

**Nru. 95**

16. 2. 79

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

ABBOZZ ta' Liġi mressaq mill-Onorevoli Agatha Barbara, M.P., Ministru tax-Xogħol, Kultura u Għajjuna Soċjali, u moqri għall-Ewwel darba fis-Seduta tat-8 ta' Frar, 1979.

A BILL introduced by the Honourable Agatha Barbara, M.P., Minister of Labour, Culture and Welfare, and read the First time at the Sitting of the 8th February, 1979.

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

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

**C. MIFSUD***Skrivan tal-Kamra tad-Deputati***C. MIFSUD***Clerk to the House of Representatives*

## ABBOZZ TA' LIĠI

### msejjah

*ATT biex ikompli jemenda l-Att ta' l-1956 dwar l-Għajnuna 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:—

Ti'o'u fil-qosor  
u bidu fis-sehħ.

1. (1) Dan l-Att jista' jissejjah l-Att ta' l-1979 li jemenda l-Att dwar l-Għajnuna Nazzjonali, u għandu jinqara u jiftiehem haġa waħda ma' l-Att ta' l-1956 dwar l-Għajnuna Nazzjonali, hawnhekk iżjed 'il quddiem imsejjah "l-Att prinċipali".

(2) L-artikoli 9 u 10 ta' dan l-Att għandu jkollhom effett mill-20 ta' Jannar, 1979.

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

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

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

" "benefiċċju" tfisser benefiċċju li jithallas taht l-Att ta' l-1956 dwar is-Sigurtà Nazzjonali, u tinkludi kull pensjoni mogħtija taht il-Parti IX ta' dak l-Att;";

(b) it-tifsira ta' "Board" għandha tithassar;

(ċ) minnufih wara t-tifsira ta' "rikorrent" għandha tidhol it-tifsira ġdida li ġejja:

" "Kumitat" tfisser il-Kumitat dwar Għajnuna Soċjali mwaqqaf bl-artikolu 23 ta' dan l-Att;"; u

(d) minflok il-kliem "il-parir tal-Board" li hemm fil-proviso għat-tifsira ta' "familja" għandhom jidhlu l-kliem "il-parir tal-Kumitat".

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

3. Is-subartikolu (6) ta' l-artikolu 8 ta' l-Att prinċipali għandu jiġi emendat kif ġej:

(a) fil-paragrafu (b) tiegħu, minflok il-kliem "ma' dan l-Att; u" għandhom jidhlu l-kliem "ma' dan l-Att, hekk iżda li persuna

li ma tkunx il-kap ta' familja jew, jekk il-kap tal-familja jkun il-missier, martu, ma jkollhiex jedd għall-ghoti ta' għajjnuna medika jekk id-dhul fil-ġimgha ta' dik il-persuna, kalkolat bħallikieku kellha familja tagħha stess, jeċċedi r-rata ta' skala ta' persuna waħda kif stabbilit bl-imsemmija Hames Skeda; u”;

(b) fil-paragrafu (ċ) tiegħu, il-kliem “ma jkunx iżjed minn tliet mitt lira flus jew” għandhom jithassru, u

(ċ) is-sub-paragrafu (ii) ta' l-ewwel proviso li hemm għalih, u t-tieni proviso li hemm għalih, għandhom jithassru.

4. Fil-paragrafu (b) tas-subartikolu (3) ta' l-artikolu 19 ta' l-Att prinċipali, minflok il-kliem “mill-Board ta' Għajjnuna Nazzjonali” għandhom jidhlu l-kliem “mill-Kumitat dwar Għajjnuna Soċjali”.

Emenda ta' l-artikolu 19 ta' l-Att prinċipali.

5. Minflok l-artikolu 23 ta' l-Att prinċipali għandu jidhol dan li ġej:

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

“Kumitat  
dwar  
Għajjnuna  
Soċjali.

23. (1) Għandu jitwaqqaf Kumitat li jkun magħruf bħala l-Kumitat dwar Għajjnuna Soċjali, li jkun magħmul minn *Chairman* u minn mhux inqas minn sitt membri oħra mahtura mill-Ministru b'konsultazzjoni mal-Ministru responsabbli għas-saħħa pubblika.

