



**"AN ACT TO REPEAL DECREE NO. 14 OF THE PEOPLE'S  
REDEMPTION COUNCIL OF THE ARMED FORCES OF  
LIBERIA AND TO CREATE A NEW CHAPTER 89 OF THE  
EXECUTIVE LAW ESTABLISHING THE NATIONAL SOCIAL  
SECURITY AND WELFARE CORPORATION OF THE  
REPUBLIC OF LIBERIA"**

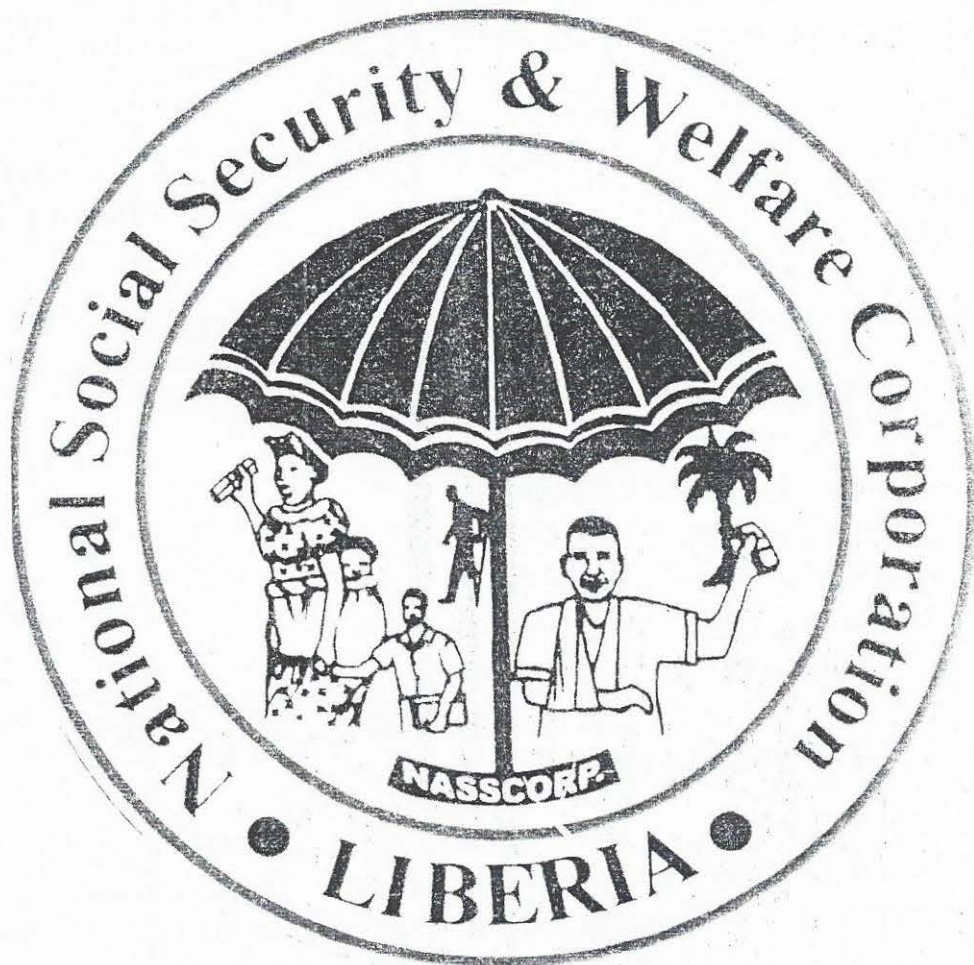
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**AN ACT TO REPEAL DECREE NO. 14 OF THE PEOPLE'S  
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An Act to Repeal Decree No. 14 of the People's Redemption Council of the  
Armed Forces of Liberia and to Create a New Chapter 89 of the Executive Law  
Establishing the National Social Security and Welfare Corporation of the  
Republic of Liberia

IT IS ENACTED BY THE SENATE AND HOUSE OF REPRESENTATIVES  
OF THE REPUBLIC OF LIBERIA, IN LEGISLATURE ASSEMBLED:

SECTION 1.        REPEALER

Immediately upon passage of this Act, Decree No. 14 of the People's Redemption Council of the Armed Forces of Liberia is hereby repealed and a new Chapter 89 of the Executive Law establishing the National Social Security and Welfare Corporation of the Republic of Liberia is hereby created to read as follows:

Chapter 89. NATIONAL SOCIAL SECURITY AND WELFARE CORPORATION, NATIONAL PENSION FUND EMPLOYMENT INJURY FUND, AND WELFARE FUND.

PART I. ADMINISTRATIVE ORGANIZATION AND SCOPE

- § 89.1        Creation of Corporation.
- § 89.2        Creation of Funds
- § 89.3        Functions of the Corporation.
- § 89.4        Board of Directors.
- § 89.5        Officers of the Corporation.
- § 89.6        Organization of the Corporation.
- § 89.7        Scope of the Act.

§ 89.1        Creation of Corporation

There is hereby created an autonomous public corporation with the name National Social Security and Welfare Corporation (hereinafter referred to as "the Corporation"). The Corporation may sue and be sued and will adopt a corporate seal. It shall have the powers granted to it under this chapter.

§ 89.2        **Creation of Funds**

There are hereby created and established three funds to be known as the National Pension Fund, the Employment Injury Fund and the Welfare Fund which shall be administered by the corporation.



### **§ 89.3      Functions of the Corporation**

The functions of the National Social Security and Welfare Corporation shall include but not be limited to the following:

- a. To develop, plan, organize, implement and administer the National Social Security and Welfare Scheme established by this Act.
- b. To administer the National Pension Fund, the Employment Injury Fund, and the Welfare Fund.
- c. To formulate and, subject to the approval of the Board of Directors, implement investment programs.
- d. To design and maintain the mechanism to collect the appropriate information necessary for present and future operating efficiency.
- e. To formulate and recommend to the Board of Directors for onward transmission to the President of the Republic for approval, when appropriate, proposed Legislation to amend this Act.
- f. To establish procedures for the disbursement of funds.
- g. To issue, with the approval of the Board of Directors, such rules and regulations as may be necessary to administer effectively the programs and the funds.
- h. To perform such other functions as may be assigned by the President from time to time.

### **§ 89.4      Board of Directors**

The formulation of policies and the exercise of general supervision over the Corporation shall be carried out by a Board of Directors consisting of eleven (11) persons, including two (2) persons representing employers and two (2) persons representing employees. The Director General and all members of the Board shall be appointed by the President. The activities of the Board, however, shall be subject to the general policies of the Government.

The Director General shall receive a salary to be established by the Board of Directors subject to the approval of the President. All members of the Board, in their capacities as such, shall not receive salaries but may receive a stipend for each meeting attended and a quarterly board fee to be determined by the Board and approved by the President.

The term of office of the members of the Board and the procedure to be followed for conducting the businesses of the corporation shall be such as may be specified in the bylaws and the regulations.

### **§ 89.5      Officers of the Corporation**



Officers of the Corporation shall include a Director General who shall be vested with operational powers and responsibilities for implementing the policies of the Corporation and for overall development, day-to-day management, operation, promotion, regulation and executive control of the Corporation, and shall be appointed by the President and will serve as Secretary to the Board.

In the performance of his duties, the Director General shall be assisted by a Deputy Director General and such other officers as shall be provided in the Regulations determined by the Director General and approved by the Board.

The Director General and the Deputy Director General Shall each serve for a period of Five(5) years, may be reappointed by the President for not more than two additional terms and shall be removable by the President for cause.

#### **§ 89.6      Organization of the Corporation**

The National Social Security and Welfare Corporation shall be organized in such manner and with such personnel as shall be determined by the Director General with the approval of the Board.

Such organization shall be structurally flexible to ensure coordination of the work of the Corporation with the work of ministries and other agencies of the Government and employers in the private sector.

#### **§ 89.7      Scope of the Act**

The persons protected by this Act are:

- a. Members of the contributory scheme provided by Part II.
- b. Any other person who fulfills the conditions for non-contributory benefit provided by Part III.

