

**PART (10)**  
**ADDITIONAL ENTITLEMENTS**

**Chapter (1)**  
**Additional Indemnity**

**Article (117): <sup>(1)</sup>**

**The additional lump sum indemnity shall be due in the following cases**

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.

**This condition shall not be applicable, in the following cases: <sup>(2)</sup>**

(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.

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(1) The article was amended by the Law No. 93 for the year 1980 and the amendment applied from 1.9.1975,except Item (c) which will be applied from 1.5.1977.

(2) This Para is substituted as per Law No. 107/1987.

(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. <sup>(1)</sup>**

**Article (118):<sup>(2)</sup>**

**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) attached.**

**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 nperson's termination of service because of death, without there being pension beneficiaries.**

**Article (119):**

**If the service of the insured person is terminated because of disability, and he was entitled to an additional \_\_\_\_\_**

(1) Paragraph (3) of the Article (117) was amended by the Law 47 for the year 1984, so that the stipulation of provision should be agreeable to what is indicated in the two Articles (18) and (19).

(2) Article (118) was amended by the Law No. (93) for the year 1980, and the amendment is applied from 4.5.1980.

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.<sup>(1)</sup>

## **Chapter (2)**

### **Allowance**

#### **Article (120) :**

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 (121) : (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

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(1) Article (119) was amended by the Law No. 25 for the year 1977, and applied from 1.9.1975 except paragraph (4) thereof, which shall be applied from 1.5.1977 in accordance with article (19) of the said law.

(2) para 1+3 is amended as per Law No. 107/1987.

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.

### **Chapter (3)**

#### **Funeral Expenses**

#### **Article (122) :<sup>(1)</sup>**

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 moths' pension with a minimum of L.E 100. 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. <sup>(2)</sup>

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(1) Funeral expenses was one month with a minimum limit of (twenty pounds), then the minimum limit was raised to (thirty pounds) as of 1.5.1977 by the Law No. (25) for the year 1977, then raised to two months: with a minimum limit of (fifty pounds) as of 4.5.1980 by the Law No. (93) for the year 1980, then the minimum limit was raised to one hundred pounds by the Law No. (47) for the year 1984.

(2) A paragraph amended by the Law No. 25 for the year 1977.

## **Chapter (4)**

### **Commutation of Pension**

#### **Article (123) : <sup>(1)</sup>**

**The competent authority may commute the rights of the insured persons and pensioners by cash amounts, whether in respect of those subject to the provisions of the present law, or any other government pension laws. The capital of the pension commuted shall be determined in accordance with schedule No. (7) attached, the age of the commuter at the date of medical examination and his health condition.**

**Commutation of pensions shall be within one- third of their amounts.**

**It is a condition that the rest of the pension after commutation shall not be less than the minimum, numeral limit for the pension <sup>(2)</sup>.**

**Commutation may not take place more than once every two years from the date of effecting the last commutation, even through it may have taken place before the present law comes into force.**

**This period may be reduced to one year, upon submitting justifying reasons, by a decree from the Minister of Insurance <sup>(3)</sup>.**

**Commutation shall be considered valid as of the date the estimation of the capital commuted has been accepted. The premium shall be deducted in advance from the wage or the pension <sup>(4)</sup>.**

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(1) Article 123 was amended by the Law No. 25 for the year 1977, and applied from 1.9.1975. Decree No. 312 for the year 1976 was issued by the Minister of Insurance, regarding rules and conditions, and terms of commutation, and the amount needed to be refunded in return of suspending the commutation. This was substituted by the decree No. 189 for the year 1977 issued on 26.7.1977.

(2) A paragraph amended by the Law No. 61 for the year 1981, and applied from 1.7.1981.

(3) 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.

(4) This para. is amended as per Law No. 107/1987.

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.

Premiums of commutation shall be omitted with the death of the insured person or the pensioner. A commuter may at any time apply for the suspension of commutation 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 commutation and the amount needed to be refunded in return of suspending the commutation, and the manners in which the fee stipulated upon in paragraph (6) will be spent.

## **Chapter (5)**

### **Entitlements of Missing Persons**

#### **Article (124) :**

In case the insured person, or the pension is missed, his beneficiaries as specified in article (104) 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 judgement.

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).

The Minister of Insurance shall issue a decision determining the procedures to be taken to establish the condition of such missing. <sup>(1)</sup>

**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:-**

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 judgement 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 <sup>(1)</sup>.**

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

**PART (11)**  
**GENERAL PROVISIONS**

**Chapter (1)**  
**Rules for Calculating the Contributions**

**Article (125) : (1)**

**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.**

**Without prejudice to 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 (\*) 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 compensation scheme(2).**

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(1) The Article was amended by the Law No. (93) for the year 1980, and the amendment is to be applied as of 4.5.1980.

(\*) The Minister of Insurance issued:

- Decree No. 219/1981 regarding insurance rules for workers engaged in contracting works.

- Decree No. 78/1978 regarding insurance on local bakery workers, amended by decree 148/1980, amended by decree 175/1981, amended by decree 47/1984.

(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.



