Suppliment tal-Gazzetta tal-Gvern ta' Malta, Nru. 13,836, 24 ta' April, 1981

Taqsima A

MALTA

ATT Nru. XII ta' l-1981

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

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

ACT No. XII of 1981

AN ACT enacted by the Parliament of Malta.

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

Nagħti l-kunsens tiegħi.

(L.S.)

ANTON BUTTIGIEG
President

24 ta' April, 1981

ATT Nru. XII ta' l-1981

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, ħareġ b'liġi dan li ġej:—

Titolu fil-qosor u bidu fis-seħħ.

1. (1) Dan l-Att jista' jissejjaħ l-Att ta' l-1981 li jemenda l-Att dwar is-Sigurtà Nazzjonali, u għandu jinqara u jiftiehem ħaġa waħda ma' l-Att ta' l-1956 dwar is-Sigurtà Nazzjonali, hawnhekk iżjed 'il quddiem imsejjaħ "l-Att prinċipali".

(2) Id-disposizzjonijiet li ġejjin ta' dan l-Att għandu jkollhom effett kif ġej:

(a) l-artikoli 2, mill-10 sat-13, 14 (barra mill-paragrafu (a) tiegħu), 15, 16, 19, mill-24 sat-33, mis-36 sad-39 u 41 mit-3 ta' Jannar, 1981;

(b) l-artikoli mit-3 sas-6, 8, 9, 18, 20, 21, 23, 34, 35 u 40 mill-5 ta' Jannar, 1981.

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

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

(a) fis-subartikolu (1) tiegħu, minflok il-paragrafu (b) tat-tifsira ta' "dħul pensjonabbli" u minflok iż-żewġ provisos li hemm għall-imsemmija tifsira, għandu jidħol dan li ġej:

"(b) fil-każ ta' persuna li għandha titqies bħala persuna li timpjega lilha nnifisha, il-medja fis-sena tad-dħul nett tagħha matul l-aħħar għaxar snin kalendarji ta' qabel l-irtir tagħha; dak id-dħul nett jittieħed —

(i) dwar kull perijodu sal-31 ta' Diċembru, 1978 —

(a) li matulu kellha tħallas kontribuzzjoni tat-tieni klassi jew tat-tielet klassi, bħala d-dħul nett li fuqu kellha titħallas dik il-kontribuzzjoni; u

(b) li matulu kellha tħallas kontribuzzjoni ta' l-ewwel klassi, bħala l-paga jew is-salarju li fuqu kellha titħallas dik il-kontribuzzjoni;

u għall-finijiet ta' dan is-sub-paragrafu, l-ammont li għandu jittieħed bħala d-dħul nett għal kull sena ma għandux ikun iżjed mill-ammont aċċettat mill-Kummissarju tat-Taxxi Nterni għall-finijiet ta' l-Att ta' l-1948 dwar it-Taxxa fuq l-*Income*, bħala d-dħul nett għal dik is-sena; **u għal** kull sena kalendarja kompleta li matulha dik il-persuna kienet taħdem bi qliegħ wara li għalqet il-wieħed u ħamsin sena, id-dħul nett għal dik is-sena għandu jiżdied biż-żidiet fil-pagi applikabbli li bil-liġi għandhom jingħataw b'mod ġenerali dwar kull sena susseġwenti sad-data ta' l-irtir; u

(ii) dwar kull perijodu wara l-31 ta' Diċembru, 1978 —

(a) li matulu kellha tħallas kontribuzzjoni tat-tieni klassi, bħala l-ammont li, kalkolat fuq il-bażi tal-figura li tidher fiż-żmien ta' l-irtir tagħha taħt it-Tielet Kolonna tal-Parti II tat-Tieni Skeda li tinsab ma' dan l-Att relattivament għall-kategorija ta' kontribuzzjoni li titħallas minnha, tirrappreżenta d-dħul pensjonabbli għall-perijodu li matulu kellha titħallas dik il-kategorija ta' kontribuzzjoni, u għall-finijiet ta' din il-partita —

(i) kontribuzzjoni mħallsa dwar is-sena 1979 bir-rata baxxa mit-tnejn applikabbli matul dik is-sena għandha titqies li hi kontribuzzjoni tal-kategorija SA;

(ii) kontribuzzjoni mħallsa dwar is-sena 1979 bir-rata ogħla mit-tnejn f'dak iż-żmien applikabbli għandha titqies li hi kontribuzzjoni tal-kategorija SB, u

(iii) kontribuzzjoni mħallsa dwar is-sena 1980 bil-kategorija tar-Rata Sħiħa għandha titqies li hi kontribuzzjoni tal-kategorija SE; u

(b) li matulu kellha tħallas kontribuzzjoni ta' l-ewwel klassi, bħala l-paga jew salarju li fuqu kellha titħallas dik il-kontribuzzjoni, miżjud biż-żidiet fil-pagi applikabbli li bil-liġi għandhom jingħataw b'mod ġenerali dwar kull sena susseġwenti sad-data ta' l-irtir:

Iżda l-ammont li għandu jittieħed bħala d-dħul nett għall-finijiet tal-partita (a) tas-sub-paragrafu (i) u tal-partita (a) tas-sub-paragrafu (ii) tal-paragrafu (b) ta' din it-tifsira, dwar xi sena (jew parti minnha) li taħbat matul xi perijodu li għalih jirreferu l-imsemmija sub-paragrafi li matulha persuna li timpjega lilha nnifisha kellha tħallas kontribuzzjoni tat-tieni klassi jew tat-tielet klassi, għandu jiġi multiplikat bil-proporzjon li n-numru totali ta' kontribuzzjonijiet tat-tieni klassi jew tat-tielet klassi mħallsa jew akkreditati dwar dik is-sena għandu għan-numru totali ta' dawk il-kontribuzzjonijiet dovuti għal dik is-sena, u r-riżultat ta' dik il-multiplikazzjoni jkun id-dħul nett tagħha għal dik is-sena jew għal dik il-parti minnha skond il-każ:

Iżda wkoll id-disposizzjonijiet tal-paragrafu (b) ta' din it-tifsira għandhom japplikaw għal kull persuna li tirtira wara l-11 ta' Jannar, 1982, u fil-każ ta' persuna li tirtira qabel l-imsemmija data għandhom japplikaw id-disposizzjonijiet tal-paragrafu (b) ta' din it-tifsira kif kienu fit-2 ta' Jannar, 1981:

Iżda wkoll id-dħul pensjonabbli jew kull ammont li jissostitwih skond id-disposizzjonijiet tas-subartikolu (11) ta' l-artikolu 17 u tas-subartikolu (4) ta' l-artikolu 96 ta' dan l-Att, m'għandux ikun iżjed minn dak l-ammont li l-Ministru jista' jistabbilixxi minn żmien għal żmien, bi ftehim mal-Ministru responsabbli għall-finanzi, b'ordni fil-Gazzetta;

u sabiex jistabbilixxi d-dħul nett ta' persuna, id-Direttur jista' jitlobha tipproduċilu l-prospetti u l-likwidazzjonijiet tat-taxxa fuq l-*income* tagħha:"; u

(b) fis-subartikolu (1) tiegħu, minflok l-ewwel proviso għat-tifsira ta' "rtir" għandu jidħol dan li ġej:

"Iżda dwar persuna 'l fuq mill-età ta' pensjoni li hi skwalifikata milli tirċievi pensjoni taħt is-subartikolu (1A) ta' l-artikolu 17 jew is-subartikolu (1) ta' l-artikolu 90 ta' dan l-Att, irtir tfisser id-data li fiha ma tibqax hekk skwalifikata jew li fiha tilħaq l-età ta' 65 sena, skond liema minnhom jiġri l-ewwel:"; u

(ċ) minflok il-proviso għas-subartikolu (4) tiegħu għandu jidħol dan li ġej:

"Iżda persuna li, skond dan is-subartikolu għandha titqies bħala persuna li timpjega lilha nnifisha għandha, jekk ikun għall-vantaġġ tagħha, titqies bħala persuna mpjegata jekk minnufih qabel ma tilħaq l-età ta' 51 sena kienet persuna mpjegata għal mhux inqas minn għoxrin sena u tkun baqgħet hekk impjegata għal xi perijodu wara l-età ta' 51 sena, u ma tkunx wara ħadmet bi qliegħ bħala persuna li timpjega lilha nnifisha.".

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

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

(a) fil-paragrafu (d) tiegħu l-kliem "pensjoni għal invalidità," għandhom jitħassru;

(b) fil-paragrafu (ġ) tiegħu, minflok il-kliem "skond liema minnhom ikun applikabbli." għandhom jidħlu l-kliem "skond liema minnhom ikun applikabbli: jew"; u

(ċ) minnufih wara l-paragrafu (ġ) tiegħu għandhom jidħlu l-paragrafi ġodda li ġejjin:

"(h) li tkun qed tirċievi, jew kienet tirċievi, kieku ma kenux id-disposizzjonijiet tas-sub-paragrafu (i) tal-paragrafu (a) tal-proviso għas-subartikolu (1) ta' l-artikolu 16A ta' dan l-Att, pensjoni għal invalidità; jew

(i) persuna li twieldet qabel l-1 ta' Jannar, 1927, u li, qabel l-1 ta' April, 1978, ma kienetx obbligata tħallas kontribuzzjoni taħt dan l-Att, u li f'ebda żmien wara l-imsemmi l-1 ta' April, 1978, ma kienet taħdem bi qliegħ.".

4. Fis-subartikolu (2) ta' l-artikolu 5 ta' l-Att prinċipali, minflok il-kliem "fit-tieni kolonna ta' dik il-Parti" għandhom jidħlu l-kliem "fit-tielet kolonna ta' dik il-Parti".

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

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

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

(a) minflok l-ewwel proviso għas-subartikolu (1) tiegħu għandu jidħol dan li ġej:

"Iżda meta persuna li timpjega lilha nnifisha tissodisfa lid-Direttur li —

(a) ma tkunx qed taħdem bi qliegħ jew, għalkemm tkun qed taħdem bi qliegħ il-qliegħ tagħha ma jkunx iżjed minn £250 fis-sena, u

(b) il-mezzi tagħha fis-sena, kalkolati skond id-disposizzjonijiet tat-Tmien Skeda li tinsab ma' dan l-Att ma jkunux iżjed minn £630 fil-każ ta' raġel miżżewweġ li jkun imantni għal kollox lil martu jew £430 fil-każ ta' kull persuna oħra,

ikollha jedd, meta tagħmel applikazzjoni lid-Direttur, li tirċievi ċertifikat ta' dħul baxx li jkun validu għal tnax-il xahar u, fil-waqt li jkollha dak iċ-ċertifikat u sakemm ma jkunx hemm tibdil rilevanti fiċ-ċirkostanzi, din ma tkunx obbligata tħallas l-imsemmija kontribuzzjoni:";

(b) minflok is-subartikolu (3) tiegħu għandu jidħol dan li ġej:

"(3) Bla ħsara għad-disposizzjonijiet ta' dan l-Att, ir-rata fil-ġimgħa ta' kontribuzzjonijiet tat-tieni klassi li għandhom jitħallsu skond dan l-artikolu minn persuna assigurata ta' xi waħda mill-kategoriji murija fl-ewwel kolonna tal-Parti II tat-Tieni Skeda li tinsab ma' dan l-Att tkun ir-rata murija għal dik il-kategorija fit-tieni kolonna ta' dik il-Parti:

Iżda l-ħlas tal-kontribuzzjoni bir-rata ta' xi waħda mill-kategoriji barra dik imniżżla fl-aħħar murija fl-ewwel kolonna ta' l-imsemmija Parti II għandu jsir biss minn persuna assigurata jekk din hekk tagħżel u jekk tipprova għas-sodisfazzjon tad-Direttur li d-dħul nett totali tagħha ma jkunx iżjed mill-figura li tidher fit-tielet kolonna ta' l-imsemmija Parti II relattivament għall-kategorija applikabbli:

Iżda wkoll għall-finijiet ta' dan l-Att, meta persuna tkun talbet u tkun ingħatat permess li tħallas kontribuzzjoni tal-klassi bir-rata ta' xi waħda mill-kategoriji barra dik imniżżla l-aħħar murija fl-ewwel kolonna ta' l-imsemmija Parti II din ma tkunx tista', ħlief kif provdut fil-paragrafi (a) u (b) ta' dan il-proviso, tibdel il-kategorija tagħha: hekk iżda li —

(a) b'seħħ mill-1 ta' Jannar, 1983 u f'intervalli ta' mhux inqas minn sentejn wara dik id-data, din il-persuna tista' fuq talba tibdel il-kategorija tagħha għall-kategorija li jkun imiss li jkollha rata ta' kontribuzzjoni ogħla kif muri fit-tieni kolonna ta' l-imsemmija Parti II, jekk tissodisfa lid-Direttur li d-dħul nett tagħha ma jkunx inqas mill-figura li tkun tidher taħt it-tielet kolonna ta' l-imsemmija Parti II relattivament għall-kategorija li għaliha tirriferi t-talba; u

(b) f'kull żmien, din il-persuna tista' fuq talba tagħha tibdel il-kategorija tagħha għal kull kategorija oħra li dwarha tidher rata ta' kontribuzzjoni aktar baxxa murija fit-tieni kolonna ta' l-imsemmija Parti II, jekk tissodisfa lid-Direttur li d-dħul nett tagħha ma jkunx iżjed mill-figura li tidher taħt it-tielet kolonna ta' l-imsemmija Parti II relattivament għall-kategorija li għaliha tirriferi t-talba;

u għall-finijiet ta' dawn il-provisos —

(i) meta persuna tkun ingħatat permess li tħallas kontribuzzjoni tat-tieni klassi bir-rata ta' xi waħda mill-kategoriji barra minn dik imniżżla l-aħħar murija fl-ewwel kolonna ta' l-imsemmija Parti II jew tkun ingħatat permess li tibdel il-kategorija tagħha, ir-rata ta' kontribuzzjoni xierqa għall-kategorija l-ġdida tagħha għandha titħallas b'seħħ mid-data tat-talba tagħha jew minn dik id-data qabel li tiġi stabbilita mid-Direttur; u

(ii) meta persuna assigurata ma tkunx qed taħdem bi qligħ, kull pensjoni ma titqiesx li tagħmel parti mid-dħul nett totali tagħha;"; u

(ċ) is-subartikolu (5) tiegħu għandu jitħassar.

