

Social Security Guide in Kuwait



المؤسسة العامة للتأمينات الاجتماعية
The Public Institution For Social Security

2009

This Guide...

Contains a summary of Social Insurance Law of the State of Kuwait and its amendments.

We hope that this issue will contribute to the enhancement of social insurance awareness within the community.

**With the compliments of
Public Relations & Information Department
The Public Institution for Social Security
KUWAIT 2009**

Historical Background

- Kuwait began a pension scheme on 1/1/1955, within the framework of civil employee system and retirement in the public sector. The first independent law for pensions was issued in Law Decree No. (3) of 1960, which became effective as of 1/4/1960. This covered government employees, civil and military, and was followed by an independent law for pensions and indemnities for the military, in accordance with law No. (27) of 1961, which came into force on 9/9/1961.
- None of the above laws constituted an integrated system of social security. Each of them dealt with a limited aspect and covered certain sectors of permanent government employees and the military.
- The first integrated law for social security was issued on 1/10/1976, in accordance with the Amiri Law Decree No. (61) of 1976, according to which The Public Institution for Social Security was established in order to implement the system it promulgated, which covers the following:
 - Old-age, disability, sickness and death insurance of civilians employed in the public sector as well as in the private and oil sectors.
 - Old-age, disability, sickness and death insurance of self employed and the like.
 - Work injury insurance.
- The application of insurance against Old-age, disability, sickness and death of civilian employed insurance in the public sector as well as in the private and oil sectors came in to force as 1/10/1977. The implementation of insurance of the unemployed as well as work injury was postponed until the Institution made the necessary arrangements for their implementation.
- On 1/3/1981, Old-age, disability, sickness and death insurance was applied to the self employed or any others in that category. Such insurance was optional for a period of five years from that date, but it became compulsory as of 1/3/1986.
- On 29/10/1980, law No. (69) of 1980, regarding military pension which covers the armed forces, the police and the volunteer national guard was issued. This went into effect as of 1/3/1981. The Public Institution for Social Security was entrusted with the application of this law. In this way it became the unified authority for application of social security in Kuwait.
- Application of the insurance against the work injury stipulated in the Social Security law is still pending; however, all forms of medical care are guaranteed for all Kuwaitis free of charge.

- Law No. (11) of 1988 extending the optional application of the social security system for Kuwaitis working for an employer not covered by the social security law in Kuwait or abroad was issued and became effective as of 1/10/1988.
- Law No. (128) of 1992 has been promulgated organizing the supplementary insurance and was implemented effective as of 1/1/1995, considering the aforementioned insurance systems – civil or military – has basic systems complemented by the supplementary system covering the elements of the salary excluded from the salary concept in the basic insurance and for which a pension is decided and calculated under special rules and added to the retirement pension and forms a part thereof.

Insured Persons

- The social security system currently in force in Kuwait covers all citizens who are active within the community regardless of their occupation.
- The system also covers the employees working for third parties in any sector and it covers the National Assembly members, Municipal Council members, mayors and trainees for work sponsors as well as the self employee such as merchants, and free-lancers such as physicians, engineers, lawyers, shopkeepers and Kuwaitis working abroad, and those who practice other professions which are officially licensed by competent authorities.

Social Security System Resources

- Kuwait social security system is mainly financed by contributions paid by three parties i.e.: the insured persons, the employers and the State Public Treasury.
- The insured person who works for a third party-employer, whether he is a civilian or a military servant, he shall bear a part of relevant contribution of the basic insurance equivalent to (5%) of his monthly salary which is subject to the social security system i.e. as for the government employees, it means the relevant salary plus the social allowance, including the children allowance. As for those who work in the private and oil sectors, the insured person receives for his work a minimum of (KD 230) per month and the maximum salary in all sectors of (KD 1250) per month. He shall also bear his part of the supplementary insurance in the amount of the mentioned rate of the supplementary salary in a maximum of (KD 1250) monthly.

- A self –employed insured person (who works for his own accounts) shall bear a part of the relevant contribution between (5%) , (15%) pursuant to the income-bracket selected by him from the schedule of the said bracket which varies between (KD 200) and (KD 1250) with difference of (KD 50) between each bracket and the other.
- Employers shall bear a share in the contributions for his workers which is equivalent to (10%) of the salary of the insured person.
- Increment Pension Fund contributions shall be added to the previous contributions in the amount of (1 %) for each the employer and the insured person or the beneficiary as of 1/8/2004, the part of the insured person or the beneficiary shall be increased to (2%) as of 1/8/2007.
- The State Public Treasury shall pay (10%) of their salaries of the insured civilians, and (32.5%) of the salaries of the military personnel. As for the self employed and the like, it shall bear the difference between (25%) of the contribution bracket, and the insured person's share.
- At the same time, the Public Treasury shall pay the deficit in the institution's funds in the light of the results of the examination of its financial position which takes place once at last every three years.

Characteristics of the social security system

The social security system in Kuwait has a number of characteristics, the most prominent of which are:

First: Comprehensive and integration

This means that the system covers all productive sectors in society, and that they enjoy the same rights and benefits.

Second: Effectives and benefits.

1. Retirement pension:

- The social security system in the State of Kuwait is characterized by comprehensiveness, unity and considerable security benefits. Moreover, the retirement pension is considered the most prominent right secured by the Social Security Law in respect of

the insured persons, and we may proceed further to state that the retirement pension constitutes the main objective which the social security aims at.

- In case of old-age, the insured person shall be entitled to retirement pension which can reach to a minimum of:
 - (65%) of the last salary with a (15 years) – contribution period (15 years) which shall be raised to (75%) regarding military servants.
 - In the event of death, total disability or disability depriving the invalid (disabled) of earnings, the beneficiary shall be entitled to a retirement pension which may reach (95%) of the relevant salary without stipulating any contribution period, and shall be raised up to (100%) with regard to military servants.
 - As for the maximum pension, it shall reach up to (95%) of the relevant salary, with a Thirty year contribution period (30 years) which shall be raised up to (100%) with (27.5) service years in respect of the military servants.
 - As for the married woman, divorced or a widow, if any of them has children, she shall be entitled to a retirement pension after (15 years) of service, if she reaches the age specified in the table (7/a) of the law 61/1976.

2. Sickness Pension:

It shall be calculated on the basis of (15 years), i.e. (65%) of the relevant salary. But if the sickness has resulted in a disability of earnings, then the said percentage may reach (95%).

3. Retirement allowance:

It is a financial allowance, payable by installments at the end of service but without being entitled to a retirement pension.

4. Death gratuity:

It is payable in the event of the insured or pensioner's death, which equals twice the salary amount.

5. Family Pension:

In the event of the insured person's or pensioner's death, the retirement pension shall be distributed among the beneficiaries of his family who satisfy certain conditions.

6. Commutation:

A pensioner's right - or insured person. If he has secured a period qualifying for entitlement of a pension, he may commute a part of retirement pension (One quarter 1/4) in a form of a lump sum amount.

Third: Flexibility of the system:

- The social security system sets the rules and regulations that govern the basic rights in pension or gratuity. Meanwhile, details in this regard are left to be specified by ministerial orders issued with the approval of Institution's Board of Directors. This protects the law from changes that take place occasionally and help cope flexibly with the rapid growth of the society.
- Some of the cases dealt by ministerial orders are the specification of the cases in which pension allowance is issued and the condition of amalgamating the periods for which allowance has been issued or other periods, specification of the minimum share in the pension for beneficiaries and the rules applying to a amalgamation of pension and salary and the conditions and the cases where a part of the pension is converted into a lump-sum.

The Institution's Administrative Organization

- The Public Institution for Social Security is a public institution which has an independent budget and has a body corporate . It is subjected to the supervision of the Minister of Finance .
- The Institution has a Board of Directors, chaired by the Minister of Finance and the membership of the following :
 - The Institution's Director General .
 - A representative from the Ministry of Social Affairs and Labour , Ministry of Defence , Civil Servant Commission , The Ministry of Interior , The Chamber of Commerce and Industry , The Trade Union Federation .
 - And three experienced and specialized members .
- The Institution's Board of Directors is empowered to draw up its general policy including the following :

- Approval of the draft budget and final annual balance sheet before they are submitted to the competent authorities .
 - Approval of the annual report on the Institution's operations .
 - Proposing laws , regulations and orders concerning social security, and advising on draft related thereto.
 - Issuing the orders necessary for regulation the Institution's financial and administrative affairs and determining staff salaries and rules related to their employment affairs.
- The Institution is managed by a Director General who has more than one Deputy. The Director General represents the Institution in its relations with others and in the courts of law . He is responsible for executing the policy drawn up by the Board of Directors and the specification of the Institution's departments and their respective functions.
 - An investment committee is set up by an order passed by the Minister of Finance to invest the institution's funds . It is empowered to define the rules and the investment programmes and to issue the necessary investment orders . This committee presently comprises of the Minister of Finance as its Chairman and membership of the Director General and two Board members .
 - Works at the Institution are implemented through five main sectors which are :
 - General administration sector .
 - Insurance sector including insurance service staff .
 - Investment sector .
 - Financial & administrative sector .
 - Technology sector .

**REGISTRATION WITH
THE PUBLIC INSTITUTION
FOR SOCIAL SECURITY
AND EMPLOYER'S OBLIGATIONS**

WHO IS THE EMPLOYER?

Employer is every natural person or body corporate, whether Kuwaiti or non-Kuwaiti, who employs Kuwaiti employees and takes the work he exercises as his craft or profession.

This definition shall include the following entities:

1. State ministries, governmental authorities and departments.
2. Public authorities and institutions.
3. All types of companies.
4. Individual establishments.
5. Clubs and public interest societies.
6. Co operative societies and private societies.
7. The international and regional organizations having their offices in Kuwait but the attached protocols to their foundation agreements or the Kuwaiti Laws do not provide for their exemption from the local social security systems.

Who is the Insured?

- The insured in Chapter Three of the law is every Kuwaiti who works for an employer, the members of the National Assembly, the members of the Municipal Council and mayors. Also, this term shall include a trainee whose contract comprises a certain provision that obliges him or the employer to work for him if he successfully passed the prescribed training.
- The insured persons in Chapter Five are the Kuwaitis who are self-employed and the like and the identification of whom shall be referred to in Bulletin No. (1).

