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4th April, 2007

MINISTRY OF HEALTH, NATIONAL INSURANCE AND
PUBLIC INFORMATION

THE NATIONAL INSURANCE ACT
(CHAPTER 350)

S.I. No. 31 of 2007

THE NATIONAL INSURANCE BENEFIT AND
ASSISTANCE (AMENDMENT) REGULATIONS, 2007

The Minister, in exercise of the powers
conferred by sections 23, 24 and 62 of the National
Insurance Act, makes the following Regulations –

Citation.
Sub. Leg.
Vol. V
350-7.

1. These regulations, which amend the
National Insurance (Benefit and Assistance)
Regulations shall come into operation on the 1st day of
April, 2007.

Amend-
ment of
regulation
29 of the
principal
regulations.

2. Regulation 29 of the principal
regulations is repealed and replaced by the following –

“Rate of orphans benefit. 29. The weekly rate
of orphans bene-
fit for an orphan
shall be twenty-
eight dollars and
eighty - five
cents effective
1st March,
2007”.

Amend-
ment of
regulation
30 of the
principal
regulations.

3. The principal Regulations are amended
by the insertion immediately after regulation 30 of the
following new regulation –

“Increase in
certain retire-
ment benefits,
Invalidity and
survivor’s
benefit.

30A. With effect from
1st March, 2007
the amount of
any retirement,
invalidity benefit
or survivor’s
benefit which
commenced on
or before 28th
February, 2007
shall be
increased by the
respective per-
centages in-
dicated below –

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(1) An orphan under the age of sixteen years or one who is of, or above that age but under the age of twenty-one years who is receiving full time education or training otherwise than under a contract of service under which he is paid wages, may be awarded survivor's assistance if he would have been deemed to comply with the conditions for the receipt of survivor's benefit (orphans) under Part IV; and the weekly rate of survivor's assistance shall be twenty - four dollars and twenty - three cents effective 1st March, 2007.

(2) Except in the case of an orphan to whom paragraph (1) applies, assistance under the foregoing provisions of this Part may be awarded in any case, subject to

the provisions of these Regulations, at a rate not exceeding fifty - three dollars and eight cents effective 1st March, 2007 weekly for a person of, or above the age of sixteen years with an addition not exceeding twenty - one dollars and twenty - three cents effective 1st March, 2007 weekly for each dependent child under the age of sixteen years subject to a maximum addition for dependent children in a household of eighty - four dollars and ninety - two cents effective 1st March, 2007 weekly.

- (3) Subject to paragraph (4), for the purpose of calculating the rate of assistance to be awarded under paragraph (2) the

resources of the person to whom assistance, if any, is to be awarded shall be assessed on a weekly basis and if those resources are –

- (a) equal to or exceed the maximum weekly amount payable under paragraph (2) including the additions for children, wherever permissible, there shall be no award of assistance; or
- (b) less than the weekly amount payable under paragraph (1), assistance shall be awarded at a weekly rate equal to the said weekly amount and in the conversion of such weekly rate to a daily rate in a case

Date Benefits Commenced	Increase
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December 31, 1998 or earlier	15%
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January 1, 1999 to December 31, 2000	12%
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January 1, 2001 to December 31, 2002	8%
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January 1, 2003 to December 31, 2004	5%
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January 1, 2005 to February 28, 2007	3% ."
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Insertion
of new
65A in
the
principal
regulation.

4. The principal Regulations are amended
by the insertion immediately after regulation 65 of the
following new regulation –

"Increase in
certain disable-
ment benefits,
and death
benefits.

65A. With effect from
1st March, 2007
the amount of
any disablement,
or death benefit
which is
periodically pay-
able and which

commenced on
or before 28th
February, 2007
shall be
increased by the
respective
percentages in-
dicated below –

Date Benefits Commenced	Increase
December 31, 1998 or earlier	15%
January 1, 1999 to December 31, 2000	12%
January 1, 2001 to December 31, 2002	8%
January 1, 2003 to December 31, 2004	5%
January 1, 2005 to February 28, 2007	3%

Amend-
ment of
regulation

94 of the
principal
regulations.

