

PUBLIC ASSISTANCE ACT

CHAPTER 32:03

Act

18 of 1951

Amended by

38 of 1951

40 of 1961

23 of 1996

9 of 1997

35 of 1998

10 of 1999

3 of 2003

7 of 2004

21 of 2005

17 of 2007

*30 of 2007

2 of 2012

2 of 2013

*2 of 2015

*See Note on page 2

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Delegation of Powers

For Delegation of Powers—

(a) under section 4—*See* LN 26/1951;

(b) under section 8—*See* LN 26/1951 and LN 159/1956.

Note on Adaptation

Under paragraph 6 of the Second Schedule to the Law Revision Act (Ch. 3:03) the Commission amended certain references to public officers in this Chapter. The Minister's approval of the amendments was signified by LN 120/1980, but no marginal reference is made to this Notice where any such amendment is made in the text.

Note on Act No. 30 of 2007

Increases in Disability Assistance made under Act No. 30 of 2007 became effective on 1st October 2007.

Note on Act No. 2 of 2015

Amendments made to section 11 by Act No. 2 of 2015 took effect from 1st October 2014. All payments made before the coming into force of Act No. 2 of 2015 have been validated by section 26(2).

CHAPTER 32:03

PUBLIC ASSISTANCE ACT

ARRANGEMENT OF SECTIONS

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CHAPTER 32:03

PUBLIC ASSISTANCE ACT

An Act to make provision for the grant of public assistance. 1951–53.
(Vol.1).
Ch. 13. No. 1.
18 of 1951.

[1ST JANUARY 1951]

Commencement.

1. This Act may be cited as the Public Assistance Act. Short title.

PRELIMINARY

2. In this Act—

Interpretation.

“Board” means the Central Public Assistance Board established under section 4;

[23 of 1996
3 of 2003].

“disability assistance” means the assistance, payment of which is provided for under section 11A;

“Local Board” means a Local Public Assistance Board established under section 8;

“Minister” means the Minister to whom responsibility for public assistance is assigned;

“public assistance” means relief granted to a person in accordance with this Act, and, unless the context otherwise requires, includes disability assistance provided for under this Act.

3. There shall be paid out of public funds all such sums of money as may from time to time be appropriated for the purpose of granting public assistance under this Act. Funds.

THE CENTRAL PUBLIC ASSISTANCE BOARD

4. (1) For the purposes of this Act there shall be established a Board to be called “The Central Public Assistance Board”.

Central
Board—
establishment of.
[40 of 1961
23 of 1996].

(2) The Board shall consist of the Director (Social Welfare) who shall be Chairman, and not more than eight other members to be nominated by a Minister, who shall hold office during his pleasure and for a period of not more than three years.

(3) At the expiration of his period of office any such person may be re-nominated to be a member of the Board.

(4) The Minister may remove any such person and nominate any other person in place of a member so removed; or in place of any member dying or resigning, or becoming incapable to act, or being absent from Trinidad and Tobago, or failing to attend the meetings of the Board for three consecutive months.

(5) At any meeting of the Board any four members shall form a quorum.

(6) There shall be appointed such number of public officers as may be required for the purposes of this Act.

Duties of Board.
[23 of 1996].

5. It shall be the duty of the Board—

- (a) ***(Repealed by Act No. 23 of 1996);***
- (b) to control, direct and assist Local Boards in administering public assistance and if at any time considered necessary by the Board, to take over and perform the duties of any one or more of such Local Boards;
- (c) to co-operate with voluntary associations in administering public assistance; and
- (d) to control generally all matters relating to the grant of public assistance.

Powers of Board.
To summon and examine persons on matters relating to public assistance.

6. (1) The Board may summon before it such persons as it may think necessary for the purposes of being examined upon any matter relating to the grant of public assistance or any other matter placed by law under its control, and for the purpose of producing and verifying upon oath any books and documents in anywise relating to such matters; and may examine upon oath any person so summoned, or who voluntarily comes before it to be examined; or instead of administering an oath, the Board may require the person examined to make and subscribe a declaration of the truth of the matter respecting which he may have been or may be so examined.

To appoint sub-committees.

(2) The Board may appoint sub-committees for such purposes as it thinks fit.

(3) The Board may, with the approval of the Minister, To make Rules.
make Rules—

- (a) for regulating its own proceedings, the keeping of accounts and registers, and the duties of its officers;
- (b) for regulating the proceedings of Local Boards, the keeping of their accounts and registers and the duties of such Local Boards and their officers; and
- (c) for the guidance of Local Boards and of any officers employed by them in the administration of public assistance.

