

LEGAL NOTICE NO. 27

REPUBLIC OF TRINIDAD AND TOBAGO

THE NATIONAL INSURANCE ACT, CHAP. 32:01

REGULATIONS

MADE BY THE PRESIDENT UNDER SECTION 35 OF THE NATIONAL
INSURANCE ACT

THE NATIONAL INSURANCE (REGISTRATION)
REGULATIONS, 2004

1. These Regulations may be cited as the National Insurance Citation
(Registration) Regulations, 2004.

2. (1) In these Regulations—

Interpreta-
tion

“Board” means the National Insurance Board of Trinidad
and Tobago established under section 3 of the Act;

“company” means a body corporate or an unincorporated
association of persons and includes a partnership, firm or
agency;

“National Insurance Registration Card” means the card
referred to in section 30A of the Act.

(2) For the purposes of the definition of “domestic worker” in
section 28 of the Act, “domestic worker” includes any person employed
as maid, maid-servant, servant, cook, domestic, laundress, washer-
woman, child-minder, nanny, governess, companion, gardener, yardboy,
chauffeur, forester, game-keeper, watchman, butler, valet, groom,
stable-boy or in a similar capacity.

(3) Without prejudice to any other case in which a company is
engaged in or carrying on a trade or business in Trinidad and Tobago, a
company shall be deemed to be engaged in or carrying on a trade or
business in Trinidad and Tobago, where it has an office, a place of
business, a branch or an agency in Trinidad and Tobago.

3. These Regulations apply to every employed person not engaged Application
in uninsurable employment within the meaning of section 29(2) of the
Act and to every unpaid apprentice.

PART I

EMPLOYERS

Application
for
registration of
employer

4. An employer shall apply to the Board for registration in such form as the Board may determine.

Certificate of
registration

5. Where the Board is satisfied that an employer's application for registration is in order, the Board shall issue to the employer, a certificate of registration in such form as the Board may determine.

Certificate to
be kept in
employer's
custody

6. A certificate of registration shall be—

- (a) kept in the safe custody of the employer to whom it is issued; and
- (b) produced for inspection at any reasonable time where so required by the Board or any of its authorised officers.

Procedure
on ceasing to
be an
employer

7. (1) Where an employer who is an individual—

- (a) ceases to be an employer, he shall promptly so inform the Board and return his certificate of registration to the Board, within one month of his ceasing to be an employer; or
- (b) dies or is declared a bankrupt, his personal representative or trustee in bankruptcy shall so inform the Board and return his certificate of registration to the Board, within one month of the death or bankruptcy of the employer, as the case may be.

(2) Where an employer who is not an individual ceases to be an employer by reason of a winding-up or liquidation or dissolution of partnership or any other cause and the employer is—

- (a) a body corporate, the secretary of the body corporate shall inform the Board when the name of the body corporate is removed from the register of companies referred to in the Companies Act and return its certificate of registration to the Board; and
- (b) an unincorporated association of persons, the secretary or former partners of the unincorporated association of persons shall so inform the Board and return its certificate of registration to the Board.

(3) The secretary of the body corporate or the secretary or former partners of the unincorporated association of persons shall comply with subregulation (2) within one month of the removal of the name of the body corporate from the register of companies or the dissolution of the partnership, as the case may be.

PART II

EMPLOYED PERSONS (OTHER THAN SELF-EMPLOYED PERSONS) AND UNPAID APPRENTICES

8. (1) An employer shall apply to the Board for the registration of each employed person, including a domestic worker and a casual agricultural worker, and each unpaid apprentice, of whom he is the employer, in such form as the Board may determine.

Registration of certain employed persons and unpaid apprentices

(2) A domestic worker and a casual agricultural worker may make an application to the Board for registration within three months of employment, in such form as the Board may determine.

(3) Where the Board is satisfied that the application for registration under subregulation (1) is in order, the Board shall—

- (a) issue to the person in respect of whom registration is sought, a National Insurance Registration Card, to be delivered to the person by the employer; and
- (b) give to the employer, a record of the registration number of the person, to be retained by the employer.

(4) Where the Board is satisfied that the application for registration of a domestic worker or a casual agricultural worker under subregulation (2), is in order, the Board shall issue to the domestic worker or a casual agricultural worker, as the case may be, a National Insurance Registration Card.

PART III

SELF-EMPLOYED PERSONS

9. (1) A self-employed person shall apply to the Board for registration in such form as the Board may determine.

Registration of self-employed persons

(2) Where the Board is satisfied that the application for registration of a self-employed person is in order, the Board shall issue to the self-employed person, a National Insurance Registration Card.

Termination
of self-
employment

10. (1) Where a self-employed person dies, his survivor entitled to benefit or his personal representative shall so inform the Board and return the National Insurance Registration Card of the deceased to the Board within one month of his death.

(2) Where a self-employed person ceases to be self-employed, he shall so inform the Board and state the reason that he has ceased to be self-employed.

PART IV

GENERAL

Board to
supply
forms

11. Forms for registration shall be supplied by the Board at no cost to an applicant.

National
Insurance
Registration
Card

12. (1) A National Insurance Registration Card shall contain the name, registration number and National Insurance Registration Number of the person to whom it is issued.

(2) In this regulation “registration number” means the registration number shown on—

- (a) an identification card issued under the Representation of the People Act; or
- (b) a valid Trinidad and Tobago driver’s permit.

Chap. 2:01

Loss etc., of
insurance
certificate
or National
Insurance
Registration
Card

13. (1) Where a certificate of registration or a National Insurance Registration Card is lost, defaced or destroyed while in the custody of an employer, self-employed person, employed person or unpaid apprentice, the employer, self-employed person, employed person or unpaid apprentice, shall report such loss, defacement or destruction to the Board and apply for the issue of a replacement.

(2) The Board shall issue a replacement under such terms and conditions as it may determine.

Board to
be informed
of changes

14. (1) An employer who changes his address or the name or nature of his business, shall forthwith inform the Board of the change.

(2) An employed person, including a domestic worker and a casual agricultural worker, or unpaid apprentice who changes his name, status or address, shall forthwith inform his employer of the change and the employer shall forward the information to the Board.

(3) A self-employed person shall inform the Board within fourteen days of any change of address or of the name or nature of his business or of any change of his name or status.

15. A person who wilfully loses, defaces or destroys any certificate of registration or National Insurance Registration Card or who fails to comply with any of these Regulations is liable on summary conviction to a fine of one hundred dollars. Offences

16. The National Insurance (Registration) Regulations are repealed. Repeal
Chap. 32:01

Dated this 1st day of March, 2004.

A. LEUNG WOO-GABRIEL
Secretary to Cabinet