

OBJECTS AND REASONS

This Bill makes provision

- (a) for the establishment a statutory body to be known as the Social Empowerment Agency which shall
 - (i) deliver the highest quality of social services to empower vulnerable persons to live dignified and respectable lives;
 - (ii) perform the functions presently performed by the National Assistance Board, established by the *National Assistance Act*, Cap. 48;
- (b) the repeal of the *National Assistance Act*, Cap. 48; and
- (c) for matters related to paragraphs (a) and (b).

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BARBADOS

A Bill entitled

An Act to establish the Social Empowerment Agency in order to deliver the highest quality of social services to vulnerable persons and to empower them to live dignified and respectable lives.

ENACTED by the Parliament of Barbados as follows:

PART I

PRELIMINARY

Short title

1. This Act may be cited as the *Social Empowerment Agency Act, 2025*.

Interpretation

2. In this Act,

“Agency” means the Social Empowerment Agency established by section 4;

“Appeal Committee” or “Committee” means the Appeal Committee appointed under section 31;

“Board” means the Social Empowerment Agency Board established by section 15;

“child” means a person who is under the age of 18 years;

“Child Care Board” means the Child Care Board which was established by section 3 of the *Child Care Board Act, Cap. 381*, which was repealed by the *Child Protection Act, 2024*, (Act 2024-17);

“child care centre” has the meaning assigned to it by section 2 of the *Child Protection Act, 2024* (Act 2024-17);

“Executive Director” means the Director appointed under section 9;

“former Act” means the *National Assistance Act, Cap. 48*;

“former Board” means the National Assistance Board established by section 4 of the former Act;

“persons with disabilities” includes a person with an impairment, including physical, mental, intellectual, developmental or sensory impairments, which in interaction with various barriers may hinder full and effective participation in society on an equal basis with others;

“private care centre” means a care centre provided and maintained by a person or entity other than the Social Empowerment Agency or the Government which provides care services to children, adults and the elderly;

“social assistance” means relief granted to a person in accordance with this Act;

“social care centre” means a place where vulnerable persons are cared for and includes a centre for the elderly and persons with disabilities;

“social protection” means the set of policies and programmes aimed at protecting people against poverty, vulnerability and socio-economic exclusion throughout their life with particular focus on vulnerable persons;

“specified enactments” means the enactments specified in the *First Schedule*; and

“vulnerable person” means a person who by reason of socio-economic circumstances, age, risk of abuse, neglect or an emergency situation is assessed to be in need of social support and is unable to make adequate provision for personal needs.

Purpose

3. The purpose of this Act is to ensure the efficient and effective provision of social services in a holistic manner to empower vulnerable persons to live dignified and respectable lives.

PART II

ESTABLISHMENT, FUNCTIONS AND ADMINISTRATION OF AGENCY

Establishment of Agency

4.(1) The Social Empowerment Agency is hereby established.

(2) The Agency is a body corporate to which section 21 of the *Interpretation Act*, Cap. 1 applies.

Functions of Agency

5.(1) The functions of the Agency are

- (a) to administer the specified enactments;
- (b) to provide counselling services for vulnerable persons;
- (c) to investigate and address where necessary, the living conditions and needs of vulnerable persons;
- (d) to provide and maintain facilities for the care and protection of vulnerable persons;
- (e) to establish and maintain a register of vulnerable persons;
- (f) to advise the Minister on social protection mechanisms, the delivery of social assistance to vulnerable persons and any matter which the Minister may refer to it for advice;
- (g) to assist in the research and analysis of matters relating to vulnerable persons;
- (h) to manage gifts of money or property from individuals or organisations donated to it for the benefit of vulnerable persons;
- (i) advise on programmes developed for the training of persons involved in the care, training, education and rehabilitation of vulnerable persons;
- (j) facilitate the practicum component of persons who desire to enter the field of social work;
- (k) to assist in the formulation and development of policies and programmes designed to collect national data on vulnerable persons;
- (l) to monitor and implement schemes and projects for self-employment or regular employment for the generation of income for vulnerable persons;

- (*m*) recommend measures to the Minister to prevent discrimination against vulnerable groups;
 - (*n*) to monitor programmes and services designed for vulnerable persons and the compliance of vulnerable persons institutions' with the provisions of this Act; and
 - (*o*) to perform such other functions as may be necessary to carry out the provisions of this Act or any other specified enactment.
- (2) The Agency may,
- (*a*) with the approval of the Minister, provide for the terms and conditions of employment of the officers and staff; and
 - (*b*) subject to the approval of the Minister, make regulations generally for the conduct and management of any facility maintained by it under paragraph (*a*); and without prejudice to the generality of the foregoing the regulations may prescribe
 - (i) the procedure for admission to and discharge from such facilities; and
 - (ii) any fees payable for admission and care of vulnerable persons at such facilities.