5. Regulation 94 of the principal
regulations is amended in the following respects –

- (a) by the deletion of paragraphs
(1), (2) and (3) and the
substitution of the following –

- (3) The minimum disablement benefit in the form of periodical payment shall be that portion of the minimum benefit for total loss of faculty which the percentage assessed as the degree disablement bears to one hundred per centum:

Provided that such prorated amount shall not be less than fifty-three dollars and eight cents effective 1st March, 2007.

- (4) The weekly rate of survivors benefit to a child under paragraphs (3) of Regulation 24 and death benefit to a child under paragraph (3) of Regulation 59 shall not be less than twenty-five dollars and thirty - eight cents effective 1st March, 2007.
- (5) The weekly rate of maternity benefit, sickness benefit or injury benefit with a start date after 28th February, 2007 shall not be less than sixty-two dollars and thirty - one cents.
- (6) In the case of the benefits awarded with an effective date prior to 1st March, 2007, if the

resources of the person to whom assistance, if any, is to be awarded shall be assessed on a weekly basis and if those resources are –

- (a) equal to or exceed the maximum weekly amount payable under paragraph (2) including the additions for children, wherever permissible, there shall be no award of assistance; or
- (b) less than the weekly amount payable under paragraph (1), assistance shall be awarded at a weekly rate equal to the said weekly amount and in the conversion of such weekly rate to a daily rate in a case

of sickness assistance, the daily rate shall be calculated by dividing the weekly rate by six and in any other case by dividing the weekly rate by seven and where the division does not result in whole cents shall be calculated to the next cent above".

- (b) By the deletion of paragraphs (7) and (8) and the substitution of the following -

"(7) In the case of old age non-contributory pension, invalidity assistance, survivor's assistance and sickness assistance awarded prior to 1st March, 2007 the amounts payable thereunder shall be increased with effect

from 1st March, 2007
to the respective
amounts payable,
in respect of the
respective awards,
on 1st March, 2007.

- (8) The amounts awarded
prior to 1st March,
2007 shall be increased
with effect from 1st
March, 2007 to the
respective amounts
payable in respect of
the respective awards,
on 1st March, 2007.

Amend-
ment of

regulation
99 of the
principal
regulation.

6. Regulation 99 of the principal regulations is
repealed and replaced by the following –

- “(1) The weekly rate of retirement
benefit awarded at the age of
sixty-five years or later, invalidity
benefit, survivors benefit, (other
than the benefit to children under
paragraph (3) of Regulation 24
and under Regulation 29,
disablement benefit for total loss
of faculty, or death benefit (other
than the benefit to children under
paragraph (3) of Regulation 59

and under Regulation (61) due under any of the provisions of these Regulations shall not be less

than sixty-two dollars and thirty-one cents effective 1st March, 2007 notwithstanding anything to the contrary in those provisions.

- (2) The weekly rate of retirement benefit awarded to an insured person at any age prior to sixty-five years shall not be less than an amount derived by applying the factors prescribed in Regulation 21 (a) to the minimum amount stated in paragraph (1) of this Regulation:

Provided that such minimum amount shall not be less than fifty-seven dollars and sixty-nine cents effective 1st March, 2007 and if such a person re-enters an insurable occupation, the fresh award of retirement benefit shall be subject to the same minimum amount as was applicable for the age at which the benefit was first awarded.

- (3) The minimum disablement benefit in the form of periodical payment shall be that portion of the minimum benefit for total loss of faculty which the percentage assessed as the degree disablement bears to one hundred per centum:

Provided that such prorated amount shall not be less than fifty-three dollars and eight cents effective 1st March, 2007.

- (4) The weekly rate of survivors benefit to a child under paragraphs (3) of Regulation 24 and death benefit to a child under paragraph (3) of Regulation 59 shall not be less than twenty-five dollars and thirty - eight cents effective 1st March, 2007.
- (5) The weekly rate of maternity benefit, sickness benefit or injury benefit with a start date after 28th February, 2007 shall not be less than sixty-two dollars and thirty - one cents.
- (6) In the case of the benefits awarded with an effective date prior to 1st March, 2007, if the

amount of benefits is less than
the minimum specified in
paragraphs (1), (2), or (3) of this
Regulation as the case may be,
the amount shall be increased to
such a minimum with effect from
1st March, 2007”.

Made this 4th day of April, 2007.

Signed
BERNARD NOTTAGE
Minister responsible for National Insurance