

BELIZE:

STATUTORY INSTRUMENT

No. 83 of 1980

REGULATIONS made by the Minister responsible for Social Security in the exercise of the powers vested in him by sections 20, 42, 43 and 64 of the 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 (DETERMINATION OF CLAIMS AND QUESTIONS) REGULATIONS, 1980

Short title and commencement.

(2) These Regulations shall come into operation on the day appointed by the Minister by Order published in the Gazette.

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

Interpretation

“accident”, “relevant accident” and “relevant injury” have the same meaning assigned to them by the Benefit Regulations;

“appointed day” means the day appointed by the Minister under Regulation 1;

“Benefit Regulations” means the Social Security (Benefit) Regulations, 1980;

“claim” means a claim to benefit;

“Claims and Payments Regulations” means the Social Security (Claims and Payments) Regulations, 1980;

“injury benefit” has the same meaning assigned to it by the Benefit Regulations, 1980;

“medical board” and “medical referee” mean respectively a board or a medical practitioner appointed under Regulation 7;

“Ordinance” means the Social Security Ordinance, 1979.

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

PART I.

DETERMINATION OF CLAIMS AND QUESTIONS

3.—(1) Where any question (hereafter in these regulations referred to as “reserved question”) arises as to whether—

Determination of reserved questions.

- (a) any particular employment is insurable employment;
- (b) a person is or was an employed person;
- (c) any person is or was the employer of a person;
- (d) contribution is or was payable by or in respect of any person;
- (e) any person is entitled to have a contribution credited to him for any week;
- (f) a contribution has been paid by or in respect of any person for any week or credited to that person for that week,

that question shall be considered in the first instance by the Manager who may, after making necessary enquiry, determine the question or refer it to the Board for determination, if he considers it expedient to do so.

(2) Where a person is aggrieved by the Manager's decision on a reserved question that question shall be referred to the Board for determination on the application of the aggrieved person. In such a case the Manager shall submit, to the Board, a report of his inquiry and his findings thereon.

(3) Except where a substantial question of law arises, the decision of the Board on a reserved question shall be final, and such decision shall be given in writing and shall specify the reason on which the decision is based:

Provided that if it is considered by the Board that a question is of sufficient importance or that a substantial question of law may arise therefrom the question may be referred to an appeal tribunal for decision.

(4) The Board may, if it finds it expedient so to do for the purpose of determining reserved questions appoint a committee consisting of three members of the Board other than the Manager, one of whom shall be a person representing employers and another representing insured persons.

(5) The decision of a committee appointed under paragraph (4) shall be by simple majority of the members thereof and for the purposes of these regulations the determination of a reserved question by such committee shall be a determination of that question by the Board.

(6) Without prejudice to paragraph (4) of this Regulation, the Manager shall not take part in the decision of a reserved question referred to the Board on an application under paragraph (2) of this regulation.

(7) The Board or the committee appointed under paragraph (4) of this regulation may, before determining a reserved question, appoint a person to hold an inquiry into the matter and to report thereon to the Board or the said committee, as the case may be.

(8) In proceedings for the consideration of any reserved question the Board, or the committee or the person mentioned in paragraph (7) of this regulation may summon persons to attend at such proceedings and to produce such documents as may be required and to give evidence on oath. The oath shall be administered by the person presiding at the proceedings concerned.

(9) Any person who appears to the inquiring body or person to be a person who has an interest under the Ordinance in the matter under inquiry, shall be entitled to attend and to be heard at these proceedings.

(10) Subject to the provisions of this regulation, the procedure for the determination of any reserved question shall be such as the Board may determine.

(11) Except as may be directed by the Board, the procedure at an inquiry under paragraph (7) of this Regulation shall be such as the person holding the inquiry may determine.

4.—(1) Every claim shall be considered by the Manager who may, subject to these regulations—

Determination of claims.

- (a) allow a claim; or
- (b) disallow a claim in whole or in part; or
- (c) after giving notice to the claimant or to any other person who may appear to him to be interested, refer the claim to an appeal tribunal for determination.