Funds of Agency

6. The funds of the Agency shall comprise
- (*a*) moneys voted by Parliament for the purpose;
 - (*b*) moneys becoming payable to or vested in the Agency; and
 - (*c*) gifts to the Agency from any person, organization or body.

Application of funds

7. The Agency shall apply its money for
- (*a*) payment of its staff;

- (b) maintenance of its facilities;
- (c) making of grants to non-governmental organizations and charitable entities;
- (d) making grants to foster parents;
- (e) provision of social assistance to vulnerable persons; and
- (f) such other purposes as are necessary for performance of its functions under this Act.

Accounts

8. The Agency shall keep proper books of account of its revenues, expenditures, assets and liabilities in accordance with the international accounting standards and standing instructions issued by the Accountant-General under the *Public Finance Management Act, 2019* (Act 2019-1).

Staff and divisions of the Agency

9.(1) Subject to subsections (2) and (3), the Board may appoint and employ an Executive Director and such other staff as it considers necessary for carrying into effect of the provisions of this Act, at such remuneration and on such terms and conditions as the Minister approves in writing.

(2) Subject to this Act and to the *Statutory Boards (Pensions) Act*, Cap. 384, no provision shall be made for the payment of any pension, gratuity or other like benefit to any person employed by the Agency without the prior approval in writing of the Minister.

(3) For the purposes of this Act, the Agency may separate its operations into divisions, and each division shall be supervised by a director who shall be answerable to the Executive Director.

Role of Executive Director

10.(1) The Executive Director shall report to the Board and shall be responsible for

- (a) advising the Board on matters of social protection;
- (b) strategic planning, research and advocacy (including coordinating with local, regional and international organizations); and
- (c) collaborating with stakeholders, including social workers and their clients.

(2) Without prejudice to the generality of subsection (1), the Executive Director shall

- (a) keep such books, rolls, accounts, records and other documents as may be prescribed;
- (b) support the Ministry in emergency management preparation and response; and
- (c) perform, in accordance with any regulations or directions given by the Minister, any duties imposed upon the Minister under this Act and the specified enactments.

Pension rights and service with Agency

11.(1) Where a public officer is seconded or temporarily transferred from a pensionable office within the meaning of section 2(1) of the *Pensions Act*, Cap. 25 to perform any service with the Agency, the officer's service with the Agency shall, unless the President otherwise decides, count towards pension under that Act as if the officer had not been so seconded or transferred.

(2) Where a public officer is transferred to the service of the Agency in accordance with subsection (1), the Agency shall refund to the Consolidated Fund all moneys payable as pension in respect of the service of that officer with the Agency.

Employment of public officer and others

12.(1) A public officer who was employed by the former Board, the National Disabilities Unit or the Welfare Department and accepts employment with the Agency

- (a) shall be employed as a permanent employee on terms and conditions that are no less favourable than those on which the officer was employed before the commencement of this Act;
- (b) shall, upon accepting employment with the Agency, retain any right to pension, gratuity or other allowance for which the officer would have been eligible had the officer remained in the Public Service;
- (c) shall have service in the Public Service before the commencement of this Act aggregated with service in the Agency for the purposes of paragraph (d); and
- (d) the officer's right to pension, gratuity and other allowances shall be calculated in accordance with the *Pensions Act*, Cap. 25.

(2) A person, other than a person referred to in subsection (1) who was employed by the former Board, and who accepts employment with the Agency

- (a) shall be employed on terms and conditions no less favourable than those on which that person was employed before the commencement of this Act;
- (b) shall, upon accepting employment with the Agency, retain any right to pension, gratuity or other allowance for which the person was eligible when the person was employed by the former Board, before the commencement of this Act, and the person's service with the former Board, shall be aggregated with service of the Agency for the purposes of paragraph (c);
- (c) shall have the right to pension, gratuity or other allowance calculated in accordance with the *Statutory Boards (Pensions) Act*, Cap. 384.