**Article (126) : <sup>(1)</sup>**

**Contributions shall be payable for the following periods according to the rules and provisions mentioned next to each:**

**1) Periods of secondment abroad without pay, and special leaves periods for working abroad:**

**The insured person shall be bound to pay his own share, as well as that of the employer 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 <sup>(2)</sup> defining the kinds of foreign currencies, and the rate of exchange, and the methods and dates of paying the contributions, and the additional amounts payable in case of delaying the payment of contribution, without exceeding the percentages prescribed in the two articles (129) and (130).**

**2) Periods of special leaves without pay:**

**The insured person shall assume responsibility for his share and the employer's share in the subscriptions, if he wishes to compute them within his subscription 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. <sup>(3)</sup>**

**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**

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<sup>(1)</sup> Article (126) was amended by Law No. (25) for the year 1977.

<sup>(2)</sup> Decree No. 190 for the year 1977 was issued by the Minister of Insurance, amended by the Decree No. 163 for the year 1978, and published in the Official Gazette- No. 204 on 31.8.1978.

<sup>(3)</sup> Item 2 is amended as per Law No. 107/1987.

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 assume responsibility for the share of the employer in subscriptions, and the insured person shall assume responsibility for his share. They shall be paid to the body from which he is seconded, in the dates fixed for their payment to the competent authority in the periodical dates. <sup>(1)</sup>

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

**Article (127) :**

The department 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 department shall be bound to deduct the share of the insured person from his wage. The two shares shall be paid to the competent authority within the periodical dates.

**Article (128) :**

A private sector employer shall be bound to submit to the competent authority statement on the workers and their wages, and their contributions, 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.

In case such statements are not submitted , or no registers and documents as referred to in Article (151)

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(1) Item 5 is amended as per Law No. 107/1987.

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 (\*) issued by the Minister of Insurance at the proposal of the Board of Directors.

The competent authority shall notify the employer of the amount of contributions calculated according to the foregoing paragraph, as well as other amounts due by him to the authority, by a registered letter with acknowledgement of receipt <sup>(1)</sup>.

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). <sup>(2)</sup>

The competent authority 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

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(\*) 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.

(1) Paragraph (4) of Article (128) was amended by the Law No. 93 for the year 1980, and the amendment applied from 4.5.1980.

(2) This para is amended as per law No. 107/ 1987.

**the contentions within 30 days from the date he receives the rejection notification <sup>(1)</sup>.**

**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 effecting it <sup>(2)</sup>.**

**Article (129) <sup>(3,4)</sup> :**

**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.

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(1) Paragraph (8) of Article (128) was amended by the Law No. (25) for the year 1977, and applied from 1.9.1977.

(2) Paragraph (9) of it was amended by the Law No. (93) for the year 1980, and the amendment applied from 1.9.1980.

(3) The Article was amended by the Law No. (25) for the year 1977, then by Law No. 93 for the year 1980, at last by Law No. 47 for the year 1984. The amendment includes indicating payment date regarding each kind of the amounts which the employer is bound to pay to the competent authority.

(4) Notices on Article (129):

(a) 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. =

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 amounts referred to being delayed, the employer shall be under the obligation to pay an extra amount at the rate of 1% ( one percent) 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 borne 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 piasters, and a maximum limit of five pounds. Such fee shall be carried forward to the account provided for in Article (160). (d)**

**The Minister of Insurance shall issue a decree setting the dates, terms, and other conditions (c) 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.

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=b) Raising the ratio of the due amount payable in cases of delay in payment from 6% annually to 1% monthly.

c) The two paragraphs (5) and (6) of the amendments added by the Law No. 93 for the year 1980 from 4.5.1980.

d) Para 4 is amended as per Law No. 107/1987.

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 .

**ARTICLE (130) : <sup>(1)</sup>**

**Without prejudice to the provisions of paragraph two of Article (129), the employer shall be under obligation to pay the following additional amounts:-**

1) 50% of the contributions which he has not paid, as a result of his failure to contribute for all or some of his workers or his payment of the contributions on the basis of unreal wages .

2) 50% of the balance of the contributions which he has not paid for each financial year separately.

3) Exemption from the additional amounts provided for, in this Article, is permissible, if there are acceptable excuses, according to rules and conditions by which a decree shall be issued by the Minister of Insurance, and the exemption shall be carried out by a decree of the Minister of whom he deputizes<sup>(2,3)</sup>

**Chapter (2)**  
**Provisions on Contributions by Insured**  
**Persons of Private Sector <sup>(4)</sup>**

**Article (131) :**

**With exception to the provisions of Article 125, contributions which are payable by a private sector**

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(1) Article (130) was amended by the Law No. 47 for the year 1984, referred to before, and the amendment includes:

(2) The power to exempt from the amounts stipulated upon in the article shall be transferred to chairman of the competent authority instead of the Minister of Insurance. Cancellation of the last paragraph of the text, which was exempting the employer from the additional amounts if the payment would have been effected during the fiscal year.

(3) Last para. of Article 130 is amended as per Law No. 107/1987.

(4) Stipulations of part (II) of Chapter (II) is substituted according to the stipulation of Article (5) of the Law No. (25) for the year 1977.

employer, and those deducted from wages of the insured persons, during a calendar year, shall be calculated on the basis of their wages for the month of January of every year.

**Article (132) :**

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 (133) :**

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 <sup>(1)</sup> of the Minister of Insurance.

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(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.

**Both the employee and the employer shall be exempted from payment of contributions due for the period of the military conscription.**

### **Chapter (3) Exemption from Taxes and Duties**

#### **Article (134) :**

**The amounts of contributions due pursuant to the provisions of the present law shall be exempted from all taxes and duties whatsoever <sup>(1)</sup>: 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 (135) :**

**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 (136) <sup>(2)</sup> :**

**Pensions and what is added to them of subsidies,**

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<sup>(1)</sup> This exemption shall be exempted for the contribution stipulated upon in Article (9) of Article (17).

