

**OBJECTS AND REASONS**

This Bill would

- (a) amend the law relating to the system of national insurance and social security by establishing a body corporate to administer the system and perform the functions relating to national insurance and social security hitherto administered and performed by the Department of National Insurance; and
- (b) provide for related matters.

*Arrangement of Sections*

1. Short title
2. Amendment of section 2 of Cap. 47
3. Amendment of Cap. 47
4. Amendment of section 12 of Cap. 47
5. Amendment of section 14 of Cap. 47
6. Amendment of section 14A of Cap. 47
7. Insertion of new section in Cap. 47
8. Amendment of Cap. 47
9. Amendment of section 30 of Cap. 47
10. Amendment of section 30A of Cap. 47
11. Repeal of section 33
12. Amendment of Cap. 47
13. Consequential amendments
14. Commencement

FIRST SCHEDULE

SECOND SCHEDULE

CONSEQUENTIAL AMENDMENTS



## **BARBADOS**

A Bill entitled

An Act to amend the *National Insurance and Social Security Act*, Cap. 47.

ENACTED by the Parliament of Barbados as follows:

### **Short title**

- 1.** This Act may be cited as the *National Insurance and Social Security (Amendment) Act, 2023*.

**Amendment of section 2 of Cap. 47**

**2.** *Section 2 of the National Insurance and Social Security Act, in this Act referred to as the principal Act, is amended in section 2 by*

- (a) inserting in its alphabetical order the following new definition: “Service” means the National Insurance and Social Security Service established by section 3;*
- (b) deleting the definitions of the “Board”, “inspector”, “manager”, “owner” and “pensionable age” and substituting the following in the appropriate alphabetical order:*

*“Board” means the National Insurance and Social Security Service Board established by section 11J;*

*“inspector” means any person appointed by the Service pursuant to section 38 to perform the functions of an inspector under this Act;*

*“manager” and “owner” have in relation to a ship or vessel, the same meaning as that set out in paragraph (3) of Part 1 of the Schedule II; and*

*“pensionable age” means each age corresponding with the period prescribed as set out in Schedule I.*

**Amendment of Cap. 47**

**3.** *The principal Act is amended by deleting Part I and substituting the following:*

## “PART I

ESTABLISHMENT, FUNCTIONS AND ADMINISTRATION OF  
THE SERVICE**Establishment of Service**

- 3.(1)** The National Insurance and Social Security **Service** is established.
- (2) The Service is a body corporate to which section 21 of the *Interpretation Act*, Cap. 1 applies.

**Functions of the Service**

- 4.(1)** The functions of the Service are to
- (a) manage and operate the system of national insurance established by this Act;
  - (b) advise the government and other public authorities on matters relating to this Act and the regulations;
  - (c) be responsible for the policy, organization and administration of the system of national insurance;
  - (d) appoint the staff of the Service and to be responsible for the recruitment, discipline, promotion and termination of employees;
  - (e) develop policies for the prudent and efficient management of the Fund;
  - (f) approve the budget of the Service and oversee its execution;
  - (g) establish an internal audit division;
  - (h) consider and approve the annual audited accounts and financial statements of the Service;

- (i) adopt the accounting policies of the Board and procedures which are in accordance with internationally recognized accounting standards;
  - (j) cause to be prepared by the Service
    - (i) a statement of corporate intent;
    - (ii) an annual plan; and
    - (iii) mid-year and annual reports.
- (2) The **Service** shall perform such other functions as are conferred upon it by this Act and any other enactment.

**Staff of the Service and establishment of the divisions**

5.(1) (1) The staff of the **Service** shall comprise a

- (a) Chief Executive Officer;
- (b) Chief Finance Officer;
- (c) Chief People Development Officer;
- (d) Chief Operations Officer;
- (e) Chief Investments Officer;
- (f) Chief Policy and Planning Officer;
- (g) Chief Risk Management Officer;
- (h) Chief Internal Auditor,

and such number of staff including officers to manage any division that it establishes, as it considers necessary for giving effect to this Act.

(2) For the purposes of this Act, the Service may separate its operations into divisions.

