur ta' Verifika, u s-subartikolu (2) ta' l-artikolu 62 ta' l-Att ta' l-1962 dwar l-Amministrazzjoni Finanzjarja u l-Verifika għandu japplika għal dikjarazzjonijiet bħal dawn."

Att Nru. I ta' l-1962.

Thassir ta' l-artikolu 52 ta' l-Att prinċipali.

30. L-artikolu 52 ta' l-Att prinċipali hu b'dan imħassar.

Emenda ta' l-artikolu 53 ta' l-Att prinċipali.

31. L-artikolu 53 ta' l-Att prinċipali għandu jiġi emendat kif ġej:

(a) is-subartikolu (1) tiegħu għandu jithassar; u
(b) fis-subartikolu (2) tiegħu minflok il-kliem "tal-Fond" għandhom jidhlu l-kliem "tal-Kont".

Emenda ta' l-artikolu 54 ta' l-Att prinċipali.

32. L-artikolu 54 ta' l-Att prinċipali għandu jiġi emendat kif ġej:

(a) fis-subartikolu (1) tiegħu minflok il-kliem "żewġ liri" għandhom jidhlu l-kliem "hames liri"; u

(b) fis-subartikolu (4) tiegħu l-kliem "lill-Fond" għandhom jithassru.

33. L-artikolu 54A ta' l-Att prinċipali għandu jiġi emendat kif ġej:

Emenda ta' l-artikolu 54A ta' l-Att prinċipali.

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

"(1) Jekk persuna assigurata tonqos jew tittraskura li tħallas kontribuzzjoni tat-tieni klassi, tehel, għal kull reat bħal dak, meta tinsab hatja, ammenda ta' mhux inqas minn hames liri.";

(b) fis-subartikolu (3) tiegħu minflok il-kliem "kontribuzzjonijiet tat-tieni klassi jew tal-kontribuzzjonijiet tat-tielet klassi mhux imħallsa, skond il-każ" għandhom jidhlu l-kliem "kontribuzzjonijiet mhux imħallsa"; u

(ċ) fis-subartikolu (4) tiegħu l-kliem "lill-Fond" għandhom jithassru.

34. L-artikolu 55 ta' l-Att prinċipali għandu jiġi emendat kif ġej:

Emenda ta' l-artikolu 55 ta' l-Att prinċipali.

(a) fis-subartikolu (1) tiegħu —

(i) il-kliem "jew xi bolli ta' sigurtà wżati" fil-paragrafu (a) għandhom jithassru;

(ii) il-paragrafu (b) tiegħu għandu jithassar; u

(b) is-subartikolu (2) tiegħu għandu jithassar.

35. Fl-artikolu 57 ta' l-Att prinċipali, minflok il-kelma "lira" għandhom jidhlu l-kliem "hames liri".

Emenda ta' l-artikolu 57 ta' l-Att prinċipali.

36. Fis-subartikolu (1) ta' l-artikolu 62 ta' l-Att prinċipali minflok il-kliem "pensjoni għal min jirtira, allowance speċjali ta' armla, pensjoni għal invalidità" għandhom jidhlu l-kliem "pensjoni għal min jirtira, pensjoni miżjuda għal min jirtira, pensjoni minima nazzjonali, allowance speċjali ta' armla, pensjoni għal invalidità, pensjoni miżjuda għal invalidità".

Emenda ta' l-artikolu 62 ta' l-Att prinċipali.

37. Fis-subartikolu (1) ta' l-artikolu 63 ta' l-Att prinċipali, minflok il-kelma "lira" għandhom jidhlu l-kliem "hames liri".

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

38. Minflok l-artikolu 63A ta' l-Att prinċipali għandu jidhlo l-artikolu ġdid li ġej:

Sostituzzjoni ta' l-artikolu 63A ta' l-Att prinċipali.

"Pieni mposti mid-Direttur jil persuni assigurati.

63A. Meta persuna assigurata tkun naqset jew ittraskurat li tħallas xi kontribuzzjoni tat-tieni klassi, li skond dan l-Att hija sugġetta li tħallas, ma għandhom jittiehdu ebda proċedimenti kontra tagħha jekk, wara li tiġi mogħtija lilha ntimazzjoni bil-miktub ta' l-akkuża kontra tagħha, hi taċċetta li tħallas u fil-fatt tħallas lid-Direttur f'dak iż-żmien li jista' jiġi stabbilit minnu piena ta' mhux iżjed minn hames liri għal kull nuqqas jew traskuraġni bħal dawk, kif jiġi stabbilit mid-Direttur, flimkien ma' kull ammont dovut dwar kontribuzzjonijiet mhux imħallsa."

39. Fil-paragrafu (ċ) tas-subartikolu (2) ta' l-artikolu 64 ta' l-Att prinċipali, minnufih wara l-kliem "benefiċċju għal disimpieg" għandhom jidhlu l-kliem "jew benefiċċju speċjali għal disimpieg".

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

Emenda ta' l-artikolu 68 ta' l-Att prinċipali.

40. L-artikolu 68 ta' l-Att prinċipali għandu jiġi emendat kif ġej:
- (a) is-subartikolu (3) tiegħu hu b'dan imħassar;
 - (b) fis-subartikolu (7) tiegħu, minflok il-kliem "mill-Fond" għandhom jidhlu l-kliem "mill-Kont".

Sostituzzjoni ta' l-artikolu 69 ta' l-Att prinċipali.

41. Minflok l-artikolu 69 ta' l-Att prinċipali għandu jidhlo l-artikolu ġdid li ġej:

"Kontribuzzjonijiet minn mara miżżewġa.

69. Meta mara miżżewġa li, sat-2 ta' April, 1978, kienet hallset kontribuzzjoni volontarja u, skond l-artikolu 4A ta' dan l-Att, m'hijiex meqjusa bħala persuna li timpjega lilha nnifisha, dik il-mara miżżewġa, meta tagħmel applikazzjoni lid-Direttur qabel it-30 ta' Settembru, 1978, ikollha dritt jew:

(a) li tithallas lura l-ammont ta' dawk il-kontribuzzjonijiet hekk imħallsa; jew

(b) li jew fuq it-talba tagħha u salv id-disposizzjonijiet ta' dan l-Att, il-kontribuzzjonijiet hekk imħallsa jithallew jimmaturaw sakemm tilhaq l-età tal-pensjoni, iżda f'kull każ bhal dak hi mbagħad ikollha dritt biss għal pensjoni għal min jirtira."

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

42. Minflok il-paragrafu (a) ta' l-artikolu 76 ta' l-Att prinċipali għandu jidhlo dan li ġej:

"(a) fil-każ ta' *allowance* tat-tfal —

(i) dwar l-ewwel tifel jew tifla eliġibbli 165 ċenteżmu fil-ġimgħa;

(ii) dwar it-tieni tifel jew tifla eliġibbli 140 ċenteżmu fil-ġimgħa; u

(iii) dwar it-tielet tifel jew tifla eliġibbli 95 ċenteżmu fil-ġimgħa;" ...

Emenda ta' l-Ewwel Skeda li tinsab ma' l-Att prinċipali.

43. Il-Parti II ta' l-Ewwel Skeda li tinsab ma' l-Att prinċipali għandha tiġi emendata kif ġej:

(a) il-paragrafi 4 u 5 tagħha huma b'dan imħassra;

(b) fil-paragrafu 9 tagħha, minflok il-kliem "okkażjonalment jew" għandhom jidhlu l-kliem "okkażjonalment u"; u

(c) il-paragrafu 10 tiegħu hu b'dan imħassar.

