

LAWS OF TRINIDAD AND TOBAGO

PUBLIC ASSISTANCE ACT

CHAPTER 32:03

Act
18 of 1951
Amended by
38 of 1951
40 of 1961

Current Authorised Pages

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<i>1-11</i>	<i>.. 1/1980</i>

**Index
of
Subsidiary Legislation**

	Page
Local Public Assistance Districts Resolution (G.N. 194/1952)	8
Public Assistance Boards Rules (G.N. 95/1954)	9

**Note
on**

Adaptation

Under paragraph 6 of the Second Schedule to the Law Revision Act (Ch. 3:03) the Commission amended certain references to public officers in this Chapter. The Minister's approval of the amendments was signified by L.N. 120/1980, but no marginal reference is made to this Notice where any such amendment is made in the text.

CHAPTER 32:03

PUBLIC ASSISTANCE ACT

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.

PRELIMINARY

2. Interpretation.
3. Funds.

THE CENTRAL PUBLIC ASSISTANCE BOARD

4. Central Board—establishment of.
5. Duties of Board.
6. Powers of Board.
 - To summon and examine persons on matters relating to public assistance.
 - To appoint sub-committees.
 - To make rules.

LOCAL PUBLIC ASSISTANCE BOARDS

7. Local Public Assistance Districts.
8. Establishment of Local Boards.
 - Constitution.
 - Quorum.
 - Acting Chairman.
9. Secretary.
10. Duties of Local Boards.
11. Powers of Local Boards relating to summoning and examining persons.

MISCELLANEOUS PROVISIONS

12. Penalty for giving false evidence.
13. Penalty for refusing to obey summons.
14. Recovery of penalties.
15. Power of entry.
16. Regulations.

CHAPTER 32:03

PUBLIC ASSISTANCE ACT

1951-53.
(Vol. 1).
Ch. 13 No. 1.

An Act to make provision for the grant of public assistance.

18 of 1951.

Commencement.

[1ST JANUARY 1951]

Short title.

1. This Act may be cited as the Public Assistance Act.

PRELIMINARY

Interpretation.

2. In this Act—

“Board” means the Central Public Assistance Board established under section 4;

“Local Board” means a Local Public Assistance Board established under section 8.

Funds.

3. There shall be paid out of public funds all such sums of money as may from time to time be appropriated for the purpose of granting public assistance under this Act.

THE CENTRAL PUBLIC ASSISTANCE BOARD

Central Board—
establishment of.
[40 of 1961].

4. (1) For the purposes of this Act there shall be established a Board to be called “The Central Public Assistance Board”.

(2) The Board shall consist of the Director (Social Welfare) who shall be Chairman, and not more than eight other members to be nominated by the Minister, who shall hold office during his pleasure and for a period of not more than three years.

(3) At the expiration of his period of office any such person may be re-nominated to be a member of the Board.

(4) The Minister may remove any such person and nominate any other person in place of a member so removed; or in place of any member dying or resigning, or becoming incapable to act, or being absent from Trinidad and Tobago, or failing to attend the meetings of the Board for three consecutive months.

(5) At any meeting of the Board any four members shall form a quorum.

(6) There shall be appointed such number of public officers as may be required for the purposes of this Act.

5. It shall be the duty of the Board—

Duties of Board.

- (a) to administer and control public moneys appropriated for the grant of public assistance;
- (b) to control, direct and assist Local Boards in administering public assistance and if at any time considered necessary by the Board, to take over and perform the duties of any one or more of such Local Boards;
- (c) to co-operate with voluntary associations in administering public assistance; and
- (d) to control generally all matters relating to the grant of public assistance.

6. (1) The Board may summon before it such persons as it may think necessary for the purposes of being examined upon any matter relating to the grant of public assistance or any other matter placed by law under its control, and for the purpose of producing and verifying upon oath any books and documents in anywise relating to such matters; and may examine upon oath any person so summoned, or who voluntarily comes before it to be examined; or instead of administering an oath, the Board may require the person examined to make and subscribe a declaration of the truth of the matter respecting which he may have been or may be so examined.

Powers of Board.
To summon and examine persons on matters relating to public assistance.

(2) The Board may appoint sub-committees for such purposes as it thinks fit.

To appoint sub-committees.

(3) The Board may, with the approval of the Minister, make rules—

To make rules.