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

6. Fis-subartikolu (1) ta' l-artikolu 5Ċ ta' l-Att prinċipali minflok il-kliem "b'seħħ mid-data ta' applikazzjoni lid-Direttur," għandhom jidħlu l-kliem "fuq talba tagħha u b'seħħ minn dik id-data, li ma tkunx wara d-data ta' dik it-talba, li tiġi stabbilita mid-Direttur,".

Żieda ta' artikolu ġdid ma' l-Att prinċipali.

7. Minnufih wara l-artikolu 5Ċ ta' l-Att prinċipali għandu jidħol l-artikolu ġdid li ġej:

"5D. (1) Persuna li timpjega lilha nnifisha li għandha tħallas kontribuzzjoni tat-tieni klassi taħt id-disposizzjonijiet ta' dan l-Att barra minn dawk ta' l-artikolu 5B, u li tkun imqabbda minn persuna oħra biex tagħti servizz bħala ħaddiem ta' barra jew bħala gwida tat-turisti, ikollha dritt tirċievi mingħand dik il-persuna, b'żieda mar-rimunerazzjoni li jkollha titħallas lilha skond il-kondizzjonijiet tax-xogħol tagħha, ammont li jkun daqs parti minn sittax tar-rimunerazzjoni miftiehma għal dawk is-servizzi, li jmur bħala parti mill-kontribuzzjoni tat-tieni klassi li jitħallsu taħt dan l-Att minn dik il-persuna li timpjega lilha nnifisha:

Iżda l-ammont li għandu jitħallas taħt dan l-artikolu, sew minn persuna waħda jew iżjed, lil dik il-persuna li timpjega lilha nnifisha matul kull perijodu ta' erba' xhur li jagħlaq fl-aħħar Tnejn ta' April, Awissu jew Diċembru, m'għandux ikun iżjed b'kollox minn nofs il-kontribuzzjonijiet tat-tieni klassi li jitħallsu taħt dan l-Att minn dik il-persuna li timpjega lilha nnifisha dwar l-istess perijodu ta' erba' xhur.

(2) Għall-finijiet ta' dan l-artikolu, "ħaddiem ta' barra" tfisser persuna li tkun imqabbda tagħti servizzi fil-manifattura fiżika ta' xi oġġett, li titħallas bl-imqieta, li taħdem fil-ħin tagħha u f'post li ma jkunx provdut mill-persuna li magħha tkun hekk imqabbda.".

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

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

(a) il-proviso għas-subartikolu (1) tiegħu għandu jitħassar; u

(b) fil-paragrafu (d) tas-subartikolu (4) tiegħu, minnufih wara l-kliem "taħt l-artikolu 5A" għandhom jidħlu l-kliem "jew taħt l-artikolu 5B ta' dan l-Att".

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

(a) fis-subartikolu (2) tiegħu —

(i) il-kliem "jew pensjoni għal invalidità" fil-paragrafu (a) tiegħu għandhom jitħassru;

(ii) minflok il-kliem "pensjoni minima nazzjonali; u" fil-paragrafu (a) tiegħu għandhom jidħlu l-kliem "pensjoni minima nazzjonali;";

(iii) minnufih wara l-paragrafu (b) tiegħu għandu jidħol il-paragrafu ġdid li ġej:

"(ċ) għal kull ġimgħa ta' kontribuzzjoni li għal kull ġurnata tagħha jkollha dritt jew kien ikollha dritt li kieku ma kenux id-disposizzjonijiet tas-sub-paragrafu (i) tal-paragrafu (a) tal-proviso għas-subartikolu (1) ta' l-artikolu 16A ta' dan l-Att, għal pensjoni għal invalidità;";

(iv) minflok il-kliem "kontribuzzjoni għandha titħallas minnha jew f'isimha taħt l-artikolu ħamsa jew taħt l-artikolu ħamsa A" fil-proviso li hemm għalih, għandhom jidħlu l-kliem "kontribuzzjoni ta' l-ewwel klassi jew tat-tieni klassi titħallas minnha jew f'isimha taħt dan l-Att."; u

(b) fil-paragrafu (a) għas-subartikolu (3) tiegħu —

(i) il-kliem "pensjoni għal invalidità jew" fis-sub-paragrafu (ii) tiegħu għandhom jitħassru;

(ii) minflok il-kliem "fl-ewwel ġurnata ta' dik il-ġimgħa;" fis-sub-paragrafu (iii) tiegħu għandhom jidħlu l-kliem "fl-ewwel ġurnata ta' dik il-ġimgħa; jew"; u

(iii) minnufih wara s-sub-paragrafu (iii) għandu jidħol is-sub-paragrafu ġdid li ġej:

"(iv) jkollha dritt, jew kien ikollha dritt li kieku ma kenux id-disposizzjonijiet tas-sub-paragrafu (i) tal-paragrafu (a) tal-proviso għas-subartikolu (1) ta' l-artikolu 16A ta' dan l-Att, għal pensjoni għal invalidità;";

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

(a) fil-paragrafu (b) għas-subartikolu (2) tiegħu, il-kliem "*bonus* għal żwieġ" għandhom jitħassru;

(b) fis-subartikolu (3) tiegħu, minflok il-figuri "£1431" għandhom jidħlu l-figuri "£1640", u

(ċ) is-subartikolu (4) tiegħu għandu jitħassar.

11. Minflok l-artikolu 11 ta' l-Att prinċipali għandu jidħol dan li ġej: Sostituzzjoni ta' l-artikolu 11 ta' l-Att prinċipali.

"11. (1) Bla ħsara għad-disposizzjonijiet ta' dan l-Att, persuna assigurata li tiżżewweġ u li, fid-data taż-żwieġ tagħha, tkun ħallset mhux inqas minn sitta u għoxrin kontribuzzjoni taħt dan l-Att u li ordinarjament tirrisjedi f'Malta, ikollha dritt, billi tagħti avviż bil-miktub lid-Direttur, li tirċievi bonus għal żwieġ.

(2) Sew jekk il-bonus għal żwieġ jitħallas sew jekk le, ma jittieħed ebda kont tal-kontribuzzjonijiet li tkun ħallset mara qabel id-data taż-żwieġ tagħha, dwar xi talba għal benefiċċju għal

mard, benefiċċju għal disimpieg jew benefiċċju speċjali għal disimpieg li ssir wara dik id-data.".

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

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

(a) fis-subartikolu (1A) tiegħu, il-kliem "pensjoni għal min jirtira, jew pensjoni miżjuda għal min jirtira jew", kull fejn jinsabu, għandhom jitħassru;

(b) minnufih wara s-subartikolu (1A) tiegħu għandu jiżdied is-subartikolu ġdid li ġej:

"(1Ċ) Pensjoni ta' armla li titħallas taħt dan l-artikolu lil persuna 'l fuq mill-età ta' sittin sena għandha tkun bir-rata tal-pensjoni minima nazzjonali kalkolata fuq il-bażi tal-medja ta' kontribuzzjonijiet fis-sena stabbiliti dwar it-talba tagħha għal pensjoni ta' armla:

Iżda, bla ħsara għad-disposizzjonijiet tas-subartikolu (1A) ta' dan l-artikolu, jekk dik l-armla jkollha dritt għal pensjoni mingħand dak li qabel kien il-prinċipal tal-mejjet żewġha li b'xi mod ikollha x'taqsam ma' l-impieg tal-mejjet żewġha, id-differenza bejn ir-rata ta' pensjoni t'armla u l-pensjoni minima nazzjonali għandha titnaqqas bl-ammont tal-pensjoni li għandha dritt għaliha mingħand dak il-prinċipal;"; u

(ċ) fis-subartikolu (4A) tiegħu, minflok il-kliem "tal-mejjet żewġha." għandhom jidħlu l-kliem "tal-mejjet żewġha; u meta armla tingħata gratifikazzjoni mingħand dak li qabel kien il-prinċipal tal-mejjet żewġha li b'xi mod ikollha x'taqsam ma' l-impieg tal-mejjet żewġha, dik il-gratifikazzjoni għandha, għall-finijiet ta' dan is-subartikolu, titqies li hi pensjoni fis-sena li tammonta għal ħamsa fil-mija ta' l-imsemmija gratifikazzjoni.";

(d) minnufih wara s-subartikolu (5) tiegħu għandhom jiżdiedu s-subartikoli ġodda li ġejjin:

"(6) Armla li għandha dritt għal pensjoni ta' armla skond dan l-artikolu u li ma tkunx skwalifikata bid-disposizzjonijiet ta' l-artikolu 17B ta' dan l-Att u li żewġha (hawnhekk iżjed 'il quddiem imsejjaħ "il-pensjonant mejjet") kellu fiż-żmien ta' mewtu — li ġiri wara l-21 ta' Jannar, 1979 — dritt għal pensjoni taħt l-artikolu 17 ta' dan l-Att jew kien ikollu hekk dritt li kieku ma kenux id-disposizzjonijiet tal-paragrafu (i) tas-subartikolu (3) tiegħu, u li hi nnifisha —

(i) ma jkollhiex dritt għal pensjoni ta' superstiti taħt l-artikolu 100 ta' dan l-Att, jew

(ii) ma ikollhiex dritt għal pensjoni supplementari taħt is-subartikolu (4) ta' dan l-artikolu, jew

(iii) ma tkunx qed tirċievi pensjoni mingħand prinċipal tal-pensjonant mejjet li b'xi mod ikollha x'taqsam ma' l-impieg tal-pensjonant mejjet,

ikollha dritt għal żieda fir-rata tal-pensjoni tagħha suġġetta għal u skond id-disposizzjonijiet li ġejjin ta' dan is-subartikolu:

(a) meta l-pensjonant mejjet kien meqjus bħala persuna mpjegata, ir-rata ta' pensjoni li għandha titħallas lilha għandha tiżdied bl-ammont applikabbli muri taħt il-Parti II tad-Disa' Skeda li tinsab ma' dan l-Att jew b'dik il-parti minnha sabiex jiġi żgurat li r-rata ta' pensjoni tagħha miżjuda kif intqal qabel ma tkunx iżjed minn erba' partijiet minn disgħa ta' —

(i) il-paga jew is-salarju kurrenti tal-post okkupat mill-pensjonant mejjet minnufih qabel id-data ta' l-irtir tiegħu jew tal-post li fuqu tkun ingħatat pensjoni tas-servizz, jekk il-każ, skond liema minnhom ikun l-akbar, meta l-irtir tal-pensjonant mejjet ġara qabel it-22 ta' Jannar, 1979;

(ii) id-dħul pensjonabbli tal-pensjonant mejjet meta l-irtir tiegħu ġara wara l-21 ta' Jannar, 1979;

(b) meta l-pensjonant mejjet kien meqjus bħala persuna li timpjega lilha nnifisha, ir-rata ta' pensjoni li titħallas lilha għandha tiżdied bl-ammont applikabbli muri taħt il-Parti II tad-Disa' Skeda li tinsab ma' dan l-Att, hekk iżda li r-rata ta' pensjoni miżjuda kif intqal qabel ma għandhiex tkun iżjed minn żewġ terzi tar-rata ta' pensjoni ta' raġel miżżewweġ li l-pensjonant il-mejjet kien ikollu dritt għaliha kieku ma mietx;

(ċ) għall-finijiet tal-paragrafu (a) ta' dan is-subartikolu —

(i) "il-paga jew is-salarju kurrenti" imsemmi fis-sub-paragrafu (i) tiegħu għandu jitqies li hu dak kurrenti fl-ewwel Sibt tas-sena li dwarha jkollu jsir xi ħlas taħt dan l-artikolu;

(ii) "id-dħul pensjonabbli" imsemmi fis-sub-paragrafu (ii) tiegħu għandu jiġi sostitwit, b'effett mill-ewwel Sibt tas-sena li dwarha jkollu jsir xi ħlas taħt dan is-subartikolu bil-mod provdut bis-sub-paragrafu (a) tal-paragrafu (ii) tas-sub-artikolu (11) u bl-ewwel proviso għall-imsemmi subartikolu ta' l-artikolu 17 ta' dan l-Att; u

(iii) il-proporzjon ta' erba' partijiet minn disgħa msemmi fih għandu, meta l-medja fis-sena tal-kontribuzzjonijiet li ġiet stabbilita dwar it-talba ta' l-armla għal pensjoni ta' armla tkun inqas minn ħamsin, jiġi multiplikat bil-proporzjon li dik il-medja fis-sena għandha ma' ħamsin u r-riżultat ta' dik il-multiplikazzjoni għandu jissostitwixxi l-imsemmi proporzjon ta' erba' partijiet minn sebgħa.".

