

# MANUAL ON SOCIAL SECURITY CONTRIBUTIONS, BENEFITS AND PENSIONS

DEPARTMENT OF SOCIAL SECURITY



OFFICE OF THE PRINCIPAL PERMANENT SECRETARY  
OFFICE OF THE PRIME MINISTER



MANUAL ON  
SOCIAL SECURITY  
CONTRIBUTIONS, BENEFITS  
AND PENSIONS

Last updated 14 October 2020

Department of Social Security 38,  
Ordnance Street Valletta  
Freephone 153 – Fax: 2590 3231



# CONTENTS

- 1 Preface
  - 1.1. How to use this manual
  - 1.2. Definitions
  - 1.3. FAQs
- 2 Obligations of the employee
  - 2.1. Insurable employment
  - 2.2. Contributions: Rates and payments
- 3 Benefits
  - 3.1. Accounting Arrangements
  - 3.2. Injury Benefit
  - 3.3. Disablement Benefit
  - 3.4. Invalidity Pension
  - 3.5. Marriage Grant
  - 3.6. Retirement or two-thirds pension
    - Appendix 3.6.A.  
Accumulation and calculation period for the purposes  
of Pensionable Income
  - 3.7. Sickness Benefit
  - 3.8. Widow's Pension, Widower's Pension and Survivor's Pension
  - 3.9. Maternity & Adoption Benefit
  - 3.10. Maternity & Adoption Leave Benefit

01



The Social Security Act (Cap 318) establishes amongst others a scheme of social insurance providing cash benefits for marriage, maternity, childhood, sickness, unemployment, widowhood, orphan-hood, retirement, invalidity and industrial injury or disease. This Act is administered by the Department of Social Security. This manual brings together the salient points of this legislation on social insurance as they affect employees of the public administration.

## 1.1 How to use this Manual

This manual is intended for use by employees of the public administration and those persons who require knowledge of the Social Security Act, and how it is administered in respect of public employees. HR Managers in government departments and public entities should consult this manual when administering Social Security procedures in respect of public employees.

## 1.2 Definitions

The definitions below are those established by the Social Security Act, (Chapter 318) of the laws of Malta.

**“Basic weekly wage”** and **“basic salary”** mean the gross wage or salary that is payable to an employed person by or on behalf of his employer excluding any remuneration for overtime, any form of bonus, any extra allowances, any remuneration in kind and commissions

**“Benefit”** means benefit which is payable under this Act and includes Bonus, Additional Bonus and Marriage Grant

**“Class One contribution”** means a contribution that an insured person pays as an employed person

**“Class Two contribution”** means a contribution which an insured person pays either as a self-employed person, or as a self-occupied person

**“Contribution”** means a contribution payable or which was payable under the provisions of the Social Security Act (Chapter 318)

**“Credited contribution”** means a contribution which is not paid by a person but is none the less accredited to him as established by the Social Security Act (Chapter 318)

**“Employed person”** means a person who has not yet passed his sixty-fifth birthday and who is employed in insurable employment

**“Self-employed”** means a person who has not yet passed his 65th birthday, is ordinarily resident in Malta, and is not an employed person nor a self-occupied person

**“Self-occupied”** means a self-employed person who is engaged in any activity through which earnings exceeding €910 per annum are being derived



**“Pension Age”** means as follows:

- (a) a person - male - born on or before 31/12/1951 reaches pension age at 61 years of age;
- (b) a person - female - born on or before 31/12/1951 reaches pension age at 60 years of age;
- (c) a person born during the calendar years 1952 to 1955 reaches pension age at 62 years of age;
- (d) a person born during the calendar years 1956 to 1958 reaches pension age at 63 years of age;
- (e) a person born during the calendar years 1959 to 1961 reaches pension age at 64 years of age;
- (f) a person born on or after 1/1/1962 reaches pension age at 65 years of age.

**“Pensionable Income”** means as follows:

- (a) the average annual basic wage or salary of the best three consecutive calendar years in the last ten years in the case of
  - i. an employed person who attains pension age at age 61,
  - ii. the last eleven years of an employed person who attains pension age at age 62,
  - iii. in the last twelve years of an employed person who attains pension age at age 63,
  - iv. in the last thirteen years of an employed person who attains pension age at age 64.
- (b) the average annual basic wage or salary of the best ten calendar years out of the full forty years contributions of an employed person who attains pension age at age 65.