<sup>(2)</sup> Article (136) was amended by the Law No. (25) for the year 1977, and applied from 1.9.1975, and such exemption is extended to the accumulated compensation considering it the system which replaced the saving system



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.<sup>(1)</sup>

This exemption shall be applicable on the consolidated amounts referred to in the previous paragraph on their payment to the legal heirs.<sup>(1)</sup>

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 (137) :**

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 .

#### **Chapter (4)** **Payment Documents, And Dates For** **Submission of Payment Application** **And Dates of Litigations**

**Article (138) :**

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 (139) :**

The Minister of Insurance at the proposal of the competent board of directors shall issue a decree

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(1) Article 136 Para 1+2 is amended as per Law No. 107/1987.

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 (\*).

**Article (140) : (1)**

The application for payment of pension, or indemnity, or any due amounts according to the 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.

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(\*) 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.

(1) Article (140) is substituted as per Law No. 107/1978.

**Article (141) :**

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 directors, the documents required from the insured person, the beneficiaries and the employer in each case (\*).

If the payment of amounts due is delayed beyond the dates prescribed therefor 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.

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.

**Article (142) :**

Without prejudice to the provisions of the two Articles (56) and (59), no court action may be brought for

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(\*) Decree No. 214 for the year 1977 was issued by the Minister of Insurance, amended by the Ministerial Decree No.136 for the year 1978, published in the Official Gazette- No. 323 for the year 1987 on 27.9.1978.

**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.**

## **Chapter (5) Guarantees of Collection**

### **Article (143):**

**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 expenses. 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<sup>(\*)</sup>.**

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<sup>(\*)</sup> 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.

**Article (144): <sup>(1)</sup>**

**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:**

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 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**

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(1) Article (144) was amended by the law No. 93 for the year 1980, and applied from 1.9.1975.

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. <sup>(1)</sup>

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).

#### **Article (145):<sup>(2)</sup>**

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 <sup>(\*)</sup> .

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(1) This para (seven) is amended as per Law No. 107/1987.

(2) Article (145) was amended by the Law No. 93 for the year 1980.

(\*) 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.

**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 Ministers shall issue the rules and measures in connection with applying this provision.**

**Article (146) :**

**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.**

**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.**

**Chapter (6)**

**Obligation of the Public Treasury**

**Article (147) :**

**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 (148) :**

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 fulling 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 (149) :**

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 were 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 <sup>(1)</sup>.

The amounts referred to in the previous paragraph shall be payable pursuant to the provisions stipulated upon in Article (39) <sup>(2)</sup>.

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(1) The date of coming into force for the law No. 79 for the year 1975 is 1.9.1975.

(2) Article (149) was amended by the Law No. 25 for the year 1977 and applied from 1.9.1975, the last paragraph of it was referring to Article (148), and after being amended by the Law No. (61) for the year 1981 the reference became to Article (39).



## **Chapter (7)**

### **Various Provisions**

#### **Article (150) :**

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.

The competent authority shall have the right to claim from the employer all contributions prescribed in this law, and the additional amount <sup>(1)</sup>, as well as the amounts stipulated upon in Article (130) due for payment by it.

#### **Article (151) :**

The Minister of Insurance, at the proposal of the competent authority, shall issue a decree including the following (\*):

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 .

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(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.

(\*) 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.

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 workers' 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. (1)**

**Article (152) :**

**Whoever shall be delegated by the authority from amongst its personnel shall have the right of access to the places of 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 (2).**

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(1) The last paragraph of Article (151) was amended by the Law No. (47) for the year 1984. The amendment includes: raising the value of the due additional amount against delay incurred in notifying the authority from 50 piastres to 20% of the value of the due contribution for the basic wage for the last month to urge the employer to notify the authority with the termination of the worker's service without slowness, to enable settlement of his entitlements and paying it to him .

(2) Amended paragraph by the Law (47) for the year 1984, and the amendment includes:

a. Granting the workers in the authority the capacity of judicial police.=

**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 <sup>(1)</sup>.**

**Article (153) :**

**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 (154) :**

**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**

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=b. Extending the provision of the text to include the Health Insurance General Authority, to have the power of inspection on the bodies which were granted the right to treat its works because a better system is available for it.

(1) The paragraph was amended by the Law No. (25) for the year 1977 and applied from 1.9.1975. Decree No. 309 for 1976 issued by the Minister of Insurance and published in the official Gazette- No. 277/1976 .

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 <sup>(1)</sup>.

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 (155) :**

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-a-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 (156) :**

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.

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(1) A paragraph amended by the Law No. (25) for the year 1977, and applied from 1.9.1975.

**Article (157) :**

**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 remunerations of its members shall be determined by a decree of the competent Minister (\*).**

**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 (158) :**

**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 (159) :(1)**

**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.**

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(\*) 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.

(1) Second para of article 159 is amended as per Law No. 107/1987.

**Article (160) : (1)**

**The Minister of Insurance, after consulting the board of directors, shall determine the system, dates and methods of paying them (\*).**

**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;**

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(1) Article (160) was amended by the Law No. 93 for the year 1980, and the amendment applied from 4.5.1980.

(\*) 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.

\* Paras 4, 5 and 6 and article 160 Bis are amended as per Law No. 107/87.

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 piasters 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)- bis:**

The fraction of a piaster shall be considered one piaster in all the deservings 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 deservings 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).