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

44. Minflok it-Tieni Skeda li tinsab ma' l-Att prinċipali għandu jidhlo dan li ġej:

"IT-TIENI SKEDA

Rati fil-Ġimgħa ta' Kontribuzzjonijiet

PART I

Kontribuzzjonijiet ta' l-Ewwel Klassi

Klassi ta' Persuni Mpjeġati	Rata fil-ġimgħa ta' kontribuzzjoni li għandha tithallas mill-persuna mpjeġata, mill-prinċipal tagħha u mill-Fond Konsolidat
Persuni ta' età assigurabbli jew fuqha ...	£1.44,0
Subien u bniet fuq l-età ta' 14-il sena iżda taht l-età assigurabbli	50c0

PARTI II

Kontribuzzjonijiet tat-Tieni Klassi

Klassi ta' Persuni Assigurati	Rata fil-Gimgha ta' Kontribuzzjoni tat-Tieni Klassi
Persuni li d-dhul nett totali taghhom ikun iżjed minn £1,100 fis-sena	£2.85,0
Persuni li d-dhul nett totali taghhom ma jkunx iżjed minn £1,100 fis-sena ...	£1.44,0''

45. Minflok it-Tielet Skeda li tinsab ma' l-Att prinċipali ghandu jidhol dan li ġej:

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

"IT-TIELET SKEDA

PARTI I

Rata ta' Benefiċċju barra minn Benefiċċju għal Mard, Benefiċċju għal Disimpieg, Benefiċċju Speċjali għal Disimpieg, Benefiċċju għal Korrimment u Pensjoni għal Inkapaċità

Xorta ta' Benefiċċju	Rata fil-gimgha	
	Persuna wahedha jew Mara Miżzewġa	Raġel Miżzewweg
	£ c m	£ c m
(a) Pensjoni Minima Nazzjonali	8.60,0	13.50,0
(b) Pensjoni Miżjuda għal min Jirtira ...	8.10,0	13.24,0
(ċ) Pensjoni għal min Jirtira	7.40,0	12.10,0
(d) Pensjoni Miżjuda għal Invalidità ...	8.10,0	13.24,0
(e) Pensjoni għal Invalidità	7.40,0	12.10,0
(f) Pensjoni ta' Armla	8.10,0	—
(g) Allowance Speċjali ta' Armla ...	3.00,0	—
(h) Allowance għal Tutur	1.89,0	—
(i) Benefiċċju għal Mewt:		
(i) Benefiċċju ta' armla	9.36,0	—
(ii) Benefiċċju ta' armel	9.36,0	—
(iii) Allowance ta' armla	3.56,0	—
(iv) Allowance ta' ltiema	2.97,0	—
(v) Allowance tal-ġenituri	8.10,0	13.24,0

PARTI IA

Rata ta' Benefiċċju għal Mard, Benefiċċju għal Disimpieg, Benefiċċju Speċjali għal Disimpieg u Benefiċċju għal Korriment

Xorta ta' Benefiċċju	Rata ta' kuljum	
	Persuna wahedha jew Mara Mizzewga	Raġel Mizzewweg
	£ c m	£ c m
(a) Benefiċċju għal Mard	1.35,0	2.20,0
(b) Benefiċċju għal Disimpieg	1.24,0	2.02,0
(c) Benefiċċju Speċjali għal Disimpieg ...	1.43,0	2.25,0
(d) Benefiċċju għal Korriment —		
Persuni ta' età assigurabbli	2.52,0	3.40,0
Persuni taħt l-età assigurabbli	1.15,0	2.03,0

PARTI II

Ammont ta' Bonus għal Żwieġ

£ c m

61.29,0

PARTI III

Ammonti ta' Gratifikazzjoni għal Inkapaċità

Grad ta' Inkapaċità	Ammont ta' Gratifikazzjoni
%	£ c m
1	29.22,0
2	58.44,0
3	87.66,0
4	110.88,0
5	146.10,0
6	175.32,0
7	204.54,0
8	233.76,0
9	262.98,0
10	292.20,0
11	321.42,0
12	350.64,0
13	379.86,0
14	409.08,0
15	438.30,0
16	467.52,0
17	496.74,0
18	525.96,0
19	555.18,0

PARTI IV

Rati ta' Pensjoni ghal Inkapaçità

Grad ta' Inkapaçità	Rati fil-gimgha	
	Persuni ta' Età Assigurabbli	Persuni taht l-Età Assigurabbli
	£ c m	£ c m
%		
100	8.10,0	4.05,0
90	7.12,0	3.56,0
80	6.34,0	3.17,0
70	5.64,0	2.82,0
60	4.82,0	2.41,0
50	4.32,0	2.16,0
40	3.46,0	1.73,0
30	2.72,0	1.36,0
20	1.92,0	0.96,0

PARTI V

Żieda ta' Benefiççju ghal Inkapaçità ghal mara miżżewġa meta minhabba t-telf tal-fakultà żewġha ma jkunx kapaçi għax-xogħol u x'aktarx hekk jibqa' inkapaçi permanentement

Rata fil-gimgha

£ c m

5.14,0

PARTI VI

Żieda ta' Pensjoni ta' Armla, Benefiççju ta' Armla u Benefiççju ta' Armel ghal iben

Xorta ta' Benefiççju	Rata fil-gimgha ghal kull tifel jew tifla li dwarhom tkun qed tithallas allowance tat-tfal taht il-Parti VIII ta' dan l-Att	Rata fil-gimgha ghal kull tifel ieħor jew tifla ohra
	£ c m	£ c m
(a) Pensjoni ta' Armla	0.85,0	0.93,0
(b) Benefiççju ta' Armla	0.85,0	0.93,0
(c) Benefiççju ta' Armel	0.85,0	0.93,0"

Emenda tar-Raba' Skeda li tinsab ma' l-Att prinċipali.

46. Ir-Raba' Skeda li tinsab ma' l-Att prinċipali għandha tiġi emendata kif ġej:

(a) fil-paragrafu (2) tagħha minnufih wara l-kliem "jew benefiċċju għal disimpieg" għandhom jidhlu l-kliem "jew benefiċċju speċjali għal disimpieg";

(b) il-paragrafu 3 tagħha għandu jiġi emendat kif ġej:

(i) minflok il-kliem "Il-kondizzjonijiet ta' kontribuzzjoni għall-pensjoni ta' armla jew pensjoni għal min jirtira huma" għandhom jidhlu l-kliem "Il-kondizzjonijiet tal-kontribuzzjoni għal pensjoni ta' armla, pensjoni għal min jirtira, pensjoni miżjuda għal min jirtira jew pensjoni minima nazzjonali huma";

(ii) fil-paragrafu (b) tal-proviso li hemm għalih minnufih wara l-kliem "t-tmintax ta' Ottubru, 1971" għandhom jidhlu l-kliem "jew pensjoni għal min jirtira jew pensjoni minima nazzjonali fl-1 jew wara l-1 ta' April, 1978"; u

(iii) fil-paragrafu (ċ) tal-proviso li hemm għalih minnufih wara l-kliem "pensjoni għal min jirtira" kull fejn jinsabu għandhom jidhlu f'kull każ il-kliem "pensjoni miżjuda għal min jirtira jew pensjoni minima nazzjonali"; u

(ċ) fil-paragrafu 5 tagħha minnufih wara l-kliem "pensjoni ta' invalidità" għandhom jidhlu l-kliem "jew pensjoni miżjuda għal invalidità".

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

47. Minflok il-Hames Skeda li tinsab ma' l-Att prinċipali għandu jidhol dan li ġej:

"IL-HAMES SKEDA

PARTI I

Ammonti Mnaqqsa tal-'Bonus' għal Żwieġ

Numru ta' kontribuzzjonijiet imħallsa minn mara assicurata	Ammont ta' 'Bonus' għal Żwieġ
	£ c m
250 jew iżjed (Ammont Shih)	61.29,0
225 — 249	58.10,0
200 — 224	51.97,0
175 — 199	45.84,0
150 — 174	39.72,0
125 — 149	33.59,0
100 — 124	27.46,0
75 — 99	21.33,0

PARTI II

Rati Mnaqqsa ta' Benefiċċju

A. Pensjoni Minima Nazzjonali

Medja fis-sena ta' kontribuzzjonijiet imhallsa jew akkreditati	Rata fil-Gimgha tal-Pensjoni Minima Nazzjonali	
	Persuna waħedha jew Mara Miżżewġa	Raġel Miżżewwieg
	£ c m	£ c m
50 jew iżjed (rata shiħa)	8.60,0	13.50,0
40 — 49	7.65,0	12.02,0
30 — 39	5.93,0	9.32,0
20 — 29	4.21,0	6.62,0

B. Pensjoni Miżjuda għal min Jirtira u Pensjoni Miżjuda għal Invalidità

Medja fis-sena ta' kontribuzzjonijiet imhallsa jew akkreditati	Rata fil-Gimgha ta' Pensjoni Miżjuda għal min Jirtira u Pensjoni Miżjuda għal Invalidità	
	Persuna waħedha jew Mara Miżżewġa	Raġel Miżżewwieg
	£ c m	£ c m
50 jew iżjed (rata shiħa)	8.10,0	13.24,0
40 — 49	7.21,0	11.78,0
30 — 39	5.59,0	9.14,0
20 — 29	3.97,0	6.49,0