**“Retirement”** means attainment of pension age

**“Service Pension”** means a pension or other allowance awarded to a person that is payable by or on behalf of his employer in respect of past services in Malta or abroad

**“Widow”** means the surviving spouse, whether a widow or a widower, of a married couple who immediately prior to widowhood had a legal right to be maintained by the other spouse and in relation to widow, wherever it appears, husband shall include wife.

## 1.3 FAQs

**Q:** What happens to the Social Security Contribution when an officer is in receipt of a Social Security benefit?

**A:** The Social Security Act provides that credits of Contributions are awarded to persons who are in receipt of a Sickness Benefit on No Pay, an Injury Benefit on No Pay, an Invalidity Pension and a Carer’s Pension.

**Q:** Is the Social Security pension withheld if an officer continues to work, while on retirement pension?

**A:** Persons who become entitled to a Social Security Retirement Pension and continue

in their employment will not lose their right to such a pension. Same pension is not abated if pensioner earns more than the national minimum wage through employment or self occupation after his/her reaching retirement age. However, if an insured person claims his retirement pension prior to proper retirement age, same person cannot be in employment as from date of award of retirement pension till proper retirement age. Example a person born as from 1st January 1962, is due to retire at age 65 years. However if he/she has accumulated 2080 contributions as from age 18 till retirement date, he/she can opt to receive his pension prior to age 65. He/she cannot be in a gainful occupation during early opt out.

**Q:** What happens when government employees (public service and public sector?) take long unpaid leave e.g. five years parental leave? Are the contributions paid prior to the leave lost? Are these officers credited with any contributions? Are these officers required to pay the outstanding contributions?

**A:** Persons on parental leave will not lose the contributions paid prior to the parental leave. Credits are awarded to persons on parental leave as follows:

For parents born on or after 1/1/1962

- i. the person is eligible to a maximum of four years of credits per child for the first three children whereas if there is a fourth child or more a further two years of credits will also be awarded provided person returns to work at least for a period equal to the 104 weekly credits due per child.
- ii. the person has legal care & custody of child who has not attained 6 years of age by the time of eligibility for parental credits.

Furthermore persons born on or after 1st January 1962 whose child is certified by a medical consultant as suffering from a serious disability during the period for which credits are being requested are entitled to a maximum of 416 weeks for the same conditions in "i." above and;

- iii. the person has legal care & custody of child who has not attained 10 years of age by the time of eligibility for parental credits.

For parents born on or after 1/1/1952 up to 31/12/1961

- i. the person is eligible to a maximum of two years of credits per child for the first three children whereas if there is a fourth child or more, a further one year of credits will also be awarded provided person returns to work at least for a period equal to the 52 weekly credits due per child.
- ii. the person has legal care & custody of child who has attained 6 years of age by the time of eligibility for parental credits.

Furthermore persons born as from 1st January 1952 till 31st December 1961 whose child is certified by a medical consultant as suffering from a serious disability during the period for which credits are being requested are entitled to a maximum of 208 weeks for the same conditions in “i” above and;

- iii. the person has legal care & custody of child who has not attained 10 years of age by the time of eligibility for parental credits..

**Q:** When officers are granted leave to work with EU Institutions, do they continue to pay social security contributions?

**A:** In such cases officers are always subject to the legislation of the sending State and continue to be paid by the employer. The employer is responsible to deduct from the officer’s salary the usual contribution. The Competent Institution of the sending State will issue Form E101 under Article 13.2(d) confirming to the authorities in the Member State of the EU Institution that social security contributions continue to be paid to the Maltese scheme. It will prevent a demand from the host State for social security contributions to their scheme.

**Q:** What happens when a Member of the Malta Police Force or of the Armed Forces of Malta or of the Corradino Correctional Facilities or of the Civil Protection retires from the service prior to reaching pension age?

