

**THE OFFICIAL GAZETTE – 8TH AUGUST, 1981
LEGAL SUPPLEMENT – B**

GUYANA

No. 19 of 1981

REGULATIONS

Made Under

THE NATIONAL INSURANCE AND SOCIAL SECURITY ACT

(Cap. 36:01)

IN EXERCISE OF THE POWERS CONFERRED UPON ME BY SECTIONS 14, 20, 21, 39 AND 51 OF THE NATIONAL INSURANCE AND SOCIAL SECURITY ACT, I HEREBY MAKE THE FOLLOWING REGULATIONS:—

1. These Regulations, which amend the National Insurance and Social Security (Benefit) Regulations*, may be cited as the National Insurance and Social Security (Benefit) (Amendment) Regulations 1981. Citation.

2. The Principal Regulations are hereby amended by numbering the SCHEDULE as SCHEDULE I and every reference to the schedule in the regulations and in the marginal notes shall be construed as a reference to schedule one. Amendment of the Principal Regulations.

3. Regulation 2 of the Principal Regulations is hereby amended by the substitution of a colon for the semicolon at the end of the definition of “relevant wage” and the insertion there- after the following proviso — Amendment of regulation 2 of the Principal Regulations.

“Provided that for the purpose of computing old age pension and invalidity pension after the date on which the National Insurance and Social Security (Benefit) (Amendment) Regulations 1981 come into operation, “relevant wage” means the amount set out

*Cap. 36:01 Subsidiary Legislation.

in the last column of Schedule I, in respect of the wage group in which the insured person has paid or has been credited with, or has paid and has been credited with, the greatest number of contributions (other than special transitional credits under regulations 19) out of —

- (a) the last seven hundred and fifty contributions in the case of old age pension; and
- (b) the last two hundred and fifty contributions, in the case of invalidity pension,

paid or credited with or paid and credited with before the old age pension or invalidity pension, as the case may be, first becomes payable.”.

Amendment
of Regulation
4 of the
Principal
Regulations.

4. Regulation 4 of the Principal Regulations is hereby amended by the substitution therefor of the following regulation —

“Rate of
old age
pension.

4.(a) The weekly rate of old age pension payable to an insured person who ceased to contribute before the week commencing 14th August, 1978 shall be thirty per cent of the relevant wage supplemented by one per cent of that wage for each fifty contributions in excess of the seven hundred and fifty contributions mentioned in regulation 3(b);

(b) the weekly rate of old age pension payable to an insured person who contributed on or after 14th August, 1978 shall be forty per cent of the relevant wage supplemented by one per cent of that wage for each fifty contributions in excess of seven hundred and fifty contributions mentioned in regulation 3(b);

Provided that in no case shall the weekly rate of old age pension exceed sixty per cent of the relevant wage.”.

Amendment
of regulation
7 of the
Principal
Regulations.

5. Regulation 7 of the Principal Regulations is hereby amended by the substitution of the word “two” for the word “seven” in paragraph (c) and by the deletion of the words “has attained the age of fifty-five years and” in paragraph (d).

Amendment
of regula-
tion 8 of the
Principal
Regulations.

6. Regulation 8 of the Principal Regulations is hereby amended by the substitution of the word, “two” for the word “seven”.

7. Regulation 14 of the Principal Regulations is hereby amended by the substitution of the word "sixteen" for the word "eighteen" in paragraph (3 (b)(iii) and by the substitution of the word "benefit" for the word "grant" wherever it occurs in the regulation and in the marginal note.

Amendment
of regulation
14 of the
Principal
Regulations

8. Regulation 15 of the Principal Regulations is hereby amended by the substitution therefor of the following regulation —

Amendment
of regulation
15 of the
Principal
Regulations.

"Amount of
Survivor's
benefit.

15.(1) On the death of an insured person who was in receipt of old age pension or invalidity pension or who would have been entitled to invalidity pension had he been deemed to be an invalid at the time of his death or who was sixty years of age or over and would have been entitled to old age pension had he made a claim for such benefit, the survivor's benefit payable shall be a weekly pension payable to the survivor. The weekly rate of the survivor's pension payable to those persons qualifying for the type of benefit mentioned in the first column of Schedule II shall be the corresponding rate in the second column thereof, together with the corresponding increases, if any, in the third column thereof, but not exceeding the corresponding maximum benefit in the fourth column thereof.

