



THE PARLIAMENT OF
TRINIDAD AND TOBAGO

BILL ESSENTIALS

Date Introduced: June 03, 2022

House: House of Representatives

Minister: Finance

House Bill No: 8 of 2022

Links: The links to the Bill, and its progress can be found on the Bill's home page through the Parliament's Website

<http://www.ttparliament.org/publications.php?mid=28&id=949>

BILL ESSENTIALS

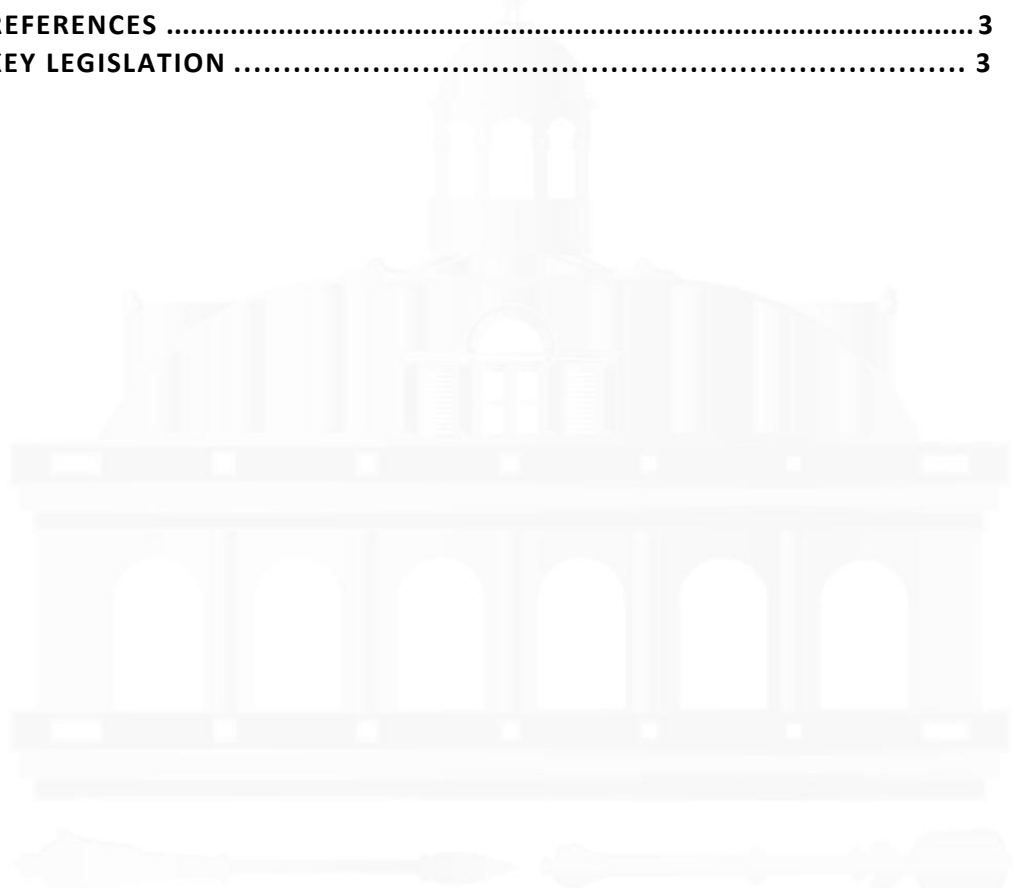
BILL ESSENTIALS NO. 19 2021-2022

2nd SESSION, 12TH PARLIAMENT

The National Insurance (Amendment) Bill, 2022

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BACKGROUND

1. **The National Insurance (Amendment) Bill, 2022**¹ (“the Bill”) was introduced in the House of Representatives by the Honourable Colm Imbert, MP, Minister of Finance on 3rd June, 2022.
2. The Bill seeks to amend the National Insurance Act, Chap. 32:01² (“the Act”) to:
 - provide for the waiver of penalties and interest;
 - increase the penalty for the provision of false information; and
 - increase the statutory limitation for the commencement of summary proceedings

KEY FEATURES OF THE BILL

Section 39B Amended

3. **Clause 3** of the Bill will amend section 39B of the Act by empowering the Minister of Finance to waive the penalties for the non-payment of National Insurance contributions by employers.
4. Under the Act, when an employer fails to pay to their required contributions to the National Insurance Board by the fifteenth day after the due date, the employer is liable to pay:
 - a penalty of twenty-five per cent (25%) of the outstanding sum; or
 - a penalty of one hundred per cent (100%) of the outstanding sum if the sum has been outstanding for more than five (5) years; and
 - interest on the entire sum at an interest rate of fifteen per cent (15%) per annum on both the penalty and the outstanding sum, from the sixteenth day of the following month until payment.

Section 39C Repealed

4. **Clause 4** of the Bill seeks to repeal and replace **section 39C** of the Act. **New section 39C** waives penalties and interest due and payable by employers in respect of outstanding National Insurance contributions, as at June 30, 2022. These outstanding contributions must be paid between July 1, 2022 and December 31, 2022 for the waiver to apply.
5. **New section 39C** sets out that only employers registered prior to June 30, 2022, or those who register during the period July 1, 2022 to December 31, 2022 would be eligible for the waiver. If an employer fails to pay outstanding contributions prior to December 31, 2022 the penalties and interest shall be reinstated.

¹ <http://www.ttparliament.org/publications.php?mid=28&id=949>

² <http://laws.gov.tt/ttdll-web/revision/download/106056?type=act>

6. Additionally, this clause empowers the Minister to prescribe, by Order, a date for the payment of contributions beyond 31st December, 2022. In effect, the Minister will be vested with the authority to extend the waiver period.

Section 63 Amended



7. **Clause 5** of the Bill will amend section 63(1) of the Act. This amendment will increase the penalty for knowingly making any false statements, false representations and producing false documents from a fine of two thousand dollars (\$2,000.00) and imprisonment for six (6) months to a fine of **fifty thousand dollars (\$50,000.00)** and **imprisonment for three (3) years on summary conviction**.

Section 64 Amended

8. **Clause 6** of the Bill will amend section 64(3) of the Act. This amendment will increase the statutory limitation for the commencement of summary proceedings from within twelve (12) months to **three (3) years** from the date of the commission of the offence.
9. In addition, the Bill extends the time for the commencement of summary proceedings from three (3) months to twelve (12) months. from the date on which the Executive Director of the National Insurance Board of Trinidad and Tobago first knew of the commission of the offence.

REFERENCES

KEY LEGISLATION

-  **The National Insurance (Amendment) Bill, 2022**
<http://www.ttparliament.org/publications.php?mid=28&id=950>
-  **The National Insurance Act, Chap. 32:01**
<http://laws.gov.tt/ttdll-web/revision/download/106499?type=act>



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