

*THE NATIONAL SOCIAL SECURITY AND
INSURANCE TRUST ACT, 2001
(Act No. 5 of 2001)*

THE NATIONAL SOCIAL SECURITY AND INSURANCE TRUST
REGULATIONS, 2004

Short

In exercise of the powers conferred on him by section 60 of the National Social Security and Insurance Trust Act, 2001, the Minister of Labour, Social Security and Industrial Relations hereby makes the following Regulations:—

PART I—REGISTRATION

1. (1) Every employer or self-employed person shall, within thirty days after the date on which these Regulations come into force or such other date as from which the Act begins to apply to him complete and forward to Director-General Form SS2A or Form SS3, as the case may be, prescribed in the Schedule.

Registr
of
employ

(2) An establishment which consists of several branches, departments, sections, sub-offices, depots, stores, whether situated in the same place or in different places shall, for the purposes of the Act, be deemed to be one and the same establishment and the Act shall apply to all employees therein.

2. Every employer or self-employed person who changes his business name, address or location shall furnish the Director-General with his new business name, address and location within ten days after the change.

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name, etc

3. The Director-General shall issue a social security registration number to every employer or self-employed person from whom he has received Form SS2A or SS3, as the case may be and shall notify the employer or the self-employed person of the number.

4. (1) Every employer shall require every employee of his to complete the appropriate parts of Form SS1A prescribed in the Schedule, which shall be certified by an Inspector of the Trust.

(2) Where an employee is unable to complete the form himself he shall supply the employer or his authorized agent with the necessary particulars for the completion of the form.

(3) A self-employed person may register by completing Form SS1A or Form SS3, as the case may be, certified by an Inspector of the Trust and such other Form as the Director-General may require.

5. The Director-General shall cause to be given to each employee upon registering, a Social Security registration number, which shall be incorporated into the Social Security Identification Card.

6. An employee who is already a member of the scheme shall produce his certificate of membership to every new employer, or where the certificate is lost, he shall produce such other evidence of his membership and registration number as he may possess.

7. (1) An employer shall notify the Director-General within thirty days after an employee ceases to be employed by him.

(2) An employer shall notify the Director-General within thirty days after the establishment ceases to operate.

(3) An employee may also report to or notify the Director-General of the matters specified in sub-regulations (1) and (2).

PART II—CONTRIBUTIONS

8. (1) Every employer or self-employed person shall pay into the Trust the contributions prescribed under section 25 of the Act within fifteen days after the end of the month to which the contributions relate. Payment of employment contribution

(2) If a person is currently employed by two or more contributing employers in the same contributing period, the total of all such contributions shall be credited to such person under the same social security membership.

9. Notwithstanding anything in any law to the contrary, a person who assumes responsibility as an employer of an establishment shall be held responsible for the payment of any contribution or other monies due to the Trust and the submission of any document to the Director-General in respect of which the previous employer was in default. Employer's obligation under Act and Regulations.

10. The payment of contributions and other monies due to the Trust shall be made— Manner of payment.

(a) at the nearest Area Office of the Trust;

(b) by money order, postal order, crossed cheque bearing the words "A/C Payee Only" or draft drawn on any Bank in Sierra Leone made payable to the Trust and delivered to the Head Office of the Trust or the nearest office of the Trust or at any approved point; and

(c) in such other manner as the Director-General may from time to time authorize in writing in any particular case or class of cases.

11. (1) All payments or contributions to the Fund shall be accompanied by Form SS4A duly completed or by such other forms, diskettes or other communication media as the Director-General may authorize in writing.

(2) An employer or self-employed person may make one consolidated payment for all his branches, sub-offices and depots if separate contribution schedules are furnished in respect of each branch, sub-office or depot, and the amounts in respect of each unit are distinctly indicated.

12. The contribution schedule referred to in regulation 11 shall disclose such information as may be required including the following:—

- (a) the employer's name, location and postal address and registration number;
- (b) the manner of payment of the contribution;
- (c) the name and registration number of each employee;
- (d) the employee's earnings;
- (e) the contribution deducted from his earnings;
- (f) the employer's contribution in respect of that worker; and
- (g) the total of all contributions due to the Trust for the period concerned.

13. No receipt other than the official receipts in Form SS4B dated, stamped and endorsed by an authorized Trust official shall be sufficient to discharge payment in respect of contributions or other monies owed to the Trust.

