AWARD IN PAYROLL FUNDAMENTALS

Lecture 06: FSS & NI (Part 1)

Antoine P. Portelli, CPA Monday, 18 November 2024





Engagement Checklist

Personal Details

- **ガ Name & Surname**
- **ID Card**
- ☑ Address
- ☑ Date of Birth (verified)
- ☑ Tax No (for foreign nationals)
- ☑ Social Security No (for foreign nationals)
- ☑ Maritial Status +Spouse ID if married
- ☑ Date of Birth of any children under the age of 8
- Jobs Plus Employment Form Signed



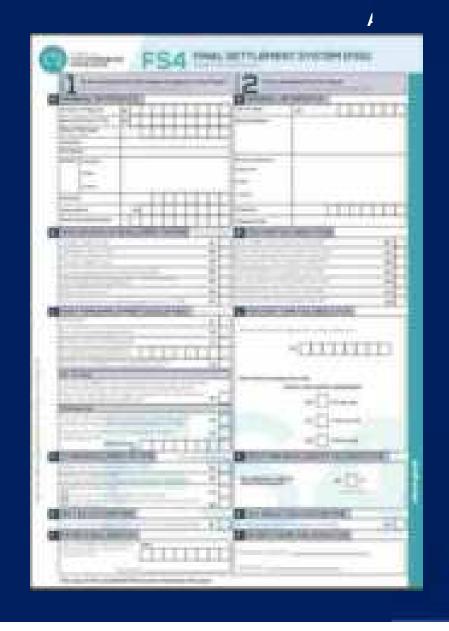
Engagement Checklist

Employment Details

- ☐ Date of Engagement
- ☑ Contract (or Employment Terms)
- ☑ Salary
- ☑ Benefits & Allowances
- FS3 from Previous Employment
- ☐ FS4 Filled & Signed by Employee
- ☑ Any Visa and/or Permit Expiry



- Complete and submit FS4
 PDF to fss.cfr@gov.mt
 PDF to fss.cfr@gov.mt
- Used in case of:
 - new employee
 - change in tax status
 - marriage (include the spouse details)





FS4

Section 1, Part A
To be filled in by
Employee

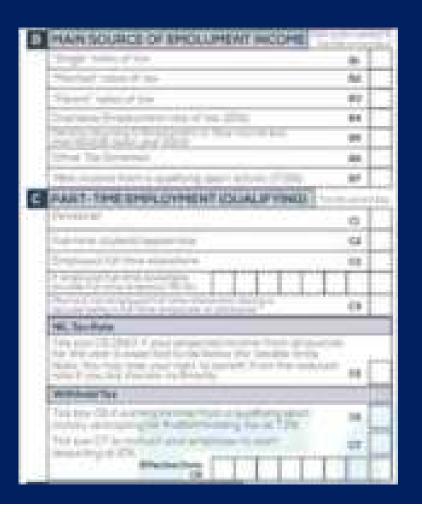
Section 1, Parts B, C, D or E Employee Tax selection FT – PT – Other Emol - Overtime