**A:** A member as mentioned above who retires prior to reaching pension age on a full pension on completion of his service is awarded credits for the period during which he is not gainfully occupied and has not yet reached pension age.

02

# OBLIGATIONS OF THE EMPLOYEE

## 2.1 Insurable Employment

Purpose	To define the term insurable employment.
Policy	<p>Under the Social Security Act any contract of service or apprenticeship, written or oral, whether expressed or implied, by or under the Government of Malta, is insurable employment.</p> <p>All full-time or part-time Government employees who are employed for less than eight (8) hours in any one calendar week are not considered as in insurable employment for Social Security Contribution purposes.</p> <p>All persons who are over the age of sixteen (16) and who have not yet attained retirement age, and who are in insurable employment, are liable to pay Social Security Contributions.</p>
Procedure	<p>Persons who reach the age of 16 receive a letter from the Department of Social Security informing them that for social security purposes, their identity card number will be used instead of the Social Security Number.</p> <p>The Social Security Number will continue to be generated and provided only to foreigners who will register online through the following link: <a href="https://www.gov.mt/en/Services-And-Information/eforms/Pages/Landing%20Pages/application%20for%20a%20social%20security%20number.aspx">https://www.gov.mt/en/Services-And-Information/eforms/Pages/Landing%20Pages/application%20for%20a%20social%20security%20number.aspx</a></p> <p>This service is also available at any of the District Offices of the Department of Social Security and also through <a href="http://servizz.gov">servizz.gov</a>. When reporting for registration under the Act they are to produce their Identity Card.</p>

## Contributions: Rates and Payments

To specify the amount of weekly contributions payable by employees and employers.

The weekly rates of contribution payable by full-time staff, by students and trainees who follow a full-time course under Government-sponsored training schemes (but do not hold a substantive appointment), and by the department as employer, are stipulated in the Social Security Act (Chapter 318).

The Social Security contributions of government officers are paid by the Bulk Payment System.

## 2.2

### Contributions: Rates and Payments

Purpose	To specify the amount of weekly contributions payable by employees and employers.
Policy	The weekly rates of contribution payable by full-time staff, by students and trainees who follow a full-time course under Government-sponsored training schemes (but do not hold a substantive appointment), and by the department as employer, are stipulated in the Social Security Act (Chapter 318).
Procedure	<p>The Social Security contributions of government officers are paid by the Bulk Payment System.</p> <p>The contributions are payable in respect of employment in any one (1) week during which the service with any one employer amounts to eight (8) hours or more.</p> <p>Contributions are not payable whenever staff is on unpaid leave throughout a whole week.</p>
Approving Authority	Social Security Act (Chapter 318)
Inquiries	Social Security district offices and/or <a href="http://servizz.gov">servizz.gov</a> Freephone - 153 Email: <a href="mailto:social.security@gov.mt">social.security@gov.mt</a>

03





## 3.1 Accounting Arrangements

Purpose	To outline the procedure to be followed by departments when claiming refunds of benefits.
Policy	Where benefits are paid by the employing department, claims for refund of such benefits are to be made to the Department of Social Security. Departments are to submit claims including nil returns, to the Department of Social Security on General Form G.P. 51, within seven (7) days from the end of each month. The Department of Social Security pays Sickness Benefit directly to the insured employees regarding claims of employees on Sick Leave on half pay. Payment of Sickness Benefit on Half Pay is subject to relevant contribution tests and the timely submission of (the blue) medical certificates to the Department of Social Security.
Procedure	<p>Claims on General Form G.P. 51 are submitted on two separate forms, i.e., sickness on half pay and injury claims, and are not to include any entries covering a period of sick leave of less than four (4) working days. When a period of sickness or of absence because of injury on duty straddles two (2) months or more, the return for each month, on General Form G.P. 51, is to be endorsed "incapacity continued" in columns 4 and 5.</p> <p>Employees who are on Sick Leave on No Pay, and who are not in receipt of a salary, will receive the sickness benefit due directly from the Department of Social Security.</p>