(3) A person who was employed by the Child Care Board and accepts employment with the Agency

- (a) shall be employed on terms and conditions no less favourable than those on which that person was employed before the commencement of this Act;
- (b) shall, upon accepting employment with the Agency, retain any right to pension, gratuity or other allowance for which the person was eligible when the person was employed by the Child Care Board, before the commencement of this Act, and the person's service with the Child Care Board, shall be aggregated with service of the Agency for the purposes of paragraph (c);
- (c) shall have the right to pension, gratuity or other allowance calculated in accordance with the *Statutory Boards (Pensions) Act*, Cap. 384.

Borrowing powers

13. The Agency may, with the approval of the Minister responsible for Finance, borrow any money it requires for meeting any of its obligations or performing any of its functions and shall, in such a case, inform the Minister of

- (a) the amount and sources of the loan;
- (b) the terms and conditions on which the loan may be obtained; and
- (c) the solvency of the fund.

Guarantee of loans

14. The Government may, with the approval of Parliament, in such manner and on such terms and conditions as may be specified, guarantee a loan to the Agency together with any interest or other charges payable.

Establishment of Board

15.(1) The Social Empowerment Agency Board is established.

(2) The *Second Schedule* has effect with respect to the constitution of the Board and otherwise in relation thereto.

(3) The members of the Board shall be known as “directors”.

Functions of Board

16. The Board shall be responsible for

- (a) the policy, organization and administration of the Agency;
- (b) the appointment of staff to the Agency;
- (c) the management of the resources and contracts of the Agency;
- (d) the development of policies for the prudent, effective and efficient management of the Agency; and
- (e) the monitoring of the performance of the Agency in respect of the discharge of the Agency’s functions.

Delegation of functions by Board

17.(1) The Board may delegate such of its functions as it thinks expedient for the purpose of effectively transacting the business of the Board to the chairman, a committee of the Board or the Executive Director.

(2) The delegation of a function pursuant to subsection (1)

- (a) does not prevent the Board from discharging that function; and
- (b) may at any time be revoked by the Board.

Power of the Board to acquire real property

18. The Board has the right to acquire and hold any real property for the purposes for which the Board is constituted, and subject to the approval of the Minister, to charge, whether by mortgage, debenture or otherwise and to dispose of such property.

Protection of the Board and its members

19.(1) No act done or proceedings taken under this Act shall be questioned on the ground

- (a) of the existence of any vacancy in the membership of, or any defect in the constitution of, the Board; or
- (b) of any omission, defect or irregularity not affecting the merits of the case.

(2) No action, suit, prosecution or other proceedings shall be brought or instituted personally against any member in respect of any act done *bona fide* in pursuance of or execution or intended execution of this Act.

Conflict of interest

20.(1) A director who is in any way directly or indirectly interested in a contract or proposed contract with the Board or any other matter whatsoever in which the Board is concerned, shall declare the nature and extent of the interest at the first meeting of the Board at which it is practicable for the director to do so.

(2) A director shall not take part in any deliberation or decision of the Board with respect to any contract or proposed contract with the Board or any other matter with which the Board is concerned, in which the director has any pecuniary interest, whether directly or indirectly.

(3) For the purposes of this section, a director shall be treated as having an indirect interest in a contract or proposed contract with the Board or in any other matter with which the Board is concerned, if the director is

- (a) a director;
- (b) a shareholder;
- (c) a partner; or
- (d) an employee,

of a company or other association of persons that is a party to such other matter with which the Board is concerned.

(4) A director mentioned in subsection (1), (2) or (3) shall not vote on the contract or proposed contract or any other matter connected to that contract or proposed contract with which the Board is concerned.

(5) A director or any employee of the Agency shall not accept a gift or an advantage personally or on behalf of any person with whom the director has family, business or financial connections, if the acceptance would result or give the appearance of partiality by the director.

(6) Where a person to whom this section applies contravenes this section, the person is guilty of an offence and is liable on conviction on indictment to a fine of \$50 000 or to imprisonment for 3 years or to both.

Minister may give directions

21.(1) The Minister may in writing give general directions to the Board with respect to the performance of its functions, powers and duties under this Act or any other enactment, and the Board shall act in accordance with those directions.

(2) Subject to this section, the Board shall not be subject to the control or direction of any other person or body.

