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S.R.O. 22/1977.  
S.R.O. 30/1978.  
S.I. 25/1986.

THE SOCIAL SECURITY (BENEFITS) (INVALIDITY PENSION AND GRANTS) REGULATIONS, DATED 22ND DAY OF JULY, 1977, MADE UNDER SECTIONS 29, 30, AND 31 OF THE SOCIAL SECURITY ACT.

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1. These Regulations may be cited as the Social Security (Benefits) (Invalidity Pension and Grants) Regulations. Citation.

2. In these Regulations—

Interpretation.

“average earnings” for the purpose of computing invalidity benefits means the average annual insurable earnings of the best five contribution years in the last ten contribution years immediately preceding the year in which invalidity begins; but in the case of an insured person who has contributed for less than five contribution years, “average earnings” means the average annual earnings over the number of years being less than five;

“contribution years” means any calendar year in which an insured person pays thirteen or more weekly contributions or the monthly equivalent thereof;

“annual insurable earnings” in any contribution year for the purpose of computing average earnings means the total insurable earnings in those weeks for which contributions are paid, increased in the proportion that 52 bears to the number of weekly contributions paid in that year;

“invalid” means a person incapable of work as a result of a specific disease or bodily or mental disable-

ment which is likely to remain permanent, otherwise than as a result of employment injury.

**Entitlement.**

3. Subject to the provisions of these regulations invalidity benefit shall be paid in respect of any insured person who—

- (a) is an invalid; and
- (b) has not attained the age of 60 years.

**Type of  
invalidity  
benefit.**

4. Invalidity benefit shall consist of—

- (a) invalidity pension; or
- (b) invalidity grant.

**Invalidity  
pension.**

5. Subject to regulation 6 a person shall be entitled to an invalidity pension if he—

- (a) has not attained the age of 60 years;
- (b) is an invalid; and
- (c) has paid not less than 156 weekly contributions or the monthly equivalent thereof.

**Rate of invalidity  
pension.**

6. The pension payable in respect of a person entitled under regulation 5 shall be paid at an annual rate of twenty-five per centum of the average earnings increased by one per centum of such average earnings in respect of each complete fifty weekly contributions (or the monthly equivalent thereof) in excess of five hundred:

Provided that where the number of weekly contributions does not exceed five hundred the rate of pension shall be subject to a minimum rate of twenty-two dollars and fifty cents a week and a maximum rate of thirty-seven dollars and fifty cents a week.

Provided that in no case shall an invalidity pension exceed fifty per centum of the average earnings.

**Invalidity grant.**

7. A person who does not qualify for an invalidity pension under regulation 5 shall be entitled to an invalidity grant if—

- (a) he has not attained the age 60;
- (b) he is an invalid;

(c) he has paid not less than 52 weeks contribution or the monthly equivalent thereof.

**8.** The rate of invalidity grant payable in respect of a person entitled under regulation 7 shall be either— Rate of invalidity grant.

(a) four hundred and fifty dollars; or

(b) seventy five per centum of the total contribution paid in respect of that person whichever amount is the greater.

**9.** (1) Should invalidity cease, the contributions taken into account for the purposes of invalidity benefit shall not be applied towards the satisfaction of the contribution conditions for any subsequent claim to benefit of any description save only a funeral grant. Extent to which contributions may be applied in respect of future claims to benefit.

(2) On cessation of an invalidity pension, nothing in these regulations shall prevent the contributions on which the said invalidity pension was based from being taken into account for the purposes of establishing title toward the rate of any subsequent invalidity pension or for old age contributory pension.

**10.** (1) All claims to invalidity benefit shall be accompanied by a certificate of permanent incapacity for work setting out the nature of the incapacity and completed by a registered medical practitioner. Certification of permanent incapacity for work.

(2) The Director shall seek the opinion of a second registered medical practitioner as to the permanence of the claimant's incapacity.

(3) In the event of a disagreement between the two medical opinions, the advice of the Chief Medical Officer shall be sought and his opinion shall be final.

**11.** An insured person entitled to payment of invalidity pension shall be disqualified for receiving such benefit for such period as the Director may decide, if— Disqualification.

(a) the claimant has become incapable of work through his own misconduct; or

(b) the claimant fails, without good cause, to comply with a notice in writing by the Director requiring him to attend for and submit himself to medical or other examination; or

(c) the claimant fails, without good cause, to observe any of the following rules of behaviour namely—

- (i) refrain from behaviour calculated to retard his recovery, or to answer any reasonable enquiries by an officer of the Board directed to ascertaining whether he is doing so;
- (ii) not to be absent from his place of residence without leaving word where he may be found; or
- (iii) to do no work for which remuneration is or would ordinarily be payable.

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## THE SOCIAL SECURITY (DETERMINATION OF QUESTIONS) REGULATIONS

### Arrangement of Regulations Regulation

1. Citation.

#### PART I Preliminary

2. Interpretation.

#### PART II Determination of Questions by the Board

3. Reserved questions.
4. Procedure for determination of reserved questions.
5. References and appeals to High Court.
6. Review of decisions by the Board.