### **PART II. CONTRIBUTORY SCHEME**

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|---------|---|
| § 89.8  | Applicability of Part II  |
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- § 89.20 Retirement pension.
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- § 89.27. Rates of disablement benefits.
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- § 89.29. Occupational disease.
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- § 89.32. Employer to obtain particulars of employees.
- § 89.33. Medical care.
- § 89.34. Scale of medical benefit.
- § 89.35. Suspension of benefit.
- § 89.36. Financial autonomy and system of contributory funds.
- § 89.37. Effective date of Part II

#### **§ 89.8.      Applicability of Part II**

The provisions of this part shall apply initially to:

- a. Every employer with one (1) or more employees and to every employee hired by such employer in so far as the Pension Scheme for Retirement, Invalidity, and Death is concerned.
- b. Every employer with one (1) or more employees and to every employee employed by such employer in so far as the Employment Injury Scheme is concerned.
- c. This chapter shall also apply to the following:
  - i. The President of Liberia, the Vice President of Liberia, the Speaker of the House of Representatives of Liberia, the Chief Justice of the Supreme Court of Liberia, the President Pro Tempore of the Liberian Senate, Members of the Legislature of Liberia, Justices of the Supreme Court of Liberia, members of the Judiciary and Cabinet Ministers, the police and other paramilitary organizations.



- ii. The Government of Liberia as an employer and to all government and quasi-government employees, including but not limited to civil servants, political appointees, and employees of any public authority.
- d. Where a worker is concurrently employed by more than one employer, each employer is responsible for that employee's obligation under this Act, which will be counted as one monthly contribution.
- e. The minimum age at which a person shall join the social security scheme shall be the minimum statutory age of majority as defined by the Decent Work Act of Liberia and the maximum age at which a person shall join the National Pension scheme shall be forty-eight (48) for the purpose of a person born in the year 1980 and after; maximum age is fifty-one (51) years for the purpose of a person born before the year 1980.
- f. The date of birth, or any information on an insured person entered in the records of the Corporation shall be considered accurate unless the Director General believes that the information is not accurate;
- g. Such other categories as may be prescribed.

**§ 89.9. Effect of existence of Pensions, Gratuity or Provident Funds**

The existence of a pension, gratuity or provident fund in respect of employees to whom this Act applies shall not exempt the employer of such employees from the provisions of this chapter; rather, the employer shall, as of a date to be established by the Director General, deduct the contributions at the rate herein provided from the remuneration of the employees and pay the amount along with the employers' own contributions into the appropriate fund in accordance with the provisions of this Act.

**§ 89.10. Employer may Amend Scheme**

Notwithstanding the provision of any existing scheme referred to in Section 89.9 the employer may amend his scheme, with the approval of the Director General, so as to adjust and bring the benefits provided therein into conformity with the provisions of this chapter and to enable transfers of accumulated monies into the appropriate fund.

**§ 89.11. Failure to Amend the Existence Scheme by Employer**

In the event of the failure of an employer who operates an existing scheme to observe the provisions of sections 89.9 and 89.10 within 90 days from the effective date of this Act or any other date which the Director General may establish, where the Director General is not satisfied that the working of the scheme is in the interest of its members, he/she may, after giving one month's notice to all parties concerned, wind up the scheme and all accumulated contributions including any reserve funds and any investments made on behalf of the employees shall be transferred to the credit of the National Pension Fund.



The Director General may take such other measures as he may deem necessary to bring that scheme into conformity with the provisions of this chapter.

**§ 89.12. Where Employees May Pay Contribution Directly to Fund**

Where an employee hired by an employer to whom this Act applies ceases to be so employed or becomes employed by an employer not covered by this Act, he may, subject to the approval of the Director General, voluntarily pay his monthly contribution at the rate of 7% of total remuneration in respect of pension directly to the fund.

**§ 89.13. Self-Employed Persons may Become Members**

A self-employed person may, upon written application to, and subject to approval by the Director General, be enrolled as a member.

**§ 89.14. Missionary Society and Church Body May Assume Responsibility of Employer**

A missionary society or church body which is desirous of assuming the responsibility of employer under this Act may do so by filing a written application to the Director General. There upon, the society or body shall be deemed to be an employer and its missionaries or others, employees, for the purpose of this Act.

**§ 89.15. Persons to whom this Act shall not apply**

This Section shall not apply to the following:-

- a. Members of the Armed Forces of Liberia.
- b. A member of any of the naval, military and air forces of the government of a country other than the Republic of Liberia.
- c. A person employed in the civil or diplomatic service of the government of a country other than the Republic of Liberia or any international organization of the United Nations family where the person employed was engaged outside of Liberia;
- d. Casual workers to whom articles or materials are given to be made up, cleaned, washed, altered, ornamented, finished, or repaired or adapted for sale in his own home or on other premises not under the control of management of the employer who gave the materials or articles;
- e. Members of the employer's family dwelling in the curtilage thereof;
- f. Domestic servants;
- g. Persons employed on board vessels, ships, boats, yachts, or canoes of any type and tonnage, including but not limited to crew and officers, seamen, dock-hands, greasers, firemen, stevedores, launch drivers, pilots, stewards, cooks and laundry men

**§ 89.16. Contribution and method of payment**



Except as otherwise provided, contributions and the method or payment shall be as follows:

- a. The contribution payable under this Act in respect of an employee shall comprise contribution payable by the employer (hereinafter referred to as the employer's contribution) and contribution payable by the employee (hereinafter referred to as the employee's contribution) and shall be paid to the corporation. Contribution rate shall be total 10% of total gross remuneration of each employee; 2 % under the Employment Injury Scheme payable by the employer; 4 % employer contribution and 4% employee contribution to be remitted by the employer.
- b. The contribution shall fall into the following three categories; namely:
  - i. The contributions of the first category being the contributions payable by or on behalf of employees insured against the contingencies of retirement, invalidity, death, and employment injury;
  - ii. The contribution of the second category, being the contribution payable by or on behalf of employee against the contingencies or retirement, invalidity and death;
  - iii. The contribution of the third category being the contribution payable by or on behalf of employees insured only against the contingency of the employment injury;
- c. The contributions of various categories shall be paid at the rates specified in Schedule I of the regulations.
- d. The contributions of the first and second categories shall be shared by the employer and the employees in the ratio specified in Parts I and II of Schedule I of the regulations.
- e. The contributions of the third category as specified in Part II of Schedule I of the regulations shall be paid wholly by the employer.
- f. The contribution in respect of an employee covered under the Contributory Pension Scheme shall be paid by or on behalf of employees who have not attained the age of 65 at the end of the month for which contribution is payable.
- g. A month shall be the unit in respect of which all contributions shall be payable under the Act.
- h. The contribution payable in respect of each month shall ordinarily fall due on the last day of the month, and where an employee is employed for part of the month or is employed under two or more employers during the same month, the contributions shall fall due on such days as may be specified in the regulations.
- i. The principal employer shall also pay contributions in respect of the immediate employer and his employee which are payable under this Act, provided that the principal employer shall be entitled to recover the amount of the contributions so paid. That is to say, the employer's contribution as



well as the employee's contribution from the immediate employer, either by deduction from any amount payable to him by the principal employer under any contract, or as a debt payable by the immediate employer.

- j. The rate of contribution under sub-sections (a) (b) and (c) and the rates of benefits may be adjusted from time to time on the basis of actuarial reviews.
- k. The method of collection of contributions (that is to say, the employer's contributions and employee's contribution) and the manner of payment of contributions to the corporation shall be as specified in the regulations.
- l. A self-employed person who is approved by the Director General in terms of section 89.13 shall pay monthly contribution at such rate as may be specified in the regulations and such rate may be adjusted from time to time on the basis of actuarial reviews.
- m. Notwithstanding any agreement or understanding to the contrary:
  - i. An employer shall not be entitled to deduct or otherwise recover the employer's contribution or any other charges under this Act, from the employee's remuneration;
  - ii. An employee's contribution which has not been deducted from the payment or remuneration to which it relates shall not be deductible by the employer from subsequent payments due to the employee nor shall it be otherwise recoverable by the employer, provided the failure to make the deduction was not due to a false declaration made in writing by the employee at the time of this employment.
  - iii. The contributions which an employer deducts from the pay of an employee shall be deemed to be held in trust by such employer for the purposes of this Act until they are remitted to the funds.

