

Section Two
**Social Insurance System
for Workers**
(Law 79/1975)

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Introduction

Historical Background

The early phases of the Egyptian Social Insurance System dates back to 26 December 1854 when laws and legislation for civil servants, employees and workers' civil pensions came in a raw.

As for workers in the non- governmental sector, they were subjected to social insurance system in the form of compulsory savings and lump sum compensations in cases of invalidity and death under law no. 419/1955, which came into force as from 1st April 1956. In 1958 a compulsory insurance system and labour injuries and occupational diseases compensation were applied to these workers under law no. 202/1958.

As from 1st August 1959, the social insurance system no. 92/1959, replaced laws no. 419 and 202/1958. The death and disability lump sum compensation was turned into pension, and then the compulsory savings system became old age pensions system as from 1st January 1962.

On March 3, 1964, Social Insurance law no. 63/1964 was issued comprising health insurance (Gradual) and unemployment insurance as from 1st October 1964.

On August 21/1975 law no. 79/1975 replaced civil pensions legislation for government workers and social insurance for public and private sectors workers as from 1st September 1975.

The law no. 79/1975 was substantially amended by law no.25/1977 and some of its provisions were amended by laws 30, 32, 44/1978, 93/1980, 48, 61/1981, 47/1984, 110/1985, 107, 113, 114/1987, 58, 150/1988, 124/1989, 114/1990, 1,5,14/1991, 29,30/1992, 175/1993, 204, 207/1994, 24/1995, 86/1996, 94/1998, 12/2000, 19/2001, 91/2003, 153/2006, 130/2009 and law no:120/2014.

Chapter 1
**SCOPE OF APPLICATION
AND DEFINITIONS**

- 1.1. Scope of Application**
- 1.2. Definitions**

1.1 ***Scope of Application***

First : The covered employees :

Provisions of law no. 79/1975 are applied to all workers of the following categories: (Article 2)

a) **The civil workers of the administrative system of the state, public authorities, general organizations, and economic units subordinate to any of such departments and the like of public sector economic units.**

b) **The workers subject to the provisions of the labour Law who fulfill the following requirements :**

1- The age of the insured person should be 18 years and over.

2- The work relation linking the insured person with the employer shall be a regular one. The Minister of Insurance shall issue the rules and conditions necessary to be fulfilled in order to consider the work relation as regular. Shall be excepted from this requirement, workers-working in the contracting field, as well as loading and unloading workers.

Taking in consideration the International agreements that were approved by the Arab Republic of Egypt foreigners working in governmental sectors, also foreigners working in any other sector are subject to social insurance law provided that the contract period is not less than one year and the existence of an agreement for mutual treatment.

C) Those engaged in work connected with domestic and household services except for those working inside private houses who shall be determined by a decree of the Minister of Insurance.

The following is to be noted:

1- **Labour injuries insurance is applied to industrial apprentices and students working in summer employment projects and those under 18 year working in the private sector.**

2- Health insurance is gradually applied by decrees to be issued by the Minister of Health and is stayed during periods of military service, conservation and official summons to the armed forces, work periods at a body or an organ not subject to this insurance, periods of special leaves, secondments, study leaves and periods of scientific missions abroad.

3- From the unemployment insurance the following are excluded:

A: workers in the administrative machinery units of the state.

B: general organization.

C: members of the employers' family (close relatives) in personal enterprises.

D: partners who work for wage in their companies.

E: those who reached the age of 60, contracting workers and stevedores.

Problem:

- Determine the people covered by social insurance law no. 79/1975.

Second: Kinds of benefits:(Article 1)

- Old age, disability and death insurance benefits.
- Labour injuries insurance benefits.
(and occupational diseases)
- Health insurance benefits.
(Sickness and maternity)
- Unemployment insurance benefits.
- Pensioners' social welfare.

Under the provisions of this Law, insurance with the competent authority shall be compulsory, and it is not permitted to charge the insured persons with any part of insurance costs except where stipulated by a special provision.(Article 4)

1.2

Definitions

For applying the provisions of this Law: (Article 5)

What we mean by:

A. The expression (competent authority) means:

The Social insurance fund for governmental workers, or the social insurance fund for the public and private sector employees, according to the case.

B. The expression (directorate) means:

The board of directors of the general insurance and pensions authority, or the general social insurance authority, according to the case.

C. The expression (the insured person) means:

The worker subject to the provisions of this Law, and the pensioner benefiting by the medical insurance.

D. The expression (The Employer) means:

Whoever employs one or more workers who are subject to the provisions of this Law.

E. The expression (work injury) means:

Any of the vocational diseases indicated in Schedule (1) hereto attached, or any injury caused by an accident occurring during the performance of work or resulting from it. The injury resulting from exertion or exhaustion from work shall be considered a work injury where it fulfills the conditions and rules to be specified a decree of the Minister of Insurance in accord with the Minister of Health. Also, shall be considered as a work injury, any accident which happens to the insured person during the time of his going to perform

his work, and during his return from it, provided that going to and returning from his work will be without stoppage, or falling behind, or deviation from the normal route.

F. The expression (the injured person) means:

A person who sustains a work injury.

G. The expression (the sick person) means:

A person who falls sick by a disease or an accident other than work injury.

H. The expression (total disability) means:

Any disability which leads to the permanent quality of loss of ability to the insured person to perform job totally or partially in his original occupation, or generally the loss of ability to earn, and in cases of mental diseases, as well as chronic and incurable diseases to be specified by a decree of the Minister of Insurance in agreement with the Minister of Health.

I. Person incapacitated from earning means:

Any person who sustains an incapacity preventing him totally from work, or reducing his capacity to work by 50% at least. It is stipulated that such incapacity should have been sustained since birth or as a result of an accident or disease the person may be struck by before the age of 60.

J. The expression (wage) means:

All cash payments obtained by the insured person from his original employer in consideration of his original work. ⁽¹⁾

(1) **The work to which the insured person is delegated for full time, or to which he is seconded inside the territory, shall be considered as the main work at the original work location.**

They include:

1. The basic wage which shall be taken to mean:

- The wage provided for, in the table enclosed with the employment schemes relatively to the insured persons working in governmental and public sectors.
- The wage provided for in the labour contract.

If the whole wage is calculated on piece rate, or commission basis, such wage shall be regarded as being a basic wage within the limits of the maximum referred to.

2. The variable wage which shall be taken to mean the remainder obtained by the insured person, particularly:

- a - the production incentives.
- b - the commissions.
- c - the gratuity.
- d - the allowances, except items determined by Prime Minister decree.
- e - the overtime wages.
- f - the compensation for extraordinary efforts.
- g - the cost of living allowance.
- h - the social rises.
- l - the additional social rise.
- j - the group bonuses.
- k - the group incentives.
- l - the share of the insured person in the profit.
- m- the amount in excess of the maximum limit of the basic wage.

The Minister of Insurance shall issue a decree for calculating the elements of this wage.⁽¹⁾

(1) Decree no. 75/1984 amended by Decree 35, 54/1987 and no. 11, 25, 51/1988 and 38/1989, 36/1990, 31/1991, 53/1992, 64/1993, 53/1994, 39/1995, 70/1996, 25/1997, 41/1998.

The maximum of variable wage was determined by ministerial decrees as 500 L.E. starting 01.04.84 then 625 at 01.07.2008 then 750 L.E. at 01.07.2009 then 900 L.E. at 01.07.2010 then 1050 L.E. at 01.07.2011.

The private allowances for the workers of the governmental and public sectors ⁽¹⁾ are considered as a variable wage for 5 years and then transferred to be a basic wage.

3. The insured wage (basic and variable) maximum⁽²⁾ is as follows (Law 29/92, Ministerial Decree 64/92):

**Schedule
of the maximum social Insurance wage**

Date	Basic Monthly/Annual L.E.	Variable Monthly/Annual L.E.	Total Monthly/Annual L.E.
1/4/84: 30/6/92	250.0/3000	375	625
01/07/1992	300.0/3600	500/6000	800/9600
01/07/1993	337.5/4050	500	837.5

(continued)

(1) The private allowances was as follows:

Allowance Law	Allowance %	Allowance Max. L.E.	Allowance Law	Allowance %	Allowance Max. L.E.
101/87	20	50.0	84/2000	10	25.0
149/88	15	37.5	18/2001	10	25.0
123/89	15	37.5	149/2002	10	25.0
13/90	15	37.5	89/2003	10	25.0
13/91	20	50.0	86/2004	10	25.0
29/92	10	25.0	92/2005	20	50.0
174/93	10	25.0	85/2006	10	25.0
203/94	10	25.0	77/2007	15	37.5
23/95	10	25.0	114/2008	30	75.0
85/96	10	25.0	128/2009	10	27.5
86/97	10	25.0	70/2010	10	27.5
90/98	10	25.0	2/2011	15	37.5
19/99	10	25.0			

(2) According to decree 102 of 2012 the maximum of the variable wage is increased in the beginning of each calendar year by 15% of it. Thus, the maximum wage variable was increased starting 01/01/2013 to 16560 pounds per year (an average of 1380 pounds) up 15% of the maximum at 1/7/2012 and so on 01.01.2014, 2015 and 2016 and 2017 ... etc.

= Schedule of the maximum social Insurance wage:

Date	Basic Monthly/Annual L.E.	Variable Monthly L.E.	Total Monthly L.E.
01/07/1994	375.0/4500	500	875.0
01/07/1995	412.5/4950	500	912.5
01/07/1996	450.0/5400	500	950.0
01/07/1997	500.0/6000	500	1000
01/07/1998	525.0/6300	500	1025
01/07/1999	550.0/6600	500	1050
01/07/2000	575.0/6900	500	1075
01/07/2001	600.0/7200	500	1100
01/07/2002	625.0/7500	500	1125
01/07/2003	650.0/7800	500	1150
01/07/2004	675.0/8100	500	1175
01/07/2005	700.0/8400	500	1200
01/07/2006	725.0/8700	500	1225
01/07/2007	750.0/9000	500	1250
01/07/2008	775.0/9300	625	1400
01/07/2009	800.0/9600	750	1550
01/07/2010	850.0/10200	900	1750
01/07/2011	875.0/10500	1050	1925
01/07/2012	912.5/10950	1200	2112.5
01/01/2013	912.5/10950	1380	2292.5
01/05/2013	987.5/11850	1380	2367.5
01/01/2014	987.5/11850	1560	2547.5
01/07/2014	1012.5/12150	1560	2572.5
01/01/2015	1012.5/12150	1740	2752.5
01/07/2015	1120	1740	
01/01/2016	1120	2110	3230

Chapter 2
FINANCING
THE COST OF SOCIAL INSURANCE BENEFITS
AND CONTRIBUTION RULES

- 2.1. Way of Financing.
- 2.2. Monthly Contributions
- 2.3. Calculating Rules
- 2.4. Financing Treatment and Medical Care Fund.

2.1

Way of financing

In the composition of money, the mathematical reserves style is followed. The financial situation of the fund is examined by an actuary or more every five years to demonstrate the existing commitments. In case there is a deficit in the money of the fund the Treasury Board bears it. This deficit is settled later if money surplus is available.

2.2

Monthly Contributions

The moneys of the Organization shall be constituted by the following resources:

a) The monthly contributions to be paid by the employers on behalf of their workers as well as those to be deducted from their wages pursuant to the provisions of this Law.

b) Contributions paid to the Organization under any other Laws of the Social Insurance.

c) Money paid by the insured persons in accordance with the provisions of this Law.

d) Other sources of income derived from the Organization activities.

e) Yield of the investment of the funds of the Organization.

f) Such grants, subsidies and donations as the Board of Management decide to accept.

The contributions percentages are as follows:

A- for the insured workers:

With the exception of the revenue of mathematical and technical reserves and the public contribution of the state to old age, disability and death insurance specified at 1% of the annul wages, **the monthly contributions to be paid by workers and employers represent the basic source of financing and are specified according to wage**

percentages (Wage means the financial return the insured person gets for his original work whether it is limited to a certain period or by production or by them both, in social insurance we divide the insured wage to a basic one and a variable one) **as follows:**

- **As a percentage of the basic wage** (with a maximum of L.E. 1120 per month starting 1.1.2016) **and the variable wage** (with a maximum of L.E. 2110 per month starting 1.1.2016):

Worker %	Employer %	Insurance
10	15	Old-age disability and death
-	3	Labour injuries
1	4	Health
-	2	Unemployment
11	24	Total

The calculation of the variable wage comprises commissions and bonuses (in case they are received according to certain rules), **as well as allowances to be determined by a decree by the Minister of Social Insurance, permanent overtime, the insured persons share in profits, common awards and other cash benefits** (the calculation of wage does not include casual overtime, incentive awards, benefits in kind and wages which exceeds the insured maximum).

- As a percentage of the basic insured wage only :

Worker %	Employer %	Insurance
3	2	End of service indemnity

B- For pensioners:

1% of pensions in case they want to benefit from the provisions of treatment and medical care in cases of sickness.

The following is to be noted:

1- when the insured person reaches the pension age the old age insurance is stayed unless his service is extended by a decree to be issued by the competent authority or he continues to work so as to supplement the period of entitlement to pension.

2- Labour injuries contributions for worker in the administrative bodies of the state and in the general organisations and institutions are reduced to 2% instead of 3%.

3- The state's administrative machinery units and the general organizations and institutions afford the temporary invalidity compensations in view of injury or sickness, thus their share in contributions of the labour injuries insurance becomes 1% of wage and in the contributions of health insurance 3% of wage.

4- The public sector units afford the temporary invalidity compensations in view of injury or sickness (self insurance), thus their share in contributions of labour injuries insurance becomes 2% of wage and in the contributions of health insurance 3% of wage.

This can be applied to the big Private Sector institutions according to the approval of the Minister of Insurance.

5- According to certain conditions and with the approval of the Health Insurance Organization, employers can treat their injured or sick workers or provide them with medical care, and here contributions are reduced.

6- Contributions are calculated on the basis of monthly wages for workers in the government and public sectors, and on the basis of the January wage of every year for workers in the Private Sector.

7- In case the employer does not pay the monthly contributions in time he should pay an additional sum or 1% monthly besides additional sums of 2% monthly with 50% as a maximum.

Problems:

- How much an employee must pay?
- How much an employer must pay?

2.3

Calculating Rules

First : Basis of Calculating (at governmental and public sector contributions):

The contributions payable by the employer shall be calculated on the basis of the wage due to the insured person during each month.

In calculating the wage, it shall be observed that the number of working days in the month is determined by 30 days in respect of those who do not receive their wages on monthly pay roll basis.

No contributions shall be payable for the periods for which he is not entitled to a wage or indemnity thereof.

Taking in consideration the minimum limit for the basis wage of contribution, the Minister of Insurance, by a decree issued by him, at the proposal of the Board of

Directors ⁽¹⁾ is entitled to define the contribution wage regarding some categories of the insured persons, the means of calculating this wage, the means for calculating the contributions, and the date of their starting to benefit from the end of service indemnity.⁽²⁾ (Article 125)

Second: Basis of Calculating Private Sector Contributions : (Article 128)

The contribution payable by the private sector employer shall be calculated on the basis of the insured person's wage at the month of January of every year (article 131).

A private sector employer shall be bound to submit to the competent authority statement on the workers and their wages , and their contributions (according to January situation of every year), as per the forms prepared by the authority and according to the conditions and situations prescribed in Article (151).

Contributions shall be calculated on the basis of details set in these forms. If the employer does not submit the details prescribed in the first paragraph, the payable contributions shall be calculated on the basis of the latest statement he submitted to the authority, pending the calculations of contributions actually due.

(1) The Minister of Insurance issued:

- Decree No. 74/1988 amended by decrees 99/1989, 30/1991, 89/1992, 21,86/1993 12/1995, 29, 127/1998 regarding insurance rules for workers engaged in contracting works.
- Decree No. 175/1981 regarding insurance on local bakery workers, amended by decrees 29/1984, 48/1985, 79/1994 .

(2) The paragraph was amended by the Law No. 61 for the year 1981, in a way that the Minister of Insurance is also authorized to determine the method of calculating the wage on which basis contribution is made, and the method of calculating the contributions, then amended by the Law No. 47 for the year 1984 to empower the Minister of Insurance for determining the date for the categories referred to in the compensation scheme.

In case such statements are not submitted , or no registers and documents as referred to in Article (151) exist , the calculation of contributions due , shall be on the basis of the investigations of the authority which shall determine the volume of commitments as per the rules to be included in a decree ⁽¹⁾ issued by the Minister of Insurance at the proposal of the Board of Directors.

The Social Insurance Organization shall notify the employer of the amount of contributions calculated according to the foregoing paragraph, as well as other amount due by him to the authority, by a registered letter with acknowledgement of receipt.

The employer is allowed to object against this claim by a registered letter with acknowledgement of receipt, within thirty days of the date of his receiving the notification, together with paying an amount of five pounds - objection fees- to be carried forward to the account provided for in Article (160).

The Social Insurance Organization shall reply to the objection within 30 days from receiving it, and the employer in case the authority rejects his objection may ask the authority to submit the contention to the committees referred to in Article (157).

The committee shall issue its decision within the limits of the authority's report, and the demands of the employer. The authority shall notify the employer of the decision by a registered letter with acknowledgement of receipt, and the amounts due shall be modified according to such decision.

The amounts due, shall be payable with the lapse of the dates set for appeal without such appeal taking place, or with the issue of the committee's decision, or with the competent authority's rejection of the employer's objection, or the employer's failure to refer the litigation to the committee in charge of investigating the contentions within 30 days from the date he receives the rejection notification.

(1) Refer to Decree No. 208 for the year 1977 issued by the Minister of Insurance, the Official Gazette- No. 54 issued on 5.3.1978 amended by Decree No. 69/1997.

The employer is allowed to appeal against the decision of the committee before the competent court within 30 days following the date of issuing the decision. The calculation shall be final if the stated period for appeal elapsed without affecting it.

Third : The Due Date of Paying Contributions: (Article129)

The employer shall be under obligation to pay the amounts detailed hereinafter at the dates fixed opposite each of them:

1) The contributions due for the month. They include the contributions which the employer is obliged to pay, and the contributions which the employer is obliged to deduct from the wage of the insured person. Payment shall be made on the first of the month following that in which these contributions fall due, regarding the contributions due on the basic wage and on the first of the month following that in which payment is made, regarding the contributions due on the variable wages.

2) The contributions due by the insured persons on the first of the month following that in which they fall due.

3) The end of service indemnity, or the difference thereof provided for in Item (6) of Article (17) on the first of the month following the date of termination of service of the insured person.

4) The installments due in respect of the amounts of which payment has been delayed at their due date.

In the event of payment of the amount referred to being delayed, the employer shall be under the obligation to pay an extra amount (at the rate of 1.5%) monthly in respect of the period from due date until the end of the month in which payment has been effected.

The employer shall be relieved of the extra amount if payment is effected within fifteen days from due date for payment.

In all cases, the charges of sending the subscriptions and the amounts payable to the competent authority shall be born by the employer. The competent authority is allowed to carry out collection, in return of a

fee amounting to one per thousand, of the value of collected amounts, with a minimum limit of twenty piastres, and a maximum limit of five pounds. Such fee shall be carried forward to the account provided for in Article (160).

The Minister of Insurance shall issue a decree setting the dates, terms, and other conditions to be adopted for collecting the contributions and the amounts due to the competent authority in compliance with the provisions of this law.

In exception to the provisions of the foregoing paragraphs, and upon the proposal of the board of directors, the decree referred to may in certain cases include the following:-

1) Determination of the method of calculating and collecting the contributions and the collection may be effected through official social insurance stamps and the decree shall provide for the terms and provisions of using, devaluating and annulling these stamps.

2) Determination of the additional amounts which fall due in the event of delay or default, to the extent of not more than the percentages prescribed in this Article, and Article 130 and defining the authority which shall be obliged to pay them ⁽¹⁾.

Fourth: Special Provisions for Private Sector Contributions

1- With exception to the provisions of Article 125, contributions which are payable by a private sector employer, and those deducted from wages of the insured persons, during a calendar year, shall be calculated on the basis of:

- Their insured basic wages for the month of January of every year. (Article 131)

- Their variable wages for January, April, August and October of every year.

(1) The phrase "yield of investment" is substituted by the phrase "additional amount" to accommodate the text with what was concluded by the Committee of Islamic Sharia. Raising the ratio of the due amount payable in cases of delay in payment from 6% annually to 1% monthly.

2- Contributions payable by the insured persons referred to, in the previous article who join service after the month of January, shall be calculated on the basis of the wage for the month during which they join the service, until the month of January of the following year, then they are treated thereafter on the basis indicated in the previous Article.

Concerning the workers to whom this law is applied for the first time, their contributions shall be calculated on the basis of their wage for the month in which the law begins to be applied to them, until the month of January of the following year, then they are treated thereafter on the basis indicated in the previous Article.

Contributions shall be payable in full, for the month during which the service begins, and shall not be calculated for the part of the month, during which the service is terminated. (Article 132)

3- With exception to the third paragraph of Article (125), and without prejudice to Article (126), the private sector employer shall pay the contributions in full if the work contract is suspended, or the wages of the insured persons are not sufficient for that.

Amounts which the employer pays on behalf of the insured persons shall be considered as a loan, and their payment shall be in accordance with the provisions to be issued by a decree ⁽¹⁾ of the Minister of Insurance.

Both the employee and the employer shall be exempted from payment of contributions due for the period of the military conscription.(Article 133)

Fifth: General Rules:

1. Contributions of Special Periods:

Contributions shall be payable for the following

(1) Decree No. 208 for the year 1977 issued by the Minister of Insurance, and published in the Official Gazette- No. 54 on 5.3.1978 amended by Decree No.69 for the year 1997- Decree by the Minister of Financial affaires 554/2007, 1/10/2007.

periods according to the rules and provisions mentioned next to each: (Article 126)

1) **Periods of secondment abroad without pay, and special leaves periods for working abroad:** The insured person shall pay his own share, as well as the employers' share in the contributions. These contributions shall be paid in one of the foreign currencies.

The Minister of Insurance, in agreement with the Minister of Economy, shall issue a Decree ⁽¹⁾ defining the kinds of foreign currencies, and the rate of exchange, and the methods and dates of paying the contributions, and the additional amounts of 1% per month payable in case of delaying the payment of contribution.

2) **Periods of special leaves without pay:** The insured person shall assume responsibility for his share and the employer's share in the contributions, if he wishes to compute them within his contribution period in the insurance. The dates for expressing the desire, and payment of subscription shall be determined by a decree of the Minister of Insurance.

3) **periods of study leaves without pay locally:** The employer shall be bound to pay his share in the contributions at the periodical dates, and the insured person shall be bound to pay his share as indicated in item (2).

4) **Periods of scientific mission without pay:** The department dispatching the mission shall be bound to pay the share of the employer, and that of the insured person in the contributions, and to be paid in the periodical dates.

5) **Periods of local secondment:** The body, to which he is seconded, shall pay the share of the employer in contributions, and the insured person shall pay his share. They shall be paid to the body from which he is

(1) Decree No. 104 for the year 1985 was issued by the Minister of Insurance, amended by the Decree No. 15 for the year 1990, and 18 for the year 1995, Decree by the Minister of Financial affaires 554/2007, 1/10/2007.

seconded, in the dates fixed for their payment to the competent in the periodical dates.