LOCAL PUBLIC ASSISTANCE BOARDS

7. (1) For the purposes of this Act, Trinidad and Tobago shall be divided into Local Public Assistance Districts. Local Public Assistance Districts.

(2) Local Public Assistance Districts shall be such areas as may from time to time be fixed and defined by the Board by resolution to be approved by the Minister and published in the *Gazette*.

8. (1) For each such Local Public Assistance District there shall be established a Local Board to be called “The Local Public Assistance Board”. Establishment of Local Boards. [40 of 1961 23 of 1996].

(2) A Local Board shall consist of a Supervisor of Social Welfare to be appointed by the Minister, who shall be Chairman, and of not more than five other persons to be nominated by the Minister, who shall hold office during his pleasure and for a period of not more than three years. Constitution.

(3) At the expiration of his period of office any such person may be re-nominated to be a member of the Local Board.

(4) The Minister may remove any such person and nominate any other person in place of a member so removed, or in place of any member dying or resigning, or becoming incapable to act, or being absent from Trinidad and Tobago, or failing to attend the meetings of the Local Board for three consecutive months.

(5) At any meeting of a Local Board any three members shall form a quorum, and the Chairman shall have a second or casting vote. Quorum.

Acting
Chairman.

(6) Notwithstanding the provisions of subsection (2), the members present at any meeting may, in the unavoidable absence of the Supervisor of Social Welfare, elect any member to act as Chairman of such meeting.

Secretary.

9. (1) There shall be a secretary to every Local Board who shall be appointed under section 4(6).

(2) The secretary shall keep the minutes and accounts and conduct the correspondence of the Local Board, and, in addition, shall perform all such duties as may be assigned to him by the Chairman.

Duties of Local
Boards.
[23 of 1996].

10. It shall be the duty of every Local Board—

- (a) to inquire into the circumstances of every recipient of and every applicant for public assistance;
- (b) to inquire generally into the condition of the poor and the needs for public assistance within its district, and to report thereon to the Board;
- (c) to administer public assistance in its district under the general direction and control of the Board;
- (d) to regulate its proceedings, keep its accounts and registers and perform its duties in accordance with Rules and instructions of the Board;
- (e) to process an application within ninety days of the receipt of the application by the Local Board.

Refusal of and
non-action on
applications.
[23 of 1996].

10A. (1) Where the Local Board refuses an application for public assistance, it shall—

- (a) within ninety days of the date of application notify the applicant in writing as to the grounds upon which the application has been refused; and
- (b) submit the application for the decision of the Board if the applicant, within sixty days of the date of the refusal, so requests.

(2) An applicant who is aggrieved by the decision of the Board to refuse his application for public assistance shall, within sixty days of the date on which he was notified of the refusal, appeal to the Minister against the decision.

(3) Where an application for public assistance is submitted and at the expiration of ninety days thereafter the Local Board has neither approved nor refused the application, the application is deemed to have been approved.

11. The powers conferred by section 6(1) on the Board may be exercised by a Local Board and the secretary thereto.

Powers of Local Boards relating to summoning and examining persons.

DISABILITY ASSISTANCE

11A. (1) Notwithstanding any provision of this Act, a person is entitled to receive disability assistance if —

Disability assistance. [23 of 1996, 35 of 1998, 10 of 1999, 3 of 2003, 7 of 2004, 21 of 2005, 17 of 2007, 30 of 2007, 2 of 2012, 2 of 2013, 2 of 2015]. Ch. 18:01.

- (a) his total income does not exceed twelve thousand dollars per annum;
- (b) he—
 - (i) is a citizen or resident of Trinidad and Tobago as defined in the Immigration Act; and
 - (ii) has been continuously resident in Trinidad and Tobago for a period of three years preceding the claim for disability assistance, except that he has not been absent from Trinidad and Tobago for a period exceeding six months in the aggregate;
- (c) he has attained the age of eighteen years; and
- (d) he is in the opinion of the Local Board so disabled that he is unable to earn a livelihood and has been certified by a Medical Officer as being so disabled.

(1A) Notwithstanding subsection (1)(b)(ii), the Board may consider and approve an application for disability assistance where the applicant had been absent from Trinidad and Tobago for a period exceeding six months in the aggregate for medical purposes.

(1B) An applicant for disability assistance under subsection (1A) shall provide the Board with satisfactory evidence in support of the application.