#### **§ 89.17. Contributions not Refundable to Employer and Employee**

No contributions due and paid under this Act shall be refundable to the employer or employee, even if the employee is not thereby entitled to any benefit.

#### **§ 89.18. Defaulting employer**

Where a principal employer defaults in paying any contribution prescribed by this Act or subsequent regulations, a sum equal to four percent (4%) of the amount unpaid shall be added for each month or part of a month after the date on which payment was due, and any amount so added shall be recoverable as a debt owed by the employer to the Republic.

In the event of any principal employer failing or neglecting to pay any contribution, which under this Act he is liable to pay in respect of any employee and by reason thereof such person or his dependents become entitled to benefit on a lower scale, the Director General shall, on being satisfied that the contribution should have been paid by this principal employer, sanction the payment to the person or his dependents of the benefit at the rate to which he or



they would have been entitled if the failure or neglect has not occurred. The Director General shall also be entitled to recover from the principal employer twice the amount of the benefit paid or payable to the insured person. The value of the amount payable shall be the actuarial present value of the disablement, benefit or invalidity or retirement pension, and the actuarial present value shall be worked out as prescribed in the regulations.

Provided further that the amount recoverable under this section may be recovered as a debt due to the Republic.

#### **§ 89.19.     Benefits**

The benefits under Part II are provided by a Pension Division and an Employment Injury Division.

- a. The benefits of the Pension Division are:
  - i. Retirement pension;
  - ii. Invalidity pension; and
  - iii. Survivors' lump sum benefits including widow's benefit, widower's benefit and child's benefit.
- b. The benefits of the Employment Injury Division are:
  - i. Disablement benefit;
  - ii. Death benefit including widow's benefit; widower's benefit; child's benefit;
  - iii. Funeral grant;
  - iv. Medical care;
  - v. Constant attendance allowance.
- c. The benefits relating to employment injury shall be available to employed persons to whom this part applies in substitution for the benefits under the workers' compensation provisions contained in Part VII Chapter 30 of the Decent Work Act of 2015 and accordingly, the said provisions shall cease to apply to employed person to whom this Act applies, provided that the provision of the workmen's compensation shall continue to apply or reapply to all employed persons to whom this Act does not apply.

#### **§ 89.20.     Retirement Pension**

A Person shall be entitled to a retirement pension if:--

- a. He/she has attained 60 years of age;
- b. He/she retires from employment; and
- c. He/she has paid 100 monthly contributions and born before the year 1980, or
- d. He/she has paid 144 monthly contributions and born in the year 1980 or after.



Provided that an employee who fails to fulfill the minimum contributory condition shall be entitled to a retirement grant in lump sum of an amount equivalent to the contributions deducted from his remuneration together with interest thereon at the rate specified in the regulations; provided, further that the employee shall not be entitled to the retirement grant unless he has paid twelve monthly contributions in the aggregate since his first entry into insurable employment.

**§ 89.21. Minimum Rate of Retirement Pension**

The minimum rate of retirement pension shall be:

- a. The monthly rate of 25 percent of the average monthly remuneration of an employee who has paid the number of monthly contributions required by the foregoing subsections;
- b. For an employee born in the year 1980 or after and who has paid more than 144 monthly contributions, the minimum rate of retirement pension shall be increased by 1 percent of average monthly remuneration for each 10 monthly contributions paid in addition to the said 144 subject to a maximum of 40% of average monthly remuneration; however not to exceed a payout of more than Five Thousand USD( \$5000) or its equivalent in Liberian Dollars.
- c. For an employee born before the year 1980 and who has paid more than 100 monthly contributions, the minimum rate of retirement pension shall be increased by 1 percent of average monthly remuneration for each 10 monthly contributions paid in addition to the said 100 subject to a maximum of 40% of average monthly remuneration.
- d. For the purposes of this part, a person who has not retired shall be deemed to have retired on attaining 65 years of age.

**§ 89.22. Invalidity Pension**

A person shall, unless he has completed sixty-five (65) years of age, be entitled to an invalidity pension if:

- a. He proves to the satisfaction of the Medical Board, established by this Act, that by reason of some specific disease or bodily or mental disablement he is likely to remain permanently incapable of work;
- b. He has paid fifty (50) monthly contributions during the sixty (60) months aggregate preceding the month in which the claim for invalidity pension is made or has contributed during at least two-thirds of the number of complete months comprised in the period falling between his first entry into insurable employment and the date he has made a claim for invalidity pension in accordance with provisions of the Act, subject to a minimum of fifty (50) monthly contributions.

**§ 89.23. Minimum rate of Invalidity Pension**



The minimum rate of invalidity pension shall be:

- a. A 25 percent of the beneficiary's average monthly remuneration, if he has paid fifty (50) contributions as required under Section 89.22 (b).
- b. For a person who has paid more than fifty (50) contributions, the rate of invalidity pension shall be increased by one percent of his average monthly remuneration for each 10 monthly contributions paid in addition to the said 50 months.
- c. A person who is certified to be invalid shall, if he fails to complete the qualifying conditions specified in Section 89.22, be entitled to an invalidity grant in lump sum equivalent to the contributions deducted from his remuneration together with interest thereon at the rate specified in the regulations. Provided that the claimant shall not be entitled to invalidity grant unless he has paid twelve (12) monthly contributions in the aggregate since his first entry into insurable employment.

**§ 89.24. Survivor's Lump Sum Benefit**

- a. A widow or widower shall be entitled to a survivor's lump sum benefit if spouse has paid fifty (50) or more monthly contributions; the survivor's lumpsum shall be paid at 12% less than the 50% of the total annuity value of the pension of the deceased life expectancy. This requirement shall also be considered satisfied if spouse was receiving a retirement pension at the time of death. In the case of the death of an insured person leaving more than one widow or widower, the lump sum benefit shall be distributed evenly amongst them.
- b. A child shall be entitled to a child's lump sum benefit if:
  - i. One of the child's parents dies;
  - ii. The child resided with or was maintained by the parent;
  - iii. That parent had made at least fifty (50) monthly contributions;
  - iv. And that child is below the age of twenty-one (21).
- c. A widow or widower survivor's lump sum benefit shall be paid to the widow or widower.
- d. In case the deceased insured person does not leave a spouse or child, the survivor's lump sum benefit shall be paid to a parent at a rate admissible to a spouse.

**§ 89.25. Survivor's Lump Sum Calculation**

The formula for calculating survivor's lump sum benefit shall be as determined in the regulations.

- a. The widow or widower shall receive fifty (50) percent of the deceased insured person's pension in lump sum;



- b. The child shall receive 10 percent of the deceased insured person's pension in lump sum, provided that if in respect of the deceased, a widow or widower's survivor lump sum benefit is payable and, more than five children are entitled to child's survivor lump sum benefit. The survivor lump sum benefit for each child shall be reduced so that the total of the child's survivor lump sum benefit does not exceed fifty (50) percent of the deceased insured person's pension in lump sum.
- c. A child survivor lump sum benefit, if no widow's or widower's survivor lump sum benefit is payable in respect of the deceased, shall be twenty (20) percent of the deceased insured person's pension in lump sum, provided that, if in respect of the deceased more than five (5) children are entitled to child's survivor lump sum benefit for those children shall not exceed 100 percent of the deceased insured person's pension in lump sum.
- d. For the purpose of sub-sections a, b, & c of the section, "deceased insured person's pension in lump sum" means the retirement pension or invalidity pension (whichever is higher) commuted into lump sum that the deceased insured person was entitled to or would have been entitled to on the basis of his contributory record, had he/she met such a contingency at the time of death.