Employer's Obligations

The Social Security System requires the employer to do the following:-

1. To provide the Public Institution for Social Security, within ten days from the date of any Kuwaiti employee who joins work with him for the first time, with an application for contribution in the social security system through the form which was specially prepared by the Public Institution for Social Security for this purpose.

2. Provides the Public Institution for Social Security with a copy of the following documents concerning the commencement of the activity, according to the relevant case and the nature of the firm:-
 - a) Copy of the decree promulgated on the establishment of the authority, institution or company.
 - b) A copy of the company articles of incorporation and the subsequent amendments thereto. As for the shareholding companies, the copy of the memorandum of association shall be accompanied with the articles of association of the company.
 - c) Copy of the commercial registry.
 - d) Copy of the activity practicing license or profession license, issued by the competent authority.
 - e) Provides an undertaking showing that he has delivered the company articles of incorporation with all the subsequent amendments thereto as well as an undertaking to provide the Public Institution for Social Security with all the subsequent amendments which may occur therein, in addition to supplying the Public Institution for Social Security with a copy of the commercial license upon making every renewal.
3. Attaching along with the registration application the form concerning the signature specimen of the authorized signatories for the employer on the documents, correspondence, and forms related to the implementation of social security law and the issued resolutions in this respect with a registration form.
4. Obtaining a registration number of the employer from the Public Institution for Social Security which will continuously be recalled upon dealing with the Institution.
5. Provides the registration forms of the Kuwaiti employees who are working for him within ten days as from the date of joining the work, duly accompanied with the following documents:-
 - a) Copy of nationality certificate.
 - b) Copy of birth certificate or age assessment certificate.

- c) Copy of the appointment decision, for governmental authorities.
 - d) Copy of Civil Identity Card.
6. Providing the following documents upon the termination of service:-
- a) The termination notice on the specially prepared form for this purpose, which shall be submitted to the Public Institution for Social Security within ten days from the end of service.
 - b) Copy of service termination decision, for governmental authorities.
7. He shall pay the share of the insured or military personnel beneficiary besides the employer share in the contribution at the beginning of the next month following the month against which the contribution is due, as will appear later in the provisions of due and payment of contributions, in addition to the payment of other due amounts and he shall keep a copy of the payment proving documents.
8. The employer at the oil and private sectors shall provide the Public Institution for Social Security with a detailed statement on the insured persons and their salaries in the month of January every year in the prepared form for this purpose. Also, he shall establish with him a separate file for social security (employer file) in which the following documents shall be kept:-
- a) A copy of the form concerning the employer registration application.
 - b) Copy of the above detailed statement.
 - c) Maintaining the statement of account sent regularly by the Public Institution for Social Security.
 - d) Copy of the form relating to the payment of social security contributions and private premiums.
 - e) Copy of the statement of the commutation premiums deducted from the insured.
 - f) Copy of the receipt voucher showing the receipt of the paid premiums to the PIFSS.

9. The employer at the public, oil and private sectors shall prepare a special file for social security for every insured or military beneficiary, where the following documents shall be kept:-
- a) The appointment decision for the insured person in the public sector and the decree concerning the appointment of the beneficiary officers or the issued decision on the appointment or acceptance of the voluntary service for other beneficiaries.
 - b) A copy of the registration application of an insured or beneficiary who was not previously registered or a copy of a work joining notice of an already registered insured or beneficiary.
 - c) Copy of birth or nationality certificate.
 - d) A statement on the insured or military beneficiary graded salary during the years of service.
 - e) A statement on the periods of service of the insured or military beneficiary which are not calculated in the insurance.
 - f) Copy of the Public Institution for Social Security notification of the due commutation premiums against the insured or military beneficiary in case of ceasing the payment of retirement pension.
 - g) The resolution or decree issued on the termination of the insured or military beneficiary service, for the public sector as well as a copy of the form concerning the insured or beneficiary service termination notice at all sectors.
 - h) A statement on the granted periods to the insured or military beneficiary as sick leave, the salary paid against which and the spent leaves with out pay.
 - i) Copy of the exchanged correspondence between the employer and the Public Institution for Social Security regarding the insured or military beneficiary.
 - j) The executive form of the rendered judgments on the alimony in respect of which the ruled judgment is not executed prior to the end of the service of the insured or military beneficiary.

Important Guidelines

First: the insured may register his name with the Public Institution for Social Security if the employer refused or slackened to register him within ten days from his joining the service; and the information which he provides in the registration application shall be deemed as true and correct and the relevant contributions shall be based on it unless the employer objects to those data within ten days as from the date of being notified of the registration of the insured.

Second: The employer shall ask the insured, upon joining work with him, to provide the employer with a statement on the other works which he exercises explaining therein the employer, date of joining and the received salary as well as providing the Public Institution for Social Security with a copy of this statement for identifying the original employer who shall comply with registering the insured with the Public Institution for Social Security.

Third: The Public Institution for Social Security hereby requests all employers to provide it with accurate information about the insured persons and military beneficiaries for avoiding any effects which may arise out of the incorrect information.

DUE CONTRIBUTIONS

Due Contributions

The social security system depends on self-finance in securing the insurance rights where the contributions constitute an essential source among its other financing sources. Contributions are calculated based on the salaries received by the insured as follows:-

1. The contribution salary in the (basic) insurance of the insured in the private and oil sectors represents the total of the wage which he gets in cash or in kind as A salary according to the provisions of the Private Sector Labour Law in a maximum limit of (KD1250) and a minimum limit of (KD230).
2. The contribution salary in the (complementary) insurance of the insured in the private and oil sectors is a sum of more than (KD1250) of the monthly salary in a maximum limit of (KD1250).
3. The contribution salary in the Retirement Pensions Increment Fund represents the total of the basic and complementary salary in a maximum amount of (KD2500).
4. The amount paid to the insured in the private and oil sectors from the National Manpower Support Program (the social and children allowance) shall be treated in the same method of the monthly salary, and the relevant contributions shall be calculated according to the the prescribed percentages by taking into account the minimum and maximum limits of the salary.
5. The monthly salary on the basis of which the contributions of the insured in the public sector or the beneficiary in the military sector are calculated represents (the total of basic salary and the social allowance including the children allowance) in addition to the other allowances and remunerations received by him and which shall be within the elements of the complementary salary.

6. The contribution salary for the appointed insured in the government sector shall be calculated with an overall remuneration or a lump sum salary based on the amount of the remuneration or salary in a manner that neither of both shall exceed (KD 2500).

Monthly Contributions

(Amount and Possible Collection)

1. The monthly contributions due for the Public Institution for Social Security against old age, disability, sickness and death insurance for the insured persons who are working for the government, private and oil sectors shall be calculated in this respect as well as for the beneficiaries from the Military Personnel Retirement Pensions and Remunerations Law which is currently applicable, as per the following manner:-

- a) (5%) of the monthly salary (basic and complementary) shall be borne by the insured or the military beneficiary.
- b) (10%) of the monthly salary (basic and complementary) shall be paid by the employer.
- c) (2%) of the monthly salary (basic and complementary) shall be borne by the insured or the military beneficiary in the Retirement Pensions Increment Fund. This percentage shall become (2.5%) as from 1.8.2010.
- d) (1%) of the monthly salary (basic and complementary) shall be paid by the employer.
- e) The employer shall pay the above two portions to the Public Institution for Social Security within the prescribed dates in this regard.

2. The due monthly contributions in the old age, disability, sickness and death insurance shall be calculated regarding the self-employed insured pensions and the like based on the corresponding contribution rate for every bracket of the following income brackets:-

Monthly Income Brackets

Bracket in KD	Chapter Five Contribution Rate	Increment Fund Contribution Rate	Total Monthly Payable Contributions in KD
200	5%	2%	14
250	6%	2%	20
300	7%	2%	27
350	8%	2%	35
400	9%	2%	44
450	10%	2%	54
500	11%	2%	65
550	12%	2%	77
600	13%	2%	90
650	14%	2%	104
700	15%	2%	119
750	15%	2%	127/500
800	15%	2%	136/000
850	15%	2%	144/500
900	15%	2%	153/000
950	15%	2%	161/500
1000	15%	2%	170/000
1050	15%	2%	178/500
1100	15%	2%	187/000
1150	15%	2%	195/500
1200	15%	2%	204/000
1250	15%	2%	212/500

- This rate shall be increased to (3%) as from 1.8.2007 and to (3.5%) as from 1.8.2010.

3. Contributions in the government and military sectors and fully state owned companies shall be computed in full for the part of the month in which the service begins or expires in a proportional rate to the full month salary.
4. Contributions for the private and oil sectors, except the fully state owned companies, shall be calculated based on the insured salary at the beginning of January every year. If the joining of the work takes place after this date, then it shall be calculated based on the salary as at the due date until the beginning of the next first of January.

5. The due contributions from the self-employed persons shall be calculated based on the selected bracket of the monthly income. The (contribution beginning bracket) and also the bracket under which the monthly contributions are payable may be amended pursuant to the fixed rules and conditions stated in Leaflet No. (1). In both cases (4 , 5) above, the contributions shall become due for the full month of the contribution commencement and shall not be due for a part of the month during which the contribution will expire, except the last day of the month.
6. If the salary received by the insured is less than (KD230) monthly, the employer shall pay the two contribution portions for the difference between the actual salary and the minimum salary limit. Also, he shall bear the two contribution portions if the insured obtains a sick leave without pay. In this case, contributions shall be calculated for the full salary.
7. The insured or beneficiary who works for an employer shall bear the total of both portions of the insured and employer in the contributions whenever he requests the computation of the following periods within the insurance contribution periods:-
 - a) The period of secondment or delegation with an employer which is not subject to the provisions of the social security law so long as the original employer does not bear the insured salaries during this period.
 - b) The service periods during which the insured does not receive his salary against such periods except those ones relating to the sick leaves without payment.
8. If the insured is seconded, delegated or entrusted with an employer who is subject to the provisions of the social security law and he pays the insured salary during the secondment, delegation or entrustment period, then

the said employer shall pay the employer's share in the contributions as well as deducting the insured share in these contributions from his salary with him. In these cases, contributions shall be calculated on the basis of the salary of secondment, delegation or entrustment.

