

2009

**SOCIAL SECURITY (BENEFIT)
(AMENDMENT)**

S.R.O. 22

COMMONWEALTH OF DOMINICA

STATUTORY RULES AND ORDERS NO. 22 OF 2009

REGULATIONS

Made by the Minister under section 35 of the Social Security Act
(Chap 31:01).

(Gazetted 21st May, 2009.)

1. These Regulations may be cited as -

Short title.

**SOCIAL SECURITY (BENEFIT) (AMENDMENT)
REGULATIONS, 2009.**

2. In these Regulations the Social Security (Benefit) Regulation
is referred to as the "Principal Regulations".

Interpretation.
S.R.O.No. 10 of
1976.

3. Regulation 6 of the Principal Regulations is repealed and
replaced by the following -

Repeal and
replacement of
Regulation 6.

“Conditions for granting sickness benefit.” “6(1) An insured person who is an employee, shall be paid Sickness Benefit only if he-

- (a) was engaged in employment as an employee pursuant to section 19 of the Act immediately prior to the day on which incapacity commenced; and
- (b) has been insured for less than thirteen contribution weeks; and

-
- (c) has been employed in such employment for at least eight contribution weeks in the period of thirteen contribution weeks immediately preceding the contribution week in which the first day of the continuous period of incapacity for work occurred.”

Repeal and Replacement
of Regulation 11.

4. Regulation 11 of the Principal Regulations is repealed and replaced with the following-

“Conditions
for granting
maternity
benefit

“11(1) Maternity Benefit shall be payable only where the woman had been insured for not less than thirty contribution weeks and had not been engaged in employment as an employee pursuant to section 19 of the Act for at least twenty contribution weeks in the period of thirty contribution weeks immediately preceding the contribution week in which occurs the day which is six weeks before the expected date of confinement, or in which occurs the day from which the benefit is claimed, whichever is the later.

(2) Where the insured woman is self-employed, maternity benefit shall be payable only if she -

- (a) has been insured for at least one year; and
- (b) has paid contributions for at least three quarters in the four consecutive quarters immediately prior to the quarter in which confinement is expected; and
- (c) has paid contributions for the last two quarters immediately preceding the quarter in which confinement is expected.”

5. Regulation 17 is amended by -

Amendment of
Regulation 17.

(a) deleting the word “spouses” in subregulation (3) and replacing it with the word “cohabitants”.

(b) inserting the following as subregulation (5) -

“(5)(a) Notwithstanding subregulations (2) to (4) a Maternity Grant of five hundred dollars shall be paid on confinement of the wife of an insured self-employed man or an insured self-employed woman provided that the claimant has paid contributions for at least three quarters in the four consecutive quarters immediately preceding the quarter in which the date of confinement occurs.

(b) Where there are multiple births, a grant shall be payable in respect of each child.

(c) Where the contributions of either the insured self-employed woman or self-employed spouse are insufficient to qualify for a Maternity Grant, the combined contributions of the husband and wife or cohabitants living in association for a period of not less than three years, may be used in order for the claimant to satisfy the required number of contributions.

(d) Where, during the qualifying period, the status of the claimant has changed from employee to self-employed or vice versa, the contributions paid under each status will be added in order that the claimant satisfies the required number of contributions.

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Commencement.

(c) inserting the following as subregulation (6) -

“(6) Where the claimant has utilized the services of a hospital or other medical facility for the purpose of confinement and the claimant is indebted to the institution in respect of the particular confinement, the Maternity Grant shall first be applied towards settlement of the medical bills and the surplus, if any, shall be payable to the claimant.”

6. These Regulations shall be deemed to have come into effect on the 1st day of January, 2009.

Made this 7th day of May, 2009.

ROOSEVELT SKERRIT
Minister for Social Security

DOMINICA

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