(2) Dawk il-membri l-oħra jkunu mahtura wiehed mid-Dipartiment tas-Servizzi Soċjali u wiehed mid-Dipartiment tas-Saħħa, u l-membri l-oħra jkunu magħzula minn fost *inmates* ta' l-istituzzjonijiet jew sptarijiet imsemmija fl-artikolu 24 ta' dan l-Att, membri tal-familji tagħhom, membri tal-kumitati tax-xogħol, jew persuni oħra li, fil-fehma tal-Ministru, huma kwalifikati biex iservu fuq il-Kumitat.

(3) Il-Ministru għandu wkoll jahtar Segretarju għall-Kumitat, li ma jkunx membru.

(4) Iċ-*Chairman* u l-membri l-oħra tal-Kumitat ikunu mahtura għal perijodu ta' mhux iżjed minn sena, iżda jkunu jistgħu jerġgħu jinhatru mill-ġdid.

(5) Il-*quorum* ikun nofs it-total tan-numru tal-membri li jaġhmlu l-Kumitat.

(6) Bla hsara għas-subartikolu (5) ta' dan l-artikolu, il-Kumitat jista' jaġixxi minkejja kull vakanza fost il-membri tiegħu.

(7) Bla hsara għad-disposizzjonijiet ta' dan l-artikolu, il-Kumitat jista' jirregola l-proċedura tiegħu stess.”.

6. Minflok l-artikolu 24 ta' l-Att prinċipali għandu jidhol dan li ġej:

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

“Funzjonijiet tal-Kumitat dwar Għajjnuna Soċjali.

24. (1) Il-funzjonijiet tal-Kumitat ikunu —

(a) li jamministra l-fondi fdati lilu mill-Gvern skond l-Att ta' l-1956 dwar is-Sigurtà Nazzjonali jew xort'oħra, għall-benefiċċju ta' *inmates* f'istituzzjonijiet jew sptarijiet tal-Gvern li l-jedd tagħhom għal pensjoni jew benefiċċju ieħor taħt xi liġi huwa mnaqqas fil-waqt li dawn ikunu qegħdin *inmates* f'dawk l-istituzzjonijiet jew sptarijiet u ta' dawk l-*inmates* l-oħra li jkunu msemmija għal hekk mill-Ministru;

(b) li jissorvelja u jikkontrolla l-hruġ ta' mediċini b'xejn u ċ-ċirkostanzi li taħthom l-ghoti ta' għaj-nuna medika taħt dan l-Att jista' jsir u li jiżgura li dan jiġi magħmul skond dawk il-proċeduri u regoli, stabbiliti mill-Kumitat, li jkunu jaqblu mad-disposizzjonijiet ta' dan l-Att u li jkunu approvati mill-Ministru, b'konsultazzjoni mal-Ministru responsabbli għas-saħha pubblika, u li jkunu pubblikati fil-Gazzetta;

(ċ) li jagħti parir lill-Ministru jew lill-Ministru responsabbli għas-saħha pubblika, skond ma jkun jeh-tieg il-każ, fuq kull haġa msemmija fil-paragrafu (a) jew (b) ta' dan is-subartikolu, u fuq kull haġa oħra li għandha x'taqsam ma' dan l-Att jew ma' l-għajnuna soċjali lil inmates f'istituzzjonijiet jew sptarijiet tal-Gvern kif il-Ministru jew il-Ministru responsabbli għas-saħha pubblika jista' jirreferilu.

(2) Fl-eżerċizzju tal-funzjonijiet tiegħu taħt il-paragrafu (a) tas-subartikolu (1) ta' dan l-artikolu, il-Kumitat jista' jistabbilixxi kumitati sussidjarji dwar istituzzjonijiet separati, u dawk il-kumitati għandhom, safejn ikun possibbli, jinkludu persuni rappreżentanti l-kategoriji msemmija fis-subartikolu (2) ta' l-artikolu 23 ta' dan l-Att, b'dan li kull wieħed minn dawk il-kumitati sussidjarji jkollu bhala *chairman* membru tal-Kumitat.

(3) Fl-amministrazzjoni tal-fondi fdati lilu, il-Kumitat għandu jzomm dik is-sistema ta' kontijiet u għandu juża dawk il-proċeduri għall-kustodja u nfieg tal-flus fdati lilu kif jiġi approvat mill-*Accountant General* u l-kotba, irriċevuti u r-records kollha miżmuma għal dan l-għan għandhom, f'kull żmien, ikunu jistgħu jiġu spezzjonati mill-*Accountant General*, mid-Direttur tas-Servizzi Soċjali u mid-Direttur tal-Verifika.