14. (1) Where the Director-General is satisfied that any amount has been paid to the Trust which was not due, he may, subject to these Regulations, refund the amount to the person entitled to it but no refund shall be made where the member of the scheme or his dependants have already been paid the amount as benefit. Refund of contribution and other payments not due.

(2) The Director-General may withhold the whole or any part of the amount referred to in sub-regulation (1) against any monies due to the Trust from the person to whom the amount concerned would otherwise have been paid.

(3) The Director-General may require the person who made an undue payment to make a written application for a refund and to furnish such information as may be necessary to determine the amount of the undue payment and the circumstances in which it occurred.

(4) If a person is concurrently employed by two or more contributing employers in the same contribution period, the total of all such contributions shall be credited to such person under the same social security membership number, within that period.

15 (1) Any employer shall keep records of pay showing in respect of every employee the name of the employee, the employee's social security registration number, the pay of the employee and the deductions of the contribution to the Trust. Record of pay.

(2) Sub-regulation (1) shall apply with the necessary modifications, to the records of earnings which a self-employed person shall keep.

16. The employer or self-employed person shall preserve the records referred to in regulation 15 for a minimum of twelve years after the end of the period to which the pay relates. Preservation of records.

17. The Trust shall maintain for each employer records showing contributions paid by him and those due from him. Employer's record of contributions.

18. The Trust shall maintain in respect of each member a record of payments of contributions made by and on behalf of the member.

PART III—FORMS

19. (1) Any document used in connection with the scheme, which requires the signature of a member of the scheme, may be signed with his written signature authenticated by a clear impression of his right thumb.

(2) The thumb impression and the signature, if any, shall in the case of the member's part of Form SS1B, prescribed in the schedule, be witnessed and countersigned by the employer or by an authorized representative of the employer or self-employed person or by an authorized representative of the Director-General:

Provided that—

(a) where for any reason it is not possible to furnish the right thumb impression of the member he may furnish a clear impression of his left thumb;

(b) where for any reason it is not possible for the member to furnish any thumbprint, the Director-General may accept such other mark or identification as he thinks fit.

20. (1) A member who has made any change as to dependants to an extent that will affect the payment of survivor's pension must complete Form SS1C prescribed in the Schedule.

(2) The employer shall —

(a) afford the member every facility for the purposes of sub-regulation (1);

(b) forward the completed form to the Director-General; and

- (c) obtain and hand over to the member the Director-General's acknowledgement of the form.

(3) An updated form which does not reach the Trust before the occurrence of death of a member shall not be considered valid for the purposes of paying survivor's benefit.

21. (1) The Director-General may, where the original certificate of membership of a member is lost and after conducting any investigations as he thinks necessary into the loss, issue a duplicate certificate of membership to the member on payment of a fee to be determined by the Board annually. Duplicate certificate member

(2) The duplicate certificate shall be endorsed with the word "DUPLICATE".

22. Every member shall furnish to his employer all information and produce any documents necessary for the completion of returns prescribed by these Regulations and required to be made by his employer. Employee furnish information to employ

23. (1) If the Director-General has cause to believe that any document required under these Regulations is incomplete, inaccurate or is not clear enough to identify the person concerned, he may return the document to the sender. Incomplete or inadequate document.

(2) The sender shall comply with all lawful directives given to him by the Director-General and shall, within ten days after the receipt by him of the document complete and forward to the Director-General a fresh document in place of the original or return the original document corrected and authenticated as may be required by the Director-General.

24. (1) A form or document used in connection with the Scheme shall not be deemed invalid by reason only of the inclusion therein of additional matter or of any variation in its wording by the Director-General or his representative. Variation of forms.

(2) Any form prescribed by these Regulations may be altered or amended by the Director-General or his representative to suit any particular case and shall be valid for all purposes.

25. Any form prescribed in the Schedule but not specifically referred to elsewhere in these Regulations may, where necessary, be used for the purposes for which the form is designed.

26. (1) The forms prescribed under these Regulations may be obtained from the Director-General or any other officer as may be notified for the purpose upon the payment of a fee where applicable.

(2) Any delay in the receipt of any prescribed form from the Director-General shall not absolve the employer or self-employed person from his responsibility for making any payment to the Trust on the due date and any failure to make any payment shall be deemed a contravention of these Regulations accordingly.

PART IV—BENEFITS

27. An application for a benefit under the Act shall be made on the appropriate form prescribed in the Schedule and delivered to the Director-General.

