

OBJECTS AND REASONS

This Bill would amend the *Catastrophe Fund Act* Cap. 39D to

- (a) make provision for penalties in relation to persons who fraudulently obtain financial assistance under the Act; and
- (b) provide for the chief executive officer of the Financial Services Commission to be an *ex officio* member of the Catastrophe Fund Claims Committee.

Arrangement of Sections

1. Short title
2. Insertion of section 5A into Cap. 39D
3. Insertion of section 10A into Cap. 39D
4. Amendment of Schedule to Cap. 39D

BARBADOS

A Bill entitled

An Act to amend the Catastrophe Fund Act

ENACTED by the Parliament of Barbados as follows:

Short title

1. This Act may be cited as the *Catastrophe Fund (Amendment) Act, 2012*.

Insertion of section 5A into Cap. 39D

2. *The Catastrophe Fund Act, Cap. 39D, in this Act referred to as the principal Act, is amended by inserting the following section after section 5:*

“Reimbursement of agencies for work carried out

5A.(1) Where with the approval of the Committee,

- (a) a house has been provided by an agency to a person who is entitled to a grant under this Act; or**
- (b) repairs have been effected to a house owned by a person who is entitled to a grant under this Act,**

the Committee shall, instead of paying the grant to the person entitled, pay the amount of the grant to the agency, if the work was carried out to the satisfaction of the Committee.

(2) For the purposes of this section “agency” means

- (a) the Urban Development Commission established under the *Urban Development Commission Act, Cap. 241;***
- (b) the Rural Development Commission established under the *Rural Development Commission Act, Cap. 238;* or**
- (c) any ministry or department of Government charged with providing social services.”.**

Insertion of section 10A into Cap. 39D

3.(1) *The principal Act is amended by inserting the following section after section 10:*

“Offences

10A.(1) Any person who for the purposes of obtaining a grant under section 5 gives false information regarding

- (a) the value of the house;
- (b) the earnings of the owner of the house;
- (c) the occupancy of the house by the owner;
- (d) the type of house which is damaged or destroyed;
- (e) the manner in which the house was damaged or destroyed;

is guilty of an offence and is liable on summary conviction to a fine of \$50 000 or to imprisonment for 5 years or to both.

(2) For the purposes of this section, “house” means the house which an applicant claims, for the purposes of obtaining a grant under this Act, to have been damaged or destroyed by a catastrophe.

(3) Where a person is convicted of an offence under subsection (1), and that person obtained a grant under this Act, that person shall repay the full sum of the grant that was paid to him within such time as is fixed by the court.

(4) Where a person fails to repay the sum referred to in subsection (3) within the time fixed by the court, that person is guilty of an offence and is liable on summary conviction to a fine of \$50 000 or to imprisonment for 5 years or to both.

(5) Where an amount is paid to a person as a grant under this Act

- (a) that was not payable to that person; or
- (b) that exceeds the amount that was payable to that person,

that person to whom the amount was so paid shall be given notice in writing of the fact and shall be directed to repay the sums within such time as is fixed in the notice.

(6) Where a person fails to repay a sum that was paid in error or a sum that was paid in excess in the circumstances mentioned in subsection (5), that person is guilty of an offence and is liable on summary conviction to a fine of \$25 000 or to imprisonment for 3 years or to both.”

Amendment of Schedule to Cap. 39D

4. Paragraph 1 (1) (a) of the Schedule to the principal Act is deleted and the following is substituted:

“(a) the chief executive officer of the Financial Services Commission, *ex officio*”;