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

13. Fis-sub-paragrafu (e) tal-proviso għas-subartikolu (1) ta' l-artikolu 16A ta' l-Att prinċipali, minnufih wara l-kliem "fis-sub-paragrafi (i), (ii) u (iii)" għandhom jidħlu l-kliem "tal-paragrafu (a)" u minflok il-kliem "l-ewwel proviso" għandhom jidħlu l-kliem "l-aħħar proviso".

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

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

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

"(1) Bla ħsara għad-disposizzjonijiet ta' dan l-Att persuna assigurata jkollha dritt għal pensjoni għal min jirtira jew għal pensjoni miżjuda għal min jirtira jew għal pensjoni minima nazzjonali b'effett mid-data ta' l-irtir tagħha jekk —

(a) fid-data ta' l-irtir tagħha tissodisfa l-kondizzjonijiet tal-kontribuzzjoni relattivi; u

(b) tagħmel talba għaliha fi żmien sitt xhur minn dik id-data:

Iżda jekk ma tagħmilx talba fi żmien sitt xhur mill-irtir tagħha l-pensjoni għandha titħallas b'effett mill-ġurnata li fiha ssir it-talba.";

(b) minflok is-subartikolu (1A) tiegħu għandu jidħol dan li ġej:

"(1A) Persuna assigurata taħt l-età ta' 65 tkun skwalifikata milli tirċievi pensjoni għal kull perijodu li matulu tkun qed taħdem bi qliegħ jekk tonqos li tipprova li l-qliegħ tagħha minn dak ix-xogħol ma jkunx iżjed minn £30 f'kull perijodu ta' erba' ġimgħat jew £97.50 għal kull perijodu ta' tlettax-il ġimgħa:

Iżda ma jiġi kalkolat ebda qliegħ li jinkiseb minn persuna bħala membru ta' xi bord, kumitat, kummissjoni jew kunsill imwaqqaf minn jew taħt xi liġi jew dawk il-klassijiet ta' qliegħ li l-Ministru jista', b'ordni, jiddikjara.";

(ċ) minnufih wara l-proviso għas-subartikolu (11) tiegħu għandu jiżdied il-proviso ġdid li ġej:

"Iżda wkoll, għall-finijiet ta' dan is-subartikolu, l-ammont li jissostitwixxi d-dħul pensjonabbli għandu jkun ikbar mill-ammont li jissostitwixxi d-dħul pensjonabbli meta tkun saret l-istima mill-ġdid ta' qabel bis-somma li ma tkunx inqas minn dik tat-total ta' żidiet fil-paga li bil-liġi ngħataw b'mod ġenerali dwar il-perijodu li jiġu minnufih wara l-imsemmija stima mill-ġdid; u meta stima mill-ġdid issir għall-ewwel darba, l-ammont li jissostitwixxi d-dħul pensjonabbli ta' persuna għandu jkun ikbar mid-dħul pensjonabbli tagħha b'mhux inqas mit-total taż-żidiet fil-paga kif intqal qabel dwar il-perijodu li jaħbat wara d-data ta' l-irtir tagħha."; u

(d) is-subartikolu (12) tiegħu għandu jitħassar.

Żieda ta' artikolu ġdid ma' l-Att prinċipali.

15. Minnufih wara l-artikolu 17B tal-liġi prinċipali għandhom jiżdiedu l-artikoli ġodda li ġejjin:

"Żieda fil-pensjoni.

17Ċ. (1) Persuna li għandha dritt għal pensjoni minima nazzjonali skond id-disposizzjonijiet ta' l-artikolu 17 u li m'hijiex skwalifikata taħt id-disposizzjonijiet ta' l-artikolu 17B ta' dan l-Att ikollha dritt għal żieda fir-rata tal-pensjoni tagħha salvi u skond id-disposizzjonijiet li ġejjin ta' dan l-artikolu.

(2) Meta dik il-persuna titqies bħala persuna mpjegata, ir-rata ta' pensjoni tagħha għandha tiżdied —

(a) fil-każ ta' raġel miżżewweġ, bl-ammont applikabbli skond il-Parti I tad-Disa' Skeda li tinsab ma' dan l-Att, jew b'dik il-parti minnu hekk li jiġi żgurat li r-rata ta' pensjoni tagħha miżjuda kif intqal qabel ma tkunx iżjed minn żewġ terzi tad-dħul pensjonabbli tagħha;

(b) fil-każ ta' kull persuna oħra, bl-ammont applikabbli skond l-imsemmija Parti I tad-Disa' Skeda.

(3) Meta dik il-persuna titqies bħala persuna li timpjega lilha nnifisha, ir-rata ta' pensjoni tagħha għandha tiżdied — jekk ma tkunx raġel miżżewweġ — bl-ammont applikabbli skond il-Parti I tad-Disa' Skeda li tinsab ma' dan l-Att.

(4) Għall-finijiet tal-paragrafu (a) tas-subartikolu (2) ta' dan l-artikolu —

(a) "id-dħul pensjonabbli" għandu jiġi sostitwit b'effett mill-ewwel Sibt tas-sena li dwarha jkollu jsir xi ħlas taħt dan l-artikolu, bil-mod provdut bis-sub-paragrafu

(a) tal-paragrafu (ii) tas-subartikolu (11) u bl-ewwel proviso għall-imsemmi subartikolu (11) ta' l-artikolu 17 ta' dan l-Att;

(b) il-proporzjon ta' żewġ terzi għandu, meta l-medja fis-sena ta' kontribuzzjonijiet stabbiliti dwar it-talba għall-pensjoni taħt l-artikolu 17 ta' dan l-Att tkun inqas minn ħamsin, ikun multiplikat bil-proporzjon li dik il-medja fis-sena għandha għal ħamsin, u r-riżultat ta' dik il-multiplikazzjoni għandu jissostitwixxi l-imsemmi proporzjon ta' żewġ terzi.

Pensjoni ma titnaqqasx.

17D. Ebda pensjoni, li titħallas lil persuna taħt is-subartikolu (6) ta' l-artikolu 16, l-artikolu 16A, 17 jew 17Ċ jew taħt il-Parti IX ta' dan l-Att, ma għandha titnaqqas minħabba xi żieda, li tibda b'effett minn wara li dik il-persuna jkollha dritt għal pensjoni kif intqal qabel, fl-ammont li għandu jitħallas lil dik il-persuna bħala pensjoni tas-servizz jew, ta' armla, bħala pensjoni mingħand prinċipal tal-mejjet żewġha li jkollha x'taqsam ma' l-impieg tal-mejjet żewġha.".

Emenda ta' l-artikolu 25 ta' l-Att prinċipali.

16. Fis-subartikolu (4A) ta' l-artikolu 25 ta' l-Att prinċipali, minflok il-kliem "tal-mejjet żewġha." għandhom jidħlu l-kliem "tal-mejjet żewġha; u meta armla tkun ingħatat gratifikazzjoni mingħand prinċipal ta' qabel tal-mejjet żewġha li b'xi mod ikollha x'taqsam ma' l-impieg tal-mejjet żewġha, dik il-gratifikazzjoni għandha, għall-finijiet ta' dan is-subartikolu, titqies li hi pensjoni fis-sena li tammonta għal ħamsa fil-mija ta' l-imsemmija gratifikazzjoni.".

Emenda ta' l-artikolu 32 ta' l-Att prinċipali.

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

(a) l-artikolu għandu jiġi numerat mill-ġdid bħala subartikolu (1) tiegħu; u

(b) minnufih wara, għandu jiżdied is-subartikolu ġdid li ġej:

"(2) Persuna li għaliha japplika l-paragrafu (i) ta' l-artikolu 4A ta' dan l-Att, u li tkun ħallset xi kontribuzzjoni tat-tieni klassi wara l-1 ta' April, 1978 ikollha dritt, meta tagħmel applikazzjoni lid-Direttur mhux iktar tard mill-31 ta' Diċembru, 1981, għall-ħlas lura ta' l-ammont ta' kontribuzzjonijiet hekk imħallsa kemm-il darba ma ġietx bi dritt għal xi benefiċċju jew *allowance* taħt dan l-Att wara l-1 ta' April, 1978.".

Emenda ta' l-artikolu 33 ta' l-Att prinċipali.

18. Minflok il-paragrafu (b) ta' l-artikolu 33 ta' l-Att prinċipali għandu jidħol dan li ġej:

"(b) benefiċċju ta' mard, disimpieg, speċjali ta' disimpieg, inkapaċità u korriment għal xi perijodu li matulu tkun nieqsa minn Malta kemm-il darba —

(i) ma tkunx nieqsa waqt impieg tax-xorta kif deskritt fil-paragrafu 2 tal-Parti I ta' l-Ewwel Skeda li tinsab ma' dan l-Att; jew

(ii) fil-każ ta' benefiċċju għal mard, għal inkapaċità u għal korriment ma tkunx nieqsa għal kura barra minn Malta taħt il-patroċinju tal-Gvern.".

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

19. Fil-proviso (aa) ta' l-artikolu 41 ta' l-Att prinċipali, minnufih wara l-kliem "benefiċċju għal mard" għandhom jidħlu l-kliem "jew benefiċċju għal maternità taħt il-Parti X ta' dan l-Att.".

Emenda ta' l-artikolu 48 ta' l-Att prinċipali.

20. Fl-artikolu 48 ta' l-Att prinċipali, il-kliem "tad-Dipartiment" għandhom jitħassru.

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

21. Minnufih wara s-subartikolu (7) ta' l-artikolu 54 ta' l-Att prinċipali għandu jiżdied is-subartikolu ġdid li ġej:

"(8) Għall-finijiet ta' dan l-artikolu, avviż mid-Direttur lil xi prinċipal li juri n-numru u l-ammont ta' kontribuzzjonijiet li dak il-prinċipal ikun naqas jew ittraskura li jħallas ikun, sakemm ma jiġix ippruvat kuntrarju, prova biżżejjed li l-ammont muri fuq l-imsemmi avviż huwa l-ammont li għandu jitħallas lid-Direttur mill-prinċipal.".

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

22. Fis-subartikolu (1) ta' l-artikolu 55 ta' l-Att prinċipali, minflok il-kliem "mitt lira" għandhom jidħlu l-kliem "ħames mitt lira".

Emenda ta' l-artikolu 60 ta' l-Att prinċipali.

23. Fis-subartikolu (1) ta' l-artikolu 60 ta' l-Att prinċipali, minflok il-kliem "tliet snin" għandhom jidħlu l-kliem "ħames snin".

Żieda ta' artikolu ġdid 69B ta' l-Att prinċipali.

24. Minnufih wara l-artikolu 69A ta' l-Att prinċipali għandu jiżdied l-artikolu ġdid li ġej:

"*Bonus.*

69B. (1) F'dan l-artikolu, *bonus* tfisser ħlas, bir-rata ta' £50, li jkun dovut kull sitt xhur, matul ix-xhur ta' Ġunju u Diċembru.

(2) Bla ħsara għad-disposizzjonijiet ta' dan l-artikolu, kull persuna li, f'xi ġurnata f'xi xahar ta' Ġunju jew Diċembru, għandha dritt tirċievi pensjoni, benefiċċju jew *allowance* li titħallas taħt l-artikolu 16, 16A, 17, 17A, 18 jew 25 ta' dan l-Att, jew pensjoni għal inkapaċità taħt l-artikolu 24 ta' dan l-Att stmata bħala 100 fil-mija, jew pensjoni taħt il-Parti IX ta' dan l-Att, ikollha wkoll dritt, kemm-il darba d-dritt tagħha għal dik il-pensjoni jew għal dak il-benefiċċju jew għal dik l-*allowance* ma jkunx biss dovut minħabba t-tħaddim tad-disposizzjonijiet ta' l-artikolu 33A jew 99 ta' dan l-Att, li tirċievi *bonus* matul dak ix-xahar.

(3) *Bonus* li għandu jitħallas lil raġel miżżewweġ taħt dan l-artikolu għandu jinqasam indaqs bejnu u martu meta —

(a) jiġi muri għas-sodisfazzjon tad-Direttur li dak ir-raġel jonqos li jmantni lil martu; jew

(b) dak ir-raġel jew martu tkun daħlet *inmate* f'istituzzjoni msemmija fl-artikolu 33A jew 99 ta' dan l-Att u d-disposizzjonijiet ta' xi wieħed mill-imsemmija artikoli jkunu bdew japplikaw għalihom:

Iżda dan is-subartikolu ma japplikax jekk il-mara jkollha dritt għal *bonus* taħt dan l-artikolu fid-dritt tagħha.

(4) Il-*bonus* li jitħallas lil persuna taħt dan l-artikolu għandu jitnaqqas bl-ammont ta' kull *bonus* li dik il-persuna jkollha dritt li tirċievi mingħand xi prinċipal skond l-Att ta' l-1952 li jirregola l-Kondizzjonijiet ta' l-Impieg, dwar kull parti mill-perijodu ta' sitt xhur li jispiċċa fl-aħħar jum ta' Ġunju jew ta' Diċembru, skond il-każ, meta l-*bonus* li għandu jitħallas taħt dan l-artikolu, ikun dovut:

Iżda meta jinħtieġ li jsir qsim taħt id-disposizzjonijiet tas-subartikolu (3) ta' dan l-artikolu, l-ammont ta' kull *bonus* li r-raġel għandu dritt jirċievi skond id-disposizzjonijiet ta' l-Att ta' l-1952 li jirregola l-Kondizzjonijiet ta' l-Impieg, kif intqal qabel, għandu jitnaqqas mill-*bonus* dovut lir-raġel taħt dan l-Att qabel ma jsir il-qsim tal-*bonus*.

