

GOVERNMENT NOTICE No. 63

TRINIDAD AND TOBAGO

THE NATIONAL INSURANCE ACT, 1971

## REGULATIONS

MADE BY THE BOARD OF MANAGEMENT UNDER SECTION 42  
OF THE NATIONAL INSURANCE ACT, 1971

## THE NATIONAL INSURANCE (CONTRIBUTION) REGULATIONS, 1972

Citation 1. These Regulations may be cited as the National Insurance (Contribution) Regulations, 1972.

Definitions No. 35 of 1971 2. In these Regulations—  
 “the Act” means the National Insurance Act, 1971;  
 “earnings” means wages or salary and includes overtime payments, cost of living allowances, long service payments, allowances for dependants, commission on sales, production or efficiency bonuses, danger or dirt money and payment for stand-by duty;  
 “voluntary contribution” means contribution payable by a holder of a certificate of voluntary insurance;  
 “week” means the period from midnight on Sunday to midnight the following Sunday and includes any part of a week.

## EMPLOYED PERSONS' CONTRIBUTION

Contributions payable weekly 3. Contribution shall be payable in respect of every employed person and every unpaid apprentice registered or eligible to be registered under Part II of the Act each week that such person is in employment (other than uninsurable employment) and such contribution shall be due every Monday.

Contributions to be paid when earnings are paid 4. (1) Subject to paragraph (3), contribution shall be paid on the same day that earnings are paid.

(2) Where earnings are paid by the month, the contribution payable shall be calculated according to the number of Mondays in that month.

(3) Where, in the opinion of the Board, there exist circumstances which would result in extreme hardship or grave inconvenience for an employer to pay contribution in respect of persons in his employ on the same day that he pays earnings to such persons, the Board may, on the written request of such employer, authorise him to make contribution at some later date.

Contribution to be evidenced by national insurance stamps 5. Payment of contribution shall be evidenced by the purchase of national insurance stamps issued by the Board and the affixation of such stamps to the contribution card of the person in respect of whom the contribution is paid. Stamps affixed to contribution cards shall be cancelled by having the date of affixation inscribed thereon.

Am by 101/76 (267)

Pd  
No. A 1971 (232)

6. (1) Where contribution in respect of an employed person is payable partly by that person and partly by his employer, the employer shall in accordance with regulation 5, purchase the requisite national insurance stamps and affix them to the contribution card of the employed person in respect of whom the contribution is paid, and shall deduct from the employed person's earnings at the time that payment of such earnings is made, a sum equal to the amount of the employed person's share of contribution.

Employer to deduct portion of contribution from employed person's earnings

(2) Where under the provisions of regulation 4(2) the Board authorises an employer to pay contribution on a date later than the date when earnings are paid, such authority may also provide for the deduction on such later date of the employed person's share of contribution from his earnings.

#### VOLUNTARY CONTRIBUTION

7. Application for a certificate of voluntary insurance shall be made to the Board in the form set out in the First Schedule as Form N.I. 6.

Application for certificate of voluntary insurance. First Schedule

8. (1) The Board, on being satisfied that an application referred to in regulation 7 is in order, shall issue to the applicant a certificate of voluntary insurance and a new contribution card.

Issue of certificate of voluntary insurance and contribution card.

(2) A certificate of voluntary insurance shall be in the form set out in the First Schedule as Form N.I. 7.

First Schedule

9. Voluntary contribution shall be payable by a holder of a certificate of voluntary insurance at a rate determined by the Board and related to the average weekly earnings of such holder during his last two years of insurable employment.

Rate of voluntary contribution

10. Where on the direction of the Board voluntary contributions are not evidenced by the purchase of national insurance stamps and the affixation of such stamps to the contribution card of the person in respect of whom the contribution is made, such contribution may be made by the remittance of money to a local office. Any such remittance of money shall be accompanied by the contribution card of the person in respect of whom the remittance is made.

Method of payment of voluntary contribution

11. Upon being notified by the Board of the voluntary contribution due, a holder of a certificate of voluntary insurance shall make the requisite payment to the Board at any time not later than the 31st day of December of the year in which such voluntary contribution is due.

Time of payment of voluntary contribution

#### CONTRIBUTION CREDITS

12. All employed persons or unpaid apprentices registered or eligible to be registered under Part II of the Act, who are over the age of thirty-five years on the appointed day for the payment of contributions under the Act, shall be credited with twenty-five contributions for each year over the age of thirty-five years, subject to a maximum of six hundred contributions. Such age credits shall be as set out in the Table in the Second Schedule.

Age credits on the appointed day.

