



MALTA

ATT Nru. X ta' l-1979

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

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

ACT No. X of 1979

AN ACT enacted by the Parliament of Malta.

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



Naghti l-kunsens tiegħi.

Anton Kattar
President

9 ta' Marzu, 1979

ATT Nru. X ta' l-1979

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: —

Titolu 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;

(c) 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' ghajnuna medika jekk id-dhul fil-gimgha 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 “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' Ghajnuna Nazzjonali” għandhom jidhru l-kliem “*mill-Kumitat* dwar Ghajnuna 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
Ghajjnuna
Soċjali.

23. (1) Għandu jitwaqqaf Kumitat li jkun magħruf bħala l-Kumitat dwar Ghajnuna Soċjali, li jkun magħmul minn *Chairman* u minn mhux inqas minn tmien membri oħra mahtura mill-Ministru b'konsultazzjoni mal-Ministru responsabbli għas-saħħa pubblika, li minnhom tnejn jkunu tobba, wieħed minn kull naħa tal-Kamra tar-Rappreżentanti.

(2) Dawk il-membri l-oħra jkunu mahtura wieħed mid-Dipartiment tas-Servizzi Soċjali u wieħed 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 jagħmlu 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 Ghajnuna 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 xi parti tal-pensjoni tagħhom jew benefiċċju iehor taht xi liġi tkun qed tiġi mogħtija lill-Kumitat 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-ħruġ 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-saħħa pubblika, u li jkunu pubblikati fil-Gazzetta;

(ċ) li jagħti parir lill-Ministru jew lill-Ministru responsabbli għas-saħħa pubblika, skond ma jkun jeh-tiegħ 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 mal-ġid għall-*inmates* f'istituzzjonijiet jew sptarijiet tal-Gvern kif il-Ministru jew il-Ministru responsabbli għas-saħħa pubblika jista' jirreferilu.

(2) Fl-eżerċizzju tal-funzjonijiet tiegħu l-Kumitat jista' jistabbilixxi kumitati sussidjarji, u dawn 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 wiehed minn dawn il-kumitati sussidjarji jkollu bħala *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 nfiq 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 għall-ġid u ħarsien 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-saħħa 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-saħħa pubblika rapport tal-hidma tiegħu għas-sena kalendarja ta' qabel, flimkien ma' dikjarazzjoni li turi d-dettalji ta' l-infiq 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:

"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."

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

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

"Paragrafu Wiehed

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

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 ieħor tal-familja	£1.20,0

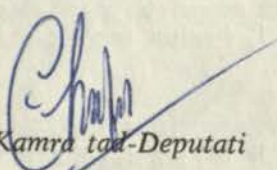
2.	Ghoti ta' Halib	£1.73,0
3.	Għajjnuna dwar il-lebbra —		
	(i) dwar il-kap tal-familja li jkun lebbriż		£5.71,0
	(ii) dwar kull membru ieħor tal-familja li jkun lebbriż li ma jkunx jaħdem bi qliegh —		
	(a) jekk taht is-16-il sena ...		£1.73,0
	(b) jekk ikollu 16-il sena jew aktar		£5.71,0
	(iii) dwar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

PARTI II

Għajjnuna dwar Tuberkulozi

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

Mghoddi mill-Kamra tad-Deputati fis-Seduta Nru. 253 tas-6 ta' Marzu, 1979.


Skrivan tal-Kamra tad-Deputati


Speaker



I assent.

Armin Daligay

President

9 March, 1979

ACT No. X of 1979

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:—

Short title and commencement.

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".

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

Amendment of section 2 of the principal Act.

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

Amendment of section 8 of the principal Act.

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

(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.

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".

Amendment of section 19 of the principal Act.

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

Substitution of section 23 of the principal Act.

"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 eight other members appointed by the Minister in consultation with the Minister responsible for public health, of whom two shall be medical practitioners, one from each side of the House of Representatives.

(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."

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

Substitution of section 24 of the principal Act.

"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 part of whose pension or other benefit under any law is being passed to the Committee 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 the committee may establish subsidiary committees, 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."

Repeal of
section 25 of the
principal Act.

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

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

Substitution
of section 26A
of the principal
Act.

"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."

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

Amendment of
First Schedule
to the
principal Act.

"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."

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

Amendment
of Sixth Schedule
to the principal
Act.

"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

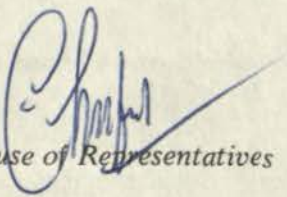
2. Milk Grant	£1.73,0
3. Leprosy Assistance —	
(i) in respect of the head of household who is a leper	£5.71,0
(ii) in respect of every other member of the household who is a leper and not gainfully occupied —	
(a) if under 16 years of age ...	£1.73,0
(b) if 16 years of age or over that age	£5.71,0
(iii)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

Passed by the House of Representatives at Sitting No. 253 of the 6th March, 1979.


Clerk to the House of Representatives


Speaker