

BELIZE:

STATUTORY INSTRUMENT

No. 125 of 2002

REGULATIONS made by the Minister responsible for Social Security in exercise of the powers conferred upon him by sections 46 and 64 of the Social Security Act, Chapter 44 of the Substantive Laws of Belize, Revised Edition, 2000, and all other powers thereunto him enabling.

(Gazetted 19th October, 2002.)

PART 1

PRELIMINARY

1. These Regulations may be cited as the

Short title.

SOCIAL SECURITY (SELF-EMPLOYED
PERSONS) REGULATIONS, 2002

2. In these Regulations, unless the context otherwise requires:

Interpretation.

"Act" means the Social Security Act;

CAP. 44.

"average insurable earnings" has the same meaning as that set out in the Social Security (Benefit) Regulations, provided that earnings for the self employed shall be the actual income declared;

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"appointed day" means the 6 day of January 2003;

"Board" means the Social Security Board;

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"contribution Regulations" means the Social Security (Contributions) Regulations;

"contribution week" has the same meaning as in the Act;

"insured person" in relation to a self-employed person, means an insured person under these Regulations pursuant to section 2 of the Act;

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"registration Regulations" means the Social Security (Registration of Employers and Insured Persons) Regulations;

"self-employed person" means a person gainfully occupied in employment in Belize who is not an employed person and who is between the ages of 18 and 60 years.

Application of
Regulations to
self-employed
persons under
the Act.

3. (1) The Regulations made under the Act applying to employed persons, unless they are expressly varied or excluded by, or are inconsistent with these Regulations, shall also apply to self-employed persons who are insured pursuant to section 3 of the Act.

(2) A person shall be entitled to pay contributions as a self-employed person, in the manner prescribed by the Board.

(3) Participation shall be on a voluntary basis but once registered, the self-employed person shall contribute on a sustainable basis to the Social Security Fund.

PART II

INSURANCE, REGISTRATION AND
CONTRIBUTIONS

4. Subject to these Regulations, every self-employed person in the categories specified in the First Schedule who on the appointed day:

Insurance of self-employed persons First Schedule.

- (a) is between the ages of eighteen and sixty years;
- (b) is ordinarily resident in Belize;
- (c) is gainfully occupied in employment in Belize and is not an employed person, and
- (d) has opted to join the Social Security Scheme,

shall be insured under the Act.

5. Subject to these Regulations, every insured person may in respect of any employment specified in the First Schedule be treated for the purposes of the Act as a self-employed person in so far as he is gainfully occupied in such employment.

Schedule of categories of self-employed persons. First Schedule.

6. All self-employed insurable persons are required to be registered at the offices of the Board on the appropriate form to be supplied by the Board.

Registration of self-employed persons.

7. (1) Where upon the receipt of an application for registration under the Act, the Board is satisfied that a person is required to be insured, it shall issue a Social Security Registration Card to that person; and such card shall carry the full name and registration number and other particulars as specified by the Board.

Issue of registration cards.

(2) Where a person has previously been registered as an employed person under the provisions of the registration Regulations, the registration number allocated under the previous registration shall be the same registration number of a self-employed person under the Act.

Payment of contribution by insured self-employed persons.

8. (1) Every insured self-employed person shall, within fourteen days after the end of a calendar month, pay in a manner acceptable to the Board all contributions payable by him for that month. The Board shall set up alternative payment modalities to specific sectors of self-employed persons.

(2) Where during the course of a calendar month the employment of a self-employed person ceases or is interrupted because of sickness, employment injury, pregnancy, change of employment status, or other circumstances which might affect his liability to pay contributions for the whole month, he shall nevertheless, be liable to pay contributions in respect of that part of the month during which he was self-employed, that is, up to the day immediately preceding the date of cessation.

Provided that a self-employed person shall not be liable to pay contributions as a self-employed person in respect of any period in which he is either in receipt of benefit, (with the exception of survivors' benefits) or is liable to pay contribution as an employed person.

Benefits.

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9. (1) A self-employed person shall pay not less than twenty-six contributions as a self-employed insured person before qualifying for any benefit under the Act, provided the qualifying conditions under the Social Security (Benefit) Regulations are satisfied.

(2) For the self-employed person, short-term and employment injury benefits will be disallowed if the contributions are not paid within the prescribed time.

(3) Coverage of employment injury for self-employed persons shall be confined to the declared trade, business or profession of the self-employed person.