(5) Bla ħsara għad-disposizzjonijiet tas-subartikolu (4) ta' dan l-artikolu, kull *bonus* li għandu jitħallas taħt dan l-artikolu lil xi persuna għandu jitnaqqas, dwar kull ġurnata — li tkun ġurnata fil-perijodu ta' sitt xhur li jispiċċa fl-aħħar ġurnata tax-xahar li matulu jkun dovut dak il-*bonus* — li dwarha xi ammont ikun dovut lil persuna jew lil mart dik il-persuna skond id-disposizzjonijiet ta' l-artikolu 33A jew 99 ta' dan l-Att, kif ġej:

(i) fil-każ ta' persuna li għandha dritt għal nofs tal-*bonus* taħt is-subartikolu (3) ta' dan l-artikolu, bl-ammont li jirriżulta mill-multiplikazzjoni ta' nofs ir-rata tal-*bonus* imsemmi fis-subartikolu (1) ta' dan l-artikolu u 0.0033; u

(ii) fil-każ ta' kull persuna oħra bl-ammont li jirriżulta mill-multiplikazzjoni tar-rata tal-*bonus* imsemmi fis-subartikolu (1) ta' dan l-artikolu u 0.0033.

(6) L-ammont imnaqqas mill-*bonus* skond id-disposizzjonijiet tas-subartikolu (5) ta' dan l-artikolu għandu jitħallas lill-Kumitat dwar Għajnuna Soċjali mwaqqaf taħt l-Att ta' l-1956 dwar is-Sigurtà Nazzjonali.".

25. Fl-artikolu 76 ta' l-Att prinċipali minflok il-figuri "250", "200" u "130" għandhom jidħlu rispettivament il-figuri "310", "245" u "155". **Emenda ta' l-artikolu 76 ta' l-Att prinċipali.**

26. Fis-subartikolu (1) ta' l-artikolu 82 ta' l-Att prinċipali, minnufih wara l-kliem "jkunu jgħixu flimkien" għandhom jidħlu l-kliem "jew lill-omm jekk tissodisfa lid-Direttur li l-interessi ta' dak it-tifel jew tifla jew persuna hekk jeħtieġu.". **Emenda ta' l-artikolu 82 ta' l-Att prinċipali.**

27. Fis-subartikolu (2) ta' l-artikolu 90 ta' l-Att prinċipali, minflok il-figuri "£548" għandhom jidħlu l-figuri "£630". **Emenda ta' l-artikolu 90 ta' l-Att prinċipali.**

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

(a) fis-subartikolu (3) tiegħu, minflok il-figuri "£22.88", "£27.45" u "£46.62" għandhom jidħlu rispettivament il-figuri "£26.88", "£30.75" u "£86.53"; u

(b) minflok is-subartikolu (4) tiegħu għandu jidħol dan li ġej:

"(4) Meta persuna assigurata jkollha dritt għarrata sħiħa ta' pensjoni kieku ma kienx għall-fatt li l-medja fis-sena ta' ħamsin kontribuzzjoni meħtieġa bis-subartikolu (2) ta' dan l-artikolu ma tkunx sodisfatta, dik il-persuna xorta waħda jkollha dritt, jekk l-imsemmija medja ma tkunx inqas minn ħmistax, għal pensjoni mnaqqsa; u sabiex tiġi stabbilita dik il-pensjoni mnaqqsa l-proporzjon ta' żewġ terzi msemmi fis-subartikoli (1) u (3) ta' dan l-artikolu għandu jiġi multiplikat bil-proporzjon li dik il-medja fis-sena ta' kontribuzzjonijiet imħallsa jew akkreditati (barra minn dawk akkreditati taħt l-artikolu 9 ta' dan l-Att fil-waqt li l-persuna assigurata

kellha dritt għal pensjoni taħt l-artikolu 16A ta' dan l-Att) għandha għal 50, u r-riżultat ta' dik il-multiplikazzjoni għandu jissostitwixxi l-imsemmi proporzjon ta' żewġ terzi.".

Emenda ta' l-artikolu 96 ta' l-Att prinċipali.

29. Minnufih wara t-tieni proviso għas-subartikolu (4) ta' l-artikolu 96 ta' l-Att prinċipali għandu jiżdied il-proviso ġdid li ġej:

"Iżda wkoll, għall-finijiet ta' dan is-subartikolu, l-ammont li jissostitwixxi d-dħul pensjonabbli għandu jkun ikbar mill-ammont li jissostitwixxi d-dħul pensjonabbli meta tkun saret ir-reviżjoni ta' qabel bis-somma li ma tkunx inqas minn dik tat-total ta' żidiet fil-paga li bil-liġi ngħataw b'mod ġenerali dwar il-perijodu li jiġi minnufih wara l-imsemmija reviżjoni; u meta reviżjoni ssir għall-ewwel darba, l-ammont li jissostitwixxi d-dħul pensjonabbli ta' persuna għandu jkun ikbar mid-dħul pensjonabbli tagħha b'mhux inqas mit-total taż-żidiet fil-paga kif intqal qabel dwar il-perijodu li jaħbat wara d-data ta' l-irtir tagħha.".

Emenda ta' l-artikolu 97 ta' l-Att prinċipali.

30. Minflok il-paragrafu (b) ta' l-artikolu 97 ta' l-Att prinċipali għandu jidħol dan li ġej:

"(b) fil-każ ta' persuna li għandha titqies bħala persuna li timpjega lilha nnifisha, il-figura li tidher fit-tielet kolonna tal-Parti II tat-Tieni Skeda li tinsab ma' dan l-Att relattivament għall-kategorija ta' kontribuzzjoni l-aħħar imħallsa minnha skond id-disposizzjonijiet ta' dan l-Att; u għall-fini ta' dan il-paragrafu għandhom japplikaw id-disposizzjonijiet tal-partita (a) tas-sub-paragrafu (ii) tal-paragrafu (b) tat-tifsira ta' "dħul pensjonabbli" fis-subartikolu (1) ta' l-artikolu 2 ta' dan l-Att.".

Emenda ta' l-artikolu 98 ta' l-Att prinċipali.

31. Minflok il-paragrafu (b) tas-subartikolu (1) ta' l-artikolu 98 ta' l-Att prinċipali għandu jidħol dan li ġej:

"(b) fil-każ ta' persuna li, fiż-żmien minnufih qabel saret invalida, kienet persuna li timpjega lilha nnifisha, il-figura li tidher fit-tielet kolonna tal-Parti II tat-Tieni Skeda li tinsab ma' dan l-Att relattivament għall-kategorija ta' kontribuzzjoni l-aħħar imħallsa minnha skond id-disposizzjonijiet ta' dan l-Att; u għall-fini ta' dan il-paragrafu għandhom japplikaw id-disposizzjonijiet tal-partita (a) tas-sub-paragrafu (ii) tal-paragrafu (b) tat-tifsira ta' "dħul pensjonabbli" fis-subartikolu (1) ta' l-artikolu 2 ta' dan l-Att.".

Emenda ta' l-artikolu 100 ta' l-Att prinċipali.

32. Fis-subartikolu (9) ta' l-artikolu 100 ta' l-att prinċipali, minflok il-figuri "£548" għandhom jidħlu l-figuri "£630".

Żieda ta' Parti ġdida ma' l-Att prinċipali.

33. Minnufih wara l-artikolu 101 ta' l-Att prinċipali għandha tidħol il-Parti ġdida li ġejja:

"PARTI X

Tifsir.

102. F'din il-Parti, kemm-il darba r-rabta tal-kliem ma teħtieġx xort'oħra, "benefiċċju" tfisser il-benefiċċju għal maternità msemmi fl-artikolu 103 li jitħallas skond id-disposizzjonijiet ta' din il-Parti.

Benefiċċju għal Maternità.

103. (1) Mara li, f'xi żmien fl-1 jew wara l-1 ta' Jannar, 1981 tkun tqila b'tarbija u tkun daħlet fit-tmien xahar tat-tqala jkollha dritt għal benefiċċju taħt u skond id-disposizzjonijiet ta' din il-Parti.

(2) Minkejja d-disposizzjonijiet tas-subartikolu (1) ta' dan l-artikolu, mara li għandha dritt għal *leave* għal

maternità skond id-disposizzjonijiet ta' l-Att ta' l-1952 li Jirregola l-Kondizzjonijiet ta' l-Impieg ma jkollhiex dritt għal benefiċċju.

(3) Id-disposizzjonijiet tas-subartikolu (2) ta' dan l-artikolu għandhom japplikaw għal mara li, meta tkun jew kienet intitolata għal *leave* għal maternità skond id-disposizzjonijiet ta' l-Att ta' l-1952 li Jirregola l-Kondizzjonijiet ta' l-Impieg, titlaq l-impieg tagħha f'xi żmien matul il-perijodu li jibda tmien ġimgħat qabel il-jum tal-ħlas tagħha (kif imfisser fl-imsemmi Att) u li jispiċċa fl-aħħar jum tas-sitt xhur imsemmija fis-subartikolu (14) ta' l-artikolu 25 ta' dak l-Att.

Ħlas ta' Benefiċċju għal Maternità.

104. (1) Il-benefiċċju għandu jitħallas f'żewġ partijiet kif ġej:

(a) l-ewwel ħlas ikun ta' £5 fil-ġimgħa għal tmien ġimgħat, meta tingħata lid-Direttur talba fuq il-formula provduta mid-Direttur, li jkollha magħha ċertifikat iffirmat minn persuna li jkollha l-*warrant* li teżerċita l-professjoni medika f'Malta u, jekk id-Direttur jidhirlu meħtieġ, ippruvata b'dawk il-provi l-oħra li hu jista' jeħtieġ, skond id-disposizzjonijiet ta' dan l-Att, li juru li l-persuna li tagħmel it-talba tkun daħlet fit-tmien xahar tat-tqala; u

(b) it-tieni ħlas ta' £5 fil-ġimgħa għal ħames ġimgħat, meta jingħata lid-Direttur ċertifikat mir-Reġistru Pubbliku li jiċċertifika t-twelid tat-tarbija:

Iżda meta talba ssir wara t-twelid ta' tarbija, kemm l-ewwel kif ukoll it-tieni ħlas jista' jsir meta jingħata ċ-ċertifikat imsemmi fil-paragrafu (b) ta' dan is-subartikolu.

(2) Il-perijodi ta' tmien ġimgħat u ta' ħames ġimgħat imsemmija fis-subartikolu (1) ta' dan l-artikolu għandhom jitqiesu li jkopru —

(a) fil-każ tal-ħlas imsemmi fil-paragrafu (a) tiegħu, it-tmien ġimgħat li jiġu minnufih qabel id-data tat-twelid tat-tarbija jew, jekk dik il-ġurnata ma tkunx is-Sibt, l-ewwel Sibt li jiġi wara dik il-ġurnata;

(b) fil-każ tal-ħlas imsemmi fil-paragrafu (b) tiegħu, il-ħames ġimgħat li jibdew mis-Sibt li jiġi minnufih wara l-perijodu msemmi fil-paragrafu (a) ta' dan is-subartikolu; u

(ċ) fil-każ tal-ħlas magħmul skond il-proviso għas-subartikolu (1) ta' dan l-artikolu, it-tmien ġimgħat li jiġu minnufih qabel it-twelid, u l-ħames ġimgħat li jibdew mill-ġurnata tat-twelid tat-tarbija jew, jekk dik il-ġurnata ma tkunx is-Sibt, l-ewwel Sibt li jiġi wara dik il-ġurnata.

(3) Meta l-ġurnata li fiha min jagħmel it-talba tibda bid-dritt għal benefiċċju b'rata ġdida ma tkunx is-Sibt, dik ir-rata għandha tibda sseħħ biss mis-Sibt li jiġi wara.

(4) Minkejja kull disposizzjonijiet oħra ta' din il-Parti, ebda benefiċċju ma għandu jitħallas dwar kull perijodu qabel it-3 ta' Jannar, 1981.

Żmien li fih issir it-talba.

105. Persuna ma jkollhiex dritt tagħmel talba għal benefiċċju dwar tarbija wara li jgħaddu sitt xhur mit-twelid ta' dik it-tarbija.

Kondizzjonijiet għal kwalifika.

106. (1) Talba ma tiġix aċċettata mid-Direttur kemm-il darba ma ssirx minn ċittadin Malti jew minn persuna miżżewġa lil ċittadin Malti, li tirrisjedi f'Malta u li tkun ilha hekk

tirrisjedi matul is-sitt xhur qabel it-twelid tat-tarbija li dwarha ssir it-talba.

(2) Ma jitħallas ebda benefiċċju jekk min jagħmel it-talba jkun irċieva benefiċċju għal tliet darbiet qabel id-data tat-talba, jew jekk ikun welled għal tliet darbiet qabel id-data tat-talba, barra minn trabi li għalihom tirreferi t-talba, trabi li minnhom tlieta jew iżjed ikunu għadhom ħajjin fid-data ta' dik it-talba.

(3) Għall-finijiet tas-subartikolu (1) ta' dan l-artikolu —

(a) persuna li tagħmel talba u li tkun nieqsa minn Malta matul xi parti mis-sitt xhur imsemmija f'dan l-artikolu, titqies li tkun irresjediet f'Malta matul dak in-nuqqas, jekk id-Direttur ikun sodisfatt li —

(i) dik il-persuna kienet bil-vaganzi u n-nuqqas tagħha ma jkunx iżjed minn tliet xhur b'kollox, jew

(ii) in-nuqqas tagħha kien minħabba kura medika barra minn Malta, minħabba impieg temporanju tagħha barra minn Malta jew minħabba impieg temporanju ta' żewġha barra minn Malta, u

(iii) f'kull każ, tkun irresjediet f'Malta minnufih qabel dak in-nuqqas;

(b) persuna li tagħmel talba u li żewġha jkun impjegat mal-Gvern ta' Malta ma titqiesx li tirrisjedi barra minn Malta jekk —

(i) dik ir-residenza barra minn Malta tkun minħabba l-impieg ta' żewġha mal-Gvern ta' Malta, u

(ii) żewġha kien jirrisjedi f'Malta minnufih qabel l-impieg tiegħu kif intqal qabel.