**Part (12)**  
**PROVISIONAL AND TRANSITIONAL REGULATIONS**

**Article (161) :**

**The rights and obligations of the Insurance and Pensions General Authority as prescribed by Law No. 50 for 1963, in favour of civil servants, personnel, and workers of the state, and the Public Treasury's rights and obligations in respect of the insured persons subject to civil pension laws, and pension regulation shall be transferred to the fund, the managements of which has been assigned by the present law to the Pensions and Insurance General Authority.**

**The rights and obligations of the Social Insurance General Authority as prescribed by Law No. 63 for 1964 promulgating the Social Insurance Law shall be transferred to the fund the management of which has been assigned by the present law to the Social Insurance General Authority. The rights and obligations of the Health Insurance General Authority, as prescribed by Law No.63 for 1964 referred to in Law No. 75 for 1964 concerning health insurance for the government officials, and officials of Public Authorities and General Organizations, shall be transferred to the fund of which the management has been assigned by the present Law to the Health Insurance Public Authority.**

**Article (162) :**

**Pensions and indemnities prescribed pursuant to the provisions of Chapter (3) of the present Law for the insured persons who were subject to the provisions of Labour Laws, shall not have - with regard to commitments of the employer towards old age, disability, and death insurance- except equivalent of the statutory end of service indemnity calculated according to the Labour Law provisions.**

**Employers who were up to the end of July, 1961 tied to better pensions, or indemnities or saving systems, shall be bound to pay the amount of the increase between what they used to bear under those**



systems, and the statutory end of service indemnities calculated according to provision of the previous paragraph, for the workers who were in service until 22nd March, 1963. Such increase shall be calculated in respect of the whole service period of the worker whether this includes the previous service period or the period after contribution to this insurance. Such increase shall be paid to the insured person, and in case of his death it shall be paid in full according to item (10) of Article (27).

Employers may according to the provisions and situations to be determined by the Minister of Manpower issue a decree for the utilization of the balance of amounts they reserve to face their commitments as prescribed in the second paragraph to grant loans to the insured persons who are entitled to the increase referred to herein, in order to build houses for them within their entitlements in such balance, through housing cooperative societies.

The value of such loans shall be deducted from the amounts of the increase owing to the insured persons, or to their survivors at the end of service of the insured person. The insured persons may not dispose of such houses by sale or mortgage, or other procedures except after their entitlement to such increase, or after settlement of such loans.

With exception to the foregoing, the Social Insurance General Authority shall be bound to pay the increase prescribed in the second paragraph in respect of insured person whose service period ends before the present Law comes into force, who were subject to the provisions of Law No. 63 for 1964, referred to the second Article of the promulgating Law to which is added an investment yield interest of 4.5 percent annually from the date it is deposited with the Authority until the date of entitlement to pension or payment of indemnity. These insured persons may also ask to use these amounts or part of them in settling the amounts claimed from them for account of previous periods, or for contribution in respect of further periods, according to the two Articles

**(33) and (34).**

**Article (163): - first paragraph: <sup>(1)</sup>**

The insured person shall have the right to resume the work, or to join a new work after his reaching the age of sixty, to complete the period necessitating the deserving of old age pension, if his subscription period in insurance, excluding from it the period which the insured person had paid its costs completely, did not entitle him for a pension. The settlement of pension, in case of fulfilling its deserving conditions, shall be on the basis of subscription period in insurance

With exception to the provisions of the first paragraph, the employer may terminate the service of the insured person at the age of 60 or thereafter, provided he pays to the competent authority the contributions prescribed for payment by the employer in respect of old age, disability and death insurance, according to the provision of Article (17), for the number of complete years which should be added to the period of contribution to the insurance, to complete the period enforcing the entitlement to pension. In this case, the insured person shall be exempted from paying the contributions specified for him to pay in this insurance for these years. The application of the provision of this paragraph, in respect of temporary and seasonal workers, shall be until the termination of contract or the end of the season as each case.

**Article (164) :<sup>(2)</sup>**

With exception to the two Articles (2) and (6) of the promulgating law, work shall continue pursuant to item (1), (2) and (4) of the Insurance and Pensions Law for the

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(1) Article (163) is amended by Law 107 for 1987.

(2) Article (164) was amended by Law No. (25) for 1977, and applied from 1.9.1975.

civil servants, personnel and officials of the state, promulgated by Law No. 50 for 1963, and Law No. 19 for 1973 determining the retirement age for scholar graduates of Al-Azhar, and those in like status, as per Article (6) of Law No. 63 for 1964 promulgating the Social Insurance Law.

**Article (165) : <sup>(1)</sup>**

**Pensions which shall fall due as of 1.7.1987 shall be increased in one of the following cases:-**

1- Reaching the senility age, or dismissal by a decree from the President of the Republic, or the abolition of the work, or the disability, or decease, provided for, in Article (18) of the referred to Social Insurance Law.

2- The case provided for, in item (5) of the referred to Article (18) whenever the age of the insured person in the date of applying for payment is 50 years and over.

3- The deserving of pension on partial disability resulting from work injury, not ending the service, whenever one of pension deserving cases, provided for, in the last two items existed.

**The increases shall be defined pursuant to the following:-**

10% without maximum or minimum limit.

10% with a maximum limit of 6 pounds, and a minimum limit of 3 pounds monthly.

9 pounds.

