

Template for Article SSC.59 declaration

Declaration by MALTA pursuant to Article SSC.59(1) of the Protocol on Social Security Coordination to the Trade and Cooperation Agreement for the reference year ending 31 December 2021.

To be notified to the Specialised Committee on Social Security Coordination.

I. Declarations referred to in Article SSC.1 (q) of the Protocol on Social Security Coordination to the Trade and Cooperation Agreement and the date from which the Protocol will apply:

The date of application of the Protocol on Social Security Coordination to the listed national legislation, in so far as it is covered by the scope of the Protocol, is 1 January 2021, except where otherwise stated.

II. Legislation referred to in Article SSC.3(1) of the Protocol on Social Security Coordination to the Trade and Cooperation Agreement and the date from which the Protocol will apply.

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|-------------------------------|-------------------------------------------------------|
| Current legislation in force: | Social Security Act (Cap 318 of the Laws of Malta) |
| Date of entry into force: | 1 January 1987 |
| Current legislation in force: | Pensions Ordinance (Cap 93 of the Laws of Malta) |
| Date of entry into force: | 1 April 1937 |
| Current legislation in force: | Malta Armed Forces Act (Cap 220 of the Laws of Malta) |
| Date of entry into force: | 22 September 1970 |
| Current legislation in force: | Police Act (Cap 164 of the Laws of Malta) |
| Date of entry into force: | 10 February 1961 |
| Current legislation in force: | Prisons Act (Cap 260 of the Laws of Malta) |
| Date of entry into force: | 20 April 1976 |
| Current legislation in force: | Civil Protection Act (Cap 411 of the Laws of Malta) |
| Date of entry into force: | 1 December 1999 |
| Current legislation in force: | Health Act (Cap 528 of the Laws of Malta) |
| Date of entry into force: | 25 October 2013 |

1. Sickness benefits

(i) Benefits in kind

- Public Health Care - Chapter 528 -Health Act - 25th October, 2013 ACT XI of 2013
- SUBSIDIARY LEGISLATION 35.28 HEALTHCARE (FEES) REGULATIONS of 1st May, 2004. LEGAL NOTICE 201 of 2004, as amended by Legal Notice 407 of 2007

(ii) Benefits in cash

- Sickness Benefits in cash - [Social Security Act Article 18 – Part I of the Third Schedule] (Actual date of entry into force: 1956 - Date of application of the Protocol: 01.01.2021)

2. Maternity and equivalent paternity benefits

(i) Benefits in kind

None

(ii) Benefits in cash

- Maternity Benefit - [Social Security Act Article 71– Part IV of the Fourteenth Schedule] (Actual date of entry into force: 1981 - Date of application of the Protocol: 01.01.2021)
- Maternity Leave Benefit - [Social Security Act Article 72 – Part IV of the Fourteenth Schedule] (Actual date of entry into force: 2012 - Date of application of the Protocol: 01.01.2021)

3. Invalidity benefits

(i) Benefits in kind

None

(ii) Benefits in cash

- Invalidity Pension - [Social Security Act Article 26– Part B of the Twelfth Schedule] (Actual date of entry into force: 1965 - Date of application of the Protocol: 01.01.2021)
- Increased Invalidity Pension - [Social Security Act Article 26– Part B of the Twelfth Schedule] (Actual date of entry into force: 1965 - Date of application of the Protocol: 01.01.2021)
- National Minimum Invalidity Pension - [Social Security Act Article 26– Part B of the Twelfth Schedule] (Actual date of entry into force: 1979 - Date of application of the Protocol: 01.01.2021)

- Solely for the purposes of the application of Articles SSC.43 and 55 of the Protocol, persons employed under the below Acts shall be treated as civil servants. Pensions payable under the below Acts shall, solely for the purposes of Article SSC.1(cc) of the Protocol, be considered as 'special schemes for civil servants':
 - the Pensions Ordinance (Cap 93 of the Laws of Malta) of 1 April 1937
 - Article 4 of the Malta Armed Forces Act (Cap 220 of the Laws of Malta) of 22 September 1970
 - Article 121 of the Police Act (Cap 164 of the Laws of Malta) of 10 February 1961
 - Articles 12-18 of the Prisons Act (Cap 260 of the Laws of Malta) of 20 April 1976
 - Article 15 of the Civil Protection Act (Cap 411 of the Laws of Malta) of 1 December 1999

(Date of application of the Protocol: 01.01.2021)

