

**LAWS OF BARBADOS**

**DISPLACED WORKERS ALLOWANCES  
(BRIDGETOWN HARBOUR) ACT**

**CHAPTER 343**

**(SUBSIDIARY LEGISLATION)**

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**Displaced Workers Allowances (Bridgetown Harbour)**

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**Displaced Workers Allowances (Bridgetown Harbour)** Cap. 343.

**DISPLACED WORKERS ALLOWANCES  
(BRIDGETOWN HARBOUR) REGULATIONS, 1961**

*(Formerly Schedule to Act 1961-18)*

**1.** These Regulations may be cited as the Displaced Workers Allowances (Bridgetown Harbour) Regulations, 1961. Short title.

**2.** For the purposes of these regulations, unless the context otherwise requires, the following expressions shall have the meanings hereby respectively assigned to them— Interpretation.

“ the Act ” shall mean the Displaced Workers Allowances (Bridgetown Harbour) Act; Cap. 343.

“ the Board ” shall mean the Displaced Workers Allowances Board established under the provisions of the Act;

“ average weekly wages ” shall mean the average weekly wages of a displaced worker earned in his occupation as such over the period of three years immediately preceding his date of displacement;

“ date of displacement ” shall mean such date as the Board may determine to be the date on which any displaced worker has become unemployed as such as a direct result of the coming into operation of the Bridgetown Harbour.

**3.** No displaced worker shall have an absolute right to any allowances payable under the provisions of these regulations. Allowances not of right.

**4.** No allowances shall be paid under these regulations to any displaced worker unless— Circumstances in which allowances may be paid.

(i) he was employed in the occupation of a displaced worker prior to the first day of August, 1956; and

(ii) he was employed in such occupation for not less than an aggregate of two hundred and ten days during the period 1961 /147.

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of the three years immediately preceding his date of displacement:

Provided that for the purpose of determining the period of employment under this regulation, periods of illness certified as such to the satisfaction of the Board shall be counted as periods of employment.

Method of  
computing  
allowances.

**5.** Subject to the provisions of the Act and of these regulations, a displaced worker may be granted by the Board out of their funds an allowance computed on the basis of his average weekly wages at the following rates—

in respect of the first five years of service for each complete year of such service—

an allowance equal to the amount of his average weekly wages;

in respect of the next ten years of service, for each complete year of such service—

an allowance equal to twice the amount of his average weekly wages;

in respect of service thereafter, for each complete year of such service—

an allowance equal to three times the amount of his average weekly wages:

Provided that no allowance shall exceed an amount equal to seventy times the amount of his average weekly wages.

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**6.** An allowance or any part thereof that has been granted to a displaced worker under these regulations shall, in such manner as the Board may think fit—

- (a) be paid to the displaced worker in person; or
- (b) subject to paragraph (2) of this regulation, be payable to the dependants of the displaced worker where the displaced worker is dead or not in the Island; or
- (c) be paid to a dependant of the displaced worker for and on behalf of the displaced worker where for any reason other than the death of the displaced worker or his absence from the Island the Board is satisfied that it is not convenient for the allowance or part thereof to be paid to the displaced worker in person.

(2) In the event of an allowance or any part thereof being payable to dependants under and by virtue of paragraph (1) (b) of this regulation, such allowance shall be apportioned among the dependants or any of them in such proportion as the Board may think fit, or may, in the discretion of the Board, be allotted to any one of the dependants, and the sum so allotted to any dependant shall be paid to him or be invested, applied or otherwise dealt with for his benefit in such manner as the Board thinks fit.

7. If any displaced worker to whom an allowance is granted under these regulations is offered and refuses to accept suitable employment (the suitability of which shall be determined by the Board) subsequent to his date of displacement, such allowance shall cease forthwith.

Allowances may cease in certain circumstances.

8. (1) Where a displaced worker to whom an allowance has been granted under these regulations has obtained other employment, he shall, as soon as possible thereafter, report in writing to the Board the nature of such employment and the remuneration paid to him in respect of the said employment.