- (a) for regulating its own proceedings, the keeping of accounts and registers, and the duties of its officers;
- (b) for regulating the proceedings of Local Boards, the keeping of their accounts and registers and the duties of such Local Boards and their officers; and
- (c) for the guidance of Local Boards and of any officers employed by them in the administration of public assistance.

LOCAL PUBLIC ASSISTANCE BOARDS

Local Public
Assistance
Districts.

7. (1) For the purposes of this Act, Trinidad and Tobago shall be divided into Local Public Assistance Districts.

(2) Local Public Assistance Districts shall be such areas as may from time to time be fixed and defined by the Board by resolution to be approved by the Minister and published in the *Gazette*.

Establishment
of Local
Boards.
[40 of 1961].

8. (1) For each such Local Public Assistance District there shall be established a Local Board to be called "The Local Public Assistance Board".

Constitution.

(2) A Local Board shall consist of a Supervisor of Social and Community Development to be appointed by the Minister, who shall be Chairman, and of not more than five other persons to be nominated by the Minister, who shall hold office during his pleasure and for a period of not more than three years.

(3) At the expiration of his period of office any such person may be re-nominated to be a member of the Local Board.

(4) The Minister may remove any such person and nominate any other person in place of a member so removed, or in place of any member dying or resigning, or becoming incapable to act, or being absent from Trinidad and Tobago, or failing to attend the meetings of the Local Board for three consecutive months.

Quorum.

(5) At any meeting of a Local Board any three members shall form a quorum, and the Chairman shall have a second or casting vote.

Acting
Chairman.

(6) Notwithstanding the provisions of subsection (2), the members present at any meeting may, in the unavoidable absence of the Supervisor of Social and Community Development, elect any member to act as Chairman of such meeting.

Secretary.

9. (1) There shall be a secretary to every Local Board who shall be appointed under section 4(6).

(2) The secretary shall keep the minutes and accounts and conduct the correspondence of the Local Board, and, in addition, shall perform all such duties as may be assigned to him by the Chairman.

10. It shall be the duty of every Local Board—

Duties of Local Boards.

- (a) to inquire into the circumstances of every recipient of and every applicant for public assistance;
- (b) to inquire generally into the condition of the poor and the needs for public assistance within its district, and to report thereon to the Board;
- (c) to administer public assistance in its district under the general direction and control of the Board;
- (d) to regulate its proceedings, keep its accounts and registers and perform its duties in accordance with rules and instructions of the Board.

11. The powers conferred by section 6(1) on the Board may be exercised by a Local Board and the secretary thereto.

Powers of Local Boards relating to summoning and examining persons.

MISCELLANEOUS PROVISIONS

12. Any person who, on any examination under the authority of this Act, wilfully gives false evidence, or wilfully makes or subscribes a false declaration, is liable to a fine of four hundred dollars.

Penalty for giving false evidence.

13. Any person who refuses or wilfully neglects to attend in obedience to a summons issued under section 6(1) or section 11 or to give evidence or to produce books and documents in accordance with such summons is liable to a fine of two hundred dollars.

Penalty for refusing to obey summons.

14. All offences under this Act may be prosecuted, and all penalties imposed under this Act may be recovered, in the manner provided by the Summary Courts Act; and proceedings initiated by the Board or by a Local Board may be conducted by any person authorised by the Board or the Local Board, either generally or for any particular proceedings.

Recovery of penalties.

Ch. 4:20.

15. Any member of the Board or of a Local Board and any officer appointed under the authority of this Act may enter any premises at any time between eight o'clock in the morning and six o'clock in the evening for the purpose of making inquiries in connection with the grant of public assistance.

Power of entry.

16. The Minister may make regulations for carrying into effect the provisions and purposes of this Act.

Regulations.

SUBSIDIARY LEGISLATION

194/1952.

LOCAL PUBLIC ASSISTANCE DISTRICTS

RESOLUTION

made under section 7

The following areas have by resolution of the Board been fixed and defined as Local Public Assistance Districts.

1. That the County of St. George be divided into the Local Public Assistance District of St. George West to include the City of Port-of-Spain, the Ward of Diego Martin and the Ward of St. Ann's; and the Local Public Assistance District of St. George East to include the Borough of Arima, the Wards of Tacarigua, Arima, Blanchisseuse and San Rafael.

2. That the County of Caroni be a Local Public Assistance District.

3. That the County of St. Andrew be a Local Public Assistance District.

4. That the County of St. David be a Local Public Assistance District.

5. That the Counties of Nariva and Mayaro be a Local Public Assistance District.

6. That the County of St. Patrick be divided into the Local Public Assistance District of Siparia to include the Wards of Siparia and Erin; and the Local Public Assistance District of La Brea and Cedros to include the Wards of La Brea and Cedros.