## 3.2 Injury Benefit

Purpose	To give information on how to claim injury benefits.
Policy	Where officers suffer personal injury through an accident arising out of and in the course of employment, and not as a direct result of negligence on their part; they are entitled to receive injury benefit by means of paid injury leave during the period they are, as a result of the injury, incapable for work.
Procedure	<p>All officers are to notify their employing department of any injury sustained on duty within twenty-four (24) hours of the accident. Employing departments are to inform the Injuries Section of the Department of Social Security on Form N.I. 30 within ten (10) days from the date of the relevant accident. In terms of the Social Security Act (Chapter 318), the employee is obliged to ensure that the Department of Social Security is notified of the accident within the prescribed time-limit. After presentation of the N.I. 30 Form no further weekly medical certificates (blue forms) are to be presented to the Department of Social Security.</p> <p>The procedure for claiming benefit and for the payment of abatement is the same as indicated in sub-section 3.1. Claims of Injury Benefit are to be included in a separate return from those submitted for Sickness Benefit.</p>
Entitlement	<p>Injury Leave benefit is paid up to a maximum period of twelve (12) months starting from the date of the relevant accident. The contribution test for Injury Leave is one week of gainful occupation.</p> <p>If the injury leads to the demise of the officer his spouse will be entitled to a widow's pension even if the contribution conditions are not satisfied.</p>
Inquiries	Social Security district offices and/or <a href="http://servizz.gov">servizz.gov</a> Freephone - 153 Email: <a href="mailto:social.security@gov.mt">social.security@gov.mt</a>

### 3.3 Disablement Gratuity / Pension

Purpose	To give details regarding the grant of a Disablement Gratuity / Pension.
Policy	Employees who suffer personal injury or industrial disease caused by an accident, as a result of or in the course of their employment, which results in the permanent loss of physical or mental faculty, may be entitled to a Disablement Gratuity / Pension.
Eligibility	Persons who have exhausted all Injury Leave entitlements, but who wish to be re-examined for any prolonged and/or after effects resulting from the injury sustained at their place of work, may be eligible for a Disablement Gratuity / Pension.
Procedure	<p>In order to be assessed for eligibility to this benefit, the claimant must make a declaration to the Department of Social Security accompanied by a certificate from a medical practitioner indicating the nature and percentage degree of the disability. A medical panel appointed by the Department of Social Security will then examine the injured employee and determine the degree of disability, if any.</p> <p>If the percentage of disability awarded by the medical panel is between 1% and 19%, a one lump sum Gratuity is awarded according to the degree of permanent disability.</p> <p>If the percentage of disability awarded by the medical panel is between 20% and 89%, a Disability Pension is awarded at a rate according to the degree of permanent disability.</p> <p>If the percentage of disability awarded by the medical panel exceeds 90%, the person will be automatically awarded a full Invalidity Pension, even if the contribution conditions are not satisfied.</p>
Clarifications	<p>Staff awarded a Social Security Disablement pension can continue with their employment in the Public Service and do not have their pay abated.</p> <p>Gratuities in respect of disablement paid by the Department of Social Security do not affect pay.</p> <p>There are no contribution conditions for the grant of a disablement Gratuity / Pension. The only requirement is a valid and recorded application for Injury Benefit.</p>
Inquiries	Social Security district offices and/or <a href="http://servizz.gov">servizz.gov</a> Freephone - 153 Email: <a href="mailto:social.security@gov.mt">social.security@gov.mt</a>