Riżerva.

107. Ħlief għall-każ li għalih japplikaw id-disposizzjonijiet tal-paragrafu (b) tas-subartikolu (3) ta' l-artikolu 106 ta' dan l-Att, ma jsirx ħlas ta' benefiċċju barra minn Malta.

Applikabbiltà ta' artikoli oħra.

108. Id-disposizzjonijiet tal-paragrafu (b) tas-subartikolu (1) u tas-subartikolu (3) ta' l-artikolu 34, tas-subartikolu (3) ta' l-artikolu 35, ta' l-artikoli 36, 37 (barra minn dik il-parti tas-subartikolu (2) tiegħu li tagħmel id-disposizzjonijiet tas-subartikolu (3) ta' l-artikolu tliet mija u tnejn u tmenin tal-Kodiċi ta' Organizzazzjoni u Proċedura Ċivili applikabbli għal benefiċċju taħt dan l-Att), ta' l-artikoli 38, 41, mill-43 sal-45, u ta' l-artikolu 65 ta' dan l-Att għandhom japplikaw għal benefiċċju taħt din il-Parti u għal talbiet għalih.".

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

34. Minnufih wara l-paragrafu 3 tal-Parti I ta' l-Ewwel Skeda li tinsab ma' l-Att prinċipali għandu jiżdied il-paragrafu ġdid li ġej:

"3A. Servizz wara l-5 ta' Jannar, 1981 bħala membru tal-Kamra tad-Deputati, barra minn servizz f'xi waħda mill-karigi speċifikati fl-artikoli 60(1), 81 u 89 tal-Kostituzzjoni, ħlief meta persuna tkun taħdem bi qligħ bħala persuna li timpjega lilha nnifisha.".

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

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

“IT-TIENI SKEDA

Artikolu 5, 5A

Rati fil-Ġimgħa ta' Kontribuzzjonijiet

PARTI I

Kontribuzzjonijiet ta' l-Ewwel Klassi

Kategorija	Persuni Mpjegati	Rata fil-ġimgħa ta' kontribuzzjoni li għandha titħallas mill-persuna mpjegata, mill-prinċipal tagħha, u mill-Fond Konsolidat
A	1. Subien u bniet fuq l-età ta' 14-il sena iżda taħt l-età assigurabbli	£1.23,0
	2. Persuni ta' l-età assigurabbli jew fuqha li l-paga jew is-salarju bażiku tagħhom (barra minn sahra, kummissjonijiet, rimunerazzjoni fi speċi jew xi xorta ta' *bonus*) —	
B	(i) ma jkunx iżjed minn £26.88 fil-ġimgħa jew £1,398 fis-sena	£2.24,0
Ċ	(ii) ikun iżjed minn £26.88 fil-ġimgħa jew £1,398 fis-sena iżda mhux iżjed minn £86.53 fil-ġimgħa jew £4,500 fis-sena	minn tnax wieħed kalkolat għall-eqreb ċenteżmu, tal-paga fil-ġimgħa basika jew tal-ekwivalenti fil-ġimgħa tas-salarju basiku.
D	(iii) ikun iżjed minn £86.53 fil-ġimgħa jew £4,500 fis-sena	£7.21,0

PARTI II

Kontribuzzjonijiet tat-Tieni Klassi

Kategorija	Rata fil-ġimgħa ta' Kontribuzzjonijiet tat-Tieni Klassi	*Income* Pensjonabbli
SA	£3.90	£1640
SB	£5.20	£2170
SC	£6.50	£2700
SD	£7.80	£3230
SE	£9.05	£3760
SF	£10.85	£4500"

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

36. Minflok it-Tielet Skeda li tinsab ma' l-Att prinċipali għandu jidħol dan li ġej:

"IT-TIELET SKEDA

Artikolu 10, 24, 30

PARTI I

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

Xorta ta' Benefiċċju	Rata fil-Ġimgħa	
	Persuna waħedha jew Mara Miżżewġa	Raġel Miżżewweġ
	£ c m	£ c m
(a) Pensjoni Minima Nazzjonali ...	13.05,0	20.50,0
(b) Pensjoni Miżjuda għal min Jirtira	14.05,0	21.70,0
(ċ) Pensjoni għal min Jirtira ...	7.40,0	12.10,0
(d) Pensjoni Miżjuda għal Invalidità	12.05,0	19.70,0
(e) Pensjoni għal Invalidità ...	7.40,0	12.10,0
(f) Pensjoni ta' Armla	12.05,0	—
(ġ) *Allowance* Speċjali ta' Armla ...	4.45,0	—
(ħ) Benefiċċju għal Mewt:		
(i) Benefiċċju għal Armla ...	13.90,0	—
(ii) Benefiċċju għal Armel ...	13.90,0	—
(iii) *Allowance* għal Armla ...	5.30,0	—
(iv) *Allowance* tal-Ġenituri ...	12.05,0	19.70,0

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 waħedha jew Mara Miżżewġa	Raġel Miżżewweġ
	£ c m	£ c m
(a) Benefiċċju għal Mard	2.00,0	3.25,0
(b) Benefiċċju għal Disimpieg ...	1.24,0	2.02,0
(ċ) Benefiċċju Speċjali għal Disimpieg	2.00,0	3.25,0
(d) Benefiċċju għal Korriment —		
Persuni ta' età assigurabbli ...	3.75,0	5.05,0
Persuni taħt l-età assigurabbli ...	1.70,0	3.00,0

Parti II

Ammonti ta' Bonus għal Żwieġ kull Persuna

£ c m
50.00,0

Parti III

Ammonti ta' Gratifikazzjoni għal Inkapaċità

Grad ta' Inkapaċità	Ammont ta' Gratifikazzjoni
%	£ c m
1	43.50,0
2	87.00,0
3	130.50,0
4	174.00,0
5	217.50,0
6	261.00,0
7	304.50,0
8	348.00,0
9	391.50,0
10	435.00,0
11	478.50,0
12	522.00,0
13	565.50,0
14	609.00,0
15	652.50,0
16	696.00,0
17	739.50,0
18	783.00,0
19	826.50,0

PARTI IV

Rati ta' Pensjoni għal Inkapaċità

Grad ta' Inkapaċità	RATI FIL-ĠIMGĦA	
	Persuni ta' l-Età Assigurabbli	Persuni taħt l-Età Assigurabbli
%	£ c m	£ c m
100	12.05,0	6.00,0
90	11.45,0	5.70,0
80	9.40,0	4.70,0
70	8.40,0	4.20,0
60	7.15,0	3.60,0
50	6.40,0	3.20,0
40	5.15,0	2.60.0
30	4.05,0	2.00,0
20	2.85,0	1.40.0

PARTI V

Żieda ta' Benefiċċju għal Inkapaċità għal mara miżżewġa meta minħabba t-telf tal-fakultà żewġha ma jkunx kapaċi għax-xogħol u x'aktarx

RATA FIL-ĠIMGĦA
£ c m
7.65,0

PARTI VI

Żieda ta' Pensjoni ta' Armla, Benefiċċju għal Armla u Benefiċċju għal Armel għal iben

Xorta ta' Benefiċċju	Rata fil-Ġimgħa għal kull tifel jew tifla li dwarhom tkun qed titħallas *allowance* tat-tfal taħt il-Parti VIII ta' dan l-Att	Rata fil-Ġimgħa għal kull tifel ieħor jew tifla oħra
	£ c m	£ c m
(a) Pensjoni ta' Armla	0.85,0	1.40,0
(b) Benefiċċju ta' Armla	0.85,0	1.40,0
(ċ) Benefiċċju ta' Armel	0.85,0	1.40,0

Parti VII

Rata ta' 'Allowance' ta' Tutur u 'Allowance' għal Iltiema

Xorta ta' Benefiċċju	Rata fil-Ġimgħa meta *Allowance* ta' tfal tkun qed titħallas taħt il-Parti VIII ta' dan l-Att	Rata fil-Ġimgħa meta ebda *Allowance* ta' tfal ma tkun qed titħallas taħt il-Parti VIII ta' dan l-Att
	£ c m	£ c m
Allowance ta' Tutur	1.89,0	2.80,0
Allowance għal Iltiema	2.97,0	4.40,0".

37. Il-paragrafu 1 tar-Raba' Skeda li tinsab ma' l-Att prinċipali għandu jitħassar.

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

38. Minflok il-Ħames Skeda li tinsab ma' l-Att prinċipali għandu jidħol dan li ġej:

Sostituzzjoni tal-Ħames Skeda li tinsab ma' l-Att prinċipali.

"IL-ĦAMES SKEDA

Parti II

Rati Mnaqqsa ta' Benefiċċji

A. Pensjoni Minima Nazzjonali

Medja fis-sena ta' kontribuzzjonijiet imħallsa jew akkreditati	Rata fil-Ġimgħa ta' Pensjoni Minima Nazzjonali	
	Persuna waħedha jew Mara Miżżewġa	Raġel Miżżewweġ
	£ c m	£ c m
50 jew iżjed (rata sħiħa)	13.05,0	20.50,0
40 — 49	11.60,0	18.25,0
30 — 39	9.00,0	14.15,0
20 — 29	6.40,0	10.05.0

B. Pensjoni Miżjuda għal Invalidità

Medja fis-sena ta' kontribuzzjonijiet imħallsa jew akkreditati	Rata fil-Ġimgħa ta' Pensjoni Miżjuda għal Invalidità	
	Persuna Waħedha jew Mara Miżżewġa	Raġel Miżżewweġ
	£ c m	£ c m
50 jew iżjed (rata sħiħa)	12.05,0	19.70,0
40 — 49	10.70,0	17.50,0
30 — 39	8.30,0	13.60,0
20 — 29	5.90,0	9.65,0

Ċ. Pensjoni Miżjuda għal min Jirtira

Medja fis-sena ta' kontribuzzjonijiet imħallsa jew akkreditati	Rata fil-Ġimgħa ta' Pensjoni Miżjuda għal min Jirtira	
	Persuna Waħedha jew Mara Miżżewġa	Raġel Miżżewweġ
	£ c m	£ c m
50 jew iżjed (rata sħiħa)	14.05,0	21.70,0
40 — 49	12.50,0	19.30,0
30 — 39	9.70,0	15.00,0
20 — 29	6.90,0	10.65,0

D. Pensjoni għal min Jirtira u Pensjoni għal Invalidità

Medja fis-sena ta' kontribuzzjonijiet imħallsa jew akkreditati	Rata fil-Ġimgħa ta' Pensjoni għal min Jirtira u Pensjoni għal Invalidità	
	Persuna Waħedha jew Mara Miżżewġa	Raġel Miżżewweġ
	£ c m	£ c m
50 jew iżjed (rata sħiħa)	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

E. Pensjoni ta' Armla

Medja fis-sena ta' kontribuzzjonijiet imħallsa jew akkreditati	Rata fil-Ġimgħa ta' Pensjoni ta' Armla
	£ c m
50 jew iżjed (rata sħiħa)	12.05,0
40 — 49	10.70,0
30 — 39	8.30,0
20 — 29	5.90,0

F. Benefiċċju għal Mard

Numru ta' kontribuzzjonijiet imħallsa jew akkreditati fis-sena ta' kontribuzzjoni relattiva	Rata ta' Kuljum tal-Benefiċċju għal Mard	
	Persuna Waħedha jew Mara Miżżewġa	Raġel Miżżewweġ
	£ c m	£ c m
50 jew iżjed (rata sħiħa)	2.00,0	3.25,0
40 — 49	1.80,0	2.90,0
30 — 39	1.40,0	2.25,0
20 — 29	1.00,0	1.60,0

Ġ. Benefiċċju għal Disimpieg

Numru ta' kontribuzzjonijiet imħallsa jew akkreditati fis-sena ta' kontribuzzjoni relattiva	Rata ta' Kuljum tal-Benefiċċju għal Disimpieg	
	Persuna Waħedha jew Mara Miżżewġa	Raġel Miżżewweġ
	£ c m	£ c m
50 jew iżjed (rata sħiħa)	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

Ħ. Benefiċċju Speċjali għal Disimpieg

Numru ta' kontribuzzjonijiet imħallsa jew akkreditati fis-sena ta' kontribuzzjoni relattiva	Rata ta' Kuljum tal-Benefiċċju Speċjali għal Disimpieg	
	Persuna Waħedha jew Mara Miżżewġa	Raġel Miżżewweġ
	£ c m	£ c m
50 jew iżjed (rata sħiħa)	2.00,0	3.25,0
40 — 49	1.80,0	2.90,0
30 — 39	1.40,0	2.25,0
20 — 29	1.00,0	1.60,0".

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

39. Fil-partita 40 tas-Seba' Skeda li tinsab ma' l-Att prinċipali, minflok il-kliem "retikulazzjoni mill-għabra (Pneumoconiosis)" għandhom jidħlu l-kliem "retikulazzjoni mill-għabra (Pneumoconiosis); u silico tuberculosis kemm-il darba s-silicosis ikun fattur essenzjali li jikkawża l-inkapaċità jew il-mewt".