The provision of this item shall be applicable with respect to full time delegation cases, regarding the variable subscription wage of the insured person.

2. Military Service Period : (Article 127)

The body paying the wage of the insured person during the periods he is recalled to, or retained for military service, shall be bound to pay the share of the employer in the contribution. The said body shall be bound to deduct the share of the insured person from his wage. The two shares shall be paid to the Social Insurance Organization within the periodical dates.

3. The President of the republic may - on the recommendation of the Board of Management- decide by a Decree to be issued by him to reduce the contributions in the light of the valuation of the financial position of the Organization.

4. The employer may object to this account a registered letter with acknowledgement to receipt within 15 days from date of receipt of the notification.

The Organization shall reply to this objection within a month from date of receipt thereof. In case the Organization rejects his objection, the employer may have recourse to court within 30 days following the lapse of this period, otherwise the account shall be final.

Failure of the Organization to reply to the objection lodged by the employer within the 30 days prescribed shall be considered as a refuse of rejection.

The Organization may take whatever conservatory measures it deems appropriate as soon as notification is served.

5. The contributions due for any month (whether those deducted from the wages of the insured persons or those borne by the employer) shall fall due on the first

of the following month.

Past year indemnities determined by Labour Law shall fall due on the first of the month following termination of the service of the insured person.

In the event of delay, Interest at the rate of 1% per month shall be calculated in respect of the period commencing from date of the contributions falling due to the end of the payment month.

The employer shall not be required to pay this interest if payment is made within 15 days from date of the contributions falling due.

In all cases, the cost of remitting the contributions and amounts due to the Social Insurance Organization shall be borne by the employer.

6. The employer shall pay the contribution of the insured persons in full if the contract of employment is suspended or if their wages are insufficient for this purpose. In such cases, the contributions shall be regarded as loans which the employer may recover in accordance with the provisions laid down in the Labour Law.

Notwithstanding the preceding paragraph, the employer and the insured persons shall, be exempted from the payment of contributions in respect of the period of compulsory military service. The said period shall be accounted for in full in the pension.

2.4 ***Financing Treatment and Medical Care Fund***

Financing the Fund : (Article 83)

A fund for the treatment of diseases, and work injuries shall be established. Its money is composed of the following sources:-

(1) Contributions paid by the competent authority, out of work injuries insurance account, in the following percentages:

a) 1/2% of the wages of the insured persons working for the state administrative system, public authorities, general organizations.

b) 1% of the wages of the remaining insured persons subject to the said insurance.

(2) Contributions payable by the competent authority out of the (sickness) medical insurance account at the rate of:

a) 4% of the wages of the insured persons.

b) 1% of the pensions of pensioners.

(3) Charges payable by the patient not exceeding two pounds, whose value, cases of its entitlements, and bases for exemption therefrom- shall be determined by a decree issued by the Minister of Health in agreement with the Minister of Insurance.

(4) Proceeds of investing the Fund's moneys.

(5) Other finances resulting from the Fund's activity.

(6) Subsidies, donations, and grants which the board of directors decides to accept.

In case of realizing surplus moneys of the Fund, such surplus shall be carried forward to a special account, the disposal thereof shall not be effected except by approval of the Board of Directors of the Health Insurance General Authority, and for the following purposes:

1) Improving the level of treatment and medical care for the insured persons.

2) Expansion in applying the health insurance scheme provided for in the present Law.

3) Financing constructional and investment programs, as well as programs of training and reach connected with the authority's activities.

Management of the Fund :

1- The management of the fund shall be run by a public authority named the Health Insurance Public Authority. It shall have a legal person, under command of the Minister of Health. It shall have a special budget included in the General Budget of the state. A Republican Decree shall be issued for forming its board of directors, determining its competencies upon the suggestion of the Minister of Health, in agreement with the Minister of Insurance. (Article 84)

2- The Health Insurance General Authority shall undertake treatment of the injured person of patient, and provide medical care for him until his recovery or his total disability is established. The competent authority shall have the right to keep the injured person or the patient under observation wherever his treatment is going on.

Medical treatment and care shall have the meaning stipulated upon in Article (47), also, it shall mean the medical care and treatment rendered to the insured women during pregnancy and confinement. (Article 85)

3- With due regard to the provision of paragraph (3) of Article (48) the treatment of the injured person, or the patient, and his medical care shall be through the treating bodies determined for them by the Health Insurance General Authority. This authority is not allowed to render this treatment, or to provide medical care at clinics, specific sanitariums, public hospitals, or specialized centers except under special agreements concluded.

For this purpose, in such agreements, the minimum standards of medical service and costs shall be determined. In such a case, the standard of medical service should not be less than the minimum standard specified by a decree issued by the Minister of Health in

agreement with the Minister of Insurance⁽¹⁾. (Article 86)

4- The Health Insurance General Authority shall undertake medical examination on the workers liable to be attacked by one of the professional diseases indicated in Schedule No.(1) appended to this law, against the collection of check-up fees of 500 Milliemmes for each insured person liable to be attacked by one of the aforesaid diseases, to be charged to the employer.

The Minister of Insurance shall issue in agreement with the Minister of Health a decree determining the conditions and positions for making periodical check-up.⁽²⁾

The Health Insurance General Authority shall notify the Ministry of Manpower of cases of professional diseases which appear among the workers, and death cases resulting therefrom. (Article 87)

5- The treating body shall be held responsible for notifying the injured person of the patient of the termination of treatment, and of what may have occurred to him of disability, and its percentage. The patient has the right to apply for a review of the report of treatment termination, or the resulting disability, in accordance with the medical arbitration provisions stipulated upon in Chapter (4).

The treating body shall also be bound to give the notification referred to in the previous paragraph, to each of the employer, and the competent authority, indicating days of absence for treatment if any. All these shall be in accordance with the conditions and positions to be determined by a decree issued by the Minister of

(1) Decree No. (140) for 1976 was issued by the Minister of Health and published in the Official Gazette-No. 115 on 18.5.1976.

(2) Decree No. 218 for 1977, was issued by the Minister of Insurance, and published in the Official Gazette-No. 239, on 17.10.1977 amended by Decree 78/1978.

Health in agreement with the Minister of Insurance (1).

The treating body decision for extending the sick leave shall be binding to the employer. (Article 88)

6- Disability cases as prescribed under the present Law shall be established by a certificate of the Health Insurance General Authority, details of which shall be defined by a decree of the Minister of Insurance at the proposal of the board of directors (2).

The Health Insurance General Authority shall have the right to entrust the medical counsels for establishing disability cases referred to . (Article 89)

Problem:

- Explain the basis of calculating social insurance contribution for:

- the public sector employees.**
- the private sector employees.**

- Determine the Egyptian social insurance contributions percentage of the workers basic and variable wage for:

- Old age, disability and death insurance.**
- Work injury insurance.**
- Health insurance.**
- Unemployment insurance.**
- End of service indemnity.**

Please explain if the contribution percentage at the public sector is the same as at the private sector.

(1) Decree No. (139) for 1976 issued by the Minister of Health, published in the Official Gazette No. 138 issued on 14.6.1976.

(2) Decree No. 210 for 1976, issued by the Minister of Insurance, published in the Official Gazette No. 277 on 7.12.1976, Decree by the Minister of Financial affaires 554/2007, 1/10/2007.

Chapter 3
**OLD AGE, INVALIDITY
AND DEATH INSURANCE**

- 3.1. Historical Background.**
- 3.2. Financing.**
- 3.3. Pensions and Compensations.**
- 3.4. Rules for Computing Some Contribution
Periods.**

3.1

Historical Background

The introduction of old age benefits began with the enactment of labour laws which provides retirement indemnities to workers starting 1944.

A pension scheme for governmental employees was first introduced in 1854 by a Khedevial decree. This system was developed by Laws in 1871, 1887, 1909 and 1929. In 1935, this pension scheme stopped to be a general scheme and was only applied to few categories of governmental employees.

In 1950, the Social Security Law No. 116/1950 amended by Law No. 133/1964 provided for a public assistance scheme.

A general provident and insurance fund system was established in 1952 for governmental employees by Law No. 316/1952. A similar system was introduced in 1955 by the law 419/1955 for employees and workers who are covered by the labour Law.

The existing system of old age, invalidity and death insurance began in 1956 for government employees and was established by Law No. 394/1956. In 1961, a similar system was established by Law No. 143/1961 for employees and system workers in public and private sectors.

Current Social Insurance: Law No. 79 for the year 1975 comes into force as from 1/9/1975.

Administrative Organization:

- **Ministry of Social Insurance: General supervision.**

- Social Insurance Organization: Administration of the two funds :

1. The fund for insured persons working in public and private sectors, through regional and district offices, Managed by tripartite board.
2. Administration of the fund for government employees through regional offices.

3.2 ***Financing***

The Insurance Contributions:

Old age, invalidity and death insurance shall be financed through: (Article17)

1- The portion payable by the employer at the rate of 15 percent of the monthly wages of the insured persons.

2- The portion payable by the insured person at the rate of 10 percent of his monthly wage.

3- The amounts which the public treasury is bound to pay at the rate of 1 (one) percent of the monthly wages of the insured persons. These amounts shall be paid to the concerned authority on the first of the month following the date they fall due.

4- The capital value of the dues paid by the fund on behalf of the other fund, or the public treasury.

5- The amounts due for payment, for the account of the contribution period in the social insurance or, the insurance and pension Law.

6- The amounts due for payment, for the account of previous service periods, prior to the contribution in the social insurance, or the insurance and pension schemes, and they include:

A) The amounts which the public treasury is bound to pay on service periods prior to the date the insurance and pension schemes came into force.

B) End of service legal indemnities with regard to the insured persons who were subject to the Labour Law, and which shall be payable by the employer to the concerned authority, at the termination of the insured person's service, as follows:

1- The due indemnities for service periods prior to the contribution in the social insurance scheme, calculated in accordance with the second paragraph of the article (2), and (72) of the Law No. 91 year 1959 promulgating the labour Law

2- The difference between the due indemnity, calculated in the manner indicated in the previous item and the proceeds of contributions paid by the employer to the concerned authority, if any, in respect of the period of contribution up to 13/12/1961.

The indemnity referred to shall be calculated on the basis of the last wage of the insured person at the termination of his service.

Concerning insured persons whose wages were transferred from daily to monthly payrolls as from 7/4/1959, it should be observed on calculating the indemnity for daily payroll service period that it shall be made on the basis of dividing the wage of the last month at the date of the end of service, on the number of days taken as a basis for transferring the daily pay to the monthly wage.

7- The amounts payable by the insured persons in return of contribution for the previous service periods, or their calculation.

8- Yield of investing the present insurance moneys.

9- The contribution of the end of service indemnities to be deducted at the rate of 5% of the basic wage of the insured person (3% the employee share, the employer share 2%).

3.3

Pensions and Compensations

Pensions

Cases and Conditions

A pension shall be due in the following cases
(Article18):

1) Termination of the insured person's service for attaining the age of retirement (as stipulated upon in the employment system by which he is treated, or for reaching 60 years old in respect of the insured persons working in private sector), **if the period of contribution is 120 months at least.**

2) Termination of the service of the insured person because of death, or total disability, or permanent partial disability, if it is evident that no other job is available for him with the employer, whatever his contribution period in the insurance be.

Evidence of the non-existence of another work for him shall be established by a decision of a committee to be formed by a decree of the Minister of Insurance in agreement with the concerned ministers. The committee shall include among its members a representative of the trade union, or of workers according to each case, as well as a representative of the social insurance organization. The decree shall determine the rules and procedures of the committee's works.

3) Death of the insured person, or his complete disability during one year from the termination date of his service, provided that he does not exceed the pensionable age, and not having been paid the cash lump-sum indemnity whatever his period of contribution to the insurance be.

4) Termination of service of the insured person for reasons other than the above cases if he is not covered by old age insurance and his actual contribution period in the insurance is 25 years at least.

5) Death or total permanent invalidity after one year

from the date his service was terminated, or his attaining the age of sixty after the termination of his service, once his period of contribution to the insurance is 120 months at least, and he had not been paid the cash lump-sum indemnity. The pension in such a case shall be settled on the basis of the period of contribution to the insurance.

He is provided for entitling a pension in the two cases indicated in the previous items 2 and 3, that the subscribed period in insurance for the insured person shall not be less than three consecutive months, or six intermittent months, and this condition shall not be applicable concerning the following cases:

(A) The insured persons who are subject to employment statutes promulgated according to Law, or their wages, allowances, and promotions are determined according to collective agreements concluded pursuant to Labour Law, whenever the minister of insurances, approves such statutes, or agreements according to the proposal of the concerned authority.

(B) Shifting of the insured person from the governmental or public sector, to join work in private sector.

(C) In case the disability of the insured person is established, or the occurrence of his death as a result of work injury.

The pensionable age may be reduced in respect of insured workers employed in difficult or dangerous jobs which are determined by a decree of the president of the republic, at the proposal of the minister of insurance; and the decree should include the following:

A) Determination of the said age with respect to each of such works.

B) Raising the ratios on the basis of which the pension is calculated in proportion to compensate the insured person for the reduction of age.

C) Increasing the percentage of contributions to meet the burdens resulting from the privileges to be stated for the aforementioned workers, and determining the party that shall bear this increase.

Calculations of Pensions

1- The pension on the basic wage:

The pension on basic wage shall be settled on the basis of the monthly average wages of the insured person, on which basis subscriptions were paid during the last two years of his contribution period in insurance, or during his subscription period in insurance if it is less than that.

The basic average wage should not be more than 150% of the wage at the first previous five years of the end of service. If it was less than 5 years it should be increased by 10% for every year.

2- The pension on the variable wage:

The pension on the variable wage shall become due regardless of the contribution period of the insured person for this wage, when one of the cases of the due pension on the basic wage becomes available (Article18 Bis).

3- Calculating the Monthly Average Wages: (Article19)

The pension on the variable wage shall be settled on the basis of the monthly average of the wages on which basis the contributions were paid, during the contribution period for such wage.

The average on which basis the variable wage pension is calculated, shall be increased at the rate of 3% on each full year of the years of actual subscription period for such wage; provided that the average after adding such increase, shall not be more than the maximum limit of the subscribed variable wage.

On calculating the monthly average, the following must be taken into account:

1- The month in which the service was ended, shall be considered a complete month.

2- If periods fall between the period of average pension computation on the basic wage, for which the insured person did not obtain his wage wholly or partially - the average shall be calculated on the basis of the total wage.

4- The Calculating Rate for Every Contribution Year:
(Article20)

The pension shall be assessed at the rate of one part of forty-five parts of the average wage for each year of contribution period to the insurance.

The pension shall be assessed with a maximum limit of 80% of the wage referred to in the previous paragraph. The following cases shall be excepted from such limit:

1- Pension with a value less than fifty pounds monthly will have a maximum limit of 100% of the assessment wage, or fifty pounds monthly whichever is less.

2- Pensions for which the laws or decrees issued in execution thereof stipulate their settlement on the basis other than the wage provided for, their maximum limit shall be 100% of the last subscribed wage of the insured person, and the public treasury shall be charged with the difference between such limit and the previous maximum limits.

3- Pensions which are assessed in case of death or total disability after one year from the end of service date shall have a maximum limit of 100% of the last contribution wage of the insured person.

5- The contribution period: (Article21)

The contribution period of the insured person in insurance is:

1- The period which begins from the date of applying the provisions of Social Insurance Law, or the date of enforcing Insurance and Pensions Laws.

2- The periods added to the contribution period of the insured person at his request.

3- Periods of the official scientific missions which follow university or high studies which are allowed to be computed within the service period, or were taken into account in assessing the wage.

The fraction of a month shall be considered as a full month in calculating the total periods referred to, and the fraction of a year shall be considered as a full year in this total if this would result in regarding the insured person as becoming entitled to a pension.

6- Additional Contribution Period in Cases of Death or Disability: (Article22)

A suppositional period of 3 years shall be added to the period of contribution to the insurance, for the assessment of the death or disability pension, provided that such period does not exceed the remaining period for the insured person to attain the pensionable age. If the pension after adding this period is less than 50% of the wage on the basis of which the pension is assessed, the pension shall be raised to 50 percent.

In the said cases, the pension shall be increased by an amount equal to half of the difference between the pension and the maximum limit of 80%.

7- Calculating the premature Pension: (Article20)

In case of premature pension, the pension rate is determined according to the age of the insured person at determining the pension as follows:

(schedule no. 9) (1)
**Calculating Rate for the Premature Pension
according to the following schedule**

Age at the claim date	Actuarial factor
38	90.00
39	87.50
40	85.00
41	82.50
42	80.00
43	77.50
44	75.00
45	72.50
46	70.00
47	67.50
48	65.00
49	62.50
50	60.00
51	58.00
52	56.00
53	54.00
54	52.00
55	50.00
56	49.00
57	48.00
58	47.00
59	46.00

8- Increasing the Old Age Minimum Pension: (Article24)

If the pension due for the end of service due to old age or disability or death (cases stipulated upon in items (1 and 2) of the article 18) is less than 50% of the wage on

(1) Article 23 of law 79 and schedule no. 8 were cancelled.

the basis of which the pension is assessed, the pension shall be raised to 50% of the wage if the insured person

contribution period to insurance has completed at least 240 months.

The minimum limit of pension - due for the insured person, in cases of end of service due to old age or disability or death - shall be twenty pounds per month.

9- The Payment of Pension: (Article25)

The pension shall be due on the first of the month in which the reason for deserving arises; and the pension shall be due for fulfilling the conditions of the case provided for, in case of death or disability after one year of the end of service from the first of the month in which the application order for payment is submitted. In case of not submitting payment order up till the insured person reaches the age of sixty, or the complete disability is established, or the occurrence of death, such pension shall be paid as of the first of the month in which one of the referred to, occurrences is established.

10- A Lump Sum For periods which exceeds that required for the Maximum Pension: (Article26)

If the contribution period to the insurance exceeds 36 years or the number of years required for entitlement to the maximum pension which the fund shall bear whichever is larger, the insured person shall be entitled to a lump sum indemnity at the rate of 15% of the annual wage for each of the years in excess.

The annual wage means the average monthly wage on which contribution was paid during the last two years multiplied by 12.

In calculating the period for which this indemnity is due, the following periods should be discarded from the contribution period:

1- The suppositional periods in case of death or disability.

2- The requested periods (calculated according to article 34 of the law).

3- The periods which laws and decrees provide for adding to contribution period, unless laws provide for entitlement to such indemnity on these periods.

This amount shall be payable in case the insured person or the pensioner dies before it is paid.

The pensioners and beneficiaries may commute the whole or part of the indemnity for a pension to be calculated at the rate of 1/75 for each of the years in excess which shall be added to the due pension, and is considered as a part thereof, provided that the total of the two pensions shall not exceed the 80% maximum limit.

Lump Sum Compensations Cases and Conditions for Entitlement

(The Lump Sum Indemnity instead of a Pension) (Article 27, 28)

If the service period of the insured person is terminated without his fulfilling the requirements for entitlement to pension, he shall be entitled to the lump sum indemnity to be calculated at the rate of 15% of the annual wage for each year of contribution period to the insurance.

The annual wage means the average monthly wage in respect of which the contribution was paid during the last two years, or the contribution period if less than two years, multiplied by 12. In calculating this average, the rules stipulated upon in case of calculating pensions should be observed.

This indemnity shall be payable in the following cases:-

- 1- If the insured person attains the age of 60.
- 2- In case the foreigner leaves the country finally, or is permanently engaged in work abroad, or joins the diplomatic mission at the embassy, or consulate of his own country.
- 3- In case of emigration of the insured person.
- 4- In case a final court judgment is issued sentencing the insured person to imprisonment of ten years or more, or for the period remaining for him to attain the age of 60, whichever is less.
- 5- If during his imprisonment, the insured person sustains a permanent partial disability preventing his from work.
- 6- Termination of service of the insured persons stipulated upon in item (A) of Article (2) for abolishing the post, or dismissal as per a republican decree.
- 7- If the insured person joins claustral life.
- 8- If the insured person joins work with one of the quarters excepted from applying the provisions of this Law, according to the conditions and rules issued by a decree of the minister of insurance.
- 9- In case of total disability of the insured person.
- 10- Death of the insured person. In this case, the full due amounts shall be paid to the legally entitled beneficiaries for pension, to be distributed among them according to the proportions of their shares in the pension. If there is only one beneficiary, he will

be paid such amounts complete. If there is not a person entitled to the pension, these amounts shall be paid to the legitimate heirs.

In old age, disability and death cases the amount of indemnity shall be paid in addition to an amount of 6% thereof for the number of complete years from the date of termination of the service until the date when payment becomes due.

11- If the insured woman is married, or divorced, or a widow, or is 51 years of age, or over, at the date of the application for payment is made, the indemnity shall not be paid in these cases except once during the whole periods of contribution to the insurance by the insured woman.

In case of the citizen emigration or the foreigner leaving the country, the insured person has the choice to obtain a lump sum indemnity, or a pension, if his contribution period to the insurance gives him the right to obtain the pension.

In the cases referred to in the previous paragraph, the pensioner is allowed to abdicate his right in pension, and to be paid a lump sum indemnity provided to deduct from him the amount of the pension paid to him, and he is not allowed to do so except for one time.

If the emigrant returns to stay finally in the country, and joins a job which is subject to the provisions of this Law, within two years from the date of emigration, he shall be bound to refund the lump sum indemnity which was paid to him according to the above provisions premiums either altogether within one year from the date of his return, or by premiums according to the law and the period for which he had been paid a lump sum indemnity shall be calculated within his contribution period.

End of Service Indemnities: (Article30)

The insured person shall be entitled to a compensation, whenever one of the cases of pension deserving, or lump sum disbursement exists.

The compensation shall be calculated at the rate of one month wage for each of the years of subscribed period in the compensation system; and the wage for calculating the compensation shall be estimated by the wage of computing the pension on the basic wage.

The minimum limit of compensation shall be ten months' wage calculated according to the previous paragraph, in the following cases:-

1- Termination of the insured person service due to total disability, or death, whenever the conditions are fulfilled.

2- Expiry of the insured person's benefit from the compensation system, for reaching the pensionable age. If such age was less than sixty, the public treasury should be charged by the difference between such limit, and the entitled compensation on the actual period; and this provision shall be applicable with respect to article one of the law.

The insured person shall not benefit from the minimum limit of compensation except once, during his subscription periods in the insurance.

With respect to the periods calculated in the compensation system, the following should be observed:-

1- Compensation shall be calculated for this period, and added to the referred to minimum limit.

2- The due compensation for such period, shall be estimated according to the schedule No.(4)(attached to the law), and on the basis of the insured person's age at the due date of payment, and the referred to wage for calculating the compensation, in cases of deserving payment other than reaching the pensionable age of the second paragraph, or death.

The Ministries Pension Rules

The pension of an insured person who fill the post of a minister or deputy minister shall be assessed on the basis of the last wage he received according to the following: (Article 31)

First : A minister shall be entitled to a pension of 150 pounds per month, and a deputy minister to a pension of 120 pounds per month in the following cases:

1- If his period of contribution at the termination of his service as minister or deputy minister is twenty years, and he had spend at least one continuous year in either post or both posts.

2- If his period of contribution at the termination of his service as minister or deputy minister is ten years; and he had spent at least two continuous years in either post or both posts.