## 3.4 Invalidity Pension

Purpose	To outline the procedure adopted for the grant of an invalidity pension, to eligible employees.
Policy	A person who is certified by a Medical Panel, appointed by the Ministry for the Family, Children's Rights and Social Solidarity, as being incapable for suitable full-time or regular part-time employment due to a serious disease or bodily or mental impairment, will be entitled to an Invalidity Pension, subject to the relative contribution conditions.
Eligibility	Officers who have been incapable for suitable full-time or regular part-time employment by reason of a serious disease or bodily or mental disablement (other than any mild mental disorder), for a number of months or part thereof during their employment, may apply for an Invalidity Pension.
Procedure	An officer wishing to apply for the Contributory Invalidity Pension may do so by first submitting their request together with relevant medical reports to their respective Director Corporate Services, who will refer them to the People & Standards Division (P&SD) Medical Board for review. If the officer is found unfit for employment and recommended to be medically boarded out by the P&SD Medical Board, the officer may proceed to apply for the Contributory Invalidity Pension by filling in the prescribed application form, which may be obtained, from the Department of Social Security or any other local district office. Alternatively, such application may be downloaded from <a href="http://socialsecurity.gov.mt">http://socialsecurity.gov.mt</a> .
Conditions	<p>The contribution conditions for the entitlement of an Invalidity Pension are:-</p> <ul style="list-style-type: none"><li>(a) that the insured persons have paid not less than two hundred and fifty (250) contributions, and that the yearly average of contributions paid by or credited to them is between 20 (minimum) and 50 (maximum);</li><li>(b) the contribution test to determine the yearly average starts from 1/2/1965 or from age 19 whichever is the later; or</li><li>(c) if born on or after 4/4/1958, it starts from the first day of their contribution year in which 3/4/1977 falls, or on the first day of their contribution year in which they reach the age of eighteen (18) whichever is the later</li></ul>
Clarifications	<p>Officers are entitled to a Social Security Invalidity Pension even if they are in receipt of a Treasury Service Pension from their employer.</p> <p>In the case where persons are entitled to an Increased Invalidity Pension, the Service Pension is abated from the Social Security Pension so that together with the Social Security Pension, the payment does not exceed two thirds of their Pensionable Income.</p>
Inquiries	Social Security district offices and/or <a href="http://servizz.gov">servizz.gov</a> Freephone - 153 Email: <a href="mailto:social.security@gov.mt">social.security@gov.mt</a>

## 3.5 Marriage Grant

Purpose	To inform employees about details regarding the Marriage Grant.
Policy	Employees are entitled to receive a Marriage Grant from the Department of Social Security, on contracting marriage or a civil union.
Eligibility	To be eligible for a Marriage Grant, employees must be insured and have paid no less than 26 contributions by the date of marriage. Claimants must be residents in Malta.
Procedure	<p>Employees satisfying the eligibility conditions above, should fill in the prescribed application form, which can be obtained either from the Department of Social Security or from district Social Security offices or downloaded from the Ministry for Social Policy's website <a href="http://socialsecurity.gov.mt">http://socialsecurity.gov.mt</a>. Once completed, the form must be returned to the same office.</p> <p>The application form for the Marriage Grant has to reach the Department of Social Security, not later than six months following the date of marriage.</p>
Inquiries	Social Security district offices and/or <a href="http://servizz.gov">servizz.gov</a> Freephone - 153 Email: <a href="mailto:social.security@gov.mt">social.security@gov.mt</a>

### 3.6 Retirement or two-thirds pension

**Purpose** To give details about the retirement pension entitlement applicable to different categories of staff according to date of birth.

**Policy** The Social Security Act provides for a Retirement Pension and for a Two-Thirds Pension. Persons attaining their retirement age may be entitled to one of these Pensions if the contribution conditions are satisfied.

A person who is eligible for a Service Pension from the Treasury Department is always awarded a Retirement Pension in accordance with article 44 and with schedule twelve of the Social Security Act (Chapter 318).

In cases where the Service Pension is not derived from the Treasury Department, the Two-Thirds Pension could be more beneficial and therefore in such cases the latter is awarded.

The table below provides the necessary guidelines related to the retirement age and contributions accumulation periods

<b>Year of Birth</b>	<b>Pension Age</b>	<b>Contribution Period</b>
1969 -	65	41 yrs
1962 - 1968	65	40 yrs
1959 - 1961	64	35 yrs
1956 - 1958	63	35 yrs
1952 - 1955	62	35 yrs

**Procedure** A person wishing to apply for a retirement or two-thirds pension may do so by filling in the prescribed application form. This can be obtained from the Department of Social Security or from any local Social Security District office. Alternatively, an application form may also be downloaded from the Ministry for Social Policy website <http://socialsecurity.gov.mt>.

A pension is payable to persons with effect from the first Saturday after attaining pension age if they make a claim within a period of six (6) months after such date. In the case where persons fail to make a claim within this time limit they will become entitled to a pension from the first Saturday on which the relevant claim for a pension has been officially received by the Department of Social Security.