9. The following periods shall not be calculated within the computed period in the insurance:
- a) The work suspension or interruption periods in the government sector for which the insured is decided to be deprived of his salary (Civil / Military).
 - b) The periods of escaping by the recruited person from performing the obligatory military service or being absent from the same without excuse.
 - c) The periods spent by the recruited person in prison in enforcement of a final judgment for being convicted.
 - d) The periods of service to be added to the obligatory service period if the recruited person committed certain types of contraventions.
 - e) The periods preceding the date of 1.10.1977 in which the insured was deprived of his salary or remuneration by virtue of a disciplinary decision or court judgment.
 - f) The training periods during which the trainee was deprived of his remuneration due to failure in training.

Therefore, no contributions shall become due against all these periods and they may not be added.

PAYMENT OF CONTRIBUTIONS

Contribution Payments

The social security law obliges the employer to pay the contributions due from him and the insured for the Public Institution for Social Security within fixed periods in order to be invested for the insured persons' interest.

Also, the law obliges the employer to pay the Public Institution for Social Security additional amounts of money if he is late to pay the contributions within the legally prescribed dead line as well as if he failed to register all or any of the employees who are working for him within the prescribed dates or did not pay their contributions based on the actual salaries.

When Can Contributions be Payable?

Contributions shall be payable to the Public Institution for Social Security in the beginning of the next month following the month for which the contributions are due.

- As for the contributions due against the salaries decided to be paid under the law or by virtue of court judgments or administrative decisions or settlements after the maturity date, they shall be payable at the beginning of the next month following the month in which these judgments, decisions or settlements were executed. If the payment due date coincides with an official holiday or leave the date shall extend to the first business day following the holiday or leave.

Contribution Payment Proving Certificate

The Public Institution for Social Security shall provide the employer in the private and oil sectors with a certificate proving his payment of his contributions. Also, it shall provide the self-employed insured persons and the like with a similar certificate. The issued certificate by the Public Institution for Social Security shall be provided to the governmental authorities concerned with the issuance or renewal of the necessary licenses and certificates for exercising their activities which precondition the provision of such certificates for the purpose of license issuance or renewal.

Effects Resulting from Delaying the Registration and Payment

1. If the employer delayed the payment of the contributions due from him after the beginning of the next month following the month for which they become due or if he delayed the registration of all or part of his employees, then he shall pay additional amounts as follows:-
 - (1%) monthly of the unpaid contributions as from the payment due date until the date of settlement. But an exemption from the additional amount will be made if the payment is effected within ten days from the maturity date.
 - (Fils 500) as per every day of delaying the forwarding of the data, notices and forms required by the law.
 - (10%) of the value of the due and payable contributions if the employer failed to register all or any of his employees within ten days from the date of their joining the service or if he pays the contributions based on incorrect salaries, in addition to the extra amount due for delaying the payment of contributions.
2. The insured person who is subject to the provisions of Chapter Five of Social Security Law; if he is late to pay the contributions within the prescribed dates shall pay an extra amount equal to (1%) monthly for the period as from the maturity date of the payment up to the full settlement date. However, the insured shall be exempted from the extra amount if he pays within ten days from the maturity date of payment.

Also, the insured person who is obligatorily subject to the insurance and who did not register himself within the legally prescribed date shall pay the Public Institution for Social Security an extra amount equal to (5%) of the unpaid contributions.

3. Exemption from extra amounts shall be made according to the conditions and cases provided for in the ministerial resolution in this respect.

Method of Payment

1. The payment of contributions and other due funds for the Public Institution for Social Security shall be made as follows:-

- By virtue of a cheques in the name of the Public Institution for Social Security;
- Payment in cash to the Public Institution for Social Security treasury; or
- Under a deposit advice for the Public Institution for Social Security's account with the following banks, along with the necessity of sending a copy thereof to the PIFSS:-

Bank Name	Account No.
Commercial Bank	(1-01-64751-1)
National Bank (Head Office)	(0006353240101)
Gulf Bank	(057-8670-1)
Al-Ahli Bank	(600-033803-001)
Burgan Bank	(2065026069)
BKME	(11-509-886)
Real Estate Bank	(29026-01)
Bahrain and Kuwait (Head Office)	(120000000069)
Kuwait Finance House	(011010000136)
Boubyan (Head Office)	(01-0004400-001)

2. The data of the payment forms shall be completed and provided monthly to the Public Institution for Social Security together with the relevant cheque or deposit advice.

The Public Institution for Social Security hereby requests all employers to notify PIFSS of any subsequent amendments in the number of the insured persons who are working for them in addition to a statement showing their salaries, addresses of their places of business in the statement of account sent by the PIFSS.

CONJOINING OF PERIODS

Conjoining of Periods

First: Addition of Periods Prior to Obtaining Kuwaiti Nationality

The Resolution No. (21) of 1982 on the conjoining of previous services before obtaining the Kuwaiti nationality was issued on 12.9.1982 so that the insured or beneficiaries can benefit from the conjoining of the previous service periods before getting the Kuwaiti nationality to their periods of contribution in Chapter Three insurance or to the periods that are subject to the provisions of Law No. (69) of 1980 in order to be eligible to retirement pension or increasing their periods of service.

Entities at Which Previous Service Periods Can be Conjoined

1. Governmental authorities.
2. The authorities and institutions with annexed budgets to the state budget or with independent budgets and other public authorities.
3. Shareholding companies with public contribution.
4. Banks
5. State owned companies even if expired before being owned by the state.
6. Closed shareholding companies owned by the entities provided for in the previous clauses, whether alone or with other parties.
7. Arab Oil Company Limited whenever the relevant period had started before 20.5.1970.
8. Kuwait Chamber of Commerce and Industry.

Conjoining Conditions

1. It is conditional that the service period should be an actual period during which the insured receives a salary or it was a period with lump sum salary or interim job or a temporary work.
2. It is a condition that the service period should be after the age of (18 years) or the prescribed age for appointment.
3. The period should be documented in the books and records of employers.
4. The single period to be conjoined should not be divided but he shall add it in full.

Required Documents for Conjoining Application

1. A certificate on the service period to be conjoined together with a copy of the service termination remuneration payment form.
2. A certificate of the current salary as on the application filing date (the basic salary, social allowance in addition to children allowance).
3. The Amiri Decree under which he was granted the Kuwaiti nationality.

Conjoining Amount Computation Method

The conjoined amount shall be fixed at the rate of (7.5%) of the subject salary to the basic insurance in the application filing date as per every year of the first five years of the periods required to be conjoined and at the rate of (12%) of the said salary for every extra year of the periods preceding 23.6.1982 and (15%) for the periods following the date of 24.6.1982.

The insured may pay the conjoining equivalent amount in one payment or in monthly installments (5 years / 10 years / 15 years) pursuant to the attached schedule to the resolution within 30 days from the date of being notified of the approval to such conjoining, bearing in mind that the addition applicant will not benefit from the installment of such part of the conjoining amount that is equal to the end of service remuneration for the periods required to be conjoined.

Second: conjoining of Periods Spent without Salary

Resolution No. (4) of 1994 on the conditions and rules of service computations for the period against which the insured does not receive salary within the subscription period in Chapter Three was issued.

Entities at which Leave without pay are spent

For the computation of the periods to be calculated within the insurance subscription period, it is conditional that it should have penetrated a service period spent with one of the following entities:-

1. Government authorities.
2. State owned companies.
3. Shareholding companies of public subscription.

4. Entities whose employees are subject to such employment systems concluded under collective agreements.

Other than the above entities, it is a condition that the insured should have spent in the relevant entity an actual service period not less than the period required to be computed.

Required Documents For Addition Application

1. Copy of leave granting decision and work re-joining as well as a copy of leave disconnection decision (in case of disconnection).
2. Salary grading during the leave period to be computed (basic salary – social allowance).

Conjoining Equivalent Computation Method

The insured person shall comply with the subscriptions stipulated in clauses (a, b) of (First) of Article (11) of Social Security Law which represent the share of the insured person and employer.

Also, he may pay the conjoining equivalent amount in one payment or in monthly installment not exceeding an amount equal to the number of the full months of the period required to be computed.

Moreover, the insured may be exempted from the payment of the due additional amounts for that period if the application is filed within three months as from the date of work commencement by the insured.

**VOLUNTARY CONTRIBUTION SYSTEM
IN SOCIAL SECURITY FOR KUWAITIS
WORKING ABROAD & THE LIKE**

Voluntary Contribution System in Social Security for Kuwaitis Working Abroad and the Like

- The prevailing social security schemes in the different countries of the world are currently moving towards making the social security scheme to cover all citizens including those who are working outside the territory of the relevant country.
- The Social Security System in Kuwait, after covering all citizens, whether working in the civil or military field, the self-employed and the like, the system moved towards covering the Kuwaitis who are working outside the State of Kuwait for foreign entities as well as those who are working inside the country for international organizations or institutions whose articles of association provides for the non-applicability of the local Social Security Law to its employees.
- In this respect, the Law Decree No. (11) of 1988 which was operative as from 1.10 1988 was issued on the implementation of the provisions of Chapter Three of the Social Security Law voluntarily to the Kuwaiti's who are working abroad and the like, where this law provides them with the advantages of the social security in equal terms with the other citizens.

Beneficiaries from this Law

1. Employees in the government sector, the private sector or the other different business sectors outside the State of Kuwait.
2. Employees of the international or regional institutions and any of their branches inside Kuwait or abroad.
3. Those who are working for any other entity which was not dealt with in the Social Security Law, whether inside Kuwait or abroad.

Benefit Conditions

- The insured person should have attained the age of eighteen years old at the beginning of the contribution and he shall not exceed, as on this date, the age of sixty five years.
- The insured who is subject to the provisions of Chapter Three and Chapter Five of the Social Security Law and the civil and military retirement pensioners shall not generally benefit from the provisions of this law. However, any of the above mentioned persons may benefit from the insurance pursuant to the terms, conditions and rules provided for in a ministerial resolution to be issued in this connection.