**Role of the Chief Executive Officer**

- 6.(1) The Chief Executive Officer shall be responsible for
- (a) ensuring that the decisions of the Board of Directors are carried out;
  - (b) managing the assets and liabilities of the Service in accordance with the law;
  - (c) achieving the level of performance required in the Annual Budget, the Approved Annual Plan and the Statement of Corporate Intent;
  - (d) collecting and receiving promptly the revenues of the Service;
  - (e) controlling, accounting for and reporting in a timely manner on the revenue and expenditure of the Service;
  - (f) controlling, accounting for and reporting in a timely manner on the monies and property received by or under the control of the Service; and
  - (g) ensuring that the plans, budgets and reports required by legislation are provided.
- (2) Subject to the approval of the Minister, the Chief Executive Officer shall receive such salaries and allowances as the Board determines.

**Role of the Chief Finance Officer**

7. The Chief Finance Officer shall be responsible for
- (a) directing and overseeing all aspects of the financial and accounting functions of the Service;

- (b) providing timely and accurate analysis of budgets, financial trends and forecasts;
- (c) developing, implementing and maintaining a comprehensive financial management system;
- (d) providing executive management with advice in respect of the financial implications of any proposed investments;
- (e) analysing cash flow, cost control, expenses and all financial statements;
- (f) providing the executive management and the Board with advice on managing the Fund portfolio of the Service;
- (g) establishing systems for budget and internal control; and

**Role of Chief People Development Officer**

**8.** The Chief People Development Officer shall be responsible for

- (a) promoting and fostering good industrial relations between management, employees and the representatives of employees and dealing with grievance issues;
- (b) managing the recruitment and selection of staff processes in conjunction with the Board;
- (c) keeping under constant review the staffing needs of the Service including requirements for training;
- (d) developing and monitoring people development strategies, systems and procedures within the Service; and
- (e) managing the Service's performance appraisal system.

**Role of Chief Operations Officer**

- 9.** The Chief Operations Officer shall be responsible for
- (a) managing and directing the processing of all benefits payable to insured persons;
  - (b) overseeing the business and administrative operations of the division responsible for benefits and keeping operating procedures under constant review;
  - (c) evaluating the performance of the division for benefits and recommending strategies to improve results; and
  - (d) preparing and submitting reports to the Chief Executive Officer on a quarterly basis or as required.

**Role of Chief Investment Officer**

- 10.(1)** The Chief Investment Officer shall be responsible for
- (a) managing the investment functions of the Service and its funds;
  - (b) developing investment strategies and making recommendations on investment policies for the consideration of the Investment Committee and the Board;
  - (c) preparing reports, analyses and strategies for the Chief Executive Office and the Board; and
  - (d) establishing processes or systems to ensure that investment policies are followed and are in accordance with the Service's Investment Policy Statement and Guidelines.

**Role of Chief Policy and Planning Officer**

**11.** The Chief Policy and Planning Officer shall be responsible for

- (a) managing the Service's corporate planning, policy development, research and actuarial service functions;
- (b) assisting with the leadership and management of the Service's strategic planning process and the implementation of strategies and objectives;
- (c) providing leadership in the development, formulation, implementation and monitoring of the Board's strategic plans and policies; and
- (d) managing the conduct of periodic actuarial reviews.

**Role of Chief Risk Management Officer**

**11A.** The Chief Risk Management Officer shall be responsible for

- (a) monitoring, evaluating and advising on the elimination and mitigation of operational, investment and environmental risk; and
- (b) overseeing the Service's risk management including general liability and any related insurance coverage.

**Role of Chief Internal Auditor**

**11B.** The Chief Internal Auditor shall be responsible for

- (a) developing an annual comprehensive Internal Audit Plan in consultation with the Chief Executive Officer for submission to the Board of Directors for approval;
- (b) performing financial, operational, compliance and systems audits in accordance with the Internal Audit Plan;

- (c) conducting special investigations as instructed by the Board of Directors;
- (d) preparing reports on reviews conducted and make recommendations for the correction of any deficiencies identified;
- (e) making presentation to the Audit Committee and the Board of Directors as required; and
- (f) reviewing, monitoring and reporting to the Audit Committee on the implementation of Board-approved recommendations arising out of the completed audits.

