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5th Session Second Parliament Trinidad and Tobago  
19 Elizabeth II

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TRINIDAD AND TOBAGO

**Act No. 46 of 1970**

[L.S.]

AN ACT to provide for the registration of persons for the purpose of a National Insurance Scheme.

*[Assented to 5th December, 1970]*

BE IT ENACTED by the Queen's Most Excellent Majesty, <sup>Enactment</sup> by and with the advice and consent of the Senate and House of Representatives of Trinidad and Tobago, and by the authority of the same, as follows:—

**1.** This Act may be cited as the National Insurance <sup>Short title</sup> (Registration) Act, 1970.

Interpre-  
tation

**2. (1) In this Act—**

“contract of service” means any contract of service or apprenticeship, whether written or oral, whether expressed or implied;

“domestic worker” means a person employed otherwise than for the purpose of a trade or business, in such capacity as may be prescribed for the comfort or convenience of a member of a household or in or about a dwelling-house or such other premises as may be prescribed;

“employed person” means a person in receipt of salary or wages in respect of an employment under a contract of service;

“employment” includes any trade, business, profession, office or vocation;

“Minister” means the member of the Cabinet to whom responsibility for the subject of National Insurance is assigned;

“regulations” means regulations made under this Act.

(2) For the purposes of this Act, a person shall be treated as an employed person notwithstanding he pursues or practises any trade, business, profession or vocation, if in the pursuit or practise thereof he is employed by another, whether full-time, part-time or in any other way, for remuneration on a recurring basis.

Minister  
responsible for  
administration  
of Act—  
delegation

**3.** The administration of the provisions of this Act shall be the responsibility of the Minister who may, in relation to any matter or class of matters, by writing under his hand, delegate to an officer or officers within the Ministry all or any of his functions under this Act, except this power of delegation.

Persons to be  
registered

**4.** Subject to the provisions of this Act and of any regulations, every employed person and every unpaid apprentice who is above the age of sixteen years, shall be registered under this Act for the purpose of insurance against the several contingencies in relation to which benefits may be provided under any enactment respecting National Insurance.

5. (1) Subject to this section, every employer shall in accordance with any special directions of the Minister, make application in the prescribed form for registration of each employed person of whom he is the employer. Procedure for registration

(2) Every employed person shall furnish the employer with the personal particulars necessary for the completion of any application form under subsection (1) and shall be responsible for the correctness of such particulars.

(3) Nothing in the foregoing provisions of this section shall apply to a domestic worker but every such worker shall, in respect of each employment as such, himself make an application for registration under this Act and shall give notice of any change in such employment.

6. Any officer in the Ministry authorised by the Minister in writing, in this section and in section 7 called an "authorised officer" may for any purpose related to the administration of this Act require the employer or any person authorised by the employer, except a person engaged in a confidential professional relationship with such person,— Powers of inspection of records

- (a) to give him information with respect to employed persons of whom he is the employer or of whom his employer is the employer; or
- (b) to permit him to inspect any record of employed persons or any pay-sheet.

7. (1) An authorised officer may at all reasonable times, enter into any premises or place where any business is carried on or anything is done in connection with any business or where any books or records of employed persons are, and— Powers of entry for certain purposes

- (a) examine the books or records of employed persons and any document that relates or may relate to the information that is in such books or records;
- (b) search, if necessary with the assistance of any other person, any building, receptacle or place for documents, books, records, papers or things which may afford evidence as to the violation of any provision of this Act or the regulations;

- (c) if, during the course of the examination, it appears to the authorised officer that there has been a violation of this Act or the regulations, seize and take away any of the books or records of employed persons and such other documents and retain them until they are produced in any proceedings;
- (d) require the employer or any employed person of whom he is the employer to give him all reasonable assistance with, and to answer all questions relating to, the examination.

(2) Admission to any premises shall not be demanded except upon the warrant of a magistrate for the purpose, so however that if it is shown to the satisfaction of a magistrate on sworn information in writing—

- (a) that admission to any premises has been refused, or that refusal is apprehended, or that an application for admission would defeat the object of the entry; and
- (b) that there is reasonable ground for entry into the premises for any purpose as is mentioned in subsection (1),

the magistrate may by warrant under his hand authorise the authorised officer to enter the premises, except that such a warrant shall not be issued unless the magistrate is satisfied either that notice of the intention to apply for a warrant has been given to the occupier, or that the giving of such notice would defeat the object of the entry.

(3) An authorised officer entering any premises by virtue of this section may take with him such other persons as may be necessary.

(4) Every warrant granted under this section shall continue in force until the purpose for which the entry is necessary has been satisfied.

(5) Every person who hinders or molests or interferes with any person doing anything that he is authorised by subsection (1) to do or prevents or attempts to prevent any person from doing any such thing and any person who unless he is unable to do so fails or refuses to do anything he is required by or pursuant to this section to do is guilty of an offence and liable on summary conviction to a fine of one thousand five hundred dollars or to imprisonment for two years or to both such fine and imprisonment.

8. A person who in furnishing the particulars for any of the purposes of this Act makes any statement which he knows to be misleading, false or deceptive, or by any dishonest concealment of material facts, or by reckless making of any statement (dishonestly or otherwise) misleads or attempts to mislead any other person, is guilty of an offence and liable on summary conviction to a fine of one thousand five hundred dollars or to imprisonment for two years or to both such fine and imprisonment.

9. A person who contravenes or fails to comply with any of the provisions of this Act or the regulations is guilty of an offence and liable on summary conviction to a fine—

- (a) in the case of an employer, of two thousand dollars and in the case of a continuing offence to a further fine of fifty dollars for each day on which the offence continues after conviction;
- (b) in any other case of two hundred and fifty dollars.

10. The Governor-General may make regulations for the purpose of giving effect to this Act and in particular for prescribing anything required or permitted by this Act to be prescribed.

Passed in the House of Representatives this 6th day of November, 1970.

J. E. CARTER  
*Acting Clerk of the House*

Passed in the Senate this 17th day of November, 1970.

R. L. GRIFFITH  
*Acting Clerk of the Senate*