**§ 89.26.     Disablement Benefit**

- a. Any person employed by an employer to whom the part applies, and who suffers personal injury caused by accident, including any commuting accident, on or after the date of the coming into operation of this part, being an accident arising out of and in the course of his employment, shall be entitled to disablement benefit if as a result of that injury he suffers loss of physical or mental faculty which is likely to be permanent or temporary.
- b. Subject to the provisions of this section, a person who sustains temporary disablement shall be entitled to periodical payment for the period of such disablement in accordance with the provisions of the regulations. Provided that the temporary disablement benefit shall be payable from the fourteenth day of disability on which date all compensation then due shall be paid. Thereafter, the benefit shall be payable in accordance with the provisions of the regulations.
- c. The extent of the disablement for those losses of physical or mental faculty listed in the schedule to this Act shall be the percentage degree there indicated and other disabilities shall be assessed accordingly.
- d. The extent of permanent disablement, whether total or partial, shall be assessed by the Medical Board, hereinafter established.

**§ 89.27.     Rates of Disablement Benefits**



Disablement benefits shall be paid as follows:

- a. If the disablement is temporary or permanent and assessed at 100, at a rate of 65 percent of the disabled person's assumed coverage monthly remuneration or assumed average daily remuneration as may be specified in the regulations.
- b. If the disablement is permanent and assessed at less than 100 percent, at that lesser percentage of the rate provided under sub-section (a) of this section.

**§ 89.28.     Duration of Disablement Pension**

In the case of final award, permanent disablement pension shall be payable for life and, in case of provisional award, it shall be payable for the period covered by the provisional award.

In the case of temporary disablement, the benefit shall be payable for as long as the temporary disablement lasts.

**§ 89.29.     Occupational disease**

Regulations shall modify Section 89.26, 89.27 and 89.28 so as to apply those provisions to occupational diseases.

**§ 89.30.     Lump Sum Death Benefit**

Where a person to whom this Act applies suffers personal injury caused by accident arising out of and in the course of his employment or suffers from an occupational disease and dies as a result of the employment injury, death benefit shall be payable to the widow, widower, child or parent(s) by way of lump sum death benefit.

- a. A lump sum death benefit shall be payable to a widow or widower of the deceased who was his or her legal spouse at the time of death.
- b. A funeral grant shall be payable in lump sum to the person who satisfies the Director General that he has incurred expenses in connection with the deceased insured person's funeral. The amount of funeral grant shall be equal to US\$500.00 (Five hundred United States Dollars) or its equivalent in Liberian dollars regardless of the currency value of the deceased insured person's insurable earnings prior to death.
- c. In case the deceased insured person does not leave a widow, widower or child, lump sum death benefit shall be payable only to a parent, at the rate admissible to a widow under subsection (a), provided that the parent was wholly dependent on the deceased insured person at the time of his death. If



there is more than one parent, the said benefit shall be divided equally among them.

**§ 89.31. Constant Attendance Allowance**

All insured persons who are entitled to permanent total disablement benefits shall also be entitled to constant attendance allowance equivalent to 25 percent of the rate of such benefit if and so long as he is so severely incapacitated as to constantly require the personal attendance of another person.

Provided that the existence of degree of incapacity qualifying an insured person for constant attendance allowance shall be verified by a medical board in such manner as may be prescribed by the regulations.

**§ 89.32. Employer to obtain Particulars of Employees**

Upon employing a person, the employer to whom this Part applies shall ascertain from the prospective employee whether or not he has been an employee to whom this part applies and if he has, obtain his social security number and the name and particulars of his last employer, if any. If the employee has not been a member, the employer shall require him to furnish, for communication to the Director General, particulars regarding that employee.

**§ 89.33. Medical Care**

- a. An insured person whose condition requires, as a result of employment injury, medical treatment and attendance shall be entitled to receive medical benefit.
- b. Such medical benefit may be given either in the form of out-patient treatment and attendance in hospital or dispensary, clinic or other institution, or treatment as in-patient in hospital or other institution.

**§ 89.34. Scale of Medical Benefit**

- a. An insured person shall be entitled to receive medical benefit only of such kind and on such scale as may be provided by the corporation, and the insured person shall not have a right to claim any medical treatment except such as is provided by the dispensary, clinic, hospital or other institution to which he is allotted, or as may be provided by the regulations.
- b. Nothing in this Act shall entitle an insured person to claim reimbursement from the corporation of any expenses incurred in respect of any medical treatment except as may be provided by the regulations.
- c. The corporation may enter into agreement with any government, local authority or person, with regard to the provisions of medical treatment and attendance for insured persons, in any area and payment of the cost thereof.

**§ 89.35. Suspension of Benefit**



A benefit to which a person protected would otherwise be entitled may be suspended as hereunder provided:

- a. Where the person concerned has made a fraudulent claim.
- b. Where the person is serving a term of imprisonment for a criminal offense.
- c. Where the person concerned neglects to make use of the medical or rehabilitation services placed at his disposal or fails to comply with the rules prescribed for verifying the occurrence or continuance of the contingency.

**§ 89.36.     Financial Autonomy and System of Contributory Funds**

- a. The National Pension and the Employment Injury Fund shall be maintained separately by the corporation.
- b. The contribution income payable by employees and employers shall be credited to the National Pension Fund and the Employment Injury Fund in such ratio as may be specified in the regulations.
- c. Payment of all benefit by the Pension Division shall be made out of the National Pension Fund and payment of all benefits by the Employment Injury Division shall be made out of the Employment Injury Fund.
- d. Except for the initial organizational expenses which shall be advanced by Government to be refunded at a later date by the corporation, all expenses by the corporation in administering this Part shall be defrayed out of the National Pension Fund and the Employment Injury Fund in such proportions as may be specified in the Regulations.
- e. All contributions to the funds shall be deposited in any approved bank or approved financial institutions as the Director General, subject to the approval of the Board, may deem appropriate.
- f. For the purposes of financing the Contributory Pension Scheme, the financial system of scaled premium shall be applied.
- g. For the Employment Injury Insurance scheme, the financial system shall be applied as hereunder provided:
  - i. The system of "assessment of constituent's capitals" shall be applied for financing the long term benefit.
  - ii. The system of "pay-as-you-go" shall be applied for financing the short term benefits.

**§ 89.37.     Effective Date of Part II**



This Part or any provision or provisions of this part shall come into operation on such date or dates as the Director General shall notify by publication.

### **PART III. NON-CONTRIBUTORY SCHEME**

- § 89.38. Non-contributory pension.
- § 89.39. Source of funds to meet cost of non-contributory pension.
- § 89.40. Effective date of Part III.

#### **§89.38. Non-Contributory Pensions**

Any person who proves to the satisfaction of the Corporation that he:

- a. Has attained 65 years of age;
- b. Is unemployed;
- c. Is unable to obtain employment because of impaired physical or mental health; and shall be entitled to a non-contributory pension at such annual rate and subject to such a means test as the corporation may decide.

#### **§ 89.39. Source of Funds to Meet Cost of Non-Contributory Pension**

Non-contributory pensions and all expenses incurred by the corporation in their administration shall be charged to and payable from the Welfare Fund. There shall be paid into the Welfare Fund by government from government revenue such amounts as are necessary for the payment of non-contributory pension.

#### **§ 89.40. Effective date of Part III**

This part shall come into operation on such date as the Director General shall establish by regulation.