7. That the County of Victoria be divided into the Local Public Assistance District of San Fernando to include the Borough of San Fernando and the Wards of Naparima and Pointe-a-Pierre; and the Local Public Assistance District of Princes Town to include the Wards of Savana Grande, Ortoire and Moruga.

8. That the Ward of Tobago be a Local Public Assistance District.

PUBLIC ASSISTANCE BOARDS RULES

95/1954.

made under section 6(3)(b) and (c)

ARRANGEMENT OF RULES

RULE

1. Citation.
2. Board to make enquiries before granting pension.
3. Necessitous persons.
4. Urgent, temporary or prolonged assistance.
5. Application to Local Board of district where applicant resides.
6. Secretary of Local Board to keep records.
7. Chairman of Local Board may authorise urgent assistance.
8. Burial expenses.
9. Secretary to forward summary of expenditure to Director (Social Welfare).
10. Monthly expenditure not to exceed one-twelfth of annual amount allocated to Local Board.
11. Chairman to certify all expenditure.
12. Payment to be made to applicant in person.

1. These Rules may be cited as the Public Assistance Boards Rules. Citation.

2. Before any person is granted assistance under the provisions of these Rules full and careful enquiries shall be made into the circumstances of the applicant by the officers appointed for that purpose. Board to make enquiries before granting pension.

3. Assistance shall be given to meet the needs of necessitous persons who are prevented by some disability from earning a living; and shall normally be given to the head of a family, whose needs shall be deemed to include those of his dependants. Necessitous persons.

4. Assistance shall be classified as urgent, temporary or prolonged. Except in cases of urgent need or cases in which application is made on behalf of necessitous children, a report on the form prescribed by the Board shall be obtained from a Government Medical Officer. Urgent, temporary or prolonged assistance.

5. The case of every applicant for assistance shall be submitted to the Local Board of Public Assistance of the district in which the applicant resides with a report of enquiry into his case. Application to Local Board of district where applicant resides.

The Local Board shall decide whether assistance is to be given and whether as prolonged, temporary or urgent assistance and shall fix the amount and shall also have power to increase, reduce or discontinue such assistance.

Secretary of Local Board to keep records.

6. A record shall be kept by the secretary of the Local Board of all applicants for assistance and in this record there shall be entered the name, age, sex, country of birth, present place of abode, occupation, infirmity or other cause for the need of assistance of the applicant and the names of, occupation and place of abode of his or her relatives, and the amount of and class of assistance granted.

Chairman of Local Board may authorise urgent assistance.

7. Urgent assistance may be authorised by the Chairman of the Local Board up to such amount as the Local Board has power to authorise. Such assistance must be reported by the secretary of the Local Board to the Local Board at its next meeting.

Burial expenses.

8. Other expenses in aid of applicants, such as burial expenses, shall be authorised by the Chairman of the Local Board. The secretary of the Local Board shall report the grant of such assistance to the Local Board at its next meeting.

Secretary to forward summary of expenditure to Director (Social Welfare).

9. Each month a summary of all expenditure in such a form as may from time to time be approved by the Board shall be forwarded by the secretary of the Local Board to the Director (Social Welfare).

Monthly expenditure not to exceed one-twelfth of annual amount allocated to Local Board.

10. No expenditure from Public Assistance Funds for any one month may normally exceed one-twelfth of the annual amount allocated to any Local Board. Should it become necessary to exceed this monthly proportion, such excess expenditure and the reason therefor shall be reported to the Board by the secretary of the Local Board not later than seven days after the end of the month in which the expenditure is incurred.

Chairman to certify all expenditure.

11. All accounts of expenditure chargeable against the allocation made to a Local Board shall be certified by the Chairman of such Local Board and then forwarded to the Director (Social Welfare).

Payment to be made to applicant in person.

12. The payment of assistance shall be made, as far as practicable to an applicant in person. Where payment to a third party is unavoidable, it shall be made only to a person duly authorised by the applicant in the presence and with the approval of an officer

or member of the Local Board. However, where the applicant or the authorised person is illiterate such authorisation shall be witnessed by a third person resident in the Public Assistance district in which the applicant resides. The Director (Social Welfare) may approve any authorisations made in the presence of such other member of the Social Assistance Department as he may from time to time direct.