(2) On the death of an insured person who would have been entitled to an invalidity grant had he been deemed to be an invalid at the time of his death or who was sixty years of age or over and would have been entitled to an old age grant had he made a claim for such grant, the survivor's benefit payable shall be a lump sum equal to the grant that would have been payable to the deceased."

9. Regulation 16 of the Principal Regulations is hereby amended by the substitution of the word "benefit" for the word "grant" in the regulation and in the marginal note.

Amendment
of regulation
16 of the
Principal
Regulations.

10. Regulation 17 of the Principal Regulations is hereby amended —

Amendment
of regulation
17 of the
Principal
Regulations.

- (a) by the substitution of the word "sixteen" for the word "eighteen" in paragraph (b);
- (b) by the substitution of the word "benefit" for the word "grant" wherever it occurs in the regulation and in the marginal note; and

- (c) by the insertion of the words “payable in accordance with regulation 17A” before the words “if at the death”.

Amendment of the Principal Regulations. 11. The Principal Regulations are hereby amended by the insertion after regulation 17 of the following regulation —

“Benefit payable to an orphan.
 17A. The benefit payable to an orphan shall be from the date of the death of his surviving parent until he reaches the age of sixteen years or, being between the ages of sixteen and eighteen years, he is an unpaid apprentice and not otherwise employed for gain or is receiving full-time education or being above the age of sixteen years, he is unmarried and permanently incapable of work, so long as he remains so incapable.”.

Amendment of regulation 18 of the Principal Regulations. 12. Regulation 18 of the Principal Regulation is hereby amended as follows —

- (a) by the substitution of the words “survivor’s benefit” for the words “survivor’s grant” in paragraph (1) and in the marginal note and of the words “the benefit” for the words “the grant” in paragraph (2);
- (b) by the substitution of the words “a lump sum equal to the grant that would have been payable or to fifty-two weekly payments of the old age pension or the invalidity pension which the deceased would have received had he become an invalid at the date of death, subject to a minimum of a lump sum equal to fifty-two times thirty per cent of the relevant wage” for the words “the grant” in paragraph (1);
- (c) after paragraph (2) insert the following paragraph —

“(3) Where the lump sum payable under paragraph (1) and distributed by the General Manager under paragraph (2) results in the award to an individual beneficiary of an amount in excess of five hundred and sixty dollars, the General Manager shall, in lieu thereof, make from the Fund a periodical payment to the beneficiary of an annuity which, according to actuarial calculations approved by the Board, is equivalent in that case to the same amount:

Provided that the annuity for a child under the age of sixteen years shall be calculated as if it were ceasing at the age of sixteen years and shall not exceed the amount of an orphan's pension granted under the provisions of regulations 15, 17 and 17A but, after the age of sixteen years, shall be subject to the same conditions for the continuation of the payment of such a pension.”.

13. Regulation 36 of the Principal Regulations is hereby amended by the substitution of the word “four” for the word “one”.

Amendment
of regulation
36 of the
Principal
Regulations.

SCHEDULE II
SURVIVOR'S BENEFIT
WEEKLY RATE AND AMOUNT

Kind of Benefit	Basic Rate	Increased for each Dependant	Maximum Benefit Payable
1) Widow's/ Widower's benefit	Fifty percent of the old age or invalidity pension paid or that which would have been payable.	Sixteen and two thirds percent of old age or invalidity pension paid or that which would have been payable.	One hundred percent of the old age or invalidity pension paid or that which would have been payable.
ii) Orphan's benefit	Thirty three and one third per cent of the old age or the invalidity pension paid or that which would have been payable.		One hundred percent of the old age or the invalidity pension paid or that which would have been payable.

Made this 4th day of August, 1981.

H. D. Hoyte,
Vice-President,
Economic Planning and Finance.