**Responsibilities of officers not prejudiced**

**11C.** The responsibilities stated in respect of the officers mentioned at sections 5 to 11A, are without prejudice to any other contractual terms and conditions agreed between the officers and the Service.

**Employment of public officer**

**11D.** Where a public officer accepts employment with the Service,

- (a) he shall be employed on terms and conditions no less favourable than those before the commencement of this Part;
- (b) he shall, upon accepting employment with the Service, retain any right to pension, gratuity or other allowance for which he would have been eligible had he remained in the Public Service; and
- (c) his right to pension, gratuity or other allowance shall be calculable in accordance with the provisions of the *Pensions Act*, Cap. 25.

**Private pension plan**

**11E.** The Service shall, within 2 years of the commencement of this Part, provide for the establishment of a pension plan for the benefit of the staff of the Service.

**Appointment on fixed term contracts**

**11F.** Where a person is employed by the Service under a written contract of employment for a fixed term he shall be entitled to become a member of the pension scheme within one year of his employment.

**Power of Service to invest**

**11G.(1)** The Service may invest moneys standing to the credit of the Fund and the Unemployment Benefit Account;

- (a) in such proportions as the Board approves, having regard to the several contingencies in relation to which benefits are provided under this Act; and
- (b) in such manner or securities as are deemed appropriate.

(2) In determining the types of securities that are appropriate for investment, the investment committee shall, *inter alia*, have regard to the investment policy statement and guidelines.

(3) Notwithstanding subsections (1) and (2), the Service may, after consultation with the Minister responsible for Finance, invest any moneys forming part of the Fund in such manner and in such investments as the Minister may direct.

**Borrowing powers of the Service**

**11H.** The Service may, with the approval of the Minister responsible for Finance, borrow any money it requires for meeting any

of its obligations or performing any of its functions and shall, in such a case, inform the Minister of

- (a) the amount and sources of the loan;
- (b) the terms and conditions on which the loan may be obtained;  
and
- (c) the solvency of the fund.

### **Guarantee of loans**

**11I.** The Government may, with the approval of Parliament, in such manner and on such terms and conditions as may be specified, guarantee a loan to the Service together with any interest or other charges payable.

### **Establishment of Board**

**11J.(1)** The National Insurance and Social Security Service Board is established.

- (2) The *Schedule I* has effect with respect to the constitution of the Board and otherwise in relation thereto.
- (3) The members of the Board shall be styled “directors”.

### **Responsibility of Board**

**11K.(1)** The Board is responsible for the formulation of policy and the organization and administration of the Service and, in particular,

- (a) the appointment of staff to the Service and the management of such staff;
- (b) the management of the resources and contracts of the Service;
- (c) the prudent and efficient management of the Service; and

- (d) monitoring the performance of the Service with respect to the discharge of its functions.
- (2) The Board shall develop a funding policy for the Service.
- (3) If the Board proposes to amend the policy referred to in subsection (2), the Minister shall lay the proposed amendment on the table of both Houses of Parliament.
- (4) The Minister shall respond to the proposed amendment within 6 weeks of the date after it has been laid in Parliament.

**Affixing seal and authentication of documents**

**11L.(1)** The Seal of the Service shall be

- (a) kept in custody of the Chairman, the Deputy Chairman, the Commissioner or the person performing the functions of the secretary to the Board and may be affixed to the documents or instruments pursuant to the Service, in the presence of any 2 of the persons referred to in this subparagraph; and
  - (b) authenticated by the signature of the Chairman or the Deputy Chairman and of the person performing the functions of secretary to the Board.
- (2) All the documents or instruments made by the Board, other than those required by law to be under seal, and all decisions of the Board shall be signified under the hand of the Chairman or the Deputy Chairman or the person performing the function of secretary to the Board.

**Delegation of functions**

**11M.(1)** The Board may delegate such of its functions as it thinks expedient for the purpose of effectively transacting the business of the Board to the chairman, a committee of the Board or the Chief Executive Officer.

- (2) The delegation of a function pursuant to subsection (1)
  - (a) does not prevent the Board from discharging that function; and
  - (b) may at any time be revoked by the Board.