### **PART IV. GENERAL PROVISIONS**

- § 89.41. Registration of employers;
- § 89.42. Inspection service;
- § 89.43. Appointment of inspectors;
- § 89.44. Functions of inspectors;
- § 89.45. Penalty;
- § 89.46. Inspectors not to visit restricted area;
- § 89.47. Legal proceedings;
- § 89.48. Failure to pay contributions;
- § 89.49. Where officers of corporation body connive to commit offense;



- § 89.50. Corporation's right to recover damages from employer in certain cases;
- § 89.51. Priority of debts due to the corporation;
- § 89.52. Accumulation of members of funds un-attachable;
- § 89.53. Benefit not to cover debt or liability of nominee or survivors;
- § 89.54. Income tax not payable on benefits;
- § 89.55. Contribution considered normal business expenses;
- § 89.56. Audits;
- § 89.57. Valuation of assets and liabilities;
- § 89.58. Medical Board established.
- § 89.59. Determination of question of invalidity or disablement;
- § 89.60. Function of the Medical Board;
- § 89.61. All medical questions to be referred to Medical Board;
- § 89.62. Claim for benefits;
- § 89.63. Determination of claims; Appeal Board;
- § 89.64. Investment of fund;
- § 89.65. Exemption of industry or class of industries;
- § 89.66. Exemption of persons or class of persons;
- § 89.67. Exemption from one or more provisions of the Act;
- § 89.68. Corporation's power to cooperate with existing institutions;
- § 89.69. Regulations;
- § 89.70. Definitions;
- § 89.71. Schedule;

**§ 89.41. Registration of Employers**

Every employer to whom this Act applies shall be registered with the corporation within such time and in such manner as may be specified in the regulations.

**§ 89.42. Inspection Service**

There shall be in the National Social Security and Welfare Corporation an inspection service comprising a chief inspector and deputy chief inspector and such general and specialized assistant inspectors as the Director General may decide are necessary to carry out the inspection work required by this chapter with the approval of the board.

**§ 89.43. Appointment of Inspectors**

Inspectors shall be appointed by the Director General with the approval of the Board. They shall be appointed with sole regard to their qualifications and



capacity for the performance of their duties, which shall include a sufficient educational standard, and the character and ability to inspire the confidence of persons with whom they have to deal.

**§ 89.44. Functions of Inspectors**

National Social Security and Welfare Corporation inspectors shall be empowered:

- a. To enter upon the premises or place of business of an employer at all reasonable times to examine, enquire or obtain information from the employer for the purpose of this Act.
- b. To enter the premises or place of business of an employer and require the production of documents and other records relating to the appointment, attendance, remunerations, contributions or liability to contribute by or on behalf of the workers, for his inspection on the premises and to take copies or extracts therefrom.
- c. To require from an employer the production of documents and records relating to past transactions at the office of the inspector or any other government office or at any other place required by the inspector.

**§ 89.45. Penalty**

Any person who without reasonable excuse fails to produce to an authorized inspector any of the documents and records referred to in Section 89.44 or any person who directly or indirectly obstructs the work of such an inspector in the discharge of his functions, shall be guilty of an offense under this Act, and shall be liable to a fine of not less than US\$250.00 (Two Hundred Fifty United States Dollars) nor more than US\$1,000.00 (One Thousand United States Dollars) or its equivalent in Liberian dollars and shall be required to provide the relevant record.

**§ 89.46. Inspectors not to Visit Restricted Area**

An inspector shall not visit upon any premise or place which the government of Liberia has declared a restricted area for reasons of national security. In such cases, the inspector shall file a report to his immediate supervisor who shall bring the same to the attention of the Director General.

**§ 89.47. Legal Proceedings**

Any employer who:

- a. With intent to evade payment of any contribution or any other amount under this Act or regulations promulgated by the Director General, knowingly makes any false statement or representation, or produces or furnishes or causes to be produced or furnished any document or information which he knows to be false in any particular; or
- b. In order to benefit himself or some other person or persons, knowingly makes any false statement or representation, or produces or furnishes, or



causes to be produced or furnished, any document or information which he knows to be false in any particular; or

- c. Misrepresents or fails to disclose any material facts; or
- d. Fails to pay to the fund within such period as may be prescribed, any amount which he is liable to pay under this Act or the regulations; or
- e. Obstructs any inspector, officer or servants or the Fund in the discharge of his duties as such; or
- f. Fails to comply with any regulations made under this Act; or
- g. Commits any other offense or defaults under this Act or regulations issued by the Director General, shall be guilty of a misdemeanor and, upon conviction, punishable as follows:
  - i. In case of an employer, by a fine of not less than US\$500.00 (Five Hundred United States Dollars) nor more than US\$2,000.00 (Two Thousand United States Dollars) or its equivalent in Liberian dollars or by imprisonment not exceeding one year.
  - ii. In case of an employee, by a fine of not less than US\$25.00 (Twenty Five United States Dollars) nor more than US\$200.00 (Two Hundred United States Dollars) or its equivalent in Liberian dollars or by imprisonment not exceeding six months.

**§ 89.48.     Failure to Pay Contributions**

If a fine is imposed on any employer for failure to pay a contribution, along with interest into the fund, the fine may be recovered by an action of debt.

**§ 89.49.     Where Officers of Corporate Body Connive to Commit Offense**

Where an offense committed by a corporate body under this Act and the regulations made thereunder, is proved to have been committed with the consent or connivance of the director, manager, secretary or other officer of the corporate body, he, as well as the corporate body shall be guilty of that offense and shall be liable to be proceeded against and punished accordingly.

**§ 89.50.     Corporation's Right to Recover Damages from Employer in Certain Cases**

- a. Where an employment injury is sustained by an insured person as an employee under this Act by reason of the negligence of the employer to observe any of the safety regulations laid down by or under any written law applicable to an employer or by reason of any wrongful act of the employer or his agent, the corporation shall, notwithstanding the fact that the employer has paid monthly contributions due under this Act in respect of such insured person, be entitled to be reimbursed by the employer the actuarial present



value of the periodic payments and other case payments which the corporation is liable to make under this Act.

- b. Provided that the corporation may also recover the value of any benefit in kind which the corporation has provided or is liable to provide under this Act, and the value of such benefit shall be determined by such authority as may be specified in the regulations made in his behalf and the decision of such authority shall be final.
- c. For the purposes of this Act, the actuarial present value of the periodical payments shall be determined in such manner as may be specified in the regulations.

**§ 89.51.     Priority of Debts Due to the Corporation**

Notwithstanding the provisions of any other Act, where an attachment is issued against the property of an employer in execution of this Act against him and any such property is seized and sold in pursuance of such execution, the proceeds of the sale of such property shall be paid into the court and the court shall first satisfy the claim of the corporation.

**§ 89.52.     Accumulations of Members of Fund Un-attachable**

Except as hereinafter provided, the accumulations to the credit of any member of a Fund, or contributions in the credit of any member of a Fund, or contributions in transit to the fund or lying with an employer, shall be incapable of being assigned or charge and shall not be liable to attachment under any Act or order of a court in respect of any debt or liability incurred by the member, even in the event of his bankruptcy.

**§ 89.53.     Benefit not to Cover Debt or Liability of Nominee or Supervisors**

Any benefit due to a member of the fund at the time of his death and payable to his nominee or survivors shall be free from any debt or liability incurred by such nominee or survivor before the death of the member.

**§ 89.54.     Income Tax not Payable on Benefits**

Income tax shall not be payable on any benefits received under this Act by any member, or his survivors.

**§ 89.55.     Contribution Considered Normal Business Expenses**

Contributions made by employers to the Fund shall be considered normal business expenses.

**§ 89.56.     Audits**



The accounts of the corporation shall be subject to periodical audits by the government. The accounts of the corporation shall also be audited annually by a firm of independent accountants appointed by the Board of Directors.

**§ 89.57.     Valuation of Assets and Liabilities**

The Director General shall, at intervals of five years, have valuation of the Corporation's assets and liabilities made by actuary. Provided that it shall be opened to the Director General to direct valuation to be made at such other times as he may consider necessary.

**§ 89.58.     Medical Board Established**

For the purpose of constituting a medical board, the Board of Directors shall appoint thirteen medical practitioners to a medical panel from among whom the Director General shall designate three members to serve at a particular time and place as and when a medical board is required for the purposes of this Act. So far as possible, such designations shall be by rotation among the members of the panel having regard to their availability.

No medical practitioner shall sit on any case in which he is interested or has given a certificate or in which his client is involved.