With effect from first Saturday in January of each year all pensions are re-assessed. This re-assessment is carried out in order to update the Pensionable Income in view of increases in wages/salaries.

#### Eligibility

A person who has been in insurable employment or eligible to Social Security credits for at least ten (10) years prior to retirement and has paid the proper rate of contributions at any time after the 21st January 1979, is entitled to a retirement or two-thirds pension on attaining pension age.

The full rate of a retirement or two-thirds pension is payable to a person who has paid or been credited with a yearly average of not less than fifty (50) contributions over a period of thirty (30) years. The accumulation period and the calculation period to obtain the "Pensionable Income" are given in the table at Appendix 3.6.A.

#### Clarifications

##### *Entitlement to persons who receive a Service Pension*

In the case where persons have a Service Pension and are eligible for an Increased Retirement Pension or a Pension under the Two-Thirds Pension Scheme, the amount of Service Pension is abated from the Social Security Pension so as to ensure that the sum total of the Service Pension together with the Social Security Pension do not exceed the two-thirds of their Pensionable Income.

Where a pensioner is in receipt of two or more Service Pensions, only the higher or the highest is taken into consideration in terms of the Social Security Act for assessment.

For Social Security purposes, the amount of service pension is represented by the total amount of such pension as paid on its first day of award.

Where a pension has been commuted in whole, the total amount of such pension shall not be considered for Social Security purposes. Whenever a pension is commuted in part, and the pensioners concerned have reached their 72nd birthday, 50% of the commuted part of such pension shall not be deemed to form part of their service pension.

Further to the above, the sum of €2066 is also deducted from the total Service Pension whenever an assessment is undertaken by the Department of Social Security.

#### Inquiries

Social Security district offices and/or servizz.gov  
Freephone - 153  
Email: social.security@gov.mt



## Appendix 3.6 A

### Accumulation and calculation period for the purposes of Pensionable Income

Year of birth	Pension Age	Accumulation Period	Calculation period	Maximum pensionable income
1969 -	65	41 yrs	Best 10 calendar yrs out of the full 41 yrs	€22,804 increased with the equivalent of 70%wages:30%inflation
1962 - 1968	65	40 yrs	Best 10 calendar yrs out of the full 40 yrs	€22,804 increased with the equivalent of 70%wages:30%inflation
1959 - 1961	64	35 yrs	Best 3 consecutive calendar yrs out of the last 13yrs	€18,024 increased by COLA up to a maximum of €20,965
1956 - 1958	63	35 yrs	Best 3 consecutive calendar yrs out of the last 12 yrs	€18,024 increased by COLA up to a maximum of €20,965
1952 - 1955	62	35 yrs	Best 3 consecutive calendar yrs out of the last 11yrs	€18,024 increased by COLA up to a maximum of €20,965

## 3.7 Sickness Benefit

Purpose	To outline the procedure for claiming sickness benefits.
Policy	An insured person is entitled to sickness benefit from the fourth day of incapacity from work up to a maximum period of 156 days in any calendar year. Where the person making a claim for such benefit undergoes any major surgical operation or intervention, or suffers a severe injury, or is afflicted by some serious disease which requires long treatment before such person resumes work, payment may be extended by a further 156 days, but is not to exceed 468 days in any two calendar years.
Eligibility	<p>To qualify for sickness benefit officers must have paid not less than fifty contributions and must have paid before date of claim and had credited to them not less than twenty contributions for their last two consecutive complete contribution years which includes the day on which the eligibility conditions are required to be satisfied.</p> <p>In order to start receiving Sickness Benefit, a medical certificate (blue form) has to be prepared by a medical practitioner when the incapacity for work is not longer than six (6) days. The original certificate has to be sent to the Department of Social Security whereas the copy is to be sent to the claimant's employer. If the incapacity for work is longer than six (6) days, the medical certificate has to be renewed once a week until the claimant is fit to resume work. The right to receive Sickness Benefit may be lost if important details on certificates are missing, details are illegible, or certificates cannot be processed. Therefore, to present a valid certificate certain details have to be provided to the medical practitioner, such as, the Social Security Registration Certificate (N.I.3) and the Identity Card number.</p>
Procedure	The employing department of officers on sick leave makes a monthly claim, on General Form G.P. 51, for the refund of sickness benefit. Employees on half pay are to be grouped together on a separate sheet of Form G.P. 51, which is to be clearly marked 'Employees of Half Pay' in order to enable the Department of Social Security to deal with it immediately. When officers are on half-pay the Department of Social Security pays the sickness benefit due directly to the insured employee.