Registration Procedures

- The insured person who desires to subscribe in the system shall complete the contribution application in the form prepared by the Public Institution for Social Security for this purpose (can be ordered by mail).
- The insured person will be registered in the date which he determines for the beginning of his contribution if his application is received by the Public Institution for Social Security within 30 days from the said date. If the application is received after 30 days or received without stating a fixed date or if a subsequent date is mentioned therein but the receiving of the application is late for more than 30 days, then the registration will be made from the first of the month in which the application is received.

Naturally, the contribution commencement date shall not be fixed prior to the application completion date.

Required Documents

- The contribution application shall be accompanied with a copy of the Kuwaiti nationality certificate, birth documents and civil identity card. If these documents are not available with the insured, they can be replaced by a copy of the passport, as a temporary action until they shall be presented.
- A certificate issued by the employer proving the work relationship existing between him and the insured and the amount of the monthly salary received by the insured, provided that this certificate shall be attested by the competent authorities in the country where he is working and the embassy or consulate of Kuwait there. If Kuwait has no diplomatic or consular representation in this country, then the authentication of the competent authorities in that country will be adequate.

As for the employer inside Kuwait, the certificate shall be attested by the Kuwait Ministry of Foreign Affairs.

Moreover, this certificate shall also be presented during the month of January every year and upon requesting the suspension of the insurance benefit as well as at the service termination.

Contributions

(Provisions, Dates and Method of Payment)

- The insured shall pay contributions at the rate of (15%) monthly in a way that the monthly salary shall not exceed (KD 2500) and not be less than (KD 230).
- Also the insured shall pay contributions at the rate of (2%) monthly of the value of the above salary in favour of the Retirement Pension Increment Fund, and this rate shall be added to (3%) as from the date of 1.8.2007.

- Upon registration, the Public Institution for Social Security shall notify the insured of the amount of the subject salary to the insurance and the amount of the monthly contribution which he shall pay from this salary, if he receives his salary in a foreign currency.

Also, he shall be re-notified upon any change in the declared exchange rate by the Central Bank of Kuwait in the first day of January every year or upon the change of the salary on the basis of which the contributions are calculated.

- Contributions shall be computed based on the contribution beginning salary, and then based on the salary of January every year, and it shall not be affected by any change of salary during the year.
- Contributions shall become due in full for every month even if the insured did not receive his salary for that month, whether totally or partially, because contributions are payable in full for the month in which the contribution begins and it shall not be due for the part of the month in which it shall expire.
- The date of paying the due contributions for every month shall be during the period from the first day of the next month following the month for which it is due until the end of the month. For instance, January contributions are due during February ... and so on.
However, the insured may pay his contributions in advance for any period he spend in the work which is subject to the insurance.
- Contribution payments shall be made either by depositing the same with the PIFSS's Cashier, provided that the insured shall notify the Public Institution for Social Security of the details of the paid amounts in the prepared forms for this purpose (which can be ordered by mail).

Cease to Benefit from the Law

- Since the contribution in this law is voluntary, the insured may stop this contribution at any time even if the work relation still exists. Contribution shall be ceased in the date he determines provided that it shall be following the last due contribution paid to the Public Institution for Social Security.
- Benefiting from the insurance shall cease if the insured cease to pay (12) successive contributions.
- If the insured service ended during the suspension period of paying the contributions and prior to the completion of the same, then the suspension period shall be included in the calculation of the period counted in the insurance, if this leads to the eligibility of the retirement pension. In this case, contributions for the suspension period shall become due.

Rights Secured by Law for the Insured

- In this system, the law secures for the insured the same rights which it provides for those who are subject to Chapter Three of Social Security Law, where he or his eligible beneficiaries will receive a retirement pension pursuant to the same rules and conditions prescribed for the employees who are subject to the above Chapter. Also, he shall be eligible to receive retirement remuneration if such conditions are not satisfied.

**INSURANCE PROTECTION EXTENTION
INSURANCE OF KUWAITIS WORKING IN
ONE OF THE GCC**

INSURANCE PROTECTION EXTENTION SYSTEM INSURANCE OF KUWAITIS WORKING IN ONE OF THE GULF COOPERATION COUNCIL STATES

In implementation of the provisions of the Unified System for Extending the Security Protection to citizens of the Gulf Cooperative Council for Arab Countries who are working outside their own countries in any member state of the Gulf Cooperative Council (GCC); and the Law No. (44) of 2007 concerning “ the extension of security protection to the citizens of the states of Gulf Cooperative Council for Arab Countries who are working outside their own countries in any member state of the Council” the Kuwaiti employee who is working in a GCC state shall obligatorily be subject to the provisions of the Law Decree No. (11) of 1988 concerning the contribution to social security by workers abroad and the like. Also, he shall be subject to the provisions stipulated in the social Security Law No. (61’) of 1976; and the Law Decree No. (128) of 1992 concerning the complimentary insurance system; and the Law No. (25) of 2001 amending certain provisions of the Social Security Law and Pensions Increments in all that is not particularly provided for regarding law No. (44) of 2007 and in a manner which is not contradictory to its provisions as from 1/1/2006, with exception of the kuwaiti employee working in Qatar, shall be implemented to these provisions as from 1/1/2007 accordance with the following terms & conditions:

Beneficiaries of the Law:

The provisions of this insurance shall be applicable obligatorily to the Kuwaiti citizen who is working in a GCC country with an employer who is subject to the civil retirement /social security system the country where the work is performed, * Provided that such work should be with one of the units of the administrative body in the country where the work takes place or the public authorities and departments therein which are subject to the civil service laws or systems or he should be subject to the labour laws or systems in those countries .

• Conditions of being subject to the provisions of this insurance:

- a. The insured person should be a Kuwaiti national.
- b. The employer should be subject to the civil retirement system/ social ,security system in the country where the work takes place.
- c. The work should be with one of the units of the administrative body in the country where the work is performed or the public authorities and departments therein who are subject to the civil service laws or systems or he should be subject to the labour laws or systems in those countries.
- d. Upon commencing the contribution to this system, the age of the insured person shall not be less than 18 years or more than 65 years.

• Registration Procedures:

If any Kuwaiti employee joins the work with an employer in one of the other GCC countries then he shall be obligated to pay his contributions pursuant to the provisions of this insurance and the employer shall take the initiative to register him according to the applicable rules and procedures in the country where the work place exists, according to the documents prepared by the institution for this purpose.

- * Work Place State: The GCC country where an employee is working / the Subjugated employee to this system.

• Required Documents for Registration:

The employer shall present a notification stating the employee's joining work with the following documents :-

1. Copies of nationality certificate, birth or age assessment certificate and civil identity card.
2. Copy of the appointment decision or employment contract.
3. Detailed statement of the salary for employees in the government and private sectors, if the salary's elements are detailed.

Contributions: Their Provisions, Dates, Payment Method

The social security system in Kuwait depends on self-finance in providing security rights where the contributions constitute a main source among the sources of its finance. Contributions are computed on the basis of the salary which is subject to the contribution «i.e. the complete basic salary received by the insured person in addition to all other allowances, bonuses, grants, or periodic donations pursuant to the provisions of the Law No. (38) of 1964, provided that the subjugated salary to the contribution shall not exceed (KD2500) and not less than (KD230).

- The monthly contributions shall be calculated on the basis of the insured person's salary which is subject to contribution as follows:

First: Regarding the monthly contributions required for the period from 01.01.2006 to 31.07.2007, shall be computed at the rate of (17%) of which the employer shall bear his share of them at the rate of (11 %) while the insured person shall afford his share at the rate of (6%).

Second: As regards the monthly contributions required, as from 01.08.2007 they shall be computed at the rate of (18%) of which the employer shall bear his share of them at the rate of (11%) while the insured person shall afford his share at the rate of (7%).

It should be observed that if the share paid by the employer in the country where the work is performed is less than the required rate of (11%), the Kuwaiti insured shall pay the difference along with his share in contributions.

- Contribution shall be calculated for the full month in which be the contribution in the insurance has commenced and it shall not become due for a part of the month in which it is terminated, along with observing that if the service of the insured person is terminated in the last day of the month then the contributions shall become due for the full month.

The employer shall provide the civil retirement/social security -authorities in the country of the place of work with the pay-roll of the employees working, with him for the month of January every year and any changes which may be made in the salary during the year will not be considered; and the contributions calculation against the salary as in January or in the joining date, if it occurs after this month, shall continue until January of the following year.

- In case of any differences due to the variation in identifying the salary which is subject to contribution between the employee/ worker home country^{*} and the country where the work is located **and any other differences**, the insured shall bear the full rate against the difference of the salary which is not subject to the contribution **and other differences**.
- The monthly contributions shall be payable by employers in the GCC countries for the insured Kuwaitis who are working for them according to the contribution payment dates prescribed in the civil retirement/social security law or system in the country where the work takes place.
- The employer shall be obligated to deduct the monthly required contributions and any other amounts due on the insured's monthly salary, and deposit them in the bank account of the Public Institution for social security (State of Kuwait) in the country where the work takes place, with addition to his share in contributions.
- We would like to draw the attention that there is an increment in the monthly contribution rate of the insured person at the rate of (0.5%) as from 1/8/2010.

* Employee/ worker home country: means one of the GCC states which the employee/ worker holds its nationality.

• Applied Penalties:

If the employer delays the payment of the due contributions within the legally fixed dates or if he fails to register all or part of the Kuwaiti employees/workers or if he does not give notice about the termination of service of any of them or if he pays the contributions on the basis of incorrect salaries, then he shall be subject to the applicable penalties in the civil retirement/social security law or system in the country where the work is performed and the payment of such amounts arising from the application of these penalties shall be payable to the bank account of the Public institution for social Security (State of Kuwait) in the country where work takes place.

• Reasons for Contribution ceasing or Termination:

- Contribution to the security protection extension law shall cease if the insured person loses one of the two subjugation condition (b,c) thereto.
- Also, the contribution shall cease if the insured is granted a leave without pay, for whatever period, and the employer shall give notice to the civil retirement / social security authorities in the country where the work is performed in this respect, who shall in turn give notice to the Public Institution for Social Security in Kuwait.
- Contribution to the security protection extension law shall terminate by the termination of the work relationship for any reason whatsoever, for instance : (resignation, dismissal, death ... etc.) and the employer must give notice to the civil retirement/social security authorities in the country where the work is performed in this regard in the form specially prepared for this purpose in the prescribed dates in the laws of the mentioned country. The contribution shall also terminate if the insured loses his Kuwaiti Nationality or nationality being withdrawn or dropped.