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

40. It-Tmien Skeda li tinsab ma' l-Att prinċipali għandha tiġi emendata kif ġej:

(a) fis-sub-paragrafu (a) tal-paragrafu (1) tagħha, minflok il-kliem "(barra minn għamara u oġġetti personali)" għandhom jidħlu l-kliem "(barra minn dar ta' residenza, għamara u oġġetti personali)";

(b) is-sub-paragrafu (b) tal-paragrafu 1 tagħha għandu jitħassar;

(ċ) fis-sub-paragrafu (ċ) tal-paragrafu 1 tagħha, minflok il-kliem "benefiċċju taħt dan l-Att" għandhom jidħlu l-kliem "benefiċċju taħt il-Parti III u X ta' dan l-Att"; u

(d) fil-paragrafu (5) tagħha, minflok il-figuri "£3400", "£6500", "£348" u "£548" għandhom jidħlu rispettivament il-figuri "£4500", "£8600", "£430" u "£630".

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

41. Minnufih wara t-Tmien Skeda li tinsab ma' l-Att prinċipali għandha tidħol l-Iskeda Ġdida li ġejja:

"ID-DISA' SKEDA

Artikolu 16 (6), 17Ċ

PARTI I

Żieda fir-rata ta' Pensjoni Minima Nazzjonali taħt l-artikolu 17Ċ ta' l-Att

Medja fis-sena ta' kontribuzzjonijiet imħallsa jew akkreditati	L-ogħla rata ta' żieda fil-ġimgħa
	£ c m
50 jew iżjed (rata sħiħa)	2.00,0
40 — 49	1.80,0
30 — 39	1.40,0
20 — 29	1.00,0

Parti II

Żieda fir-rata ta' Pensjoni lil Armla taħt is-subartikolu (6) ta' l-artikolu 16 ta' l-Att

Medja fis-sena ta' kontribuzzjonijiet imħallsa jew akkreditati	L-ogħla rata ta' żieda fil-ġimgħa
	£ c m
50 jew iżjed (rata sħiħa)	1.35,0
40 — 49	1.20,0
30 — 39	0.95,0
20 — 29	0.65,0".

Mgħoddi mill-Kamra tad-Deputati fis-Seduta Nru. 491 tal-14 ta' April, 1981.

C. Agius
Speaker

C. Mifsud
Skrivan tal-Kamra tad-Deputati

I assent.

(L.S.)

ANTON BUTTIGIEG
President

24th April, 1981

ACT No. XII of 1981

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, 1981, and shall be read and construed as one with the National Insurance Act, 1956, hereinafter referred to as "the principal Act".

(2) The following provisions of this Act shall have effect as follows:

(a) sections 2, 10 to 13, 14 (with the exception of paragraph (a) thereof), 15, 16, 19, 24 to 33, 36 to 39 and 41 as from the 3rd day of January, 1981;

(b) sections 3 to 6, 8, 9, 18, 20, 21, 23, 34, 35 and 40 as from the 5th day of January, 1981.

Amendment of section 2 of the principal Act.

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

(a) in subsection (1) thereof, for paragraph (b) of the definition of "pensionable income" and the two provisos to the said definition, there shall be substituted the following:

"(b) in the case of a person who is to be treated as a self-employed person, the yearly average of his net income during the last ten calendar years preceding his retirement; such net income being taken —

(i) in respect of any period up to the 31st day of December, 1978 —

(a) during which he was liable to pay a class two or class three contribution, as the net income on which such contribution was payable; and

(b) during which he was liable to pay a class one contribution, as the wage or salary on which such contribution was payable;

and for the purposes of this sub-paragraph, the amount to be taken as the net income for each year shall not exceed the amount accepted by the Commissioner of Inland Revenue for the purposes of the Income Tax Act, 1948, as the net income for that year; and for every completed calendar year during which such person was gainfully occupied after attaining the age of fifty-one years, the net income for that year shall be increased by the applicable wage increases required by law to be awarded generally in respect of each subsequent year up to the date of retirement; and

(ii) in respect of any period after the 31st day of December, 1978 —

(a) during which he was liable to pay a class two contribution, as the amount which, calculated on the basis of the figure appearing at the time of his retirement under the Third Column of Part II of the Second Schedule to this Act against the category of contribution payable by him, represents the pensionable income for the period during which such category of contribution was payable, and for the purposes of this item —

(i) a contribution payable in respect of the year 1979 at the lower of the two rates applicable during that year shall be deemed to be a contribution at the SA category;

(ii) a contribution payable in respect of the year 1979 at the higher of the two rates then applicable shall be deemed to be a contribution at the SB category, and

(iii) a contribution payable in respect of the year 1980 at the Full Rate category shall be deemed to be a contribution at the SE category; and

(b) during which he was liable to pay a class one contribution, as the wage or salary on which such contribution way payable, increased by the applicable wage increases required by law to be awarded generally in respect of each subsequent year up to the date of retirement:

Provided that the amount to be taken as the net income for the purposes of item (a) of sub-paragraph (i) and item (a) of sub-paragraph (ii) of paragraph (b) of this definition, in respect of any year (or part thereof) falling within any period to which the said sub-paragraphs refer during which a self-employed person was liable to pay a class two or class three contribution, shall be multiplied by the proportion that the total number of class two or class three contributions paid or credited in respect of such year bears to the total number of such contributions due in respect of that year, and the result of such multiplication shall be his net income for that year or the part thereof as the case may be:

Provided further that the provisions of paragraph (b) of this definition shall apply to any person whose retirement occurs after the 11th January, 1982, and that in the case of a person who retires before the said date the provisions of paragraph (b) of this definition as on the 2nd January, 1981 shall apply:

Provided further that the pensionable income or any amount substituted therefor under the provisions of subsection (11) of section 17 and subsection (4) of section 96 of this Act, shall not exceed such amount as the Minister may, with the concurrence of the Minister responsible for finance, by order in the Gazette from time to time determine;

and for the purposes of establishing the net income of a person, the Director may require him to produce his income tax returns and assessments;"; and

(b) in subsection (1) thereof, for the first proviso to the definition of "retirement" there shall be substituted the following:

"Provided that in respect of a person over pensionable age who is disqualified from receiving a pension under subsection (1A) of section 17 or subsection (1) of section 90 of this Act, retirement means the date on which he ceases to be so disqualified or on which he reaches the age of 65 years, whichever is the earlier:"; and

(c) for the proviso to subsection (4) thereof there shall be substituted the following:

"Provided that a person who, in accordance with this subsection is to be treated as a self-employed person shall, if it is to his advantage, be treated as an employed person if immediately before attaining the age of 51 years he was an employed person for not less than twenty years and has continued to be employed for any period after the age of 51 years, and has not thereafter become gainfully occupied as a self-employed person.".

Amendment of section 4A of the principal Act.

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

(a) in paragraph (d) thereof the words "invalidity pension," shall be deleted;

(b) in paragraph (g) thereof, for the words "whichever shall be applicable." there shall be substituted the words "whichever shall be applicable; or"; and

(c) immediately after paragraph (g) thereof there shall be inserted the following new paragraphs:

"(h) is in receipt, or would have been in receipt, the provisions of sub-paragraph (i) of paragraph (a) of the proviso to subsection (1) of section 16A of this Act, of an invalidity pension; or

(i) a person who was born before the 1st day of January, 1927, and who, prior to the 1st day of April, 1978, was not liable to pay a contribution under this Act, and who at any time after the said 1st day of April, 1978, was not gainfully occupied.".

Amendment of section 5 of the principal Act.

4. In subsection (2) of section 5 of the principal Act, for the words "in the second column of that Part" there shall be substituted the words "in the third column of that Part".

5. Section 5A of the principal Act shall be amended as follows: **Amendment of section 5A of the principal Act.**

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

"Provided that a self-employed person who satisfies the Director that —

(a) he is not gainfully occupied or, although gainfully occupied his earnings do not exceed £250 per annum, and

(b) his yearly means, calculated in accordance with the provisions of the Eighth Schedule to this Act do not exceed £630 in the case of a married man who is wholly maintaining his wife or £430 in the case of any other person,

shall be entitled, on making an application to the Director, to receive a certificate of low income valid for twelve 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:";

(b) for subsection (3) thereof there shall be substituted the following:

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

Provided that payment of the class two contribution at the rate of any but the last listed one of the categories set out in the first column of the said Part II shall only be effected by an insured person at his option and if he proves to the satisfaction of the Director that his total net income does not exceed the figure appearing in the third column of the said Part II against the applicable category:

Provided further that for the purposes of this Act, where a person has requested and is allowed to pay a class two contribution at the rate of any but the last listed one of the categories set out in the first column of the said Part II he may not, except as provided in paragraphs (a) and (b) of this proviso, change his category: sohowever that —

(a) with effect from the 1st day of January, 1983 and at intervals of not less than two years thereafter, he may at his request change his category to the next category for which a higher rate of contribution is shown in the second column of the said Part II, if he satisfies the Director that his net income is not less than the figure appearing under the third column of the said Part II against the category to which the request refers; and

(b) at any time, he may at his request change his category to any other category for which a lower rate of contribution is shown in the second colum of the said Part II, if he satisfies the Director that his net income does not exceed the figure appearing under the third column of the said Part II against the category to which the request refers;

and for the purposes of these provisos —

(i) where a person has been allowed to pay a class two contribution at the rate of any but the last listed one of the categories set out in the first column of the said Part II or has been allowed to change his category, the rate of contribution appropriate to his new category shall be payable with effect from the date of his request or from such earlier date as the Director may determine; and

(ii) where an insured person is not gainfully occupied, any pension shall not be deemed to form part of his total net income;"; and

(c) subsection (5) thereof shall be deleted.

Amendment of section 5C of the principal Act.

6. In subsection (1) of section 5C of the principal Act for the words "with effect from the date of an application to the Director," there shall be substituted the words "at his request and with effect from such date, not being later than the date of such request, as the Director may determine,".

Addition of new section to the principal Act.

7. Immediately after section 5C of the principal Act there shall be inserted the following new section:

"5D. (1) A self-employed person who is liable to pay a class two contribution under the provisions of this Act other than those of section 5B, and who is engaged by another person to perform service as an outworker or as a tourist guide, shall be entitled to receive from such person, in addition to the remuneration due to him under the terms of his engagement, an amount corresponding to one-sixteenth of the remuneration agreed upon for such services, towards the payment of class two contributions payable under this Act by such self-employed person:

Provided that the amount payable under this section, whether by one person or more, to such self-employed person during any period of four months ending on the last Monday of April, August or December, shall not exceed in the aggregate one-half of the class two contributions payable under this Act by such self-employed person in respect of the same period of four months.

(2) For the purposes of this section, "outworker" means a person engaged to perform services in the physical manufacture of any article, remunerated at piece rates, in his own time and in a place not provided by the person with whom he is so engaged.".

Amendment of section 8 of the principal Act.

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

(a) the proviso to subsection (1) thereof shall be deleted; and

(b) in paragraph (d) of subsection (4) thereof, immediately after the words "under section 5A" there shall be inserted the words "or under section 5B of this Act".

Amendment of section 9 of the principal Act.

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

(a) in subsection (2) thereof —

(i) the words "or invalidity pension," in paragraph (a) thereof shall be deleted;

(ii) for the words "a national minimum pension; and" in paragraph (a) thereof there shall be substituted the words

"a national minimum pension;";

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

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

(iv) for the words "a contribution is payable by or in respect of him under section five or under section five A" in the proviso thereto, there shall be substituted the words "a class one or class two contribution is payable by or in respect of him under this Act."; and

(b) in paragraph (a) of subsection (3) thereof —

(i) the words "an invalidity pension or" in sub-paragraph (ii) thereof shall be deleted;

(ii) for the words "the first day of that week;" in sub-paragraph (iii) thereof there shall be substituted the words "the first day of that week; or"; and

(iii) immediately after sub-paragraph (iii) there shall be inserted the following new sub-paragraph:

"(iv) is entitled, or would but for the provisions of sub-paragraph (i) of paragraph (a) of the proviso to subsection (1) of section 16A of this Act have been entitled, to an invalidity pension;".

10. Section 10 of the principal Act shall be amended as follows: *Amendment of section 10 of the principal Act.*

(a) in paragraph (b) of subsection (2) thereof, the words "a marriage grant" shall be deleted;

(b) in subsection (3) thereof, for the figures "£1431" there shall be substituted the figures "£1640", and

(c) subsection (4) thereof shall be deleted.

11. For section 11 of the principal Act there shall be substituted the following: *Substitution of section 11 of the principal Act.*

"11. (1) Subject to the provisions of this Act, an insured person who marries and who, on the date of his marriage, has paid not less than twenty-six contributions under this Act and is ordinarily resident in Malta, shall be entitled, by giving notice in writing to the Director, to receive a marriage grant.

(2) Whether a marriage grant is paid or not, no account shall be taken of any contributions paid by a woman before the date of her marriage, on any claim for sickness, unemployment or special unemployment benefit made subsequently to that date.".

12. Section 16 of the principal Act shall be amended as follows: *Amendment of section 16 of the principal Act.*

(a) in subsection (1A) thereof, the words "retirement pension or increased retirement pension or", wherever they occur, shall be deleted;

(b) immediately after subsection (1A) thereof there shall be added the following new subsection:

"(1C) A widow's pension payable under this section to a person over the age of sixty years shall be at the rate of

a national minimum pension calculated on the basis of the yearly average of contributions ascertained in connection with her claim for a widow's pension:

Provided that, without prejudice to the provisions of subsection (1A) of this section, if such a widow is entitled to a pension from a former employer of her late husband which is in any way related to the employment of her late husband, the difference between the rate of widow's pension and that of the national minimum pension shall be abated by the amount of the pension to which she is entitled from such employer;"; and

(c) in subsection (4A) thereof, for the words "of her late husband." there shall be substituted the words "of her late husband; and where a widow is awarded a gratuity from a former employer of her late husband which is in any way related to the employment of her late husband, such gratuity shall, for the purposes of this subsection, be deemed to be a yearly pension amounting to five per centum of the said gratuity.".