When on sick leave without pay, officers have to claim sickness benefit from the Department of Social Security as other insured persons. For this purpose, employing departments are to inform the Department of Social Security and the officers concerned, whenever payment for sick leave ceases, by filling in General Form G.P. 73. The validity of General Form G.P. 73 lapses at the end of each calendar year, and the form must be resubmitted if and when an employee who is still sick at the beginning of the following year again falls on no pay.

## Pay Abatement

Where an officer is entitled to full pay during sick leave, no abatement is affected from the salary. Those receiving less than full pay have their pay reduced as necessary so that the salary paid together with the sickness benefit does not exceed full pay.

### Clarification

Subject to certain statutory conditions as outlined under 1.2 Definitions, employees are entitled to the crediting of Social Security contributions for any period during which, on account of incapacity for work, contributions are not withheld by the Department due to the fact that they are on no pay. Consequently, it is important that certificates continue to be submitted irrespective of whether an officer is receiving a benefit or not.

### Inquiries

Social Security district offices and/or [servizz.gov](http://servizz.gov)  
Freephone - 153  
Email: [social.security@gov.mt](mailto:social.security@gov.mt)

### 3.8 Widow's Pension, Widower's Pension and Survivor's Pension

Purpose	To give details on the eligibility for and computation of the Widow's Pension, Widower Pensioner and Survivor's Pension.
Policy	Widows/widowers, whose spouse satisfied the relevant contribution conditions on date of passing away, are entitled to a Widow's or Widower's Pension or to a Survivor's Pension.
Eligibility	<p>The computation of a widow's pension or widower pension is carried out on the contribution conditions of the deceased spouse. This means that at least 156 contributions have been paid and that the yearly average of paid and credited contributions is not less than twenty (20) in the case of a Widow's Pension or Widower's Pension and not less than fifteen (15) in the case of a Survivor's Pension.</p> <p>Any person wishing to apply for the Widow's or Widower's Pension may do so by filling in the prescribed application form. Such form may be obtained from the Department of Social Security or from any Social Security District office and/or through <a href="http://servizz.gov">servizz.gov</a>. Alternatively, an application form can also be downloaded from <a href="http://socialsecurity.gov.mt">http://socialsecurity.gov.mt</a>.</p>
Entitlement	<p>Where widows or widowers are entitled to a pension from the employer of their late spouse, any Widow's Pension or Widower's Pension arrived at shall be abated by the amount of such pension so however that in no case will such abatement be greater than €17.77 per week. Where on the other hand, widows or widowers are entitled to a Survivor's Pension in lieu of a Widow's Pension or Widower's Pension where the rate of Survivor's Pension and the pension from their late spouse employer together exceed two-thirds of their late spouse pensionable income, their rate of Survivor's Pension would have be reduced so that the afore-mentioned aggregate of two-thirds is not exceeded.</p> <p>Widows or widowers who have the care and custody of their children who are gainfully occupied are eligible to a full widow's or widower's pension irrespective of their salary amount, irrespective of the age of their children, and irrespective of whether their children are in employment or continuing with their studies.</p> <p>Widows or widowers who do not have the care of their children and are gainfully occupied will be entitled to a pension either if they are over their retirement age or if they have not yet attained retirement age.</p> <p>In cases where a widow or widower re-marries, the Widow's or Widower's Pension continues in payment.</p>
Inquiries	Social Security district offices and/or <a href="http://servizz.gov">servizz.gov</a> Freephone - 153 Email: <a href="mailto:social.security@gov.mt">social.security@gov.mt</a>

## 3.9 Maternity and Adoption Benefit

**Purpose** To give details on the eligibility for and computation of the Maternity or Adoption Benefit.

**Policy** Mothers who satisfy the condition of either pregnancy or else in the case of adopting mothers, provide necessary adoption documents are entitled to Maternity Benefit or Adoption Benefit for a period of fourteen (14) weeks.