(2) Notwithstanding certification pursuant to subsection (1)(d), the Director (Social Welfare) may, if he sees fit, refer the applicant to the Chief Medical Officer for assessment and certification of disability and if such

certification is not obtained, the Local Board may refuse the applicant's claim in accordance with this Act.

*†(3) Disability assistance shall be one thousand, eight hundred dollars per month.

(4) A person who is paid disability assistance shall continue to receive such assistance so long as—

(a) his total income does not exceed the amount referred to in subsection (1);

(b) he satisfies the conditions referred to in subsection (1)(b).

(c) *(Deleted by Act No. 2 of 2012).*

(5) Notwithstanding subsection (1)(b)(ii), the Minister may approve a claim for disability assistance where the applicant has been continuously resident in Trinidad and Tobago for more than twelve months but less than three years.

Application for disability assistance.
[23 of 1996].

11B. An application for disability assistance shall be submitted in writing in the form and manner prescribed in Regulations made under this Act, to the Local Board.

Date on which disability grant commences to accrue.
[23 of 1996].

11C. Where a disability grant is first allowed under this Act, it shall commence to accrue at the end of the month after the date on which the claim is received by the Local Board or at the end of the month after the date on which the claimant first becomes entitled to the grant, whichever is the later date.

MISCELLANEOUS PROVISIONS

Penalty for giving false evidence.
[23 of 1996].

12. Any person who, on any examination under the authority of this Act, wilfully gives false evidence, or wilfully makes or subscribes a false declaration, is liable to a fine of one thousand dollars.

Penalty for refusing to obey summons.

13. Any person who refuses or wilfully neglects to attend in obedience to a summons issued under section 6(1) or section 11 or to give evidence or to produce books and documents in accordance with such summons is liable to a fine of two hundred dollars.

*See Acts Nos. 3 of 2003, 7 of 2004, 21 of 2005 and 17 of 2007 for validation of increase in disability assistance.

†Amendment made to section 11A(3) by Act No. 2 of 2013 took effect from 1st February 2013.

14. All offences under this Act may be prosecuted, and all penalties imposed under this Act may be recovered, in the manner provided by the Summary Courts Act; and proceedings initiated by the Board or by a Local Board may be conducted by any person authorised by the Board or the Local Board, either generally or for any particular proceedings.

Recovery of penalties.

Ch. 4:20.

15. Any member of the Board or of a Local Board and any officer appointed under the authority of this Act may enter any premises at any time between eight o'clock in the morning and six o'clock in the evening for the purpose of making inquiries in connection with the grant of public assistance.

Power of entry.

15A. (1) Where a person knowingly causes himself to be paid public assistance to which he is not entitled in accordance with the provisions of this Act, the Director (Social Welfare) or any person appointed by the President for the purpose may, whenever the President so directs, sue and recover from that person or his personal representative after his death, the amount paid to such person.

Recovery of over-payment. [23 of 1996].

(2) In any suit under this section, a certificate under the hand of the Comptroller of Accounts showing the amount paid shall be evidence that the amount stated in the certificate was expended as described in the certificate.

(3) The amount adjudged to be repaid by the defendant in any such suit shall rank as prior to all other claims and charges on the defendant, or on the estate of the deceased, as the case may be, accruing subsequent to the payment of the relief.

16. (1) The Minister may make Regulations for carrying the purposes and provisions of this Act into effect, and, without limiting the generality of the foregoing, may make Regulations —

Regulations. [23 of 1996 9 of 1997 10 of 1999].

- (a) causing the circumstances of every applicant for or recipient of public assistance to be enquired into;
- (b) prescribing the procedure to be followed on and the forms to be used for applications for public assistance;
- (c) providing for the maintenance of adequate records of applications for public assistance,

- reports and decisions thereof, and amounts of public assistance paid;
- (d) prescribing the method and places of payment of public assistance granted under this Act;
 - (e) providing for the suspension or discontinuance of disability and public assistance grants;
 - (f) providing for the payment of grants in the event of mutilation, destruction or loss of the instrument of payment;
 - (g) prescribing the procedure for verifying that the recipient of a grant is alive.

(2) Notwithstanding any other provisions of this Act, the Minister may by Regulations prescribe the procedure for the preparation and payment of public assistance, and nominate any department, statutory authority or any other entity in which the State has an interest for the performance of such functions on behalf of the Board.