**§ 89.59.     Determination of Question of Invalidity or Disablement**

Any question:

- a. Whether the relevant accident or disease has resulted in invalidity; or
- b. Whether the relevant employment injury has resulted in permanent disablement; or
- c. Whether the extent of loss of earning capacity can be assessed provisionally or finally for the purpose of disablement benefits; or
- d. Whether the assessment of the proportion of loss of earning capacity is provisional or final for the purpose of disablement pension; or
- e. In the case of provisional assessment for the purpose of disablement benefit as to the period for which such assessment shall hold good shall be determined by a medical board, constituted in accordance with the provisions of Section 89.58 and such question shall hereinafter be referred to as "invalidity question" or "disablement question", as the case may be.

**§89.59.1     Function of the Medical Board**

The functions of the Medical Board shall be to decide, when referred to them, any other medical question (in addition to the invalidity question and disablement question) arising on claim to benefit.



A member of a Medical Board shall receive a fee for attendance at each sitting of the Board and in addition shall be paid the expenses of such attendance as specified in the regulations.

The Director General shall nominate one member of the Medical Board to act as chairman and the Medical Board shall follow such procedure other than medical investigations and examination, as may be prescribed by the Director General in the regulations.

**§ 89.60.     All Medical Questions to be referred to Medical Board**

On receipt of a claim for invalidity pension or any employment injury benefit, the Director General shall refer all medical questions arising on such claims to a Medical Board for decision in accordance with the provisions of this Act. The decision of the Medical Board on any question so referred shall be final and conclusive.

**§ 89.61     Claim for Benefits**

Any claim for a benefit or pension or invalidity grant shall be submitted in such form to the Director General with such evidence in support of the claim as may be prescribed by the regulations.

**§ 89.62     Determination of claims; Appeal Board**

- a. All claims for benefits, except claims raising medical questions, to which Section 89.61 applies, shall be determined in the first instance by the Director General or by a claim's officer duly authorized to decide claims on behalf of the Director General.
- b. Every decision under sub-section (a) shall be notified in writing to the claimant.
- c. A claimant who has been notified of an adverse decision may appeal against that decision to the Appeal Board by a notice in writing addressed to the Director General within thirty days of the notification.
- d. An Appeal Board for the purposes of this section shall consist of one member chosen from a panel of persons representing employer, one member chosen from a panel representing employees and the third member who shall act as chairman of the said Board, shall be chosen from a panel of practicing lawyers.
- e. For the purposes of the foregoing sub-section, the members of the said panels shall be selected by the Board of Directors.
- f. As and when an appeal arises, the Appeal Board, constituted in accordance with the foregoing provisions to hear that appeal, shall be



convened by the Director General and the appeal shall be referred to that Board for decision.

g. Each Appeal Board is empowered to hear the claimant, his representative, other witnesses and the Director General or his representative, and shall follow such procedure as may be prescribed in the Regulations.

h. Chairman and members of an Appeal Board shall receive for each sitting of the Board such fee and expense allowance as shall be provided by the Regulations.

**§ 89.63      Investment of Fund**

The Director General shall, within the overall policies established by the Board of Directors, from time to time, invest funds which are not otherwise budgeted for operational purposes of the scheme, in securities issued or guaranteed by the government or in approved financial or similar institutions.

**§89.64      Exemption of Industry or Class of Industries**

The Director General may, with the approval of the Board of Directors, by notification in the press and subject to such conditions as may be specified in the notification, exempt any industry or class of industries in any specified area from the operation of this Act for a period not exceeding one year and may, from time to time, by like notification renew any such exemption, for period not exceeding one year at a time.

**§89.65      Exemption of Persons or Class of Persons**

The Directors General may, with the approval of the Board of Directors, by notification in the press and subject to such conditions as may be specified in the notification, exempt any person or class of persons employed in any industry or class of industries to which this Act applies from the operation of this Act.

**§89.66      Exemption from One or More Provisions of this Act**

The Director General may, with the approval of the Board of Director, by notification in the press, exempt any employee or class of employees in any industry or class of industries from one or more of the provisions relating to the benefit provided under this Act.

**§ 89.67      Corporation's Power to Cooperate with Existing Institutions**

a. The corporation may, in addition to the scheme of benefit specified in this Act, cooperate with existing rehabilitation and vocational institutions in case of invalids or disabled persons who need such services on the recommendations of the Medical Board. The expenditure in this regard from



the funds of the organization shall be within such limits as may be prescribed in the regulations.

- b. Measures under sub-section (1) may include provision of artificial limbs and appliances and their renewal when required as a result of employment injury.

#### **§ 89.68      Regulations**

Subject to the approval of the Board of Directors, the Director General may promulgate regulations to provide for:

- a. The registration of insured person;
- b. Matters incidental to the payment of benefits and the collection of contributions including the method and manner of calculating or estimating the remuneration due to particular classes or categories of employees;
- c. Adjusting any benefit payable under this Act so that no person shall be entitled to receive more than one benefit.
- d. Preserving, to the extent possible, acquired rights under existing legislations and scheme;
- e. Facilitating generally the operation of this Act.

#### **§89.69      Distribution of Administrative Cost**

All expenses in administering the National Pension Fund and the Employment Injury Fund shall be defrayed out of the said funds subject to a maximum of 2.5 percent of total insurable earnings.

#### **§89.70      Reciprocal Arrangement for Migrant Workers**

The Government of Liberia may enter into a reciprocal agreement with the government of another country with similar social security scheme for the purpose of strengthening and protecting the rights of insured persons and their families who intend to continue employment in another country and insurability in similar social security scheme in order to ensure the portability of their benefits across borders.

#### **§89.71      Privilege of Exemption from Taxes**

It is hereby provided that upon the passage of this Act, the National Social Security and Welfare Corporation shall be entitled to tax free privilege or exemption. The foregoing exemption shall extend to and cover all incomes, taxes on real properties owned by the entity and any other income realized on any other investment opportunities the entity may wish to undertake in pursuit of its objectives under this Act.

#### **§ 89.72.      Definitions**



Except as otherwise specifically provided or when the context requires a different meaning, the following words, where used in this chapter, shall be defined and construed as set forth below:

- a. **"Commuting Accident"** means an accident:
  - i. Sustained by an employed person while he is on the direct way between his place of work and the employed person's principal or secondary residence of the place where the employed person usually takes his meals or usually receives his remuneration;
  - ii. Sustained, regardless of their cause during working hours at or near the place of work or any place where the worker would not have been except for his employment.
  - iii. Sustained within reasonable periods before and after working hours in connection with transporting, cleaning, preparing, securing, storing and packing work tools or clothes.
- b. **"Contribution"** means the sum of money payable to the corporation by the principal employer in respect of an insured employee and includes any amount payable by or on behalf of the employee in accordance with the provisions of this Act.
- c. **"Disablement"** means an employment injury which causes cessation or a decrease of earning capacity of the injured employee at the time of employment injury.
- d. **"Employee"** means any person who is employed for remuneration under a contract of service or apprenticeship with an employer, whether the contract is expressed or implied or is oral or in writing and in connection with the work of the employer to whom this Act applies and:
  - i. Who is directly employed by the principal employer on any work of, or incidental or preliminary to or connected with, the work of the employer, whether such work is done by the employee on the premises of the employer or elsewhere; or
  - ii. Who is employed by or through an immediate employer on the premises of the principal employer or, under the supervision of the principal employer or his agent on work which is ordinarily part of the work of the principal employer or which is preliminary to the work carried out on, in or incidental to, the purpose of the principal employer; or
  - iii. Whose services are temporarily lent or let on hire to the principal employer by the person with whom the person whose services are so lent or let on hire has entered into a contract of service.
- e. **"Employer"** -- except when otherwise expressly stated, includes any person or persons, firm, company, association, corporation, the legal representatives of a deceased employer, the receiver or trustee of a



person, persons, or organization defined as or determined to qualify as an employer, and the government of Liberia.

