

ANTIGUA AND BARBUDA

STATUTORY INSTRUMENTS

1993, No. 35

**Social Security (Benefits) (Old Age Assistance) Regulations,
1993 made by the Minister under sections 54 and 55 of the
Social Security Act, 1972 (No. 3 of 1972).**

1. These Regulations may be cited as the Social Security (Benefits) (Old Age Assistance) Regulations, 1993. Short title.

2. In these regulations, unless the context otherwise requires— Interpretation.

"income" includes any age benefit received under the Social Security (Benefits) (Age Pensions and Grants) Regulations, 1973. S.I. No. 40 of 1973.

"old age assistance" means a benefit granted to an applicant in terms of sections 54 and 55 of the Act.

3. Any person eligible for old age assistance under sections 54 and 55 of the Act may make an application on a form prescribed by the Board and accompany such application with such documents or other relevant information as these Regulations or the Board may require. Eligibility for and application for old age assistance.

4. Every application for old age assistance shall be endorsed by the Social Welfare Officer of the Parish in which the applicant resides. Application to be endorsed.

5. (1) There is hereby established a Committee to be called the Old Age Assistance Committee which shall consist of two persons nominated from among the members of the Board and one other person appointed by the Minister. Establishment of Old Age Assistance Committee.

- (2) The Committee shall consider all applications for payment of old age assistance under these Regulations and in particular make such enquiries as to whether the applicant —
 - (a) has attained the age specified in section 54 of the Act;
 - (b) is not receiving an income of more than five thousand dollars per annum;

- (c) is a citizen of Antigua and Barbuda and has resided in Antigua and Barbuda for at least fifteen years; or
- (d) is a person who is ordinarily resident in Antigua and Barbuda and has been so resident for at least twenty years preceding the application.

(3) The Committee may consider any other matter it considers relevant for determining the eligibility of an applicant for old age assistance under the Act and these Regulations.

(4) A person shall not be disqualified under this regulation merely by being absent from Antigua and Barbuda temporarily for an aggregate period not in excess of two years or such other period as the Board may decide.

(5) The Committee shall, after considering any application made in pursuance of subsection (2), make a recommendation to the Board as to the eligibility of the applicant.

Commencement of
Old Age
Assistance

6. Any person who becomes eligible to receive old age assistance under these Regulations shall be paid such assistance at a date to be determined by the Board and thereafter the Board shall continue to pay such person at the end of every month or such other time as the Board may determine.

Computation of
annual income.

7. (1) Where an applicant for old age assistance under these Regulations is separated from his spouse, any sum paid to him or her by way of maintenance shall be deducted when computing his or her annual income from all sources.

(2) Where it appears to the Board that in order to be eligible for old age assistance under these Regulations any person has directly or indirectly deprived himself or herself of any income, that income shall be taken to be part of the total income of that person.

Review of claims.

8. (1) For the purpose of determining the continued eligibility of any person entitled to receive old age assistance, the Board shall each year, review the financial position of every person to whom old age assistance is granted under these Regulations.

(2) In pursuance of subsection (1), the Committee may request any such person who receives old age assistance under these Regulations to submit such particulars as the Committee may consider necessary.

(3) Every review carried out under this Regulation shall be submitted to the Board for approval.

(4) Any person who is aggrieved by a decision of the Board to discontinue payment of old age assistance under these Regulations may, within ninety days of the decision of the board, appeal to the Minister for review of the decision.

Made this 17th day of June, 1993.

Molwyn Joseph,
Minister of Finance.

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