3- If his period of contribution at the termination of his service as minister or deputy minister, is five years; and he had spent at least four continuous years in either post or both posts.

If he had not fulfilled the said contribution periods, and had spent in either posts a period of three continuous years, he shall be entitled two- thirds of the said pension.

In calculating the periods stipulated upon in this item, the fractions of a month should be reckoned as a complete month.

Second : The pension shall be assessed for him on his contribution period to the insurance which exceeds the periods stipulated upon in item (first), and to be added to the due pension pursuant to the said item, provided the total of the two pensions shall not exceed the last contribution wage.

Third : If the service period he has spent in both posts, or in either post, does not reach the extent referred to in the item (first), he shall be entitled a pension to be calculated according to the contribution period in insurance on the basis of the last wage he received. If the pension thus assessed is less than 25 pounds per month, he will have the choice of either receiving a

pension or a lump sum indemnity.

The public treasury shall bear the difference between the pension calculated according to the provisions of this article and the pension calculated pursuant to the other provisions.

Pensions due according to the above provision shall be paid without reduction; and the lump sum indemnity shall be payable upon the termination of service, in case of his choice.

3.4

Rules for Computing Some Contribution Periods

First : The following contribution periods shall be calculated at the rate of 1/75 in case a pension is due, and at the rate of 9% in case of a lump sum compensation is due, if the insured person has not contributed for them: (Article32)

1- The period prior to the date of benefiting from the Laws of Insurance and Pensions, or Social Insurance, which such laws provide for counting within contribution period to insurance.

2- Periods spent in a permanent or temporary post, or in post on a personal grade, or on a daily payroll, or in a post on basis of compensation payment or for which a fixed remuneration is paid, or outside the authority, or remuneration from the "Third Allocations" chapter included in the general budget of the state, or in the budgets that were appended to it, or in a post at the university or AL-Azhar university, or religious institutes, or in ministry of wakfs, municipality councils, provincial councils, or public transport department for Alexandria zone, in respect of the following insured persons:-

a) Insured persons whose service periods in such posts were terminated before benefiting by insurance and pensions Law No. 394 for the year 1956 establishing an insurance and pensions fund for the state civil personnel, and other fund for personnel of organizations having independent budgets, or by the Law No. 36 for the year 1960, promulgating the Insurance and Pensions Law for the State Civil Personnel, or by the Law No.37 for 1960 promulgating the Insurance and Pensions Law for the State Civil Personnel and Workers according to each case. If the insured person has received a compensation for that period, he should repay it in a cash lump sum in addition to an extra amount at the rate of 4.5% annually from the date of payment till the date it is refunded.

The public treasury shall meet the amount of entitlements resulting from the computation of this period.

b) Insured persons whose service period was terminated

in these posts under the Laws referred to in item (A), and to whom their insurance and pension contribution were refunded.

For the calculation of these periods, it is stipulated that the insured person should have been reinstated to service in the administrative system of the state, or public authorities, or general organizations, or economic units of the public sector, or health organizations, and that the insured person should submit an application for its computation.

3- Periods of secondment abroad, and exceptional leaves, and unpaid study leaves which were spent before the present Law came into force, in respect of those who were treated under the Insurance and Pension Law referred to in article (2) of the promulgating Law.

4- Periods spent by the insured foreigner in one of the posts which were subject to the Insurance and Pensions Laws stipulated upon in article (2) of the promulgating Law, and during which he was not treated under these Laws.

Second: Conditions and Costs of Adding Contribution Period:

The insured person is allowed to apply for calculating any of the subscribed periods, calculated at the rate of 1/75, to be calculated at the rate of 1/45, in return of paying an amount to be estimated according to the attached schedule No. (4). (Article33)

Table No. (4) ⁽¹⁾
Determining the Due Amounts for the Calculation
of the Previous Period into the Period of Contribution

A G E	Amount Corresponding To Each Year of the Service Calculation, and to Each Pound of the Monthly Wage	
	Basic wage – variable wage	compensation
until the age of		
20	3.69	0.60
21	3.73	0.66
22	3.77	0.66
23	3.82	0.67
24	3.86	0.68
25	3.90	0.68
26	3.95	0.69
27	3.99	0.70
28	4.03	0.70
29	4.08	0.71
30	4.12	0.72
31	4.17	0.72
32	4.21	0.73
33	4.26	0.74
34	4.31	0.74
35	4.35	0.75

(1) Table No.(4) was amended by the law No. (120) for 2014 .. Specific amounts must be reviewed mathematically and by insurance .. the previous table was amended by the law No. (47) for 1984 was as follows:

A G E	Amount Corresponding To Each Year of the Service Calculation, and to Each Pound of the Monthly Wage		AGE	Amount Corresponding To Each Year of the Service Calculation, and to Each Pound of the Monthly Wage	
until the age	L. E. (POUND)	MILLIEMES	until the age	L. E. (POUND)	MILLIEMES
40	1	800	50	2	200
41	1	830	51	2	260
42	1	860	52	2	330
43	1	900	53	2	400
44	1	930	54	2	500
45	1	960	55	2	600
46	2	-	56	2	700
47	2	050	57	2	800
48	2	100	58	2	900
49	2	150	59 and over	3	-

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Table No. (4) (continued)

A G E	Amount Corresponding To Each Year of the Service Calculation, and to Each Pound of the Monthly Wage	
	Basic wage – variable wage	compensation
until the age of		
36	4.40	0.76
37	4.45	0.77
38	4.49	0.77
39	4.54	0.78
40	4.59	0.79
42	4.68	0.80
43	4.73	0.81
44	4.78	0.82
45	4.83	0.83
46	4.87	0.83
47	4.92	0.84
48	4.97	0.85
49	5.02	0.86
50	5.06	0.87
51	5.11	0.87
52	5.15	0.88
53	5.20	0.89
54	5.24	0.90
55	5.29	0.91
56	5.33	0.92
57	5.37	0.93
58	5.41	0.93
59 and over	5.45	0.94

= NOTES:

Remark (1) : In calculating the age, the fractions of the year shall be regarded as one complete year.

Remark (2) : The amounts for the computation of a period within the subscription period in compensation system, shall be estimated at the rate of the 30% of the coefficient stated in this schedule, and on the basis of the wage and age and at the date of applying for the computation (Amended as per law No.107/ 1987) .

Remark (3) : The amounts required for the computation of a period within the subscribed period, in basic wage, shall be estimated on the basis of age and wage at the date of applying for the computation " (Amended as per law No.107/ 1987) .

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NOTES:

Remark (1) : In calculating the age, the fractions of

the year shall be regarded as one complete year.

Remark (2) : The amounts for the computation of a period within the subscription period in the basic wage and the compensation on the basis of the wage and age and at the date of applying for the computation.

Remark (3): The amounts required for the computation of a period within the subscribed period, in the variable wage, shall be estimated on the basis of age at the date of submitting the application, and the monthly average of the wages on which basis the subscriptions were paid, during the period up till the end of the month preceding the date of applying for computation.

Remark (4): The amounts required pursuant to Article (33) are estimated at the rate of 40% of the coefficient stated at this schedule, and on the basis of age and wage, at the date of submitting subscription application.

Remark (5): The cost resulting from the application of this table is approximated to the nearest pound.

Key Points

1- The insured person is allowed to add any number of complete years which he spent in any work or activity after having attained the age of 20 years, to be included

= NOTES:

Remark (4) : The amounts required for the computation of a period within the subscribed period in the variable wage, shall be estimated on the basis of age at the date of submitting the application, and the monthly average of the wages on which basis the subscriptions were paid, during the period up till the end of the month preceding the date of applying for computation. (Amended as per law No.107/ 1987) .

Remark (5) : The amounts required pursuant to Article (33) are estimated at the rate of 40% of the coefficient stated at this schedule, and on the basis of age and wage, at the date of submitting subscription application (added as per law No. 107/ 1987).

in his contribution period to the insurance against payment of an amount to be calculated in conformity with table No. (4).

2- For the periods required to be included in the

contribution period in respect of the variable wage, it is provided that the total contribution periods for this wage should not exceed the contribution period for the basic wage.

The insured person may further request to include any number of years in his contribution period to the condensation scheme against payment of an amount to be calculated according to table No. (4). (Article 34)

Third : If the pensioner returns to a job which makes him subject to the provisions of this insurance, or to one of the bodies which deserted the range of applying this law, for the existence of a substitute system determined pursuant to a law, his pension shall be suspended as from the start of the following month, and up till the termination of his service in the referred to bodies; or for reaching the pensionable age.

If the wage on which the pension is settled, or the total of what he was paid of wage at the end of his service period - whichever is bigger - is exceeding his due wage on the job to which he has returned, he shall be paid of the pension, the difference between them, provided that the part to be paid of the pension shall be deducted by the amount of what he receives of increases in his wage.

In case of the existence of one of the deserving cases on the last period, shall be settled pursuant to the following: - (Article 40)

1- If the reason for deserving on this period was other than disability, or decease, a pension shall be calculated for it, whatever was its amount, and to be added to the previous pension.

2- If the reason of deserving on this period was disability or decease, the pension shall be settled by one of the following two ways whichever is better for him:-

(a) The pension shall be settled on the two service periods, considering them one unit, and on the basis of the two wages average for pension settlement on each period, or pension settlement wage for the last period, whichever is better for him.

(b) The pension regarding the last period shall be calculated pursuant to pension computation rules of service termination for

reaching the age of retirement, and to be added to the first pension.

In all cases of settlement for the two periods of service, considering them one unit, the provisions of pension maximum limit for each of the basic and variable wage shall be observed; and in cases of settlement for the last period, and its addition to the pension of the first period pension, it shall be observed that the total of the two pensions on the basic wage, is not exceeding the maximum limit provided for in the last paragraph of article (20), and that the total of the two pensions on the variable wage shall not exceed 80% of the two wages average for pension settlement.

If the due pension on the first period service is assessed pursuant to one of the laws provided for in article four of the promulgating law, the pension shall be settled pursuant to the foregoing; or a pension on the new service period shall be settled for him pursuant to pension settlement rules for reaching age of retirement. it shall be added to the first pension, and a pension with the total of both shall be assessed for the insured person, taking into account that the total of the basic and variable wage pension shall not exceed 80% of the total maximum limit of the basic and variable subscription wage, pursuant to this law.

The provisions of this insurance shall not be applicable with respect to the insured person, if his age exceeded sixty, except for the one whose service is extended by a decree from the concerned authority, from the insured person referred to in item (a) of article (2) ; and also the cases provided for in article (31), (163) and (164). In this case the pension shall be paid as from the first of the month in which the service will terminate, except the cases of article (163) where the pension shall be paid as from the first of the month in which the period necessitating pension deserving shall be completed.

Fourth : The insured person has to pay the amounts required from him for the account of the previous period, or for the subscription of a period pursuant to one of the following ways:- (Article 41)

- 1- One disbursement during one year of the date of

requesting the account, or subscription, without exceeding the date of service termination.

2- Monthly premiums up to the date of reaching the age of 60 according to the following schedule (schedule No. 6).

Table NO. (6) (1)
Fixing The Monthly Installments To Be Deducted
From The Wage in case the Insured Person OPTS
for Payments in Installments of the Amounts Due by Him

Age at the beginning of payment	Aggregate installments ought to be paid in case of settlement up to the date of Reaching the age of sixty years in return of L.E.100 of the Amount due
20	327.94
21	321.04
22	314.19

(1) The previous table by law no. (47) for 1984 was cancelled by the law No. 120 for 2014 .. It was as follows:

Age at the beginning of payment	Aggregate installments ought to be paid in case of settlement up to the date of reaching the age of sixty years in return of L.E.100 of the Amount due	
	L.E.	
	(Pound)	Milliemes
20	274	100
21	269	500
22	264	900
		=

Table NO. (6) (Continued)

Age at the beginning of payment	Aggregate installments ought to be paid in case of settlement up to the date of Reaching the age of sixty years in return of L.E.100 of the Amount due
23	307.39
24	300.64
25	293.94
26	287.30
27	280.72
28	274.19
29	267.73
30	261.33
31	255.00
32	248.74
33	242.55
34	236.43
35	230.38

=

Age at the beginning of payment	Aggregate installments ought to be paid in case of settlement up to the date of reaching the age of sixty years in return of L.E.100 of the Amount due	
	L.E	
	(Pound)	Milliemes
23	260	300
24	255	700
25	251	100
26	246	600
27	242	-
28	237	400
29	232	900
30	228	300
31	223	700
32	219	200
33	214	700
34	210	200
35	205	080

=

Table NO. (6) (Continued)

Age at the beginning of payment	Aggregate installments ought to be paid in case of settlement up to the date of Reaching the age of sixty years in return of L.E.100 of the Amount due
36	224.41
37	218.51
38	212.68
39	206.93
40	201.26
41	195.65
42	190.12
43	184.65
44	179.25
45	173.92
46	168.64
47	163.43
48	158.27
49	153.16
50	148.10

=

Age at the beginning of payment **Aggregate installments ought to be paid in case of settlement up to the date of reaching the age of sixty years in return of L.E.100 of the Amount due**

	L.E	
	(Pound)	Milliemes
36	201	400
37	197	-
38	192	600
39	188	300
40	184	100
41	179	900
42	175	700
43	171	600
44	167	500
45	163	400
46	159	300
47	155	300
48	151	300
49	147	400
50	143	500

=

Table NO. (6) (Continued)

Age at the beginning of payment	Aggregate installments ought to be paid in case of settlement up to the date of Reaching the age of sixty years in return of L.E.100 of the Amount due
51	143.10
52	138.14
53	133.22
54	128.36
55	123.53
56	118.75
57	114.01
58	109.32
59	104.66

Remarks :

A. In the assessment of the age, the fractions of the year shall be regarded as one complete year.

Age at the beginning of payment	Aggregate installments ought to be paid in case of settlement up to the date of reaching the age of sixty years in return of L.E.100 of the Amount due	
	L.E	
	(Pound)	Milliemes
51	139	500
52	135	400
53	131	300
54	127	100
55	122	800
56	118	400
57	113	900
58	109	300
59	104	600
60	100	-

Remarks :

A. In the assessment of the age, the fractions of the year shall be regarded as one complete year.

B. In calculating the monthly installment, the aggregate installments ought to be paid, shall be divided by the number of full months between the date on which payment has started and date of reaching the age of sixty years.

C. The amount of monthly installment resulting from the application of this table shall be rounded to the nearest piaster.

B. In calculating the monthly installment, the aggregate installments ought to be paid, shall be divided by the number of full months between the date on which payment has started and date of reaching the age of sixty years.

C. The amount of monthly installment resulting from the application of this table shall be rounded to the nearest pound.

3- Monthly premiums for 5 or 10 or 15 years according to schedule No. 7 whenever the age of the insured person exceeded fifty years on 1/4/1984, and the period required for computation, in addition to his subscription period in insurance entitles him for a pension.

In case of paying the required amounts pursuant to items (2) and (3), the insured person shall not be considered a subscriber unless the first premium is paid to the competent authority before the date of service termination.

An exception of the provision of the last paragraph, the insured person is allowed -after his service termination, even if he exceeded the sixty years - to express his desire to compute a period preceding his last subscription period, and with the observance of article (34) within the limits of the required period for deserving a pension. The amount due on it shall be paid in one disbursement, and he shall be entitled to a pension as of the first day of the month preceding payments of such amounts.

In case of the death of the insured person, after expressing the desire to subscribe for a period, or to compute a period, and before payment of the amounts requested from him in one disbursement, or before the first premium of them falls due, his beneficiaries are allowed to pay the due amounts in one disbursement, in cash, during a year starting from the date of death.

Subscription for any period, or the computation of any period, shall not result in the deserving of the insured person for a pension thereof, except after the expiry of the period during which the application for subscription or computation is submitted.

It shall not be permissible for any reason, to recant

the application for computing periods or subscribing for them.

An exception of the provision of the previous paragraph, the insured person, or the pensioner is allowed to retract the application of periods computation or subscription for them, in case of the issuance of laws or final judgments for adding periods to the subscribed period of the insured person. The retraction application must be submitted during three years from the date of applying such laws, or the issuance of such judgments. In case of the occurrence of death of the insured person or pensioner during the referred to period, before applying for retraction, this right shall be for his beneficiaries.

In case of retraction, the amounts previously paid shall be refunded to the concerned person; and the bodies which are held responsible for paying the cost of the added periods shall be charged with what the computing authority carried out of obligations in return of computing the period, or subscribing for it.

In cases of dismissal by disciplinary way, if the dismissal is abolished or withdrawn in respect of the insured person working in governmental or public sector, the following will be adopted:- (Article 42)

1- For those to whom a lump sum indemnity has been paid, the period for which the indemnity was paid, and the period of dismissal shall be computed as a part of the contribution period to the insurance; and the insured person shall be bound to refund the indemnity amount.

2- A pensioner shall have the choice of either refunding the pension amounts already paid to him, in order to compute the period of dismissal with his period of contribution to the insurance, or not to refund the pension amounts against non-computation of dismissal period.

3- The employer shall be bound by the contributions due for the period of dismissal, in case such period is computed within the period of contribution to the insurance scheme.

The Foregoing provisions shall apply in respect of the insured persons stipulated upon in paragraph (B) of article (2), if it is established that the dismissal was

arbitrary, and the insured person is reinstated to work by a court ruling.

If the insured person working in governmental or public sector is dismissed through non- disciplinary channel, then he was reinstated to work by court ruling, or by virtue of law, or due to withdrawing his dismissal decision, the following shall be applied in his respect: (Article43)

1- The period during which he was not subject to the social insurance scheme shall be included in computing contribution period to the insurance; and the public treasury will bear the contributions due for such a period.

2- With respect to those who already received lump sum indemnity, they will have the choice either to refund the indemnity, and to compute the previous period or not to refund the indemnity, in which case the said period shall not be computed.

3- Regarding the pensioner, the public treasury will pay to the fund the value of pensions already paid.

It is not allowed to deprive an insured person or a pensioner of his pension, or lump sum indemnity whether partially or wholly, for any reason whatsoever. (Article44)

In case of any employer who refrains from carrying out the decision of the committee, he shall be bound to pay the due wage up to the date the insured person joins another job. For the insured person to benefit by this provisions. The insured person's right for wage shall be forfeited if he refuses to join a suitable job.

The decision issued by the concerned authority in respect of the entitlement of the insured person to a wage shall, in this case, be similar to a law enforcement document. (Article45)

Key Points

A- Cases and Conditions of entitlement to Pension:

1- End of the insured person's service period for reaching the pensionable age and a contribution period more than 9 years.

The pensionable age means the age of retirement provided for the employment regulation (60 years in general), or the age of sixty for the insured persons subject to the labour code (private sector workers).

This age can be reduced for workers performing difficult or perilous jobs specified by a decree of the President of the Republic according to a recommendation by Minister of Insurance.

2- End of the insured person's service because of death, total invalidity or permanent partial disability since it is certified that he has no other job with the same employer.

For those who are not covered by employment laws or regulations or collective agreements, the insured person should have a contribution period not less than 3 consecutive months or 6 intermittent months.

Total invalidity is any disability that totally and permanently deprives an insured person of performing a job or earning a living.

This comprises total blindness, loss of both arms, loss of both legs, loss of one arm, loss of one leg, mental diseases and chronic diseases.

3- The insured person's death or total disability during one year after the end of his service and before reaching the pensionable age and getting the lump sum compensation.

For those who are not covered by employment or collective agreements, the insured person should have an insurance contribution period not less than 3 consecutive months or 6 intermittent months.

4- Reaching pensionable age or total invalidity or

death after one year of the end of service before reaching the pensionable age and getting the lump sum compensation since the insured contribution period exceeds 9 years.

5- End of insured person's service for reasons other than those cited above since his contribution to insurance exceeds 19 years.

In this case pension is reduced by certain percentages according to age at the date of entitlement to pension.

Remarks:

1- The pensioner or the one entitled to pension may ask for a lump sum compensation instead of pension in cases of migration and departure .

2- Beneficiaries of death pension are:

- The widow and the husband unable to earn a living.
- The divorcee whose marriage lasted for twenty months at least and has no income whatsoever.
- The sons up to 21 years old those unable to earn a living and students are excluded until 26.
- The unmarried daughters.
- The mother, even married to a person other than the father of the dead person.
- The father.
- The brothers and sisters qualified for pension and supported by the dead person .

B- How to calculate old age pension, minimum and maximum:

Each of the years of contribution to insurance is calculated at 1/45 of the average monthly wage during the last two years, with a relative maximum that amounts to 80% of the said average (increased to 100% if pension does not exceed L.E.30 monthly).

It is worth mentioning that if the period of contribution to insurance exceeds the required period of qualifying for the maximum pension, the insured person is entitled to a lump sum compensation that equals 15%

of the average monthly wage multiplied by 12 for each of the additional years.

On the other hand, in calculating pensions, the increase in contribution periods in the remote and desert governorates (Sinai for example) is calculated at one quarter for government and public sector workers.

C- How to calculate permanent invalidity or death pensions:

The permanent invalidity or death pensions are calculated at 1/45 of the average monthly wage during the last year for each of the years of contribution to insurance to which three years are added or 50% of the said average monthly wage. To the resulting percentage half of the difference between it and percentage of the maximum old age pension equaling 80% is added.

D- Cases of entitlement to the lump sum compensation:

If the insured person's service comes to an end without being qualified for pension, he is entitled to a lump sum compensation in the following cases:

- 1- Reaching the age of sixty.
- 2- The foreigner's final departure from the country, his having a permanent job abroad or joining the diplomatic corps in his State's embassy or Consulate in Egypt.
- 3- The migration of the Egyptian.
- 4- The insured person's imprisonment for ten years or more or a 1 period equivalent to that before reaching the age of sixty whichever is lesser.
- 5- If the insured person, during the period of imprisonment, gets an incapacitating permanent partial disability.
- 6- The insured person's dismissal by a decree of the President of the Republic.
- 7- The insured person's entering monastic life.
- 8- The insured person's work in any establishment excluded from the provisions of the law.
- 9- Total disability.
- 10- Death.
- 11- The insured female's marriage or divorce or widowhood or reaching the age of 51 at the date of entitlement.

E- How to calculate the Lump Sum Compensation:

The lump sum compensation is calculated at 15% of the average monthly wage during the last two years multiplied by 12 for each of the years of contribution to insurance.

It is worth mentioning that the insured person or the beneficiaries can choose either getting the compensation in cases (1, 9, 10) to which an investment return of 4.5% is added for the whole years from the date of the end of service until that of entitlement or computing a pension calculated according to a table annexed to the law with the exclusion of this pension from the provisions of the minimum pensions.

F- Additional benefits in cases of death and permanent invalidity:

1- Additional compensations: The compensation is calculated by percentages of the last annual wage in antithetical proportion with the age of the insured person from the date of the termination of service and increases to a half if death or permanent invalidity occurs as a result of labour injury.

The amount of the additional compensation is paid in the following cases:

- The termination of the insured person's service in view of total or partial invalidity since this is conducive to entitlement to pension.

- The termination of the insured person's service in view of death (here the rate of compensation is doubled in the absence of beneficiaries).

- The death of the pensioner in the absence of beneficiaries.

- Total invalidity or death as a result of a labour injury after the end of service.