(2) The Manager shall give notice of his decision on a claim to the claimant in writing and where the claim is disallowed in whole or in part the notice shall include a short statement of the grounds upon which the claim is so disallowed.

5.—(1) The Manager, before determining a claim to disablement benefit, shall refer the disablement questions arising from such claim to a medical board for determination.

Claims to disablement benefit.

(2) The disablement questions arising from a claim to disablement benefit are—

- (a) whether the relevant accident has resulted in loss of faculty;
- (b) at what percentage the extent of disablement resulting from loss of faculty is to be assessed having regard to the provisions of the Benefit Regulations; and
- (c) if the extent of disablement is assessed at twenty percent or more—
  - (i) Whether the assessment is final; or
  - (ii) if the assessment is provisional, the period to be taken into account.

(3) Where a provisional assessment is made in accordance with paragraph (2) the Manager shall refer the case again to a medical board before the end of the period taken into account by the provisional assessment.

(4) Where a person, who had been given reasonable notice to appear before a medical board for the purpose of any inquiry under this regulation, fails to do so, the medical board shall not proceed to determine the matter concerned without the consent of the person concerned.

(5) A medical practitioner shall be debarred from acting as member of a medical board for the purpose of determining disablement questions if he—

- (a) is or may be directly or indirectly personally affected by the outcome of the case; or
- (b) has taken any part in such case as a medical assessor, as employer or as witness or has attended on the claimant or beneficiary in his capacity as private medical practitioner.

(6) A medical board to whom disablement questions have been referred for determination shall send their decision to the Manager as soon as practicable after the consideration of such questions and the Manager shall forthwith send a copy of the decision to the claimant;

Provided that in any case where the medical board are of the opinion that any knowledge of their findings could be detrimental to the health of the claimant they may recommend the form in which their decision should be communicated to him.

(7) Where it appears to a medical board that a question of law arises from any disablement question they may state in writing the facts material to the question and refer the question of law (through the Manager) for determination by an appeal tribunal.

(8) The Manager shall as soon as practicable refer the question of law mentioned in paragraph (7) to an appeal tribunal, and shall send a copy of the notice of such reference to the claimant.

(9) Upon receiving the tribunal's decision the Manager shall forthwith send a copy thereof to the claimant and to the medical board with a view to proceeding with the determination of the disablement question.

(10) Notwithstanding the provisions of paragraph (1) of this regulation, any disablement question arising from a claim to disablement benefit may, with the consent in writing of the claimant, be referred for determination to a single medical practitioner appointed by the Board to act as medical referee.

(11) The provisions of the preceding paragraphs in this regulation relating to medical board shall apply *mutatis mutandis* to a medical referee.

Claims to other benefits.

6.—(1) The Manager, before determining a claim to—

- (a) injury benefit in respect of personal injury by accident, may refer the question of whether the incapacity for work has resulted from the relevant accident to a medical board or medical referee for advice;
- (b) injury benefit, in respect of a prescribed disease or injury, shall refer the question of whether incapacity for work has resulted from a prescribed disease or injury or a recrudescence of such disease in accordance with the Benefit Regulations to a medical board or medical referee for determination;
- (c) invalidity benefit, shall refer the question of whether a claimant is an invalid in accordance with the provisions of the Benefit Regulations to a medical board or medical referee for advice;
- (d) survivors' or death benefit based on the ground that the claimant is permanently incapable of self-support, shall refer the question of whether the claimant is so incapable in accordance with the Benefit Regulations to a medical board or medical referee for advice;
- (e) constant attendance allowance under section 21 of the Ordinance, shall, subject to regulation 45(1) of the Benefit Regulations, refer the question of whether the claimant is so severely incapacitated as to require the constant personal attendance of another person to a medical board or medical referee for advice;

Provided that any question specified in sub-paragraphs (c), (d) or (e) of this regulation shall be deemed not to have arisen if the claim from which the question arises fails on other statutory conditions.