(d) immediately after subsection (5) thereof there shall be added the following new subsections:

"(6) A widow who is entitled to a widow's pension in accordance with this section and is not disqualified by the provisions of section 17B of this Act and whose husband (hereinafter referred to as "the deceased pensioner") was at the time of his death — occurring after the 21st day of January, 1979 — entitled to a pension under section 17 of this Act or would have been so entitled but for the provisions of paragraph (i) of subsection (3) thereof, and who is not herself —

(i) entitled to a survivor's pension under section 100 of this Act, or

(ii) entitled to a supplementary pension under subsection (4) of this section, or

(iii) in receipt of a pension from an employer of the deceased pensioner which is in any way related to the employment of the deceased pensioner,

shall be entitled to an increase in the rate of her pension subject to and in accordance with the following provisions of this subsection:

(a) where the deceased pensioner was treated as an employed person, the rate of pension payable to her shall be increased by the applicable amount shown under Part II of the Ninth Schedule to this Act or by such part thereof as shall ensure that her rate of pension increased as aforesaid does not exceed four-ninths of —

(i) the current wage or salary of the post occupied by the deceased pensioner immediately before his retirement or of the post on which his service pension, if any, was awarded, whichever is the higher, where the retirement of the deceased pensioner had occurred before the 22nd January, 1979;

(ii) the pensionable income of the deceased pensioner where his retirement occurred after the 21st January, 1979;

(b) where the deceased pensioner was treated as a

self-employed person, the rate of pension payable to her shall be increased by the applicable amount shown under Part II of the Ninth Schedule to this Act, sohowever that her rate of pension increased as aforesaid shall not exceed two-thirds of the married rate of pension to which the deceased pensioner would have been entitled but for his death;

(c) for the purposes of paragraph (a) of this subsection —

(i) the "current wage or salary" referred to in sub-paragraph (i) thereof shall be taken to be that current on the first Saturday of the year in respect of which any payment under this section falls due;

(ii) the "pensionable income" referred to in sub-paragraph (ii) thereof shall be substituted, with effect from the first Saturday of the year in respect of which any payment under this subsection falls due in the manner provided by sub-paragraph (a) of paragraph (ii) of subsection (11) and by the first proviso to the said subsection of section 17 of this Act; and

(iii) the proportion of four-ninths referred to therein shall, where the yearly average of contributions ascertained in connection with the widow's claim for a widow's pension is less than fifty, be multiplied by the proportion that such yearly average bears to fifty and the result of such multiplication shall substitute the said proportion of four-ninths.".

Amendment of section 16A of the principal Act.

13. In sub-paragraph (e) of the proviso to subsection (1) of section 16A of the principal Act, immediately after the words "sub-paragraphs (i), (ii) and (iii)" there shall be inserted the words "of paragraph (a)" and for the words "first proviso" there shall be substituted the words "last proviso".

Amendment of section 17 of the principal Act.

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

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

"(1) Subject to the provisions of this Act an insured person shall be entitled to a retirement pension or increased retirement pension or national minimum pension with effect from the date of his retirement if —

(a) on the date of his retirement he satisfies the relevant contribution conditions; and

(b) he makes a claim therefor within six months of such date:

Provided that if he does not make a claim within six months of his retirement the pension shall be payable with effect from the day on which the claim is made.";

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

"(1A) An insured person under the age of 65 years shall be disqualified from receiving a pension during any period in which he is gainfully occupied if he fails to prove that his earn-

ings from such gainful occupation do not exceed £30 in any period of four weeks or £97.50 in any period of thirteen weeks:

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

(c) immediately after the proviso to subsection (11) thereof there shall be added the following new proviso:

"Provided further that, for the purposes of this subsection, the amount to be substituted for the pensionable income shall be greater than the amount substituted for the pensionable income on the occasion of the previous reassessment by a sum of not less than that of the total wage increases required by law to be awarded generally in respect of the period following the said last reassessment; and where a reassessment is made for the first time, the amount to be substituted for the pensionable income of a person shall be greater than his pensionable income by not less than the total wage increases as aforesaid in respect of the period following the date of his retirement; and

(d) subsection (12) thereof shall be deleted.

Addition of new section to the principal Act.

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

"Increase in pension.

17C. (1) A person who is entitled to a national minimum pension in accordance with the provisions of section 17 and who is not disqualified under the provisions of section 17B of this Act, shall be entitled to an increase in the rate of his pension subject to and in accordance with the following provisions of this section.

(2) Where such person is treated as an employed person, his rate of pension shall be increased —

(a) in the case of a married man, by the applicable amount in accordance with Part I of the Ninth Schedule to this Act, or by such part thereof as shall ensure that his rate of pension increased as aforesaid does not exceed two-thirds of his pensionable income;

(b) in the case of any other person, by the applicable amount in accordance with the aforesaid Part I of the Ninth Schedule.

(3) Where such person is treated as a self-employed person, his rate of pension shall be increased — if he is not a married man — by the applicable amount in accordance with Part I of the Ninth Schedule to this Act.

(4) For the purposes of paragraph (a) of subsection (2) of this section —

(a) the "pensionable income" shall be substituted with effect from the first Saturday of the year in respect of which any payment under this section falls due, in the manner provided by sub-paragraph (a) of paragraph (ii) of subsection (11) and by the first proviso to the said subsection (11) of section 17 of this Act;

(b) the proportion of two-thirds shall, where the

yearly average of contributions ascertained in connection with the claim for a pension under section 17 of this Act is less than fifty, be multiplied by the proportion that such yearly average bears to fifty, and the result of such multiplication shall substitute the said proportion of two-thirds.

Pension not to be reduced.

17D. No pension, payable to a person under subsection (6) of section 16, sections 16A, 17 or 17C or under Part IX of this Act, shall be reduced by reason of any increase, taking effect after such person becomes entitled to a pension as aforesaid, in the amount payable to such person by way of service pension or, in the case of a widow, by way of a pension from an employer of her late husband which is related to the employment of her late husband.".

Amendment of section 25 of the principal Act.

16. In subsection (4A) of section 25 of the principal Act, for the words "of her late husband." there shall be substituted the words "of her late husband; and where a widow is awarded a gratuity from a former employer of her late husband which is in any way related to the employment of her late husband, such gratuity shall, for the purposes of this subsection, be deemed to be a yearly pension amounting to five per centum of the said gratuity.".

Amendment of section 32 of the principal Act.

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

(a) the section shall be re-numbered as subsection (1) thereof; and

(b) immediately thereafter, there shall be added the following new subsection:

"(2) A person to whom paragraph (i) of section 4A of this Act applies, and who has paid any class two contribution after the 1st day of April, 1978 shall, on making an application to the Director by not later than the 31st day of December, 1981, be entitled to a refund of the amount of contributions so paid provided that he has not become entitled to any benefit or allowance under this Act after the 1st day of April, 1978.".

Amendment of section 33 of the principal Act.

18. For paragraph (b) of section 33 of the principal Act there shall be substituted the following:

"(b) sickness, unemployment, special unemployment, disablement and injury benefit for any period during which he is absent from Malta unless —

(i) he is absent in the course of employment of the kind described in paragraph 2 of Part I of the First Schedule to this Act; or

(ii) in the case of sickness, disablement and injury benefit, he is absent for treatment abroad under Government auspices.".

Amendment of section 41 of the principal Act.

19. In the proviso (aa) to section 41 of the principal Act, immediately after the words "sickness benefit" there shall be inserted the words "or for maternity benefit under Part X of this Act".

Amendment of section 48 of the principal Act.

20. In section 48 of the principal Act, the words "of the Department" shall be deleted.

Amendment of section 54 of the principal Act.

21. Immediately after subsection (7) of section 54 of the principal Act there shall be added the following new subsection:

"(8) For the purposes of this section, a notice by the Director to any employer showing the number and the amount of contributions which such employer has failed or neglected to pay shall, unless the contrary is proved, be sufficient evidence that the amount shown in the said notice is the amount due to be paid to the Director by the employer.".

Amendment of section 55 of the principal Act.

22. In subsection (1) of section 55 of the principal Act, for the words "one hundred pounds" there shall be substituted the words "five hundred pounds".

Amendment of section 60 of the principal Act.

23. In subsection (1) of section 60 of the principal Act, for the words "three years" there shall be substituted the words "five years".

Addition of new section 69B to the principal Act.

24. Immediately after section 69A of the principal Act there shall be added the following new section:

"Bonus.

69B. (1) In this section, bonus means a payment, at the rate of £50, falling due every six months, during the months of June and December.

(2) Subject to the provisions of this section, any person who, on any day in any one month of June or December, is entitled to receive a pension, benefit or allowance payable under section 16, 16A, 17, 17A, 18 or 25 of this Act, or a disablement pension under section 24 of this Act assessed at 100 per cent, or a pension under Part IX of this Act, shall, unless, his entitlement to such pension, benefit or allowance is solely due to the operation of the provisions of section 33A or 99 of this Act, also be entitled to receive the bonus during that month.

(3) Bonus payable to a married man under this section shall be apportioned equally between him and his wife where —

(a) it is shown to the satisfaction of the Director that such person fails to provide maintenance to his wife: or

(b) such person or his wife has become an inmate of an institution referred to in section 33A or 99 of this Act and the provisions of either of the said sections have commenced to apply to them;

Provided that this subsection shall not apply if the wife is entitled to bonus under this section in her own right.

(4) The bonus payable to any person under this section shall be abated by the amount of any bonus which such person is entitled to receive from any employer in accordance with the Conditions of Employment (Regulation) Act, 1952, in respect of any part of the six month period ending on the last day of June or December when the bonus payable under this section falls due, as the case may be:

Provided that where an apportionment is required under the provisions of subsection (3) of this section, the amount of any bonus which the husband is entitled to receive

in accordance with the provisions of the Conditions of Employment (Regulation) Act, 1952, as aforesaid, shall be abated from the bonus due to the husband under this Act before the apportionment of such bonus is made.

(5) Without prejudice to the provisions of subsection (4) of this section, any bonus payable under this section to any person shall be reduced, in respect of every day — being a day in the six month period ending on the last day of the month during which that bonus falls due — for which any amount is due to him or to his wife in accordance with the provisions of section 33A or 99 of this Act as follows:

(i) in the case of a person entitled to the moiety of the bonus under subsection (3) of this section, by the amount resulting from the multiplication of half the rate of bonus mentioned in subsection (1) of this section and 0.0033; and

(ii) in the case of any other person by the amount resulting from the multiplication of the rate of bonus mentioned in subsection (1) of this section and 0.0033.

(6) The amount reduced from the bonus in accordance with the provisions of subsection (5) of this section shall be paid to the Welfare Committee established under the National Assistance Act, 1956.".

25. In section 76 of the principal Act, for the figures "250", "200" and "130" there shall be substituted respectively the figures "310", "245" and "155". Amendment of section 76 of the principal Act.

26. In subsection (1) of section 82 of the principal Act, immediately after the words "are living together" there shall be inserted the words "or to the mother if she satisfies the Director that the interests of such child or person so require,". Amendment of section 82 of the principal Act.

27. In subsection (2) of section 90 of the principal Act, for the figures "£548" there shall be substituted the figures "£630". Amendment of section 90 of the principal Act.

28. Section 91 of the principal Act shall be amended as follows: Amendment of section 91 of the principal Act.

(a) in subsection (3) thereof, for the figures "£22.88", "£27.45" and "£46.62" there shall be substituted respectively the figures "£26.88", "£30.75" and "£86.53"; and

(b) for subsection (4) thereof there shall be substituted the following:

"(4) Where an insured person would be entitled to the full rate of pension but for the fact that the yearly average of fifty contributions required by subsection (2) of this section is not satisfied, such person shall nonetheless be entitled, if the said average is not less than fifteen, to a reduced pension; and for the purpose of determining such reduced pension the proportion of two-thirds referred to in subsections (1) and (3) of this section shall be multiplied by the proportion that the yearly average of contributions paid or credited (other than those credited under section 9 of this Act while the insured person was entitled to a pension under section 16A of this Act) bears to 50, and the result of such multiplication shall substitute the said proportion of two-thirds.".

Amendment of section 96 of the principal Act.

29. Immediately after the second proviso to subsection (4) of section 96 of the principal Act there shall be added the following new proviso:

"Provided further that, for the purposes of this subsection, the amount to be substituted for the pensionable income shall be greater than the amount substituted for the pensionable income on the occasion of the previous review by a sum of not less than that of the total wage increases required by law to be awarded generally in respect of the period following the said last review; and where a review is made for the first time, the amount to be substituted for the pensionable income of a person shall be greater than his pensionable income by not less than the total wage increases as aforesaid in respect of the period following the date of his retirement.".

Amendment of section 97 of the principal Act.

30. For paragraph (b) of section 97 of the principal Act there shall be substituted the following:

"(b) in the case of a person who is to be treated as a self-employed person, the figure appearing in the third column of Part II of the Second Schedule to this Act against the category of contribution last paid by him in accordance with the provisions of this Act; and for the purpose of this paragraph the provisions of item (a) of sub-paragraph (ii) of paragraph (b) of the definition of "pensionable income" in subsection (1) of section 2 of this Act shall apply.".

