

GUYANA

No. 25 of 1989

REGULATIONS

Made Under

THE NATIONAL INSURANCE AND SOCIAL SECURITY ACT
(Cap. 36:01)

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

Citation,

1. These Regulations, which amend the National Insurance and Social Security (Benefit) Regulations*, may be cited as the National Insurance and Social Security (Benefits) (Amendment) Regulations 1989.

Amendment
of the Prin-
cipal Regu-
lations.

2. The Principal Regulations are hereby amended in the following respects —

(1) in regulation 2(1), by the substitution for the definitions of ‘‘relevant wage’’ and ‘‘wage group’’ of the following definitions in their correct alphabetical order —

‘‘relevant wage’’ means the total weekly earnings on which contributions are paid or credits are awarded or contributions are paid and credits awarded during a specified period divided by the number of weeks in that period:

*Cap. 36:01 Subsidiary Legislation.

Provided that, for the purpose of computing old age benefits and invalidity benefits, "relevant wage" means the total weekly earnings on which contributions are paid or credits are awarded other than the special transitional credits awarded under regulation 19 during the three years which give the highest average insurable earnings within the last five years to the person attaining the age of sixty years or ceasing employment whichever occurs first, divided by the number of weeks of contribution in those three years;

"insurable income" means income on which contributions are paid by the insured person and is delimited to an income range which is determined with reference to the existing statutory minimum wage";

- (2) in regulation 4, by the insertion, in the proviso to paragraph (b), after the words "relevant wage" of the words "or be less than forty per cent of the existing statutory minimum wage";
- (3) by the substitution for regulation 4A of the following regulation —

"Old age pension for invalidity pensioner,

4A. Notwithstanding the provisions of regulation 3, on attainment of the age of sixty years an invalidity pensioner who qualified for or was in receipt of an invalidity pension at that age shall be awarded an old age pension the weekly rate of which shall not be less than that of the invalidity pension.";

- (4) in regulation 6, by the substitution for the words "fifty-two times two and a half per cent" of the words "one twelfth times the average annual insurable income";
- (5) in regulation 7, by the re-numbering of the regulation as regulation 7(1) and the insertion of the following paragraph as paragraph (2) —

"(2) An insured person who becomes entitled to invalidity pension after the coming into force of these regulations and who has not yet attained the age of sixty years shall be credited with twenty-five contributions for each year between his age at his last birth date prior to the commencement of the incapacity and sixty years.";

- (6) in regulation 8, by the insertion after the words "relevant wage" at the end of the proviso of the words "or be less than forty per cent of the existing statutory minimum wage";
- (7) in regulation 9, by the substitution for the word "7" of the words "7(1)";
- (8) in regulation 10, by the substitution for the words "fifty-two times two and a half per cent of the relevant wage" of the words "one twelfth times the average annual insurable income";
- (9) in regulation 14 —
 - (a) by the substitution for sub-paragraph (1) (b) of the following sub-paragraph —
 - "(b) had satisfied the contribution condition for the award of the invalidity pension;"
 - (b) by the deletion of paragraph (2);
- (10) in regulation 15 —
 - (a) by the substitution, in paragraph (1), for the words "who would have been entitled to invalidity pension had he been deemed to be an invalid" of the words "who had not been in receipt of invalidity pension but had satisfied the contribution condition for the award of that pension";
 - (b) by the substitution, in paragraph (2), for the words "who would have been entitled to an invalidity grant had he been deemed to be an invalid" of the words "who had not received the invalidity grant but had satisfied the contribution condition for the award of that grant";
- (11) in regulation 25, by the substitution for paragraph (2) of the following paragraph —
 - "(2) For the purpose of sickness benefit the relevant wage shall be the total earnings on which contributions were paid or on which credits were awarded or on which contributions were paid and credits awarded during the last eight weeks in the period of thirteen weeks immediately prior to the week in which the incapacity began or was deemed to have begun divided by eight.";
- (12) by the insertion after regulation 28 of the following regulation as regulation 28A —

Maternity
grant.

28A. (1) A maternity grant shall be payable to —

- (a) any insured woman who has satisfied the conditions specified in regulation 28;
- (b) any woman whether insured or not who was confined and who has not satisfied the conditions specified in regulation 28 but whose husband is an insured person and has satisfied the contribution conditions under these regulations provided that the woman shall receive the grant only once in a calendar year.

(2) The amount of the maternity grant shall be three hundred dollars.”;

(13) by the substitution for regulation 29 of the following regulation —

“Duration. 29. (1) Subject to the provisions of these Regulations, maternity benefits shall be paid to a woman for a period starting from the week not earlier than six weeks before the expected week of confinement and continuing until the expiration of ~~six~~ weeks after the week in which her confinement occurs or such longer period as the General Manager may determine taking into consideration the particular circumstances of the case but not exceeding the maximum period of twenty-six weeks:

Provided that nothing in the foregoing provisions of this Regulation shall be construed as disentitling a woman to payment of maternity benefit by reason only of a variation in the dates of the commencement and the end of the period aforesaid.

(2) Any two or more periods of incapacity for work which are not separated by more than

eight weeks shall be treated as one continuous period of incapacity for work starting on the first day of the first period.”;

- (14) by the substitution for regulation 30 of the following regulation —

“Rate of maternity benefit.”

30. The weekly rate of maternity benefit shall be seventy per cent of the total earnings on which contributions were paid or credits awarded during the last seven weeks in the period of twenty-six weeks immediately preceding the week in which benefit is due to commence divided by seven:

Provided that where any two or more periods of incapacity for work are treated as one continuous period under regulation 29 the daily rate of maternity benefit payable in respect of any period after the first period of incapacity for work shall be the daily rate paid during the first period.”;

- (15) in regulation 31, by the renumbering of paragraph (b) as paragraph (c) and the insertion after paragraph (a) of the following paragraph as paragraph (b).—

“(b) in the case of a claim for benefit made for a period exceeding thirteen weeks, by a certificate issued by a registered medical practitioner; or”;

- (16) in regulation 36, by the substitution for the word “four” of the word “eight”;

- (17) in regulation 37,

(a) by the insertion in paragraph (1) (e), after the words “survivor’s benefit” of the words “or old age benefit”;

(b) by the deletion of paragraph (3).

- (18) in regulation 40(2), by the substitution for the words “of the wage group” of the words “at the rate”;

- (19) by the deletion of Schedule 1.

Made this 27th day of July, 1989.

Carl B. Greenidge,
Minister of Finance.