**With respect to such increase, the following provisions shall be applicable:**

1- It shall be calculated on the basis of the insured person pension on the basic wage.

2- It shall be payable, in addition to the maximum limits of pensions, with what not exceeding the total maximum limit of pension for the total pension on the two basic and variable wages. This exception shall not be applied concerning the pensions payable pursuant to Article (31) of the referred to Social Insurance Law.

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(1) Article 165 was substituted as per No. 107/1987.

3- The non repetition of any of such increases being payable.

4- Such increases shall be considered part of the pension whose whole provisions shall be applied in its respect; and the Public Treasury shall be charged with their value.

**Article (166) :**

**Civil servants and permanent workers of the state whose service is terminated, and whose wages are on the pay roll of the state's general budget, or other budgets that were attached to it, or of Al-Azhar University, or the Ministry of Wakfs, or Municipal Councils, or Provinces Councils before 1.5.1960 shall be paid a pension amounting 50% of the latest wage he received, with a minimum of L.E.9 monthly, if the service is terminated for one of the following reasons<sup>(1,2)</sup>:**

1) Attaining the age of retirement of his service period which is 180 months at least.

2) Incapacity or death, whatever the length of the service period.

3) Other than the previous reasons, if his service period is 240 months at least.

**If the worker or the civil servant has died before the provisions of the present Article come into force, the pension shall be paid to whoever fulfills pension beneficiary requirements pursuant to the provisions of the present Law, at the said date, without prejudice to the provision of Article (114) <sup>(3)</sup>.**

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(1) Public Transport Department for Alexandria was added to the bodies stipulated upon in this Article of the Law No. 93 for 1980, and the date of submitting an application will start from 4.5.1980(Article4of the Law93/80)

(2) The minimum limit was raised to L.E. 12 monthly as of 1.7.78 by Law 44 for 1978 according to the amendments referred to in the Law 93 for 1980, then to L.E. 20 monthly as of 1.7.1981, then the increases were added: L.E. 4 as of 1.7.1982, and L.E.5 as of 1.7.1983.

(3) Paragraph amended by the Law No. 45 for 1984 since - the phrase "without prejudice to the provision of Article (114) for extending the provision of the text referred to, to the beneficiaries pursuant to this Article.

Decree No. 131 for 1981 was issued by the Minister of Insurance, and published in the Official Gazette - No. 236 on 17.10.1981.

**With due regard to the foregoing provisions, the provisions prescribed in the present law shall apply in respect of the said pension.**

**It is conditioned that, to benefit by the foregoing provisions, an application shall have to be submitted to the last quarter where the worker or civil servant was employed with in three years from the date the present law comes into force. The said quarter shall be bound to pay the pension, on account of the Public Treasury, and in case the application is submitted after the lapse of the said period, pension shall only be due effective from the first of the month which follows the date of submitting the application.**

**Those who received exceptional pension, among the beneficiaries of the provisions of the present Article, shall be granted the pension prescribed pursuant to these provisions, or the exceptional pension, whichever is bigger.**

**Such beneficiaries shall be exempted from refunding the indemnities already paid to them. Refunding the balance of indemnity amounts by those who have been granted exceptional pension shall also be relinquished as of the date this Article comes into force (1).**

**The provisions stipulated upon in this Article shall apply to those whose service period is terminated because of death or incapacity, and who were subject to decree-law No. 37 for 1929, and not entitled to a pension according to its provisions (2).**

#### **Article (167):**

**The reimbursement of the remainder of amounts paid before the enforcement of the present law, shall be relinquished by way of contravention to the Social Insurance and Pension Laws which are superseded by the present law. These amounts are as follows:(3)**

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(1) The date for enforcing Law No. 25 for 1977 is 1.5.1977.

(2) Article amended by the law no. (25) for 1977, and is applied from 1.9.1975.

(3) Article(167) was amended by the said law.

1) Amounts paid by way of contravention to the provisions banning the combination of pensions, or a pension and an income within the limits in which the present law authorizes the combination of pensions, or a pension and an income.

2) Amounts paid as a pension by way of contravention to item (2) of Article (113) within the limits of the allowance prescribed in the said item.

3) Amounts paid as funeral expenses to those subject to the Law No. 33 for 1964 granting pensions to employees and civil servants whose service period was terminated before the first of October 1965, and who received no pension.

**The reimbursement of the remainder of contributions due by the insured persons for official study mission period prior to the date the present law comes into force shall likewise be relinquished.**

**Article (168):**

**Pensioners whose services are terminated before the present law comes into force, or beneficiaries, according to the case, may apply for enjoying the following benefits:**

**First : Re-adjustment of their pensions, without paying financial differences for the past with due regard to the following provisions:-**

1- Last paragraph of Article (19), for those whose service was terminated and who were subject to Law No. 63 for 1964 promulgating the Social Insurance Law, during the period from 31.12.1974 to 1.9.1975.

2- The maximum pension prescribed in Article (20).

3- The minimum pension prescribed in the first paragraph of Article (22), and the first paragraph of Article (24).

4-The exception provided in item (3) of paragraph (4) of Article (19).

5- Article (30).

6- Article (44), however, for beneficiaries, in order to be paid the amount previously prevented from them, it is stipulated that an evidence of the death of the insured person

or the pensioner should be submitted.

7- The first paragraph of Article (51), if the case fulfills the requirements for the definition of the work accident as prescribed in the present law.

8- The second paragraph of Article (51).

9- The Article (71).