- f. **"Employment Injury"** -- means any personal injury, including any harmful change in the human organism arising out of and in the course of employment including occupational disease but does not include any communicable disease unless the risk of contracting such a disease is increased by the nature of the employment.
- g. **"Immediate employer"** in relations to employees employed by or through him, means a person who has undertaken the execution on the premises where the principal employer is carrying on his trade or business, profession, vocation, occupation or calling or under the supervision of the principal employer or his agent, of the whole or any part of any work which is ordinarily part of the work of the trade or business, profession, vocation, occupation or calling of the principal employer or is preliminary to the work carried on, in or incidental to the purpose of, any such trade or business, profession, vocation, occupation or calling, and includes a person by whom the services of an employee who has entered into a contract of service with him are temporarily lent or let on hire to the principal employer.
- h. **"Insured person"** means a person who is or was an employee in respect of whom contributions are payable under this Act and who is, by reason thereof, entitled to any of the benefits provided by this Act.
- i. **"Marriage"** shall include civil, customary or common law marriages and the terms husband, wife, parents, child, widow and widower shall be construed accordingly.
- j. **"Missionary"** includes any minister of religious or any clergy in holy orders or person acting as a missionary; and "Missionary Society" includes any church or religious body by whom a missionary is paid.
- k. **"Occupational Disease"** is one which is due to causes and conditions that are characteristic of and peculiar to a particular trade, occupation, process or employment to which an employee is not ordinarily subjected or exposed outside if or away from his employment.
- l. **"Permanent Partial Disablement"** means such disablement of a permanent nature that reduces the earning capacity of an employee in every employment which he was able to undertake at the time of the accident resulting in the disablement. Provided that every injury specified in Part II of the schedule shall be deemed to result in permanent partial disablement.
- m. **"Permanent Total Disablement"** means such disablement of a permanent nature that disables an employee for all work which he was



capable of performing at the time of the accident resulting in such disablement.

Provided that permanent total disablement shall be deemed to result from every injury specified in Part I of the schedule or from any combination of injuries specified in Part II thereof where the aggregate percentage of the loss of earning capacity, as specified in the said Part II against those injuries, amounts to one hundred percent or more;

- n. **"Principal Employer"** means the owner of a trade, business, undertaking, firm or company, or the person with whom an employee has entered into a contract of service of apprenticeship and includes:
- i. A manager, agent to person responsible for the payment of salaries or wages to an employee;
  - ii. The occupier of a factory;
  - iii. The legal representative of a deceased owner or occupier;
  - iv. The Government of Liberia, any local authority or statutory body or association and where an employee is employed with government, local authority or statutory body or association, or with any officer on behalf of the government, and such authority or body of association, the officer under whom such employee is working; provided that no such officer shall be personally liable under this Act for anything in good faith done or omitted to be done by him as an officer of such employer.
- o. **"Remuneration"** includes wages, salaries, piece rate, incentive payments and any allowance in respect of increased cost of living paid or payable to an employee; and also includes the value of any food, or quarters supplied to the employee by the employer, in accordance with terms and conditions of services; and overtime done or as incident to work performed, whether by way of bonus or otherwise, but not including remuneration for intermittent overtime or casual payments of a nonrecurring nature, or any ex-gratia payments whether given by the employer or by any other person, or the value of a traveling allowance or the value of any traveling concession or a contribution paid by the employer to the employee to cover any special expenses entailed on him by the nature of his employment.
- p. **"Temporary Disablement"** means a condition resulting from an employment injury which requires medical treatment and renders an employee, as a result of such injury, temporarily incapable of doing the work which he was doing prior to or at the time of the injury.
- q. The terms **"average monthly remuneration"** "assumed monthly remuneration", "industry" "average daily remuneration", "scaled premium", "assessment of constituent capitals" and "pay-as-you-go-system", shall have meanings as assigned to them in the regulations.



**§89.74. Schedule**

The following list of injuries shall constitute the schedule under this Act:

**SCHEDULE  
PART I**

**LIST OF INJURIES DEEMED TO RESULT IN  
PERMANENT TOTAL DISABLEMENT**

<u>S/N</u>	<u>Description of Injury</u>	<u>Percentage of loss of earning capacity</u>
1.	Loss of both hands	100
2.	Loss of both arms	100
3.	Loss of both feet	100
4.	Loss of both legs	100
5.	Loss of both eyes	100
6.	Loss of any combination of the above	100
8.	Total paralysis	100
9.	Any injury resulting in being permanently bed ridden	100
10.	Any injury resulting in loss of mental competence	100

**PART II**

**LIST OF INJURIES DEEMED TO RESULT IN  
PERMANENT, PARTIAL DISABLEMENT**

**AMPUTATION, UPPER LIMBS (EITHER ARM) CASES**

<u>S/N</u>	<u>Description of Injury</u>	<u>Percentage of loss of earning capacity</u>
11.	Amputation through shoulder joint	53
12.	Amputation below shoulder with stump less than 8" from tip of acromion	48
13.	Amputation from 8" from tip of acromion to less than 4 ½" below tip of olecranon	43
14.	Loss of hand or of the thumb and four fingers of one hand or amputation from 4½below	40



	tip of olecranon	
15.	Loss of thumb and its metacarpal bone	27
16.	Loss of thumb	16
17.	Loss of four fingers of one hand	34
18.	Loss of three fingers of one hand	20
19.	Loss of two fingers of one hand	14
20.	Loss of terminal phalanx of thumb	15
21.	Amputation of both feet resulting in and bearing stumps	76
22.	Amputation through both feet proximal to the Metatarsophalangeal joint	68
23.	Loss of all toes of both feet through the Metatarsophalangeal joint	34
24.	Loss of all toes of both feet to the proximal inter-phalangeal joint	25
25.	Loss of all toes of both feet distal to the proximal inter-phalangeal joint	19
26.	Amputation at hip	76
27.	Amputation below hip with stump not exceeding 5" in length measured from tip to great trochanter	48
28.	Amputation below hip with stump exceeding 5" in length measured from hip of great trochanter but not beyond middle thigh	43
29.	Amputation below middle thigh to 3½" below knee	40
30.	Amputation below middle thigh to 3 ½" but not exceeding 5"	34
31.	Amputation below knee with stump exceeding 5"	26
32.	Amputation of one foot resulting in end bearing	20
33.	Amputation through one foot proximal to the Metatarsophalangeal joint	20
34.	Loss of all toes of one foot through the the metatarsophalangeal joint	14



## OTHER INJURIES

<u>S/N</u>	<u>Description of injury</u>	<u>Percentage of loss of earning capacity</u>
35.	Very severe facial or head disfigurement	75
36.	Loss of one eye, without complications other being normal	35
37.	Loss of vision of one eye (if 80% or more)	35
38.	Loss of vision of one eye without complications or disfigurement of eyeball, the other being normal	26
39.	Permanent total loss of hearing in one ear	13
40.	Permanent loss of hearing of both ears	39

## LOSS OF RIGHT OR LEFT INDEX FINGER

<u>S/N</u>	<u>Description of Injury</u>	<u>Percentage of loss of earning capacity</u>
41.	Whole	12
42.	Two phalanges	9
43.	One phalanx of hip without loss of bone	7
44.	Guillotine amputation of hip without loss of bone	3

## LOSS OF MIDDLE FINGER

<u>S/N</u>	<u>Description of injury</u>	<u>Percentage of loss of earning capacity</u>
45.	Whole	8
46.	Two phalanges	6
47.	One phalanx	5
48.	Guillotine amputation of hip without loss of bone	3

## LOSS OF RING OR LITTLE FINGER



<u>S/N</u>	<u>Description of Injury</u>	<u>Percentage of loss of earning capacity</u>
49.	Whole	7
50.	Two phalanges	6
51.	One phalanx	5
52.	Guillotine amputation of hip without loss of bone	2

#### **B - TOES OF RIGHT OR LEFT FOOT GREAT TOE**

<u>S/N</u>	<u>Description of Injury</u>	<u>Percentage of loss of earning capacity</u>
53.	Through metatarsi-phalangeal joint	7
54.	Part, with some loss of bone	2

#### **ANY OTHER TOE**

<u>S/N</u>	<u>Description of Injury</u>	<u>Percentage of loss of earning capacity</u>
55.	Through metatarsi-phalangeal joint	4
56.	Part, with some loss of bone	1

#### **TWO TOES OF ONE FOOT, EXCLUDING GREAT TOE**

<u>S/N</u>	<u>Description of injury</u>	<u>Percentage of loss of earning capacity</u>
57.	Through metatarsi-phalangeal joint	5
58.	Part, with some loss of bone	2

#### **THREE TOES OF ONE FOOT, EXCLUDING GREAT TOE**

<u>S/N</u>	<u>Description of injury</u>	<u>Percentage of loss of earning capacity</u>
59.	Through metatarsi-phalangeal-phalangeal	.6

	joint	
60.	Part; with some loss of bone	.3

#### FOUR TOES OF ONE FOOT, EXCLUDING GREAT TOE

<u>S/N</u>	<u>Description of injury</u>	<u>Percentage of loss of earning capacity</u>
61.	Through metatarsi-phalangeal joint	7
62.	Part, with some loss of bone	3

NOTE: Complete and permanent loss of the use of any limb or member referred to in this schedule shall be deemed the equivalent of the loss of that limb or member.