(2) Without prejudice to paragraph (1), the Manager may, in any circumstances in which a claimant or beneficiary may be required to submit to a medical examination, refer a claim to a medical board or medical referee for advice.

7.—(1) Medical boards shall be appointed by the Board and shall consist of two or more medical practitioners of whom one may be appointed to be the chairman.

Medical boards  
and medical  
referees.

(2) Members of a medical board shall hold office for such period or shall consider such case or cases as the Board may direct; provided that the Board may terminate the appointment of any member at any time and without stating any reason for so doing.

(3) A medical board shall not decide on any question referred to them for advice or determination for the purposes of the Ordinance if—

(a) any member thereof is unable to be present at the consideration of any question; or

(b) the board is unable to do so by a decision of a majority of its members.

(4) In any case in which by reason of the circumstances specified in paragraph (3) a medical board is unable to reach a decision in any case referred to them they shall immediately notify the Board and upon such notice the reference to that medical board shall be deemed to have been revoked, and the case shall forthwith be referred by the Board to another medical board:

Provided that—

(a) in a case to which sub-paragraph (b) of paragraph (3) of this regulation relates, the reference shall be to a medical board consisting of three members, whose decision shall be that of the majority of such members;

(b) a member of a medical board referred to in paragraph (3) shall not be debarred from being a member of the other medical board to which the case is referred under this paragraph.

(5) A medical referee shall be appointed by the Board and shall hold office for such period or shall consider such cases as the Board may direct.

(6) The decision of a medical board or medical referee—

(a) shall be in writing and in such form as the Board may from time to time require;

(b) shall include a statement of the findings of the board or referee material to the decision;

(c) in the case of a medical board, if not unanimous, shall be by simple majority;

(d) shall be sent to the Manager as soon as practicable after the consideration of the case.

8. A person to whom a written notice of a decision is sent shall also be informed of his right to appeal against that decision in accordance with Part II of these regulations.

Notification of  
right to appeal.

## PART II.

### APPEALS

9.—(1) For the purposes of this Part of these regulations, there shall be established one or more appeal tribunals as the Minister, on the recommendation of the Board may consider necessary for the purposes of the Ordinance.

Establishment of  
appeal tribunals.

(2) The First Schedule hereto has effect with respect to the constitution of an appeal tribunal.

(3) The Second Schedule hereto has effect with respect to the procedure of an appeal tribunal.

Appeal on point of law from determination of disablement question.

10.—(1) Any person aggrieved by the determination of any disablement question by a medical board or medical referee may appeal therefrom to an appeal tribunal on the ground that the determination was erroneous on a point of law.

(2) An appeal under paragraph (1) of this regulation may be made at the instance of—

(a) the claimant or a trade union of which the claimant was a member on the date when the claim arose;

(b) the Manager.

(3) An appeal made at the instance of the claimant or a trade union must be brought by giving notice of appeal in writing at the office of the Board not later than twenty-one days after the date on which the decision against which the appeal is made was issued to the claimant or within such longer period not exceeding sixty days as the chairman of an appeal tribunal may, in special circumstances, allow.

(4) The Board shall refer an appeal under paragraph (1) as soon as practicable to an appeal tribunal by written notice of reference and a copy of such notice shall be sent forthwith to the appellant.

(5) Where an appeal is made at the instance of the Manager he shall—

(a) give notice of appeal in writing to an appeal tribunal within twenty-one days after the date of the decision from which the appeal is made; and

(b) send as soon as practicable a copy of such notice of appeal to the claimant.

(6) A notice of appeal given under paragraph (3) or (5) of this regulation shall include a statement of the point of law and the grounds upon which the determination appealed against is alleged to be erroneous.

(7) The decision of the tribunal on the point of law shall be referred to the medical board or medical referee from whose decision the appeal was made, and such board or referee shall confirm or revise the determination of any disablement question accordingly.

Appeal from determination of disablement question by medical referee.

