

EU. Par. I(I)
No. 4930, 16.12.2022

Law 214(I)/2022

The Social Insurance (Amendment) (No. 4) Law of 2022 is issued by publication in Official Gazette of the Republic of Cyprus in accordance with Article 52 of the Constitution.

Number 214(I) of 2022

AN ACT TO AMEND THE SOCIAL SECURITY LAWS 2010 TO (NO. 3)
2022

Preamble.
Official Journal of
the EU: L188,
12.7.2019, p.79.

For purposes, among others, of partial harmonization with articles 8 and 10 of the act of the European Union entitled "Directive (EU) 2019/1158 of the European Parliament and of the Council of 20 June 2019 on the balance between work and private life for parents and carers and the repeal of Council Directive 2010/18/EU", as amended or replaced from time to time,

The House of Representatives votes as follows:

Short title.

1. This Act shall be cited as the Social Insurance (Amendment) (No. 4) Act of 2022 and shall be read together with the Social Insurance Acts of 2010 to (No. 3) of 2022 (hereinafter referred to as "the principal Act") and the principal Act and this Act shall together be referred to as the Social Insurance Acts 2010 to (No. 4) 2022.

59(I) of 2010
114(I) of 2020
126(I) of 2010
2(I) of 2012
37(I) of 2012
170(I) of 2012
193(I) of 2012
106(I) of 2014
194(I) of 2014
176(I) of 2015
1(I) of 2017
52(I) of 2017
115(I) of 2017
132(I) of 2018
126(I) of 2019
194(I) of 2020
88(I) of 2021
101(I) of 2021
168(I) of 2021
44(I) of 2022
81(I) of 2022
150(I) of 2022.

Amendment
of Article 2 of
the Basic Law.

2. Article 2 of the basic law is amended as follows:

(a) By replacing the definition of the term "parental leave" with the following definition:

"parental leave" means parental leave taken under the Leave (Paternity, Parental, Caring, Force Majeure) and Flexible Work Arrangements for Work-Life Balance Act 2022";

(b) by adding, in appropriate alphabetical order, the following new terms and their definitions:

216(I) of 2022. "force majeure leave" means the right to absence from work due to force majeure taken under the Leave (Paternity, Parental, Caring, Force Majeure) and Flexible Work Arrangements for Work-Life Balance provisions of Law;

"caring leave" means caring leave taken

pursuant to the provisions of the Leave (Paternity, Parental, Caring, Force Majeure) and Flexible Work Arrangements for Work-Life Balance Act;

"parent" has the meaning assigned to that term by the Leave (Paternity, Parental, Caring, Force Majeure) and Flexible Work Arrangements for Work-Life Balance Act;

"father" has the meaning assigned to that term by the Leave (Paternity, Parental, Caring, Force Majeure) and Flexible Work Arrangements for Work-Life Balance Law."

Amendment
of Article 17 of
the Basic Law.

3. Subsection (1) of article 17 of the basic law is amended as follows:

(a) By substituting in paragraph (c) for the phrase "or physical injury" (second line), the phrase " , physical injury or parental leave";

(b) by substituting for paragraph (g) the following paragraph:

"(g) for each day on which he is absent from work on parental leave and does not receive parental leave allowance;"; and

(c) by adding, immediately after paragraph (g), the following new paragraph:

"(h) for each day on which he is absent from work on care leave or on leave due to force majeure.".

Amendment
of Article 18 of
the Basic Law.

4. Article 18 of the basic law is amended by substituting in subsection (1) of words "and (g)" (second line), with the phrase "(g) and (h)".

Amendment
of Article 21
of the Basic
Law.

5. Section 21 of the principal Act is amended by replacing at the end of subparagraph (ix) of paragraph (a) of subsection (1) the semicolon with a colon and inserting, immediately after subparagraph (ix) , of the following new subparagraph:

"(x) parental leave allowance.".

Amendment
of Article 22 of
the Basic Law.

6. Article 22 of the basic law is amended by adding to the proviso, immediately after the phrase "paternity allowance," (first line), the phrase "parental leave allowance."

Amendment
of Article 24 of
the Basic Law.