**Power of the Board to acquire real property**

**11N.** The Board has the right to acquire and hold any real property for the purposes for which the Board is constituted, and subject to the approval of the Minister, to charge, whether by mortgage, debenture or otherwise and to dispose of such property.

**Protection of the Board and its members**

**11O.(1)** No act done or proceedings taken under this Act shall be questioned on the ground

- (a) of the existence of any vacancy in the membership of, or any defect in the constitution of, the Board; or
  - (b) of any omission, defect or irregularity not affecting the merits of the case.
- (2) No action, suit, prosecution or other proceedings shall be brought or instituted personally against any member in respect of any act done *bona fide* in pursuance of or execution or intended execution of this Act.

**Role of Secretary**

**11P.** There shall be a secretary to the Board who shall be responsible for

- (a) ensuring that all necessary arrangements preparatory to meetings of the directors or committees are made;

- (b) taking the minutes and recording the decisions of meetings of the directors;
- (c) the safe custody and control of all documentation relating to the directors or committees; and
- (d) ensuring that the Board acts in compliance with the requirements of the legislation relating to the Service.

**Power to appoint committees**

**11Q.(1)** Subject to this Act, and the regulations, the Board

(a) shall appoint the following standing committees:

- (i) an investment committee;
- (ii) a people development committee;
- (iii) an information technology committee;
- (iv) an operations committee;
- (v) an audit committee;
- (vi) a tenders committee; and
- (vii) a risk and data management committee; and

(b) may appoint such other committee as the Board thinks fit.

(2) A committee appointed by the Board shall comprise not less than 2 members.

(3) Where a committee, appointed under subsection (1)(b) performs a function, it is deemed to have been performed by the Board.

(4) Where the Board appoints a committee pursuant to subsection (1)(b) the committee shall, on completion of the function, submit a report in writing as soon as practicable to the Board.

(5) Subject to this Act and the regulations, the constitution and functions of a committee shall be determined by the Board.

**Chief Internal Auditor**

**11R.** There shall be a Chief Internal Auditor who shall also be a member of the Audit committee.

**Audit Committee**

**11S.(1)** There shall be an Audit Committee of the Service.

(2) The Audit Committee shall comprise 3 members from among the Directors.

(3) At least one member of the Audit Committee shall be an accounting or audit expert.

(4) The responsibilities of the Audit Committee shall include the following:

- (a) the evaluation of the overall effectiveness of internal control systems of the Service;
- (b) the oversight of the financial statements and the financial reporting processes;
- (c) making recommendations to the Board with respect to the external auditor selection and rotation policy;
- (d) proposing to the Service the scope of any special audits and other relevant services;
- (e) reviewing the performance of external auditors;
- (f) monitoring the implementation of recommendations made by the Chief Internal Auditor and the external auditors;
- (g) reporting to the Service not less than 4 times a year.

**Investment Committee**

**11T.(1)** There shall be an Investment Committee which shall comprise

- (a)* the Chairman of the Board;
  - (b)* the Deputy Chairman of the Board;
  - (c)* the Chief Executive Officer;
  - (d)* the Chief Financial Officer;
  - (e)* the Chief Investment Officer;
  - (f)* two directors of whom one represents employers and the other represents trade unions;
  - (g)* the Central Bank of Barbados Director with responsibility for investment; and
  - (h)* two other persons, not being directors, appointed by the Minister from among persons with necessary qualifications in investment matters, finance and accounting.
- (2) The functions of the Investment Committee are to
- (a)* advise the Board on investment policy;
  - (b)* to monitor the implementation of investment decisions; and
  - (c)* to perform such other duties as may be delegated by the Board.
- (3) The Investment Committee shall regulate its own procedure.
- (4) In the absence of the Chairman, the Deputy Chairman shall preside.
- (5) Six members shall constitute a quorum.

**Exercise of powers of directors**

**11U.(1)** Every director shall in exercising his duties

- (a) act honestly and in good faith with a view to the best interests of the Fund; and
- (b) exercise the care, diligence and skill that a reasonably prudent person would exercise in comparable circumstances.

(2) In determining the best interests of the Fund, a director must have regard to the interest of the Fund as well as the interests of the employees in general.