11.—(1) Without prejudice to Regulation 10, an appeal shall lie to an appeal tribunal from the determination of any disablement question by a medical referee and such appeal may be made at the instance of the claimant or a trade union of which the claimant was a member on the date when the claim arose.

(2) The provisions of paragraphs (3) and (4) of Regulation 10 of these Regulations apply to an appeal under this Regulation.

(3) The notice of appeal shall include a statement on the grounds upon which the appeal is made.

(4) An appeal tribunal may, after considering the facts resulting from the determination of the medical referee from which the appeal is made—

- (a) dismiss the appeal, or
- (b) direct that any disablement question to which the grounds of appeal relate shall be referred to a medical board for determination.

12.—(1) Any person who is aggrieved by a decision of the Manager as to the right to any benefit may appeal therefrom to an appeal tribunal:

Appeal against  
Manager's  
decision.

Provided that without prejudice to other provisions in these regulations relating to appeals, this paragraph shall not apply where the Manager certifies in writing that his decision is based solely on the determination in accordance with these regulations of—

- (a) a reserved question by the Board; or
- (b) a disablement question by a medical board or medical referee.

(2) An appeal under this regulation may be made at the instance of the claimant or a trade union of which the claimant was a member on the date when the claim arose, by giving notice of appeal in writing at the Office of the Board not later than twenty-one days after the date on which the decision appealed against was issued to the claimant or within such longer period not exceeding sixty days as the chairman of an appeal tribunal may, in special circumstances, allow.

(3) The notice of appeal shall include a statement of the grounds upon which the appeal is made.

(4) The provisions of paragraph (4) of regulation 10 of these regulations shall apply to an appeal under this regulation.

13.—(1) The following persons shall be entitled to appear before an appeal tribunal and be heard—

Persons entitled  
to be heard by  
appeal tribunal.

(a) in the case of a reference by the Board under regulation 3 (3) —

- (i) the representative of the Board; and
- (ii) any person who appears to the tribunal to be a person who is interested under the Ordinance in the reserved question;

(b) in the case of a reference under regulation 5(7) or an appeal under regulation 10, 11 or 12—

- (i) the claimant or his duly authorised representative;
- (ii) the Manager or his duly authorised representative.

14.—(1) An appeal tribunal shall have the power to summon witnesses and to require the production of such documents as the chairman may consider necessary for the consideration of any question or claim before the tribunal and to administer oaths.

Power of appeal  
tribunal to  
summon  
witnesses.

(2) Summons to a person to give evidence before an appeal tribunal shall be signed by the chairman of that tribunal.

(3) Oaths shall be administered by the chairman of the tribunal.

## SUPREME COURT

Appeal to  
Supreme Court

15.—(1) An appeal shall lie with the leave of the court to the Supreme Court on a substantial question of law arising from—

- (a) a reserved question determined by the Board; or
- (b) a decision of an appeal tribunal.

(2) An application for leave to appeal under paragraph (1) of this regulation shall be made—

- (a) in the case of a reserved question, by the person directly interested in the reserved question;
- (b) in the case of an appeal against the decision of an appeal tribunal, by—
  - (i) the claimant or a trade union of which the claimant was a member on the date when the claim arose; or
  - (ii) the Board.

(3) An application for leave to appeal made under paragraph(1) of this regulation shall—

- (a) be made in writing to the Registrar of the Supreme Court not later than twenty-one days after the decision appealed against is given;
- (b) include a short statement of the decision appealed against and a statement of the substantial question of law arising from the decision and the facts material to the case;
- (c) specify the particulars of any party to the proceedings.

(4) The Registrar of the Supreme Court upon receiving an application under paragraph (1) of this regulation shall send a copy thereof to any party to the proceedings specified in accordance with paragraph (3) (c) of this regulation.

(5) A person making an application under paragraph (1) of this regulation shall deliver to the Registrar of the Supreme Court such number of copies of the application as may be required by the said Registrar for the purposes of paragraph (4) of this regulation.