PART III

NATIONAL ADVISORY COMMITTEE

National Advisory Committee

22.(1) There shall be a National Advisory Committee.

(2) The *Third Schedule* shall have effect with respect to the constitution of the Committee and otherwise in relation thereto.

Functions of National Advisory Committee

- 23.** The National Advisory Committee shall
- (a) advise the Minister on matters relating to social assistance in relation to vulnerable persons, namely children, persons with disabilities, older persons and the indigent;
 - (b) promote the efficient and effective engagement and involvement of all sectors and organizations in implementing policies and strategies to empower and enhance the lives of vulnerable persons;
 - (c) to advise the Minister on the provision of any international treaty or agreement relating to the care and rehabilitation of vulnerable persons;
 - (d) advise on the creation and strengthening of partnerships for effective and efficient delivery of social services;
 - (e) advise on the mobilization of resources locally, regionally and internationally in pursuit of the implementation of the mandate of the Agency; and
 - (f) advise the Minister on any matters relating to vulnerable persons.

PART IV

SOCIAL ASSISTANCE

Provision of care centres

- 24.(1)** The Agency shall provide child care centres for the purposes of the *Child Protection Act, 2024* (Act 2024-17) and social care centres for the elderly and persons with disabilities.
- (2) Child care centres shall comply with the standards laid down by Part V of the *Child Protection Act, 2024* (Act 2024-17).

Provision of social services

25. Every vulnerable person in whose case the conditions laid down by this Act and the regulations for the receipt of social assistance are fulfilled shall be entitled to receive such social assistance under this Part so long as those conditions continue to be fulfilled and so long as the person is not disqualified under this Act or the regulations for the receipt of such assistance.

Assignment of social assistance void

26. Every assignment of or charge on and every agreement to assign or charge social assistance under this Part shall be void.

Processing of application for social assistance

27.(1) The Executive Director shall be responsible for all stages in the processing of applications for and the award of social assistance under this Part, including the payment thereof.

(2) An application for social assistance under this Part shall be in the prescribed form.

Right of Executive Director to enquire

28. The Executive Director may, if circumstances warrant, institute an enquiry into any matter.

Receipt of social assistance not to deprive of right, etc.

29. The receipt of social assistance under this Part shall not deprive the person of any right or privilege or subject the person to any disadvantage.

Appeal by aggrieved applicants

30.(1) Where the Executive Director makes a decision in relation to an application for social assistance the Executive Director shall notify the applicant of the decision in writing within 14 working days of the making of the decision.

- (2) Any applicant for social assistance who is aggrieved by any decision of the Executive Director may appeal to an Appeals Committee.
- (3) The Executive Director shall inform every applicant of the right of appeal under subsection (2).

Appointment of Appeals Committees

- 31.(1)** For the purposes of hearing and determining appeals under section 30, the Minister shall, annually after consultation with the Board, appoint such number of Appeals Committees as may be prescribed.
- (2) Appeals Committees shall have jurisdiction over such areas as may be prescribed.
- (3) Each Appeals Committee shall consist of 3 members, one of whom shall be a member of the Board, but no member of the Board shall be entitled to be a member of more than one committee.
- (4) Two members of each Appeals Committee shall form a quorum, one of whom shall be the member of the Board appointed to such Committee.
- (5) The members of the Appeals Committees shall be eligible for such remuneration as the Minister may determine.

Appeals Committee may confirm or vary decision

- 32.(1)** An Appeals Committee may confirm, vary or disallow any decision appealed against under this Act.
- (2) The decision of the Committee on the determination of any appeal under this Act shall be final and shall be communicated to the Executive Director within 3 working days of the decision.

PART V

MISCELLANEOUS

Transitional provisions

- 33.** Upon the commencement of this Act
- (a) all funds appropriated for the administration of the National Disabilities Unit and the Welfare Department shall vest, by virtue of this Act, in the Agency;
 - (b) all rights, powers, privileges and authorities relating to the administration of the National Disabilities Unit and the Welfare Department that were vested in and exercisable by the State, are vested in and exercisable by the Agency;
 - (c) all liabilities incurred by the State in respect of the administration of any of the bodies referred to in paragraph (b) and subsisting immediately before the commencement of this Act shall have effect as if they had been incurred by or on behalf of the Agency; and
 - (d) without affecting paragraph (c), all contracts made by or on behalf of the State in respect of the administration of any of those bodies and subsisting immediately before the commencement of this Act shall be deemed to have been made by or on behalf of the Agency and shall be construed with such modifications and adaptations as may be necessary to give effect to them.