Ċ. Pensjoni għal min Jirtira u Pensjoni għal Invalidità

Medja fis-sena ta' kontribuzzjonijiet imhallsa jew akkreditati	Rata fil-Gimgha ta' Pensjoni għal min Jirtira u Pensjoni għal Invalidità	
	Persuna waħedha jew Mara Miżżewġa	Raġel Miżżewwieg
	£ c m	£ c m
50 jew iżjed (rata shiħa)	7.40,0	12.10,0
40 — 49	6.66,0	10.98,0
30 — 39	5.10,0	8.34,0
20 — 29	3.72,0	6.12,0

D. Pensjoni ta' Armla

Medja fis-sena ta' kontribuzzjonijiet imhallsa jew akkreditati	Rata fil-Gimgha ta' Pensjoni ta' Armla	
	£ c m	
50 jew iżjed (rata shiha)	8.10,0	
40 — 49	7.21,0	
30 — 39	5.59,0	
20 — 29	3.97,0	

E. Benefiċċju ghal Mard

Numru ta' kontribuzzjonijiet imhallsa jew akkreditati fis-sena ta' kontribuzzjoni relattiva	Rata ta' Kuljum tal-Benefiċċju ghal Mard	
	Persuna wahedha jew Mara Miżżewġa	Raġel Miżżewweġ
	£ c m	£ c m
50 jew iżjed (rata shiha)	1.35,0	2.20,0
40 — 49	1.20,0	1.96,0
30 — 39	0.93,0	1.52,0
20 — 29	0.66,0	1.08,0

F. Benefiċċju ghal Disimpieg

Numru ta' kontribuzzjonijiet imhallsa jew akkreditati fis-sena ta' kontribuzzjoni relattiva	Rata ta' Kuljum tal-Benefiċċju ghal Disimpieg	
	Persuna wahedha jew Mara Miżżewġa	Raġel Miżżewweġ
	£ c m	£ c m
50 jew iżjed (rata shiha)	1.24,0	2.02,0
40 — 49	1.11,0	1.83,0
30 — 39	0.85,0	1.39,0
20 — 29	0.62,0	1.02,0

G. Benefiċċju Speċjali ghal Disimpieg

Numru ta' kontribuzzjonijiet imhallsa jew akkreditati fis-sena ta' kontribuzzjoni relattiva	Rata ta' Kuljum tal-Benefiċċju Speċjali ghal Disimpieg	
	Persuna wahedha jew Mara Miżżewġa	Raġel Miżżewweġ
	£ c m	£ c m
50 jew iżjed (rata shiha)	1.43,0	2.25,0
40 — 49	1.27,0	2.00,0
30 — 39	0.99,0	1.55,0
20 — 29	0.70,0	1.10,0"

48. Minnufih wara s-Seba' Skeda li tinsab ma' l-Att prinċipali għandha tiżdied l-Iskeda ġdida li ġejja:

Zieda ta' Skeda ġdida ma' l-Att prinċipali.

"IT-TMIEN SKEDA

Artikolu 5A

Kalkolu tal-mezzi għall-finijiet ta' eżenzjoni mill-hlas ta' kontribuzzjoni fil-ġimgha

1. Fil-kalkolu tal-mezzi ta' persuna, għandu jiġi meqjus —

(a) il-valur fis-sena ta' kull proprjetà ta' dik il-persuna (barra minn għamara u oġġetti personali) li tkun investita jew li xort'ohra tkun qed tintuża minn dik il-persuna bi profitt, jew li, għalkemm tkun tista' tiġi nvestita jew isir użu minnha bi profitt, ma tkunx hekk investita jew sar użu minnha bi profitt minn dik il-persuna:

Iżda —

(i) l-ewwel hamsa u għoxrin lira tal-valur kapitali ta' l-imsemmija proprjetà għandhom jiġu esklużi; u

(ii) il-valur fis-sena tat-tliet mija u hamsa u sebgħin lira li jkun imiss tal-valur kapitali ta' l-imsemmija proprjetà għandu jitqies li jkun tlieta u kwart fil-mija tal-valur kapitali; u

(iii) il-valur fis-sena ta' dik il-parti tal-valur kapitali ta' l-imsemmija proprjetà li jkun iżjed mis-somma ta' erba' mitt lira għandu jitqies li hu sitta u nofs fil-mija tal-valur kapitali; u

(iv) meta l-valur fis-sena ta' xi proprjetà jitqies li hu tlieta u kwart jew, skond il-każ, tlieta u kwart u sitt u nofs fil-mija tal-valur kapitali tagħha, kull ma jintuża minn dik il-proprjetà għall-finijiet ta' spejjeż kurrenti ma jiġi meqjus taht ebda waħda mid-disposizzjonijiet ta' din l-Iskeda;

(b) meta d-dar ta' residenza ta' persuna li tapplika għal eżenzjoni ma tkunx ġiet akkwistata b'titolu oneruż minn din il-persuna, jew minn żewġ jew mart dik il-persuna, il-mezzi fis-sena tal-valur kapitali tad-dar ta' residenza m'għandhomx jiġu kalkolati taht is-sub-paragrafu (a) ta' dan il-paragrafu, iżda għandhom jiġu kalkolati kif ġej:

(i) l-ewwel £100 tal-valur kapitali tad-dar ta' residenza għandhom jiġu esklużi, u

(ii) il-valur fis-sena tad-dar ta' residenza fuq il-bqija għandu jitqies li hu tnejn u kwart fil-mija tal-valur kapitali mnaqqas:

Iżda, fil-każ ta' persuna li tkun waħda minn koppja miżżewġa li dwarha japplika l-paragrafu 2 ta' din l-Iskeda, meta l-valur tad-dar ta' residenza jkun iżjed minn £3,000 il-valur fis-sena ta' kull valur kapitali li jkun iżjed minn £3,000 għandu jitqies li hu għaxra fil-mija għal kull mitejn lira (£200) jew parti minnhom;

(c) id-dhul li dik il-persuna hi mistennija b'mod xieraq li tircievi matul is-sena ta' wara, fi flus, barra minn xi somom li jkunu riċevibbli akkont ta' benefiċċju taht dan l-Att jew ta' *allowance* taht il-Parti VIII ta' dan l-Att, u barra minn kull somom li jinjalghu mill-investmentj jew uzu bi profitt ta' proprjeta' (barra minn ghamara u oġġetti personali) liema dhul, ghandu jitqies li hu d-dhul li fil-fatt ikun gie riċevut fis-sena ta' qabel:

Izda ma jitqies ebda ammont riċevut minn persuna jew minn żewġ jew mart dik il-persuna, skond il-każ —

(i) bhala benefiċċju għal mard minn soċjeta' filantropika jew *trade union*;

(ii) bhala għajnuna taht l-Att ta' l-1956 dwar l-Għajnuna Nazzjonali;

(iii) bhala pensjoni mogħtija taht l-Iskim ta' l-1941 dwar il-Korrimenti fil-Persuna li jiġru lil Pajżani, jew minhabba korrimenti li ggarbu bhala riżultat ta' azzjoni ta' gwerra;

(iv) bhala kontribuzzjoni għall-ispejjeż ta' familja ta' persuna jew ta' żewġ jew mart persuna, skond il-każ, minn ulied, mill-ġenituri, jew minn hut dik il-persuna, jew

(v) bhala pensjoni mogħtija taht l-Att dwar il-Pensjonijiet lil Nisa Romol u Tfal Iltiema.

Għall-finijiet ta' dan il-paragrafu —

(i) "għamara" tfisser biss oġġetti ta' l-għamara li b'mod raġonevoli jkunu meħtieġa u ma tinkludix oġġetti ta' għamara li l-valur intrinsiku tagħhom ikun oghla minhabba żmien, materjal uzat, rarità jew xort'ohra;

(ii) "oġġetti personali" ma tinkludix gojjellerija u perli u lanqas oġġetti magħmulin minn metalli prezz-jużi;

(d) bla hsara għad-disposizzjonijiet tas-sub-paragrafi minn (a) sa (c) tal-paragrafu I ta' din l-Iskeda l-valur fis-sena ta' kull benefiċċju jew privileġġ li jitgawda minn dik il-persuna barra mill-benefiċċju jew privileġġ li jitgawda bhala rikoverat f'istituzzjoni privata.

2. Bla hsara għad-disposizzjonijiet tas-sub-paragrafi minn (a) sa (c) tal-paragrafu I ta' din l-Iskeda, fil-kalkolu tal-mezzi ta' raġel miżżewweġ li jkun qed imantni għal kollox lil martu, għandu jiġi meqjus il-valur fis-sena ta' kull proprjeta', dhul, benefiċċju jew privileġġ li jkun kemm tar-raġel kif ukoll ta' martu.