10- Schedule No. (3) annexed. However no modification of pension may take place if this would result in reducing the share of any of the beneficiaries, and in case a share is cut or stopped wholly or partially, the part cut or stopped shall be paid to the beneficiary whose share would have been increased by the modification.

11- Schedule No. (8) annexed. The percentage provided in the said schedule shall in this case be determined on the basis of the age at the date of entitlement to pension according to the law to which the insured person was subject at the date his service was terminated.

12- Redistribution of the whole pension within the limits of the shares stipulated upon in the present law, and the prescribed provisions therein regarding the part not distributed yet, in respect of the beneficiaries whose shares were determined from part of the pension and not the whole pension according to the laws stipulated upon in the second article of the Law No. 79 for 1975 referred to (1).

**Second: Application for payment of lump sum indemnity as prescribed in Article (26), this indemnity shall be paid over a number of complete years of the period for which he is entitled to the indemnity. The first installment shall be paid in the month of September following the date this item comes into force, then in September or each year that follows. In case the insured person or the pensioner dies before the present law comes into force, the indemnity shall be paid to the pension beneficiaries on the said date, but in case the pensioner dies after this law comes into force, the**

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(1) Item (12) was added by the Law No. (93) for 1980, and applied from 1.5.1977- the date of enforcing the Law No. (25) for 1977.

indemnity or the remainder thereof shall be paid to the pension beneficiaries on the date of death of the pensioner. The whole or the remainder of the indemnity shall be distributed as the case may be, among the beneficiaries according to their shares in the pension. In case of one exclusive beneficiary the whole or the remainder of the pension, according to the case, shall be payable to him. The instalments shall continue to be paid to the beneficiary in case his pension is stopped.

But if the pension is cut during the period the instalments are payable, his share, or the remainder of it, shall then devolve to the one to whom the pension devolves.

The indemnity or the remainder of it shall not be due for payment in case there exist no pension beneficiaries.

An application to enjoy the benefits of the foregoing provisions shall be submitted within three years from the date the present law comes into force. If the application for re-adjustment is submitted, following that date, the differences due for payment shall be payable as from the first of the month following the date on which the application is submitted <sup>(1)</sup>.

The competent authority shall have the right to effect the pension re-adjustment and pay the lump sum indemnity during this period without requiring that an application should be submitted .

The following shall be taken into consideration in effecting the re-adjustment:

(a) The wage on the basis of which the pension had been re-adjusted.

(b) Non-modification of the high cost of living allowance which was paid to the pensioner or the beneficiary.

(c) Pensions which might have been paid on exceptional grounds shall be deducted from the increase accruing as a result of enjoying the benefits provided for by the present Article.

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(1) This date was extended up to 31.12.1982 by the Law No.(93) for 1980, (Article "7" thereof).



**Article (169):**

**All reserve amounts already transferred to each of the two funds shall be considered as valid.**

**Without prejudice to the provision of paragraph (3) of item (1) of Article (36), the period on the basis of which the amount transferred has been computed, or the period calculated against the said amounts, whichever is bigger, shall be computed for the insured person .**

**Collecting the balance of installments, the insured person or the pensioner was committed to pay in return of completing the rest of the period for which the reserve amount was transferred, shall be relinquished <sup>(1)</sup>.**

**Article (170) <sup>(2)</sup>:**

**First : Those whose service period is terminated before the provisions of the present law come into force may apply to enjoy the benefits of the following provisions:**

1) Provisions for Article (23&34). The pension increase shall be due for payment as of the first of the month following the date of payment, of the amount applied for.

The provisions on the date the pension or the increase in pension is due for payment as a result of adding the period shall also apply to the cases in which previous laws authorized the addition of periods to the period of service calculated in the pension, in order to be entitled to a pension or an increase in it. Reimbursement of the amounts paid otherwise shall be relinquished.

2) Increase in the pension due for him once he has paid the amounts prescribed in Schedule No. (9) Annexed.

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(1) Article No. (169) was amended by the Law No. 25 for 1977, and applied from 1.5.1977 according to the provision of Article (19) of the said Law.

(2) The Article was amended by the Law No. 25 for 1977, and applied from 1.9.1975; the amendments included in Article (7) of the Law No. 93 for 1980 shall be taken into consideration as the dates of expressing the wish referred to are applied and ended before the date this law comes into force, until 31.12.1982.

The increase shall be due for payment as of the date on which the pensioner dies, or attains the age of 60 whichever is earlier, and as from the first of the month following the date of payment of the amount applied for, in case it is paid after attaining the aforesaid age.

3) Item (2) of Article (32).

**Second: With regard to persons to whom was paid an end of service indemnity, and lump sum indemnity:-**

**A person to whom an end of service indemnity was paid, shall have the right to add a period in accordance with the provisions of Article (34), to his service period for which he has received an indemnity, if the total of the two periods renders him entitled to pension in accordance with the law he was subject to, when his service period was terminated. In this case, he is bound to pay the amounts provided for in the said Article, and to refund the indemnity he has received. The pension shall be due as of the first of the month following the date he pays the amounts he is required to pay; and in case the amounts are paid by installments, the amounts shall be considered as refunded as of the date the first installment is paid.**

**An insured person who at the date the present law is enforced, is still in service at a public authority, general organization, or economic unit affiliated to any of them, or other economic units of the public sector, and was subject to one of the civil insurance and pensions laws, then he received his end of service indemnity as a result of his being transferred or appointed to any of the said quarters, may have the right to apply for computing his service period for which he has received the indemnity, as part of his contribution to the insurance, against refunding what he has already received. The same provision applies in respect of those who were subject to the Social Insurance Law, and received a lump sum indemnity for having come out of the scope of application of law, due to his joining a quarter that was subject to the provisions of the Insurance and Pensions Laws.**

**In all cases, an application to enjoy the benefits of**

**the foregoing provisions shall be submitted within a period not exceeding three years from the date the present law comes into force<sup>(1)</sup>, and the amounts required shall be refunded as follows:-**

(a) For the two cases (1) and (2) of the item (First), a lump sum cash payment during the period of expressing the wish, or by installments over a period of five years; and the installments shall be collected as of the date of the increase in pension falls due for payment.