Vesting of assets

- 34.** All assets vested in or held by the former Board are
- (a) transferred to and vested in the Agency and shall be managed and administered by the Agency for the purpose of this Act; and

- (b) by virtue of this Act and without further assurance, transfer or other formality, with effect from the commencement of this Act, shall be held by the Agency for the same estate and interest and to the same extent and in the same manner as the assets were vested in, or held by, the former Board immediately before the commencement of this Act.

Liabilities and proceedings

35.(1) All liabilities incurred by or on behalf of the former Board immediately before the commencement of this Act have, from such commencement, effect as if they had been incurred by or on behalf of the Agency.

(2) All civil proceedings commenced before the commencement of this Act in any court in Barbados by or against the former Board may be continued by or against the Board, and process in those proceedings may be amended accordingly.

Transfer of functions

36. All functions formerly discharged by the former Board, the National Disabilities Unit and the Welfare Department before the commencement of this Act are hereby transferred to and shall, from the commencement of this Act, be discharged by the Agency.

Definitions for the purposes of sections 34 and 36

37. For the purposes of sections 34 and 36,

“National Disabilities Unit” means the department of Government which, before the commencement of this Act, provided financial assistance and social welfare services to persons with disabilities; and

“Welfare Department” means the department of Government which, before the commencement of this Act, provided financial assistance and social welfare services for vulnerable persons.

Application of *Public Finance Management Act, 2019* (Act 2019-1)

38. The *Public Finance Management Act, 2019* (Act 2019-1) applies to this Act with such modifications and adaptations as circumstances require.

Exemption from duties and taxes

- 39.** Notwithstanding any other enactment, the Agency is exempt from
- (a) the payment of customs duties and any other duties or taxes on goods imported for its own use;
 - (b) the payment of any tax in respect of lands owned by the Agency;
 - (c) the payment of stamp duty on its documents; and
 - (d) the payment of income tax and any other tax imposed on income or profits of persons.

Offences

- 40.(1)** A person is guilty of an offence who
- (a) personates a member of the Board or a member of the staff of the Agency; or
 - (b) obstructs, insults or threatens any person referred to in paragraph (a) in the execution of the person's duties under this Act.
- (2) A person guilty of an offence under this section is liable on summary conviction to a fine of \$10 000, or to imprisonment for one year or to both.

Regulations

- 41.** The Board may, with the approval of the Minister, make regulations
- (a) respecting the premises, administration, management and staff of private care centres;

- (b) causing the circumstances of every applicant for or recipient of social assistance to be enquired into;
- (c) determining the nature and amount of social assistance whether in cash or in kind to be given to every applicant under this Act and any conditions or provisions to be attached thereto;
- (d) providing for the maintenance of adequate records of applications for social assistance and reports of the decisions thereon;
- (e) prescribing the procedure to be followed and the forms to be used for applications for social assistance;
- (f) providing for the appointment of Appeals Committees and matters incidental thereto;
- (g) prescribing the procedure to be followed and the forms to be used for appeals to an Appeals Committee under this Act;
- (h) prescribing the conditions for the eligibility for social assistance under Part IV;
- (i) prescribing the method and places of payment of any assistance granted under this Act;
- (j) prescribing anything that is authorized or required by this Act to be prescribed; and
- (k) generally for giving effect to the provisions of this Act.

Amendment of Schedules

42. The Minister may by order amend the *First Schedule*, *Second Schedule* and *Third Schedule*.

Consequential amendments

43. The enactments set out in Column 1 of the *Fourth Schedule* are amended in the respects set out opposite thereto in Column 2.

Repeal and savings

44.(1) The *National Assistance Act*, Cap. 48 is repealed.

(2) The *National Assistance Regulations, 1969* (S.I. 1969 No. 144) shall remain in force as if made under this Act in so far as they are not inconsistent with this Act, until revoked by any regulations made under this Act.

