

**PARLIAMENT OFFICE,
Public Buildings,
Georgetown,
Guyana.**

3rd. September, 1973.

**The following Bill which was introduced in the National Assembly
is published for general information.**

GUYANA

BILL No. 18 of 1973.

**NATIONAL INSURANCE AND SOCIAL SECURITY
(AMENDMENT) BILL 1973.**

Arrangement of Sections.

Section

- 1. Short title.**
- 2. Amendment of section 6 of the Principal Act.**
- 3. Amendment of section 25 of the Principal Act.**
- 4. Amendment of section 30 of the Principal Act.**
- 5. Amendment of section 31 of the Principal Act.**
- 6. Amendment of section 34 of the Principal Act.**
- 7. Amendment of section 38 of the Principal Act.**

A BILL

Intituled

An Act to amend the National Insurance and Social Security Act, 1969.

A.D. 1973 Enacted by the Parliament of Guyana :—

Short title

1. This Act, which amends the National Insurance and Social Security Act 1969, may be cited as the National Insurance and Social Security (Amendment) Act 1973.

Amendment
of section 6
of the
Principal
Act

2. Subsection (6) of section 6 of the Principal Act is hereby amended by the substitution for the words "at the next" of the words "as soon as practicable thereafter at a subsequent".

Amendment
of section 25
of the
Principal
Act

3. Section 25 of the Principal Act is hereby amended by the substitution for the word "Minister" of the words "Guyana State Corporation".

Amendment
of section 30
of the
Principal
Act

4. Section 30 of the Principal Act is hereby amended by the addition thereto of the following subsections —

(4) Except for the purpose of the performance of his functions or when lawfully required to do so by any court or under the provisions of any law no member, officer or employee of the Board shall disclose to any person any information which he has acquired in the performance of his functions under this Act as such member, officer, or employee.

(5) Any person who contravenes the provisions of subsection (4) or who in the purported performance of duties under this Act obtains or seeks to obtain information which he is not authorised to obtain shall be liable on summary conviction to a fine of five hundred dollars and to imprisonment for a term of six months".

Amendment
of section 31
of the
Principal
Act

5. Subsection (3) of section 31 of the Principal Act is hereby amended by the insertion immediately after the word "person", appearing at the end of the subsection, of the words "and the inspector if he considers it necessary may make copies of, or extracts from, the documents so produced, and for that purpose he shall have power to take possession of the documents".

6. Subsection (3) of section 34 of the Principal Act shall be construed and have effect as if the words "after the appointment of the Board" had been omitted therefrom at the time of its enactment.

7.(1) Subsection (3) of section 38 of the Principal Act is hereby amended by the insertion in paragraph (b) thereof, immediately after the word "final", of the words "save that, on a question of law or of mixed law and fact, an appeal shall lie therefrom to the Court of Appeal".

(2) The amendment effected by subsection (1) shall not apply to any judgment or order of the High Court given or made before the coming into operation of this section.

EXPLANATORY MEMORANDUM

Section 6 of the National Insurance and Social Security Act, 1969 requires that the minutes of a meeting of the National Insurance Board be confirmed at the following meeting of the Board. Much difficulty is encountered in giving effect to this requirement as the Board has need to hold special meetings at short notice. Clause 2 of the Bill seeks to amend the section to require that the minutes be confirmed as soon as practicable at a subsequent meeting.

2. In consequence of the establishment of the Guyana State Corporation with supervisory functions over the National Insurance Board, clause 3 of the Bill seeks to confer upon the Corporation the power held by the Minister assigned responsibility for social security under section 25 of the Act to fix the rate of remuneration payable to medical officers and members of medical boards appointed or established, as the case may be pursuant to the Act.

3. Daily information is imparted to persons performing functions under the Act. Clause 4 seeks to amend section 30 of the Act for the purpose of imposing upon such persons the requirement to treat such information as confidential.

4. To ensure the effective enforcement of the provisions of the Act clause 5 of the Bill seeks to extend the power of the National Insurance Inspectors to include that of taking possession of relevant documents for the purpose of making extracts therefrom.

5. Section 34 of the Act imposes a time limit on the reimbursement of the public revenue of sums expended to establish the National Insurance Scheme. Clause 6 seeks to amend section 34 to remove the said limitation.

6. The decisions of the National Insurance Board are the subject matter of appeals and references to the High Court whose decisions thereon are final. It is considered desirable that section 38 of the Act be amended to provide that the decisions of the High Court on such appeals and references be subject to a further right of appeal on legal issues to the Court of Appeal. Clause 7 seeks accordingly to amend section 38 of the Act for the purpose.

W. Carrington,
Minister of Labour.

(Bill No. 18/1973)