Procedures Concerning Disability, Sickness, Death & Loss Cases:

In the event disability, sickness or death of the insured employee / worker , the employer shall give notice to the civil retirement / social security authorities in the country where the work is performed in this respect, who shall be responsible to prepare the necessary medical reports & certificates for proving the disability, sickness or death cases, and then send the same to The Public Institution for Social Security in Kuwait, so as to be presented before concerned medical committees according to the applicable rules & procedures in law of Kuwait Social Security, in preparation for the settlement of the dues of the insured or his beneficiaries, as the case may be, pursuant of mentioned law.

Guarantee rights under the Law for Insured Person:

In this system, the law guarantees to the insured person the same rights it ensures to those who are subject to the provisions of Chapter Three of the Social Security Law, Under which he or his beneficiaries shall be eligible to receive the retirement pension pursuant to the same rules & conditions prescribed for those employees who are subject to the said chapter. Also, he shall be eligible to the retirement remuneration if he does not meet these conditions.

INSURANCE OF EMPLOYERS, SELF-EMPLOYED AND THE LIKE

Insurance of Employers, Self-employed and the like

The insurance provisions stipulated in Chapter Five of the Social Security Law shall be applicable to the following categories of employers, self-employed and the like:-

1. Those who are working in free professions like lawyers, engineers, accountants, medical doctors ... etc.
2. Merchants required to be registered in the Commercial Registry under the law.
3. Joint partners in general partnerships or joint stock companies.
4. Dedicated partners for management in companies with limited liability.
5. Owners of taxis, means of transportation, fishing boats and shipping vessels.
6. Owners of medical treatment centers, medical investigation laboratories, pharmacies, drug stores and optical glass shops.
7. Owners of newspapers and magazines companies, libraries, bookshops, and printing presses.
8. Owners of customer service shops like restaurants, café's and groceries.
9. Owners of factories and workshops.
10. Brokers and customs agents.
11. Other categories whose activities require a license from the competent authorities.

Registration Conditions

The insurance contribution for the abovementioned categories shall be obligatory provided that the subscriber's age shall not be less than 18 years and not more than 55 years as on 01.03.1986 or in the activity practicing commencement date, if it comes later on.

As for subscribers whose age is more than 55 years as at the above date, then his contribution and the continuation in the insurance shall be voluntarily.

This insurance shall not be applicable to the following categories:

1. Those who are working for other employers.
2. Retirement pensioners, but any of them may request to subscribe voluntarily in this insurance provided that he shall ask the suspension of paying his pension according to the rules and conditions determined by the Ministerial Resolution No. (5) of 1994.
3. Those who are of more than (65) years of age upon the beginning of the contribution.

REGISTRATION PROCEDURES

If you are one of the abovementioned categories, you shall submit an application for contribution in this insurance in the specially prepared form for this purpose within ten (10) days from the beginning of the activity, bearing in mind that the insurance shall be obligatory as from 01.03.1986; and those who did not subscribe previously shall submit their contribution applications so as not to be subject to the payment of additional amounts.

The contribution application shall be accompanied with the following documents:

1. Copy of nationality certificate.
2. Copy of birth certificate or age assessment certificate.
3. Copy of civil identity card.
4. The official supporting document showing the type of activity and date of its commencement.
5. Copy of the company articles of incorporation with any amendments thereto.
6. An undertaking to present copies of all amendments which may subsequently occur in the articles of incorporation in addition to providing the Public Institution for Social Security with a copy of the commercial license upon every renewal.

MONTHLY INCOME BRACKETS

The insured may select any of the mentioned brackets in the following table which is suitable for his income and he shall monthly pay the relevant contribution amount shown against each bracket:

Bracket in KD	Chapter Five Contribution Rate	Increment Fund Contribution Rate	Total Monthly Payable Contributions in KD	Period (in Months)
200	5%	2%	14	36
250	6%	2%	20	33
300	7%	2%	27	30
350	8%	2%	35	27
400	9%	2%	44	24
450	10%	2%	54	24
500	11%	2%	65	21
550	12%	2%	77	21
600	13%	2%	90	18
650	14%	2%	104	18
700	15%	2%	119	15
750	15%	2%	127/500	15
800	15%	2%	136/000	15
850	15%	2%	144/500	12
900	15%	2%	153/000	12
950	15%	2%	161/500	12
1000	15%	2%	170/000	12
1050	15%	2%	178/500	9
1100	15%	2%	187/000	9
1150	15%	2%	195/500	9
1200	15%	2%	204/000	9
1250	15%	2%	212/500	9

Note:

1. The minimum rate for contribution commencement bracket for lawyers is (KD 400) monthly.
2. The increment fund contribution rate shall be (3%) instead of (2%) as from 01.08.2007.

AMENDMENT OF BRACKETS

a) Amending Contribution Commencement Bracket;

You shall have the right to amend the bracket in which your contribution in the insurance has started and you may

select any other income bracket (mentioned in the attached schedule), provided that you should file your application within a period not exceeding five years as from the beginning date of the contribution.

b) Amending the bracket on the basis of which the contribution is payable:

You may amend the monthly income bracket to the immediately higher bracket, provided that the corresponding period of the bracket against which the contributions are paid (in the attached schedule) shall expire in addition to the settlement of all other contributions and amounts due from you up to the amendment application date.

- The contribution of the retirement pension increment fund shall be calculated at the rate of (2%) to be added to the corresponding percentage to each bracket in the above schedule as from 1.8.2004. This percentage shall be increased to (3%) as from 1.8.2007.
- Contributions shall become due in full against the month in which the contribution begins. Nothing shall be due against the part of the month in which the contribution expires, except if the contribution expires in the last day of the month.
- Contributions shall be payable at the beginning of the next month following the month against which it is due. For example, January contributions shall be due in the beginning of February.
- The benefit from the insurance contribution shall cease if the insured is subject to Chapter Three of the Social Security Law. Also, the benefit from the insurance shall cease upon terminating the validity of the license and the non-renewed periods shall be removed from the contribution periods mentioned in Chapter Five.

INSURANCE PRIVILEGES

The contribution in this insurance provides you with a retirement pension in the following cases:

- a) If you attained the age of 65 years and completed a contribution period of 15 years, even if you continued to exercise your activity.
 - b) If you reached the age of 60 years old and completed a contribution period of 20 years, even if you continued to do your activity.
 - c) If you attained the age of 55 years and completed a contribution period of 20 years, if you ceased to practice such activity.
 - d) If you attained the age of 55 years and completed a contribution period of twenty years, of which (15) conjoined years.
 - e) If you ceased to exercise your activity due to sickness for a period of not less than 3 months.
 - f) Disability or Death: In case of the total disability to practice the relevant activity or in case of death before the expiry of the contribution or within two years from the date of its expiry, then the pension shall become due for your family regardless of your term of contribution in the insurance in addition to the death grant, in the event of death.
2. Pensioners may commute a quarter of the pension in a certain amount to be payable in one payment for facing any emergency circumstances.
 3. The periods of the previous service spent in the work with the government sector (civil and military), oil or private sectors or the previous periods spent in the membership of the Municipal Council and Mayors may be conjoined.
 4. If the pension eligibility conditions are not available, the insured shall be given a retirement remuneration to be payable according to the prescribed rules and regulations in this respect. Also, the remuneration for the extra period which is necessary for the eligibility of the maximum pension rate shall be due.

COMPLEMENTARY INSURANCE

Complementary Insurance System

Introduction:

The Public Institution for Social Security, having overshadowed all citizens who are working inside the country and abroad under the coverage of the Social Security, it directed its efforts towards covering the elements of salary on which the insured depends to secure his living but they are not included within the components of the salary that is subject to the basic insurance system, with such a type of insurance which is suitable to the nature of these elements, i.e. the “complementary insurance” in respect of which the Law Decree No. (128) of 1992 on the complementary insurance system was issued which we hereunder mention its most important features:

Its Objective

The objective of this system is to enter the cash amounts on which the insured or beneficiary usually depends throughout his course of life but they are not included within the salary subjugated to the basic insurance, particularly the allowances, remunerations and incentives so as to be a part of the pension on which the insured will depend after the termination of his service.

Its Coverage Scope

- a) It shall cover the insured persons in Chapter Three (including workers abroad).
- b) The military personnel who are working for the Ministry of Defense, Ministry of Interior, and the National Guard. The insurance for the above two categories shall be obligatory.
- c) The insured persons in Chapter Five whose income brackets amount up to (KD 1250) per month.

- d) • It shall also cover the desirous of categories (a, b) to increase his salary even if he is subject to the obligatory insurance. The insurance for categories (c, d) shall be voluntary. It is noticed that the law is currently applied to on persons who are involuntary subject to the insurance only, since no ministerial resolutions have been issued yet on the voluntary contribution of insured.

Monthly Contributions

(5%) of the complementary salary shall be borne by the insured monthly plus (10%) of the salary to be borne by the employer.

These contributions shall be paid to the Public Institution for Social Security according to the provisions and within the legally prescribed dates for paying the due monthly contributions against the basic insurance.

Applicable Date of Complementary System

Law Decree No. (128) of 1992 on complementary insurance system shall be operative as from 1.1.1995.

Addition of Previous Periods

The terms preceding the date of 1.1.1995 during which the insured was subject to the complementary insurance on supposition that he was subject to it shall be added pursuant to the following conditions:

- a) He shall submit the inclusion application within five years effective from the date of 26.1.1997 or as from the date of subjugation to the insurance, if it comes later on.
- b) Providing an official certificate proving that the applicant was receiving a complementary salary during the period required to be included.
- c) The contribution salary in the basic insurance during the period to be included should have reached the maximum limit, for the periods spent in the private and oil sectors.
- d) The periods required to be included should be counted in the basic insurance.

Complementary Pension Eligibility Cases

The complementary pension shall be due in such cases where the basic pension shall be due, and the complementary pension shall be deemed as a part of the retirement pension and it shall be subject to all its provisions.

Complementary Pension Calculation Method

The complementary pension shall be computed based on the balance to be calculated for the insured in the complementary insurance according to the schedule attached to the law.