Commencement

45. This Act shall come into operation on a date to be fixed by Proclamation.

FIRST SCHEDULE

(Section 2)

Specified enactments

1. *Child Protection Act, 2024* (Act 2024-17)
2. *Rights of Persons with Disabilities Act 2025* (Act 2025-)

SECOND SCHEDULE

(Section 15(2))

Constitution of the Social Empowerment Agency Board

Appointment of directors

- 1.(1) The Board shall comprise 11 directors as follows:
- (a) the Permanent Secretary in the Ministry with responsibility for social protection, *ex officio* or nominee; and
 - (b) ten other persons appointed by the Minister with the approval of the Cabinet, at least 3 of whom possess expertise in the areas of child protection, elder affairs and the affairs of vulnerable persons.
- (2) A director, other than an *ex officio* director, shall, subject to the provisions of this *Schedule*
- (a) hold office for a term not exceeding 3 years; and
 - (b) is eligible for reappointment.
- (3) The Minister may appoint a director to be Chairperson, and another director to be Deputy Chairperson of the Board.

Remuneration of directors

2. The Minister may pay to
- (a) each director, in respect of office such remuneration and allowances; and
 - (b) the Chairperson and Deputy Chairperson, such remuneration and allowances,
- in addition to any remuneration or allowances to which that person may be entitled in respect of office as a director, as the Minister determines.

Affixing seal and authentication of documents

3.(1) The seal of the Agency shall be kept in custody of the Chairperson or the Deputy Chairperson or the person performing the functions of the secretary to the Board.

(2) The seal may be affixed to such contracts, agreements, instruments in writing and such other documents as the Board determines.

(3) All documents in subparagraph (2) made by the Board, shall be signified under the hand of the Chairperson or the Deputy Chairperson, in case of the absence of the Chairperson, as the case may be, and by at least one other director of the Board.

(4) All documents or instruments made by the Board, other than those required by law to be under seal, and all decisions of the Board shall be signified under the hand of the Chairperson or the Deputy Chairperson and by at least one other director of the Board.

Resignation

4.(1) The Chairperson may resign his office by instrument in writing addressed to the Minister.

(2) A director, other than the Chairperson, may resign office by instrument in writing addressed to the Chairperson, who shall forward the instrument forthwith to the Minister.

(3) A resignation takes effect from the date on which the Minister receives the instrument.

Temporary leave of absence

5. The Minister may in writing grant leave of absence to a director.

Temporary appointment

6. Where a director is, or is likely to be, unable to perform the functions of office for more than 30 days, whether as a result of absence from Barbados, illness or other cause, the Minister may appoint a person to act in the place of the director.

Revocation of appointment

- 7.** The Minister shall revoke the appointment of a director who
- (a) becomes of unsound mind or becomes permanently unable to perform functions by reason of ill health;
 - (b) is convicted of an offence involving fraud or dishonesty or, in the case of any other offence, is sentenced to a term of imprisonment;
 - (c) is guilty of serious misconduct in relation to the functions of director;
 - (d) is bankrupt or compounds with or suspends payment to his creditors; or
 - (e) fails to declare interest in a matter before the Board as required by section 20(1).

Vacancies

- 8.(1)** A vacancy in the membership of the Board arises on
- (a) the death or resignation of a director;
 - (b) the revocation of the appointment of a director; or
 - (c) the absence of a director from 4 consecutive meetings of the Board without the approval of the Minister.
- (2) A person who is appointed to fill a vacancy referred to in subparagraph (1) shall hold office only for the unexpired portion of the term of the former director concerned.

Disqualification of director

- 9.** A person who
- (a) is a member of Parliament;
 - (b) other than a person specified in paragraph 1(1)(a), is a public officer within the meaning of the *Public Service Act*, Cap. 29; or
 - (c) is a director, whose appointment shall be revoked pursuant to paragraph 7,

is not eligible to be a director.

Gazetting of appointments, etc.

- 10.** The appointment, resignation, removal from office or death of a director shall be notified in the *Official Gazette*.

Committees

- 11.(1)** The Board may appoint committees of its members or other persons to assist it with the proper discharge of its functions.
- (2) Where a person who is not a member of the Board is appointed to a committee, the Board may, with the approval of the Minister, determine the remuneration and allowances to be paid to the person.

Meetings

- 12.(1)** The Board shall meet as often as may be necessary or expedient for the transaction of its business and such meetings shall be held at such places and times and on such days as the Board may determine.
- (2) The Chairperson, or in the event of the Chairperson's absence from Barbados or inability to act as such, the Deputy Chairperson may, at any time call a special meeting of the Board and shall call such a meeting within 7 days

of the receipt of a request for the purpose in writing signed by not less than 3 directors.