2- Death grant : On the death of the insured person or the pensioner, a grant that equals two folds of the wage or the pension of the month of death is paid.

3- Funeral grant : It equals the pension of two months with L.E.200 as a minimum.

Questions:

1- How to calculate death or total disability pensions of :

- old age, disability and death insurance.**
- work injury insurance**

2- Determine 3 cases of entitlement lump sum compensation of old age, disability and death insurance and explain how to calculate that lump sum compensations.

3. Determine two cases for entitlement old age, disability and death pension and explain the conditions.

Chapter 4
WORK ACCIDENT INSURANCE

- 4.1 Historical Background**
- 4.2 Definition and Qualifying Period**
- 4.3 Insurance Financing .**
- 4.4 Benefits in Kind (Treatment and Medical Care) .**
- 4.5 Cash Benefits .**
- 4.6 Medical Arbitration .**
- 4.7 General Provisions .**

4.1

Historical Background

-The first law concerning the compensation of work injuries was law No. 64/1936 which covered all workers in industrial and commercial sectors. Law No. 86/1942 was enacted to make insurance against work injuries compulsory with a private insurance companies. Then Law No. 89/1950 was promulgated to amend the benefits and to extend coverage to all workers in industry, commerce and services sectors and also agricultural workers working with mechanical implements.

-Law No. 117/1950 covers for the first time contingencies due to occupational diseases.

-Law No. 202/1958 had provided work injury benefits and made insurance compulsory in the Social Insurance Organization. Benefits were developed to an international level through the Social Insurance Law No. 63/1964.

-Current Law : 79/1975 - a complete Social Insurance System.

4.2

Definition

**What we mean by Work Accident (Labour injuries)
and Qualifying Period**

What we mean by Work Accident (Labour injuries) :

Labour injury means:

1- Having one of the occupational diseases listed in the following table (Table one annexed to the law).

Occupational Diseases Schedule (1)
Schedule No. (1) (Table one annexed to the law)

Serial No. Description of Diseases	Operations or Processes Causing Disease
1 - Lead poisoning and its (2) Sequels.	Any process involving the use, or handling of lead, its preparations, or compounds ; this includes: the handling of ore containing lead, the casting of old lead and zinc (scrap metals) in ingots processed for manufacturing articles of lead, ingots, Second hand lead or lead scraps, the manufacture of lead compounds, the melting of lead, the preparation and use of enamels (containing lead), polishing by means of lead filings, or powders containing lead, the preparation and use of paints, coating substances or coloring substances containing lead, ...etc. Also, any process involving exposure to dust or (3)fumes given off by lead, its compounds, or preparation.
2 - Mercury poisoning and its (2) sequels:	Any process involving the use or handling of mercury, its compounds, or preparations, and any process involving exposure to dust, or fumes given off by mercury, its compounds, or substances containing mercury. This includes the manufacture of mercury compound, measuring and laboratory apparatus containing mercury, the preparation of raw material for hat making industry, gilding processes, extraction of gold, and manufacture of explosives from mercury. Etc
3 - Arsenic poisoning and its sequels:	Any process involving the use or handling of arsenic, its compounds, or substances containing arsenic, and any process necessitating exposure to dust or fumes given off by arsenic, its compounds, or the substances containing arsenic. This includes, operations in which arsenic or its compounds are (4) liberated or manufactured.
4 - Antimony poisoning and its sequels:	Any process involving the use, or handling of antimony, its compounds, or the substances containing antimony, and any process necessitating exposure to dust or

-
- (1) Vocational
(2) Complications
(3) Vapor
(4) Generated

Serial No.	Description of Diseases	Operations or Processes Causing Disease
		fumes given off by antimony, its compounds and the substances containing antimony.
5-	phosphorus poisoning and its sequels	Any process involving the use or handling of phosphorus, its compounds, or the substances containing phosphorus, and any process necessitating exposure to dust or fumes given off by phosphorus, its compounds, or the substances containing phosphorus.
6.	Poisoning by Benzole, its homologues, compounds, or their nitro-derivatives, and their sequels:	Any process involving the use, or handling of these substances, and any process necessitates exposure to the dust or fumes they give off.
7.	Manganese poisoning and its sequels:	Any process involving the use or handling of manganese, its compounds, or substances containing manganese: also any process involving exposure to the dust or fumes given off by manganese, its compounds or the substances containing manganese; including any operation of extracting, preparing, grinding and packing of manganese and its compounds .. etc.
8.	Sulphur poisoning and its sequels:	Any process involving the use, or handling of sulphur, its compounds, or the substances containing sulphur, and any process necessitating exposure to dust or fumes given off by sulphur, its compounds, or the substances containing sulphur, including exposure to gaseous or nongaseous sulphur compounds.. etc.
9-	Affections caused by chromium and resultant complication such as ulcers... etc.	Any process involving the preparation, production, use or handling of Chromium, chromic acid, or sodium, potassium, or zinc chromate or bichromate, or their preparation.
10-	Affection caused by Nickel, and resultant complications such as ulcers... etc.	Any process involving the preparation production, use, or handling of nickel, its compounds, or any substance containing nickel or its compounds. This includes exposure to nickel carbonile dust.
11-	Carbon Monoxide poisoning and its sequels.	Any process involving exposure to carbon monoxide, including preparing, using and liberating operations of monxide, e.g. garages, brick and lime- kilns ets,

Serial No.	Description of Diseases	Operations or Processes Causing Disease
12-	Poisoning by * Hydrocyanic acid and its compounds, and its sequels.	Any process involving change, use or handling of * hydrocyanic acid or its compounds, and any process involving exposure to the fumes, or ** emanations of the acid, its compounds, dusts, its preparations, or contents.
13-	Poisoning by chlorine, Fluorine, Bromine and their compounds.	Any process involving the preparations, use or handling of chlorine, fluorine, or bromine, or their compounds, and any process involving exposure to such substances or the fumes, or dust they give off.
14-	Poisoning by petroleum, its gases, or derivatives, and its sequels	Any process involving the handling or use of petroleum, its gases, or derivatives, and any process involving exposure to such substances whether solid, liquid or gaseous.
15-	Poisoning by chloroform and carbon Tetrachloride	Any process involving the use or handling of chloroform, or carbon tetrachloride, and any process involving exposure to fumes given off by or containing such substances by or containing such substances
16-	poisoning by Tetachloroethane, trichloroethylene and, other Halogenic Derivatives Hydrocarbons of the Aliphatic series:	Any process involving use, or handling of such substances, and exposure to the fumes given off by or containing them.
17-	Diseases and pathological symptoms due to radium, radioactive substances or x-rays	Any process involving exposure to radium radioactive substances or x-rays.
18-	Cancer of the skin, and chronic inflammation or ulceration of the skin and eyes.	Any process involving the use, or handling of or exposure to tar, pitch, bitumen, mineral oils (including paraffin) or fluorine, or any compound, product or residue of such substances, and exposure to any other irritant substance, whether solid, liquid or gaseous.
19-	Affections of the eye due to heat and its sequels	Any process involving frequent or continuous exposure to glare or radiation from molten glass, or molten * or molten metals, or exposure to strong light, intense heat causing injury to the eyes impairment of vision.
20-	Pneumoconiosis due to: 1- Silica dust (silicosis)	Any process involving exposure to dust recently produced by a silica substance, or

* Cyanide or Cyanure or Cyanidic

** Drizzle

serial No.	Description of Diseases	Operations or Processes causing	Diseas
2- Asbestos dust (asbestosis) 3- Cotton and flax dust (byssinosis) 4- Talc dust and powder (Talcosis)***		substances containing more than 5% of silica substance, such as working in mines, and quarries, hewing and grinding of stones, manufacture of grind- stones, or the polishing of metals by means of sand, or any other processes involving such exposure, and also any work involving exposure to asbestos dust, cotton dust and flax(**) and talc powder to an extent causing such diseases.	
21- Malignant Anthrax		Any work involving contact with animals infected with such disease, or handling of their carcasses or parts thereof, and their raw products or their refuse, including hides, hoofs, horns and hair, also loading, unloading goods containing animal raw products and their refuse.	
22- glanders		Any process involving contact with animals suffering such disease, and handling of their carcasses or parts thereof.	
23- Tuberculosis		Work in hospitals for the treatment of such disease.	
24- Infectious fevers		Work in hospitals for the treatment of such diseases, and the contact due to work necessity for cases of infectious diseases, and work in the laboratories or specialized research centres for these kinds of diseases****	
25- Beryllium poisoning) 26- Selenium poisoning)		Any work involving the use or handling such element or its compounds, or substances containing such element also, any work involving exposure to its dust or fumes, or its	

(*) Heated- (Thermal)- Hot.

(**) See Decree No. 230 for 1981 issued by Minister of Insurance, and which is enforceable as of 31.12.1981 (date of its issue) Flax dust is added to pneumoconiosis and their causes.

(***) See Decree No. 167 for 1983 issued by Minister of Insurance, and which is enforceable as of 15.9.1983 (date of its issue). Details of amendment:

- Disease of talc powder is added to pneumoconiosis and their causes.

- Also, contact due to work in laboratories, and specialized research centers is added to the causes of contagious fevers; these amendments shall be applicable to the cases preceding the issuance of the mentioned two decrees, and the due financial entitlements shall be paid as of date of issue for each decree- 31.12.1981 regarding the first, and 15.9.1983 regarding the second.

(****) Also, contact due to work in Laboratories, and specialized research centres is added to the causes of contagious fevers; these amendments shall be applicable to the cases preceding the issuance of the mentioned two decrees, and the due financial entitlements shall be paid as of date of issue for each decree - 31.12.1981 regarding the first, and 15.9.1983 regarding the second. (See Notes on previous page No. 159.)

Serial No.	Description of Diseases	Operations or Processes Causing Disease
		compounds, or the substances containing such element.
27-	Manifestations and diseases due to *subjection to atmospheric pressure variations	Any process involving sudden subjection * or work under high atmospheric pressure or sudden decompression of atmospheric pressure or work under low atmospheric pressure for long periods.
28-	Diseases and pathological manifestations due to hormones and their derivatives.	Any process involving exposure to the effects of hormones or the hormonal derivatives.
29-	occupational Deafness	Work in industries or operations under which workers are exposed to the effect of noise or drugs, and the chemicals affecting hearing.

2- Injury as a result of an accident that takes place during performing work or because of it.

3-The injury resulting from exhaustion is considered labour injury according to conditions and rules to be issued by a ministerial decree.

4- Any accident during the insured person's going to or return from work is considered a labour injury providing that going or return are non-stop and without deviation from the normal route.

Qualifying Period:

Qualifying for the insurance benefits does not provide for any contribution period or any period before being entitled to benefits .

(*) Exposure.

4.3

Insurance Financing

Work accident insurance shall be financed through the following : (Article 46):

1- Monthly contributions for which the employer is held responsible according to the following ratios :-

a) 1% of the wages of the insured persons at the administration system of the state, public authorities and general organizations.

b) 2% of the wages of the insured persons at the economic units affiliated to the quarters referred to in the previous item, and at other economic units of the public sector.

The quarters referred to in the previous two items, shall be bound to pay the wage indemnity and transport expenses stipulated upon in this part.

c) 3% of the wages with regard to the rest of the insured persons referred to in article (2) and paragraph one of article(3).

The ratios of contributions prescribed in the two items (a) and (b) shall be reduced by 50%, and the ratios prescribed in item(c)by one third in respect of the employers who provide medical care and treatment for their injured persons as prescribed by the social insurance law (the next item 4.3). The value of this reduction shall be deducted from the amounts which the concerned organization is bound to pay.

The ratio of contribution prescribed shall be reduced by one third (2% instead of 3% of the wage), in case the minister of insurance authorizes the employer to bear the compensation in case of temporary disability and transport expenses.

2- Yield of investing the aforesaid contributions.

Employers shall be exempted from paying the contributions for students and workers under 18 years, if they are not receiving wages.

The health insurance general organization shall undertake treatment and medical care for the injured person.

The injured person is allowed for medical treatment in a class higher than that set for him by insurance, provided he bears the difference in costs, or the employer bears it if there is an agreement to that effect.

The employer is allowed to provide treatment and medical care to the injured person when the health insurance general authority authorizes that in accordance with the terms and positions by which a decree shall be issued by the minister of health in agreement with the minister of insurance (Article 48).

4.4

Benefits in Kind

(Treatment and medical care)

The expression "Medical Treatment and care" means the following :(Article 47)

- Medical services by the general practitioner.
- Medical services at the specialists level including the dentist.
- Medical care at home (domestic medical care) when necessary.
- Treatment and accommodation in the hospital (hospitalization) or dispensary or the specialized center.
- Surgical operations and other kinds of treatment according to circumstances.
- Radiography, necessary laboratory researches (analysis) and other medical examinations (including medical check-up).
- Necessary medicines for all the above- mentioned cases.
- Providing rehabilitation services: including artificial limbs, and compensating devices according to terms and positions determined by a ministerial decree from the minister of health in agreement with the minister of insurance.

4.5

Cash Benefits

1. Temporary Compensation: (Article 49)

If the insured person's injury prevented him from performing his duties, the quarter concerned with payment of indemnity wage during the period of the absence from work because of such injury, shall pay him indemnity for his wage which is equal to his wage in respect of which contribution was paid. This indemnity shall be paid to the injured person on the dates wages are payable to monthly paid workers, and weekly in respect of others.

Such indemnity shall continue to be payable to the injured person throughout the period during which he is incapable of performing his work, until permanent disability is established, or death occurs.

Each case of relapse or reaction arising therefrom, shall be considered as an injury.

The employer shall bear the wage of day of injury irrespective of the time of its occurrence: and the daily indemnity shall be assessed on the basis of the monthly wage for which the contribution is paid, divided by thirty.

2. Travelling expenses:

On the occurrence of an injury, the employer is held responsible for conveying the injured person to the place of treatment. The quarter concerned with payment of wage indemnity shall bear the cost of transporting the injured person, by ordinary means of transport, from his residence place to the place of treatment if it lies outside the city where he lives, and paying travelling expenses by special means of transport within or outside the city if the medical treating officer decides that the injured person's health condition does not allow for his transportation by ordinary means of transport .

In organizing transportation and its expenses, the rules issued by a decree from the minister of insurance on the proposal of the board of directors shall be followed (Decree No. 296 for the year 1976, issued by the minister of insurance, and published in the official gazette - edition No. 274 on 29.11.1976).

3. Total Permanent Disability or Death Pension (Article 51) :

If work injury resulted in complete disability or death, the pension shall be assessed at the rate of 80% of the wage in date of work injury happened, it shall not exceed the maximum limit of insured wage, and shall not be less than the minimum limit.

This pension shall be increased at the rate of 5% each five years till the insured person virtually attains the age of 60 or reckoned as having attained it, if the disability or death was the cause of terminating the service of the insured person; and each amount of increase shall be considered as a part of the pension when determining the amount of the following increase.

4. Partial Permanent Disability Compensation :

1- If the degree of partial permanent disability resulting from the injury is assessed as equal to or larger than 35%, the insured person shall be entitled to a pension equivalent to the portion of disability out of the total disability pension.

If such disability leads to the termination of the insured person's service by establishing the non-existence of another job for him with the employer according to a decision of the authorized committee (the rules stipulated upon in item 3 of article 18), his pension shall be increased according to the provision of the last paragraph. (Article 52)

2- If the injury results in a permanent partial disability of less than 35%, the injured person shall be entitled to indemnity to be assessed in proportion to that disability multiplied by the value of total disablement pension for four years; and this indemnity shall be payable in one

lump sum.(Article 53)

3- In case of total disability or death for those who are not receiving wages of the categories stipulated upon in the second paragraph of article (3) pension shall be ten pounds monthly.

**Estimating the permanent disability ratio: (Article 55)
:**

The ratio of permanent disability is estimated according to the following rules :-

1- If the disability is indicated in the following schedule (schedule No. (2) appended to this law) due regard shall be given to the percentages of the total disability ratio prescribed therein.

**First Assessment of Degrees of Incapacity (1) in Cases Of Organic Loss
Schedule NO. (2)**

No	Nature of Incapacity (2)	Percentage of Incapacity Degree	
		left	Right
1-	Amputation of right arm at shoulder	80%	
2-	Amputation of right arm above elbow	75%	
3-	Amputation of right arm below elbow	65%	
4-	Amputation of left arm at shoulder	70%	
5-	Amputation of left arm above elbow	65%	
6-	Amputation of left arm below elbow	55%	
7-	Amputation of leg above knee	65%	
8-	Amputation of leg below knee	55%	
9-	Total loss of hearing (i.e. deafness)	55%	
10-	Loss of one eye	35%	
11-	Amputation of thumb	25%	30%
	Amputation of distal phalanx of thumb	15%	18%
12-	Amputation of index finger (3)	10%	12%
	Amputation of distal phalanx of index finger.	5%	6%
	Amputation of distal and middle phalanges of index finger	8%	10%

New cases were added according to Ministerial Decree No. 137 for 1978.

(1) Infirmity.

(2) Residual.

(3) Item 14 is amended as per D. No.64/ 89 issued on 31, October 1989

No	Nature of Incapacity	Percentage of Incapacity Degree	
13-	Amputation of middle finger		
	Amputation of distal phalanx of middle finger	4%	5%
	Amputation of distal and middle phalanges	6%	8%
14- (1)	Amputation of a finger other than index, thumb and middle fingers	5%	6%
	Amputation of distal phalanx	3%	3%
	Amputation of two distal phalanges	4%	5%
15-	Amputation of right hand at wrist		60%
16-	Amputation of left hand at wrist		50%
17-	Amputation of foot with ankle bones		45%
18-	Amputation of heads of ankle bones		35%
19-	Amputation of all metatarsals		30%
20-	Amputation of the fifth finger and its metatarsal.		10%
21-	Amputation of the big toe (2) and its metatarsal.		10%
22-	Amputation of toe except the second toe		5%
23-	Amputation of distal phalanx of big toe		4%
24-	Amputation of distal phalanx of second toe.		3%
25-	Amputation of any toe other than first and second.		3%

Schedule No.(2) Continued

(Cases Added to the schedule by the Ministry of Insurance Decree No.137 For 1978 .. The official Gazett Issue No. 223 on 28.9.1978)

Resulting Residual Incapacity	Percentage of Incapacity degree	
	Right	left
UPPER LIMB		
ANCHYLOSIS		
THUMB		
- Anchylosis of phlangeal phalange joint in complete stretch.	8%	6%
- Anchylosis of phalangeal phalange joint in complete bend.	10%	8%
- Anchylosis of metacarpophalangeal Joint in complete bend or stretch.	10%	8%
- Anchylosis of metacarpophalangeal Joint in half bend	8%	6%
- Anchylosis of metacarpophalangeal Joint and phalangeal phalange joint of the thumb in partial bend.	15%	12%
- Anchylosis of metacarpophalangeal and phalangeal phalange joints in complete stretch or bend	18%	15%
- Anchylosis of joint between thumb metacarpus and wrist bones.	15%	12%
- Dislocation in phalangeal phalange Joint of the thumb .	5%	4%
- Dislocation of metacarpophalangeal Joint	15%	10%
- Obligatory adduction of thumb due to healing trace or failure of abducting muscle to act.	20%	16%

(1) Forefinger.

(2) Big toe= First Toe

Resulting Residual Incapacity	Percentage of Incapacity degree	
	Right	left
<u>Index- Finger:-</u>		
- Anchylosis of first phalangeal phalange joint in case of bending or stretching.	6%	4%
- Anchylosis of second phalangeal phalange 2 Joint in case of bend or stretch.	2%	1%
- Anchylosis of first and second phalangeal Joints in case of bend or stretch.	8%	5%
- Anchylosis of metacarpophalangeal Joint in case of bend or stretch	8%	6%
- Anchylosis of metacarpophalangeal and first and second phalangeal phalange Joints in case of complete bending or stretching	12%	10%
<u>Middle finger</u>		
- Anchylosis of first phalangeal phalange joint in case of bending or stretching.	6%	4%
- Anchylosis of second phalangeal phalange Joint in case of bending or stretching.	2%	1%
- Anchylosis of first and second phalangeal phalange Joints in case of bending or stretching.	6%	5%
- Anchylosis of metacarpophalangeal Joint.	6%	4%
- Anchylosis of metacarpophalangeal and first and second phalangeal phalange Joint in case of bending or stretching	10%	8%
<u>Ring Finger or little finger</u>		
- Anchylosis of first phalangeal phalange joint in case of bending or stretching.	4%	3%
- Anchylosis of second phalangeal phalange Joint in case of bending or stretching.	2%	1%
- Anchylosis of metacarpophalangeal Joint.	4%	3%
- Anchylosis of metacarpophalangeal and first and second phalangeal phalange joints in case of bending and stretching.	6%	4%
<u>Hand Anchylosis</u>		
- Anchylosis of all hand and fingers joints.	60%	50%
- Anchylosis of all hand and fingers joints except the thumb.	45%	35%
<u>Tendonv</u>		
A) Cut off extending tendon at finger base (in case of complete bend):		
- Thumb	12%	10%
- Index finger.	12%	10%
- Middle finger	10%	8%
- Ring finger, or little finger	8%	6%

Resulting Residual Incapacity	Percentage of Incapacity degree	
	Right	left
- Cut off extending tendon before insertion into second phalanx (The last two phalanges in case off complete bending):		
- Thumb.	6%	4%
- Index finger.	4%	3%
- Ring finger, or little finger	3%	2%
- Cut off extending tendon before insertion into last phalanx directly (the last phalanx in case of complete bending):		
- Thumb.	6%	4%
- Index finger.	2%	1%
- Middle, or Ring finger, or little finger .	1%	0.5%*
B) Cut off contractile tendon at metacarpophalangeal joint, and the first phalangeal phalange joint (the finger in case of complete stretching out):		
- Thumb	20%	16%
- Index finger.	12%	10%
- Ring finger, and little finger	6%	5%
- Middle finger	10%	8%
C) Cut off contractile tendon at the second phalangeal phalange joint (the last phalanx in case of complete stretching out):		
- Thumb	8%	6%
- Index finger.	3%	2%
- Middle finger-	2%	1%
- Ring finger, or little finger	1 1/2%	1%
D) Arm and Forearm		
- Habitual dislocation in shoulder	30%	25%
- Complete ankylosis in shoulder	40%	30%
- Partial ankylosis in shoulder	30%	25%
- Deficiency in movement of raising the arm to shoulder level.	25%	20%
- Deficiency in movement of raising the arm up to about 30 degree.	15%	10%
- Healing trace confining arm movement while arm is adjacent to the body.	40%	30%
- Disjointed fracture in arm.	50%	40%
- Disjointed fracture in elbow projection	15%	10%
- Elbow ankylosis in complete stretching at 180 degree.	50%	40%
- Elbow ankylosis at 150 degree	40%	30%
- Elbow ankylosis at 90 degree	30%	25%

(*) The last figure in percentage of incapacity degree (left) was published wrong (5%), and the correct percentage is (0.5%), and so it was imperative to mention it.