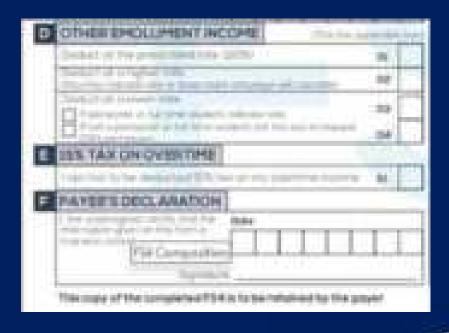


Section 2, Part A
To be filled in by
Employer

Section 2, Part B, C, D or E Confirmation of Tax deduction

FS4





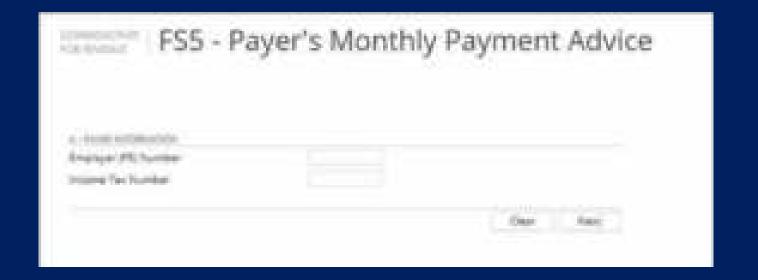
Monthly payroll summary

- Submitted to the CfR electronically and payments are to be processed via internet banking by the last working day of the following month
- The submission of the FS5 will generate a reference number which is to be included in the payment
- Any adjustments to the FS5 and/or payment may be settled via cheque payment at the post office, payable to the Commissioner for Revenue
- Can also be sent by post with a cheque to CfR



Electronic FS5 submission

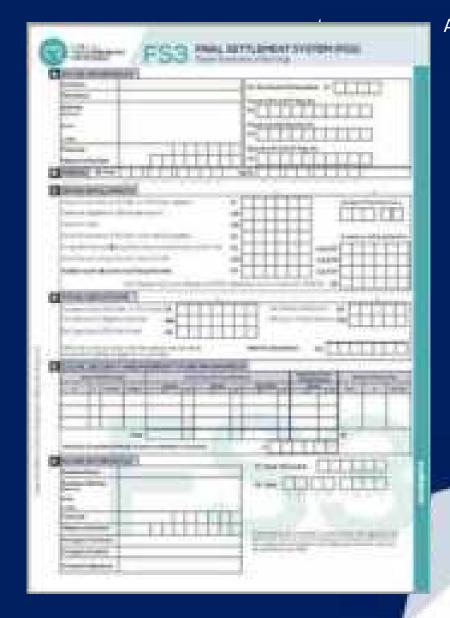
https://taxation.gov.mt/irdnet/fs5iform.aspx





Employee's Annual Reconciliation Statement

- Issued at the end of each calendar year
- For ALL employees who worked during that year
- On termination of employment
- Signed copy must be provided to the employee
- Required by the employee for correct tax deduction from new employment during a calendar year





Must show:

- Employer and employee details
- Gross emoluments from full-time / part- time qualifying employment
- Total taxable fringe benefits, directorship fees and share options
- Total tax deducted from all employment income, directorship fees and share options
- Any additional tax deducted in cases of outstanding employee tax liability
- Social security and maternity fund contributions paid throughout the year, both by the employee and employer
- Basic Weekly Salary, No. of NI Contributions and Class of NI





Employer's Annual Reconciliation Statement

- Issued on an annual basis
- Ideally submitted online via CfR portal using the E-filing sheet (Excel)
- Must be submitted online if ten (10) or more FS3s have been issued





- Employer details
- Number of FS3s issued in respect to the reporting year
- The total amount of gross emoluments paid to payees in respect to full time and other emoluments arising from any other source
- The total gross emoluments paid to parttimers for such qualifying employment
- Total taxable fringe benefits, directorship fees and share options exercised
- Total tax deducted from employment income, directorship fees and share options
- Any additional tax deducted in cases of outstanding employee tax liability
- SSC (employee and employer share)
- Maternity fund contribution paid by the employer





FSS Online Validation & Submissions



- https://cfr.gov.mt/en/Pages/Home.aspx
- Log in with E-ID
- 2-factor authentication



Employment – Maltese National

- ID Card Tax No. and Social Security No.
- Jobsplus Engagement Form
- Contract Details
- FS3 from Previous Employer
- FS4 to establish tax rate
 - Single
 - Parental
 - Married
- Any tax arrears to be paid?



Employment – EU National / Expat

- Residency Card
- Apply for Social Security No.
- Tax No. may be different from Residency No.
- Jobsplus Engagement Form (copy of ID or Passport)
- Contract Details
- FS4 to establish tax rate
 - Single
 - Parental
 - Married
- Any tax arrears to be paid?
- FS3 from Previous Employer



Employment – Third Country Nationals

- Identita` Employment Licence
- Single Work Permit issued for:
 - New Employment
 - Change in Employer
 - Change in Designation
 - Termination
- Social Security No.
- Tax No.
- Jobsplus Engagement Form
- Contract Details
- FS4 to establish tax rate