(4) Il-Kumitat għandu juża l-fondi kollha fdati lilu esklużivament għal għajnuna soċjali u harsien u għall-benefiċċju ta' l-inmates ta' l-istituzzjonijiet u sptarijiet kif hawn fuq imsemmi, iżda dik il-parti minn dawk il-fondi li tiġi approvata mill-Ministru tista' tiġi wżata mill-Kumitat għall-ispejjeż tiegħu stess.

(5) Il-Ministru, b'konsultazzjoni mal-Ministru responsabbli għas-saħha pubblika, jista' jagħti lill-Kumitat direttivi ta' xorta ġenerali dwar il-linji li għandu jimxi fuqhom.

(6) Il-Kumitat għandu, mhux iktar tard minn xahrejn wara l-1 ta' Jannar ta' kull sena, jissottometti lill-Ministru u lill-Ministru responsabbli għas-saħha pubblika rapport tal-hidma tiegħu għas-sena kalendarja ta' qabel, flimkien ma' dikjarazzjoni li turi d-dettalji ta' l-infieg li jkun sar matul dik is-sena, flimkien ma' dikjarazzjoni li turi d-dettalji tal-fondi fdati lil u li tqegħdu għad-disposizzjoni tal-Kumitat u kull bilanċ ta' dawk il-fondi li jibqa' fl-aħħar ta' l-imsemmija sena."

8. Minflok l-artikolu 26A ta' l-Att prinċipali għandu jidhol dan li ġej:

Sostituzzjoni ta' l-artikolu 26A ta' l-Att prinċipali.

"26A. Il-Ministru jista', b'ordni, jestendi l-applikazzjoni ta' dan l-Att għal persuni li ma jkunux ċittadini ta' Malta biex jin-għata effett lil xi konvenzjoni, ftehim jew arrangament li fih Malta tkun parti u li jipprovdi għal reċiproċità f'għajjnuna soċjali u medika."

9. Minflok il-paragrafu wiehed ta' l-Ewwel Skeda li tinsab ma' l-Att prinċipali għandu jidhol dan li ġej:

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

"Paragrafu Wiehed

#### RATA TA' SKALA

Numru ta' persuni fil-familja	Kolonna A £	Kolonna B £	Kolonna Ċ £
1	9.60	9.15	3.15
2	11.75	11.15	3.80
3	13.45	12.80	4.35
4	15.05	14.35	4.90
5	16.45	15.65	5.30
6	17.65	16.80	5.70
7	18.65	17.80	6.00
8	19.55	18.65	6.30
9	20.10	19.15	6.50
10	20.60	19.65	6.65
11	21.10	20.10	6.80
12 jew iżjed	21.60	20.60	6.95

Kolonna A tapplika meta l-familja ma tkunx proprjetarja tad-dar ta' residenza jew parti minnha.

Kolonna B tapplika meta l-familja tkun proprjetarja tad-dar ta' residenza jew parti minnha, li l-valur tagħha ma jkunx iżjed minn £750.

Kolonna Ċ tapplika meta l-familja tkun proprjetarja tad-dar ta' residenza jew parti minnha, li l-valur tagħha ma jkunx iżjed minn £3,000."

10. Minflok il-Parti I u II tas-Sitt Skeda li tinsab ma' l-Att prinċipali għandu jidhol dan li ġej:

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

#### "PARTI I

*Għajjnuna għal Mard, Għoti ta' Halib u Għajjnuna dwar il-Lebbra*

Xorta ta' Għajjnuna	Rata fil-gimgha
1. Għajjnuna għal Mard —	
(i) dwar l-ewwel membru tal-familja	£2.98,0
(ii) dwar kull membru iehor tal-familja ... ..	£1.20,0

2.	Ghoti ta' Halib	... ..	£1.73,0
3.	Għajnuna dwar il-lebbra —		
	(i) dwar il-kap tal-familja li jkun lebbriż	... ..	£5.71,0
	(ii) dwar kull membru ieħor tal-familja li jkun lebbriż li ma jkunx jaħdem bi qliegħ —		
	(a) jekk taħt is-16-il sena	...	£1.73,0
	(b) jekk ikollu 16-il sena jew aktar		£5.71,0
	(iii) dwar kull membru ieħor tal-familja li ma jkunx jaħdem bi qliegħ	... ..	£1.73,0

## PARTI II

*Għajnuna dwar Tuberkulozi*

1. L-ammont ta' bażi ta' l-għajnuna dwar it-tuberkulozi li jithallas dwar familja li membru tagħha huwa milqut mit-tuberkulozi £3.82,0  
fil-ġimgħa
2. *Allowance* bir-rata ta' 79c fil-ġimgħa tithallas dwar kull membru ieħor tal-familja li tkun milquta bit-tuberkulozi jew partikolarment sugġetta għal dik il-marda."