**Eligibility** Any pregnant woman or adopting parent who fulfils the criteria set out by the Social Security Act will be eligible to a Maternity/Adoption Benefit. These are:

1. Applicant is a citizen of Malta or married to a citizen of Malta, or is a citizen of a European Union Member State and is ordinarily resident in Malta.
2. Applicant has to be in her eight month of pregnancy or has given birth to a child in the six months prior to the date of the claim.
3. Applicant **must not have** availed of 14 weeks of paid Maternity Leave or Adoption Leave from place of work.

Any person wishing to apply for Maternity/Adoption Benefit may do so by filling in the prescribed application form. Such form may be obtained from the Department of Social Security or from any Social Security District office. Alternatively, an application form can also be downloaded from <http://socialsecurity.gov.mt>

**Procedure** In case of Maternity Benefit, a completed application must be submitted to the Department of Social Security when applicant reaches the 8th month of pregnancy and by not later than six months from the date of birth of the child. All sections of the form should be completed and signed by applicant. Payment is effected in two lump sums (if application is lodged before birth) and in one lump sum (if application is submitted after birth).

For Adoption Benefit, same application is used for Maternity Benefit, but has to be submitted after adoption procedure is finalised with the adopted child living in Malta with his/her adoptive parents.

Documents Required

1. The applicant has to fill in an application form for Maternity Benefit;
2. In case of adoption, copies of official adoption documents translated either in Maltese or English must be submitted together with the application, including proof of date of entry of child in Malta (passports etc.).

Inquiries

Social Security district offices and/or [servizz.gov](http://servizz.gov)  
Freephone - 153  
Email: [social.security@gov.mt](mailto:social.security@gov.mt)

### 3.10 Maternity / Adoption Leave Benefit

Purpose	To give details on the eligibility for and computation of four (4) weeks of Maternity Leave Benefit,
Policy	An employed woman who has recently given birth and avails herself of the full 14 weeks of paid maternity leave entitlement from her place of work as stipulated by the Maltese labour law will be eligible to a Maternity Leave Benefit covering a period of four (4) weeks.
Eligibility	<p>A woman may be eligible to Maternity Leave Benefit, if the following criteria are fulfilled:</p> <ol style="list-style-type: none"><li>1. Applicant is a citizen of Malta or married to a citizen of Malta, or is a citizen of a European Union Member State, and is ordinarily resident in Malta.</li><li>2. Applicant is an employed person and <b>avails herself of the full maternity leave entitlement</b> as stipulated by the Employment and Industrial Relations Act (Cap 452 of the Laws of Malta), that is the first 14 weeks paid maternity leave by employer.</li></ol> <p>Any person wishing to apply for Maternity /Adoption Leave benefit may do so by filling in the prescribed application form. Such form may be obtained from the Department of Social Security or from any Social Security District office. Alternatively, an application form can also be downloaded from <a href="http://socialsecurity.gov.mt">http://socialsecurity.gov.mt</a></p>
Procedure	When completed the application must reach the Department of Social Security when applicant ends her 18th week of paid maternity/adoption leave and by not later than six months from this date. All sections of the form should be completed and where applicable endorsed by applicant's employer. Payment is effected in one lump sum.

Documents Required

1. The applicant has to fill in an application form for Maternity Leave Benefit.
2. In case of Maternity Leave Benefit, Part 2 of the form has to be endorsed by the employer.
3. In case of adoption, copies of official adoption documents translated either in Maltese or English must be submitted together with the application, including proof of date of entry of child in Malta (passports etc.).
4. The form is not to be submitted before the end of the 18th week of maternity leave and not later than 6 months following this date.

Inquiries

Social Security district offices and/or [servizz.gov](http://servizz.gov)  
Freephone - 153  
Email: [social.security@gov.mt](mailto:social.security@gov.mt)







OFFICE OF THE PRINCIPAL PERMANENT SECRETARY  
OFFICE OF THE PRIME MINISTER