3. Meta raġel ikun separat minn ma' martu skond id-disposizzjonijiet tal-Kodiċi Ċivili (Kapitlu 23), kull somma li hu jhallas lilha bhala kondizzjoni integrali tas-separazzjoni għandha titnaqqas fil-kalkolu tal-mezzi tiegħu.

4. Jekk ikun jidher li xi persuna tkun f'xi żmien direttament jew indirettament każhdet lilha nnifisha minn xi dhul jew proprjetà sabiex tiġi eżentata mill-ħlas ta' kontribuzzjoni tat-tieni klassi bir-rata iktar baxxa taħt dan l-Att, dak id-dhul jew dak il-valur fis-sena ta' dik il-proprjetà għandu, għall-finijiet ta' din l-Iskeda, jitqies li hu parti mill-mezzi ta' dik il-persuna.”.

Għanijiet u Raġunijiet

Il-Għan ta' dan l-Abbozz huwa:

(i) li jdaħħal ir-riformi soċjali mħabbra fil-Budget għas-sena finanzjarja 1978/79 dwar pensjonijiet, benefiċċju għal disimpieg, klassijiet ta' kontribuzzjonijiet (magħduda rata aktar baxxa għal ċerti kategoriji ta' nies li jimpjegaw lilhom innifishom), il-mod kif jiġihallu l-kontribuzzjonijiet, dwar kif issir il-prova tal-mezzi biex tingħata eżenzjoni mill-ħlas ta' kontribuzzjonijiet tat-tieni klassi, u dwar l-introduzzjoni tal-pensjoni minima nazzjonali;

(ii) li jiżiedu r-rati ta' kontribuzzjonijiet u ta' benefiċċji;

(iii) li l-kondizzjonijiet għall-ħlas ta' pensjoni skond l-età tan-nisa u ta' l-irġiel ikunu xorta;

(iv) li persuni li jkollhom liċenza b'jex jikkummerċjaw jitqiesu bħala li jaħdmu bi qliegħ;

(v) li jipprovdi sabiex il-flus kollha dovuti bħala kontribuzzjonijiet jew xort'ohra jiġihallu lit-Teżor sabiex minnhom jiġihallu l-benefiċċji u sabiex isiru l-kontijiet ta' dawk il-flus u l-benefiċċji u sabiex jiġi provdut li jsiru avvanzi mill-Fond Konsolidat jew mill-Kont ta' Helsien tat-Teżorerija;

(vi) li jżid il-pieni li jistgħu jingħataw mill-Qorti jew mid-Direttur tas-Servizzi Soċjali;

(vii) li ċerti mpiegi li qabel kienu eċċettwati issa ma jibqgħux hekk; u

(viii) li jipprovdi għal ċerti emendi zgħar 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:—

Short title
and
commencement.

1. (1) This Act may be cited as the National Insurance (Amendment) Act, 1978, and shall be read and construed as one with the National Insurance Act, 1956, hereinafter referred to as "the principal Act".

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

(i) paragraphs (a), (e), (f) and (i) of section 2, sections 12 to 26, sections 28 to 30, sections 36, 39, 42 and sections 45 to 47, as from the 1st day of April, 1978; and

(ii) paragraphs (b) to (d) and paragraphs (g) and (h) of section 2, sections 3 to 11, section 27, sections 31 to 35, sections 37, 38, 40, 41, 43, 44 and 48 as from the 3rd day of April, 1978.

Amendment
of section 2
of the
principal Act.

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

(a) the definition of "actuary" shall be deleted;

(b) for the definition of "benefit year" there shall be substituted the following new definition:

" "benefit year" means the period beginning on the first Monday in June 1978 and ending on the last Sunday before the first Monday in July 1979; and, thereafter, the period beginning on the first Monday in July and ending on the last Sunday before the first Monday in July of the following year;";

(c) for the definition of "class three contribution" there shall be substituted the following new definition:

“class three contribution” means a contribution which an insured person was liable to pay as a non-employed person prior to the 3rd day of April, 1978;”;

(d) for the definition of “contribution year” there shall be substituted the following new definition:

“contribution year” means the period beginning on the first Monday of May 1976 or of August 1976 or of November 1976 or of February 1977 as may be determined by the Director to be applicable in the case of any insured person and ending on the last Sunday before the first Monday of May 1977, August 1977, November 1977 and February 1978, respectively; and as from the 1st day of January 1979 and thereafter, the period beginning on the first Monday of January and ending on the last Sunday before the first Monday of January of the following year;”;

(e) immediately after the definition of “excepted employment” there shall be added the following new definition:

“gainfully occupied” means engaged in any form of activity through which any earnings are being derived;”;

(f) immediately after the definition of “Minister” there shall be added the following new definition:

“net income” means total income net of expenses directly incurred in generating that income;”;

(g) the definition of “non-employed person” shall be deleted;

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

“self-employed person” means a person over the age of fourteen years who is not an employed person;”;

(i) immediately after the definition of “self-employed person” there shall be inserted the following new definition:

“service pension” means a pension or other allowance awarded to a person in respect of past services in Malta or abroad and shall in each and every case be considered on an uncommuted basis;”.

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

“Persons to be insured. 3. Subject to the provisions of this Act, every person over the age of fourteen years shall become insured under this Act and remain so insured throughout his life.”.

Substitution of section 3 of the principal Act.

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

“Classes of insured persons. 3A. Subject to the provisions of this Act every insured person shall be insured as an employed person or as a self-employed person.”.

Substitution of section 3A of the principal Act.

5. Immediately after section 3A of the principal Act there shall be added the following new section:

“Extension of class two contributions. 3B. Subject to the provisions of this Act, a class three contribution paid prior to the 3rd day of April 1978 shall be deemed to be a class two contribution.”.

Addition of new section 3B to the principal Act.

Addition of
new section 4A
to the
principal Act.

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

"Self-
employed
persons.

4A. For the purposes of this Act a person who is ordinarily resident in Malta shall not be deemed to be a self-employed person if such person is —

(a) a married woman whose husband is still alive; or

(b) in receipt of a retirement pension, increased retirement pension, national minimum pension, disablement pension assessed at one hundred per cent, widow's pension or widow's benefit, payable under this Act; or

(c) receiving full-time education or training in an educational institution recognised by the Government in terms of the Education Act, 1974 and no form of remuneration or allowance (excluding any allowance payable under this Act) is being paid to him during such time;

and is not gainfully occupied; or

(d) in receipt of invalidity pension, widower's benefit or parent's allowance payable under this Act; or

(e) in receipt of an old age pension or an old age allowance payable under the Old Age Pensions Act, 1948; or

(f) in receipt of social assistance payable under the National Assistance Act, 1956."

Act No. VIII of
1956.

Amendment
of section 5
of the
principal Act.

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

(a) the proviso to subsection (2) is hereby deleted;

(b) in subsection (4) for the words "under the next following section and under section seven" there shall be substituted the words "and under section five A of this Act".

Amendment
of section 5A
of the
principal Act.

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

(a) immediately after subsection (1) thereof there shall be added the following provisos:

"Provided that, where a self-employed person is not gainfully occupied, if such person proves to the satisfaction of the Director that his yearly means, calculated in accordance with the provisions of the Eighth Schedule to this Act, do not exceed —

(i) £405 in the case of a married man who is wholly maintaining his wife, or

(ii) £205 in the case of a single or widowed person,

such person shall be entitled, on making application to the Director, to receive a certificate of low income valid for six months, and, while he holds such certificate and as long as there is no relevant change of circumstances, he shall not be liable to pay the said contribution:

Provided further that, if such a person fails to submit himself to six-monthly reviews of his means within one month starting from the date of expiry of the certificate such a person shall be deemed liable to pay a class two contribution for the period starting from the date of expiry of the certificate to the date of renewal.”;

(b) subsection (2) thereof is hereby deleted; and

(c) for subsections (3) and (4) thereof there shall be substituted the following:

“(3) Subject to the provisions of this Act, the weekly rates of class two contributions payable under this section by an insured person of any of the classes set out in the first column of Part II of the Second Schedule to this Act shall be the rates set out for that class in the second column of that Part:

Provided that payment of the class two contribution at the lower rate shall only be effected by an insured person who proves to the satisfaction of the Director that his total net income does not exceed £1,100 per annum; and for the purposes of this proviso, where an insured person is not gainfully occupied, a service pension shall not be deemed to form part of his total net income.

(4) For every class two contribution which an insured person pays under this Act or, prior to the 3rd day of April 1978, for every class three contribution which an insured person paid under this Act, a contribution equal to one-half of the insured person's contribution shall be paid out of the Consolidated Fund.”.