SUBSIDIARY LEGISLATION

**PUBLIC ASSISTANCE (DISABILITY ASSISTANCE)
(PRESCRIBED FORMS) REGULATIONS**

186/1997.
[232/2004].

made under section 11B

1. These Regulations may be cited as the Public Assistance (Disability Assistance) (Prescribed Forms) Regulations. Citation.

2. In these Regulations, “the Act” means the Public Assistance Act. Interpretation.

3. The form required to be prescribed under section 11B of the Act is the form set out in the Schedule. Prescribed form. Schedule.

SCHEDULE

Regulation 3.



Husband’s/Wife’s Claim
reference numbers

Date of receipt of Claim

.....

.....

For Office use only

File No.

Name

Local Board No.

Address

Disability Assistance Grant No. ...

I.D. No.

Rejected Claim No.

N.I.S. No.

**FORM OF CLAIM FOR DISABILITY
ASSISTANCE GRANT**

INSTRUCTIONS

1. A person applying for a Disability Assistance Grant must complete this form and sign and submit it with his/her Birth Certificate or other evidence of age and evidence of disability to the Chairman of the Local Public Assistance Board of the district in which the applicant resides.
2. If a husband and a wife are each applying for Disability Assistance Grant at the same time each must fill out a separate application form.
3. A Disability Assistance Grant is not assignable.

QUALIFICATIONS

To be eligible for a Disability Assistance Grant, a person—

- (a) must have attained the age of eighteen years;
- (b) (i) must be a citizen or resident of Trinidad and Tobago; and
(ii) must have been continuously resident in Trinidad and Tobago for a period of three years preceding the claim for disability assistance, except that the period of residence has not been broken by a period exceeding six months in the aggregate or must have been continuously resident in Trinidad and Tobago for more than twelve months but less than three years and has received the approval of the Minister under section 11A(5) of the Act;
- (c) have an income not exceeding the total income specified in section 11A(1) of the Public Assistance Act; and
- (d) must be certified by a Government Medical Officer as being permanently disabled from earning a livelihood as a result of visual, mental, hearing, or physical impairment.

1. Full name of Applicant (Block Letters) Male
Female
(Surname) *(Given Name)*
2. I.D. Card, passport or driving permit number
3. Address (give full details)
.....

UNOFFICIAL VERSION

UPDATED TO 31ST DECEMBER 2016

Public Assistance

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*Public Assistance (Disability Assistance)
(Prescribed Forms) Regulations*

[Subsidiary]

4. Telephone number
5. Father's name
6. Mother's name
7. Age last birthday
8. Date of birth
9. Place of birth (street/road, town/city, ward and country)
10. Birth Certificate number (certificate attached)
11. Are you a citizen or resident of Trinidad and Tobago? If you have acquired citizenship by means other than birth, please specify(attach relevant certificates where applicable)
12. Dates of last departure from, and return to, Trinidad and Tobago within the last three years:

Date of Departure

Date of Return

.....
.....
.....

13. Marital status: single [] married [] widowed []
14. Name of spouse
15. If you are widowed, state the date of your spouse's death
16. Are you living in the same house with your spouse?
17. Is/Was your spouse an Old Age Pensioner/Recipient of Disability Assistance? If so, state Local Board Office where pension(er)/grant is/was payable
18. List names, ages, occupations and addresses of your children who are alive:

Name Age Occupation Address

.....
.....
.....
.....

19. Is any sum payable by you (If separated from your spouse) to your spouse by way of maintenance? If so, how much?
20. (a) Have you ever been employed in Trinidad and Tobago or abroad?
- (b) By whom were you employed?

LAWS OF TRINIDAD AND TOBAGO

MINISTRY OF THE ATTORNEY GENERAL AND LEGAL AFFAIRS

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Public Assistance

[Subsidiary]

Public Assistance (Disability Assistance)
(Prescribed Forms) Regulations

- 21. (a) If now unemployed, give the name and address of your last employer
(b) Type of work performed
(c) When did you stop working?
22. (a) Do you own any property? If so, of what does your property consist?
(b) Where is the property situated?
(c) What is the value of the property?
(d) Do you live on the property? If not, do you rent the property?
(e) If you rent the property, is it wholly or partly rented and what is your income from the rental of property?
23. If you do not own a property or if you own but rent your property, do you pay rent for the house in which you live? If so, how much rent do you pay and to whom?
24. (a) Does your spouse own any property? If so, of what does the property consist?
(b) Where is the property situated?
(c) What is the value of the property?
(d) Does your spouse live on the property?
25. Have you any money in any Credit Union, Bank or Financial Institution?
26. Are you a member of a Friendly Society? If so, state the name and address of the Friendly Society
27. Do you receive a pension from Government or from any other source? If so, what is the source and amount of your pension?
28. Do you receive any other benefits?
29. Are you a recipient of Public Assistance? If so, what is the amount?
30. What is your monthly income?
31. Have you applied for a Disability Assistance Grant before?
32. Do you now receive a Disability Assistance Grant in any other district?