Second Schedule

- Purpose of age credits 13. Age credits shall be used for the computation of basic retirement pension only and only those credits necessary to establish an insured person's right to such a pension shall be taken into account, notwithstanding such person's right to a greater number of credits having regard to his age on the appointed day referred to in regulation 12.
- Other credits 14. No contribution shall be payable in respect of a person for any week in which such person is in receipt of sickness, maternity or employment injury benefit but contribution shall be credited to him in the same amount as would have been payable in respect of him, had he not been in receipt of benefit.

## GENERAL

- Failure to pay contribution or late payment thereof may be treated as prompt and proper payment for the purpose of determining right to benefit 15. Where contribution is paid after the due date, or such later date as the Board may authorise, or where there is failure to pay contribution, the Board may, if satisfied that the employed person or unpaid apprentice in respect of whom such contribution was due, did not in any way consent to or connive at or by any negligence on his part cause, the late payment or failure to pay, treat such contribution as promptly and properly paid for the purpose of determining that person's right to benefit.
- Contributions paid in error 16. (1) Where contribution is paid in an amount less than the amount properly payable, the person liable shall within one month of being advised by the Board of the error, make an additional payment to rectify the error. Failure to make the required additional payment may be treated as a failure to pay contribution.
- (2) Where benefit based on such lesser amount of contribution has been paid before the contribution payment has been rectified, such benefit shall be adjusted upon the additional payment being made to rectify the error.
- (3) Where contribution is paid in an amount greater than the amount properly payable, the Board may on the written request of the person who made such payment make a refund but no such refund shall be made where benefit based on such erroneous contribution was paid.
- (4) Where a refund of contribution is being made, the Board shall require the return of the contribution card of the person in respect of whom the erroneous contribution was made and shall issue a replacement therefor.
- Offences 17. Where in accordance with the Act and these Regulations contribution is payable in respect of any employed person or unpaid apprentice, any employer who wilfully refuses or neglects to pay contribution for any week in respect of any such person in his employ, or any self-employed person who wilfully refuses or neglects to pay contribution for any week on his own behalf, shall on summary conviction be liable to a fine of five hundred dollars or imprisonment for a term of three months.

FIRST SCHEDULE

FORM N.I. 6.

(Regulation 7)

THE NATIONAL INSURANCE (CONTRIBUTION) REGULATIONS, 1972

APPLICATION FOR A CERTIFICATE OF VOLUNTARY INSURANCE

Please complete in Block Letters

Surname ..... Other Names .....

Date of Birth ..... \*Identification Card No.....

Place of Birth ..... †National Insurance No.....

Male or Female .....

Last Employer :

Name .....

Business Address .....

.....

Employer Registration No .....

I hereby declare that I am not an employed person.

Date : ..... Applicant's Signature or Mark

..... Signature of Witness to Mark

\*"Identification Card No." means the registration number shown on the applicant's Identification Card issued under the Representation of the People Act, 1967.

†"National Insurance No." means the national insurance number shown on the applicant's identity card issued under Regulation 8 of the National Insurance (Registration) (No. 2) Regulations, 1971.

FORM N.I. 7.

[Regulation 8(2)]

THE NATIONAL INSURANCE (CONTRIBUTION) REGULATIONS, 1972

CERTIFICATE OF VOLUNTARY INSURANCE

\*Identification Card No.....

†National Insurance No.....

This certificate of voluntary insurance is hereby issued to.....  
.....  
of .....

The person named herein is liable to pay contribution at the rate of.....  
.....

*Chairman,  
Board of Management*

\*"Identification Card No." means the registration number shown on the applicant's Identification Card issued under the Representation of the People Act, 1967.

†"National Insurance No." means the national insurance number shown on the applicant's identity card issued under Regulation 8 of the National Insurance (Registration) (No. 2) Regulations, 1971.

## SECOND SCHEDULE

(Regulation 12)

TABLE OF AGE CREDITS

Age at last birthday	Number of Credits	Age at last birthday	Number of Credits
36 years	25	51 years	400
37 "	50	52 "	425
38 "	75	53 "	450
39 "	100	54 "	475
40 "	125	55 "	500
41 "	150	56 "	525
42 "	175	57 "	550
43 "	200	58 "	575
44 "	225	59 "	600
45 "	250	60 "	600
46 "	275	61 "	600
47 "	300	62 "	600
48 "	325	63 "	600
49 "	350	64 "	600
50 "	375		

Made this 27th day of March, 1972.

M. DE SOUZA  
*Chairman, Board of Management*

Laid in the House of Representatives this 7th day of April, 1972.

G. R. LATOUR  
*Clerk of the House*

Laid in the Senate this 4th day of April, 1972.

J. E. CARTER  
*Clerk of the Senate*