9. Section 7 of the principal Act is hereby repealed.

Repeal of
section 7
of the
principal Act.

10. Section 8 of the principal Act shall be amended as follows:

Amendment
of section 8
of the
principal Act.

(a) paragraph (c) of subsection (1) thereof is hereby deleted;

(b) subsection (2) thereof is hereby deleted;

(c) in subsection (3A) thereof the words “or a class three contribution” are hereby deleted;

(d) paragraph (c) of subsection (4) thereof is hereby deleted;

(e) for paragraph (d) of subsection (4) thereof there shall be substituted the following:

“(d) for every contribution week for which he is liable to pay a class two contribution under section 5A pay the contributions in arrears at intervals of four months at the Department of Inland Revenue in such form and manner as may be determined by the Director in consultation with the Commissioner of Inland Revenue or in such other

manner as the Minister may from time to time determine with the concurrence of the Minister responsible for finance”;

(f) subsection (5) thereof shall be amended as follows:

(i) the proviso to paragraph (b) thereof is hereby deleted;

(ii) paragraph (d) thereof is hereby deleted; and

(iii) for paragraph (e) thereof there shall be substituted the following:

“(e) pay in arrears at monthly intervals at the Department of Inland Revenue all contributions which are payable under section five in such form and manner as may be determined by the Director in consultation with the Commissioner of Inland Revenue or in such other manner as the Minister may from time to time determine with the concurrence of the Minister responsible for finance.”; and

(g) subsection (6) thereof is hereby deleted.

Amendment
of section 9
of the
principal Act.

11. For subsection (3) of section 9 of the principal Act there shall be substituted the following new subsections:

“(3) A contribution credited under this section for any contribution week shall be —

(a) a class two contribution if it is credited on the ground that the insured person —

(i) is a widow to whom subsection (2) of this section applies; or

(ii) is entitled to an invalidity pension, increased invalidity pension or disablement pension where the degree of disablement is assessed at one hundred per cent; or

(iii) is entitled to sickness benefit and does not satisfy the contribution conditions for unemployment benefit or special unemployment benefit on the first day of that week;

(b) a class one contribution in any other case.

(4) A contribution which prior to the 3rd day of April 1978 had been credited as a class three contribution shall be deemed to be a credited class two contribution.”.

Amendment
of section 10
of the
principal Act.

12. Section 10 of the principal Act shall be amended as follows:

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

“(1) Benefit shall be of the following kinds:

(a) Marriage grant;

(b) Sickness benefit;

(c) Unemployment benefit;

(d) Special unemployment benefit;

(e) Widow's pension;

(f) Widow's special allowance;

(g) Invalidity pension;

- (h) Increased invalidity pension;
- (i) Retirement pension;
- (j) Increased retirement pension;
- (k) National minimum pension;
- (l) Guardian's allowance;
- (m) Injury benefit;
- (n) Disablement benefit;
- (o) Death benefit.”;

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

“(b) the contribution conditions for a marriage grant, sickness benefit, unemployment benefit, special unemployment benefit, widow's pension, widow's special allowance, invalidity pension, increased invalidity pension, retirement pension, increased retirement pension and national minimum pension shall be as set out in the Fourth Schedule to this Act.”;

(c) for paragraphs (a) and (b) of subsection (3) thereof there shall be substituted the following:

“(a) class two contributions shall not be taken into account in connection with —

(i) any claim for unemployment benefit, or

(ii) any claim for sickness benefit, unless the Minister is satisfied that the person making the claim is gainfully occupied and that during the twelve months beginning on the 1st day of January of the year in which the claim is made it is not likely that the total net income from such gainful occupation will exceed £1,100;

(b) class two contributions deemed to be so by virtue of section 3B and subsection (4) of section 9 and class two contributions credited in accordance with sub-paragraphs (i) and (ii) of paragraph (a) of subsection (3) of section 9 shall not be taken into account in connection with any claim for unemployment benefit, special unemployment benefit, sickness benefit, invalidity pension, increased invalidity pension or prior to reaching pension age, for a national minimum pension;”;

(d) in subsection (4) thereof for the words “specified in that column of Part I of the Fifth Schedule to this Act which is appropriate to the number of contributions so paid by her” there shall be substituted the words “specified in Part I of the Fifth Schedule to this Act”; and

(e) in subsection (5) thereof for the words “in that column of Part II of the Fifth Schedule to this Act which is appropriate to the number or yearly average of contributions so paid or credited” there shall be substituted the words “in Part II of the Fifth Schedule to this Act”.

13. In section 11 of the principal Act, for the words “sickness or unemployment benefit”, wherever they occur, there shall be substituted in each case the words “sickness, unemployment or special unemployment benefit”.

Amendment
of section 11
of the
principal Act.

Amendment
of section 12
of the
principal Act.

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

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

(i) immediately after the words "unemployment benefit" there shall be inserted the words "or special unemployment benefit"; and

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

"Provided that —

(i) special unemployment benefit shall be paid to an insured person where such insured person is the head of a household as defined in the National Assistance Act, 1956 and is entitled to social assistance under the said Act; and

(ii) an insured person shall not be entitled to sickness benefit for the first three days of each spell of incapacity for work;" and

(b) paragraph (f) of subsection (3) thereof is hereby deleted.

Amendment
of section 13
of the
principal Act.

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

(a) in subsection (1) thereof for the words "either sickness or unemployment benefit" there shall be substituted the words "sickness, unemployment or special unemployment benefit";

(b) in subsection (2) thereof for the words "sickness or unemployment benefit" there shall be substituted the words "sickness, unemployment or special unemployment benefit";

(c) in subsection (3) thereof for the words "sickness and unemployment benefit" there shall be substituted the words "sickness, unemployment and special unemployment benefit"; and

(d) in subsection (5) thereof for the words "sickness benefit or unemployment benefit" there shall be substituted the words "sickness, unemployment or special unemployment benefit".

Amendment
of section 15
of the
principal Act.

16. In section 15 of the principal Act immediately after the words "unemployment benefit" wherever they occur there shall be inserted in each case the words "or special unemployment benefit".

Amendment
of section 16A
of the
principal Act.

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

(a) in subsection (1) thereof —

(i) immediately after the words "invalidity pension" there shall be inserted the words "or increased invalidity pension";

(ii) in paragraph (a) thereof, immediately after the words "mental disablement" there shall be inserted the words "(other than anxiety neurosis)"; and

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

"Provided that —

(a) where an insured person is entitled to a service pension, —

(i) if his service pension and the rate of invalidity pension applicable in his case together exceed two-thirds of the current wage or salary pertaining to the post he occupied, or its analogue, immediately before he became an invalid, such an insured person shall be entitled to an invalidity pension, so however that in the case of an insured person whose last day in insurable employment falls after the 31st day of March, 1978, his invalidity pension shall be abated by an amount equivalent to that part of his service which relates to the increase or increases in his wage or salary taking effect after the 31st day of March, 1978; or

(ii) if his service pension and the rate of invalidity pension applicable in his case together do not exceed two-thirds of the current wage or salary pertaining to the post he occupied, or its analogue, immediately before he became an invalid, such an insured person shall be entitled to an increased invalidity pension or such part thereof as shall ensure that the afore-mentioned two-thirds are not exceeded; or

(iii) if the date of first entry in insurable employment of such an insured person falls on or after the 1st day of April, 1978, such an insured person shall not be entitled to an invalidity pension but to an increased invalidity pension or such part thereof as shall ensure that his increased invalidity pension and service pension combined shall not exceed two-thirds of the current wage or salary pertaining to the post he occupied, or its analogue, immediately before he became an invalid;

and, for the purposes of this paragraph, where the service pension to which an insured person is entitled is less than two-thirds of his wage or salary and other pensionable emoluments immediately before he became an invalid, the references in this paragraph to the proportion of two-thirds shall be substituted by references to the proportion such service pension bears to the said wage or salary and emoluments;

(b) an insured person who is not entitled to a service pension shall be entitled to a national minimum pension; and

(c) notwithstanding the provisions of paragraph (a) of the proviso to subsection (1) of this section, when an insured person is entitled to a service pension and his service pension together with the rate of invalidity pension or increased invalidity pension applicable in his case is less than the rate of national minimum pension appli-

cable in his case, such an insured person shall be entitled to the national minimum pension abated by his service pension.”; and

(b) subsection (2) thereof is hereby deleted.

Amendment
of section 17
of the
principal Act.