UNOFFICIAL VERSION

UPDATED TO 31ST DECEMBER 2016

WARNING

Any person who, for the purpose of obtaining or continuing a Disability Assistance Grant either for himself or for any other person or for the purpose of obtaining or continuing a grant for himself or any other person at a higher rate than that appropriate to the case, knowingly makes any false statement or false representation, or who knowingly obtains payment of or continues to receive a grant in respect of which he is disqualified from receiving or which for any reason is not payable to him, is liable on summary conviction to a fine of one thousand dollars.

DECLARATION

I declare that all the statements on this form are true to the best of my knowledge and belief and that I am not, to the best of my knowledge, disqualified from receiving a Disability Assistance Grant for any of the reasons stated on this form.

Applicant's signature or mark

Date

Witness to declaration

(a) Address

(b) Occupation

(c) Date

Checklist of attachments

[] Original Birth Certificate

[] Evidence of Disability

[] Evidence of Citizenship or Residency

PUBLIC ASSISTANCE REGULATIONS

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation.
2. Interpretation.
3. Provision of public assistance.
- 3A. Public assistance payable for certain persons.
4. Public assistance payable to head of family.
5. Application for public assistance.
6. Urgent application.
7. Payment of public assistance.
8. Where public assistance is payable.
9. Substituted cheque.
10. Recipient to give notice of departure and return.
11. Suspension of public assistance.
- 11A. Discontinuance of disability assistance.
12. Registrar to inform Secretary of death of certain persons.
13. Director to be informed of certain admissions.
14. Forms.

PUBLIC ASSISTANCE REGULATIONS

made under section 16

182/1997.
[233/2004
22/2010
123/2012].

1. These Regulations may be cited as the Public Assistance Regulations. Citation.

2. In these Regulations— Interpretation.

“the Act” means the Public Assistance Act;

“nominee” means a duly authorised representative of an applicant whose authorisation has been approved by a Social Welfare Adviser or any other officer of the Social Welfare Division as the Director (Social Welfare) may, from time to time, direct, in the form approved by the Board from time to time;

“recipient” means a person for whom public assistance is approved in accordance with the Act.

3. (1) Public assistance may be provided to a person who is in need by reason of his being prevented by some physical or mental disability from earning a living. Provision of public assistance.

(2) Public assistance shall be in the form of a grant for a period not exceeding twelve months and is subject to review.

3A. Notwithstanding regulation 3(1) and regulation 4(1), public assistance may be provided to meet the needs of— Public assistance payable for certain persons. [123/2012].

(a) a recipient of the Senior Citizens’ Pension whose spouse is—

- (i) fifty-five years and over and unemployed; or
- (ii) under fifty-five years, and is prevented by some physical or mental disability from earning a living,

and whose household income is deemed inadequate;

(b) a person—

- (i) whose deceased spouse was the recipient of the Senior Citizens’ Pension and public assistance; and
- (ii) whose household income is deemed inadequate;

- (c) a single parent who—
 - (i) is unable to earn a living due to caring for his child who has a physical or mental disability; and
 - (ii) whose household income is deemed inadequate; or
- (d) a child who has a physical or mental disability and is living in a household where the household income is deemed inadequate.

Public assistance payable to head of family.

4. (1) Public assistance shall normally be paid to the person who, in the opinion of the Local Board, is the head of a family and whose needs shall be deemed to include those of his dependents.

(2) Notwithstanding regulation 3(1) and subregulation (1), public assistance may be provided to meet the needs of the following:

- (a) a child who is living in a household where that household may qualify for public assistance and—
 - (i) a parent of the child is hospitalised or is serving a term of imprisonment; or
 - (ii) the child is deserted or abandoned by a parent and—
 - (A) an application for maintenance is made but—
 - (i) service of the application cannot be effected upon the respondent parent; or
 - (ii) the application is refused; or
 - (B) an order for maintenance is made but the respondent parent cannot be found or does not comply with the order;
- (b) a child who the Local Board may deem necessitous in accordance with guidelines issued by the Board from time to time;
- (c) a person who—
 - (i) is the spouse of a person serving a term of imprisonment; or

- (ii) was cohabiting with a person of the opposite sex for a period of at least three years before the latter began serving a term of imprisonment,

and is unable to earn a living due to caring for a child of the family.