#### SECTION 2: TRANSITIONAL PROVISIONS

On the commencement of this Act, the following provisions shall apply:

- a. The administration of the Civil Service Pension Program shall cease to exist;
- b. Every person to whom Decree No. 14 applied before amendment to an Act shall continue to be credited for the number of months that person has contributed to the social security scheme;
- c. Former civil servants and public servants in receipt of pension benefits under the Civil Service Pension Program shall continue to receive such pension benefits under the administration of the National Social Security and Welfare Corporation (NASSCORP);
- d. There shall be budgetary allotment by the Government for the payment of the following:
  - i. Existing pension liabilities under the defunct Civil Service noncontributory pension program to former Civil Servants and Public Servants who acquired rights under the Civil Service Pension Program.
  - ii. Accumulated pension liabilities of the Government due the National Social Security and Welfare Corporation (NASSCORP) in settlement of pension premium for public sector employees.
- e. Coverage of the social security pension program shall now also be extended to the following:
  - i. The President of Liberia, the Vice President of Liberia, the Speaker of the House of Representatives of Liberia, the Chief Justice of the



Supreme Court of Liberia, the President Pro Tempore of the Liberian Senate, Members of the Legislature of Liberia, Justices of the Supreme Court of Liberia, members of the Judiciary and Cabinet Ministers, the Police and other paramilitary organizations.

- f. On the commencement of this Act where an enactment relating to pensions is inconsistent with this Act, this Act shall to the extent of the inconsistency prevail.

**SECTION 3:      EFFECTIVE DATE**

This Act shall take effect immediately upon publication into handbills.

ANY LAW TO THE CONTRARY NOTWITHSTANDING

-2016-

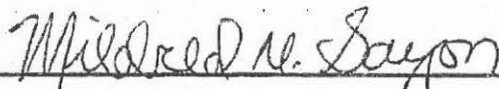
**FIFTH SESSION OF THE FIFTY-THIRD LEGISLATURE OF  
THE REPUBLIC OF LIBERIA**

**HOUSE'S ENGROSSED BILL NO. 57 ENTITLED:**

**"AN ACT TO REPEAL DECREE NO.14 OF THE PEOPLE'S  
REDEMPTION COUNCIL OF THE ARMED FORCES OF LIBERIA  
AND TO CREATE A NEW CHAPTER 89 OF THE EXECUTIVE LAW  
ESTABLISHING THE NATIONAL SOCIAL SECURITY AND  
WELFARE CORPORATION OF THE REPUBLIC OF LIBERIA"**

On motion, Bill read. On motion, the Bill was adopted on its first reading and sent to Committee Room on Wednesday, November 30, 2016 @ 13:52 G.M.T.

On motion, the Bill was taken from Committee Room for its second reading. On motion under the suspension of the rule, the second reading of the Bill constituted its third and final reading, and the Bill was adopted, passed into the full force of the law, and ordered engrossed today, Tuesday, December 6, 2016 @ 13:42 G.M.T.



CHIEF CLERK, HOUSE OF REPRESENTATIVES, R.L.

-2016-

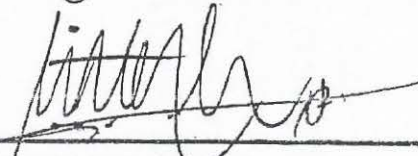
**FIFTH SESSION OF THE FIFTY-THIRD LEGISLATURE OF  
THE REPUBLIC OF LIBERIA**

**SENATE'S ENDORSEMENT TO HOUSE'S ENGROSSED BILL  
NO. 57 ENTITLED:**

**"AN ACT TO REPEAL DECREE NO.14 OF THE PEOPLE'S  
REDEMPTION COUNCIL OF THE ARMED FORCES OF LIBERIA  
AND TO CREATE A NEW CHAPTER 89 OF THE EXECUTIVE LAW  
ESTABLISHING THE NATIONAL SOCIAL SECURITY AND  
WELFARE CORPORATION OF THE REPUBLIC OF LIBERIA"**

On motion, Bill read. On motion, the Bill was adopted on its first reading and sent to Committee Room on Wednesday, December 7, 2016 @ 14:20 G.M.T.

On motion, the Bill was taken from Committee Room for its second reading. On motion under the suspension of the rule, the second reading of the Bill constituted its third and final reading, and the Bill was adopted, passed into the full force of the law, and ordered engrossed today, Thursday, December 8, 2016 @ 11:30 G.M.T.




SECRETARY, LIBERIAN SENATE, R.L.



-2016-

ATTESTATION TO:

"AN ACT TO REPEAL DECREE NO.14 OF THE PEOPLE'S REDEMPTION COUNCIL OF THE ARMED FORCES OF LIBERIA AND TO CREATE A NEW CHAPTER 89 OF THE EXECUTIVE LAW ESTABLISHING THE NATIONAL SOCIAL SECURITY AND WELFARE CORPORATION OF THE REPUBLIC OF LIBERIA"



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VICE PRESIDENT OF THE REPUBLIC OF LIBERIA/  
PRESIDENT OF THE SENATE



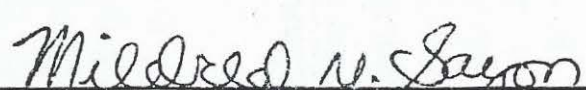
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SECRETARY, LIBERIAN SENATE



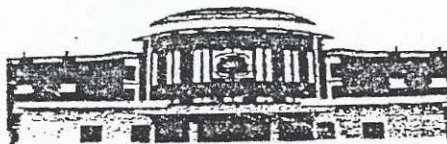
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SPEAKER, HOUSE OF REPRESENTATIVES, R.L.



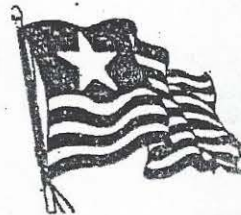
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CHIEF CLERK, HOUSE OF REPRESENTATIVES, R.L.



# THE HONORABLE HOUSE OF REPRESENTATIVES

Capitol Building  
P.O. Box 9005  
Monrovia, Liberia  
Website [www.legislature.gov.lr](http://www.legislature.gov.lr)



Office of the Chief Clerk

**-2016-**

## FIFTH SESSION OF THE FIFTY-THIRD LEGISLATURE OF THE REPUBLIC OF LIBERIA

### SCHEDULE OF HOUSE'S ENROLLED BILL NO. 53 ENTITLED:

**"AN ACT TO REPEAL DECREE NO.14 OF THE PEOPLE'S REDEMPTION COUNCIL OF THE ARMED FORCES OF LIBERIA AND TO CREATE A NEW CHAPTER 89 OF THE EXECUTIVE LAW ESTABLISHING THE NATIONAL SOCIAL SECURITY AND WELFARE CORPORATION OF THE REPUBLIC OF LIBERIA"**

PRESENTED TO THE PRESIDENT OF THE REPUBLIC OF LIBERIA FOR EXECUTIVE APPROVAL.

APPROVED THIS: 27<sup>th</sup> DAY OF DECEMBER A.D. 2016

AT THE HOUR OF 2:35 P.M.

THE PRESIDENT OF THE REPUBLIC OF LIBERIA