Amendment of section 98 of the principal Act.

31. For paragraph (b) of subsection (1) of section 98 of the principal Act there shall be substituted the following:

"(b) in the case of a person who, at the time immediately preceding his becoming an invalid, was a self-employed person, the figure appearing in the third column of Part II of the Second Schedule to this Act against the category of contribution last paid by him in accordance with the provisions of this Act; and for the purpose of this paragraph the provisions of item (a) of sub-paragraph (ii) of paragraph (b) of the definition of "pensionable income" in subsection (1) of section 2 of this Act shall apply.".

Amendment of section 100 of the principal Act.

32. In subsection (9) of section 100 of the principal Act, for the figures "£548" there shall be substituted the figures "£630".

Addition of new Part to the principal Act.

33. Immediately after section 101 of the principal Act there shall be inserted the following new Part:

"**PART X**

Interpretation.

102. In this Part, unless the context otherwise requires "benefit" means the maternity benefit referred to in section 103 payable in accordance with the provisions of this Part.

Maternity Benefit.

103. (1) A woman who, at any time on or after the 1st day of January, 1981 is pregnant with child and has entered the eighth month of pregnancy shall be entitled to benefit under and in accordance with the provisions of this Part.

(2) Notwithstanding the provisions of subsection (1) of this section, a woman who is entitled to maternity leave in accordance with the provisions of the Conditions of Em-

ployment (Regulation) Act, 1952 shall not be entitled to benefit.

(3) The provisions of subsection (2) of this section shall apply to a woman who, being or having been entitled to maternity leave in accordance with the provisions of the Conditions of Employment (Regulation) Act, 1952, leaves her employment at any time during the period commencing eight weeks prior to the day of her confinement (as defined in the said Act) and ending on the last day of the six months referred to in subsection (14) of section 25 of that Act.

Payment of Maternity Benefit.

104. (1) Benefit shall be payable in two parts as follows:

(a) a first payment equivalent to £5 per week for eight weeks, upon the submission to the Director of a claim on the form provided by the Director, accompanied by a certificate signed by a person holding the warrant to practise the medical profession in Malta and, if the Director so deems necessary, supported by such other evidence as he may, in accordance with the provisions of this Act, require showing that the claimant has entered the eighth month of pregnancy; and

(b) a second payment equivalent to £5 per week for five weeks, upon production to the Director of a certificate from the Public Registry attesting the birth of the child:

Provided that where a claim is made after the birth of a child, both the first and second payments may be made on production of the certificate referred to in paragraph (b) of this subsection.

(2) The periods of eight weeks and five weeks referred to in subsection (1) of this section shall be deemed to cover —

(a) in the case of the payment referred to in paragraph (a) thereof, the eight weeks immediately preceding the date of birth of the child or, if such day is not a Saturday, the first Saturday following such day;

(b) in the case of the payment referred to in paragraph (b) thereof, the five weeks commencing on the Saturday immediately following the period referred to in paragraph (a) of this subsection; and

(c) in the case of a payment made in accordance with the proviso to subsection (1) of this section, the eight weeks immediately preceding and the five weeks commencing on the date of birth of the child or, if such day is not a Saturday, the first Saturday following such day.

(3) Where the day on which a claimant becomes entitled to benefit at a new rate is not a Saturday, such rate shall take effect only as from the following Saturday.

(4) Notwithstanding any other provisions of this Part, no benefit shall be payable in respect of any period prior to 3rd January, 1981.

Time limit for claim.

105. A person shall not be entitled to claim benefit in respect of a child after the lapse of six months from the birth of such child.

Qualifying conditions.

106. (1) A claim shall not be accepted by the Director unless it is made by a citizen of Malta or by a person married to a citizen of Malta, who resides in Malta and has so resided during the six months preceding the birth of the child to whom the claim relates.

(2) No benefit shall be due where the claimant has received benefit on three occasions before the date of the claim, or where the claimant has, on three occasions before the date of the claim, given birth to children, other than those to whom the claim relates, three or more of whom are living at the time of the date of such claim.

(3) For the purposes of subsection (1) of this section —

(a) a claimant who was absent from Malta during any part of the six months referred to in this section, shall be deemed to have resided in Malta during such absence, if the Director is satisfied that —

(i) such person was on holiday and her absence does not exceed in the aggregate three months, or

(ii) her absence was due to medical treatment abroad, her temporary employment outside Malta or the temporary employment of her husband outside Malta, and

(iii) in each case, she resided in Malta immediately before such absence;

(b) a claimant whose husband is employed with the Government of Malta shall not be deemed to be residing outside Malta if —

(i) such residence outside Malta is consequential to the employment of her husband with the Government of Malta, and

(ii) her husband resided in Malta immediately prior to his employment as aforesaid.

Saving.

107. Save in the case to which the provisions of paragraph (b) of subsection (3) of section 106 of this Act apply, payment of benefit shall not be made outside Malta.

Applicability of other sections.

108. The provisions of paragraph (b) of subsection (1) and of subsection (3) of section 34, subsection (3) of section 35, sections 36, 37 (with the exception of that part of subsection (2) thereof which makes the provisions of subsection (3) of section three hundred and eighty-two of the Code of Organization and Civil Procedure applicable to benefit under this Act), sections 38, 41, 43 to 45, and section 65 of this Act shall apply to benefit under this Part and to claims therefor.".

Amendment of First Schedule to the principal Act.

34. Immediately after paragraph 3 of Part I of the First Schedule to the principal Act there shall be added the following new paragraph:

"3A. Service after 5th January, 1981 as a member of the House of Representatives, other than service in any of the offices specified in sections 60(1), 81 and 89 of the Constitution, except where the person concerned is gainfully occupied in a self-employed capacity.".

35. For the Second Schedule to the principal Act there shall be substituted the following: Substitution of Second Schedule to the principal Act.

"SECOND SCHEDULE

Sections 5, 5A

Weekly Rates of Contributions

PART I

Class One Contributions

Category	Employed Persons	Weekly rate of contribution payable by the employed person, by his employer, and out of the Consolidated Fund
A	1. Boys and girls over the age of 14 but under insurable age ...	£1.23,0
	2. Persons of insurable age and over whose basic wage or salary (excluding overtime, commissions, remuneration in kind or any form of bonus) —	
B	(i) does not exceed £26.88 per week or £1,398 per annum	£2.24,0
C	(ii) exceeds £26.88 per week or £1,398 per annum but does not exceed £86.53 per week or £4,500 per annum ...	one-twelfth, calculated to the nearest cent, of the basic weekly wage or of the weekly equivalent of the basic salary
D	(iii) exceeds £86.53 per week or £4,500 per annum ...	£7.21,0

PART II

Class Two Contributions

Category	Weekly rate of Class Two Contributions	Pensionable Income
SA	£3.90	£1640
SB	£5.20	£2170
SC	£6.50	£2700
SD	£7.80	£3230
SE	£9.05	£3760
SF	£10.85	£4500".

Substitution of Third Schedule to the principal Act.

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

"THIRD SCHEDULE

Sections 10, 24, 30

PART I

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

Kind of Benefit	Weekly Rate	
	Single Person or Married Woman	Married Man
	£ c m	£ c m
(a) National Minimum Pension ...	13.05,0	20.50,0
(b) Increased Retirement Pension ...	14.05,0	21.70,0
(c) Retirement Pension	7.40,0	12.10,0
(d) Increased Invalidity Pension ...	12.05,0	19.70,0
(e) Invalidity Pension	7.40,0	12.10,0
(f) Widow's Pension	12.05,0	—
(g) Widow's Special Allowance ...	4.45,0	—
(h) Death Benefit:		
(i) Widow's Benefit	13.90,0	—
(ii) Widower's Benefit ...	13.90,0	—
(iii) Widow's Allowance ...	5.30,0	—
(iv) Parent's Allowance ...	12.05,0	19.70,0

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	2.00,0	3.25,0
(b) Unemployment Benefit	1.24,0	2.02,0
(c) Special Unemployment Benefit	2.00,0	3.25,0
(d) Injury Benefit —		
Persons of insurable age ...	3.75,0	5.05,0
Persons under insurable age ...	1.70,0	3.00,0

PART II

Amount of Marriage Grant Per Person

£ c m
50.00,0

PART III

Amounts of Disablement Gratuity

Degree of Disablement	Amount of Gratuity
%	£ c m
1	43.50,0
2	87.00,0
3	130.50,0
4	174.00,0
5	217.50,0
6	261.00,0
7	304.50,0
8	348.00,0
9	391.50,0
10	435.00,0
11	478.50,0
12	522.00,0
13	565.50,0
14	609.00,0
15	652.50,0
16	696.00,0
17	739.50,0
18	783.00,0
19	826.50,0

PART IV

Rates of Disablement Pension

Degree of Disablement	WEEKLY RATES	
	Persons of Insurable Age	Persons under Insurable Age
%	£ c m	£ c m
100	12.05,0	6.00,0
90	11.45,0	5.70,0
80	9.40,0	4.70,0
70	8.40,0	4.20,0
60	7.15,0	3.60,0
50	6.40,0	3.20,0
40	5.15,0	2.60,0
30	4.05,0	2.00,0
20	2.85,0	1.40,0

PART V

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

Weekly Rate
£ c m
7.65,0

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	1.40,0
(b) Widow's Benefit	0.85,0	1.40,0
(c) Widower's Benefit	0.85,0	1.40,0

PART VII

Rate of Guardian's Allowance and Orphan's Allowance

Kind of Benefit	Weekly Rate where a child's Allowance is being paid under Part VIII of this Act	Weekly Rate where no child's Allowance is being paid under Part VIII of this Act
	£ c m	£ c m
Guardian's Allowance	1.89,0	2.80,0
Orphan's Allowance	2.97,0	4.40,0".

37. Paragraph 1 of the Fourth Schedule to the principal Act shall be deleted. Amendment of Fourth Schedule to the principal Act.

38. For the Fifth Schedule to the principal Act there shall be substituted the following: Substitution of Fifth Schedule to the principal Act.

"FIFTH SCHEDULE

PART II

Reduced Rates of Benefit

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)	13.05,0	20.50,0
40 — 49	11.60,0	18.25,0
30 — 39	9.00,0	14.15,0
20 — 29	6.40,0	10.05,0

B. Increased Invalidity Pension

Yearly average of contributions paid or credited	Weekly Rate of Increased Invalidity Pension	
	Single Person or Married Woman	Married Man
	£ c m	£ c m
50 or more (full rate)	12.05,0	19.70,0
40 — 49	10.70,0	17.50,0
30 — 39	8.30,0	13.60,0
20 — 29	5.90,0	9.65,0

C. Increased Retirement Pension

Yearly average of contributions paid or credited	Weekly Rate of Increased Retirement Pension	
	Single Person or Married Woman	Married Man
	£ c m	£ c m
50 or more (full rate)	14.05,0	21.70,0
40 — 49	12.50,0	19.30,0
30 — 39	9.70,0	15.00,0
20 — 29	6.90,0	10.65,0

D. 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

E. Widow's Pension

Yearly average of contributions paid or credited	Weekly Rate of Widow's Pension
	£ c m
50 or more (full rate)	12.05,0
40 — 49	10.70,0
30 — 39	8.30,0
20 — 29	5.90,0

F. 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)	2.00,0	3.25,0
40 — 49	1.80,0	2.90,0
30 — 39	1.40,0	2.25,0
20 — 29	1.00,0	1.60,0

G. 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

H. 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)	2.00,0	3.25,0
40 — 49	1.80,0	2.90,0
30 — 39	1.40,0	2.25,0
20 — 29	1.00,0	1.60,0".

Amendment of Seventh Schedule to the principal Act.

39. In item 40 of the Seventh Schedule to the principal Act, for the words "dust reticulation (Pneumoconiosis)" there shall be substituted the words "dust reticulation (Pneumoconiosis); and silico-tuberculosis provided that silicosis is an essential factor in causing the resultant incapacity or death".

Amendment of Eighth Schedule to the principal Act.

40. The Eighth Schedule to the principal Act shall be amended as follows:

(a) in sub-paragraph (a) of paragraph (1) thereof, for the words "(not being furniture and personal effects)" there shall be substituted the words "(not being the house of residence, furniture and personal effects)";

(b) sub-paragraph (b) of paragraph 1 thereof shall be deleted;

(c) in sub-paragraph (c) of paragraph 1 thereof, for the words "benefit under this Act" there shall be substituted the words "benefit under Parts III and X of this Act"; and

(d) in paragraph (5) thereof, for the figures "£3400". "£6500", "£348" and "£548" there shall be substituted respectively the figures "£4500", "£8600", "£430" and "£630".

Addition of new Schedule to the principal Act.

41. Immediately after the Eighth Schedule to the principal Act there shall be added the following new Schedule:

"NINTH SCHEDULE

Section 16(6), 17C

PART I

Increase in the rate of National Minimum Pension under section 17C of the Act

Yearly average of contributions paid or credited	Maximum Weekly Rate of increase
	£ c m
50 or more (full rate)	2.00,0
40 — 49	1.80,0
30 — 39	1.40,0
20 — 29	1.00,0

Part II

Increase in the rate of pension to a widow under subsection (6) of section 16 of the Act

Yearly average of contributions paid or credited	Maximum Weekly Rate of increase
	£ c m
50 or more (full rate)	1.35,0
40 — 49	1.20,0
30 — 39	0.95,0
20 — 29	0.65,0".

Passed by the House of Representatives at Sitting No. 491 of the 14th April, 1981.

C. Agius
Speaker

C. Mifsud
Clerk to the House of Representatives

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