

2015

**SOCIAL SECURITY
(AMENDMENT)**

S.R.O. 29

COMMONWEALTH OF DOMINICA

STATUTORY RULES AND ORDERS NO. 29 OF 2015.

REGULATIONS

Made by the Minister under section 26 of the Social Security Act,
(Chap. 31:01).

(Gazetted December 3, 2015.)

1. These Regulations may be cited as the –

Short title.

**SOCIAL SECURITY (REGISTRATION OF
EMPLOYEES AND EMPLOYERS) (AMENDMENT)
REGULATIONS, 2015.**

2. In these Regulations, “the Principal Regulations” means the Social Security (Registration of Employees and Employers) Regulations.

Interpretation.
Subsidiary Chap. 31:01.

3. Regulation 2 of the Principal Regulations is amended by inserting immediately after the definition of “employer”, the following:

Amendment of regulation
2 of Principal
Regulations.

““enterprise” means a sole proprietor, firm or partnership;

“Registrar” means the Registrar of Companies responsible for the administration of the Companies Act and the Registration of Business Names Act;”.

4. The Principal Regulations are amended by inserting immediately after regulation 4, the following new regulation 4A -

Insertion of Regulation
4A.

“Registration
through
Registrar.

4A. (1) Notwithstanding regulations 3 and 4(3), where the Registrar, by electronic means or otherwise -

(a) notifies the Director that –

(i) an application has been received by the Registrar for the incorporation of a company or for the registration of the business name of an enterprise,

(ii) the application includes a notification that it is intended that the company or enterprise shall have employees, and

(iii) the company has been incorporated or the business name of the enterprise has been registered; and

(b) provides the Director with such information as is required for the purposes of registration of the company or enterprise as an employer under the Act,

the Director may regard such notification and provision of information as if together they were an application for the registration of the company or enterprise as an employer under the Act.

(2) Where, in accordance with subregulation (1), the Director is notified of and is provided with information respecting the registration of a company or an enterprise as an employer under the Act, the absence or lack of persons in the employ of the company or enterprise, on the date of such notification and provision of information, shall not prevent registration of the company or enterprise as an employer under the Act.

(3) A company or enterprise referred to in subregulation (2) shall on the employment of its first employee register the employee in the form approved by the Director.

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(4) Where, on the basis of information provided by the Registrar under this regulation, the Director registers a company or an enterprise as an employer under the Act, the Director shall –

(a) forthwith, confirm to the Registrar that the registration has been effected; and

(b) upon registration of the first employee, issue a certificate of registration to the company or enterprise.

(5) The certificate of registration issued under sub-regulation (3)(b) shall be kept in the safe custody of the employer to whom it is issued and shall be produced for inspection at any reasonable time when so required by the Director or any authorised inspector of the Board.

(6) Regulations 4(5), (6), (7), (9), (10) and (11) apply with necessary modifications and adaptations to employers registered under the Act in accordance with this regulation and to their employees.”.

Made this 11th day of November, 2015.

JOHN COLLIN MCINTYRE
Minister for Social Security

DOMINICA

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