**Conflict of interest**

**11V.(1)** A director who is in any way directly or indirectly interested in a contract or proposed contract with the Board or any other matter whatsoever in which the Board is concerned, shall declare the nature and extent of his interest at the first meeting of the Board at which it is practicable for him to do so.

(2) A director shall not take part in any deliberation or decision of the Board with respect to any contract or proposed contract with the Board or any other matter with which the Board is concerned, in which he has any pecuniary interest, whether directly or indirectly.

(3) For the purposes of this section, a director shall be treated as having an indirect interest in a contract or proposed contract with the Board or in any other matter with which the Board is concerned, if he is

- (a) a director;
- (b) a shareholder;
- (c) a partner; or
- (d) an employee,

of a company or other association of persons that is a party to such other matter with which the Board is concerned.

(4) A director mentioned in subsection (1), (2) and (3) shall not vote on the contract or proposed contract or any other matter connected to that with which the Board is concerned.

(5) A director or any employee of the Service shall not accept a gift or an advantage for himself or on behalf of persons with whom they have family, business or financial connections, if the acceptance would result or give the appearance of resulting in a diminution of his impartial performance of duties.

(6) Where a person to whom this section applies contravenes this section, he is guilty of an offence and is liable on conviction on indictment to a fine of \$50 000 or imprisonment for 3 years or to both.

#### **Actuarial reviews**

**11W.(1)** For the purposes of assessing the balance between the contributions and rates of benefits, an actuarial review of the system of national insurance shall be undertaken within 3 years after the 31<sup>st</sup> day of March, 2024 and thereafter, during the period ending on the 31<sup>st</sup> day of March in every third year or such shorter period as the Board determines; and a report of every such actuarial review shall be forwarded to the Minister.

(2) In addition to the actuarial review referred to in subsection (1) the Minister may require an actuarial review to be undertaken at any time.

(3) The Board shall send a copy of every actuarial review to the clerk of Parliament to be laid on the table of both Houses.

**Report and accounts to be submitted to Minister**

**11X.(1)** The Service shall

- (a) in each year, prepare a report on its activities in the last preceding year and shall furnish such report to the Minister not later than the 30<sup>th</sup> day of June;
- (b) submit to the Minister every account certified by the Auditor-General thereon, within one month of such certification; and
- (c) submit annually to the Minister, an account of the securities in which moneys forming part of the Fund are for the time being invested.

(2) The Minister shall cause a copy of every report of account submitted to him pursuant to this section to be laid on the table of both Houses.

**Minister may give directions**

**11Y.(1)** The Minister may give general directions to the Board with respect to the performance of its functions, powers and duties under this Act or any other enactment; and the Board shall act in accordance with those directions.

(2) Subject to this section, the Board shall not be subject to the control or direction of any other person or Service.

**Application of Public Finance Management Act 2019  
(2019-1)**

**11Z.** The Public Finance Management Act applies to this Act with such modifications and adaptations as circumstances require.

### **Vesting of assets**

**11AA.** All assets vested in or held by the former Board under the former Act are

- (a) transferred to and vest in the Service and shall be managed and administered by the Service for the purpose of this Act; and
- (b) by virtue of this Act and without further assurance, transfer or other formality, with effect from the commencement of this section, to be held by the Service for same estate and interest and to the same extent and in the same manner as the assets were vested in, or held by, the said Board immediately before the commencement of this section.

### **Liabilities and proceedings**

**11BB.(1)** All liabilities incurred by or on behalf of the former Board immediately before the commencement of this Part have, from such commencement, effect as if they had been incurred by or on behalf of the Service.

- (2) Without affecting subsection (1)
  - (a) all moneys standing immediately before the commencement of this Part to the credit of the former Board are, from that day, transferred to and vested in the Service; and
  - (b) any contract made by or on behalf of the former Board before the commencement of this Part shall be deemed to have been made by or behalf of the Service and shall be construed with such modifications and adaptations as circumstances require for the purposes of this section.
- (3) All civil proceedings commenced before the commencement of this Part in any court in Barbados by or against the former Board may

be continued by or against this Service, and process in those proceedings may be amended accordingly.

### **Interpretation**

**11CC.** For the purposes of sections 11AA and 11BB “former Board” means the Board in existence on the day immediately preceding the commencement of this Part.”.

