

## STATUTORY INSTRUMENT

### No. 77 Of 2003

**REGULATIONS made by the Minister responsible for Social Security in exercise of the powers conferred upon him by section 22 of the Social Security Act, Chapter 44 of the Laws of Belize, Revised Edition, 2000, and all other powers thereunto him enabling.**

(Gazetted 14th June, 2003.)

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**Short title.**

1. These Regulations may be cited as the

**SOCIAL SECURITY (NON-CONTRIBUTORY PENSION FOR WOMEN 65 YEARS OR OVER) REGULATIONS, 2003**

**Interpretation.**

2. (1) In these Regulations, unless the context otherwise requires,

“appointed day” means April 01, 2003;

“Board” means the Belize Social Security Board;

“Committee” means the Committee established under regulation 4 to determine claims for non-contributory pension;

“Fund” means the Social Security Fund;

“non-contributory pension” or “pension” means the monthly payment made to those registered female persons sixty-five years or older who qualify for such pension on the appointed day;

“registered female person” means a female person sixty-five years or older on or after the appointed day with a valid Social Security Card.

(2) All other words and expressions defined in the Act shall have the same meanings in these Regulations.

**Entitlement to non-contributory pension.**

3. Subject to these Regulations, a non-contributory pension of \$75.00 shall be payable to a registered female person who

(a) is sixty-five (65) years of age or older, on the appointed day;

(b) is a permanent resident or citizen of Belize; and

(c) has inadequate or no source of income.

**Establishment of Committee.**

4. (1) For the purpose of determining claims under these Regulations, there shall be a Committee consisting of four persons as follows:

- (a) a representative of the Board;
  - (b) a representative of the Belize Council of Churches;
  - (c) a representative of Help Age Belize;
  - (d) a representative of the Ministry responsible for human development.
- (2) The Chairman of the Committee shall be appointed from among the membership of the Committee.
- (3) The Committee shall meet regularly, at least once monthly, to consider and determine claims for pension made under these Regulations.
- (4) Minutes of the meetings of the Committee and any recommendations made by it shall be sent to the Board at the end of every meeting.

5. (1) Every claim for a pension under these Regulations shall be made in writing to the Committee on the form prescribed in the First Schedule to these Regulations, unless the Manager, in his discretion, waives this requirement.

**Claim to be made in writing on appropriate form.**

**First Schedule.**

- (2) Claim forms shall be supplied free of charge by the Board.

6. A claim to a pension shall include such information and documents as may be relevant to the particular claim such as the identity and other particulars of the claimant and of the pension in respect of whom or on whose behalf as the case may be, the claim is made.

**Information and documents to be furnished with claim.**

7. If a claim form is defective at the date of its receipt, the Committee may refer it back to the claimant, and if the relevant form is returned to the Committee properly completed within one month from the date on which it is so referred, the claim may be treated as if it had been duly made in the first instance.

**Defective claim.**

8. For the purposes of these Regulations, the date of a claim to a pension is the day on which the claim is received at the office of the Board.

**Date of claim.**

9. Where it appears that a person who has made a claim to a pension may be entitled to some benefit other than the one claimed, the Committee may treat the claim made as a claim in the alternative for that other benefit if the necessary particulars and documents are furnished, and such claim shall be forwarded to the Manager.

**Claim changed to other benefit.**

10. No sum shall be paid by way of non-contributory pension in respect of any period more than six months from the date the claim is duly made.

**on-payment of  
claim after six  
months.**

11. (1) Any pension payable under this Act may be paid at an office of the Board, a post office or at such other place, including a bank or Government District Office, as the Board may from time to time determine by arrangement with the authority concerned, as the case may be.

**Place and manner  
of payment of  
pension.**

(2) Claims shall be paid by means of vouchers, pension orders, drafts or cheques or in such other manner as the Board may from time to time determine.

(3) Any document mentioned in paragraph (2) used for the payment of pension shall be in such form as the Board shall determine and such document may in particular show the date from which the sum specified therein shall be payable.

12. (1) Any document issued by the Board to a person for the purpose of receiving payment of pension thereby (including a voucher, a book of pension orders, draft or cheque) shall remain the property of the Board.