28. (1) An application for old age pension shall be made on Form SS5A prescribed in the Schedule.

(2) An application for old age pension shall be made three months prior to the date of retirement of the member.

(3) Sub-paragraph (1) and (2) shall apply to an application for any benefit under section 40, 41 or 42 of the Act.

29. Any reduced pension payable to a member who voluntarily retires before the age of 60 shall be equivalent to a full pension reduced by 4 percent for each year below the age of 60.

40. The Board shall, not later than six months after the end of each financial year, submit to the Minister an annual report, including a balance sheet, and income and expenditure account.

41. Actuarial evaluation of the scheme shall be submitted by the Board to the Minister every three years for the first ten years and then every five years thereafter.

PART VI—APPEALS FROM DECISION OF TRUST

42. (1) Any person dissatisfied with an initial determination of a claim about entitlement to a benefit under the Act may lodge an appeal with the SSAT disclosing the following:—

- (a) full name and, if the appellant is a member his membership registration number;
- (b) the grounds on which he disputes the previous determination or decision;
- (c) a statement of any additional evidence to be submitted and the date of submission.

(2) An appeal referred to in sub-regulation (1) shall be lodged within thirty days from the receipt of the decision being appealed against.

(3) The members of the SSAT shall be remunerated per sitting at the rates payable to the members of the Board.

43. (1) Any person dissatisfied with an initial decision of the Medical Board under the Act may lodge an appeal with the M. A. T. disclosing the following:—

- (a) full name and if the appellant is a member, his membership registration number;



To the Director-General
National Social Security and Insurance Trust
NASSIT
Private Mail Bag 424
Freetown

Cheque No.:.....
Date:.....
Originating Office:.....

Acknowledgement of Receipt of Benefit Payment

Received the sum of..... Leone

(Le)..... Cents (c).....

Being the amount in respect of..... benef

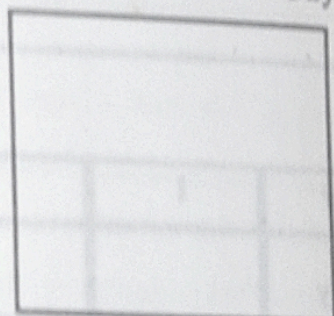
Name of Member.....

Name of Payee.....

Right Hand Thumb Print of Payee

Signature of Member.....

Signature of Others.....



EXEMPT

FROM

STAMP DUTY

Member's Registration Number:.....

For use in Director-General's Office Only

The above amount was authorised by:.....

on the.....



**Authority to receive the Amount of Benefit
on behalf of Claimant**

Important:

*When completed the Form must be Stamped a Power of Attorney
Under the Stamp Duties Ordinance*

Social Security Number

For Official Use Only

Cheque No.:

Date of Cheque:

To Whom it may Concern

The undersigned being the person entitled to benefit on a return of contributions on the above described Account hereby authorise.

Mrs./Miss..... whose signature

thumb Impression are here under affixed to receive on my behalf the sum due to me for which sum the receipt of above name person shall be a proper discharge

Witnessed this..... day of.....

Issued in the presence of.....

Address.....

Status or Title.....

Signature of Entitled Person

Thumb Print of Claimant

Signature of Authorised Person

R
T
P

When the person given the authority cannot read and write English, the following certificate should also be:

and certify that this authority, before been signed by the said.....

has been first audibly clearly and distinctly read over and explained to him/her in my presence and hearing. W

said person appeared perfectly to understand same and made his/her mark here to

Signature of Witness.....

Form to be signed in the presence of a Person of the following classes

Registered Medical Practitioner

FORM SS 8

REPUBLIC OF SIERRA LEONE

NATIONAL SOCIAL SECURITY AND INSURANCE TRUST

ACT NO. 5 (2001)

CLEARANCE CERTIFICATE



rtify that.....

ied with the National Social Security and Insurance Trust Act No. 5 (2001)

ificate is valid from.....

To.....

- 4. A Senior Civil/Public Servant
- 3. An Officer-in-Charge of Police District
- 2. A Justice of the Peace
- 6. An Advocate or Solicitor
- 7. Employer
- 8. A Consul or Officer of no less status outside Sierra

MADE this 12th day of December, 2003.

ALPHA O. TIMBO,
*Minister of Labour, Social Security
and Industrial Relations.*

ALPHAD. TIMBO
Minister of Labour, Social Security
and Industrial Relations

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