Resulting Residual Incapacity	Percentage of Incapacity degree	
	Right	left
- Healing trace confining elbow stretching movement to 45 degree or less, (the forearm is bent at acute angle.	40%	35%
- Healing trace confining elbow stretching movement to 90 degree.	20%	15%
- Healing trace confining elbow stretching movement to 135 degree.	15%	12%
- Fracture in forearm accompanied with complete retardation in pronating and supinating movements.	50%	40%
- Healing trace confining pronating movement between 10 and 90 degrees	30%	25%
- Healing trace confining pronating movement between 45 and 90 degrees	20%	15%
- Fracture with defective cohesion in forearm bones retarding movements of wrist joint.	15%	10%
- complete wrist ankylosis .	25%	20%
- Partial wrist ankylosis.	15%	12%
- Wrist ankylosis with complete pronation and supination of the hand.	25%	20%
<u>MUSCLES, NERVES AND BLOOD VESSELS IN UPPER LIMB</u>		
<u>(1) Muscular Atrophy:</u>		
- Atrophy of organic biceptice muscle.	30%	25%
- Atrophy of deltoid muscle.	30%	20%
<u>(2) Nervous Paralysis</u>		
- Nervous ulnar paralysis, and injury at elbow	30%	25%
- Nervous ulnar paralysis, and injury at hand.	20%	15%
- Nervous radial paralysis, upper branch of tricepital muscle.	50%	40%
- Nervous radial paralysis	40%	30%
- Nervous intermedius paralysis	35%	35%
- Nervous paralysis under scapula.	10%	8%
- Neurociculatory paralysis.	20%	15%
- Nervous ulnar and radial paralysis.	60%	50%
- Nervous ulnar and intermedius paralysis.	60%	50%
- Nervous ulnar,radial and intermedius paralysis.	75%	65%
<u>(3) Blood Vessels</u>		
- Arterial embolism resulting in gangrens.	The case is treated as amputation case.	
- Veins embolism resulting in chronic osmium.	From 10% to 30%	
<u>Third- Lower Limb</u>		
- Fracture in thigh with 6 cm shortness, joints in very good state, and medium weakness in muscles.	30%	
- Fracture in thigh with 4 cm shortness	12%	

Resulting Residual Incapacity	Percentage of Incapacity degree	
	Right	left
- Fracture in thigh with 3 cm shortness		8%
- Disjointed fracture in Knee cap , with weakness in thigh.		20%
- Disjointed fracture in Knee cap , with severe weakness in thigh.		30%
- Fracture in the two bones of the leg jointed in a faulty manner		20%
- Disjointed fracture in the leg.		50%
- Hip joint ankylosis in a proper position.		50%
- Ankylosis in Knee at 100 degree.		50%
- Ankylosis in knee, movable between 120 degree, and 170 degree		25%
- Ankylosis in knee, movable between 90 degree, and 180 degree		15%
- Healing scar at the back of the knee confining stretching out movement to 90 degree or less.	From 60% to 50%	
- Healing scar at the back of the knee confining stretching out movement to 135 degree.	From 50% to 30%	
- Healing scar at the back of the knee restricting out movement to 170 degree.	From 30% to 10%	
- Inflammation of a deformed joint at the knee.		25%
- Ankylosis in all foot , with a raise of foot up to an angle more than 100 degree.		50%
- Ankylosis in all foot in an angle of 100 degree		35%
- Ankylosis in all foot in an angle of 90 degree (best position).		20%
- Big toe ankylosis in a position causing delay in walking movement.		15%
- Ankylosis in all toes in good position.		15%
- Flat foot due to bones fracture.		15%
<u>Mucles and Nerves in lower Limb:</u>		
<u>(1) Muscular Atrophy in the front part of thigh:</u>		
- Atrophy of thigh muscles completely.		20%
- Atrophy of lower limb muscles.		30%
- Atrophy of all leg muscles.		40%
- Atrophy of front part of leg muscles.		30%
- Successive muscular atrophy.		10%
- Complete trepidation (Genu Valgum) with muscular severe debility.	From 10% to 80%	
<u>(2) Lower Limb nervous paralysis</u>		
- Complete paralysis in hip nerve.		50%
- Complete paralysis in sciatic nerve.		50%
- External popliteal neuroparalysis		30%
- Internal popliteal neuroparalysis		30%
- Internal and External popliteal neuroparalysis		40%
- Internal and External popliteal neuroparalysis, accompanied with pain,		60%

Resulting Residual Incapacity	Percentage of Incapacity degree
- Fibular nerve paralysis.	20%
(3) Blood Vessels	
- Arterial embolism resulting in gangrene.	Treated the same as amputation case. From 10% to 3%
- Vein embolism resulting in chronic.	
- Vein embolism resulting in osmium in the lower tow limbs, andchronic ulcer affecting walking and standing movements.	
- Varicose uncurable by surgery intervention, and resulting in chronic	From 20% to 30%
<u>INJURIES OF HEAD, AND CENTRAL NERVOUS SYSTEM.</u>	
- Scalp calvitium.	From 5% to 10%
- Injury in the head, resulting in loss of external and intrnal lamellar bones, (according to the area of the lost part)	From 10% to 40%
- Injury in the head, either accompanied with fracture in skull or not, or accompanied with concussion, or not, and resulting in dizziness, tremors, headache, stuttering, or deficiency in mental power according to the acuteness of the case.	From 20% to 70%
- Injury in the head resulting in mental disorder.	100%
- Cerebral hemorrhage accompanied with uncurable hemiparaplegia	100%
- Uncomplete hemiplegia with aphasia.	100%
- Uncomplete right hemiplegia.	From 20% to 60%
- Uncomplete left hemiplegia.	From 20% to 40%
- Complete hemiplegia accompanied by muscular tension.	From 70% to 100%
- Complet paralysis in right upper limb.	80%
- Complet paralysis in left upper limb.	70%
- Uncomplet paralysis in right upper limb.	From 20% to 40%
- UnComplet paralysis in left upper limb.	From 15% to 30%
- Simple aphasia.	From 10% to 30%
- Apparent aphasia.	From 30% to 60%
- Epilepsia, minor or rare fits.	From 20% to 30%
- Epilepsia, frequent fits.	From 30% to 80%
- Hemiparaplegia (of the two lowerlimbs).	100%
- Hemiparaplegia with walking ability.	From 20% to 40%
- Uncomplete hemiparaplegia (of the two lower limbs), or walking is impossible.	70%
- UnComplet hemiparaplegia (of the two lower limbs), and walking is possibleby the aid of a crutch or stick.	From 30% to 70%
- Cavitation of central cord.	From 40% to 70%
- Cirrhosis of scattered central nervous system.	From 50% to 70%
<u>First Nerve :</u>	
- Loss of olfaction.	5%

Resulting Residual Incapacity	Percentage of Incapacity degree
<u>Second Nerve :</u>	
- complete atrophy in monocular nerve(for one eye).	35%
- Double complete atrophy in binocular nerve.	100%
<u>Third, Fourth, and Sixth Nerves:</u>	
- paralysis of intrinsic muscles in one eye.	From 5% to 10%
- paralysis of intrinsic muscles in the two eye.	From 10% to 20%
- paralysis in extrinsic muscles of the two eyes without diplopia.	From 10% to 15%
- paralysis in extrinsic muscles,with diplopia.	25%
<u>The Fifth Nerve :</u>	
- Inflammation at the ends of the fifth nerve, and contraction of hemifacial muscles, accompanied with pain.	From 15% to 20%
- Paralysis in the Fifth Nerve, accompanied with hemifacial loss of sensitivity.	From 10% to 20%
<u>The Seventh Nerve :</u>	
- Facial nerve paralysis, and disability to shut eye,s lids.	From 10% to 20%
- Facial nerve paralysis, and disability to shutthe two eyes together.	From 30% to 50%
(FIFTH) THE NECK	
-Trachelokphosis as a result of muscular contraction, or connected healing.	From 10% to 30%
- Convulsive bend of neck.	From 20% to 40%
(SIXTH) SPINE	
- Scoliosis, or lordosis, or kyphosis, with restriction in movement.	From 20% to 40%
- Projection or recession accompanied with pains restriction in movement.	From 10% to 30%
- Deformed osteoarthritis, with vertebrae rigidty.	From 30% to 40%
- Projection or recession accompanied with pains and restriction in movement.	From 10% to 30%
- Deformed osteoarthritis, with vertebrae rigidty.	From 30% to 40%
- Deformed osteoarthritis, with vertebrae rigidty and labored respiration.	From 30% to 80%
- Osteomyelitis in vertebrae, with sound cord.	From 30% to 60%
- Pott,s disease not accompanied with tuberculotic tumour.	From 30% to 40%
- Pott,s disease accpanied with tuberculotic tumour.	From 50% to 70%
(SEVENTH) THE NOSE	
- Rhinostenosis without loss, and treatment of rhinostenosis is impossible.	From 5% to 25%
- Fractire in nasal bones accompanied with nostril constriction.	15%
- Loss of tip of the nose.	10%
- partial loss in thr nose without nostril constriction	From 10% to 20%
- Loss of nose without constriction in nostrils.	From 20% to 40%
- Loss of nose accompanied with nostril constriction.	From 20% to 50%

Resulting Residual Incapacity	Percentage of Incapacity degree
- EYES	
* Plepharon and dacryosolen:	
- Deviation of *plepharon margin externally or internally, or conglutination of *plepharal conjunctiva with oculus conjunctiva.	From 5% to 10%
- Uncurable chronic dacryosyrinx from one side.	15%
- Uncurable chronic dacryosyrinx from the two sides.	30%
- Damag of circumorbital ring.	From 15% to 25%

OCULUS - INFECTIVE CARARACT :

(a) In case of existence of cataract in the eye, causing weakness in sight that may reach the extent of complete loss of sight, the degree of incapacity in this eye shall be estimated at the same degree indicated in paragraph (4) of the special table of loss of sight cases, attached with the law no. 79 for 1975, and amended by the law No. 25 for 1977, if the operation for eliminating the cataract shall have no effect to improve the degree of sight.

(b) If a surgical operation is carried out for eliminating the infective cataract, the incapacity shall be estimated according to the sight degree after such operation using a pair of spectacles which is considered an integral part of the surgery, and to be increased by 10% in return of dissimilation of the two pictures in case of eliminating cataract in one eye, provided not exceeding 35% in the eye in which the operation for eliminating the cataract had been carried out.

Resulting Residual Incapacity	Percentage of Incapacity degree
THE EAR	
- Loss or deformity in auricle of one ear.	5%
- Loss or deformity in auricle of the two ears.	10%
UPPER JAW	
- Manducation is possible.	From 10% to 20%
- Manducation is impossible.	From 30% to 40%
- Loss in palat connected or one connected with nasal cavity and maxillary aerial cavity.	From 10% to 30%
- Injury in upper jaw with deformity of nose and face.	From 40% to 60%
LOWER JAW	
- Manducation is possible.	From 5% to 10%
- Manducation is impossible.	From 30% to 40%
- Dislocation in temporo- maxillary,the can be restored to its place,or one.	From 10% to 30%
- mouth constriction due to ankylosis, in upper and lower jaws.	20%
- mouth constriction due to ankylosis, in upper and lower jaws allowing for drinking liquids only.	25%
- Loss of lower jaw completely, or the ascending section remains with defority in the face	From 40% to 60%
TEETH	
- Loss of up to five teeth.	From 1% to 5%
- Loss of half of the teeth, with the possiblity of fixing a set of artificial teeth.	From 5% to 10%

* Eye - lid

Resulting Residual Incapacity	Percentage of Incapacity degree
- Loss of half of the teeth and fixing artificial set is impossible.	25%
- Loss of all the teeth, with the possibility of fixing artificial set.	15%
- Loss of all the teeth, with the possibility of fixing artificial set is impossible.	From 30% to 40%
<u>TONGUE</u>	
- Amputation of tongue according to its width, conglutinations, and manner of speaking.	From 10% to 40%
- Salivary fistula not improved by surgical treatment.	From 10% to 30%
<u>NASAL PHARYNX</u>	
- Constriction in nasal pharynx resulting from conglutination of palate with the mural of pharynx.	From 15% to 40%
- Pharyngoperistole accompanied with deafness.	From 40% to 60%
<u>LOWER PHARYNX</u>	
- Pharyngoperistole impeding swallow.	From 10% to 30%
<u>LARYNX</u>	
- Laryngophthisis.	20%
- Laryngophthisis causing hoarseness of voice.	From 5% to 20%
- Laryngostenosis causing hoarseness of voice and laboured respiration.	From 10% to 30%
- Laryngostenosis causing labored respiration necessitating fixing laryngo tube.	From 30% to 40%
- Laryngostenosis causing absence of voice together with limited damage in vocal cords.	From 40% to 50%
<u>ESOPHAGUS</u>	
- Esophagostenosis impeding swallow.	From 10% to 30%
<u>STOMACH</u>	
- chronic ulcer.	From 30% to 40%
- chronic ulcer, with painful conglutinations, or pylorostenosis with gastrectosis, and emaciation.	From 40% to 50%
- gastrointestinal fistula uncurable by surgical treatment.	From 50% to 60%
<u>SMALL INTESTINE</u>	
- Fistula in intestine, in upper place of the abdomen.	From 40% to 60%
- Fistula in intestine, in lower place in the abdomen.	From 40% to 50%
- Loss in intestine	From 10% to 30%

Resulting Residual Incapacity	Percentage of Incapacity degree
<u>Larg intestine</u>	
- Fistula uncurable by surgical treatment, and allow for the exit of gases and liquids together with some increment materials and ordinary feces.	From 20% to 40%
<u>Anus</u>	
- Fistula according to its position, inside or outside the flexor muscle:	
- Fistula, with acathexia, or retention of fecal substances due to injury of flexor muscle, and accompanied with (or without) proctocoele, enteritis, or peritonitis.	From 20% to 50%
<u>Liver</u>	
- cholecystic or puric fistula.	From 20% to 50%
<u>spleen</u>	
- Elimination of undamaged spleen.	20%
- Elimination of distensible spleen.	10%
- Elimination of distensible spleen accompanied with hydrogaster.	0
<u>Abdominal wall</u>	
- Right or left inguinal hernia, or umbilical, or sciatic hernia.	From 10% to 20%
- Double inguinal hernia.	From 20% to 30%
- Hernia in abdominal wall, or surgical hernia.	From 10% to 30%
- Partial paralysis in abdominal muscles due to a nerve in abdominal wall being affected.	From 5% to 10%
<u>Urinary Passages</u>	
<u>Kidneys And Ureter:</u>	
- Nephritis.	From 10% to 30%
- Nephritis and pyelitis.	From 30% to 40%
- Nephritis caused by infection or poisoning.	From 40% to 60%
- pyelitis of the two kidneys.	From 40% to 60%
- Nephrectomy, and the other kidney is undamaged (according to the manner of the eliminated kidney).	From zero to 15%
- Nephrectomy, and the other kidney is nephrocystosis.	50%
- Motile kidney.	From 5% to 10%
- Nephrotuberculosis.	50%
- Nephrotuberculosis (in both kidneys).	From 50% to 80%
- ureterostoma.	50%
- Abdominal urinal fistula.	From 40% to 60%
<u>Vesica</u>	
- conglutination of vesica wall with symphysis pubis caused by fracture.	From 40% to 50%
- Urinal fistula in pubis or perineum.	50%
- Vesicointestinal fistula.	70%
- Vesical anus fistula.	From 50% to 70%

Resulting Residual Incapacity	Percentage of Incapacity degree
- Injurious chronic cystitis, or vesical tumor necessitating fixing catheter.	From 30% to 40%
- cystopyritis.	50%
- cystopyelonephritis(in both kidneys).	From 50% to 70%
- Tuberculosis in vesica, with both kidneys undamaged.	From 20% to 30%
- complete retention of urine due to injury in spinal cord.	40%
- Partial retention of urine.	20%
- Partial retention of urine, accompanied with nephritis in one or both kidneys.	From 50% to 90%
- Uroclepsia.	From 20% to 30%
<u>Rear Urethra</u>	
- complete constriction due to tearing of rear urethra.	70%
- Partial constriction due to tearing of rear urethra.	50%
- costriction that can be widened by surgical operation	From 20% to 40%
- constriction accompanied with a closely connection fistula between anus and rear urethra.	From 40% to 60%
<u>Front Urethra</u>	
- constriction that can be widened.	From 20% to 30%
- conistruction difficult to be widened.	From 30% to 40%
- urinal fistula.	30%
- Absence of front urether, with a hole in perineum.	50%
- Absence of front urethra, with a hole between umbilicus and perineum.	40%
<u>Tenth (chest)</u>	
- Fracture of chest bones, not accompanied with splancnnic injury.	From 10% to 20%
- Fracture of a rib according to complications.	From zero to 20%
<u>The Two Lungs</u>	
- Light chronic bronchitis.	From 5% to 20%
- Acute chronic bronchitis.	From 20% to 50%
- complicated chronic bronchitis with emphysema, or asthma, or cardial failure.	From 50% to 100%
- Infective pleural effusion.	From 5% to 30%
- Hemorrhagic pleural effusion.	From 10% to 40%
- purulent pleural effusion.	From 20% to 70%
- Tubercular atack resulting in simple fibrosis.	From 5% to 10%
- Tubercular attack resultin in moderate fibrosis.	From 10% to 40%

Resulting Residual Incapacity	Percentage of Incapacity degree
- Tubercular attack resulting in acute fibrosis.	From 40% to 70%
- Advanced incurable tubercular attack.	From 70% to 100%
- Silicosis accompanied with simple fibrosis in the two lungs.	From 10% to 30%
- silicosis accompanied with moderate fibrosis in the two lungs.	From 30% to 60%
- silicosis accompanied with acute fibrosis in lungs.	From 60% to 90%
- silicosis accompanied with pulmonary tuberculosis in the two lungs.	100%
- Asbestosis accompanied with simple fibrosis in the two lungs.	From 10% to 20%
- Asbestosis accompanied with moderate fibrosis in the two lungs.	From 20% to 40%
- Asbestosis accompanied with acute fibrosis in the two lungs.	From 40% to 80%
- Asbestosis accompanied with pulmonary tuberculosis in the two lungs.	100%
- Byssinosis (cotton or flax asthma) and not accompanied with changes in x rays (photograph)	Percentage of incapacity is estimated at the percentage of shortage in respiration potency.
- Byssinosis accompanied with chronic bronchiocrisis, and bronchial asthma.	From 10% to 50%
- Byssinosis accompanied with emphysema.	From 50% to 90%
- Emphysema resulting from inhalation of vapours.	From 10% to 90%
- Emphysema resulting in instruments.	From 10% to 90%
- Malignant tumors resulting from inhalation of vapours or dust.	100%
Heart and Aorta	
- Conglutination in cardiac membrane, or attack in cardiac valve, or inflammation in cardiac muscle, or damage in cardiac muscle, as a result of a clot in coronary arteries, and the heart is equivalent	From 10% to 20%
- Together with some apparent symptoms and non equivalence of the heart.	From 20% to 60%
- The heart and two kidneys are affected due to occurrence of infection or poisoning	80%
- Aortic aneurysm or cardiac wall	From 30% to 90%
	From 30% to 80%
Eleventh - Genitalia	
- Healing scar in penis which does not impede erection	Zero
- Loss of glans penis.	25%
- Partial absence of a spongia part	30%
- Loss of penis	60%
- Loss of penis with constriction the hole of urethra	70%
- Loss of penis and testes.	90%

Resulting Residual Incapacity	Percentage of Incapacity degree
- Loss of a testicle before maturity.	35%
- Loss of a testicle from maturity age up to the age of 40.	25%
- Loss of a testicle after the age of forty.	15%
- Loss of testes before maturity age.	60%
- Loss of testes from maturity age to the age of 40	40%
- Loss of testes after the age of forty.	30%
- Hydrocele according to size and complication.	From zero to 10%
- Infective Hydrocele.	From 10% to 15%
- Tuberculosis of epididymis, and testicle from the sides	From 20% to 40%
- Tuberculosis of epididymis, prostate and spermatocyst.	From 40% to 50%
Females	
- Loss of womb and two ovaries before maturity age.	From 40% to 60%
- Loss of womb before giving birth.	40%
- Loss of womb after giving birth.	30%
- Loss of one ovary before or after maturity age .	30%
- Slip of womb or vagina.	From 5% to 15%
Tubercular Glands	
- Tubercular glands	From 5% to 20%
- Suppurative tubercular glands accompanied with fistulas	From 2% to 25%
- Cancer of glands.	From 40% to 100%
Malignant Tumors	
Incapacity percentage shall be estimated) according to the deficiency of the organ) in performing its function, or its amputation, or relapse of the case, or the im-) possibility of making surgical operation.)	From 40% to 100%
Some Diseases	
- Syphilis as an occupational disease.	50%
- Habitual fistula once or repeated, and according to its position.	From 20% to 40%
- Blood cancer.	From 20% to 100%

In assessing the degree of incapacity in cases of loss of an organ, the following should be observed:

1) The wounds have been completely healed without leaving any complications or hindrances to the movements of the remaining joints, such as scars, damages, calcifications, inflammation, sensory complications or otherwise, and the degree of incapacity shall be increased according to the resulting complications.

2) In case of the presence of any complications resulting from an amputation, a full description of the case causing the disability, and the complications must be stated in the medical

* report, and the degree of limitation of each movement of such joints shall be defined in comparison with the normal bases.

3) In case of the presence of sensory complications its position must be defined, and also the extent of surplus or shortage of sensibility, as well as its kind.

4) If the insured person is left handed, the degree of his incapacity resulting from injuries in the upper left limb shall be assessed at the same percentages prescribed for such incapacity in the right limb.

5) If any organ of the body specified above becomes totally and permanently incapacitated from performing its functions, it shall be deemed to be lost. if the incapacity according to the degree to which the organ has been incapacitated for the performance of its functions.

6) with the exception of the conditions specified in the third item of Article (55), if the injury results in loss of one or more parts of any organ of the body in the above schedule, the percentage of incapacity shall be assessed within the Limits of the percentage fixed for the loss of such organ, and shall not in any case exceed such percentage.

**** Second : In Cases of Eye-Sight Loss**

Eye-sight degree	percentage of Eye- sight power	percentage of Eye-sight loss	disability Degree of the Injured Eye
(1)	(2)	(3)	
6/6	100	-	-
6/9	19	9	3
6/12	84	16	6
6/18	70	30	11
6/24	58	42	15
6/36	40	60	24
6/60	20	80	28
5/60	14	86	31
4/60	8	92	33
3/60	2	98	35
2/60	-	100	35
1/60	-	100	35

* certificate.

** Second is amended as per decree No. 64/89 issued in October, 31/1989

In assessing the degree of incapacity residual resulting from loss of vision, the following rules shall be observed:

1- The degree of incapacity from diminution of vision is estimated according to the difference between the degree of incapacity corresponding to the power of vision of the eye before and after the injury, provided that there is a record showing the power of vision before the injury (column 4).

2- If there is no record for the power of vision before the injury, the eye is considered to be normal 6/6.

3- Taking into consideration the provisions of the first item, if the single eye is injured, the degree of incapacity is estimated according to the degree of loss of vision in it, assuming that the total vision of this eyesight is 100% (column 3).

4- If the vision of single eye is lost, it will be considered total incapacity.

5- Taking into consideration the provisions of the first item, in cases of injury to both eyes, the degree of incapacity is estimated on the basis of the half of the total power of vision in each eye, in other words, considering the vision in each eye 50% (column 3).

