

STATUTORY INSTRUMENT

No. 84 of 1980.

REGULATIONS made by the Minister responsible for social Security in the exercise of the powers vested in him under section 9 and 10 of (lie Social Security Ordinance 1979 and all other powers thereunto him enabling

(Gazetted 20th December, 1980)

1.--(1) These regulations may be cited as the

SOCIAL SECURITY (INSURANCE STAMPS) REGULATIONS, 1980

2.- These Regulations shall come into operation on a day to be appointed by the Minister by Order published in the Gazette.

2. For the purposes of these Regulations, unless the context otherwise requires-

"appointed day" means the day so appointed by the Minister under Regulation 1;
"appropriate form" means a form approved by the Manager to be used for a specific purpose or purposes under the Ordinance;
"Ordinance" means the Social Security Ordinance, 1979.

All other words and expressions defined in the ordinance shall have the same meaning in these Regulations.

3.--(1) Insurance stamps may only be purchased from any office of the Board or if ft Board so directs, from any Post Office, and it shall be lawful for any person employed by the Board or employed at a Post Office and duly authorised for the purpose to to sell insurance stamps.

(2) No person- (a) shall sell any insurance stamps unless he is authorised to do so under paragraph (1) of this regulation; (b) shall sell any insurance stamp for a price which differs from the value stated thereon. (3) The Manager may require any person seeking to purchase insurance stamps to make an application on there for on the appropriate form.

4.--(1) Where any insurance stamp has been inadvertently rendered unfit for use and application is made to the Manager within one year after the stamp was rendered unfit for use, the Manager may, on the surrender of the stamp give in lieu thereof a clean and proper stamp of the same value or, if practicable, such number of clean and proper stamps of a less value as will secure that the aggregate of those values corresponds to the value of the surrendered stamp

(2) All stamps surrendered under paragraph (1) of this regulation shall be destroyed in the presence of an officer designated by the Manager.

5. Where any person has any unused insurance stamp which has not been spoiled or rendered unfit or useless for the purpose intended, but for which he has no immediate use, the Manager may, if he thinks fit, repay to him the value of the stamp in money upon his delivering up the stamp and proving to the manager's satisfaction that it was purchased by him from a person authorised to sell insurance stamps under these Regulations within two years before the application for repayment and with a bona fide intention to use it.

6.--(1) Any Justice of the Peace before whom an information on oath is laid that reasonable suspicion exists that an offence against the Ordinance has been committed with respect to any label, stamp or device issued under the Ordinance, may issue his warrant for the search of any building or place belonging to, or occupied by, or under the

control of the suspected person, and such search may be effected accordingly, and any document or thing there found which appears to be or may be material evidence, and any label stamp or device there found may be seized, and shall be detained and dealt with as an exhibit in proceedings.

(2) Any person found in possession or control of any such label, stamp or device or in occupation of any building or other premises in which any such stamp or device is found shall be arrested and produced before a Magistrate.

(3) If on the trial of any person who is brought before a Magistrate pursuant to paragraph (2) of this regulation that person does not satisfactorily account for the possession of any insurance stamps which were found in his possession or custody or, if he was not in actual physical possession, for his presence in such building or premises he shall be guilty of an offence and liable to punishment under section 53 (5) of the Ordinance, and if the Magistrate is of the opinion that such stamps were not purchased by the person from some person duly authorised to sell insurance stamps, the stamps shall, subject to paragraph

(4) of this regulation, be forfeited and delivered to the Board. (4) If at any time within six months after the date on which any insurance stamps are delivered to the Board pursuant to paragraph (3) of this regulation, any person satisfies the Board that such stamps or any of them were stolen or otherwise fraudulently obtained from him and that the same were purchased by him from some person duly authorised to sell insurance stamps, the Board may cause such stamps or other insurance stamps of the same value to be delivered to him.

7. Where any insurance stamps are seized under a warrant the person authorised by the warrant shall, if required, give to the person in whose possession or custody the stamps are found an acknowledgement of the number, particulars and amount of the stamps, and permit the stamps to be marked before the removal thereof

8.-(1) Except as provided under the Ordinance and in paragraph (2) of this regulation, any person who by any writing, or other means whatsoever, in any manner defaces any insurance stamp before it is used shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding one hundred dollars.

(2) Any person may, if authorised in writing by the Manager and subject to any conditions which the Manager may stipulate, write upon or otherwise appropriate an insurance stamp for the purpose of identification thereof before it is used.

9.-(1) No person, whether he be authorised or not to sell such stamps shall hawk or carry about for sale or exchange any insurance stamp.

(2) All Insurance stamps which are found in the possession of a person who is convicted of an offence under paragraph (1) of this regulation shall be forfeited, and shall be delivered to the Board to be disposed of as the Board thinks fit.

(3) Any member of the Police Force may arrest any person found committing an offence against this regulation and take him before a Magistrate having jurisdiction in the area where the offence is committed, and the Magistrate shall hear and determine the matter.

10. If any person contravenes or fails to comply with any of these regulations he shall be liable on summary conviction to a fine not exceeding one hundred dollars for each such offence or where the offence consists of continuing any such contravention or failure after conviction thereof to a fine of one hundred dollars together with a further one hundred dollars for each day on which it is so continued.

MADE this 15th day of December, 1980.

ELIJIO E. BRICENO
Minister of local Government and
Social Security