10. For each contribution week during the whole of which or part thereof a person has been employed as a self-employed person, he shall be liable for payment of a contribution.

11. (1) The amount of contribution payable by a self-employed person for each week in respect of his employment shall be 7% of the weekly income declared by him subject to a minimum income of fifty-five dollars per week and a maximum income of three hundred and twenty dollars per week.

Liability for contributions.

(2) The weekly insurable income of a self employed person and the amount of contribution payable shall be the amounts set out in columns one and two respectively of the Second Schedule.

Amount of contribution.

12. (1) A self-employed person who is over the age of fifty years on or after the appointed day shall declare a weekly income not to exceed two hundred dollars.

Second Schedule.

(2) A self-employed insured person who is under fifty years of age on or after the appointed day and who has paid contributions as a self-employed person in the year in which he reaches the age of fifty-four years shall be deemed to have declared for any subsequent contribution year for which he is

Election of weekly income.

liable to pay contribution the same weekly income as he had declared for the contribution year in which he had reached the age of fifty-four years.

(3) Every self-employed person shall declare a weekly income for each contribution year not later than the end of the calendar month following that in which the first contribution week of the new year in which he is liable to pay contribution as a self-employed person begins, and such declaration shall be valid for the whole contribution year:

Provided that for any subsequent contribution year the self-employed person may only declare a weekly income which is not to exceed fifty dollars from the immediately lower or higher amount of weekly income to the one the self-employed person had declared in the immediately preceding contribution year.

(4) A self-employed person who fails to declare a weekly income within the time prescribed in subregulation (3) for any contribution year, shall be deemed to have declared the weekly income he had declared for the preceding contribution year.

Contribution during multiple employment

13. A person who during one part of a calendar year is mainly employed as an employed person and for another part of that year is mainly employed as a self-employed person shall pay contributions respectively as an employed person and as a self-employed person.

Notification of termination of self-employment

14. Every self-employed person who terminates his employment as a self-employed person shall notify the Board in writing within twenty-four hours of such termination.

PART IIICONTRIBUTIONS

15. A self-employed person shall not be required to pay contributions in respect of any period prior to attaining the age of sixty during which he is in receipt of benefit, and shall be entitled to a refund of any contributions so paid.

Contribution during benefit period.

16. Where an insured person is employed as a self-employed person and is ordinarily so employed, that employment shall be regarded as continuing, notwithstanding that in any particular contribution week he does no work as a self-employed person, and until he is no longer ordinarily employed as a self-employed person.

Continuing liability of self-employed persons.

17. Where contributions are paid under the Act which are of the wrong class or at the wrong rate, the Board may treat as paid on account of contributions which would have been properly payable.

Treatment of contribution of wrong class.

18. (1) Any contribution paid in error by a self-employed person shall be returned by the Board on application to that person in accordance with the contribution Regulations.

Refund of contribution paid in error.

(2) A self-employed person who becomes insured for the first time on the "appointed day" pursuant to these Regulations and who cannot by virtue of his proven age qualify for any benefit under the Act shall be eligible for a refund of contributions paid by him between the appointed day and his attainment of age sixty.

PART IVGENERAL PROVISIONS

19 (1) Subject to sub-regulation (2) below, a self-employed person shall be insured under the Act in respect of the

Transitional provisions.

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contingencies relating to benefits contained in the Social Security (Benefit) Regulations and the contribution conditions specified therein.

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(2) Regulation 27 of the aforesaid Social Security (Benefit) Regulations [relating to transitional credits] shall not apply to self-employed persons except those who had made contributions as an employed person prior to becoming an insured self-employed person.

Linkage of
contribution as
employed/self-
employed
persons.

20. For the purpose of computing the relevant benefit contributions made by an insured person, whether as an employed or self-employed person, prior to and after the appointed day, shall be taken into consideration.

Claims and
payments
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21 (1) An insured self-employed person shall submit a claim for benefit in accordance with the provisions of the Social Security (Claims and Payments) Regulations.

(2) An insured self-employed person shall report to an office of the Board an accident at work within 24 hours after the occurrence of such accident.

Offences and
penalties.

22. Any person who, for the purpose of obtaining any benefit or other payment under these Regulations, whether for himself or some other person, or for any other purpose connected with these Regulations:

(a) knowingly makes any false statement or false representations; or


(b) produces or furnishes, or causes or knowingly allows to be produced or furnished, any document or information which he knows to be false in a material particular,

shall be liable on summary conviction to a fine of one thousand dollars or to imprisonment for a term not exceeding six months, or to both such fine and imprisonment.