Cases of Loss of Hearing:

(a) Hearing shall be considered as sound and intact if its diminution does not exceed 15 Decibels for each of two ears.

(b) The percentage of the loss of hearing for one ear, at the rate of 1.5 degree percent shall be calculated as equal to the loss of one decibel of the hearing ability in excess of the 15 Decibels.

(c) The loss of hearing shall be considered as 100% if the average of weakness in the hearing capacity for both ears reaches 85 decibels, and the degree of incapacity resulting therefrom shall in this case be considered as equal to 55% of the total incapacity.

In assessing the degrees of incapacity resulting from the loss of hearing, the following shall be taken into consideration:

1- That the loss of hearing shall be measured in respect of the average hearing capacity for sounds of frequency ranging from 125 to 100 cycles/ second.

It shall be observed that measuring the hearing decrease shall be made by an electrical hearing measuring device, to enable reaching easily such frequency degrees which cannot be easily created by the tuning fork.

2- The degree of incapacity resulting from hearing diminution shall be estimated by the difference between the degree of hearing before the injury and the degree after the injury, if there is a record indicating such degrees.

3- In case there is no record of the state of hearing, the hearing shall then be considered as 100% sound, according to age of the injured worker that is one third $\frac{1}{3}$ decibel shall be added for every year over the age of 45.

4- With due regard to the provisions of item (2) in case where the injury is in the single ear, the degree of incapacity shall be estimated according to the percentage of hearing of such ear, considering the hearing capacity thereof is equal to 100% of the total hearing.

5- Subject to the provisions of Article (4) , in case the injury involves the two ears in different degrees of hearing capacity, the percentage of hearing capacity shall be estimated according to the following system :-

a) Percentage of loss of hearing capacity of both ears together:

Percentage of loss of hearing capacity of the ear with more hearing capacity $\times \frac{5}{6}$ + percentage of loss of hearing capacity of the ear having less hearing capacity.

b) The degree of the resultant incapacity shall be estimated on the basis that a loss of 100% in hearing capacity equals 55% of total incapacity. In all the foregoing, it is stipulated that the case of incapacity should have stabilized completely.

2- If the disability is not included in the above schedule, the percentage shall then be estimated in proportion to the disability occurred to the worker in his earning capacity, provided such disability is to be indicated in the medical certificate.

3- If the resulting disability has a special effect on the injured person's earning capacity from his original occupation, the type of work performed by the injured person shall be indicated in details, together with its effect in such cases on the increase of the disability ratio over the stated ratios for each case in schedule no. (2) attached with this law.

The minister of insurance may increase the ratio indicated in the said schedule, or added new cases, at the proposal of the board of directors, and the decision shall fix the date it comes into force.

What in case of more than one partial disability:
(Article 56)

If the injured person has sustained a previous injury, the following rules should be regarded in determining his indemnity :

1- If the aggregate ratio of disability from the present injury and previous injury is less than 35% the injured person shall be indemnified for his latest injury on the basis of the disability ratio resulting from it alone, and wage referred to in article (19) at the date of establishing the latest disability.

2- If the aggregate ratio of disability resulting from the present injury and the previous injuries is equal to 35% or more, he shall be indemnified as follows:

a) If the insured person has been indemnified for his previous injury by a lump sum indemnity, his pension shall be assessed on the basis of disability ratio resulting from his all injuries, and the wage referred to in article (19) at the date of establishing the disability resulting from the recent injury.

b) If the injured person is entitled to a disablement pension, his pension shall be assessed on the basis of disability ratio resulting from all his injuries, and the wage referred to in article (19) at the date of establishing the

disability resulting from the recent injury, provided such pension shall not be less than his pension to which he is entitled in respect of the previous injury.

5. Additional compensation in cases of death and permanent invalidity:

They are specified as their equivalents in old age, invalidity and death insurance with the additional compensation increased by a half.

What in case of bad conduct: (Article 57)

Wage compensation (in case of temporary disability and permanent partial disability compensation injury indemnity shall not be payable in the following cases:

A) If the insured person intentionally caused injury to himself.

B) If the injury is due to serious and willful misconduct on the part of injured person such as:

1- Each act committed by the injured person under the influence of alcohol or drugs.

2- Each manifest infringement of the precaution instructions posted up in apparent places in work location.

All this, unless the injury results in the insured person's death or the occurrence of permanent disability with a ratio exceeding 25% of the full disability.

It is not allowed to adhere to one of the two cases (A) and (B) except if such is established by the investigation carried out in this regard according to the provision of the two articles (63 and 64) of this law.

Medical re-examination : (Article 58)

1- Each of the injured person, the treating quarter, and the competent organization shall have the right to apply for medical re-examination once each six months during the first year of the date of establishing disability, once every year during the following three years; and the treating quarter must re-evaluate disability ratio each time. Re-evaluation is not allowed after the elapse of four years from the date of establishing disability.

2- In case of modifying disability ratio on medical re-examination the following rules should be observed:- (Article 59)

A) If the insured person is a pensioner the disablement pension shall be modified as of the first of the month following the establishment of the last disability ratio, or to be suspended according to what the medical re-examination reveals, and pursuant to what befalls on disability ratio of increase or decrease. If the ratio of disability became less than 35% payment of pension shall be stopped finally, and the injured person shall be granted a lump sum indemnity.

B) If the injured person had previously been indemnified for the disability ratio established at first by a lump sum indemnity, the following shall be observed:-

1- If the degree of disability assessed on medical re-examination is more than that formerly assessed, and less than 35%, the injured person shall be entitled to an indemnity calculated on the basis of the last ratio, and the wage at establishing the disability in the first time, or which the indemnity already paid to him shall be deducted. The decrease of disability ratio than that previously assessed shall not produce any effect.

2- If the degree of disability assessed on the medical re-examination is equal to 35% or more, the injured person shall be entitled to a disablement pension calculated on the basis of the wage at establishing disability on the first time; and this pension shall be paid to him as of the first of the month following the date of the establishment of the last disability degree, out of which shall be deducted the difference between the indemnity previously paid to him and the amount of pension, assuming he is entitled thereto on the basis of the degree of disability assessed at the first time.

Payment of disability pension : (Article 60)

Payment of disability pension shall be suspended as of the first of the month following the date fixed for medical re-examination, if the pensioner does not apply for the re-examination as required by the treating quarter or the competent authority, on the date notified to him by them.

Suspension of the pension shall continue until the pensioner applies for medical re-examination. If medical re-examination reveals that the degree of disability is less than the ratio previously assessed, the new ratio shall be considered the basis for the settlement as of the date that was fixed for medical re-examination.

The competent authority may disregard the failure of the insured person to attend medical re-examination if he produces acceptable justifications.

The due pension during the suspension period shall be subject to the result of the medical re-examination.

4.6

Medical Arbitration

1- The insured person may submit an application for reconsidering the decision of the treating quarter within one week from the date of notifying him with the termination of treatment, or of the date of his return to work, or of his non ailment of vocational disease and within one month from the date he is notified of the non-establishment of disability, or the assessment of its ratio.

The application will be submitted to the competent authority attached with medical certificates supporting his point of view, and to pay one hundred piastres as an arbitration fee. (Article 61)

2- The competent authority should refer the application to an arbitration committee for whose

formation and organization of its task a decree will be issued by the Minister of Insurance in agreement with the Minister of Manpower.

The competent authority should notify the injured person of the medical arbitration decision by a registered letter with receipt of acknowledgement within three days at most of its receiving the notification. The decision shall be binding to the two disputing parties, and the competent authority shall implement all commitments resulting therefrom. (Article 62)

4.7 **General Provisions**

1- The employer (or the work supervisor) shall notify the police of any accident occurring to any of his workers which incapacitates him from work within 48 hours from the date of his absence from work. Such notification shall comprise the name and address of the injured person, a brief description of the accident, its circumstances, the injured organ, and the place to which the injured person was taken for treatment.

The administrative inquiry carried out by the competent authority of the employer is enough in case the accident occurs within the bounds of the work place, with regard to the insured workers engaged in governmental or public sectors.

2- The authority (police or governmental or public sector employer) making the investigation shall draw an inquiry in duplicate for each notification. The inquiry shall include a detailed description of the accident circumstances, and the statements of witnesses if any, it shall clarify in particular whether the accident was the result of a deliberate act or serious willful misconduct on the part of the injured person. The inquiry shall also include the statement of the employer or his representatives, and those of the injured person as soon as his condition so permits. Such authority shall forward a copy of the inquiry to the competent authority which may request the completion of inquiry if it deems so necessary. (Article 64)

3- The employer should provide necessary first aid to the injured person even though the injury does not prevent him from performing his work.

The private sector (the supervisor of work) should notify the competent authority on the form prepared for this purpose of every work accident occurring among his workers promptly on its occurrence, and to hand a copy of such notification to the injured person or his attendant on conveying him to the place of treatment.(Article 65)

4- The social insurance organization shall be held responsible for all entitlements prescribed according to the provisions of this chapter, even though the injury involves the responsibility of a person other than the employer, without prejudice to any right the insured person may have toward such responsible person. (Article 66)

5- The social insurance organization shall be held responsible for all the entitlements guaranteed pursuant to this part for a period of one calendar year from the date of service termination of the insured person, if symptoms of a vocational disease appeared on him during such period irrespective of his being unemployed or was engaged in a job which does not give rise to such disease.(Article 67)

6- Neither the insured person nor his beneficiaries may insist on dispute against social insurance organization in respect of claiming for indemnities which are due as a result of the injury pursuant to any other law.

Also, they have no right to do so against the employer, unless the injury resulted from a default on the part of the employer.(Article 68)

7- The insured person shall not enjoy the benefits prescribed by the provisions of medical care, treatment

and wage indemnity, throughout his secondment, or delegation period abroad. (Article 69)

8- The Minister of Insurance is entitled to issue a decree at the proposal of the board of directors, modifying Schedule No.(1) (appended to social insurance law) by adding new cases to it. Such modification shall apply to cases that happened prior to issuance of the decree, and no pecuniary differences shall be payable in respect of the period preceding the modification. (Article 70)

9- The insured person, the pensioner, or their beneficiaries shall combine the pensions prescribed under Work Accident Insurance, and the wage, or other entitlements stipulated upon, in this law according to the following:

1) The insured person shall combine the injury pension, and his wage without limits.

2) The insured person shall combine without limits the injury pension, and unemployment indemnity where the conditions for entitlement of such unemployment indemnity and the injury pension are fulfilled.

3) The insured person, or the pensioner or beneficiaries shall hold together, the injury pension and the pension provided for in the Insurance of Senility, disability, and decease, without exceeding pension settlement wage, or the bigger wage on which basis any of the two pensions is settled, computed pursuant to the provisions of social insurance law, according to cases; and without exceeding the maximum limit, with respect to the total of the two pensions on the basic wage. Regarding pension on the variable wage, it is imperative that the total of both pensions shall not exceed the relative maximum limit of pension on maximum variable subscription wage.

4) The pensioner shall hold together pursuant to the Armed Forces Insurance and Pensions Laws - his basic and additional pension, according to such laws, and the injury pension on the basic wage, and variable wage referred to in the previous item, with what shall not exceed the maximum

limit, for holding together pension on basic and variable wages pursuant to the provisions of social insurance Law. **(Article 71)**

Chapter 5
HEALTH INSURANCE
(SICKNESS AND MATERNITY)

- 5.1 Historical Background**
- 5.2 Financing and Scope of Insurance**
- 5.3 Insurance Benefits**
- 5.4 General Rules**

5.1

Historical Background

- Medical benefits were first provided through labour laws provisions to workers and employed in big establishments.

- Social Insurance Law No. 92/1959 contained some enabling provisions only.

- First law for sickness and maternity was Social Insurance Law No. 63/1964 for workers in public and private sectors and No. 75/1964 for governmental employees and workers.

Administrative Organisation:

- Ministry of Health: General supervision.
- Health Insurance Organisation : Administration of medical benefits (benefits in kind) through its own hospitals and managed by a tripartite board.
- Social Insurance Organisation : Administration of cash benefits and contributions.

5.2

Financing and Scope of Insurance

Insurance Financing:

The Disease Insurance shall be financed through the following: (Article 72)

(1) Monthly contributions which include:

A. The employer's share assessed as follows:

1- 3% of wages of insured persons -in the State Administrative System, Public Authorities, General Organizations, and Economic Units affiliated to any of such quarters, and other economic units in public sector - for treatment and medical care. Such quarters shall be held responsible for paying wage indemnity, and

transport expenses stipulated upon in this part.

2- 4% of the wages of the insured persons stipulated upon in the two items.

B- The insured person's share assessed as follows:

- 3% for treatment and medical care.

-1% for payment of wage indemnity, and transport expenses.

The Minister of Insurance may exempt the employer from paying this contribution in return of his obligation to pay the said entitlements.

C- The Insured persons' share assessed as follows:

1- 1% of the wages in respect of the personnel.

2- 1% of the pensions in respect of the pensioners who ask to enjoy the benefits of treatment and medical care prescribed under this part.

The employer may introduce treatment and medical care to the sick person according to the provisions of this part by a permission of the Health Insurance Public Authority in accordance with the conditions and situations included in the decree stipulated upon, in the Article (48) in return of reducing contributions ratio allocated for treatment and medical care to 1% of insured persons wages, and in this case, the contributions stipulated upon in Item (2)-a of Article (83) shall be with such amount.

(2) The yield of investing the said contributions.

Scope of Insurance:

1- The provisions of this part, shall apply gradually to workers engaged by employers to be determined by a decree issued by the Minister of Health. (Article 73)

2- The provisions of treatment and medical care stipulated upon in this part shall apply to pensioners who may request to take advantage thereof at the date of

submitting the application for obtaining payment of the pension.

Pensioners whose service terminated up, till first of July, 1981, have the right to express wish to take advantage of the provisions of sick insurance during one year starting from the date referred to; and this provision shall apply to those who fulfill the requirements in respect of one of the cases of pension entitlement for insured persons, during six months of the date referred to.

In all cases, the pensioner who applied for taking advantage of the mentioned provisions is not allowed to omit his application. (Article 74)

3- At the proposal of the Minister of Insurance, and after agreement with the Minister of Health, the Prime Minister may issue a decree enforcing the provisions of this insurance on the spouse of the insured person, or the pensioner, and his children whom he supports, and this decree shall indicate the conditions and situations for taking advantage of this insurance, and shall determine the ratio of contribution. (Article 75)

5.3

Insurance Benefits

Entitlement conditions:

A- To enjoy the benefits of this insurance the sick person (who has an injury or an accident other than labour injury) should have contributed to it for 3 consecutive months or 6 intermittent months on condition that the last 2 months are consecutive. To enjoy pregnancy and delivery compensation the contribution period should not be less than 10 months.

B- The enforcement of the provisions of this insurance shall be suspended during the following periods:

1) The period during which the insured person is engaged in work with a quarter not subject to this insurance.

2) Periods of compulsory military service, retention, and summons for the Armed Forces.

3) Periods of special leaves, secondment, and study and educational leaves which the insured person spends abroad.
(Article 77)

Treatment and medical care:

The sick person and the pregnant female enjoy treatment and medical care as provided for by the labour injuries insurance benefits.

Temporary Compensation: (Article 78)

If the disease of the insured person prevented him from performing his work, the quarter concerned with wage indemnity payment shall undertake paying to him during his illness period an indemnity equals to 75% of his daily wage in respect of which contributions were paid, for a period of ninety days after which such indemnity shall be raised to 85% of the said wage, provided that in all cases, the indemnity shall not be less than the minimum limit of wage stated by law.

Payment of such indemnity shall continue for the duration of his illness, or until his total disability is established, or the occurrence of death provided it does not exceed 180 days in one calendar years.

With exception of the foregoing provisions, the patient suffering from tuberculosis, leprosy, mental disease, or any chronic disease shall be granted an indemnity equals to his full wage through the duration of his illness until he recovers, or until his state of health is steady, in a manner that enables him to resume his work,

or until disability is established as total and complete disability.

The chronic diseases referred to in the preceding paragraph shall be determined by a decree issued by the Minister of Health in agreement with the Minister of Manpower.

The quarter responsible for paying wage indemnity may decide to stop the payment of this indemnity for the period during which the insured person violates treatment instructions.

The state administrative machinery units, the public authorities, and public sector units should carry out this stipulation, without the need for issuing the decree of the Minister of Health , referred to in Article (73).

Travelling expenses: (Article 80)

The quarter in charge of paying wage indemnity, shall bear the expenses of conveying the patient by ordinary means of transport from his place of residence to the place of treatment, if it lies outside the boundaries of the city where he lives, & by special means of transport if the treating doctor decided that the patient's state of health does not allow for using ordinary means of transport.

A decree shall be issued by the Minister of Insurance at the proposal of the board of directors in respect of the regulations to be followed in organizing the conveyance of patients and the costs involved ⁽¹⁾.

Note : Travelling expenses are paid to the sick person from his residence to the place of treatment during the period of treatment and medical care.

Pregnancy (Care and Compensation): (Article 79)

The insured female in state of pregnancy and confinement shall be entitled to have wage indemnity

equals to 75% of the wage referred to in the first paragraph of Article (78) payable by the quarter in charge of paying wage indemnity, through the duration of pregnancy and confinement leave prescribed in Labour Law, or Civil Servants Schemes of the State, or Public Sector, according to cases, provided her period of contribution to the insurance is not less than ten months.

5.4 ***General Rules***

1- The provisions of this insurance shall not prejudice the rights of the injured or sick person which he may have pursuant to laws, regulations, special schemes, joint contracts, or agreements, or others, in respect of wage indemnity, and levels of service, with regard to the surplus entitlements than those prescribed in this insurance.(Article 81)

2- The Minister of Health in agreement with the Minister of Insurance shall issue the decrees enforcing the provisions of the present part, except where special stipulation provided otherwise. (Article 82)

Chapter 6
UNEMPLOYMENT INSURANCE

- 6.1 Historical Background.**
- 6.2 Financing and Scope of Insurance.**
- 6.3 Insurance Benefits (Compensation).**

6.1

Historical Background

First Law: 143/1961 provides for loans to be given to unemployed workers benefiting from old age insurance. These loans had to be reimbursed when the worker got a new job.

Law No. 63/1964 introduced, for the first time, the unemployment compensations.

Current Law: No. 79/1975 provides unemployment insurance system.

6.2

Financing and Scope of Insurance

Insurance Financing: (Article 90)

The unemployment insurance shall be financed through the following: -

- 1- The monthly contributions to be paid by the employer at the rate of 7% of the wages of the insured persons.
- 2- The yield of investment of these contributions.

Scope of Insurance: (Article 91)

The provisions of this chapter apply to the insured persons subject to the provisions of this law, except the following categories: -

- 1) Workers of the administrative machinery of the state, and public authorities.

2) Members of the employer's family at individual establishments up to the second degree, as well as the partners who perform work in return of wage at their own companies.

3) The workers attaining 60 years of age.

Conditions and positions of the categories referred to herein shall be regulated by a Republican Decree, in order that they may enjoy the benefits of this insurance, provided that such decree shall define the method of calculating the wages in their respect.

4) The workers who are employed in casual or temporary works, and specially workers who are engaged in contracting works, and seasonal workers, and stevedoring workers.

6.3

Insurance Benefits

(Compensation)

A- Entitlement conditions:

1- The insured person should not have resigned from service.

2- The termination of service should not have been because of a final judgment in a felony or ethical misdemeanor, otherwise the insured person is entitled only to half of the compensation.

3- The contribution period should not be less than 6 months with 3 consecutive months before each unemployment period.

4- The insured person should be able and willing to work.

5- The insured person should have recorded his name in the unemployment record at the competent employment office and should have visited this office at regular periods.

The unemployment compensation shall be due as of the eighth day of service termination, or work contract, according to the case.

The compensation shall continue to be paid to the insured person until the day preceding the date of his being engaged in an employment, or for a period of 16 weeks whichever is earlier. This period shall be extended to 28 weeks if the contribution period to this insurance exceeds 24 months.

The compensation shall also be paid during the period of vocational training determined by the Manpower office. (Article 93)

B- Cases of devolution:

1- If the insured person refuses a job the wage of which is not less than 75% of the last wage and suits the insured person's qualifications, experience, occupational and physical abilities and lies within the governorate in which he worked at the time of his unemployment.

2- If his self - employment or paid employment for a wage not less than the compensation are certified.

3- If he is entitled to a pension not less than the compensation.

4- If he migrates or leaves the country.

5- If he reaches the age of 60.

C- Cases compensation suspension:

1- If the insured person fails to pay regular visits to the competent manpower office within the days fixed for him for an unacceptable reason and until the reason for suspension disappears.

2- If he refuses the training prescribed to him by the competent manpower office until he has regular training.

3- Military service on condition that the right to compensation is valid after the end of the military service without including it in the entitlement period.

4- If the insured person has a paid job the wage of which is less than the compensation, here the difference between wage and compensation is due.

5- If he is entitled to a pension less than the amount of compensation, here the difference between compensation and pension is due.

D- Calculating of compensation:

Compensation falls due as from the eighth day of the termination of service and until the day prior to the date of having a new job or for 16 weeks which ever is earlier. The period is increased to 28 weeks if the period of contribution to insurance exceeds 24 months.

Compensation is payable during the period of vocational training determined by the employment office. Compensation is calculated at 60% of the insured person's last monthly wage and is reduced to 30% of the last wage on the basis of which contributions were paid, if the insured person's service is terminated for any of the following reasons:-(Article 95)

1) If he assumes a false personality, or his submission of forged certificates or papers.

2) If the insured person is appointed under probation.

3) If he commits a mistake resulting in an enormous loss to the employer, provided the employer shall notify it to the competent authorities within 24 hours from the time the mistake comes to his knowledge.

4) If he fails to observe the instructions which ought to be followed for the safety of workers, or that of the establishment, provided such instruction shall be in writing and posted in a visible place.

5) If he is absent without reason for a period more than that stipulated upon by laws and regulations on employment, or work, according to the case.

6) If he fails to perform essential work commitments.

7) If he divulges the secrets of work.

8) If he is found during working hours to be in a state of drunkenness or under drug influence.

9) If he attacks the employer or the chief in charge, and also if he grievously attacks one of his bosses at the work during or by reason of work.

Question:

Concerning unemployment insurance determine:

A- Entitlement conditions.

B- Calculating of compensation.

Chapter 7
BENEFICIARIES
AND ENTITLEMENTS CONDITIONS

- 7.1 Determining the Beneficiaries**
- 7.2 General Rules**
- 7.3 Distribution of Death Pension**

7.1

Determining the Beneficiaries

If an insured person or a pensioner dies, his beneficiaries shall have the right to receive a pension, according to the shares and provisions as laid down in Schedule (3) attached, as of the first of the month in which the death occurs.

Beneficiaries entitled to pension are: the divorcee, the husband, the sons, and daughters, the parents, the brothers and sisters, who at the death of the insured or the pensioner shall fulfill the requirements of entitlement as stipulated upon in the following items: (Article 104)

First: The Widow or the Divorce and the Disabled Husband:

A- For the entitlement of the widow or divorcee, it is a condition that the marriage should be notarized or established under a final court judgment, delivered in a case brought during the survival of the husband, and the Minister of Insurance shall under decree issued by him determine other documents in proof marriage, in some of the cases in which it is difficult to prove it through the foregoing means. (Article 105)

It is also a pre-condition, for the widow that the marriage or the authentication of marriage shall have taken place before the insured person or the pensioner attains the age of sixty. Shall be excepted therefrom the following cases:-

1- The case of the widow whom the insured person or the pensioner has divorced before he attained the age of sixty, then married her after that age.

