

THE NATIONAL INSURANCE ACT

ARRANGEMENT OF SECTIONS

PART I. *Preliminary*

1. Short title.
2. Interpretation.

PART II. *Insured Persons and National Insurance Contributions*

3. Persons to be insured.
4. Source of funds, contributions.
5. Provisions relating to payment of contributions.
6. Employer's liability to pay contributions.
- 6A. Requirement to register employees.
7. Voluntary contributions.
8. General regulations as to payment and collection of contributions,
etc.

PART III. *Benefits*

9. Descriptions and rates of benefits and contribution conditions.
Old Age Benefit
10. Old age benefit.
- 10A. Special pensioner.

Invalidity Benefit

11. Invalidity benefit.

Widow's and Widower's Benefit

12. Widow's and widower's benefit.

Orphan's Benefit

13. Orphan's benefit.

Special Child's Benefit

14. Special child's benefit.

Benefits Attributable to Injury or Disease in Employment

15. Employment injury benefit.
16. Employment injury disablement pension.
17. Successive accidents and diseases.
18. Disqualification for benefit in certain cases.
19. Employment injury death benefit.

Funeral Grant

20. Funeral grant.

Maternity Benefit

- 20A. Maternity allowance to domestic workers.
- 20B. Grants to certified exporters in respect of maternity pay.

Miscellaneous Provisions in Regard to Benefit

21. Increase of old age and invalidity pension for a dependant spouse.
22. Duplicate rights.
- 22A. Parallel rights.
23. Regulations with regard to payment of benefits and as respects persons abroad or in prison.
- 23A. Increase in benefits.

PART IV. Claims and Adjudication

24. Time and manner of making claims.
25. Deceased persons and persons unable to act.
26. Benefit to be inalienable.
27. Repayment of benefit improperly received.
28. Independent authorities.
29. Determination of questions and claims.
30. Authority for payment of expenses.
31. Proceedings before local tribunals and the umpire.
32. Medical Boards and Medical Appeal Tribunals.
33. Reference of claims to disablement benefit to Medical Boards.
34. Review of medical decisions.

35. Power to make regulations permitting reference to single medical practitioner.
36. Appointment of medical advisers.

PART V. *Administration and Finance*

37. Administration by the Ministry.
38. Power of inspectors.
39. The National Insurance Fund.
40. Annual estimates and expenses of administration.
41. Reports.
42. Power to make orders.

PART VI. *Miscellaneous*

43. Reciprocal arrangements.
44. Offences and penalties.
45. Civil proceedings.
46. Proceedings against officers under this Act.
47. Power of officer to conduct proceedings.
48. Proceedings against employer for benefit lost by employer's default.
- 48A. Designation of responsible officer by body corporate.
49. [*Deleted by Act 28 of 2003, S. 2.*]
50. Regulations.
51. Crown Servants.
52. Mariners and airmen.

Transitional and Commencement Provisions

53. Commencement provisions with regard to contributions of self-employed persons and other prescribed persons.
54. Modification of the Workmen's Compensation Act in relation to persons entitled to injury benefits.
55. Measure of damages where section 54 applies.
56. [*Repealed by Act 18 of 1990, S. 10.*]
57. Transitional provisions.

SCHEDULES

THE NATIONAL INSURANCE ACT

[4th April, 1966.]

Acts	9 of 1981,
38 of 1965,	11 of 1986,
27 of 1970,	29 of 1988,
25 of 1973,	18 of 1990,
41 of 1974,	28 of 1993,
35 of 1975,	39 of 1997,
17 of 1976,	28 of 2003
36 of 1976	S. 2,
Sch.,	22 of 2005,
14 of 1978,	9 of 2011,
15 of 1978,	14 of 2012,
16 of 1979,	40 of 2013
32 of 1979,	Sch.,
43 of 1979,	15 of 2014
9 of 1980,	Sch.

PART I. *Preliminary*

1. This Act may be cited as the National Insurance Act. Short title.
- 2.—(1) In this Act, unless the context otherwise requires— Interpreta-
tion.
- “the appointed day” means the 4th April, 1966;
- “benefit” means benefit which is payable under this Act;
- “calendar year” means the period of twelve months commencing on the first day of January in each year;
- “child”, in relation to an insured person, includes—
- (a) a step-child; and
- (b) any other child, whether legitimate or not living with the insured person and wholly or mainly maintained by him;
- “Commissioner” means the Commissioner of Taxpayer Audit and Assessment; L.N.
165/1999.
- “contribution” means a contribution payable pursuant to this Act;
- “contribution week” means a period of seven days commencing immediately after twelve o’clock midnight on each Sunday and ending at twelve o’clock midnight on the Sunday next following;
- “contribution year” means—
- (a) the period of 52 weeks beginning with the appointed day;

(b) any subsequent period of 52 or 53 weeks, as the case may be, commencing on the Monday of the week in which the anniversary of the appointed day occurs and ending with the Sunday immediately before the Monday of the week in which the next anniversary of the appointed day occurs;

“declared day” has the meaning assigned to it by subsection (3) of section 9;

“disability” means the loss of capacity for any of the ordinary activities of life;

“disablement” means the total of the disabilities suffered, that is, the aggregate loss of health, strength and power to enjoy a normal life;

“domestic worker” means a person employed otherwise than for the purposes of a trade or business, in such capacity as may be prescribed for the comfort or convenience of a member of a household or in or about a dwelling-house or such other premises as may be prescribed;

27/1970
S. 2(a).

“earnings” means, in relation to any person in any income tax year, the statutory income computed pursuant to the Income Tax Act as being the statutory income of that person for that year modified to such extent as may be prescribed by regulations, and, without prejudice to the generality of the foregoing, such regulations may have the effect of increasing or decreasing the amount which shall be taken into account as earnings;

“emoluments” means any emoluments assessable to income tax pursuant to paragraph (c) of section 5 of the Income Tax Act (other than annuities, pensions, superannuation or other allowances payable in respect of past services in any office