(3) Notwithstanding regulation 3(1) and subregulation (4), public assistance may be provided to meet the needs of a woman where she is a person referred to in subregulation (5)(a) or (b).

(4) The parent, guardian or person with custody of a child referred to in paragraphs (a) and (b) of subregulation (2) may apply for public assistance on the child's behalf and where assistance is granted, the assistance shall be paid to the parent, guardian or person with custody of the child as the case may be.

(5) For the purposes of this regulation—

“child of the family” means a child of both of the spouses or cohabitees referred to in subregulation (2)(c) or a child of either spouse or cohabitee referred to in subregulation (2)(c);

“dependent” means—

- (a) a spouse of the applicant;
- (b) a person of the opposite sex to that of the applicant and who has been cohabiting with the applicant for a period of at least three years;
- (c) a child of the applicant—
 - (i) up to eighteen years of age living with the applicant and maintained by him; or
 - (ii) up to the completion of the full-time secondary, technical or vocational education of that child.

5. (1) Except for an application for a child referred to in regulation 4(2), an application for public assistance shall be supported by a medical certificate from a Government Medical Officer and forwarded to the Chairman of the Local Board in the Local Public Assistance District in which the applicant resides.

Application for
public
assistance.

(2) An applicant shall furnish the Chairman referred to in subregulation (1) with such certificates, documents, information and evidence as the Local Board may require.

Urgent
application.

6. Notwithstanding any enactment to the contrary, the Chairman of a Local Board may, where he considers it necessary to take a decision without delay in respect of an application for public assistance, grant to an applicant, public assistance for a period not exceeding three months pending the consideration of the application by the Local Board.

Payment of
public
assistance.
[22/2010].

7. (1) Public Assistance shall be paid monthly by cheque or any other method approved by the Minister in consultation with the Board, to a recipient or his nominee—

- (a) in respect of a cheque, on the presentation of—
 - (i) a valid Public Assistance cheque; and
 - (ii) the identification card in the prescribed form and some other form of identification such as a valid passport, driver's permit or national identification; and
- (b) on the endorsement referred to in subregulation (4).

(2) Where payment is to be made to a nominee, the nominee shall certify in such form as may be approved by the Board, that the recipient is alive and that he will hand the public assistance to the recipient in person.

(3) No person shall be a nominee of more than three recipients.

(4) Payment of a public assistance cheque shall not be made unless the recipient first endorses his cheque and payment shall not be made to a nominee, unless both the recipient and nominee endorse the cheque.

(5) The endorsement on a cheque of a recipient or, where required under the Act, of a recipient and his nominee shall be regarded as an acquittance for the sum paid.

(6) Notwithstanding this regulation, payment of a public assistance cheque at a supermarket, grocery or shop shall not be made to any person other than the recipient himself.

(7) No nominee shall encash a public assistance cheque at a supermarket, grocery or shop.

(8) No public assistance cheque shall be encashed at a supermarket, grocery or shop unless the recipient presents the identification required under subregulation (1)(a)(ii) and endorses the cheque in favour of the owner of the supermarket, grocery or shop in the presence of the owner or his employee.

(9) For the purposes of this regulation, “nominee” means a duly authorised representative of a recipient whose authorisation in the form approved by the Board from time to time has been approved by a Social Welfare Adviser or any other officer of the Social Welfare Division as the Director (Social Welfare) may, from time to time, direct.

8. (1) Public Assistance cheques may be encashed—

Where public assistance is payable.

- (a) at any Bank in Trinidad and Tobago, the Office of the Comptroller of Accounts, any District Revenue Office, Post Offices designated for such purpose by Notification by the Minister;
- (b) by paymasters employed by the Ministry; and
- (c) subject to this regulation, at any supermarket, grocery or shop.

(2) Where a recipient decides to change his residence from the district in which his public assistance was last awarded, to the district of any other Local Board, he shall give notice in writing thereof to the Chairman of the Local Board by which his public assistance was so awarded.

(3) The Local Board of the district to which a recipient has transferred his residence shall, as soon as possible after such transfer takes effect, cause an officer to investigate the circumstances of the recipient and submit a report to the Local Board which shall consider the report.