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

(a) in subsection (1) thereof —

(i) for the words “a man shall be entitled” there shall be substituted the words “a person shall be entitled”;

(ii) immediately after the words “retirement pension” wherever they occur there shall be inserted in each case the words “or increased retirement pension or national minimum pension”; and

(iii) for the proviso to paragraph (c) thereof there shall be substituted the following:

“Provided that, if he does not make the claim and the said declaration within three months of reaching pension age, he shall be entitled to the pension on the day when he makes the claim and the said declaration.”;

(b) in subsection (1A) thereof for the words “a man” there shall be substituted the words “a person”;

(c) in subsection (1B) thereof for the words “(other than Class Three or Voluntary Contributions)” there shall be substituted the words “(other than Class Two Contributions deemed to be so by virtue of section 3B of this Act)”;

(d) immediately after subsection (1B) thereof there shall be added the following proviso:

“Provided that this subsection shall not apply to persons who attain their pension age on or after the 1st day of April 1978 and that in the case of a man who has attained the age of sixty-one years but not the age of sixty-four years on the 31st day of March 1978, this subsection shall cease to apply on his first birthday after the latter date.”;

(e) for subsection (1C) thereof there shall be substituted the following:

“(1C) A woman who is in receipt of a retirement pension on the 1st day of April 1978 and who is following any gainful occupation out of which she derives earnings exceeding two pounds fifty cents per week in any period of four weeks 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 not be entitled to an increased retirement pension if she is not then sixty-five years of age:

Provided that no account shall be taken of the earnings derived from membership of any board, committee or council established by or under any law or of such other class or classes of earnings as the Minister may, by order, declare.”; and

(f) immediately after subsection (2) thereof there shall be added the following new subsections:

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

(i) if his service pension and the rate of retirement pension applicable in his case together exceed two-thirds of the current wage or salary pertaining to the post he occupied, or its analogue, immediately before retirement, such an insured person shall be entitled to a retirement pension, so however that in the case of an insured person whose last day in insurable employment falls after the 31st day of March 1978, his retirement pension shall be abated by an amount equivalent to that part of his service pension which relates to the increase or increases in his wage or salary taking effect after the 31st day of March, 1978; or

(ii) if his service pension and the rate of retirement pension applicable in his case together do not exceed two-thirds of the current wage or salary pertaining to the post he occupied, or its analogue, immediately before retirement, such an insured person shall be entitled to an increased retirement pension or such part thereof as shall ensure that the aforementioned two-thirds are not exceeded; or

(iii) if the date of first entry in insurable employment of such an insured person falls on or after the 1st day of April 1978, such an insured person shall not be entitled to a retirement pension but to an increased retirement pension or such part thereof as shall ensure that his increased retirement pension and service pension combined shall not exceed two-thirds of the current wage or salary pertaining to the post he occupied, or its analogue, immediately before retirement:

(4) For the purposes of subsection (3) of this section, where the service pension to which an insured person is entitled is less than two-thirds of his wage or salary and other pensionable emoluments immediately before retirement, the references in this subsection to the proportion of two-thirds shall be substituted by references to the proportion such service pension bears to the said wage or salary and emoluments.

(5) Subject to the provisions of this Act, an insured person who is not entitled to a service pension shall be entitled to a national minimum pension.

(6) Notwithstanding the provisions of subsection (4) of this section, where an insured person is entitled to a service pension and his service pension together with the rate of retirement pension or increased retirement pension applicable in his case is less than the rate of national minimum pension applicable in his case, such an insured person shall be entitled to the national minimum pension abated by his service pension.”.

19. Immediately after section 17 of the principal Act there shall be added the following new sections:

Addition of new sections 17A and 17B to the principal Act.

"Payment of a pension at the single rate to a married man.

17A. Where a married man becomes invalid or disabled or reaches pension age on or after the 1st day of April 1978, and becomes entitled to receive a pension payable under section 16A or section 17 or section 24 of this Act, then, if his wife is in her own right in receipt of any pension payable under the aforementioned sections, the pension payable shall be paid at the rate applicable for a single person:

Provided that if the wife, being already in receipt of a pension payable under the said sections, shall renounce to the right aforesaid, then the pension payable to the husband shall be paid at the rate applicable for a married man."

"Limitation of applicability of sections 16A, 17 and 17A.

17B. (1) An insured person shall be disqualified from receiving a pension payable under sections 16A, 17 and 17A of this Act during any period in which such an insured person or the wife or husband of such an insured person, as the case may be, is in possession of any licence to carry on a trade or business issued by the Commissioner of Police:

Provided that where a married man is entitled to receive any such pension and his wife is in possession of a trading licence in respect of a business concern which she did not acquire either by an onerous title or after contracting marriage, such a married man shall be entitled to receive his pension at the rate payable to a single person.

(2) For the purposes of this section where a trading licence is at any time in the name of an insured person, and the concern to which the licence relates is at any time transferred by the said insured person to any other person residing with him at the time when the application for a pension as is referred to in subsection (1) of this section is made or any such pension is being paid, such an insured person shall be deemed to be still in possession of a trading licence."

Amendment of section 24 of the principal Act.

20. Immediately after subsection (7) of section 24 of the principal Act there shall be added the following new subsection:

"(8) Where a man who is entitled to a disablement pension is, as a result of the relevant loss of faculty, incapable of work and likely to remain permanently so incapable, his weekly rate of benefit shall be increased, if he is married, by an amount as set out in Part V of the Third Schedule to this Act."

Amendment of section 26 of the principal Act.

21. In paragraph (b) of section 26 of the principal Act for the words "nineteen years" wherever they occur there shall be substituted in each case the words "eighteen years".

Repeal of section 29 of the principal Act.

22. Section 29 of the principal Act is hereby repealed.

Amendment of section 30 of the principal Act.

23. In section 30 of the principal Act, for the words "the last line of Part V" wherever they occur there shall be substituted in each case the words "the second and third columns of Part VI".

Amendment of section 33 of the principal Act.

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

(a) in paragraph (b) thereof immediately after the word

"unemployment" there shall be inserted the words "special unemployment"; and

(b) in paragraph (c) thereof for the words "retirement pension payable to a man" there shall be substituted the words "retirement pension, increased retirement pension or national minimum pension payable to a person".

25. Section 34 of the principal Act shall be amended as follows:

Amendment
of section 34
of the
principal Act.

(a) in paragraph (c) of subsection (1) thereof, immediately after the words "unemployment benefit" there shall be inserted the words "or special unemployment benefit"; and

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

(i) in paragraph (b) thereof for the words "or invalidity pension" there shall be substituted the words "invalidity pension or increased invalidity pension"; and

(ii) in paragraph (c) thereof, immediately after the words "unemployment benefit" there shall be inserted the words "or special unemployment benefit".

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

Amendment
of section 35
of the
principal Act.

(a) in paragraph (b) of subsection (1) thereof —

(i) immediately after the words "unemployment benefit" in sub-paragraph (ii) there shall be inserted the words "or special unemployment benefit"; and

(ii) immediately after the words "time to time determine" in sub-paragraph (iii) there shall be inserted the words "but whenever the rates are increased the difference between the new rates and the old rates may be paid in advance at intervals not exceeding thirteen weeks from the date when the rates are increased";

(b) in subsection (2) thereof for the words "retirement pension" there shall be substituted the words "increased invalidity pension, retirement pension, increased retirement pension, national minimum pension".

27. Section 40 of the principal Act shall be amended as follows:

Amendment
of section 40
of the
principal Act.

(a) for paragraph (b) thereof there shall be substituted the following:

"(b) whether a person is or was an employed person or a self-employed person,"; and

(b) in paragraph (d) thereof for the words "under section five A or under section seven of this Act" there shall be substituted the words "or under section five A of this Act".

28. In paragraph (a) of the proviso to section 41 of the principal Act, for the words "disablement benefit or invalidity pension" there shall be substituted the words "disablement benefit, invalidity pension or increased invalidity pension".

Amendment
of section 41
of the
principal Act.

Substitution of section 50 of the principal Act.

29. For section 50 of the principal Act there shall be substituted the following new section:

"National Insurance Account.

50. (1) For the purposes of this Act all contributions payable under this Act by insured persons, by employers and out of the Consolidated Fund, and all penalties imposed in terms of subsection (1) of section 63 and section 63A of this Act shall be paid into the Treasury to the credit of a special account to be called the "National Insurance Account" hereinafter referred to as the "Account".

(2) All benefits payable under this Act shall be defrayed out of the Account without any further appropriation other than this Act.