7. Subsection (2) of article 24 of the basic law is amended as follows:

(a) By adding in paragraph (a), immediately after the phrase "unemployment benefit" (second line), the phrase "and parental leave benefit"; and

(b) by adding in paragraph (b), immediately after the phrase "paternity allowance," (second line), the phrase "parental leave allowance".

Amendment
of Article 26 of
the Basic Law.

8. Article 26 of the basic law is amended by replacing subsection (2), with the following subsection:

"(2) The weekly amount of the sickness and unemployment benefit is calculated in accordance with the provisions in Part II of the Fourth Table, of maternity benefits and

paternity in accordance with the provisions in Part III of the same Table, and the parental leave allowance in accordance with the provisions in Part IV(1) of the same Table."

Amendment of
Article 29A of the
Basic Law.

9. Article 29A of the basic law is amended as follows:

(a) By substituting subsection (1), the following subsection:

"(1) Subject to the provisions of this Law, an insured father who had a child either through childbirth or through surrogate motherhood or through assisted adoption of a child up to twelve (12) years of age, is entitled to a paternity allowance if he satisfies the relevant insurance conditions."; and

(b) by adding, immediately after subsection (4), the following new subsection:

"(5) Subject to the provisions of this article, for the purposes of taking care of the child, in the event of the mother's death before or during childbirth or during maternity leave, the right to paternity allowance pursuant to the provisions of subsection (2) , is increased by as many weeks as the remaining weeks of maternity benefit to which the mother would have been entitled under the provisions of article 29, if she had not died:

It is understood that the above provisions are also applied in the event that the deceased mother does not establish a right to the provision of a maternity allowance pursuant to the provisions of the Third Table, but the father establishes a right to the provision of a paternity allowance."

Amendment of
the basic law
with the addition
of the new
article 29B.

10. The basic law is amended by the addition, immediately after article 29A, of following new article:

"Parental
leave allowance.

29B.-(1) Subject to the provisions of this Law, an insured employed parent is entitled to a parental leave allowance if-

(a) he satisfies the relevant insurance conditions; and

(b) has been employed for a period of twelve (12) months within the twenty-four (24) month period preceding the start date of the period for which he is applying for parental leave allowance.

(2) The parental leave allowance is paid-

(a) for a total period of six (6) weeks until August 1st 2024;

(b) for a total period of eight (8) weeks from 2 August 2024 onwards:

Provided that, in the case of a child with a disability, the duration of payment of the parental leave allowance is extended by

(a) four (4) weeks, provided that the child has been certified by the Disability and Functionality Assessment System of the Department of Social Integration of Persons with Disabilities, as a person with a severe disability or with a moderate mental disability;

(b) six (6) weeks, provided that the child has been certified by the Disability and Functionality Assessment System of the Department of Social Integration of Persons with Disabilities, as a person with a total disability:

127(l) of 2000
57(l) of 2004
72(l) of 2007
102(l) of 2007
63(l) of 2014.

It is further provided that, in the case of a child with a disability, subject to the provisions of the Persons with Disabilities Law, the allowance may be paid up to the child's eighteenth (18th) year of age:

It is further provided that, the allowance is paid from the end of the period during which the insured employed parent receives maternity allowance or paternity allowance, as the case may be, or if the insured employed parent does not establish a right to the payment of maternity allowance or paternity allowance, as the end of the period in which he would receive a benefit if he established a right until the completion of the eighth (8th) year of age of each child or until the age of eighteenth (18th) in the case of a child with a disability.

(3) Subject to the provisions of subsection (1), the parental leave allowance may be paid to beneficiaries with a minimum period of one (1) day and a maximum period as follows:

214(l) of 2022.

(a) Three (3) weeks per calendar year for the period from the date of entry into force of the Social Insurance (Amendment) (No. 4) Law of 2022 until December 31, 2023;

(b) four (4) weeks per calendar year for the period from 1 January 2024 to 31 December 2024;

(c) five (5) weeks per calendar year from 1 January 2025 onwards.

(4) The insured employed parent is not entitled to an allowance for any period during which he receives full remuneration from his employer and when he receives only part of his remuneration, the parental leave allowance is reduced so that the sum of the allowance and remuneration he receives does not exceeds his full earnings.

