

National Insurance and Social Security

Cap. 47.

**NATIONAL INSURANCE AND SOCIAL SECURITY
(PERSONS ABROAD AND VOLUNTARY
CONTRIBUTORS) REGULATIONS, 1967**

1967/47.
2002/149.

Authority: These Regulations were made on 28th March, 1967 by the Minister under section 50 of the *National Insurance and Social Security Act*.

Commencement: 5th June, 1967.

1. These Regulations may be cited as the *National Insurance and Social Security (Persons Abroad and Voluntary Contributors) Regulations, 1967*.

2. For the purposes of these Regulations, the expression

"the Act" means the *National Insurance and Social Security Act*; Cap. 47.

"appointed day" means the day appointed by the Cabinet pursuant to section 49 of the Act as the appointed day for the purposes of section 12(1) of the Act;

"Collection Regulations" means the *National Insurance and Social Security (Collection of Contributions) Regulations, 1967*; 1967/48.

"contribution year" has the meaning assigned to it by the Collection Regulations;

"insured person" means a person insured pursuant to section 12 of the Act;

and other expressions have the same meaning as in the Act.

3. (1) Where a person employed in employment as an employed person pursuant to section 12 of the Act ceases to be so employed in Barbados but is employed (whether by the same or a different employer) outside Barbados in continuation of such employment, that employment outside Barbados shall, subject to the provisions of these Regulations, be treated as employment pursuant to section 12 of the Act for the period for which contributions are payable under sub-paragraph (a) of paragraph (2): but this paragraph applies only when the employer has a place of business in Barbados and the employed person concerned is ordinarily resident in Barbados.

(2) Where under paragraph (1) employment outside Barbados is treated as employment pursuant to section 12 of the Act, the following provisions shall apply with respect to the payment of contributions:

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(a) contributions shall be payable at the appropriate rates specified in the Schedule to the *National Insurance and Social Security (Collection of Contributions) Regulations, 1967*: and such contributions shall be payable in respect of such employment

(i) during the period of 12 months from the commencement thereof; or

(ii) until the employment abroad ceases; or

(iii) until either of the conditions set out in paragraph (1) ceases to be satisfied,

whichever event occurs first;

(b) after the completion of the period for which contributions are payable under sub-paragraph (a), the insured person shall, for any week thereafter during the whole of which he is outside Barbados, be entitled to contribute as a voluntary contributor.

4. Where an insured person is throughout any contribution week outside Barbados and is not in that week gainfully occupied in employment, being employment under a contract of service with any employer in Barbados, he shall not be liable to pay any contributions

as an insured person for that week; but he shall be entitled at his option to contribute as a voluntary contributor if he satisfies the conditions relating to voluntary insurance under these Regulations.

5. Where an insured person is throughout any contribution week outside Barbados and he is in employment as a self-employed person, he shall not be liable to pay any contributions for that week; but he shall be entitled at his option to contribute as a voluntary contributor if he satisfies the conditions relating to voluntary insurance under these Regulations.

6. The employment outside Barbados of a person as a member of the diplomatic or consular service of Barbados or as a domestic worker employed by a member of such service shall, if such person is ordinarily resident in Barbados, be treated as employment as an employed person, and regulations under the Act shall apply in respect of such person accordingly.

7. Where a person is immediately prior to the appointed day employed outside Barbados in employment which would have been treated as an employment pursuant to section 12 of the Act by virtue of the provisions of regulation 3 had the employment outside Barbados commenced on or after the appointed day, that employment outside Barbados shall be treated as employment pursuant to section 12 of the Act and the provisions of regulation 3 shall apply but where any such person commenced the said employment outside Barbados on a date more than 12 months prior to the appointed day, the provisions of this regulation shall not apply to him.

8. (1) A person who 2002/149.
- (a) is aged 16 or over, but under pensionable age; and
 - (b) is ordinarily resident in Barbados; and
 - (c) ceases to be liable for contributions in respect of employment; and

(d) has paid or has had paid in respect of him at least 150 contributions,

shall be entitled to become a voluntary contributor.

(1A) The condition specified in paragraph (1)(d) of having paid or having had paid in respect of him at least 150 contributions shall not apply to persons who, pursuant to regulations 3(2)(b) and 7, elect to be insured as voluntary contributors.

(2) A certificate of voluntary insurance shall be given, subject to the provisions of these Regulations, to a person who makes application to the Board for such a certificate on a form approved by the Board before the end of the 13th contribution week after ceasing at any time to be employed in employment pursuant to section 12 of the Act.

(3) A certificate under paragraph (2), if issued, shall entitle the person (hereinafter called a voluntary contributor) to pay voluntary contributions valid for old age contributory grant or pension and survivors' benefits only, for any week not earlier than 13 contribution weeks prior to the date of application, in respect of any contribution week for which no contribution is otherwise payable by him or on his behalf for that week.

(4) The contributions which a voluntary contributor shall pay under paragraph (2) shall be determined by the Board by reference to the average annual insurable earnings during the 3 years immediately preceding the date of last cessation of employment pursuant to section 12 of the Act or such other period as the Board may, in the particular circumstances of the case, think fit.

(5) The Board shall notify the voluntary contributor of the contributions due, and such contributions shall be paid by remittance to the Board by the end of the contribution year in which they are due; but, notwithstanding this provision, the Board may at its discretion and if satisfied that there are extenuating circumstances allow payment within 6 weeks of the end of the said contribution year.

(6) A person holding a certificate of voluntary insurance shall cease to be entitled to pay voluntary contributions until he has re-qualified by the payment, or the payment in respect of him, of a further 150 contributions if he fails to pay voluntary contributions for each contribution week for which a contribution is not otherwise payable within the period indicated in paragraph (5).