(b) In respect of case (3) of item (First), and cases of item (Second), the amount shall be paid in cash lump sum, during the period set for expressing the wish, or by installments over one year.

**Article (171) :**

**With due regard to the provisions of Article (168), the pension shall be re-adjusted for those whose service ended before 9/9/1971, on the basis of the last wage, to which is added the increase, or the minimum starting pay of the following grade or classification whichever is bigger, once the following conditions are fulfilled <sup>(2)</sup>:-**

**1) If he has remained for 15 years in the same grade or classifications, or 23 years in two consecutive grades or classifications, or 27 years in three grades or classifications, or 30 years in four consecutive grades or classifications, or 32 years in five consecutive grades or classifications, even elapsed in different functional groups. In calculating these periods, the period which is added by virtue of law No. (19) for 1973 defining the retirement age for graduate scholars of Al-Azhar, and those in like status, shall be taken into consideration.**

**2) His service should have been terminated without his being granted the third grade or category. With**

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(1) Date of enforcing the Law No. (79) for 1975 is 1.9.1975, this date is extended to 31.12.1982 by the Law No. 93 for 1980 (Article7).

(2) Article amended by the Law No. (25) for 1977, and applied from 1.9.1975, the differences resulting from the privileges innovated by the stipulation, shall be paid as of 1.5.1977 in applying the Article (19) of the said Law.

regard to workers within the specific group of the aiding services categories, the service should have been terminated without his having obtained the eighth grade or category. For those whose service was terminated under other schemes prior to the issuance of law No. 46/1964 on regulations governing the state civil servants, or presidential decree No. 3309 for 1966 promulgating the public sector workers scheme, it is a pre-condition that the service should have been terminated before obtaining the second grade or category, or the seventh grade or category, according to each case.

If the pensioner has obtained the grades mentioned in item (2), and fulfils the conditions prescribed in item (1), his pension shall be re- assessed on the basis of his last wage plus a pay rise.

In calculating the last wage, increases which have already been added by virtue of laws or decrees shall be taken into account.

With due regard to the provisions of the two previous paragraphs, pensions due for payment by virtue of law No. 33 for 1964 shall be increased, by pensions to be granted to the employees and workers, whose services were terminated prior to October 1, 1956 without their obtaining a pension, by 30% of the pension due for payment at the date the present law comes into force. This rule does not apply to death or incapacity pensions which are assessed at a percentage of the wage <sup>(1)</sup>.

The increase due for payment by virtue of the foregoing provisions shall not result in any modification to the high cost of living allowance which was paid to the pensioner or his beneficiary.

The Public Treasure shall be bound to pay the differences in amounts resulting from the application of the foregoing rules.

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(1) The date of Law No. 79 for 1975 coming into is "1.9.1975".

**Article (172) :**

**With due regard to the provisions of Article (171), pensions due for payment to those whose service is terminated before 1.7.1965, and who were subject to the provisions the Laws Nos.: (5) for 1909, (37) for 1929, (27) for 1954, (50) for 1963, and (33) for 1964 referred to in Article (2) of the promulgating law, and law No. (71) for 1964 concerning exceptional pensions, and also pensions due to beneficiaries therefrom, shall be increased by 10% (ten percent) of the pension without such increase resulting in any modification to the high cost of living allowance which was granted to them.**

**Article (173) :**

**The provisions of the following Article of Law No. (50) for 1963 promulgating the Insurance and Pensions Law for Civil Servants, Officials, and workers of the state, shall apply to the categories indicated next to each, for the period from 1.6.1963 until the date the present law comes into force <sup>(1)</sup>:**

(1) Article (3) of the said law shall apply to pensions reinstated for service to any of the posts subject to the provisions of the law, from among personnel subject to the provisions of the Insurance and Pensions Law for the Armed Forces, and those subject to the provisions of Laws No. (5) for 1909, and (37) for 1929, and (27) for 1954 referred to in Article (2) of the promulgating Law.

(2) Article (10) of the said law shall apply to those subject to law No. (37) for 1929 concerning civil pensions, who were discharged from service, through other than the disciplinary channels, then reinstated to their posts before the present law comes into force.

**Article (174) :**

**The wording "Social Insurance Law promulgated by Law No. (163) for 1964", as mentioned in Law No. (61) for 1973, concerning the enforcement of certain provision of the Social Insurance Law on employers, and Law No.**

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(1) The date of Law No. 79 for 1975 coming into is "1.9.1975".