**Għanijiet u Raġunijiet**

L-Għan ta' dan l-Abbozz huwa li jipprovdi għal beneficiċċju aħjar taħt l-Att ta' l-1956 dwar l-Għajnuna Nazzjonali, u li jipprovdi għat-twaqqif ta' Kumitat dwar Għajnuna Soċjali b'funzjonijiet speċifikati.

Ittieħdet l-okkażjoni biex isiru ċerti emendi li nstabu li huma meħtieġa fl-amministrazzjoni ta' l-imsemmi Att.

**A BILL****entitled**

*AN ACT further to amend the National Assistance Act, 1956.*

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

1. (1) This Act may be cited as the National Assistance (Amendment) Act, 1979, and shall be read and construed as one with the National Assistance Act, 1956, hereinafter referred to as "the principal Act".

Short title and commencement.

(2) Sections 9 and 10 of this Act shall have effect from the 20th day of January, 1979.

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

Amendment of section 2 of the principal Act.

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

" "benefit" means benefit which is payable under the National Insurance Act, 1956, and includes any pension awarded under Part IX of that Act;";

(b) the definition of "Board" shall be deleted;

(c) immediately after the definition of "claimant" there shall be inserted the following definition:

" "Committee" means the Welfare Committee established by section 23 of this Act;"; and

(d) for the words "advice of the Board" in the proviso to the definition of "household" there shall be substituted the words "advice of the Committee".

3. Subsection (6) of section 8 of the principal Act shall be amended as follows:

Amendment of section 8 of the principal Act.

(a) in paragraph (b) thereof, for the words "to this Act; and" there shall be substituted the words "to this Act, so however that a person who is not a head of household or, if the head

of household is the father, his wife, shall not be entitled to a medical aids grant if the weekly means of that person, calculated as if he formed a household of his own, exceed the scale rate for one person as determined by the aforesaid Fifth Schedule; and”;

(b) in paragraph (c) thereof, the words “three hundred pounds in cash or” shall be deleted, and

(c) sub-paragraph (ii) of the first proviso thereto, and the second proviso thereto, shall be deleted.

Amendment of section 19 of the principal Act.

4. In paragraph (b) of subsection (3) of section 19 of the principal Act, for the words “National Assistance Board” there shall be substituted the words “Welfare Committee”.

Substitution of section 23 of the principal Act.

5. For section 23 of the principal Act there shall be substituted the following:

“Welfare Committee.

23. (1) There shall be established a Committee, to be known as Welfare Committee consisting of a Chairman and of not less than six other members appointed by the Minister in consultation with the Minister responsible for public health.

(2) Such other members shall be appointed one from the Department of Social Services and one from the Department of Health, and the other members shall be chosen from among the inmates of institutions referred to in section 24 of this Act, members of their families, members of workers committees, or other persons who, in the opinion of the Minister, are qualified to serve on the Committee.

(3) The Minister shall also appoint a Secretary to the Committee, who will not be a member.

(4) The Chairman and the other members of the Committee shall be appointed for a period not exceeding one year, but shall be eligible for re-appointment.

(5) The quorum shall be half the total number of the members comprising the Committee.

(6) Subject to subsection (5) of this section, the Committee may act notwithstanding any vacancy amongst its members.

(7) Subject to the provisions of this section, the Committee may regulate its own procedure.”.

Substitution of section 24 of the principal Act.

6. For section 24 of the principal Act there shall be substituted the following:

“Functions of Welfare Committee.

24. (1) The functions of the Committee shall be —

(a) to administer the funds entrusted to it by the Government in terms of the National Insurance Act, 1956 or otherwise, for the benefit of inmates of Government institutions whose entitlement to a pension or other benefit under any law is reduced while they are inmates of those institutions and of such other inmates as are designated for the purpose by the Minister;

(b) to supervise and control the issue of free drugs and the circumstances under which medical aids grant under this Act may be awarded and to ensure that this is done in accordance with such procedures and rules, laid down by the Committee, as are in conformity with the provisions of this Act and which shall be approved by the Minister, in consultation with the Minister responsible for public health, and which shall be published in the Gazette;

(c) to advise the Minister or the Minister responsible for public health, as the case may require, on any matter referred to in paragraph (a) or (b) of this subsection, and on any other matter concerning this Act or the welfare of inmates of Government institutions as the Minister or the Minister responsible for public health may refer to it.