Single Work Permit - Change of employer

- Application
- Valid Residency Card + Passport
- Original employment contract signed and dated (with a clause saying that it will take effect if permit is granted)
- Position Description (template)
- Proof of advertising (past 6 months Facebook etc.)
- Declaration of Sustainability (Jobsplus)
- Rental agreement
- Approval letter from Housing Authority (that the property is registered)





Single Work Permit – New Application (In Malta or Still Abroad)

- All documents as per Change of Employer
- Full refund Insurance Policy
- Health Screening
- Copy of an official Identita`invitation letter
- Copy of Visa



Employment – Asylum Seekers

- Refugee Status
- Person can only work in the country in which they were granted status
- Jobsplus issues an Employment Licence
- Social Security No.
- Tax No.
- Contract Details
- FS4 to establish tax rate



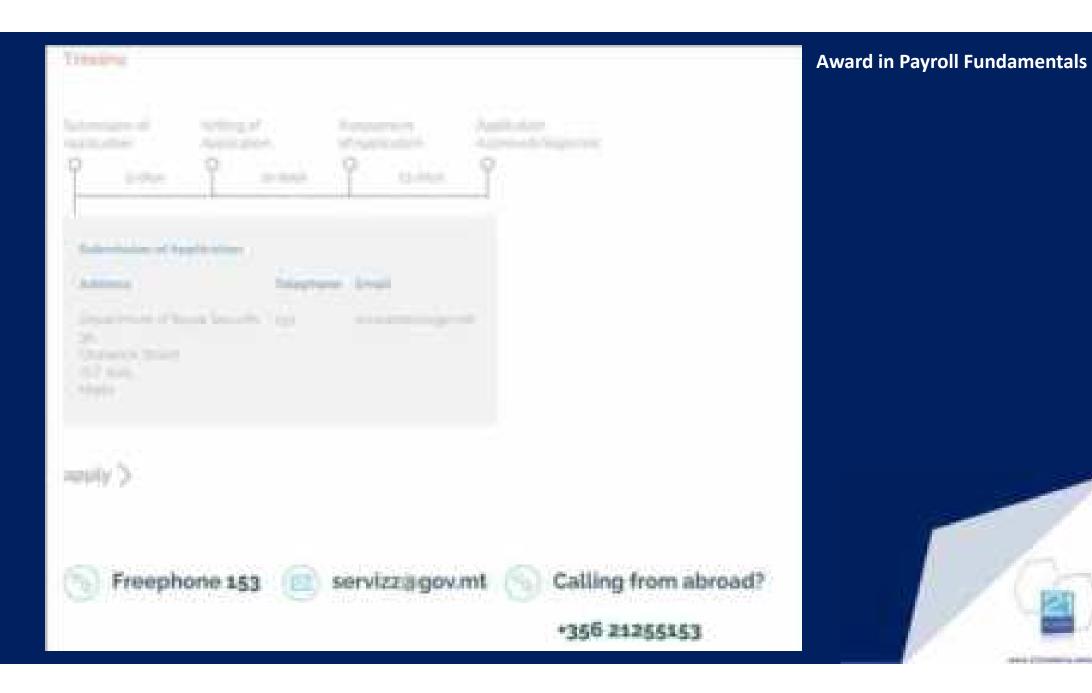
Applying for a Social Security Number

- A valid and active eID
- https://www.servizz.gov.mt/en/Page s/Inclusion_-Equality-and-Social-Welfare/Social-Solidarity/Benefitsand-Services/WEB632/default.aspx









Social Security No.





Immunitibly of I/O and Third Country Stationals who risses to Malla to work

Couputry	Category	Required Attachment
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Applying for a Tax Number

- A valid and active eID
- https://cfr.gov.mt/en/eServices/Page s/Expatriates-taxpayerregistration.aspx



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Declaration

- To be uploaded with the Application for a Tax Number
- In case of other spouse staying in Malta
- Both to sign





Employment Form

• Non-Resident

To submit via email taxpayeregister.cfr@gov. mt

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Employer Data

- Entity Name
- Address
- Company number (C-12345)
- Industry Sector WRO
- VAT number (MT12345678)
- PE number (123456)
- Tax number (991234567)
- Owner / Director Name and Position

Jobsplus Schemes



What is National Insurance?