9. (1) Subject to this regulation, in the event that a cheque is mutilated, destroyed, stale-dated, lost or stolen, a substituted cheque may be issued at the earliest possible date by the Comptroller of Accounts where the Local Board is satisfied that the cheque was mutilated, destroyed, stale-dated, lost or stolen.

Substituted cheque. [123/2012].

(2) Notwithstanding subregulation (1), a recipient as payee of the mutilated, destroyed, stale-dated, lost or stolen cheque shall furnish a statutory declaration to that effect to the Comptroller of Accounts.

(3) Within twenty-one days of the mutilation, destruction, loss or theft of the cheque, the recipient shall notify the Supervisor of the Local Public Assistance District in which the recipient resides.

(4) The Supervisor shall, in such form as may be approved by the Board, notify the Director (Social Welfare) who, as soon as possible after receiving the notification, shall notify the Comptroller of Accounts of particulars of the mutilated, destroyed, stale-dated, lost or stolen cheque.

(5) The recipient shall—

- (a) return the cheque to the Supervisor in the event of the recipient recovering possession of the lost or stolen cheque at any time;
- (b) advise the Supervisor should it at any time come to the knowledge of the recipient that another person has come into possession of the cheque.

(6) Nothing in this regulation shall be construed as preventing the Comptroller of Accounts from honouring a cheque referred to in subregulation (5) where the cheque is recovered before the expiry of the period referred to in subregulation (1).

(7) In this regulation, “Supervisor” means the Supervisor of Social Welfare of the Local Public Assistance District in which the recipient resides.

Recipient to give notice of departure and return.

10. (1) A recipient—

- (a) who intends to leave Trinidad and Tobago for a period in excess of four months shall notify the appropriate Local Board of the date of his intended departure and length of stay abroad;
- (b) who returns to Trinidad and Tobago after the absence referred to in paragraph (a) shall, within one month of his return, notify the appropriate Local Board of his return,

in such form as may be approved by the Board.

(2) Where a recipient fails to notify the Local Board in accordance with subregulation (1)(a), the Board may suspend his public assistance for such period as it may determine.

11. (1) Where a recipient—

- (a) becomes an inmate of a hospital including a hospital for the insane or of an infirmary or of any other State-operated institution where board and lodging is provided free of charge to inmates;
- (b) is imprisoned following upon his conviction for an offence;
- (c) is temporarily absent from Trinidad and Tobago and has made the notification required in regulation 10(1)(a),

Suspension of public assistance.

for a period in excess of four months, his public assistance shall be suspended, but, when he is discharged from the hospital, infirmary, institution or prison or returns to Trinidad and Tobago, as the case may be, payment of his public assistance shall, subject to the Act, be resumed and he shall be entitled to payment of public assistance in respect of the period during which such assistance was suspended but not, in any case, in respect of a period longer than four months except that in the case of a person referred to in subparagraph (c), need is established.

(2) Where public assistance in excess of that to which he is entitled under subregulation (1) is paid to a recipient, he shall be liable to repay the sum by which he was overpaid.

11A. (1) Where a recipient of disability assistance is absent from Trinidad and Tobago for a period in excess of twelve months, his disability assistance shall be discontinued.

Discontinuance of disability assistance. [233/2004].

(2) Where the recipient returns to Trinidad and Tobago, he may apply to the Local Board for disability assistance in accordance with the Act.

12. In respect of every person over the age of sixty-five years whose death has been registered by the Registrar of Births and Deaths during the preceding month, the Registrar shall report the

Registrar to inform Secretary of death of certain persons.

following to the Secretary of the appropriate Local Board no later than seven days after the last day of each month:

- (a) the full name;
- (b) the place and date of death;
- (c) the last address;
- (d) the name and address of the informant.

Director to be informed of certain admissions.

13. The Superintendent of—

- (a) a hospital including a hospital for the insane, or of an infirmary, or any other State-operated institution where board and lodging is provided free of charge to patients or inmates; and
- (b) a prison,

shall notify the Director (Social Welfare) of the admission within seven days of such admission of any person who has attained or appears to have attained the age of sixty-five years.

Forms.

14. Every form prescribed by the Minister or approved by the Board in accordance with the Act immediately before the coming into operation of these Regulations shall remain in force or be used with such modifications as may be necessary until replaced in accordance with the Act.