(2) In exercising its functions under paragraph (a) of subsection (1) of this section, the Committee may establish subsidiary committees in respect of separate institutions, and such committees shall, as far as possible, include persons representative of the categories referred to in subsection (2) of section 23 of this Act, provided that each such subsidiary committee shall be chaired by a member of the Committee.

(3) In administering funds entrusted to it, the Committee shall keep such system of accounts and shall adopt such procedures for the custody and disbursement of moneys entrusted to it as shall be approved by the Accountant General and all books, receipts and records kept for this purpose shall, at all times, be open to inspection by the Accountant General, the Director of Social Services and the Director of Audit.

(4) The Committee shall utilise all funds entrusted to it exclusively for the welfare and care and for the benefit of inmates of institutions as above referred to, provided that such part of such funds as may be approved by the Minister may be utilised by the Committee for its own expenses.

(5) The Minister, in consultation with the Minister responsible for public health, may give to the Committee directions of a general nature on the policy to be adopted by it.

(6) The Committee shall, not later than two months after the 1st day of January of any one year, submit to the Minister and to the Minister responsible for public health a report on its activities for the previous calendar year, together with a statement showing details of the expenditure incurred during that year, together with a statement showing details of the funds entrusted and made available to the Committee and any balance of such funds remaining at the end of the said year."

7. Section 25 of the principal Act shall be repealed.

Repeal of  
section 25 of the  
principal Act.

Substitution  
of section 26A  
of the principal  
Act.

8. For section 26A of the principal Act there shall be substituted the following:

"26A. The Minister may, by order, extend the application of this Act to persons who are not citizens of Malta in order to give effect to any convention, agreement or arrangement to which Malta is a party and which provides for reciprocity in social and medical assistance."

Amendment of  
First Schedule  
to the  
principal Act.

9. For paragraph one of the First Schedule to the principal Act there shall be substituted the following:

"Paragraph One

#### SCALE RATE

Number of persons in household	Column A £	Column B £	Column C £
1	9.60	9.15	3.15
2	11.75	11.15	3.80
3	13.45	12.80	4.35
4	15.05	14.35	4.90
5	16.45	15.65	5.30
6	17.65	16.80	5.70
7	18.65	17.80	6.00
8	19.55	18.65	6.30
9	20.10	19.15	6.50
10	20.60	19.65	6.65
11	21.10	20.10	6.80
12 or more	21.60	20.60	6.95

Column A shall apply where the household does not own house of residence or part thereof.

Column B shall apply where the household owns house of residence or part thereof the value of which does not exceed £750.

Column C shall apply where the household owns house of residence or part thereof the value of which does not exceed £3,000."

Amendment  
of Sixth Schedule  
to the principal  
Act.

10. For Parts I and II of the Sixth Schedule to the principal Act there shall be substituted the following:

#### "PART I

#### *Sickness Assistance, Milk Grant and Leprosy Assistance*

Kind of Assistance	Weekly Rate
1. Sickness Assistance —	
(i) in respect of the first member of household ... ..	£2.98,0
(ii) in respect of any other member of the same household ... ..	£1.20,0

2. Milk Grant ... ..	£1.73,0
3. Leprosy Assistance —	
(i) in respect of the head of household who is a leper ... ..	£5.71,0
(ii) in respect of every other member of the household who is a leper and not gainfully occupied —	
(a) if under 16 years of age ...	£1.73,0
(b) if 16 years of age or over that age ... ..	£5.71,0
(iii) in respect of any other member of the household who is not gainfully occupied	£1.73,0

## PART II

### *Tuberculosis Assistance*

1. Basic amount of tuberculosis assistance payable in respect of a household one member of which is affected by tuberculosis ... .. £3.82,0  
per week
2. An allowance at the rate of 79c per week shall be paid in respect of each additional member of the household affected by tuberculosis or particularly vulnerable to that disease."

### **Objects and Reasons**

The Object of this Bill is to provide for better benefits under the National Assistance Act, 1956, and for the establishment of a Welfare Committee with specific functions.

Occasion has been taken to propose certain amendments which have been found necessary in the administration of the said Act.