- The Social Security Act was enacted in 1987.
- Act X of 1987, updated regularly.
- Any contract of service or apprenticeship, written or oral, whether expressed or implied, by or under the Government of Malta, is insurable employment.
- The term "gainfully occupied" also refers to a person who is employed in insurable employment or is self occupied.





What is National Insurance?

- There can only be one insurable employment at the same time.
- In case of more than one concurrent employments, the insurable employment will be that which provides the highest income or earnings.
- In most cases, a 40-hour week determines the primary employment.

What is National Insurance?

- Insurable employments are classified into 3 categories:
 - Employed Persons (employed with a provider of employment or employer)
 - Self Occupied Persons
 - Self Employed Persons



Employed Persons

- Pay Social Security at the rates established in Class 1 of the Contribution Schedule.
- Employed Persons who are not excepted under Part II of the First Schedule of the Social Security Act, shall be liable to pay Class 1 Social Security Contributions with applicable contribution rates according to Part I of the Tenth Schedule of the Social Security Act.
- Employee has a sum deducted from the payslip, in most cases 10% of Gross Basic Salary, per week.
- Employer pays a similar amount.

Employed Person

All full-time or part-time employees who are employed for less than eight (8) hours in any one calendar week are not considered as being in insurable employment for Social Security Contribution purposes.





Social Security Contributions

- All persons who:
 - are over the age of sixteen (16)
 - who have not yet attained retirement age of 65 years
 - who are in insurable employment are liable to pay Social Security Contributions.
- Social Security contributions are paid in weekly rates, and each year of gainful occupation will carry 52 or 53 social security contributions (depending on the annual number of Mondays) on the payee's contribution record.

Employed Person

- The Social Security Contribution rate due is based on earning derived from the Basic Weekly Wage.
- The basic weekly wage does not include allowances, bonuses, and/or overtime earned in a particular week.



Social Security Contributions

- Calculated on the basic weekly wage of the employee
- Factors that affect Social Security deduction
 - Employed elsewhere
 - Age of Employee
- Two Categories

Class 1

https://cfr.gov.mt/en/rates/Pages/SSC1/SSC1-2024.aspx

Class 2

https://cfr.gov.mt/en/rates/Pages/SSC2/SSC2-2024.aspx





National Insurance Contributions (2024)

Class 1 Employed Persons		Basic Weekly	Weekly NI Contributions	Weekly NI Contributions	Weekly Maternity Leave Contribution
Category	Age	Wage to €	[Employee]	(Employer)	(Employer)
A	< 18 years	213.54	€6.62	C6.62	€0.20
В	18+ years	213.54	(21.35 (or 10%)	€21.35	€0.64
С	Born <1962	423.07	10%	10%	0.3%
C2 .	Born 1962+	532.28	10%	10%	0.3%
D	Born < 1962	>423.08	€42.31	€42.31	€1.27
D2	Born 1962+	>532.29	€53.23	€53.23	€1.60
Ē	< 18 years		10% (max. €4,38)	10% (max. €4.38)	0.3% (max. €0.13)
F	18+ years		10% (max. €7.94)	10% (max. £7.94)	0.3% (max. CO.24)

Employed Person

- Part-time employees who work less than 40 hours per week
- and who earn less than the National Minimum (weekly)
 Wage
- can opt to have their share on social security contributions, paid at the rate of 10% of their basic weekly wage.
- This contribution rate is called the Pro-rata rate and does not apply to the employer's share who has to pay the full applicable weekly rate.



Employed Person

 One should also consider that when paying social security contributions by 10% pro-rata, these will not be considered as one contribution per week for records purposes, but carry a lesser, albeit proportional weight against the applicable full weekly rate.