4. Old-age benefits

(i) Benefits in kind

None

(ii) Benefits in cash

- Two Thirds Pension - [Social Security Act Article 52– Part I of the Twelfth Schedule] (Actual date of entry into force: 1979 - Date of application of the Protocol: 01.01.2021)
- Retirement Pension - [Social Security Act Article 44– Part B of the Twelfth Schedule] (Actual date of entry into force: 1956 - Date of application of the Protocol: 01.01.2021)
- Increased Retirement Pension - [Social Security Act Article 44– Part B of the Twelfth Schedule] (Actual date of entry into force: 1956 - Date of application of the Protocol: 01.01.2021)
- National Minimum Pension - [Social Security Act Article 44– Part B of the Twelfth Schedule] (Actual date of entry into force: 1979 - Date of application of the Protocol: 01.01.2021)
- Increased National Minimum Pension - [Social Security Act Article 44– Part B of the Twelfth Schedule] (Actual date of entry into force: 1979 - Date of application of the Protocol: 01.01.2021)
- Decreased National Minimum Pension - [Social Security Act Article 51– Part B of the Twelfth Schedule] (Actual date of entry into force: 1979 - Date of application of the Protocol: 01.01.2021)
- Contributory Retirement Grant for Non-Pensioners – [Social Security Act Article 85 (4)] (Actual date of entry into force: 2015 - Date of application of the Protocol: 01.01.2021)

- Guaranteed National Minimum Pension – [Social Security Act Article 50 A] (Actual date of entry into force: 2016 – Date of application of the Protocol: 01.01.2021)
- Solely for the purposes of the application of Articles SSC.43 and 55 of the Protocol, persons employed under the below Acts shall be treated as civil servants. Pensions payable under the below Acts shall, solely for the purposes of Article SSC.1(cc) of the Protocol, be considered as ‘special schemes for civil servants’:
 - the Pensions Ordinance (Cap 93 of the Laws of Malta) of 1 April 1937
 - Article 4 of the Malta Armed Forces Act (Cap 220 of the Laws of Malta) of 22 September 1970
 - Article 121 of the Police Act (Cap 164 of the Laws of Malta) of 10 February 1961
 - Articles 12-18 of the Prisons Act (Cap 260 of the Laws of Malta) of 20 April 1976
 - Article 15 of the Civil Protection Act (Cap 411 of the Laws of Malta) of 1 December 1999
 (Date of application of the Protocol: 01.01.2021)

5. Survivors’ benefits

(i) Benefits in kind

None

(ii) Benefits in cash

- Survivor’s Pension - [Social Security Act Articles 34 to 39] (Actual date of entry into force: 1979 - Date of application of the Protocol: 01.01.2021)
- Widow’s Pension - [Social Security Act Articles 31 to 33– Part C and F of the Twelfth Schedule] (Actual date of entry into force: 1956 - Date of application of the Protocol: 01.01.2021)
- Widower’s Pension - [Social Security Act Articles 31 to 33– Part C and F of the Twelfth Schedule] (Actual date of entry into force: 1989 - Date of application of the Protocol: 01.01.2021)
- Solely for the purposes of the application of Articles SSC.43 and 55 of the Protocol, persons employed under the below Acts shall be treated as civil servants. Pensions payable under the below Acts shall, solely for the purposes of Article SSC.1(cc) of the Protocol, be considered as ‘special schemes for civil servants’:
 - the Pensions Ordinance (Cap 93 of the Laws of Malta) of 1 April 1937
 - Article 121 of the Police Act (Cap 164 of the Laws of Malta) of 10 February 1961
 - Articles 12-18 of the Prisons Act (Cap 260 of the Laws of Malta) of 20 April 1976
 - Article 15 of the Civil Protection Act (Cap 411 of the Laws of Malta) of 1 December 1999
 (Date of application of the Protocol: 01.01.2021)

6. Benefits in respect of accidents at work and occupational diseases

(i) Benefits in kind

None

(ii) Benefits in cash

- Injury Benefit – [Social Security Act Article 28 - Part I of the Third Schedule] (Actual date of entry into force: 1929 - Date of application of the Protocol: 01.01.2021)
- Injury Pension - [Social Security Act Article 29 - Part III of the Third Schedule] (Actual date of entry into force: 1956 - Date of application of the Protocol: 01.01.2021)
- Injury Grant - [Social Security Act Article 29 - Part II of the Third Schedule] (Actual date of entry into force: 1956 - Date of application of the Protocol: 01.01.2021)

7. Death grants

Benefits in cash

- None

8. Unemployment benefits

(i) Benefits in kind

None

(ii) Benefits in cash

- Unemployment Benefit - [Social Security Act Article 30 - Part I of the Third Schedule] (Actual date of entry into force: 1956 - Date of application of the Protocol: 01.01.2021)

9. Pre-retirement benefits

Benefits in cash

- None