(3) The Chairperson, or in the Chairperson's absence, the Deputy Chairperson shall preside at meetings of the Board.

(4) Where the Chairperson and the Deputy Chairperson are absent from a meeting, the directors present shall elect a director from among their number to preside at the meeting.

(5) Six directors shall constitute a quorum.

(6) The decisions of the Board shall be by a majority of votes and in a case where the voting is equal, the Chairperson or other person presiding at the meeting shall, in addition to an original vote, have a casting vote.

(7) Minutes of each meeting shall be kept by the person performing the functions of secretary of the Board or by such other officer as the Board appoints for the purpose and shall be confirmed by the Board and signed by the Chairperson or Deputy Chairperson at the next meeting of the Board.

(8) Minutes of each meeting shall be sent to the Minister no later than one week after confirmation.

Attendance of non-members at meetings

13.(1) The Board may invite any person to attend any of its meetings to assist or advise it with respect to any matter under its consideration, but a person so invited does not have a right to vote.

(2) Where any person is invited under subparagraph (1), the Board may by resolution determine and pay to such person such remuneration and allowances as are suitable and such sums shall properly be payable out of the resources of the Agency.

Board may regulate procedure

14. Subject to the provisions of this *Schedule*, the Board may regulate its own procedure.

THIRD SCHEDULE

(Section 22(2))

The National Advisory Committee

Membership of the National Advisory Committee

1.(1) The Committee shall comprise no more than 10 members as follows:

- (a) Permanent Secretary in the Ministry with responsibility for social protection, *ex officio* or nominee;
- (b) Executive Director of the Social Empowerment Agency, *ex officio* or nominee;
- (c) a representative of the Barbados Council of the Disabled;
- (d) a person with extensive knowledge and experience of working with persons with disabilities;
- (e) a person with extensive knowledge and experience in child protection;
- (f) a representative of the Barbados Association of Retired Persons;
- (g) a representative of the Salvation Army;
- (h) a representative of PAREDOS; and
- (i) at least 2 other persons representing stakeholder interests selected by the Minister.

(2) The members of the Committee other than the *ex officio* members shall be appointed by the Minister by instrument in writing.

Chairperson and Deputy Chairperson

2. The Minister shall appoint one of the members of the Committee to be Chairperson and another to be Deputy Chairperson, respectively.

Term of appointment

3. A member of the National Advisory Committee shall hold office for a period not exceeding 3 years and each member shall be eligible for re-appointment for a further period of 3 years.

Acting members

4. The Minister may appoint a person to act in the place of any member of the Committee who is temporarily unable to perform the functions as a member of the Committee.

Resignation of a member

5.(1) A member of the Committee, other than the Chairperson, may resign at any time by instrument in writing addressed to the Minister and transmitted through the Chairperson, and from the date of receipt by the Minister of such instrument such member shall cease to be a member of the Committee.

(2) The Chairperson may resign at any time by instrument in writing addressed to the Minister and such resignation shall take effect as from the date of the receipt by the Minister of such instrument.

Revocation of appointments

6. The Minister may at any time revoke the appointment of any member of the Committee as a result of the member's

- (a) inability to discharge the functions of office, whether arising from infirmity of body or mind or any other cause;
- (b) failure to discharge the functions of office in a competent manner;
- (c) misbehaviour; or
- (d) absence without leave from 3 consecutive meetings of the Committee.

Gazetting of appointments

7. The names of all members of the Committee as first constituted and every change in membership thereof shall be published in the *Official Gazette*.

Leave of absence

8. The Minister may on application of any member of the Committee, grant leave of absence to that member.

Authentication of seal and signature of documents

9.(1) The seal of the Committee shall be authenticated by the Chairperson or the Deputy Chairperson and may be affixed to instruments pursuant to a resolution of the Committee.

(2) All documents other than those required by law to be under seal, made by, and all decisions of the Committee may be signified under the hand of the Chairperson or the Deputy Chairperson authorized to act in that behalf.

Procedure and meeting of the National Advisory Committee

10.(1) The Committee shall meet at such times as may be necessary or expedient for the transaction of business, and such meetings shall be held at such places and times and on such days as the Committee shall determine.

(2) The Chairperson shall, at any time, call a special meeting of the Committee to be held within 7 days of a written request for the purpose addressed to the Chairperson by any 5 members of the Committee.

(3) Six members of the Committee shall constitute a quorum.