LOCAL PUBLIC ASSISTANCE DISTRICTS RESOLUTION 194/1952.

made under section 7

The following areas have by resolution of the Board been fixed and defined as Local Public Assistance Districts:

1. That the County of St. George be divided into the Local Public Assistance District of St. George West to include the City of Port-of-Spain, the Ward of Diego Martin and the Ward of St. Ann's; and the Local Public Assistance District of St. George East to include the Borough of Arima, the Wards of Tacarigua, Arima, Blanchisseuse and San Rafael.
2. That the County of Caroni be a Local Public Assistance District.
3. That the County of St. Andrew be a Local Public Assistance District.
4. That the County of St. David be a Local Public Assistance District.
5. That the Counties of Nariva and Mayaro be a Local Public Assistance District.
6. That the County of St. Patrick be divided into the Local Public Assistance District of Siparia to include the Wards of Siparia and Erin; and the Local Public Assistance District of La Brea and Cedros to include the Wards of La Brea and Cedros.
7. That the County of Victoria be divided into the Local Public Assistance District of San Fernando to include the City of San Fernando and the Wards of Naparima and Pointe-a-Pierre; and the Local Public Assistance District of Princes Town to include the Wards of Savana Grande, Ortoire and Moruga.
8. That the Ward of Tobago be a Local Public Assistance District.

PUBLIC ASSISTANCE BOARDS RULES

ARRANGEMENT OF RULES

RULE

1. Citation.
2. Board to make enquiries before granting pension.
3. } (*Repealed by LN 180/1997*).
4. }
5. Application to Local Board of district where applicant resides.
6. Secretary of Local Board to keep records.
7. Chairman of Local Board may authorise urgent assistance.
8. Burial expenses.
9. Secretary to forward summary of expenditure to Director (Social Welfare).
10. Monthly expenditure not to exceed one-twelfth of annual amount allocated to Local Board.
11. Chairman to certify all expenditure.
12. (*Repealed by LN 180/1997*).

PUBLIC ASSISTANCE BOARDS RULES

95/1954.
[180/1997].

made under section 6(3)(b) and (c)

1. These Rules may be cited as the Public Assistance Boards Rules. Citation.

2. Before any person is granted assistance under the provisions of these Rules full and careful enquiries shall be made into the circumstances of the applicant by the officers appointed for that purpose. Board to make enquiries before granting pension.

3. }
4. } (*Repealed by LN 180/1997*).

5. The case of every applicant for assistance shall be submitted to the Local Board of Public Assistance of the district in which the applicant resides with a report of enquiry into his case. The Local Board shall decide whether assistance is to be given and whether as prolonged, temporary or urgent assistance and shall fix the amount and shall also have power to increase, reduce or discontinue such assistance. Application to Local Board of district where applicant resides.

6. A record shall be kept by the Secretary of the Local Board of all applicants for assistance and in this record there shall be entered the name, age, sex, country of birth, present place of abode, occupation, infirmity or other cause for the need of assistance of the applicant and the names of, occupation and place of abode of his or her relatives, and the amount of and class of assistance granted. Secretary of Local Board to keep records.

7. Urgent assistance may be authorised by the Chairman of the Local Board up to such amount as the Local Board has power to authorise. Such assistance must be reported by the Secretary of the Local Board to the Local Board at its next meeting. Chairman of Local Board may authorise urgent assistance.

8. Other expenses in aid of applicants, such as burial expenses, shall be authorised by the Chairman of the Local Board. The Secretary of the Local Board shall report the grant of such assistance to the Local Board at its next meeting. Burial expenses.

LAWS OF TRINIDAD AND TOBAGO

MINISTRY OF THE ATTORNEY GENERAL AND LEGAL AFFAIRS

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Chap. 32:03

Public Assistance

[Subsidiary]

Public Assistance Boards Rules

Secretary to forward summary of expenditure to Director (Social Welfare).

9. Each month a summary of all expenditure in such a form as may from time to time be approved by the Board shall be forwarded by the Secretary of the Local Board to the Director (Social Welfare).

Monthly expenditure not to exceed one-twelfth of annual amount allocated to Local Board.

10. No expenditure from Public Assistance Funds for any one month may normally exceed one-twelfth of the annual amount allocated to any Local Board. Should it become necessary to exceed this monthly proportion, such excess expenditure and the reason therefor shall be reported to the Board by the Secretary of the Local Board not later than seven days after the end of the month in which the expenditure is incurred.

Chairman to certify all expenditure.

11. All accounts of expenditure chargeable against the allocation made to a Local Board shall be certified by the Chairman of such Local Board and then forwarded to the Director (Social Welfare).

12. *(Repealed by LN 180/1997).*

UNOFFICIAL VERSION

UPDATED TO 31ST DECEMBER 2016