23. These Regulations shall come into force on the 1st day of November, 2002.

Commencement

MADE by the Minister responsible for the Social Security this 18th day of October 2002.



(SAID W. MUSA)
Minister responsible
for Social Security

[Regulations 4 and 5]

FIRST SCHEDULE

The categories of self-employed persons include:

1. Professionals such as accountants, lawyers, doctors, architects, dentists, consultants, chemist and engineers.
2. Persons engaged in their own business in commerce or trade whether as directors, including owners, proprietors, owners, of shops or who independently provide service of all kinds.
3. Farmers: agricultural or horticultural.
4. Fishermen.
5. Taxi-drivers.
6. Street vendors and traders.
7. Technicians and skilled workers, plumbers, electricians, shoemakers, carpenters, beauticians and barbers.
8. Other persons who offer their skills and service for pay and are not subject to the general direction and control of the recipient of the service as to how such are to be applied.
9. Housewives.
10. Others (which may be specified).

[Reg.11]

SECOND SCHEDULE

WEEKLY INCOME	WEEKLY CONTRIBUTIONS	WEEKLY INCOME	WEEKLY CONTRIBUTIONS
\$	\$	\$	\$
55.00	\$3.85	78.00	\$5.46
56.00	\$3.92	79.00	\$5.53
57.00	\$3.99	80.00	\$5.60
58.00	\$4.06	81.00	\$5.67
59.00	\$4.13	82.00	\$5.74
60.00	\$4.20	83.00	\$5.81
61.00	\$4.27	84.00	\$5.88
62.00	\$4.34	85.00	\$5.95
63.00	\$4.41	86.00	\$6.02
64.00	\$4.48	87.00	\$6.09
65.00	\$4.55	88.00	\$6.16
66.00	\$4.62	89.00	\$6.23
67.00	\$4.69	90.00	\$6.30
68.00	\$4.76	91.00	\$6.37
69.00	\$4.83	92.00	\$6.44
70.00	\$4.90	93.00	\$6.51
71.00	\$4.97	94.00	\$6.58
72.00	\$5.04	95.00	\$6.65
73.00	\$5.11	96.00	\$6.72
74.00	\$5.18	97.00	\$6.79
75.00	\$5.25	98.00	\$6.86
76.00	\$5.32	99.00	\$6.93
77.00	\$5.39		

WEEKLY INCOME	WEEKLY CONTRIBUTIONS	WEEKLY INCOME	WEEKLY CONTRIBUTIONS
\$	\$	\$	\$
100.00	\$7.00	130.00	\$9.10
101.00	\$7.07	131.00	\$9.17
102.00	\$7.14	132.00	\$9.24
103.00	\$7.21	133.00	\$9.31
104.00	\$7.28	134.00	\$9.38
105.00	\$7.35	135.00	\$9.45
106.00	\$7.42	136.00	\$9.52
107.00	\$7.49	137.00	\$9.59
108.00	\$7.56	138.00	\$9.66
109.00	\$7.63	139.00	\$9.73
110.00	\$7.70	140.00	\$9.80
111.00	\$7.77	141.00	\$9.87
112.00	\$7.84	142.00	\$9.94
113.00	\$7.91	143.00	\$10.01
114.00	\$7.98	144.00	\$10.08
115.00	\$8.05	145.00	\$10.15
116.00	\$8.12	146.00	\$10.22
117.00	\$8.19	147.00	\$10.29
118.00	\$8.26	148.00	\$10.36
119.00	\$8.33	149.00	\$10.43
120.00	\$8.40	150.00	\$10.50
121.00	\$8.47	151.00	\$10.57
122.00	\$8.54	152.00	\$10.64
123.00	\$8.61	153.00	\$10.71
124.00	\$8.68	154.00	\$10.78
125.00	\$8.75	155.00	\$10.85
126.00	\$8.82	156.00	\$10.92
127.00	\$8.89	157.00	\$10.99