Employed Person

Both employer and employee's share of social security contributions are paid to the Commissioner of Inland Revenue in monthly payments by the employer.

https://cfr.gov.mt/en/rates/Pages/SSC1/S SC1- 2024.aspx





Self Employed vs Self Occupied

- Self-Employed as referred in Social Security Act is different from that we colloquially refer to.
- Self Occupied Persons persons who earn income from Trade,
 Business, Profession, Vocation or any other economic activity that
 exceeds €910 per annum.
- Self Employed Persons persons who receive income from rents, investments, capital gains or any other income.

Self Occupied Persons

- A self-occupied person is one who:
 - is not an employed person;
 - is excepted under Part II of the First Schedule of the Social Security Act;
 - is engaged in any activity through which earnings exceeding €910 *per annum* are being derived.

Self Occupied Persons

 Social Security Contributions by Self Occupied persons are called Class 2 Social Security Contributions with applicable contribution rates according to Part III of the Tenth Schedule of the Social Security Act.



Self Occupied Persons

- Full-time or part-time employees who are employed for less than eight (8) hours per week but earn more than €17.50 per week (€910 per annum); are considered as Self Occupied persons for Social Security Contribution purposes.
- The Social Security Contribution rate due is based on income derived from the net annual income from trade or profession; earned during the previous calendar year of that of payment.

Award in Payroll Fundamentals

Self Occupied Persons

 Self occupied persons' social security contributions are paid to the Commissioner of Inland Revenue every four months; namely in April, August and December respectively.



National Insurance Contributions (2024)

Class 2* Spif-Employed Persons		Annual Net Income from €910 (€1,006	Weekly Ni Contribution	Full-Time Farmers	
Category	Age	for SP) up to	payable by saif- employed	Hay to Lineau State of the Land	
SP	Income from Rents, investments or capital gains	€10,567.92	€30.48	n/a	
SA		€12,028.92	€34.70*	(23.13	
58	Bom <1962	€22,000.00	15% of net weekly	10% of net weekly	
582	Born 1962+	€27,679.35	15% of net weekly	10% of net weekly	
5C	Born <1962	>€22,000.01	€63.46	€42.31	
SC2	Born 1962+	>€27,679.36	€79.84	€53.23	

- * May choose to pay 15% of Net weekly income if:
 - A part-time woman
 - A full-time student <24 years working part-time
 - A pensioner

National Insurance - Weeks

Month	No. of Mondays	Month	No. of Mondays
Jan	5	For	5
Feb	4	Aug	-4
Mar	4	Sep	5
Apr	5	Oct	4
May	4	Nov	4
Jun	4	Dec	5

53 weeks in 2024

- Self-Employed & Self-Occupied Persons pay their dues:
 - April 18 weeks
 - August 17 weeks
 - December 18 weeks



- A self-employed person means a person who has not yet passed his 65th birthday,
- is ordinarily resident in Malta,
- And is not an employed person or a selfoccupied person.



- Social Security Contributions by Self Employed persons are also called Class 2 Social Security Contributions with applicable contribution rates according to Part II of the Tenth Schedule of the Social Security Act.
- The difference in weight between Class 2 Self Occupied contributions and Self Employed contributions, is that Self Employed contributions are valid only for **Pension** purposes, while Self Occupied contributions are valid for both **Pension and Short-Term Benefit** eligibility purposes.



- The Social Security Contribution rate due is based on income derived from the **net annual income** from rents, bank interest or financial investments; earned during the previous calendar year of that of payment.
- Rates are similar to those of Self Occupied persons with the exception of the Class 2 SP rate which is applicable only to Single persons.



• Self employed persons' social security contributions are paid to the Commissioner of Inland Revenue every four months; namely in April, August and December respectively.



Persons Employed Abroad

Article 13(i) of the Social Security Act provides for:

- persons employed under a contract of service outside Malta,
- but who retain their ordinary residence in Malta,

Request the Director – DSS to pay Class 1 (Employed person) contributions instead of Class 2 contributions.

Article 13(i) provides that no social security contribution shall be payable by or on behalf of the Employer.



Persons Employed Abroad

- Although equivalent to Class 1 contributions, Social security contributions under Article 13(i) are paid in the same manner as Self Occupied Class 2 contributions.
- To the Commissioner of Inland Revenue every four months; namely in April, August and December respectively, or until the same employment conditions continue to apply.