Commutation

It is allowable to commute from the due complementary pension for the contribution period in the complementary insurance and the added periods, except the included portion thereof in less than (15%).

Retirement Remuneration

In the event of non-eligibility to a complementary pension, a retirement remuneration shall become due and it shall be calculated based on the balance and be payable in the same cases where the retirement remuneration is payable from the basic insurance.

General Provisions

All that is not particularly provided for in the complementary insurance system shall be subject to the provisions of the Social Insurance Law No. (61) of 1976.

**PENSIONER'S
PENSIONS & REMUNERATIONS**

Permanent Retirement Pensions Eligibility Cases (Civil)

The insured shall receive a retirement pension upon the termination of his service for one of the following reasons:-

- Death or total disability, or the occurrence of either of them within two years as from the service termination date.
- Medical unfitness or exhaustion of sick leaves (government sector + fully state owned companies).
- Termination of the insured service for such reasons that endanger his life if he continues to do his work, provided that he shall have a contribution period of not less than ten years in this work.
- Termination of service of the married, divorced, or widowed woman for reasons other than the above ones if every one of them is having children and her contribution period reached up to (15 years) and she attained the age stated in Table No. (7 A) attached to the law. In this case, the pension shall be paid without deduction; and this shall be applicable to the married woman without children, provided that two successive years should have lapsed since her marriage as at the service termination date, even if her joint stay with her husband for one year up to the service termination date is proved to be true. As an exemption from the age condition referred to in this clause, the pension shall become due whenever the insured woman attains the age of 40 years up to the date of 31.12.2009.

Also, it is permissible, in the cases of service termination falling after the above mentioned date and before attaining the fixed age in the above schedule, in a period of not more than five years and in a manner that the age upon the service termination shall not be less than 40 years, that the insured may select to receive the pension instead of the retirement remuneration provided that the pension should be reduced by the fixed rate in this respect.

- Termination of the insured person service for such reasons other than the ones stipulated in the previous points and he had reached the prescribed age in Schedule (7 B) attached to this law if he has a contribution period of not less than (15 years) at the age of fifty or (20 years) before that age.
- Termination of the insured service in the cases referred to in the previous point if the period of his contribution reached the fixed limit and did not attain the fixed age in Schedule No. (7 B). In this case, he shall be eligible to the pension but it shall not be paid to him unless he reaches the prescribed age or that death or disability takes place before that.
- Termination of service of the insured who exercise a hard, dangerous or harmful work and he has an actual period of service of (20 years) in such works.
- Termination of service of the insured woman who looks after a handicapped husband or son and she has at least a contribution period of (15 years).

Schedule No. (7 A)

Fixing the Age before which the Pension shall not Be due pursuant to Clause (5) of Article (17)

Service Termination Date	Age in applying Clause (5)
Up to 30.6.2004	Without fixing a certain age
From 1.7.2004 to 31.12.2006	41
From 1.1.2007 to 31.12.2009	42
From 1.1.2010 to 31.12.2012	43
From 1.1.2013 to 31.12.2014	44
From 1.1.2015 to 31.12.2015	45
From 1.1.2016 to 31.12.2016	46
From 1.1.2017 to 31.12.2017	47
From 1.1.2018 to 31.12.2018	48
From 1.1.2019 to 31.12.2019	49
From 1.1.2020 to 31.12.2020	50

Note:

If the pension is due on supposition of the end of service upon reaching a certain age according to this schedule, then the pension shall become due whatever the age is upon the end of service thereafter.

Schedule No. (7 B)

Fixing the Age before which the Pension shall not
Be due pursuant to Clause (6) of Article (17)

Service Termination Date	Age in applying Clause (6)
Up to 31.12.2005	46
From 1.1.2006 to 31.12.2009	47
From 1.1.2010 to 31.12.2012	48
From 1.1.2013 to 31.12.2014	49
From 1.1.2015 to 31.12.2015	50
From 1.1.2016 to 31.12.2016	51
From 1.1.2017 to 31.12.2017	52
From 1.1.2018 to 31.12.2018	53
From 1.1.2019 to 31.12.2019	54
From 1.1.2020 to 31.12.2020	55

Note:

If the pension is due on supposition of the end of service upon reaching a certain age according to this schedule, then the pension shall become due whatever the age is upon the end of service thereafter.

Permanent Retirement Pension

Calculation Method

The retirement pension shall be due at the rate of (65%) of the last monthly salary for the contribution period calculated in the insurance amounting to (15 years), then it shall be increased at the rate of (2%) per every extra year in a maximum limit of (95%) of this salary, with prejudice to the following points:

1. Calculating the retirement pension at the highest salary received by the insured during the last five years of service for the insured whose service expired with the government sector or the fully state owned companies; and the decrease in the social allowance will be against the wife or children only.
2. Regarding the insured persons who are working for

such entities where the employees are not subject, in the determination of their salaries, to the approved systems by the Civil Service Council or in respect of which collective agreements were concluded, the pension shall be calculated on the basis of the average salary during the last five years of the insurance contribution period or the full contribution term.

3. As for the insured persons in the private and oil sectors working in other than the fully state owned companies who were granted the social allowance and children allowance pursuant to the National Manpower Support Law No. (19) of 2000, the salary against the eligibility period of the above two allowances shall be computed by adding the social allowance on the basis of which the pension is settled.

The pension shall be reduced in cases of resignation and the like according to the following percentages:-

- (5%) if the age upon pension payment is less than (45 years).
- (2%) from (45 years) to (52 years).
- The reduction shall not be applicable to the pension of a woman with children (married, widowed and divorced) and also the married woman who is subject to Clause (5)
- The retirement pension shall be payable monthly in the (10th) day of every month.

Eligibility Cases of Temporary Retirement Pension

- Termination of the insured service as a result of being exposed to such a disease that exhausted his sick leaves (private sector and companies which are not fully owned by the state) and he was not eligible to a permanent pension, the temporary pension in this case shall be calculated based on his contribution period in this insurance or (15 years), whichever is more, until he recovers.
- Termination of the insured service due to being finally

convicted in a freedom restricting penalty and he was not eligible to receive a permanent pension. In this case, the temporary pension shall be calculated based on the contribution period in this insurance, provided that it should not be less than (15 years.) The payment of this pension shall become due as from the imprisonment period date or the service termination date, whichever is later.

The payment shall continue even after the expiry of the imprisonment period until the date of subjugation to one of the Social Security Laws, or the eligibility date of a permanent pension or the expiry of two years after the imprisonment expiry date, whichever is earlier.

Temporary Pension Calculation Method

The pension shall be calculated monthly at the rate of (65%) of the last monthly salary for the contribution period of (15 years), then it shall be increased by (2%) for every extra year up to a maximum rate of (95%) of this salary.

Salary means (basic salary + social allowance in a maximum amount of KD 1250).

As for those whose service in the private or oil sector expires, the average pension shall be calculated based on the received salary during the last five years.

Retirement Remuneration Eligibility Cases (Civil)

- If the insured service is terminated and he is not eligible to receive a retirement pension, he shall receive a retirement remuneration to be payable to him in monthly payments if the insured requested payment of the same within one year from the date of service termination; and it shall be payable in one payment after one year from the date of service termination.
- Also, a remuneration shall be payable against the **actual** contribution period that exceeds the required period for the eligibility of the maximum limit of pension. The remuneration shall be payable in one payment along with the retirement pension.

Remuneration Calculation Method

- Salary x 12 x 10% x 5 for the first five years.
- Salary x 12 x 12% x 5 for the second five years.
- Salary x 12 x 15% x 5 for the third five years.
- Salary x 12 x 20% x the number of remaining years.

Cases of Retirement Pension Eligibility in Chapter Five

- Death of the insured or his total disability before the end of the contribution or within two years from the date of its expiry and he was not working for third parties.
- If the insured attained the age of (65 years) whenever his period of contribution calculated in the insurance reaches (15 years).
- If the insured attained the age of (55 years) whenever his contribution period reaches (20 years).

In this case, the pension shall be paid to him:

1. When he ceases to practice his activity.
2. When he attains the age of 60 years.
3. The other cases specified by a minister resolution.

In this event, the pension eligibility shall be upon the request of the insured person.

Pension Calculation Method in Chapter Five

The monthly pension shall be computed at the rate of (65%) for (the first 15 years) plus (2%) for every extra year in a maximum limit of (95%) of the brackets average during the last three years.

The retirement pension shall be payable monthly in the 10th day of every month.

Remuneration Eligibility in

Chapter Five

- If the insured person is not eligible to a retirement pension upon the expiry of his contribution in this insurance, he shall be eligible to retirement remuneration provided that his contribution period shall not be less than one year.
- Also, he shall receive remuneration for the period extra than the necessary period for being eligible to the maximum pension limit, i.e. (30 years).

Remuneration Calculation Method in

Chapter Five

- Brackets average for the last 3 years x 12 x contribution years x the last rate on the basis of which the contribution is due.

Retirement Pension Eligibility Cases

(Kuwaiti Military Personnel)

- Termination of military personnel service due to death or a judgment that proves the discontinued absence or the dismissal for health reasons, or the occurrence of death or total disability within two years as from the date of service termination without being subject to the provisions of the social security law.
- Termination of the insured service because he attains the legally prescribed age for quitting the service or being referred to retirement whenever he has a service period of (15 years).
- Termination of the military personnel service for reasons other than the above ones, whenever his **actual period** of service reaches (15 years) and he attains the age of (50 years). If he does not attain this age upon the service termination, he should have an **actual period** of service of (20 years).

Pension Calculation Method for (Kuwaiti Military Personnel)

First: Regarding the service termination cases due to the attainment of the legally fixed age, death or proof of discontinued absence or dismissal for health reasons or referring to retirement; and the age of (45 years) upon the service termination, the pension shall be calculated at the rate of (75%) of the basic salary + social allowance up to (KD 1250) for the first 15 years + (2%) for every extra year up to (100%) of the said salary.

Second: As for the service termination for other reasons or for retirement upon the military person request and the age is below (45 years) upon the service termination, the pension shall be calculated at the rate of (65%) of the said salary for the first 15 years plus (2%) against every extra year in a maximum limit up to (95%).