WEEKLY INCOME	WEEKLY CONTRIBUTIONS	WEEKLY INCOME	WEEKLY CONTRIBUTIONS
\$	\$	\$	\$
128.00	\$8.96	158.00	\$11.06
129.00	\$9.03	159.00	\$11.13
160.00	\$11.20	190.00	\$13.30
161.00	\$11.27	191.00	\$13.37
162.00	\$11.34	192.00	\$13.44
163.00	\$11.41	193.00	\$13.51
164.00	\$11.48	194.00	\$13.58
165.00	\$11.55	195.00	\$13.65
166.00	\$11.62	196.00	\$13.72
167.00	\$11.69	197.00	\$13.79
168.00	\$11.76	198.00	\$13.86
169.00	\$11.83	199.00	\$13.93
170.00	\$11.90	200.00	\$14.00
171.00	\$11.97	201.00	\$14.07
172.00	\$12.04	202.00	\$14.14
173.00	\$12.11	203.00	\$14.21
174.00	\$12.18	204.00	\$14.28
175.00	\$12.25	205.00	\$14.35
176.00	\$12.32	206.00	\$14.42
177.00	\$12.39	207.00	\$14.49
178.00	\$12.46	208.00	\$14.56
179.00	\$12.53	209.00	\$14.63
180.00	\$12.60	210.00	\$14.70
181.00	\$12.67	211.00	\$14.77
182.00	\$12.74	212.00	\$14.84
183.00	\$12.81	213.00	\$14.91
184.00	\$12.88	214.00	\$14.98
185.00	\$12.95	215.00	\$15.05

WEEKLY INCOME	WEEKLY CONTRIBUTIONS	WEEKLY INCOME	WEEKLY CONTRIBUTIONS
\$	\$	\$	\$
186.00	\$13.02	215.00	\$15.05
187.00	\$13.09	217.00	\$15.19
188.00	\$13.16	218.00	\$15.26
189.00	\$13.23	219.00	\$15.33
220.00	\$15.40	250.00	\$17.50
221.00	\$15.47	251.00	\$17.57
222.00	\$15.54	252.00	\$17.64
223.00	\$15.61	253.00	\$17.71
224.00	\$15.68	254.00	\$17.78
225.00	\$15.75	255.00	\$17.85
226.00	\$15.82	256.00	\$17.92
227.00	\$15.89	257.00	\$17.99
228.00	\$15.96	258.00	\$18.06
229.00	\$16.03	259.00	\$18.13
230.00	\$16.10	260.00	\$18.20
231.00	\$16.17	261.00	\$18.27
232.00	\$16.24	262.00	\$18.34
233.00	\$16.31	263.00	\$18.41
234.00	\$16.38	264.00	\$18.48
235.00	\$16.45	265.00	\$18.55
236.00	\$16.52	266.00	\$18.62
237.00	\$16.59	267.00	\$18.69
238.00	\$16.66	268.00	\$18.76
239.00	\$16.73	269.00	\$18.83
240.00	\$16.80	270.00	\$18.90
241.00	\$16.87	271.00	\$18.97
242.00	\$16.94	272.00	\$19.04
243.00	\$17.01	273.00	\$19.11

WEEKLY INCOME	WEEKLY CONTRIBUTIONS	WEEKLY INCOME	WEEKLY CONTRIBUTIONS
\$	\$	\$	\$
244.00	\$17.08	274.00	\$19.18
245.00	\$17.15	275.00	\$19.25
246.00	\$17.22	276.00	\$19.32
247.00	\$17.29	277.00	\$19.39
248.00	\$17.36	278.00	\$19.46
249.00	\$17.43	279.00	\$19.53
280.00	\$19.60	301.00	\$21.07
281.00	\$19.67	302.00	\$21.14
282.00	\$19.74	303.00	\$21.21
283.00	\$19.81	304.00	\$21.28
284.00	\$19.88	305.00	\$21.35
285.00	\$19.95	306.00	\$21.42
286.00	\$20.02	307.00	\$21.49
287.00	\$20.09	308.00	\$21.56
288.00	\$20.16	309.00	\$21.63
289.00	\$20.23	310.00	\$21.70
290.00	\$20.30	311.00	\$21.77
291.00	\$20.37	312.00	\$21.84
292.00	\$20.44	313.00	\$21.91
293.00	\$20.51	314.00	\$21.98
294.00	\$20.58	315.00	\$22.05
295.00	\$20.65	316.00	\$22.12
296.00	\$20.72	317.00	\$22.19
297.00	\$20.79	318.00	\$22.26
298.00	\$20.86	319.00	\$22.33
299.00	\$20.93	320.00	\$22.40
300.00	\$21.00		