(4) The decisions of the Committee shall be by a majority of votes and, in addition to an original vote, the Chairperson, Deputy Chairperson or other member acting as Chairperson at the meeting shall have a casting vote in any case in which the voting is equal.

- (5) Minutes in proper form for each meeting shall be kept and shall be confirmed by the Chairperson or Deputy Chairperson as soon as practicable thereafter at a subsequent meeting.
- (6) Certified copies of such minutes when confirmed shall be forwarded to the Minister.
- (7) The validity of the proceedings of the Committee shall not be affected by any vacancy amongst the members thereof or by any defect in the appointment of a member.
- (8) Subject to the provisions of this *Schedule*, the Committee may regulate its own procedure.

Disclosure of interest

- 11.** A member of the Committee who is directly or indirectly interested in any matter which is being dealt with by the Committee shall
 - (a) disclose the nature of the interest of that member at a meeting of the Committee; and
 - (b) not participate in any deliberation or decision of the Committee with respect to that matter.

Remuneration and allowances

- 12.** The allowances of members of the Committee shall be determined by the Minister.

Appointment of subcommittees

- 13.(1)** The National Advisory Committee may appoint a subcommittee to examine and report on any matter arising out of or connected with any of its functions under this Act.
- (2) Any subcommittee shall consist of at least one member of the Committee and such other persons, whether members of the Committee or not, whose assistance or advice the Committee may desire.

- (3) The remuneration and allowance of a person appointed to a subcommittee who is not a member of the Committee shall be payable out of the funds and resources of the Committee with the approval of the Minister.
- (4) The Committee may by resolution reject the report of any such subcommittee or adopt it either wholly or with such modifications as the Committee may think fit.

FOURTH SCHEDULE

(Section 43)

Consequential Amendments

| Column 1 <i>Enactments</i> | Column 2 <i>Amendments</i> |
|--|--|
| 1. <i>Child Protection Act, 2024</i> (Act 2024-17) | <p>1. In section 2,</p> <p>(a) delete the definitions “Authority”, “Board” “child care centre” and “Director”; and</p> <p>(b) insert the following definitions:</p> <p>“ “Agency” means the Social Empowerment Agency established by section 5 of the <i>Social Empowerment Agency Act, 2025</i> (Act 2025-) ;</p> <p>“Board” means the Social Empowerment Agency Board established by section 16 of the <i>Social Empowerment Agency Act, 2025</i> (Act 2025-) ;</p> <p>“child care centre</p> <p>(a) means a place</p> <p style="padding-left: 40px;">(i) where a child is cared for; or</p> <p style="padding-left: 40px;">(ii) approved by the Minister to provide for the care of a child; and</p> <p>(b) includes</p> <p style="padding-left: 40px;">(i) an assessment centre;</p> <p style="padding-left: 40px;">(ii) a foster home;</p> <p style="padding-left: 40px;">(iii) a children’s home</p> <p style="padding-left: 40px;">(iv) a residential care centre;</p> <p style="padding-left: 40px;">(v) a secure residential treatment centre;</p> <p style="padding-left: 40px;">(vi) a training centre; and</p> <p style="padding-left: 40px;">(vii) such other facility as may be necessary;</p> <p>“Director” or “Director of Child Protection” means the Executive Director of the Agency;”.</p> |
| | 2. Delete section 8 and substitute the following: |

“Administration

8. This Act shall be administered by the Social Empowerment Agency established by section 5 of the *Social Empowerment Agency Act, 2025* (Act 2025-)”.

”.

3. Delete sections 10, 11, 13, 14, 15, 18, 19, 20 and 21.

4. Delete the *First Schedule*.

5. Delete the word “Authority” wherever it appears and substitute the word “Agency”.

2. *Public Finance Management Act, 2019*
(Act 2019-1)

In the *First Schedule*,

(a) delete paragraph 14; and

(b) insert immediately after paragraph 18, the following:

“ **18A.** Social Empowerment Agency.”.

3. Statutory Boards
(Pensions) Act, Cap. 384

In the *Second Schedule*, insert immediately after paragraph 18, the following:

“18A. The Social Empowerment Agency (established by the *Social Empowerment Agency Act, 2025* (Act 2025-)”).”.

Read three times and passed the House of Assembly this
day of _____, 2025.

Speaker

Read three times and passed the Senate this _____ day of
_____, 2025.

President