### **Amendment of section 12 of Cap. 47**

**4.** *Section 12 of the principal Act is amended by deleting the word “Crown” where it appears and substituting the word “State”.*

### **Amendment of section 14 of Cap. 47**

**5.** *Section 14 of the principal Act is amended by deleting the words “Schedule I” appearing in subsection (2) and substituting the words “Schedule III”.*

### **Amendment of section 14A of Cap. 47**

**6.** *Section 14A of the principal Act is amended by deleting the words “Schedule I” appearing in that section and substituting the words “Schedule III”.*

### **Insertion of new section in Cap. 47**

**7.** *The principal Act is amended by inserting immediately after section 25A the following:*

#### **“Cost of living increase in contributory pension**

**25B.(1)** The Board shall by order increase all contributory pensions  
(a) by 3 per cent per annum for the year 2023; and

- (b) subject to subsection (1), by up to 1.5 per cent per annum for every succeeding year.
- (2) If the average rate of price inflation over a period of 3 years exceeds 3 per cent per annum the actuary shall advise the Board on the appropriate rate of increase.”.

**Amendment of Cap. 47**

- 8.** *The principal Act is amended in Parts II to VI by deleting*
  - (a) *the word “Board” and substituting the word “State”; and*
  - (b) *the words “Director” and “Director, National Insurance” and substituting the words “Chief Executive Officer”.*

**Amendment of section 30 of Cap. 47**

- 9.** *Section 30 of the principal Act is amended by deleting subsection (5).*

**Amendment of section 30A of Cap. 47**

- 10.** *Section 30A of the principal Act is amended*
  - (a) *by deleting subsection (1) and substituting the following:*

“(1) The Unemployment Benefit Account established on 1st January, 1997, shall be under the management and control of the Service.”; and
  - (b) *by deleting subsection (2) and substituting the following:*

“(2) There is payable into the Unemployment Benefit Account in respect of every employer and insured person a contribution at such rate as may be prescribed by regulations.”.

**Repeal of section 33**

- 11.**        *Section 33 of the principal Act is repealed.*

**Amendment of Cap. 47**

- 12.**        *The principal Act is amended by*
- (a) renumbering Schedule I as Schedule III;*
  - (b) renumbering Schedule II as Schedule I; and*
  - (c) inserting the Schedule set out in the First Schedule to this Act as Schedule II.*

**Consequential amendments**

- 13.**        The enactment set out in the first column of the *Second Schedule* is amended in the respects set out in the second column.

**Commencement**

- 14.**        **This Act shall come into to operation on a date to be fixed by Proclamation.**

**FIRST SCHEDULE**

*(Section 12)*

**“SCHEDULE II**

*(Section 11J)*

*NATIONAL INSURANCE AND SOCIAL SECURITY SERVICE  
BOARD*

**Appointment of directors**

- 1.**(1) The Board shall comprise 9 directors as follows:
- (a) the Permanent Secretary in the Ministry responsible for Social Security, *ex officio*;
  - (b) the Director of Finance and Economic Affairs, *ex officio*; and
  - (c) seven other persons appointed by the Minister with the approval of the cabinet as follows:
    - (i) 2 persons on the recommendation of the employers organisations;
    - (ii) 2 persons on the recommendation of workers organisations; and
    - (iii) 3 persons who possess expertise or at least 10 years experience in law, finance, accountancy, management, corporate governance, economics, pensions or other skills appropriate to social security matters.
- (2) A director, other than an *ex officio* director, shall, subject to the provisions of this *Schedule*
- (a) hold office for a term not exceeding 3 years; and
  - (b) is eligible for reappointment.

(3) The Minister shall, pursuant to subparagraph (2), determine the term of office of a director in such a manner that in any one year the respective terms of office of no more than 3 directors expire.

### **Remuneration of directors**

2. The Minister may pay to
- (a) each director, in respect of his office such remuneration and allowances; and
  - (b) the Chairman and Deputy Chairman such remuneration and allowances,

in addition to any remuneration or allowances to which he may be entitled in respect of his office as a director, as the Minister determines.

### **Chairman and Deputy Chairman**

3.(1) The Minister may appoint a director to be Chairman, and another to be Deputy Chairman, of the Board.