(5) For the purposes of this article, the term "child" has the meaning assigned to this term by the Leave (Paternity, Parental, Caring, Force Majeure) and Flexible Work Arrangements for the Balance Between Professional and Private Life Law. ».

Amendment
of the basic
law by adding
the new one

11. The basic law is amended by the addition, immediately after article 30A, of following new article:

Article 30B.

"Discount
from the
right to
receive
parental
leave
allowance.

30B. The beneficiary of parental leave allowance is excluded from the right to receive the allowance for the period of time worked if this period of time falls within the period of time during which he is entitled to parental leave allowance."

Amendment
of Article 61 of
the Basic Law.

12. Article 61 of the principal law is amended by adding to subsection (1), immediately after the word "paternity" (second line), the phrase ", parental leave allowance".

Amendment
of Article 62 of
the Basic Law.

13. Article 62 of the basic law is amended by adding, immediately after the subsection (2), of the following new subsection:

"(2A) In a case where a father is entitled to a paternity allowance under the provisions of subsection (5) of article 29A, he shall maintain

exclusively or mainly minor children as a single parent, the weekly amount of the basic benefit shall be increased as set out in Part III of the Fourth Schedule."

Fourth
Table,
Part III.

Amendment of
Article 65 of the
Basic Law.

14. Article 65 of the basic law is amended by adding to subsection (3), immediately after the word "paternity" (fourth line), the phrase ", parental leave allowance".

Amendment of
Article 73 of the
Basic Law.

15. Article 73 of the basic law is amended by replacing in paragraph (d) of subsection (1) the phrase "and paternity" (second line), with the phrase "paternity and parental leave".

Amendment of
the Third
Schedule to
the principal
law.

16. The Third Schedule to the principal Act is amended by adding in paragraph 1, immediately after the word "paternity", (first line), the phrase ", parental leave".

Amendment of
the Fourth
Schedule to
the principal
law.

17. The Fourth Schedule to the principal Act is amended by inserting, immediately following in Part IV, of the following new Part:

'Part IV(1) – PARENTAL LEAVE BENEFIT
Weekly amount of allowance

Basic	Complementary
72% of the weekly value of the insurance unit (or its fraction) held by the insured in his/her basic insurance during the relevant contribution year.	60% of the weekly value of the number of insurance units that the insured has to his/her credit in his/her supplementary insurance during the relevant year of contributions."

EU. Par. I(I)
No. 4930, 16.12.2022

Law 215(I)/2022

The Social Insurance (Amendment) (No. 5) Law of 2022 is issued by publication in Official Gazette of the Republic of Cyprus in accordance with Article 52 of the Constitution.

Number 215(I) of 2022

AN ACT TO AMEND THE SOCIAL SECURITY LAWS 2010 TO (NO. 4) 2022

The House of Representatives votes as follows:

Short title.

1. This Act shall be cited as the Social Insurance (Amendment) (No. 5) Act of 2022 and shall be read together with the Social Insurance Acts of 2010 to (No. 4) of 2022 (hereinafter referred to as "the principal Act") and the principal Act and this Act shall together be referred to as the Social Insurance Acts 2010 to (No. 5) of 2022.

59(I) of 2010
114(I) of 2010
126(I) of 2010
2(I) of 2012
37(I) of 2012
170(I) of 2012
193(I) of 2012
106(I) of 2014
194(I) of 2014
176(I) of 2015
1(I) of 2017
52(I) of 2017
115(I) of 2017
132(I) of 2018
126(I) of 2019
194(I) of 2020
88(I) of 2021
101(I) of 2021
168(I) of 2021
44(I) of 2022
81(I) of 2022
150(I) of 2022
214(I) of 2022.

Amendment
of the basic
law with the
addition of the
new article 77A.

2. The basic law is amended by adding, immediately after article 77, the following new article:

"Extension of
the deadline
for payment of
contributions.

77A.(1) Regardless of the provisions of this Law and the Regulations issued pursuant thereto, the Minister may issue a decree extending the deadline for payment of contributions by employers and the self-employed for a maximum period of two (2) weeks from the date of issuance of the decree to deal with emergency situations.

(2) The decree provided for under the provisions of subsection (1) may have retroactive effect."

Expiry of this
Law.

3. The validity of this Law expires on December 31, 2023.