**(74) for 1973 concerning the contribution by Egyptians working personal contracts abroad, to the Social Insurance Scheme, shall be substituted by the wording "Social Insurance Law".**

**Article (175) :**

**The wording "Insurance and Pensions Law promulgated by Law No. (50) for 1963", and the wording "Social Insurance Law promulgated by Law No. (63) for 1964" mentioned in Law No. (13) for 1975 on the working Saving Scheme, shall be substituted by the wording: "Social Insurance Law".**

**The remarks given in Schedule No. (1) attached to the Law No. (13) for 1975 referred to in the previous paragraph shall be substituted by the following remarks as of the first of January 1975:**

(1) The coefficient on the basis of which the saving amount is calculated, shall be assessed according to the period prescribed in Item (b) of Article (5).

(2) The period of contribution from 1.7.1965 up to 31.7.1967 shall be calculated at the rate of half the coefficient.

(3) The contribution period from 1.8.1967 up to 31.10.1973 shall be calculated at the rate of three quarters of the coefficient.

(4) The period of contribution from 1.11.1973 up to 31.12.1974 shall be calculated at the rate of the whole coefficient except those not subject to the provisions of Law No. (122) for 1973 modifying Law No. (21) for 1967, in whose respect the period shall be calculated on the basis of three-quarters of the coefficient.

**The following provisions shall be observed in applying Law No. (13) for 1975 referred to:**

(1) shall be considered as valid all saving contributions collected and saving amounts paid to those whose service is terminated during the period from 1.1.1975 up to 31.5.1975.

(2) Amounts collected during the period from 1<sup>st</sup> January 1975 to end of May 1975 in excess of the saving contributions amounts prescribed by the said law, shall be exempted from taxes and duties of all kinds.

**Article (176) :**

**Without derogation to final judiciary rules as issued before 11 March, 1963 pensioners who were discharged, through non- disciplinary channel, before that date, and their beneficiaries shall have the right to apply for readjustment of the pension on basis of the invalidity of decisions whereby they were discharged. Applications shall be submitted to the concerned Minister within three years from the date the present law comes into force, by a registered mail with acknowledgement of receipt. Such applications and enclosures, as well as the applicant's service file, and all documents related to the subject of the application, shall be referred to the competent committee within two weeks at the most from the date of its submission.**

**One or more committees shall be formed at each Ministry to consider the applications referred to in previous paragraph, as follows:-**

**1) Counsellor from the courts of appeal, or the State Council- Chairman.**

**2) A court Chairman or assistant- counsellor ]  
at the State Council. ]**

**3) A higher administrative post occupant at ] Members  
the Ministry, or at any department affiliated to it, to ]  
be delegated by the concerned Minister. ]**

**Decisions shall be issued by the committee, in respect of the applications referred thereto, after reviewing the service file, and other papers and documents submitted to it concerning the decision whereby the service was terminated, and the reasons on the basis of which such decision was issued, within 60 days from the date applications are referred thereto.**

**Reasons for discharging him shall be considered as invalid if it is established that the pensioner, at the termination of his service, had nothing to render him subject to any of the cases prescribed in the first Article of Law No. 10 for 1972, concerning dismissal through non- disciplinary channels.**

**The committee may hear the statements of the**

applicant or the department for which he was working at the date his service was terminated, or other departments. The Committee's decisions shall be issued together with relevant justifications. They shall be final and enforceable. The committee's decisions shall be notified to the concerned Minister who will communicate them to the department concerned with assessment of pension, and to the applicant, within one week at the most by a registered letter with acknowledgement of receipt.

The decisions of the committee referred to, may be contested before the Administrative Court, within sixty days from the date the parties concerned are notified thereof.

The department concerned with the assessment of the pension shall be bound to reassess the pension according to the following rules:

1) The pension, for the person who attains the age of retirement before the present law comes into force, or dies before attaining such age, shall be re-assessed on the basis of the wage of the functional grade or category he would have obtained if he was not dismissed by non-disciplinary channel.

2) For the person who has not attained the age referred to in the previous item, up to the date the present law comes into force, his pension shall be re-assessed on the basis of the wage of the functional grade or category he would have attained as a result of computing the period of his discharge up to the present law comes into force, plus periodical increases, and the period up to the date he attains the age of retirement.

3) The pensions of those whose employment laws provide that they should be pensioned of before attaining the age of retirement, shall be re-assessed on the basis of the salary of the grade his service was to have been terminated at, under the law ruling in respect thereof, if they had not been dismissed through a non-disciplinary channel; pensions of those in this category who die before reaching that grade, and before the enforcement of the present law shall be re-assessed on the basis of the salary of the grade they would



have attained at the date of decease.

**Shall benefit by the provisions of the foregoing rules, those who have been dismissed through a non-disciplinary channel, and whose service period did not render them entitled to pension, if through the computation of the period of discharge they would be entitled to pension, and those who were dismissed through non-disciplinary channels during the period from 11<sup>th</sup> March, 1963 up to the date the law No. (10) for 1972 came into force, and in whose respect no laws were issued allowing for reconsideration of the decisions whereby they were discharged.**

**Shall be exempted from refunding the compensation or the lump sum indemnity, those who have received it and are subject to the above mentioned provisions.**

**The Public Treasury shall bear the amounts due for payment as a result of assessment or re- assessment of pensions according to the foregoing rules. The contributions which would have been paid to either of the two funds, during the period of discharge, shall be deducted from the amount claimed from the Public Treasury <sup>(1)</sup>.**

**Article (177) :**

**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.**

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(1) Article(167) was amended by the Law No. (25) for 1977, and applied from 1.9.1975 The differences resulting from the benefits innovated by the stipulation shall be payable as of 1.5.1977 in applying Article 10 of the said law.