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## GRENADA

STATUTORY RULES AND ORDERS NO. 33 OF 2020

IN EXERCISE OF THE POWERS CONFERRED BY SECTIONS 42 AND 64 OF THE NATIONAL INSURANCE ACT, CHAPTER 205 THE MINISTER, ON THE WRITTEN RECOMMENDATION OF THE ACTUARY, MAKES THE FOLLOWING REGULATIONS—

(Gazetted 22nd May, 2020).

**1. Citation.** These Regulations may be cited as the

NATIONAL INSURANCE (UNEMPLOYMENT ASSISTANCE BENEFIT) REGULATIONS, 2020.

**2. Definitions.** For the purpose of these Regulations, the expression—

“COVID-19” means the Coronavirus Disease;

“Fund” means the National Insurance Fund established by section 3 of the Act;

“unemployed” means either laid-off or terminated as a result of the COVID-19 pandemic;

“Unemployment Assistance Benefit” means the benefit provided under these Regulations.

**3. Entitlement to Unemployment Assistance Benefit.**—(1) Subject to the provisions of these Regulations, Unemployment Assistance Benefit shall be granted to an unemployed person who qualifies for such benefit under these Regulations.

(2) For the purpose of these Regulations, a person shall not be treated as unemployed unless he or she satisfies the Director that—

- (a) he or she is involuntarily unemployed, as a direct result of the COVID-19 pandemic; and
- (b) his or her period of continuous unemployment amounts to not less than two weeks; and
- (c) he or she is capable of and available for work.

(3) For the purpose of computing a period of continuous unemployment mentioned under subregulation (2) (b)–

- (a) public holidays shall be included; and
- (b) one day per week shall be excluded.

**4. Conditions to be satisfied.**—(1) A person shall be entitled to receive Unemployment Assistance Benefit if–

- (a) immediately prior to 1st April, 2020, he or she was an insured person pursuant to section 24 of the Act;
- (b) immediately prior to 1st April, 2020, he or she was under the age of sixty;
- (c) he or she was insured for not less than thirteen contribution weeks;
- (d) he or she was employed for at least 8 contribution weeks in the 13 contribution weeks immediately preceding the contribution week in which the first day of the continuous period of unemployment;
- (e) he or she is unemployed;
- (f) he or she is resident in Grenada;
- (g) he or she is not eligible to receive any other publicly financed support related to the effects of the COVID-19 pandemic; and
- (h) he or she is not in receipt of Sickness Benefit, Maternity Benefit, Injury Benefit, Age Benefit or Invalidity Benefit.

(2) For the avoidance of doubt, there is no bar against a person being entitled to receive Unemployment Assistance Benefit in addition to receiving Disablement Benefit and the refund of medical expenses.

**5. Manner of claiming and support of claim.**—(1) A claim for Unemployment Assistance Benefit shall be made on the form approved by the Director and the employer must comply with such requirements as to the method and manner of claiming and the information and documents to be provided as the Director may determine.

(2) An employer shall complete the online form within one week of the date of termination of the employee.

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(3) Where an employer is unable to comply with the provisions of subregulation (2) within the times specified therein for reasons beyond his or her control, the employer shall so inform the Director and shall comply with these provisions within two weeks thereafter.

**6. Rate of Unemployment Assistance Benefit.** The rate of unemployment benefit is three hundred and thirty dollars per month.

**7. Method of payment.** The Unemployment Assistance Benefit shall be paid to an insured person by making a deposit to the bank account number specified in the form.

**8. Time for claiming.** The prescribed time for claiming the Unemployment Assistance Benefit is no later than the second week in each month for the period of six months.

**9. Duration of Unemployment Assistance Benefit.**—(1) Subject to regulation 4, Unemployment Assistance Benefit shall be payable from 1st May, 2020, for a maximum of six months or until the assigned ten million dollars from the Fund for payment of the Unemployment Assistance Benefit is exhausted, whichever occurrence comes earlier.

(2) Unemployment Assistance Benefit shall be paid monthly in arrears.

**10. Disqualification.**—(1) A claimant is disqualified from receiving Unemployment Assistance Benefit if he or she is otherwise engaged in gainful employment or if without good cause—

- (a) he or she refuses or fails to apply for suitable employment that is vacant after becoming aware that such position is vacant or is becoming vacant, or fails to accept such a position after it has been offered to him or her;
- (b) he or she neglects to avail himself or herself of an opportunity for suitable employment or makes no reasonable effort to obtain suitable alternative employment;
- (c) he or she fails to carry out any written directions given to him or her by the Director with a view to assisting him or her to find suitable employment, if the directions were reasonable having regard both to his or her circumstances and to the usual means of obtaining that employment; or

(d) he or she lost his or her employment by reason of his or her own misconduct or if he or she voluntarily left his or her employment.

(2) A person who attains the age of sixty on or after 1st April, 2020 but before the expiration of the period of Unemployment Assistance Benefit, is disqualified from receiving Unemployment Assistance Benefit in respect of the remainder of the period commencing the date on which he or she attained the age of sixty.

**11. Refund of benefit.**—(1) Any person who receives any sum by way of Unemployment Assistance Benefit to which he or she is not entitled shall be liable to repay to the Fund the sum received by him or her.

(2) Where any person is liable to repay any sum by virtue of subregulation (1), that sum may be recovered without prejudice to any other remedy, by means of deductions from any other benefit to which that person thereafter becomes entitled.

**12. Persons absent from Grenada.**—(1) A person shall be disqualified from receiving any Unemployment Assistance Benefit for any period during which he or she is absent from the state of Grenada.

(2) Notwithstanding subregulation (1), a person shall not be disqualified from receiving Unemployment Assistance Benefit by reason of being temporarily absent from the state of Grenada for the specific purpose of being treated for an illness which commenced before he or she left the state of Grenada, during such period as the Board may allow having regard to the particular circumstances of the case.

**13. Penalty.** A person who contravenes or fails to comply with these Regulations, commits an offence and is liable on summary conviction to a fine of five hundred dollars and or imprisonment for three months.

**14. Commencement and duration.**—(1) These Regulations shall be deemed to have come into force on the 30th day of April, 2020.

(2) These Regulations shall continue in force for a period of six months from the day of its commencement or until the assigned ten million dollars from the Fund for payment of the Unemployment Assistance Benefit is exhausted, whichever occurrence comes earlier.

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Made by the Minister this 21st day of May, 2020.

NICKOLAS STEELE  
*Minister with responsibility for  
Social Security.*

GRENADA

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