16.—(1) The Supreme Court shall hear and determine any application made under regulation 15 and shall—

- (a) if it is of the opinion that the appeal arises a substantial question of law, allow the application and instruct the Registrar to set the appeal down for hearing as an appeal under Part VIII of the Supreme Court of Judicature Ordinance;
- (b) if it disallows the application, instruct the Registrar to strike out the said appeal and to communicate the said decision to the Board and to the claimant or beneficiary concerned.

(2) The decision of the Supreme Court on whether or not a question is a substantial question of law shall be final and shall not be the subject of any application to any court.

Reference to  
Supreme Court.

17.—(1) Where at any stage of the proceedings in any case before and appeal tribunal a question of law arises which in the opinion of the chairman of such tribunal is a substantial question of law, of such importance that it should be decided by the Supreme Court the tribunal may state a case for decision by the Supreme Court.

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- (2) A case stated under paragraph (1) of this regulation shall—
- (a) be signed by the chairman of the appeal tribunal,
  - (b) include a statement of the question of law arising for decision, and
  - (c) specify the particulars of the parties to the proceedings.

(3) Where a reference is made under paragraph (1) of this regulation the appeal tribunal shall forthwith send a copy of the reference to each of the parties to the proceedings.

18. Without prejudice to the provisions of regulations 15 and 17 of these regulations, the Rules of Court made under section 114 of the Supreme Court of Judicature Ordinance applicable to civil procedure shall apply *mutatis mutandis* to an appeal or reference to the Supreme Court under these Regulations.

Rules of Court

### PART III

#### REVIEW OF DECISIONS AND ADJUSTMENT OF BENEFIT

19.—(1) The Board or the Committee appointed under paragraph (4) of regulation 3 of these regulations, having given a decision on a reserved question, may review that decision if it is satisfied by fresh evidence that the previous decision was given—

Review of decisions on reserved questions.

- (a) in ignorance of, or was based on a mistake as to some material fact; or
- (b) in consequence of the non-disclosure or misrepresentation by the person concerned or by any other person of a material fact (whether the non-disclosure or misrepresentation was or was not fraudulent):

Provided that any such decision shall not be reviewed while a reference or appeal is pending before the Supreme Court on a point of law arising in connection therewith, or before the time for appealing has expired.

(2) The provisions of regulation 3 of these regulations relating to procedure for consideration and determination of a reserved question shall apply *mutatis mutandis* to procedure for the review of such a determination.

20.—(1) The Manager or an appeal tribunal; having given a decision on any claim or question, may review that decision if they are satisfied—

Review of decisions by Manager or appeal tribunal.

- (a) on fresh evidence in the case of a decision of an appeal tribunal, that the decision was given in ignorance of or was based on a mistake as to some material fact; or
- (b) that the decision was based on the non-disclosure or misrepresentation by the claimant or by any other person of a material fact (whether the non-disclosure or misrepresentation was or was not fraudulent); or
- (c) that since the date of the decision there has been a relevant change of circumstances; or
- (d) that the previous decision was based on the decision of any reserved question or disablement question which has been reversed.

(2) A decision of the Manager or the appeal tribunal may be reviewed under paragraph (1)—

- (a) at the instance of the Manager; or

(b) on an application made in writing to the Manager by the claimant or beneficiary or his duly authorised representative stating the grounds on which the application is based.

(3) The Manager shall deal with any questions arising from an application under paragraph (2) (b) of this regulation in accordance with these regulations.

(4) Any decision given on review or any refusal to review under this regulation, shall be subject to appeal in like manner as an original decision, and the provisions of Part I or Part II of these regulations shall apply *mutatis mutandis* to any appeal from a decision given on a review.

Provided that no appeal shall lie from such refusal if the application for review does not satisfy the conditions specified in sub-paragraph (a), (b), (c) or (d) of paragraph (1) of this regulation.

21. A decision shall not be reviewed so as to make a grant, other than a disablement grant, payable unless the claimant proves that the application for review was made not later than twelve months after the date of the decision.