2- A marriage case in which the age of the wife is 40 at least at the time of marriage, provided the insured person or pensioner should have no other wife, or

divorcee qualified for a pension, and whom he had divorced despite her wish after he attained the age of sixty, and who is still alive.

3- Marriage cases which took place before the present law comes into force - It is conditioned for the divorcee that: -

- 1) She should have been divorced despite her wish.
- 2) Her marriage to the insured person or the pensioner should have continued for a period of not less than 20 years.
- 3) She should not have got married to another husband.
- 4) She should not be receiving any kind of income equivalent to or exceeding the amount of her pension entitlement.

If the income is less than her pension entitlement, a pension shall be assessed to her equivalent to the difference between the pension, and her income.

However, if the amount of each of the income and the pension is less than L.E 30 the pension shall be assessed to her not exceeding the amount of the income and the pension together. In all cases, the rest will devolve to the widow if she is alive, and if not, the rest shall devolve to the children.

B- It is conditioned, for the husband to be entitled to a pension that:-(Article 106)

- 1) The marriage contract should be authenticated.
- 2) He should have disabled from earning his living according to the information submitted in the application for pension payment, provided this will be supported by a decision of the Health Insurance General Authority.
- 3) The marriage contract should have been concluded before the insured wife or the pensioner- wife attained the age of sixty.

Second: Sons and Daughters:

1- It is conditioned for the sons to be entitled to pension, that the son should be under 21 years of age.

The following cases shall be excepted from this condition :- (Article 107)

1- A son disabled from earning.

2- A student in an educational stage not beyond that of a bachelor, and licentiate academic degree, or an equivalent degree, provided he is still under the age of 26, and full-time student.

3- That who obtained a final qualification not beyond the stage referred to in the previous item, and without having yet joined a job, or engaged in a profession, provided he is still under the age of 26 with regard to holders of the bachelor and licentiate academic degrees, and under the age of 24 with respect to holders of lower qualifications.

2- It is conditioned for the daughter to be entitled to a pension that she should not be married. (Article 108)

Third: Brothers and Sisters:

For the brothers and sisters to be entitled to pension, it is provided that- besides the conditions for sons and daughters to be qualified for pensions- **the legator's support of such brothers and sisters should be established by an administrative certificate. (Article 109)**

7.2 General Rules

1- Should one of the beneficiaries fulfill the requirements of his entitlement to more than one pension from the fund, or from the two funds, or from one or both of them, as well as from the public treasury, such

beneficiary shall not be entitled except to one pension, and the priority of this entitlement shall be in accordance with the following order: (Article 110)

- 1) The pension due for himself.
- 2) The pension due in respect of the husband or the wife
- 3) The pension due in respect of the parents.
- 4) The pension due in respect of the children.
- 5) The pension due in respect of brothers and sisters.

Should the pensions due in respect of the insured persons, pensioners be of one category, the pension falling due is that which was first entitled.

If the pension due in accordance with the foregoing be less than the other pension, the difference shall be paid to him out of the latter pension.

2- The beneficiary's pension shall be suspended in the following cases:- (Article 111)

1) Entering any employment yielding a net income equal to, or exceeding the amount of pension. If such income is less than the amount of the pension due, the difference shall be paid to him. A net income shall mean the total income obtained by the worker, less his share in the social insurance contributions and taxes at the date of his joining the work, then in January every year.

2) Practicing a commercial or non-commercial profession regulated by laws or regulations, for a period exceeding five consecutive years. His right to the payment of pension shall be restored in case of cessation to practice this profession, as of the first of the month following the date he ceases to practice such a profession.

3- The way of exception to the provision banning the combination of the jobs, as prescribed in Articles (110 and 111), the beneficiary shall combine his income from job or profession and pensions, within the

following limits:-(Article 112)

1) The beneficiary shall combine the income and pension within the limits of fifty pounds per month, without prejudice to the right to combine the pension and the income to the extent exceeding the said limit in respect of the cases of entitlement prior to 1.9.1975, provided the beneficiary was entitled to such right.

2) The beneficiary shall combine pensions within the limits of fifty pounds per month, and the pension shall be completed to this amount in the order referred to in Article (110).

3) Sons shall combine the two pensions to which they are entitled from their parents, without limits.

4) A widow shall combine the pension she is entitled to from her husband, and her own pension in her quality as benefiting by the provisions of the present law. She shall also combine her pension from her husband with her income from her job or occupation, without limits.

5) With due regard to the provisions of Article (71), a beneficiary shall combine the pensions accruing to him from one person, without limits.

4- The pension of beneficiary shall be discontinued in the following cases: (Article 113)

1) The decease of the beneficiary.

2) The marriage of a widow, divorcee, daughter or sister. The daughter or sister shall in this case be given a grant equivalent to the pension due for her, for a period of one year with a minimum of fifty pounds, and this grant shall be paid only one time.

3) The attainment by the son or the brother, of the age of 21. The following cases shall be excepted: -

a- The disabled person, until the condition of disablement no longer exists.

b- The student, until he joins a work, or is engaged in a profession, or at the date of his attaining the age of 26 whichever is earlier. The payment of pension for the student who attains the age of 26 shall continue during the academic year, until the end of that year.

c- The holder of a final qualification degree until he joins a job or his performing a profession, or at the date of his attaining the age of 26, with regard to those holding bachelor or licentiate academic degree, and the age of 24 for holders of lower final qualifications whichever of the two dates is earlier.

4) The fulfillment of the conditions of entitlement to another pension, with paying due regard to the provisions of the two articles (110) and (112).

5- If the daughter or the sister is divorced or becomes a widow, or the son, or the brother is disabled from earning his living after the death of the insured person or the pensioner, each of them shall be granted the pension to which he or she is entitled, assuming their entitlement to the pension as at the date of the legator's death, without prejudice to the rights of the rest of beneficiaries. (Article 114)

A widow entitlement for pension shall be restored to her if she is divorced or becomes a widow without being entitled for a pension from her last husband.

If the pension for which the entitlement shall be restored, has been devolved partly or wholly to the rest of beneficiaries, their pension shall be reduced by the value devolved to each of them of such pension.

The son or the brother who was not qualified for a pension at the date of the legator's death, and who joined an educational stage not beyond that of obtaining the bachelor or licentiate academic degree, and was under the age of 26, shall be granted what he was entitled of a pension, assuming its being due at the said date. The pension of the rest of the beneficiaries shall be reassessed on that basis.

After his pension is stopped, it shall devolve to those whose shares have been reduced with the value of such pension.

Each of the sons, daughters, parents, sisters and brothers who were deprived of pensions under the

Insurance and Pensions Law, or Social Insurance Law, shall be paid what they were entitled of pension, assuming they were entitled to it at the date of the legator's decease, without prejudice to the rights of the rest of beneficiaries, if they fulfill in respect thereof the conditions of pension entitlement stipulated upon in the present law.

6- In case the pension of the beneficiary is suspended or discontinued, the pension for the month during which the case for stopping or discontinuing the pension took place shall be paid on the basis of a full month. (Article 115)

In case the pension of some beneficiaries devolve to other beneficiaries, the pension shall be reassessed as of the first of the month following the date such entitlement falls due.

If the beneficiary died before payment of the pension for the month during which he died, his pension shall be stopped as of the first of the month during which the decease takes place, and in this case pension is devolved, and such devolution shall take place as of that date.

As an exception of the first paragraph of this Article, a pension shall continue to be paid, in cases of the beneficiary's disability, for the month determined for his medical examination, also for the month following it.

7- If the pension, the son or the brother is entitled to, has not devolved to the rest of beneficiaries after it was stopped, it shall then be repaid to him in case his wage is stopped during his compulsory military service, so long as he has not attained the age of 26. (Article 116)

7.3 Distribution of Death Pension

Distribution of Pension to Beneficiaries in case of Death Schedule No.(3)

Case NO	Beneficiary of pension	Due shares in pension			
		Widow or Husband	children	parents	Brothers and Sisters
1-	Widow, or widows or husband and one or more children	1/2 (to be distributed equally if more than one).	1/2(to be distributed equally if more than one).	—	—
2-	Widow, or widows or husband and one or two parents	2/3	—	1/3 for either or both, to be distributed equally.	—
3-	Widow, or widows or husband and one sister or brother or more	3/4	—	—	1/4 to any or all of them, to be distributed equally
4-	Widow, or widows or husband only.	3/4 (to be distributed equally if more than one).	—	—	—
5-	Widow, or widows or husband and one or more children and one or two parents	1/3	1/2	1/6 for either or both, to be distributed equally.	—
6-	One child	—	2/3 the	—	—
7-	More than one child	—	Whole pension, to be distributed equally.	—	—
8-	One child, and one or two parents	—	2/3	1/3 for either or both, equally.	—
9-	More than one child, and one or two parents.	—	5/6	1/6 for either or both, equally.	—

Schedule No. (3) <continued>

Case NO	Beneficiary of pension	Due shares in pension			
		Widow or Husband	children	parents	Brothers and Sisters
10-	One or two parents	—	—	1/2 for either or both equally.	—
11.	One brother or one sister, or more	—	—	—	1/2 to either or to all of them and to be distributed equally among them.
12	One or two parents, and one brother, or one sister or more.	—	—	1/2 for either, or both of them equally	1/4 to either or to all of them equally

Notes on Schedule No. (3):

1. The divorcee and the entitled husband should be regarded as being equal to the widow.

2. In the event of the pension of one of the beneficiaries being suspended or severed in whole or in part, it devolves to the remaining beneficiaries who are of the category of this beneficiary. In the absence of other beneficiaries of this category, the pension devolves to the remaining beneficiaries of the other categories.

In the absence of other beneficiaries of this category, the pension devolves to the remaining beneficiaries of the other categories. If the share of the beneficiary, to whom the pension devolved, exceeds his maximum share as shown in the table according to the condition at the date of devolution, the remainder should be delivered over the following category, and in all this, the order indicated in the table below should be taken into consideration:

Category of the beneficiary whose pension is suspended or severed.	category of the beneficiary to whom the pension is devolved over.
The widow.	1 . The children 2 . The parents. 3 . The brothers and sisters.
The childrens.	1 . The widow. 2 . The parents.
The parents	1 . The widow 2 . The children. 3 . The brother and sisters.

Before giving effect to the rule of devolution of the pension, or devolving it over, it should be taken into consideration to deduced the pension which may have fallen due without touching the pensions of the remaining beneficiaries.

3. In the event of the reasons of suspending the pension of the beneficiaries in whole or in part being eliminated, the pension should be re- distributed among all the beneficiaries at the date of the reason being eliminated.

4. The share of the beneficiary, to whom a part of the pension is devolved over should be fixed to the extent of not exceeding the maximum limit fixed in the table, according to the condition

5. The pension granted in excess of the pension of the deceased person should not be devolved over in the event of its being suspended or severed.

6. In case of distributing the pension between the widow category and the parents category :

- In case of suspending the pension of parents, the remaining of their share after refunding to the category of widows, shall devolve to the sisters and brothers in whose respect the conditions of deserving pension are fulfilled at that date, within the limit of one quarter.

- In case of suspending the pension of widows category, one quarter of the inherited pension shall revert to the brothers and sisters in whose concern, pension deserving conditions, fulfilled, at this date.

Problem:

1. Determine the entitlement conditions of death pension for two only of the beneficiaries (widow, divorced women, husband, sons and daughters, brothers and sisters, father and mother)

2. Explain how we distribute the death pension in three cases of entitlement.

Chapter 8
ADDITIONAL BENEFITS

- 8.1 Additional Compensation**
- 8.2 Death Allowance**
- 8.3 Funeral Expenses**
- 8.4 Loans**
- 8.5 Missing Persons Benefits**
- 8.6. Social Care Insurance for Pensioners**

8.1

Additional Compensation

Cases and Conditions of Entitlement:

1- The additional lump sum indemnity shall be due in the following cases: (Article 117)

a) Termination of service of the insured person for total or partial disability, when this leads to his entitlement to pension.

b) End of service of the insured person through his decease.

c) Death of the pensioner without there being beneficiaries entitled to the pension.

d) Establishment total disability, or the occurrence of death resulting from a work accident, after the termination of service. The additional lump sum indemnity, in case of its becoming due as a result of death, shall be paid to those defined by the insured person, or the pensioner before his death. If he has not defined any, it shall be paid to the legitimate heirs. It is conditional for the deserving of the additional indemnity amount, that the insured person shall have a subscription period in the insurance not less than three continuous months, or six intermittent months.

2- This condition shall not be applicable, in the following cases:

(a) The insured persons, provided for in item(a)of article (2),and also the insured persons provided for in item(b) of the same article, who are subject to employment regulations issued according to law, or whose wages, allowances and promotions were fixed pursuant to collective agreement concluded pursuant to the labour law, whenever the Minister of Insurance approves such regulations and agreements, according to the proposal of the competent authority.

(b) Shifting of the insured person from the personnel provided for, in the previous item of this paragraph to work in private sector, and in whose concern, the deserving case provided for in item (3) of article (18) is found.

(c) The establishment of the insured person's disability, or the occurrence of his death, due to work injury.

It is also conditioned, for the entitlement to the additional lump sum indemnity with regard to the insured person who was in the military service, that he should add the period of his military service to the civilian service.

The Indemnity Calculation:

1- The amount of additional indemnity shall be equal to a percentage of the annual wage to the age of the insured person, at the date of establishing the entitlement case, and according to Schedule No. (5).

**Percentages of Amounts of Additional Indemnities
Table NO. (5)**

Percentage of Amounts Age of Additional indemnities		Percentage of Amounts Age of Additional indemnities	
up to 25	267%	up to 44	140%
26	260%	45	133%
27	253%	46	127%
28	247%	47	120%
29	240%	48	113%
30	233%	49	107%
31	227%	50	100%
32	220%	51	93%
33	213%	52	87%
34	207%	53	80%
35	200%	54	73%
36	193%	55	67%
37	187%	56	60%
38	180%	57	53%
39	173%	58	47%
40	167%	59	40%
41	160%	60	33%
42	153%	up to 62	25%
43	147%	over 62	20%

Remarks :

- In the assessment of the age, the fractions of a year shall be regarded as one complete year.

Annual wage means the average monthly wage on the basis of which the pension to be paid by the Fund was assessed, multiplied by 12.

In cases of partial disability, half of the amount referred to in the first paragraph shall be paid. In all cases, the amount of additional indemnity shall be increases by a ratio of 50%, in respect of the cases resulting from a work injury.

The additional indemnity lump sum shall be doubled in case it falls due as a result of the insured person's termination of service because of death, without there being pension beneficiaries. (Article 118)

2- If the service of the insured person is terminated because of disability, and he was entitled to an additional indemnity, then he was reinstated to service, and his service is terminated for the second time due to disability, the amount of additional indemnity already paid to him for the first disability, shall be deducted from the amount of indemnity payable to him for the last disability. (Article 119)

8.2

Death Allowance

1- On the death of the insured person, or the pensioner, an allowance shall be payable for the month during which death occurs and the two subsequent months, in addition to his due wage for the days of work during the month of his decease.

The allowance shall be evaluated equal to the wage or pension payable for the month during which the death occurs. Such allowance shall be paid through the body wherefrom he received the wage, or that which was bound to pay his pension according to each case. In respect of an insured person working for departments referred to in item (a) of article (2), the allowance shall be

payable out of the account from which the wage was being paid. (Article 120)

2- The amount provided for, in the previous article shall be payable to those defined by the insured person, or the pensioner. If he did not define anyone, they shall be payable to the widows, and in case of their nonexistence, they shall be payable to the sons and daughters in whose concern the conditions of deserving a pension provided for, in articles (107) and (108) are fulfilled.

If the insured person, or the pensioner has a widow, and sons fulfilling the conditions prescribed in the previous paragraph, who were not borne of that widow, it shall be observed that the aforementioned amounts shall be divided according to the number of marriages. If none is found of those mentioned before, the grant shall be payable to both parents, or either of them, and in case of their non existence, it shall be payable to his brothers and sisters, in whose concern, the conditions referred to in article (109) are fulfilled .

If the allowance is payable to minor sons, brothers, and unmarried sisters, it shall be paid to the person in charge of their affairs, whose quality shall be established by an administrative certificate.(Article 121)

8.3

Funeral Expenses

In the event of death of the pensioner, the authority paying the pension shall be under the obligation to pay funeral expenses at the rate of two months' pension with a minimum of L.E 200. Payment shall be made to the widow and, in the absence of a widow, to the adult son, or to any person proved having undertaken the payment of funeral expenses.

Payment of these expenses should be made within three days at the most from the date of submitting the application. (Article 122)

8.4 Loans

Social Insurance Organization can afford cash loans to the insured persons and pensioners. The lump sum loan shall be determined in accordance with the following schedule (No. (7) attached), the age of the insured person or the pensioner at the date of medical examination and his health condition.

Capital Corresponding to one Pound of Commuted Pension

Age on commutation		for a period of (5) years		For a period of (10) years		For a period of (15) years	
		L.E	M.	L.E.	M	L.E.	M
up to	M						
	40 year	53.	300	94.	800	126.	600
	41	53.	250	94.	600	126.	100
	42	43.	200	94.	400	125.	600
	43	53.	150	94.	200	125.	100
	44	53.	100	94.	-	124.	600
	45	53.	050	93.	700	124.	100
	46	52.	950	93.	400	123.	500
	47	52.	850	93.	100	122.	700
	48	52.	750	92.	800	121.	900
	49	52.	650	92.	400	121.	-
	50	52.	550	91.	900	120.	-
	51	52.	450	91.	400	118.	900
	52	52.	300	90.	800	117.	700
	53	52.	150	90.	200	116.	400
	54	52.	-	89.	500	114.	900
	55	51.	800	88.	800	113.	300
	56	51.	600	88.	-	111.	600
	57	51.	350	78.	100	109.	800
	58	51.	100	86.	100	107.	900
	59	50.	800	85.	100	105.	800
	60	50.	500	85.	-	103.	600
	61	50.	150	82.	800	-----	-----
	62	49.	800	81.	400	-----	-----
	63	49.	350	79.	900	-----	-----
	64	48.	900	78.	300	-----	-----
	65	48.	400	76.	700	-----	-----

Remarks:

1. In the assessment of the age, fractions of the year shall be regarded as one complete year.

2. Including the age, the period of extension which the concerned medical authority authorizes should be observed, according to the state of health of the commutation application applicant; and the result of the medical examination shall remain valid for a period of one year from the date of issue of the concerned medical authority report, to complete commutation formalities.

3. Commutation shall not be allowed for those whom the concerned medical authority declares that they are of bad health.

4. Commutation shall not be allowed for those whose ages are more than 65 years, by taking into consideration the stipulation of Item No. (2).

The loan pensions shall be within one- third of their amounts.

It is a condition that the rest of the pension after the loan premium shall not be less than the minimum, numeral limit for the pension.

The loan may not take place more than once every two years from the date of effecting the last loan.

This period may be reduced to one year, upon submitting justifying reasons, by a decree from the Minister of Insurance ⁽¹⁾.

The loan shall be considered valid as of the date its estimation value has been accepted. The first premium shall be deducted in advance from the wage or the pension.

(1) Decree No.161 for the year 1977, issued by the Minister of Insurance in respect of reviewing reduction of the period between the two commutations to one year, published in the official Gazette- edition no. 174 on 27.7.1977.

A fee with the amount of two pounds shall be imposed on each exchange to be made. This fee shall be paid to the competent authority deducted from the capital of exchange, and to be written down in special account, and the balance of this account shall be carried forward from a year to another.

Loan premiums shall be omitted with the death of the insured person or the pensioner. The debtor may at any time apply for the suspension of loan against paying to the fund amount to be defined in the decree prescribed in the following paragraph:

The Minister of Insurance shall issue a decree regarding the rules and conditions of the loans and the amount needed to be refunded in return of suspending the loans, and the manners in which the stipulated fee will be spent.

8.5

Missing Persons Benefits

In case the insured person, or the pension is missed, his beneficiaries shall receive a monthly allowance equal to their entitlements to pension assuming his death, as of the first of the month he is found missing, until he reappears, or his death is established actually or by judgment.

If the insured person is found missing during the exercise of his work, the allowance shall be estimated as equivalent to the pension determined for work injury insurance, and the pension determined for old age, disability and death insurance, within the limits prescribed in article (71) (100% of last wage).

The Minister of Insurance shall issue a decision determining the procedures to be taken to establish the condition of such missing.

After the elapse of four years, from the date of the missing or after establishing his death actually or by judgment, the date of missing shall be considered the date of service termination, for the assessment of all pension rights, and shall be payable according to the following: - (Article 124)

a) The allowance assessed according to the first paragraph shall continue to be paid as a pension.

b) The amount of the additional indemnity shall be paid to the legitimate heirs who are living at the date of the elapsing of four years from the date he was found missing, or the date his death is actually established or by judgment unless the insured person has nominated other beneficiaries before he was found missing, in which case the amount will be paid to them.

c) The grant shall be payable to the beneficiaries stipulated upon in article 121, who are still alive at the date of the elapsing of four years from the date he was found missing, or the date his death is actually established or by judgment

The provisions of this article shall apply to those found missing before the provisions of the present law came into force ⁽¹⁾.

8.6

Social Care Insurance For Pensioners

Pensioners social welfare insurance benefits:

A- Kinds of social welfare:

1- Full accommodation in welfare houses to be established for this purpose.

2- Supply of cultural libraries and clubs provided with suitable means of recreation.

(1) The decree No. (214) for the year 1977 includes the provisions in respect of establishing the missing case.

- 3- Supply of suitable experts and superintendents.
- 4- Supply of means of recreation such as picnics, theatrical shows, going to summer and winter resorts and visiting public gardens.
- 5- Providing special facilities to be issued by a Republican decree as a relative reduction of the fees of transport, clubs, museums, exhibitions, cinemas and state-owned theatres as well as picnics organized by the state's administrative machinery units, general organizations and institutions, public sector units and accommodation at governmental treatment centers.

B- How to provide social welfare:

The General Organization for Insurance and Pensions and General Organization for Social Insurance should, within 5 years from 15th September 1975, establish social welfare houses for pensioners whether directly or in collaboration with Ministry of Social Affairs.

The experiences and capabilities of social welfare beneficiaries can be utilized against symbolic remuneration.

C- Financing resources:

The Minister of Social Insurance specifies the contribution to be paid by beneficiaries besides indirect financing resources such as the following:

- 1- The amounts of money to be annually earmarked by the Public Treasury for social welfare centers.
- 2- The annual allocations in the budgets of the General Organization for Social Insurance and the General Organization for Insurance and Pensions.
- 3- Donations and wills to be accepted by the Board of Directors of the competent organization.
- 4- The net revenue of parties, festivals and lotteries in the interest of these centers.
- 5- Other sources accruing from the activities of social welfare houses.

