

*Legal Supplement Part C to the "Trinidad and Tobago Gazette", Vol. 61,
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No. 8 of 2022

Second Session Twelfth Parliament Republic of
Trinidad and Tobago

HOUSE OF REPRESENTATIVES

BILL

AN ACT to amend the National Insurance Act,
Chap. 32:01 to provide for the waiver of penalties
and interest, to increase the penalty for the
provision of false information, to increase the
statutory limitation for the commencement of
summary proceedings and other related matters

THE NATIONAL INSURANCE (AMENDMENT) BILL, 2022

Explanatory Note

(These notes form no part of the Bill but are intended only to indicate its general purport)

The purpose of the Bill is to amend the National Insurance Act, Chap. 32:01 to provide for the waiver of penalties and interest, to increase the penalty for the provision of false information and to increase the statutory limitation for the commencement of summary proceedings under the National Insurance Act.

Clause 1 of the Bill provides for the short title of the Bill.

Clause 2 of the Bill provides that the term “the Act” refers to the National Insurance Act, Chap. 32:01.

Clause 3 of the Bill would amend section 39B of the Act to empower the Minister to waive the penalties or interest due and payable under section 39B, by Order.

Clause 4 of the Bill would repeal and replace section 39C of the Act, which currently provides for the waiver of penalties and interest where outstanding contributions were paid during the period 10th October, 2011 to 30th June, 2012. The new section 39C would provide for the waiver of penalties and interest where outstanding contributions are paid during the period 1st July, 2022 to 31st December, 2022. The new section 39C would also empower the Minister to extend the period for the payment of outstanding contributions by Order.

Clause 5 of the Bill would increase the penalty for making a false statement or representation from a fine of two thousand dollars and imprisonment for six months to a fine of fifty thousand dollars and imprisonment for three years.

Clause 6 of the Bill would increase the statutory limitation for the commencement of summary proceedings from twelve months to three years.

THE NATIONAL INSURANCE (AMENDMENT) BILL, 2022

Arrangement of Clauses

Clause

1. Short title
2. Interpretation
3. Section 39B amended
4. Section 39C repealed
5. Section 63 amended
6. Section 64 amended

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AN ACT to amend the National Insurance Act, Chap. 32:01 to provide for the waiver of penalties and interest, to increase the penalty for the provision of false information, to increase the statutory limitation for the commencement of summary proceedings and other related matters

[, 2022]

ENACTED by the Parliament of Trinidad and Tobago as Enactment follows:

- Short title **1.** This Act may be cited as the National Insurance (Amendment) Act, 2022.
- Interpretation
Chap. 32:01 **2.** In this Act, “the Act” means the National Insurance Act.
- Section 39B
amended **3.** Section 39B of the Act is amended—
- (a) by inserting before the existing provision, the subsection designation ‘(1)’; and
- (b) by inserting the following subsection:
- “(2) The Minister may, by Order, provide for the waiver of penalties or interest due and payable under this section.”.
- Section 39C repealed **4.** The Act is amended by repealing section 39C and substituting the following section:
- 39C. (1) Notwithstanding any written law to the contrary, there is a waiver of all penalties and interest due and payable under section 39B in respect of any contribution outstanding as at 30th June, 2022 by an employer under this Act, where the contribution is paid during the period 1st July, 2022 to 31st December, 2022.
- (2) The waiver under subsection (1) applies to—
- (a) an employer who was registered with the Board prior to 30th June, 2022; and
- (b) an employer who registers with the Board during the period 1st July, 2022 to 31st December, 2022.
- (3) The waiver under subsection (1) does not affect the obligation of an employer to pay contributions in accordance with section 38.

“Waiver of
penalty and
interest

(4) Where an employer fails to pay his outstanding contributions by 31st December, 2022, the penalties and interest which would have been payable in respect of the failure to pay the contributions shall be revived and become payable as if the waiver under subsection (1) had not been granted.

(5) The Minister may, by Order, prescribe a later date for the payment of contributions under subsection (1).”.

5. Section 63(1) of the Act is amended by deleting the words “two thousand dollars and to imprisonment for a term of six months” and substituting the words “fifty thousand dollars and imprisonment for three years”. Section 63 amended

6. Section 64(3) is amended by deleting the words “within twelve months from the date of the commission of the offence or within three months” and substituting the words “within three years from the date of the commission of the offence or within twelve months”. Section 64 amended

Passed in the House of Representatives this
day of _____, 2022.

Clerk of the House

I confirm the above.

Speaker

Passed in the Senate this day of ,
2022.

Clerk of the Senate

I confirm the above.

President of the Senate

No. 8 of 2022

SECOND SESSION
TWELFTH PARLIAMENT
REPUBLIC OF
TRINIDAD AND TOBAGO

BILL

AN ACT to amend the National Insurance Act, Chap. 32:01 to provide for the waiver of penalties and interest, to increase the penalty for the provision of false information, to increase the statutory limitation for the commencement of summary proceedings and other related matters

Received and read the

First time

Second time

Third time