Duty of displaced worker to notify Board of subsequent employment.

(2) Any displaced worker who fails to furnish a report to the Board in accordance with the provisions of paragraph (1) of this regulation shall be guilty of an offence and be liable on conviction before a court of summary jurisdiction to a fine not exceeding one hundred and twenty dollars and in default of payment to imprisonment for a term not exceeding three months.

9. Where the Board is satisfied that a displaced worker to whom an allowance has been granted under these regulations has obtained other employment, the Board may grant him such portion of his weekly payment as may be determined by the Board; in which case no such weekly payment together with his earnings for any one week shall exceed his average weekly wages.

Allowances payable where displaced worker subsequently employed.

10. The Board shall have power to require and obtain from displaced workers and employers of displaced workers and from dependants information and particulars as respects any matter which is related to its functions under the Act or under these regulations.

Power to obtain information.

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Manner of  
obtaining  
particulars  
and  
information.

**11.** (1) Particulars and information to be obtained pursuant to regulation 10 of these regulations may be obtained in such manner and from such sources as the Board may determine, and it shall be the duty of the Board to prepare the schedules, forms or other documents required for the purpose.

(2) Without prejudice to the generality of the provisions of paragraph (1) of this regulation, the Board may—

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(a) require any displaced worker and the employer of any displaced worker as well as any dependant, to furnish to the Board any particulars or information authorised to be obtained under these regulations which may be available from the books or records of such displaced worker, employer or dependant;

(b) authorise any person to obtain on behalf of the Board any particulars or information authorised to be obtained under these regulations.

Obligation  
to furnish  
particulars  
and  
information.

**12.** Every person from whom particulars or information may lawfully be required pursuant to sub-paragraph (a) of paragraph (2) of regulation 11 of these regulations shall, to the best of his knowledge, when required to do so by the Board or any person authorised in that behalf by the Board, furnish in accordance with the instructions contained in or accompanying or having reference to any schedule, form or other document the particulars or information specified in that schedule, form or document.

Obligation  
to produce  
records, etc.

**13.** Any person from whom particulars or information may lawfully be required pursuant to sub-paragraph (a) of paragraph (2) of regulation 11 of these regulations and who is in possession or control of any record or document containing information authorised to be obtained under these regulations shall, upon the request of any person authorised in writing in that behalf by the Board, produce to that person the record or document.

Offences.

**14.** (1) Any person who—

(a) hinders or obstructs any duly authorised person in the execution of any power or duty conferred or imposed by these regulations; or

(b) (i) being a person from whom particulars may lawfully

be required pursuant to sub-paragraph (a) of paragraph (2) of regulation 11 of these regulations, refuses or neglects to fill up and supply the particulars required in any schedule, form or other document, or refuses or neglects to comply with any lawful request to produce a document or record, or to answer any question asked him, or furnish any information required from him under these regulations; or

- (ii) being any such person as aforesaid knowingly makes in any schedule, form or other document filled up or supplied or in any information furnished pursuant to these regulations, or in any answer to any questions asked him under the authority of these regulations, any statement which is false in any material particular,

shall be guilty of an offence and liable on conviction by a court of summary jurisdiction to a fine not exceeding one hundred and twenty dollars, and, in default of payment, to imprisonment for a term not exceeding three months.

**15.** (1) Any person, being a person authorised by the Board to carry out any function under these regulations, who—

Restriction on publication of information.

- (a) without the authority of the Board publishes or communicates to any person, otherwise than in the discharge of his functions under these regulations any information obtained by him in pursuance of these regulations; or
- (b) in exercise of such function knowingly compiles for the use of, or issues to, the Board any false particulars or information,

shall be guilty of an offence and liable on conviction by a court of summary jurisdiction to a fine not exceeding one hundred and twenty dollars, and, in default of payment, to imprisonment for a term not exceeding three months.

(2) The provisions of subparagraph (a) of paragraph (1) of this regulation shall not apply to the publication or communication of any information in the case of or for the purposes of a prosecution for a contravention of any of the provisions of these regulations.

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