(3) Should at any time the moneys in the Account not be sufficient to meet the payment of benefits out of the Account, the Minister responsible for finance may, to meet disbursements of benefits, advance to the Account such sums as he may deem to be appropriate out of the Consolidated Fund without any further appropriation other than this Act or out of the Treasury Clearance Fund. Where the advance is made out of the latter fund it shall be repaid on such terms and conditions as the Minister responsible for finance may determine out of income paid into the Account in terms of subsection (1) of this section.

(4) A statement showing the receipts and payments of the Account shall, as soon as possible after the close of each financial year and in any case not later than three months after the close of such year, be forwarded by the Accountant General to the Director of Audit, and subsection (2) of section 62 of the Financial Administration and Audit Act, 1962 shall apply to such statements."

Act No. I of 1962.

Repeal of section 52 of the principal Act.

30. Section 52 of the principal Act is hereby repealed.

Amendment of section 53 of the principal Act.

31. Section 53 of the principal Act shall be amended as follows:

- (a) subsection (1) thereof shall be deleted; and
- (b) in subsection (2) thereof for the words "of the Fund" there shall be substituted the words "of the Account".

Amendment of section 54 of the principal Act.

32. Section 54 of the principal Act shall be amended as follows:

- (a) in subsection (1) thereof for the words "two pounds" there shall be substituted the words "five pounds"; and
- (b) in subsection (4) thereof the words "to the Fund" shall be deleted.

Amendment of section 54A of the principal Act.

33. Section 54A of the principal Act shall be amended as follows:

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

“(1) If an insured person fails or neglects to pay a class two contribution he shall for each such offence be liable on conviction to a fine (*ammenda*) of not less than five pounds.”;

(b) in subsection (3) thereof for the words “class two contributions or class three contributions, as the case may be” there shall be substituted the word “contributions”; and

(c) in subsection (4) thereof the words “to the Fund” shall be deleted.

34. Section 55 of the principal Act shall be amended as follows: Amendment of section 55 of the principal Act.

(a) in subsection (1) thereof —

(i) the words “or any used insurance stamps” in paragraph (a) shall be deleted;

(ii) paragraph (b) thereof shall be deleted; and

(b) subsection (2) thereof shall be deleted.

35. In section 57 of the principal Act, for the words “one pound” there shall be substituted the words “five pounds”. Amendment of section 57 of the principal Act.

36. In subsection (1) of section 62 of the principal Act for the words “a retirement pension, a widow’s special allowance, an invalidity pension” there shall be substituted the words “a retirement pension, an increased retirement pension, a national minimum pension, a widow’s special allowance, an invalidity pension, an increased invalidity pension”. Amendment of section 62 of the principal Act.

37. In subsection (1) of section 63 of the principal Act, for the words “one pound” there shall be substituted the words “five pounds”. Amendment of section 63 of the principal Act.

38. For section 63A of the principal Act there shall be substituted the following new section: Substitution of section 63A of the principal Act.

“Penalties imposed by Director on insured person.

63A. Where an insured person has failed or neglected to pay any class two contribution which under this Act he is liable to pay, no proceedings shall be taken against him if, after an intimation in writing of the charge against him has been given to him, he agrees to pay and in fact pays to the Director within such time as may be fixed by the latter a penalty not exceeding five pounds for every such failure or neglect, as may be fixed by the Director, together with any amount due in respect of the unpaid contributions.”.

Amendment of section 64 of the principal Act.

39. In paragraph (c) of subsection (2) of section 64 of the principal Act, immediately after the words "unemployment benefit" there shall be inserted the words "or special unemployment benefit".

Amendment of section 68 of the principal Act.

40. Section 68 of the principal Act shall be amended as follows:

(a) subsection (3) thereof is hereby deleted;

(b) in subsection (7) thereof, for the words "out of the Fund" there shall be substituted the words "out of the Account".

Substitution of section 69 of the principal Act.

41. For section 69 of the principal Act there shall be substituted the following new section:

"Contributions by married woman.

69. Where a married woman has, up to the 2nd day of April 1978, paid a voluntary contribution and is not, in terms of section 4A of this Act, deemed to be a self-employed person, such married woman shall, on making an application to the Director before the 30th day of September 1978, be entitled either:

(a) to have refunded to her the amount of the contributions so paid; or

(b) to have at her request and subject to the provisions of this Act, the contributions so paid allowed to mature until she reaches pension age, but in any such case she shall then only be eligible to a retirement pension."

Amendment of section 76 of the principal Act.

42. For paragraph (a) of section 76 of the principal Act there shall be substituted the following:

"(a) in the case of a child allowance —

(i) in respect of the first eligible child 165 cents per week;

(ii) in respect of the second eligible child 140 cents per week; and

(iii) in respect of the third eligible child 95 cents per week;"

Amendment of the First Schedule to the principal Act.

43. Part II of the First Schedule to the principal Act, shall be amended as follows:

(a) paragraphs 4 and 5 thereof are hereby deleted;

(b) in paragraph 9 thereof, for the words "occasionally or" there shall be substituted the words "occasionally and"; and

(c) paragraph 10 thereof is hereby deleted.

Substitution of the Second Schedule to the principal Act.

44. For the Second Schedule to the principal Act there shall be substituted the following:

"SECOND SCHEDULE

Weekly Rates of Contributions

PART I

Class One Contributions

Class of Employed Persons	Weekly rate of contribution payable by the employed person, by his employer, and out of the Consolidated Fund
Persons of insurable age or over ...	£1.44,0
Boys and Girls over the age of 14 but under insurable age	50c0

PART II

Class Two Contributions

Class of Insured Persons	Weekly rate of Class Two Contribution
Persons whose total net income exceeds £1,100 per year	£2.85,0
Persons whose total net income does not exceed £1,100 per year ...	£1.44,0"

45. For the Third Schedule to the principal Act there shall be substituted the following:

Substitution
of the
Third Schedule
to the
principal Act.

"THIRD SCHEDULE

PART I

Rate of Benefit other than Sickness Benefit, Unemployment Benefit, Special Unemployment Benefit, Injury Benefit and Disablement Pension

Kind of Benefit	Weekly Rate	
	Single Person or Married Woman	Married Man
	£ c m	£ c m
(a) National Minimum Pension	8.60,0	13.50,0
(b) Increased Retirement Pension	8.10,0	13.24,0
(c) Retirement Pension	7.40,0	12.10,0
(d) Increased Invalidity Pension	8.10,0	13.24,0
(e) Invalidity Pension	7.40,0	12.10,0
(f) Widow's Pension	8.10,0	—
(g) Widow's Special Allowance	3.00,0	—
(h) Guardian's Allowance	1.89,0	—
(i) Death Benefit:		
(i) Widow's benefit	9.36,0	—
(ii) Widower's benefit	9.36,0	—
(iii) Widow's allowance	3.56,0	—
(iv) Orphan's allowance	2.97,0	—
(v) Parent's allowance	8.10,0	13.24,0

PART IA

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

Kind of Benefit	Daily Rate	
	Single Person or Married Woman	Married Man
	£ c m	£ c m
(a) Sickness Benefit	1.35,0	2.20,0
(b) Unemployment Benefit	1.24,0	2.02,0
(c) Special Unemployment Benefit	1.43,0	2.25,0
(d) Injury Benefit —		
Persons of insurable age	2.52,0	3.40,0
Persons under insurable age	1.15,0	2.03,0

PART II

Amount of Marriage Grant

£ c m
61.29,0

PART III

Amounts of Disablement Gratuity

Degree of Disablement	Amount of Gratuity
%	£ c m
1	29.22,0
2	58.44,0
3	87.66,0
4	110.88,0
5	146.10,0
6	175.32,0
7	204.54,0
8	233.76,0
9	262.98,0
10	292.20,0
11	321.42,0
12	350.64,0
13	379.86,0
14	409.08,0
15	438.30,0
16	467.52,0
17	496.74,0
18	525.96,0
19	555.18,0

PART IV

Rates of Disablement Pension

Degree of Disablement	Weekly Rates	
	Persons of Insurable Age	Persons under Insurable Age
%	£ c m	£ c m
100	8.10,0	4.05,0
90	7.12,0	3.56,0
80	6.34,0	3.17,0
70	5.64,0	2.82,0
60	4.82,0	2.41,0
50	4.32,0	2.16,0
40	3.46,0	1.73,0
30	2.72,0	1.36,0
20	1.92,0	0.96,0

PART V

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

Weekly Rate

£ c m

5.14,0

PART VI

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

Kind of Benefit	Weekly Rate per child for children in respect of whom a child's allowance is being paid under Part VIII of this Act	Weekly Rate per child for all other children
	£ c m	£ c m
(a) Widow's Pension	0.85,0	0.93,0
(b) Widow's Benefit	0.85,0	0.93,0
(c) Widower's Benefit	0.85,0	0.93,0"

Amendment of the Fourth Schedule to the principal Act.