(2) The Chairman must be a person who has at least 10 years experience in law, finance, accountancy, management, corporate governance, economics, pensions or other skills appropriate to social security matters.

### **Resignation**

4.(1) The Chairman may resign his office by instrument in writing addressed to the Minister.

(2) A director, other than the Chairman, may resign his office by instrument in writing addressed to the Chairman, who shall forward forthwith the instrument to the Minister.

(3) A resignation takes effect from the date on which the Minister receives the instrument.

**Temporary leave of absence**

5. The Minister may in writing grant leave of absence to a director.

**Temporary appointment**

6. Where a director is, or is likely to be, unable to perform the functions of his office for more than 30 days, whether as a result of absence from Barbados, illness or other cause, the Minister may appoint a person to act in the place of the director.

**Revocation of appointment**

7. The Minister shall revoke the appointment of a director who

- (a) becomes of unsound mind or becomes permanently unable to perform his functions by reason of ill health;
- (b) is convicted of an offence involving fraud or dishonesty or, in the case of any other offence, is sentenced to a term of imprisonment;
- (c) is guilty of serious misconduct in relation to his functions;
- (d) is bankrupt or compounds with or suspends payment to his creditors; or
- (e) fails to declare his interest in a matter before the Board as required by section 11V(1).

**Vacancies**

8.(1) A vacancy in the membership of the Board arises on

- (a) the death or resignation of a director;
- (b) the revocation of the appointment of a director; or

- (c) the absence of a director from 4 consecutive meetings of the Board without the approval of the Minister.
- (2) A person who is appointed to fill a vacancy referred to in subparagraph (1) shall hold office only for the unexpired portion of the term of the former director concerned.

### **Disqualification of director**

- 9.** A person who
- (a) is a member of Parliament;
  - (b) other than a person specified in paragraph 1(b)(ii) or (iii), is a public officer within the meaning of the Public Service Act, Cap. 29; or
  - (c) where he is a director, would have to be removed from office pursuant to paragraph 7,

is not eligible to be a director.

### **Gazetting of appointments**

- 10.** The appointment, resignation, removal from office or death of a director shall be notified in the *Official Gazette*.

### **Committees**

- 11.(1)** The Board may appoint committees of its members or other persons to assist it with the proper discharge of its functions.
- (2) Where a person who is not a member of the Board is appointed to a committee, the Board may, with the approval of the Minister, determine the remuneration and allowances to be paid to the person.

**Meetings**

**12.**(1) The Board shall meet as often as may be necessary or expedient for the transaction of its business and such meeting shall be held at such places and times and on such days as the Board may determine.

(2) The Chairman, or in the event of his absence from Barbados or inability to act as such, the Deputy Chairman, may at any time call a special meeting of the Board and shall call such meeting within 7 days of the receipt by him of a request for the purpose addressed to him in writing and signed by not less than 3 directors.

(3) The Chairman, or in his absence, the Deputy Chairman, shall preside at meetings of the Board.

(4) Where the Chairman and the Deputy Chairman are absent from a meeting, the directors present shall elect a director from among their number to preside at the meeting.

(5) Six directors shall constitute a quorum.

(6) The decisions of the Board shall be by a majority of votes and in a case where the voting is equal, the Chairman or other person presiding at the meeting shall, in addition to an original vote, have a casting vote.

(7) Minutes of each meeting shall be kept by the person performing the functions of secretary of the Board or by such other officers as the Board appoints for the purpose and shall be confirmed by the Board and signed by the Chairman or Deputy Chairman at the next meeting of the Board.

**Attendance of non-members at meetings**

**13.** The Board may invite any person to attend any of its meetings to assist or advise it with respect to any matter under its consideration, but a person so invited does not have a right to vote.

**Board may regulate proceedings**

**14.** Subject to provisions of this *Schedule*, the Board may regulate its own procedure. ”.

**SECOND SCHEDULE**

*(Section 13)*

**CONSEQUENTIAL AMENDMENTS**

*Enactments*

*Amendments*

*Public Finance Management Act, 2019*  
(Act 2019-1)

In the *Second Schedule* delete “National Insurance Department” and insert “National Insurance and Social Security Service.”.