In case of military person service termination for health reasons as a result of an injury or if he is lost during the work or in connection thereof, the pension shall be calculated at the rate of (100%) of the last assessed salary fixed for his rank.

In case of military person service termination for health reasons as a result of an injury during military operations or war zones, the pension shall be calculated at the rate of (100%) of the last assessed salary fixed for the next rank following his rank.

The retirement pension shall be counted for military retired personnel on monthly basis on the (15th) day of every month.

Eligibility of Retirement Remuneration For (Kuwaiti Military Personnel)

- The beneficiary shall be eligible to a retirement remuneration in the cases where he is eligible to a retirement pension and it shall be payable in monthly payments or in only one payment as the case may be.
- Also, he shall be eligible to receive remuneration for the actual service period exceeding the necessary period for being eligible to the maximum pension unit and it shall be paid in one payment along with the pension

Retirement Remuneration Calculation Method for Kuwaiti Military Personnel

- Salary x 1.5x 5 for the first five years.
- Salary x 2 x 5 for the second five years.
- Salary x 2.5 x remaining period counted in insurance.

Retirement Pension Eligibility Cases for (Non-Kuwaiti) Military Personnel Benefiting from the Provisions of Law No. (31) of 1967

The retirement pension shall become due upon the service termination for one of the following reasons:

- Death or judgment proving discontinued absence or dismissal for health reasons.
- Attaining the fixed age for quitting the service.
- In case of referring to retirement provided that the age shall not be less than (45 years).

Pension Calculation Method for the above (Non-Kuwaiti) Military Personnel

- Last monthly salary x (65%) if the counted service period according to the Law No. (27/1961) is less than (20 years).
- Last monthly salary x (75%) if the counted service period according to the Law No. (27/1961) is (20 years or more).
- The retirement pension shall be payable to the retired non-Kuwaiti military personnel on monthly basis on the (15th) day of every month.

Retirement Remuneration Calculation Method for above (Non-Kuwaiti) Military Personnel

A retirement remuneration shall become due and payable in one payment for those whose service expires after 01.03.1981 for reasons other than the abovementioned ones, at the rate of one and a half month salary for every service year of the first five years counted as per the law No. (27/1961) and then at the rate of two months salary for every year of the next five years, and thereafter at the rate of two and a half months salary for every extra year. The salary should be the last monthly salary in addition to the social allowance.

Retirement Pension Eligibility Cases for (Non-Kuwaiti) Military Personnel Not Benefiting from the Provisions of Law No. (31) of 1967

- In case of military person service termination for reasons resulting from an injury during the work or in connection thereof, the retirement pension shall be calculated at the rate of (100%) of the last assessed salary fixed for his rank.
- In case of the military person service termination for health reasons as a result of an injury during military

operations or war zones, the retirement pension shall be calculated at the rate of (100%) of the last assessed salary fixed for the next rank following his rank

Combining Pension and Salary

The retirement pensioner, among the Kuwaiti civil or military personnel, may combine between his retirement pension and his due salary if he joined work with the private sector without restrictions, if he met the following conditions:-

- The pensioner should have an actual service period in the government, oil sectors or in all of them of not less than (15 years) if his age upon the service termination is not less than (50 years) or (20 years) if the age is less than that. The retirement pensioners whose service was terminated for attaining the prescribed period for quitting the service or referring to retirement shall be exempted from this provision because this period is not a condition for them.
- The retired person may combine between the retirement pension and the remuneration pursuant to the provisions of chapter Three of the law (Ministers, National Assembly members, members of Municipal Council, mayors).
- The retired pensioner shall submit the combination application within three months from the date of joining the new job.

Calculation Method of Combination Period upon Expiry

- If the service of the civil pensioner, who combines this pension with the salary, expired for the combination period, the pension due for him before the combination shall be added at the rate of (2%) of salary average for every year of the combination period, and he shall be paid the pension and the increase as from the day following the service termination. If the actual service

period in which he received a retirement pension and the combination period reached more than (30 years), he shall be eligible to a retirement remuneration to be payable in one payment for the service period exceeding this limit.

- As for the military pensioner, he shall receive a retirement remuneration upon the expiry of the combination period to be payable to him in one payment provided that he submits an application for payment.
- If the combination period reached the period that entitles him to receive a retirement pension, then the civil retirement pension shall become due for him and it shall be subject to the combination rules of the military and civil pensions counted on the basis that the total military pension in addition to (2%) of the monthly salary against which the civil pension is counted for every year of the due years should not exceed the last pension.

Commutation by Retired Pensioner

(The civil and military) retired pensioner may commute a quarter of the retirement pension, maximum, provided that the net pension, after deducting the debt premiums, shall not be less than half the salary on the basis of which the pension is counted and it shall be payable as per the following periods, as the pensioner selects:

- (5 years)
- (10 years)
- (15 years)

The Commutation amount shall be as per the equivalent Dinar value to the retired person age as on the date of filing the application according to the attached schedule.

Commutation During Service

The insured or military beneficiary may file the commutation application during the service and for a period of only five years according to the following conditions:-

- He shall have the right to the retirement pension on supposition of the insured resignation or reference of the military person to retirement
- The part to be commuted shall not be less than (KD 20/-) and not more than the commutable part.

Age in Commutation Application Date	Commutation Period					
	5 Years		10 Years		15 Years	
	KD	Fils	KD	Fils	KD	Fils
Up to 40	51	671	89	674	117	269
41	51	640	89	545	116	973
42	51	605	89	397	116	639
43	51	563	89	228	116	266
44	51	515	89	038	115	851
45	51	460	88	826	115	393
46	51	400	88	593	114	891
47	51	332	88	334	114	341
48	51	256	88	050	113	740
49	51	174	87	740	113	087
50	51	083	87	403	112	378
51	50	984	87	034	111	609
52	50	757	86	196	109	873
53	50	487	85	206	107	843
54	50	166	84	036	105	481
55	49	782	82	657	102	746
56	49	324	81	037	99	603
57	48	777	79	141	96	028
58	48	127	76	941	92	008
59	47	356	74	410	87	554
60	46	448	72	105	82	700
61	45	937	70	976		
62	45	385	69	618		
63	44	791	68	026		
64	44	470	66	379		
65	44	466	64	688		

FAMILY PENSION

Eligible Persons to The Pension of Dead Insured, Beneficiary or Retirement Pensioners and those who are subject to Chapter Five Provisions

Social security means safety and stability for the citizen and his family members during his old age, disability, sickness or in the event of his death.

So, in realization for this objective, the social security law gives a retirement pension in case of the death of the insured person, the military beneficiary or the pensioner which can help the members of his family, after his death, to afford the cost of living.

In this leaflet we will deal with the following:-

1. Eligible persons to the pension.
2. Their eligibility conditions.
3. Required documents.
4. Pension suspension and termination cases.

Eligible Persons in the Date of Death:

If the insured, retirement pensioner or the insured person who dies within two years from the service termination date or the family of a lost person (males and females), the following persons shall be eligible to his pension:

1. The husband or widows.
2. Children.
3. Parents.
4. Brothers and sisters.
5. Grandsons and grand daughters.

Eligible Persons Eligibility Conditions:

- It is a condition that the husband shall be unable to gain his living and this shall be proved by virtue of a letter from the General Medical Council.

- It is a condition for the eligibility of the (Son / Brother / and grandson) he should not have attained the age of 26 years, but the following shall be exempted from this provision:-
 1. The person who is unable to earn his living.
 2. The student in post-secondary school stage until he attains the age of 26 years provided that the payment of the relevant share for those who reach this age till the end of the academic year shall be continued.
 3. The one who obtains a university degree or the equivalent or even after that provided that he should not have reached the age of 28 years and he did not joins work or exercises such an activity in which he is subject to the provisions of Chapter Five.
- For the eligibility of the (daughter / sister / grand daughter), it is a condition that she should be unmarried (single / divorced / widow).
- For the father's eligibility, it is a condition that he shall prove his dependence on the pension of his deceased son or daughter.
- For mother's eligibility, it is a condition that she should be divorced or widow.
- It is a condition for the eligibility of the brothers and sisters that they should prove that they depend on the pension of their deceased brother during his life in addition to securing the children eligibility conditions.
- It is conditional for the eligibility of the grand sons and grand daughters that their father should have died before the grandfather or died while he was still eligible to the pension of his late father.

Eligible Persons After Death Date:

1. The daughter, mother and sister, if they are divorced or widowed for the first time after the death of the source.
2. The son and brother, if he becomes disabled after the

death of the source, shall be eligible (bearing in mind that their eligibility will not affect the shares of other eligible persons).

Statement of Required Documents from Eligible Persons:

1. Copy of death certificate (duly attested by the competent governmental authorities in the issuing country outside Kuwait and the embassy of the state of Kuwait).
2. Copy of Limitation of Succession (duly attested by the competent governmental authorities in the issuing country outside Kuwait and the embassy of the state of Kuwait).
3. Copy of birth certificate or age assessment certificate for the widow or her civil card if she is more than (55 years old).
4. Copy of children birth certificates (males and females) and handicapped supporting certificate (in case of handicapped child).
5. Copy of salary certificates for the working sons if they are not registered with the Public Institution For Social Security.
6. Disability proving certificate for a son who is above 26 years (if any).
7. A certificate showing the widow's account number in the Kuwaiti banks.
8. Copy of nationality certificate for a Kuwaiti widow woman or passport or civil card for the non-Kuwaitis.
9. Certificates on the account numbers of adult children if they are eligible to a certain share in the deceased pension in addition to certificates on account numbers of the minor children from the guardian's side if the guardian ship is for a person other than the Public Authority for Minors Affairs.
10. Copies of marriage contracts for daughters or divorce certificates as well as the contact certificates and court judgments that rules by marriage or divorce (if any).

11. Full family address and telephone number.
12. Study proving certificate for the son above 26 years who studies in a post-secondary school stage.
13. Civil Identity Card copy for all eligible persons.
14. In case of death of a non-Kuwaiti pensioner, the guardianship judgment on the minor children should be attached provided that it should be accompanied with the executive form of the courts of Kuwait.
15. Completing the already prepared forms during any contact by one of the heirs and which are available with the Public Institution for Social Security, namely:
 - a) Statement of heirs` social status.
 - b) Payment application on Form No. (201)
 - c) A declaration on the non-existence of any children other than those mentioned in the limitation of succession in addition to indicating whether there were children who died before the death or retirement of the insured.