46. The Fourth Schedule to the principal Act shall be amended as follows:

(a) in paragraph (2) thereof immediately after the words "or unemployment benefit" there shall be inserted the words "or special unemployment benefit";

(b) paragraph 3 thereof shall be amended as follows:

(i) for the words "The contribution conditions for widow's pension or retirement pension are" there shall be substituted the words "The contribution conditions for widow's pension, retirement pension, increased retirement pension or national minimum pension are";

(ii) in paragraph (b) of the proviso thereto immediately after the words "the eighteenth day of October, 1971" there shall be inserted the words "or an increased retirement pension or a national minimum pension on or after the 1st day of April, 1978"; and

(iii) in paragraph (c) of the proviso thereto immediately after the words "retirement pension" wherever they occur there shall be inserted in each case the words "an increased retirement pension or a national minimum pension"; and

(c) in paragraph 5 thereof immediately after the words "invalidity pension" there shall be inserted the words "or increased invalidity pension".

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

Amendment
of the
Fifth Schedule
to the
principal Act.

"FIFTH SCHEDULE

PART I

Reduced Amounts of Marriage Grant

Number of contributions paid by insured woman	Amount of Marriage Grant	
	£	c m
250 or more (Full Amount)	61.29	0
225 — 249	58.10	0
200 — 224	51.97	0
175 — 199	45.84	0
150 — 174	39.72	0
125 — 149	33.59	0
100 — 124	27.46	0
75 — 99	21.33	0

PART II

Reduced Rates of Benefits

A. National Minimum Pension

Yearly average of contributions paid or credited	Weekly Rate of National Minimum Pension	
	Single Person or Married Woman	Married Man
	£ c m	£ c m
50 or more (full rate)	8.60,0	13.50,0
40 — 49	7.65,0	12.02,0
30 — 39	5.93,0	9.32,0
20 — 29	4.21,0	6.62,0

B. Increased Retirement Pension and Increased Invalidity Pension

Yearly average of contributions paid or credited	Weekly Rate of Increased Retirement Pension and Increased Invalidity Pension	
	Single Person or Married Woman	Married Man
	£ c m	£ c m
50 or more (full rate)	8.10,0	13.24,0
40 — 49	7.21,0	11.78,0
30 — 39	5.59,0	9.14,0
20 — 29	3.97,0	6.49,0

C. Retirement Pension and Invalidity Pension

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

D. Widow's Pension

Yearly average of contributions paid or credited	Weekly Rate of Widow's Pension
	£ c m
50 or more (full rate)	8.10,0
40 — 49	7.21,0
30 — 39	5.59,0
20 — 29	3.97,0

E. Sickness Benefit

Number of contributions paid or credited in the relevant contribution year	Daily Rate of Sickness Benefit	
	Single Person or Married Woman	Married Man
	£ c m	£ c m
50 or more (full rate)	1.35,0	2.20,0
40 — 49	1.20,0	1.96,0
30 — 39	0.93,0	1.52,0
20 — 29	0.66,0	1.08,0

F. Unemployment Benefit

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

G. Special Unemployment Benefit

Number of contributions paid or credited in the relevant contribution year	Daily Rate of Special Unemployment Benefit	
	Single Person or Married Woman	Married Man
	£ c m	£ c m
50 or more (full rate)	1.43,0	2.25,0
40 — 49	1.27,0	2.00,0
30 — 39	0.99,0	1.55,0
20 — 29	0.70,0	1.10,0

48. Immediately after the Seventh Schedule to the principal Act there shall be added the following new Schedule:

Addition of new Schedule to the principal Act.

"EIGHTH SCHEDULE

Section 5A

Calculation of means for the purposes of exemption from payment of weekly contribution

1. In calculating the means of a person, account shall be taken of —

(a) the yearly-value of any property belonging to that person (not being furniture and personal effects) which is invested or is otherwise put to profitable use by him, or which, though capable of investment or profitable use, is not so invested or put to profitable use by him:

Provided that —

(i) the first twenty-five pounds of the capital value of the said property shall be excluded; and

(ii) the yearly value of the next three hundred and seventy-five pounds of the capital value of the said property shall be taken to be three and one quarter per centum of the capital value; and

(iii) the yearly value of so much of the capital value of the said property as exceeds the sum of four hundred pounds shall be taken to be six and one half per centum of the capital value; and

(iv) where the yearly value of any property is taken to be three and one quarter or, as the case may be, three and one quarter and six and one half per centum of the capital value thereof, no account shall be taken under any of the provisions of this Schedule of any appropriation of that property for the purposes of current expenditure;

(b) where the house of residence of a person applying for an exemption has not been acquired by an onerous title by such person, or by the husband or wife of such person,

the yearly means on the capital value of the house of residence shall not be calculated under sub-paragraph (a) of this paragraph, but shall be calculated as follows:

(i) the first £100 of the capital value of the house of residence shall be excluded, and

(ii) the yearly value of the house of residence on the balance shall be taken to be two and one quarter per centum of the reduced capital value:

Provided that, in the case of a person being one of a married couple in respect of whom paragraph 2 of this Schedule applies, where the value of the house of residence exceeds £3,000 the yearly value of any capital value in excess of £3,000 shall be taken to be ten pounds for every two hundred pounds (£200) or part thereof.

(c) the income which that person may reasonably expect to receive during the succeeding year, in cash, excluding any sums receivable on account of a benefit under this Act or an allowance under Part VIII of this Act, and excluding any sums arising from the investments or profitable use of property (not being furniture and personal effects) that income, being taken to be the income actually received during the preceeding year:

Provided that no account shall be taken of any amount received by a person or by the husband or wife of a person, as the case may be —

(i) as sickness benefit from a friendly society or a trade union;

(ii) as assistance under the National Assistance Act, 1956;

(iii) as a pension granted under the Personal Injuries (Civilian) Scheme 1941, or in consequence of injuries sustained as a result of war action;

(iv) as contribution towards the household expenditure of a person or the husband or the wife of a person, as the case may be, by the sons, daughters, father, mother, brothers or sisters of such person, or

(v) as a pension granted under the Widow's and Orphans' Pension Act.

For the purposes of this paragraph —

(i) the meaning of "furniture" is restricted to reasonably necessary articles of furniture and does not include articles of furniture the intrinsic value of which is increased by reason of age, materials used, rarity or otherwise;

(ii) the phrase "personal effects" does not include jewellery and pearls nor objects made of precious metals;

(d) subject to the provisions of sub-paragraphs (a) to (c) of paragraph 1 of this Schedule the yearly value of any benefit or privilege enjoyed by that person other than the benefit or privilege enjoyed as an inmate of a private institution.

2. Subject to the provisions of sub-paragraphs (a) to (c) of paragraph 1 of this Schedule, in calculating the means of a married man who is wholly maintaining his wife, account shall be taken of the yearly value of any property, income, benefit or privilege pertaining to both the husband and the wife.

3. Where a husband is separated from his wife in accordance with the provisions of the Civil Code (Chapter 23), any sum paid by him to her as an integral condition of the separation shall be deducted in calculating his means.

4. If it appears that any person has directly or indirectly at any time deprived himself of any income or property in order to be exempted from payment of a class two contribution at the lower rate under this Act, that income or the yearly value of that property shall, for the purposes of this Schedule, be taken to be part of the means of that person."

Objects and Reasons

The Object of this Bill is:

(i) to introduce the social reforms announced during the Budget Speech for financial year 1978/1979 regarding pensions, unemployment benefit, classes of contributions (including a lower rate for certain categories of self-employed), manner of payment of contributions, to establish a means test for exemption from the payment of the class two contributions, and to introduce a national minimum pension;

(ii) to increase the rates of contributions and benefits;

(iii) to bring into line the payment conditions of females on pension age with those of males;

(iv) to deem persons in possession of a trading licence as gainfully occupied;

(v) to provide for the payment of all monies due by way of contributions or otherwise into the Treasury for the payment of benefits and accounting for such monies and benefits and for advances out of the Consolidated Fund or the Treasury Clearance Fund;

(vi) to increase the fines that may be imposed by the Court or the Director of Social Services;

(vii) to remove certain excepted employment; and

(viii) to provide for certain minor and consequential amendments.