22.—(1) Subject to this regulation, any decision of a medical board on a disablement question may be reviewed by a medical board if such board is satisfied by fresh evidence that the previous decision was given in consequence of the non-disclosure or misrepresentation by the claimant or any other person of a material fact (whether the non-disclosure or misrepresentation was or was not fraudulent).

(2) Where the extent of the disablement resulting from the relevant loss of faculty was assessed at twenty percent or more, the decision on the disablement question may also be reviewed by a medical board if such board is satisfied that since the making of the assessment there has been substantial unforeseen aggravation of the loss of faculty resulting from the relevant accident.

(3) Where on a claim for disablement benefit it was decided that the relevant accident did not result in loss of faculty, that decision may be reviewed under paragraph (2) of this regulation as if it were an assessment of the extent of the disablement resulting from the relevant loss of faculty, and for the purpose of this paragraph a final assessment of the extent of the disablement resulting from a loss of faculty made for a period limited by reference to a definite date shall be treated as a decision that at that date the relevant accident did not result in loss of faculty.

(4) Subject to paragraph (1) to (3), a medical board may deal with a case on a review in any manner in which they could deal with it on an original reference to them.

(5) On a review of an assessment under paragraph (2) of this regulation the period to be taken into account by any revised assessment may include any period not exceeding three months before the date of the application for the review if the medical board is satisfied that throughout that period there has been substantial unforeseen aggravation of the results of the relevant injury since the making of the assessment under review.

23.—(1) Subject to these regulations and to regulation 15 (3) of the Claims and Payments Regulations (part of disablement pension awarded

Review of decisions involving certain grants.

Review of decisions on disablement questions.

Interim Payments.

in respect of a period before the date of award etc.), benefit shall be payable in accordance with an award, notwithstanding that an appeal against the award is pending.

(2) Where it appears to the Manager that a question has arisen whether—

- (a) the conditions for the receipt of benefit payable under an award are or were fulfilled; or
- (b) an award of benefit ought to be revised in accordance with these regulations.

he may direct that payment of the benefit shall be suspended in whole or in part until that question has been determined.

24.—(1) Except where the claimant can prove that he was entitled to a benefit from an earlier date, where a decision is revised on review, so as to award a benefit other than a grant or so as to increase the rate of a benefit, such decision shall have effect from the date of application for review.

Commencement  
of Periodical  
payments on  
review.

(2) Where a claimant proves that he was entitled to a benefit from a date prior to the date of his application for review he may be paid such benefit from such earlier date if such earlier date is not earlier than—

- (a) six months prior to the date of his application for review;
- (b) the date on which the original award took effect or would have taken effect;
- (c) the date on which any material change of circumstance that led to the decision on review took place.

(3) For the purposes of this regulation, the date of the decision of the Manager that a matter should, under regulation 20(1), be reviewed shall be deemed to be the date of the application for review.

25.—(1) Where a grant is awarded by a decision on appeal or review in lieu of a pension previously awarded, such decision shall apply so that any payments made on account of such pension in so far as they do not exceed the amount of the grant shall be treated as having been made on account of the grant.

Adjustment of  
Benefit on  
appeal or review.

(2) Where any benefit other than a grant is awarded by a decision on appeal or review in lieu of another kind of benefit previously awarded, as respect any payments made on account of the benefit previously awarded the appeal or review decision shall apply so that—

- (a) in so far as the amount of the said payments does not exceed the amount of any arrears payable by way of the benefit awarded by the said decision such payments shall be treated as having been made on account of such arrears; and
- (b) to the extent by which the amount of the said payments exceeds the amount of the arrears, shall (except in so far as it is required to be repaid under this regulation) be treated as having been made on account of sums becoming payable after the date of the appeal or review decision by way of the benefit awarded thereby.

(3) Where on appeal or review a decision is reversed or revised so as to make a benefit previously awarded not payable or payable at a lower rate, the decision given on the review or appeal shall require repay-

ment to the Fund of any benefit paid in pursuance of the original decision to the extent to which such benefit—

- (a) would not have been payable if the decision on the review or appeal had been given in the first instance; and
- (b) cannot be treated as paid on account of benefit due after the decision on review or appeal.