Death Grant:

The death grant shall be payable at the rate of double the salary or income bracket or the retirement pension in addition to double the complementary pension (if any).

To Whom should Death Grant be Paid?

It shall be payable to those who are determined by the insured or pensioner (male or female) while he was alive,. If the eligible person to the death grant is not determined, it shall then be payable as follows:

1. In case of the death of the insured, it shall first be due for his father, then the widow or widows, then his mother and thereafter the elder son who is not eligible in the pension.
2. In the death of females, it shall first be due for the husband, then the elder son who is not eligible in the pension, then the father and the mother.

3. In the absence of the above persons, it shall then be paid to the eligible persons each pre-rata his eligible share in the pension. In the event of no eligible persons, it shall be paid to the legal heirs through the Ministry of Justice.

Minimum Share :

In all eligible cases, the due share for the eligible person shall not be less than the minimum limit fixed for his category (regardless of the retirement pension amount or the salary before death) and it shall be as follows:-

- (KD 229) for the widow and husband.
- (KD 180) for father and mother.
- (KD 115) for children, grandsons and granddaughters.
- (KD 115) for brothers and sisters, or double the eligible share, whichever is less.

Combination Rules :

The eligible person may combine the retirement pension and the share, even if it is multiple, in an amount which shall not exceed the legally prescribed maximum limit. However, the following shall be exempted from the application of combination rules:-

1. The person who is unable to gain living.
2. Children if they are eligible to their father's pension.
3. The widow if she combines her retirement pension and her due salary from her husband.

Termination:

The share shall terminate:

1. Upon the eligible person's death.
2. When the widow becomes eligible in the pension of her last husband, her share in the pension of her previous pension shall be terminated.

3. When the (son / brother / grandson) attains the age of 26 years if he is not enrolled as a student in a post-secondary school stage and not disable.

Cases of share suspension and Re-Payment:

- The share payment shall be suspended in the following cases:
 1. If the eligible person joins work, except the widow.
 2. Marriage of females (and a marriage grant shall be paid to each of the daughter, sister, and granddaughter upon their first marriage after 1.5.1993 and after the death of the source) at the rate of six months of the due share.
- The share shall be re-paid in the following cases:
 1. If a female is divorced or widowed.
 2. Termination of service.

Indebtedness:

1. Deceased Person's Legacy Indebtedness:

Upon the death of the insured and pensioner (male or female), the soundness of the salary, retirement pension and the due, increments thereto, which he was receiving during his life, shall all be investigated. If it is proved that they are incorrect, the pension shall be re-calculated and this shall result in an indebtedness against the ceased which shall be deducted from the eligible persons within the limit of the quarter of their corresponding shares.

2. Indebtedness of Pensions or Shares:

The Public Institution for Social Security shall be informed and notified of (the death of the eligible person, the marriage of females and when one of the eligible persons joins a work) so that no debts can be incurred by the eligible persons, bearing in mind that a set-off will be made between the due portions for the remaining eligible persons and the arising debt, without prejudice to the right of other eligible persons to claim the person who received such amounts.

Penalties:

Whoever intentionally furnishes the Public Institution for Social Security with incorrect information or willfully refrains from giving the information provided for in the law for the purpose of obtaining funds from the Public Institution for Social Security without having the right to obtain shall be punished with imprisonment for a period not exceeding one month or with penalty of not more than (KD 225) or with either of the two penalties.

Martyrs Pensions:

These are certain exceptional rules for the calculation and distribution of martyrs pensions in addition to the special rules of combining the due shares from martyrs and the other shares.

Complaints and Litigations Procedures:

No legal action may be filed against the Public Institution for Social Security unless the relevant right is claimed for in writing, then by filing a complaint against the issued resolution on the rejection of the claim to the complaints committee at the Public Institution for Social Security.

Prescription:

The rights of eligible persons towards the Public Institution for Social Security shall forfeit by the lapse of five years from the eligibility date.

Distribution Rates:

Shares shall be distributed to eligible persons in the pension as per the following schedule:

Schedule No. (1)

Fixing the Shares of Eligible Persons in the
Death of the Insured or Pensioner

No.	Eligible Persons
1	Eligible widow or husband only.
2	More than one widow.
3	Widow or eligible husband with one child.
4	More than one widow with one child.
5	Widow or eligible husband with more than one child.
6	More than a widow with more than one child.
7	Widow or eligible husband with both parents or one of them.
8	More than a widow with both parents or one of them.
9	Widow or widows or eligible husband with brother or sister.
10	Widow or widows or eligible husband with brothers and sisters.
11	Widow or eligible husband with one child, parents or one of them.
12	More than a widow with one child, both parents or one of them.
13	Widow or widows or eligible husband with more than one child, both parents or one of them.
14	Widow or eligible husband with one child and brother or sister or more.
15	More than one widow with one child and brother or sister or more.
16	Widow or widows or eligible husband with more than one child and brother or sister or more.
17	Widow or widows or eligible husband with one child, both parents or one of them and brother or sister or more.
18	Widow or eligible husband with more than one child both parents or one of them and brother or sister or more.
19	Widow or eligible husband with both parents or one of them and brother or sister.
20	Widow or eligible husband with both parents or of one of them and brother or sister or more.
21	More than one widow with both parents or of one of them and brother or sister or more.
22	One child only.
23	More than one child.
24	One child with both parents or one of them.
25	More than one child with both parents or one of them.
26	One child with brother or sister.
27	One child with more than brother or sister.
28	More than one child with brother or sister.
29	More than one child with more than brother or sister.
30	One child with both parents or one of them and brother and sister.
31	One child with parents or one of them and brother and sister or more.
32	More than one child with both parents or one of them and brother and sister or more.
33	Both parents or one of them.
34	Parents or one of them and brother or sister.
35	Both parents or one of them and brother or sister or more.
36	Brother or sister.
37	Brother or sister or more

This schedule is amended by the Law Decree No. (127) of 1992 which is enforceable as from 1.5.1993.

	Husband or Widows	Children	Parents	Brothers
	3/4			
	Full Pension			
	1/2	1/2		
	2/3	1/3		
	1/3	2/3		
	1/2	1/2		
	2/3		1/3	
	3/4		1/4	
	3/4			1/4
	2/3			1/3
	1/2	1/3	1/6	
	1/2	1/3	1/6	
	1/3	1/2	1/6	
	1/2	1/3		1/6
	1/2	1/3		1/6
	1/3	1/2		1/6
	1/3	1/3	1/6	1/6
	1/3	1/2	1/6	
	1/2		1/3	1/6
	1/2		1/4	1/4
	2/3		1/6	1/6
		1/2		
		Full pension		
		1/2	1/3	
		3/4	1/4	
		1/2		1/4
		1/2		1/3
		3/4		1/4
		2/3		1/3
		1/2	1/3	1/6
		1/2	1/4	1/4
		2/3	1/6	1/6
			1/2	
			1/2	1/4
			1/2	1/2
				1/3
				1/2

INSPECTION ON EMPLOYERS

Inspection on Employers

Inspection Objective

The information provided by the employers and insured persons in relation to the particulars and salaries of the employees constitutes a basic database in determining the rights and obligations connected with social security laws which directly affect the parties of this equation:

(the employer, the insured and the Public Institution for Social Security).

Consequently, it is sometimes necessary for the Public Institution for Social Security to do proper verification of the soundness and correctness of the information provided to PIFSS by applying judicial inspection procedures in order to ensure the soundness of social security systems application and to preserve the rights of all related parties, particularly the employers, and insured persons on one side as well as the protection of Public Institution For Social Security provident funds against the effects of the false information that is contrary to the real facts, on the other side.

Resolution No. (5) of 1977

Therefore, it is not strange that the resolution on the provisions and procedures of judicial inspection constitutes one of the main resolutions promulgated since the first beginnings for the implementation of the social security law provision, namely the Resolution No. (5) of 1977, which is enforceable as from 14/8/1977 (the date of its publication in the Official Gazette). Below are the most important clauses of this resolution:

Article(1):

The employees of the Public Institution for Social Security who are having the authority of judicial checkup shall have the right to control the implementation of the provisions of the social security law referred to hereinabove and the implementing resolutions thereto; and they shall be entitled in this respect:-

1. To enter the work places during the official working hours, without prior notice, to carry out the necessary investigations.
2. To peruse the books, records, papers, documents, and files related to the implementation of the law.
3. To verify that the employer is registering the employees working for him, who are subject to the law provisions, with the Public Institution For Social Security within ten days as from the date of joining work with him.
4. To carryout the necessary investigations and hear the statements of the employer or who represents him and the employees in his service and to prove all this in writing, if necessary.
5. Prepare minutes on the inspection results and to refer any crime arising thereof which is violating the provisions of the law to the Public Prosecution or the competent inspector.

Article (2):

The employees of the Public Institution for Social Security who have the authority of legal control shall carry the identity card that proves their official capacity and they shall present the same whenever they are requested to do so.

Required Compliance from Employers

1. To comply with furnishing the joining and service termination information of the employees and salary adjustments within the legally prescribed dates.

2. Maintain the financial records related to employees salaries.
3. Maintain the necessary administrative books for the employees which are consisting of the appointment decisions or employment contracts and the subsequent administrative resolutions as well as the penalties, leaves, salary increments and service termination.
4. Enabling the judicial inspector to have access to all the abovementioned records and documents, upon his request.
5. Clearly specify the addresses of the employer's place of business, whether the head office or the other branches in addition to notifying the Public Institution for Social Security with any subsequent amendments which may occur in the firm addresses.

General Directions

- The Public Institution for Social Security may carry out the judicial inspection procedures at any time whether before or after the registration process and even after the end of service of the insured.
- The Public Institution for Social Security may register any manpower which is subject to the law based on its investigations even if the employer refused to provide the joining notices.
- The non-registration of the subject manpower to the law, the delay of filing such applications and the contribution through false salaries shall result in penalties and extra amounts to be borne by the employer.

This is in addition to the delay of completing the relevant transactions or submitting the certificates required to be provided to certain competent authorities outside the Public Institution for Social Security.

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Public Relations & Information Department - Kuwait 2009