**Payment  
documents remain  
the property of  
the Board.**

(2) Any person having a payment document specified in paragraph (1) above shall, on the termination or suspension of the pension to which the document relates or when requested by an officer of the Board, return such document to the Board or to such person as the Board may direct.

(3) If there is any event or fact which affects or is likely to affect the continuance of the right to a pension or the rate thereof in respect of which a payment document has been issued, any person having in his possession such document shall notify the event or fact forthwith and return such document to the Board.

13. Where a claimant or other person through his own fault has not obtained payment of any sum payable by way of pension within six months from the date on which an authority for payment or other document is issued to him by the Board, the right to that sum shall be extinguished.

**Extinguishment of  
right to receive  
pension payment.**

14. (1) Any person receiving pension payment for himself or on behalf of some other person shall inform the Manager of any event or fact affecting the continuance of the right to receive such payment or the rate thereof within one week of the occurrence of the event or fact and in any case before receiving further payment of such pension after the occurrence of the event or fact.

**Obligations  
of persons receiving  
pension payment.**

(2) The Board may require any person entitled to pension or receiving pension on behalf of another person to furnish from time to time documentary evidence that he is alive and to show that the

conditions governing the award of such pension continue to be fulfilled, and if such evidence is not given to the Board within the time required the Board may suspend payment of the pension until the date on which the evidence is given.

(3) A person applying to receive payment of pension shall produce on request to the authority making the payment evidence of entitlement to the pension and of his identity as required by the Board.

(4) Where pension payment is received by a person on behalf of another person (the beneficiary not being a person unable to act) the latter person may be required by the Board to confirm any particulars furnished by the former person.

**Person unable to act.**

15. (1) In the case of any person, to whom a pension is payable or by whom or on whose behalf a claim to pension has been made, being unable to act at that time and having no person or authority duly appointed under the law to act for him the Board may, upon written application being made to it, appoint a person to exercise on behalf of the person who is unable to act any right to which that person may be entitled under these Regulations and to receive and deal with any sums payable on behalf of such person:

Provided that —

(a) any such appointment by the Board shall terminate on the date immediately prior to the date on which the Board is notified that a person or authority has been duly appointed under the law to act for such person;

(b) a person who has not attained the age of eighteen years shall not be capable of being appointed to act under this regulation;

(c) the Board may at any time in its absolute discretion revoke the appointment made under this regulation; and

(d) any person appointed under this regulation may resign his office on giving the Board one month's notice in writing of his intention to do so.

**Pension ceases upon death.**

(2) Anything required by these Regulations to be done by or to any such person as aforesaid, who is for the time being unable to act, may be done by or to any person or authority duly appointed under the law to have charge of such person or of his estate or by or to the person appointed under this regulation to act on behalf of such person, and the receipt of any person appointed under this regulation shall be a good discharge to the Board and the Fund for any sum paid provided that such person has attained the age of eighteen years.

16. On the death of a person who is a claimant or who is entitled to or who has been receiving a pension under these Regulations, such pension shall not enure to the benefit, estate or legal representative of such deceased person.

**Declaration  
required every six  
months.**

17. A person in receipt of a pension under these Regulations shall complete a pensioner's declaration form as prescribed in the Second Schedule every six months commencing after the first payment of the pension and submit it to the Board.

**Second  
Schedule**

18. A claimant who is entitled to a pension under these Regulations and who is also entitled to receive a retirement grant may opt to receive either one of these benefits but not both.

**Option between  
benefits.**

19. All pensions payable under these Regulations shall be made on the fifth working day of each calendar month.

**Time of payment.**

20. Where any person is guilty of an offence under these Regulations, he shall be liable on summary conviction to a fine not exceeding one hundred dollars for each such offence and where the offence continues, any such contravention or failure after conviction thereof, to a fine of one hundred dollars for each day on which it is so continued.

**Offences.**

21. These Regulations shall come into operation on April 01, 2003.

**Commencement.**

**MADE** by the Minister responsible for Social Security  
this 20th day of May, 2003.

(HON. RALPH FONSECA)  
Minister responsible for Social Security