(4) Where an appeal decision directing that a benefit previously awarded is not payable or is payable at a lower rate is followed by a review decision directing that benefit is payable or payable at a higher rate from a date prior to the appeal decision, any benefit paid before the appeal decision shall, to the extent to which it would not have been payable if the appeal decision had been given in the first instance, be treated as having been paid on account of benefit made payable for the same period by the review decision, except in so far as in pursuance of the appeal decision the benefit has been repaid or treated as paid on account of the benefit awarded by the appeal decision.

(5) Where, in accordance with a decision given on an appeal or review, any benefit is required to be repaid to the Fund then, without prejudice to any other method of recovery, such benefit shall be recoverable by deduction from any benefit then or thereafter payable to the person by whom it is to be repaid or from any benefit payable on his death.

#### PART IV MISCELLANEOUS

Decisions to be conclusive for purpose of proceedings in Court.

26. If in any proceedings before any court—
- (a) for an offence under the Ordinance; or
  - (b) involving any question as to the payment of any contributions under the Ordinance; or
  - (c) for the recovery of any sums due to the Fund;

any question arises which under the Ordinance is to be determined by the Board, the Manager, a medical board, an appeal tribunal or the Supreme Court, the decision by the appropriate determining authority shall, unless an appeal under these regulations is pending or the time for so appealing has not expired, be conclusive for the purpose of those proceedings.

(2) If in any proceedings mentioned in paragraph (1) of this regulation a decision on any question is required for the purposes of such proceedings but such decision has not been obtained, the question shall be referred to the appropriate determining authority, as the case may require, in accordance with the procedure prescribed in these regulations.

(3) Where any appeal as is mentioned in paragraph (1) of this regulation is pending, or the time for so appealing has not expired, or where any question has been referred for decision in accordance with paragraph (2) of this regulation, the court dealing with the case shall adjourn the proceedings until such time as a decision upon the question has been obtained.

Travelling or other allowances to certain persons

27. There shall be paid out of the Fund such travelling or other allowances as the Board may determine to persons required to attend—
- (a) and give evidence in accordance with regulation 3 or 14 of these regulations;

(b) before a medical board or medical referee for the purposes of these regulations.

28. Except where otherwise prescribed, any notice or other document required or authorised to be given or sent to any person under these regulations shall be deemed to have been given or sent if it was sent by post to that person at his ordinary or last known address.

Transmission of notices and documents.

29. Any summons to witnesses authorised or required to be issued under these regulations shall be delivered to the person concerned personally or by registered post and in the latter case, in proving service, it shall be sufficient to prove that the summons was properly addressed to the person concerned at his ordinary or last known address:

Delivery of summons to witnesses.

Provided that reasonable notice of the date, time and place of the hearing and of documents to be produced, if any, shall be given in the notice of summons.

30.—(1) Any person who, having been summoned to attend proceedings for the purpose of giving evidence and to produce documents in accordance with these regulations,

Offences and penalties.

- (a) refuses or omits, without sufficient cause, to attend on the date, at the time and the place specified in the summons served on him, or
- (b) refuses or fails without sufficient cause to answer, or to answer fully and satisfactorily, to the best of his knowledge and belief, all questions put to him by or with the concurrence of the Chairman or person so authorised under these regulations, or
- (c) refuses or omits without sufficient cause to produce books or documents mentioned or referred to in the summons served on him, which are in his possession or under his control,

shall be guilty of an offence and shall be liable on summary conviction to a fine not exceeding one hundred dollars:

Provided that no person giving evidence under these regulations shall be compelled to incriminate himself and every such person shall, in respect of any evidence given or document produced by him, be entitled to all the privileges to which a witness giving evidence or producing any document before the Supreme Court is entitled in respect of evidence given or document produced before that Court.

MADE this 15th day of December, 1980.

**ELJIO E. BRICENO,**  
*Minister of Local Government and  
Social Security,*

*Printed by the Government Printery.*