Financing of the Benefits and Facilities: (Article 99)

The finance of this insurance shall be constituted by the following:-

- 1- Amounts allocated annually by the public treasury to social patronage houses.
- 2- The allocated annual amounts for the said insurance in the budgets of the two competent authorities.
- 3- Donations, and wills accepted by the competent authority's board of directors.
- 4- Net proceeds of festivals, fairs, and galas, and lotteries which are organized in favor of such houses.
- 5- Contributions payable by those enjoying benefits of the provision of item (4) of Article (102).
- 6- Other proceeds accruing from activity of social patronage houses.

Administration and General Rules for Benefits :

1- Each of the two competent authorities shall be held responsible for taking the necessary executive steps, within five years from the date this law comes into force in 01-09-1975, to start establishing houses for taking care of the pensioners the benefits of provisions of the present law, whether directly, or in co-operation with the Ministry of Social Insurance, for rendering social and living patronage to pensioners referred to, under circumstances of reasonable facilities, specially in the case of those having no families.

The social patronage shall include the following: (Article 100)

- 1- Full board accommodation including dwelling, meals, and drinks.
- 2- Providing of cultural libraries, and clubs equipped with some appropriate entertainment facilities for the beneficiaries.

3- Providing experts and supervisors needed for the management of such houses, who should fulfill specific characteristics consistent with the beneficiaries conditions.

4- Provision of entertainment arrangement such as picnics and witnessing stage performances, staying at summer, and winter resorts, and visits to public parks.

Experiences, and capabilities of social patronage beneficiaries may be resorted to, for performing tasks consistent with the state of each, in return of token remuneration payable to them, provided that the works entrusted to them are connected with the nature of their original works which they were performing before termination of their service.

2- It shall be observed in founding social patronage houses that they shall be divided into classes to keep with the types of beneficiaries, as well as their health conditions, and the living, family, and cultural standards they used to live in before termination of their service.(Article 101)

3- The Minister of Insurance shall determine by a decree, the conditions and situations necessary for implementing the provisions of this Chapter, particularly the following: (Article 102)(1)

1- The way in which the beneficiaries accept patronage in the Social Patronage Houses.

2- Formation of Board of Directors of the Social Patronage Houses and determining their competencies, provided beneficiaries should be represented in the boards by one third at least.

3- Laying down the internal regulations for the Social Patronage Houses without being restricted to financial and employment rules, applicable by the administrative

(1) Decree No. (44) for 1977 was issued by the Minister of Insurance on 19.2.1977, regarding the formation of the Permanent Committee for Social Patronage to Pensioners.

machinery of the state, public authorities, general organizations, or economic units affiliated to any one of them.

4- Determining the amount of subscription payable by each beneficiary.

5- Determining the standards of service necessary for social patronage.

6- Exchange of visits and residence at Social Patronage Houses between Egyptian foreigners in other countries.

4- The President of the Republic may issue a decree, at the proposal of the Minister of Insurance, and after agreement with the concerned Ministers- granting the pensioners treatment pursuant to the provisions of this Law, special facilities to be specified in such decree, and in particular the following:(Article 103)(1)

1- Relative reduction in railway communication tariff, as well as public transportation owned by the state within the cities.

2- A reduction in entry fees to clubs, museums, exhibitions, movie houses, and theatres owned by the state.

3- A reduction in the residence charges at the treating places belonging to the State Administrative Machinery.

4- A reduction in charges for journeys organized by the state administrative machinery, public authorities, or general organizations, and the economic units affiliated to any of them within the Arab Republic of Egypt, or abroad.

In all cases, a reduction shall not exceed 75% of the official value.

5- The total permanent disability pensioner shall be entitled to a disability aid estimated at 20% monthly of the value of his due pension, in case the Health

(1) Decree No.(77) for 1981 was issued by the president of the Republic on 27. 1.1981 stating some facilities for the pensioners.

Insurance General Authority decides that he is in need of the permanent assistance of another person to perform his daily activities .(Article 103bis)(1)

Payment of this aid shall be suspended , in case of his joining a work, or the removal of the situation, in accordance with the decision of the aforementioned authority, or his death (2).

(1) The Article (103) repeated was added by the Law No. (93) for 1980, and applied from 4.5.1980.

(2) Decree No. 159 for 1980, was issued by the Minister of Insurance, and published in the official Gazette- Issue No. 211 on 14.9.1980 regarding bases and procedures for payment of disability aid.

Chapter 9
GENERAL PROVISIONS

- 9.1 Exemption from Taxes and Duties**
- 9.2 Benefits Documents, and Application Dates**
- 9.3 Guarantees of Contribution Collection**
- 9.4 Obligation of The Public Treasury**
- 9.5 Various Provisions**

9.1

Exemption From Taxes And Duties

1- The amount of contributions due pursuant to the provisions of the present law shall be exempted from all taxes and duties whatsoever ⁽¹⁾:

Forms and documents, as well as cards, contracts, receipts, certificates, printed matter, and all correspondence to be required for the implementation of the present law shall be exempted from the fiscal stamp. (Article 134)

2- Fixed and movable assets of the competent authority, and all its investment operations whatever their kinds shall be exempted from all taxes, duties, and other fees to be imposed by the Government, or any other public authority in the Republic .

Operations undertaken by the competent authority shall be exempted from coming under the provisions of laws governing supervision and control on Insurance Authorities.

Dealings by the competent Authority in exchange stocks with those dealing with it, in such stocks, shall be subject to all the provisions concerning the imposition of fiscal stamps on dealings taking place between individuals. (Article 135)

3- Pensions and what is added to them of subsidies, increases, indemnities, compensations, additional remuneration, bonuses, and capitals of exchange which are payable according to the provisions of this law, shall be exempted from being subject to taxes and all kinds of duties.

This exemption shall be applicable on the consolidated amounts referred to in the previous paragraph on their payment to the legal heirs.

(1) This exemption shall be exempted for the contribution stipulated upon in Article (9) of Article (17).

Succession duty and title deed charges shall not apply to the wages due for working days of the worker during the month the decease takes place.(Article 136)

4- Shall be exempted from court fees of all litigation degrees, the cases to be brought by the competent authority or the insured persons, or beneficiaries pursuant to the provisions of the present law. Cases in this respect shall be considered urgently by the court , and the court, in all cases is entitled to issue a sentence comprising provisional execution and without bail. (Article 137)

9.2

Benefits Documents, And Application Dates

1- Entitlements prescribed pursuant to the present Law shall be calculated on the basis of data and documents included in the file provided for in item (1) of Article (151) without referring to the service file. (Article 138)

2- The Minister of Insurance at the proposal of the competent board of directors shall issue a decree determining the conditions and situations, as well as the documents necessary for the settlement and payment of the entitlements stipulated upon in the present Law, without being restricted to the provisions of the statutes on order of Sharia Courts, and the law on custody for property (1).(Article 139)

3- The application for payment of pension, or indemnity, or any due amounts according to the

(1) Decree No. 214 for the year 1977 issued by the Minister of Insurance, amended by the Ministerial Decree No. 136 for the year 1978, published in the Official Gazette No. 222 issued on 27.9.1978.

provisions of the present Law, must be submitted in a date with a maximum five years of the date in which the reason of deserving is established, otherwise, the right to claim therewith shall expire. Claiming for any of the foregoing amounts, shall be considered inclusive a claim for the rest of due amounts.

The validity of the referred to appointment shall terminate (Expire) with respect to all beneficiaries, if one of them submitted an application in the fixed date.

If the application for payment is submitted after the expiry of the referred to appointment, the payment shall be confirmed to the pension only, and the payment shall be carried out as of the first of the month in which the application is submitted.

The Minister of Insurance is allowed to disregard the non submittal of the application in the referred to date, if reasons are established justifying that. In such a case, the full deserving shall be paid as from the due date.

Payment of the pension which shall not paid for a period of two years, shall be suspended, provided, it shall be repaid in full on submitting an application by the concerned person. (Article 140)

4- The competent authority shall take all means to ensure calculation of pensions or indemnities, and their payment with four weeks from the date the insured person or the beneficiaries submit an application therefore including all required documents.

The Minister of Insurance shall define by a decree, at the proposal of the board of the board of directors, the documents required from the insured person, the beneficiaries and the employer in each case ⁽¹⁾.

(1) Decree No. 214 for the year 1977 was issued by the Minister of Insurance, amended by the Ministerial Decree No.36 for the year 1978, published in the Official Gazette- No. 323 for the year 1987 on 27.9.1978.

If the payment of amounts due is delayed beyond the dates prescribed therefore the competent authority shall be bound - at the request of the person concerned - to pay such amounts in addition to 1% of the value of these amounts for each month payment is delayed beyond the prescribed date, and within a maximum not exceeding the amount of the original entitlements, from the date the insured person or the beneficiaries fulfil documents required. (Article 141)

The competent authority shall claim from the party causing the delay of paying the additional amounts referred to and which it is bound to pay, unless such party proves to the board that the delay is due to an error of easement.

Additional amounts referred to shall not be due for payment, in cases of litigations, except from the date the action is brought before the court. Nor shall such amounts be due for payment, in the cases where the present law stipulated upon readjusting the entitlements of the pensioners and beneficiaries, who were subject to the laws substituted by the present law, and according to its provisions.

5- Without prejudice to the provisions of the two Articles (56) and (59), no court action may be brought for modifying the entitlements provided for under the present law, following the lapse of two years from the date of the notification for assessment of the pension definitely, or the date of payment in respect of the rest of entitlements, except for the cases where it is applied for an increase-adjustment of these entitlements as a result of a settlement having taken place on the basis of a law, or a final court sentence, and also material mistakes in accounting during the adjustment.

The competent authority may not contest the amount of entitlements referred to in the previous paragraph, in case of issuing administrative decisions or adjustments following the date of quitting the service, in

respect of workers referred to in item (a) of article (2) resulting in a reduction of wages or periods taken as basis for estimating the value of such entitlements. (Article 142)

9.3

Guarantees Of Contribution Collection

1- The amounts due to the competent authority pursuant to the present law shall enjoy priority on all funds of the debtor, both movable and immovable. They shall be paid immediately after retaining the court expense. The competent authority shall have the right of collecting these amounts through administrative distraint channels. It may accept the installment of amounts due by the employer as per the conditions and situations whereby a decree is to be issued by the Minister of Insurance ⁽¹⁾.(Article 143)

2- Seizure or assignment of entitlements of the insured person or the pensioner, or the beneficiaries with the competent authority is not allowed.

In exception of the provision of the previous paragraph, it is allowed to restrain or to assign the entitlements referred to for the payment of the following entitlement: (Article 144)

1) Alimony debts.

2) What was accumulated for the competent authority of amounts of debt on the concerned person.

Paying due regard to the provisions of the Law No. 62 for the year 1976 concerning the modification of the provisions of certain alimony debts, distraint shall be effected

(*) Decree No. 287 for the year 1976 issued by the Minister of Insurance in respect of the conditions and situations for installment of the amounts due for the competent authority on the work, published in the official Gazette- No. 262 on 15.11.1976.

for payment of the amounts referred to in the previous two items within a limit not exceeding a quarter thereof. Where debts are multiple, the alimony debt shall first be deducted within the limit of the part allowed for distraint after deducting one eighth for paying the debt due for the competent authority.

- 3) Installments of loans for Social Naser Bank.
- 4) The due installments for the competent authority.

The competent authority shall have the right to lay a seizure on amounts to which the insured person, or the pensioner might have become entitled to before his death, out of the beneficiaries entitlements, within one fourth of such entitlements, to be divided among them in the proportion of shares payable to them.

The competent authority may accept the installment of amounts due to it by the insured person or the pensioner, according to schedule (6) attached. The deduction of installments shall be discontinued in case of death, or entitlement to pension, if the service is terminated by reason of disability.

The competent authority may accept to collect amounts due to it from the insured persons or pensioners, through commutation according to schedule No. (7), with exemption from medical examination and without being restricted by the provisions of paragraphs (2), (3) and (4) of Article (123). The commutation installments shall be collected as from the first wage or pension of the month following the acceptance of the application for commutation.

Payment of installments due on the insured person shall be suspended, in all cases for which he is not entitled to a wage or an indemnity for wage, including commutation installments. The payment shall be resumed immediately upon wage entitlement. The installment period shall be increased to a period equal to that during which installments payment was suspended.

In case of paying a lump sum disbursement, with the non deserving of a pension, the present value of the

due premiums on the insured person shall be deducted from the indemnity and compensation.

The competent authority may accept to receive by installments over a period of five years, the amounts owing to it by the beneficiaries.

The competent authority is also entitled to lay seizure on the wage of the insured person for payment of total amounts of contributions and the total amounts due for it, while paying due regard to the limits and rules stipulated upon in paragraph (2).

3- A private sector employer shall post up at the work places the certificate testifying the payment of his contributions to the authority, and a decree shall be issued by the Minister of Insurance for determining the particulars of such certificate ⁽¹⁾ .

The competent authority shall provide the employers with such certificates against payment of 100 Millimes for each certificate or official extract.

The competent authority is also held responsible for giving the insured person the card testifying his contribution to the authority.

The government departments, general authorities, and the economic units in the public sector should suspend their dealing with the employers or the insured persons until they submit the certificates or cards testifying their contribution to the authority. The Minister of Insurance, in agreement with the competent Minister shall issue the rules and measures in connection with applying this provision. (Article 145)

4- The establishment whoever runs it, shall guarantee the entitlements of the competent authority. The successors shall be responsible jointly with the predecessor employer for the settlement of all obligations due by them to the competent authority.

(1) decree No. 288 for the year 1976 was issued by the Minister of Insurance, and published in the official Gazette- No.362 on 15.11.1976.

However, in case any of the establishment's elements is disposed to a third party by sale or amalgamation or through a will, or heritage, or assignment, or through any other procedures, the responsibility of the successor shall be confined to the value of what has devolved to him. (Article 146)

9.4

Obligation Of The Public Treasury

1- If the proceeds of investing the money of each of the two funds in any year is less than 4.5% the public treasury shall be bound to pay the differences in the investment returns, within one month from the date the General Stage Budget is approved for the year following the approval of the competent authority's closing accounts. (Article 147)

2- Entitlements to be determined pursuant to the provisions of the present law shall be the only entitlements the fund is bound to pay . If the insured person or the pensioner or the beneficiaries of either of them are entitled to additional rights in application of special laws or decisions, the competent authority shall pay such additional rights, provided that the public treasury shall be bound to pay such increase in accordance with such rules as will be determined by the Minister of Insurance in agreement with the Minister of Finance.

The provision of the previous paragraph shall apply to amounts falling due to the competent authority in excess of the rights prescribed by laws stipulated upon in Article (2) of the promulgating law, and which have not been paid to it until the present law comes into force. (Article 148)

3- The public treasury shall be bound to pay the capital amount of entitlements of insured persons who were subject to the Insurance and Pensions laws referred to in Article (2) of the promulgating law, with the exception of those who are subject to law No. 50 for 1963 promulgating the Insurance and Pensions law for the civil servants, workers and personnel of the state, and insured foreigners who were working for an administrative department of the state, or Public authorities, or general organizations, with regard to their service period prior to the date the present law comes into force ⁽¹⁾.

The amounts referred to in the previous paragraph shall be payable pursuant to the provisions stipulated upon in Article (39) . (Article 149)

9.5

Various Provisions

1- The competent authority shall be bound to pay all its obligations as prescribed for it in full, in respect of the insured persons, and the beneficiaries, even though the employer has not contributed on his behalf with competent authority. The entitlements shall be estimated according to the provisions stipulated upon in the present law.

If the competent authority has not ascertained the correctness of the details regarding the period of contribution to the insurance or the wage, the pension or the indemnity shall be assessed on the basis of the period of service, and the wage not subject to litigation.

The pension, or the indemnity shall be payable on the basis statutory minimum wage prescribed, in case the amount of the wage is not ascertained.

(1) The date of coming into force for the law No. 79 for the year 1975 is 1.9.1975.

The competent authority shall have the right to claim from the employer all contributions prescribed in this law, and the additional amount ⁽¹⁾, as well as the amounts stipulated upon in Article (130) due payment by it. (Article 150)

2- The Minister of Insurance, at the proposal of the competent authority, shall issue a decree including the following ⁽²⁾:

1) An indication of registers and books the employer should keep, as well as the files he should open for each insured person, and the documents to be deposited therein .

2) Details and forms the employer is bound to present to the competent authority concerning the workers, their wages, and their contributions, and the dates at which such details and forms shall be submitted.

The employer shall be bound to provide the Authority with a statement of his worker's names whose service is terminated by reason of attaining the age of retirement, three months at Least before the termination of service.

For each month the employer in private sector delays to advise the competent authority of the termination of service of the insured person, he shall be under the obligation to pay an extra amount at the rate of 20% of the amount of contribution due in respect of the basic wage of the last month of the period of contribution of the insured person according to the terms and rules for which shall be issued a decree by the Minister of Insurance. (Article 151)

(1) For enforcing the provision of Article (6) of the law 47/1984 the phrase "yield of investment" is substituted by the phrase "the additional amount"-47/1984.

(2) Decree No. 208 for the year 1977 was issued by the Minister of Insurance, and published in the official in the Official Gazette-Edition No. 54 on 5.3.1978.

3- Whoever shall be delegated by the authority from amongst its personnel shall have the right of access to the places or work during normal working hours to make the necessary inquiries, and to sight the register, books, papers, correspondences, files and documents pertaining to the execution of this law . The Minister of Justice shall, in agreement with the Minister of Insurance determine the personnel of the authority who shall have the capacity of judicial police in applying the requirements of this Law.

The Governmental and administrative departments shall provide the competent authority with all details it requires, in the scope of the application of the present law provisions.

Any one who is in charge of carrying out works of a contractor, is held responsible for notifying the Authority with the name of such contractor, his address, and his information about the operation three days at least before starting work. Such person in charge of the works shall be jointly responsible with the contractor for fulfilling the obligations prescribed pursuant to the provisions of the present Law, in case he did not carry out the notification. (Article 152)

4- Those entrusted with concluding marriage contracts, and civil Registry offices, shall each within his power notify the competent Authority of marriage cases taking place between persons entitled to pension, and of death cases among those receiving pensions from the Authority. Notification, in both cases, should take place immediately. The notification shall include the name of the person receiving the pension, that of his pension beneficiaries, place where pension is paid and he used to receive it, and the number of the pension assessment. (Article 153)

5- Units of the administrative machinery of the state, organization, bodies, societies, companies, and employers who employ in their service a pensioner, or a

pension beneficiary, who receives pensions pursuant to the provisions of the present Law, shall notify the competent Authority of the name of person they employ from among those herein mentioned, the date he joined their service, his wage, and the department paying his pension, and the code number of his pension assessment, within one month from the date he enters their employment.

The pensioner, or pension beneficiary, or the person in whose name the pension is paid, should notify the competent Authority of each change in the method of entitlement that leads to cutting the pension, or suspending, or reducing it, within one month at the most from the date of the change. (Article 154)

6- Without prejudice to causes of breaking prescription specified in the civil Law, a prescription period shall also be broken on instructing the employer to pay the due amounts to the competent Authority, under the present Law, by means of a registered letter with acknowledgement of receipt comprising a statement of these amounts.

Prescription shall not apply vis-à-vis the competent authority in respect of the employer who has not yet already contributed to the insurance on behalf of all or some of his workers, except as from the date the authority learns of their being engaged by the employer. (Article 155)

7- The rights of the competent authority shall in any case be forfeited towards the employers, the insured persons, pensioners, and beneficiaries with the lapse of 15 years from the date such rights full due. (Article 156)

8- Committees shall be formed at the competent Authority for examining the litigations arising from the application of the present Law provisions. They shall be formed, and the procedures of its tasks, and the remuneration of its members shall be determined by a

decree of the competent Minister ⁽¹⁾.

Employers, insured persons, pensioners, and their beneficiaries, and other beneficiaries, shall- before resorting to the court, submit an application to the competent Authority to bring the litigation before the aforementioned committees for settlement of the litigation in a friendly manner.

Without prejudice to the provisions of Article 128, no action may be brought before the lapse of 60 days from the date the said application is submitted. (Article 157)

9- The employer, at the instructions of the competent Authority shall deduct from the wage of the insured person- within distrainable or assignable limits- the amount having been paid to him without his being entitled thereto, and remit it to the competent Authority monthly, and within the dates set for paying the contribution. (Article 158)

10- Draft Laws on Social Insurance , as prepared by the Government, shall be brought before the Ministry of Insurance.

Also, the Minister of Insurance, and no other, shall be concerned with asking the opinion of the state council, in connection with the application of the provisions of the social insurance Laws.(Article 159)⁽²⁾

11- The Minister of Insurance, after consulting the board of directors, shall determine the system, dates and methods of paying them ⁽³⁾.

(1) Decree No. 360 for the year 1976 was issued by the Minister of Insurance, and published in the official Gazette- No. (8) on 9.1.1977 and amended by Decree No. (20) for the year 1979, published in the official Gazette- No (59) on 12.3.1979.

(2) Second Para of article 159 is amended as per Law No. 107/1987.

(3) Decree No. 16 for the year 1977 issued by the Minister, and published in the official Gazette- No 26 on 10.2.1977, and amended by the Decree No. 150 for the year 1977, and the Decree No. 115 for the year 1980, and the decree No. 135 for the year 1980.

Commercial Banks, the Nasser Social Bank, and Postal Authority shall be bound to pay the pensions reverted to them by the competent Authority.

The Minister of Insurance may charge the employer with the initial settlement, and payment of the pensions, and other entitlements stipulated upon in the present Law, and integral Laws.

- Taking into account the provision of paragraph six of Article (123), a fee shall be imposed by a decree of the Minister of Insurance, to be born by the pensioner or beneficiary, with a maximum limit amount of 50 piasters, in return of paying any of the due amounts pursuant to the provisions of the Social Insurance Laws, and their complementary Laws, and in case of the existence of the one who is in charge of payment for more than one beneficiary; the fee which they are charged with, shall not be more than the referred to maximum limit. The issued decree in such concern shall determine the cases exempted from paying this fee.

- The referred to fee shall be carried forward to a special account at the bodies provided for in Article Three of the promulgating Law, or Article (6) according to cases; and it shall be allocated for the account of the personnel in charge of executing the Social Insurance Laws. The Minister- to whom the body- in which the fee is carried forward- is subject- shall issue a decree determining the aspects and rules of payment therefrom; such decree may include extending the services which it determines to the pensioners of the referred to personnel.

An exception of the provision of the last paragraph, 75% of the referred to fee without exceeding 20 piastres for each case, shall be paid to the banks Nasser Social Bank, and the Postal Authority; if payment is effected through them. Half the value of this percentage shall be paid to the personnel in charge of paying pensions in such bodies. (Article 160)

12- The fraction of a piaster shall be considered one piaster in all the deserving determined by the present Law, and in all what shall be added to them of increases, subsidies, and all what shall be deducted from them, and in the total of all the amounts which the employer is bound to pay.

On payment of any of the deserving determined by the present Law, the pensioner or beneficiary shall not be paid the fractions of five piaster, and the proceeds of these fractions shall be carried forward to the account provided for, in Article (160). (Article 160bis)

The provisions of Law No. (10) for 1975 in respect of promotions and rules of employment recession shall apply to workers of the Social Insurance public Authority as of the date of its coming into force. (Article 177)

Problem:

1. What do we mean by the additional compensations?

2. Determine the cases and conditions of entitlement the additional lump sum indemnity in case of the insured person death or disability.