

CHAPTER 332**THE POOR RELIEF ACT**

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POOR RELIEF*(15th June, 1961.)*

3/1960.
1811989.
S.I. 3911989.

1. This Act may be cited as the Poor Relief Act.

Short title.

2. In this Act—

Interpretation.

"Board" means the Board of Guardians of the Poor appointed under section 3;

"poor and destitute person" means any and every person who, by reason of infancy, old age, illness, disease, bodily infirmity or mental incapacity, is unable to maintain himself or herself.

BOARD OF GUARDIANS OF THE POOR

Board of
Guardians:
establishment of.

3. (1) For the purposes of this Act, there shall be established a Board, to be called the Board of Guardians of the Poor.

(2) The Board shall consist of a chairman and not more than six other members, to be appointed by the Cabinet, who shall hold office during their pleasure, and for a period of not more than three years:

Provided that at the expiration of his period of office, any such person may be re-nominated to be a member of the Board:

Provided also that the Minister may remove any such person and nominate any other person in place of a member so removed, or in place of any member dying or resigning, or becoming incapable to act, or being absent from Antigua and Barbuda, or failing to attend the meetings of the Board for three consecutive months.

Acting
Chairman.

(3) The members present at any meeting may, in the absence of the chairman, elect any member to act as chairman of such meeting.

Quorum.

(4) At any meeting of the Board, any three members shall form a quorum, and the chairman or acting chairman, as the case may be, shall have a second or casting vote.

Secretary.

(5) The Governor-General may appoint a secretary to the Board who shall keep the minutes and accounts and conduct the correspondence of the Board, and who shall be the Relieving Officer, and perform the duties of that office and all such other duties as may be assigned to him by the chairman.

(6) The Governor-General may appoint such other **Other officers.** officers as may be necessary for the purposes of this Act at such salaries as the Governor-General, with the consent of Parliament, may from time to time direct.

4. Subject to any instructions which may from time to time be issued to the Board by the Cabinet it shall be the duty of the Board— **Duties of the Board.**

(a) to administer and control all public monies appropriated for the following purposes—

- (i) outdoor pauper relief;
- (ii) assistance to discharged pauper patients from the Mental Hospital;
- (iii) funeral expenses of paupers;
- (iv) maintenance of discharged lepers, or for any other purpose as may be approved by the Cabinet.

(b) to co-operate with voluntary associations in administering relief to poor and destitute persons;

(c) to control generally all matters relating to the relief of poor and destitute persons; and

(d) to meet not less than once in every month and at such other times as meetings of the Board may be convened by the chairman thereof.

5. The Board shall keep a book showing in detail the **Relief Book.** name of every poor and destitute person who receives relief from its funds, the amount of the allowance to each such poor and destitute person, the commencement and termination of such allowances, the name of the person to whom each payment was made, and the total amount of each weekly distribution.

6. The Board shall keep a record of its proceedings, in which shall be entered minutes of all meetings held by the Board, or by any committee appointed by the Board and all resolutions passed and orders made by the Board and all other matters which the Board may judge proper; and the Board shall once in every year submit to the Minister a general report of its proceedings, which report shall con- **Board to record its proceedings and make annual reports.**

rain in particular a full statement as to the condition and management of poor and destitute persons throughout Antigua and Barbuda; and every such report shall be laid before Parliament at its first meeting after receipt of the same by the Minister.

Powers of the Board.

7. (1) The Board may summon before it such persons as it may think necessary for the purpose of being examined upon any matter relating to any of its duties under section 4 or any other matter placed by law under its control.

(2) The Board may appoint sub-committees for such purposes as it may deem fit.

(3) The Board may, with the approval of the Cabinet, make rules for regulating its own proceedings and for such other matters as may be necessary for the proper carrying out of this Act.

(4) All rules made under this section shall be published in the Gazette.

RELIEF

Persons entitled to relief.

8. Any person who, in the opinion of the Board, is a poor and destitute person will be entitled to relief under this Act:

Provided that under exceptional circumstances of destitution arising from drought, epidemic disease or such like causes, the Board, with the approval of the Cabinet, may afford temporary relief to persons who are not poor and destitute persons.

Poor and destitute persons to be relieved.

9. (1) In every case in which a person shall apply for relief, the Relieving Officer shall make enquiry into the circumstances of the applicant, and shall, if he appears to the Relieving Officer to be a person legally entitled to relief, furnish him with interim means of subsistence until the next meeting of the Board; and such Relieving Officer shall continue to afford such person such interim maintenance as may be necessary until his claim to relief be dealt with by the Board; and the Relieving Officer shall return an answer to such application within forty-eight hours from the time that it was made:

Provided that if the necessary means of support are afforded to the applicant in the meantime, the Relieving Officer may delay giving a final answer to such application for any period which to him may seem necessary for prosecuting his enquiries:

Provided also that any applicant as aforesaid shall give to the Relieving Officer and the Board all information and assistance which it is in his power to give on every matter regarding his case which the Relieving Officer or the Board may desire to ascertain.

(2) It is hereby declared that it is no answer to a claim for relief that the claimant has relatives able or bound to support him, and assistance cannot be refused ~~when~~ the applicant is in such a state of necessity bodily or mentally, as fairly entitles him to relief. In all such cases it shall be the duty of the Relieving Officer to provide the needful sustentation in the first instance, and afterwards to proceed against those persons who are bound by law to alimant or assist the person relieved.

10. All allowances granted under the authority of this Act shall be paid weekly or fortnightly at such place or places and on such days as the Board shall from time to time name for the purpose. The payments shall in all cases when practicable, be paid to the grantee personally, and when not practicable the payment shall be made to someone authorized to receive the same, but the Board shall in the latter case through the Relieving Officer ascertain if each sum has been duly received by the grantee.

Time and manner of paying relief.

11. When any person to whom relief shall have been granted under this Act shall, either at the time of such relief being granted or afterwards, own or be possessed of any property, the amount expended under this Act in the relief of such person, and the expenses of the burial of such person, if dead, shall be deemed to be a debt due from such person and his personal representatives, executors and assigns to the Crown and shall be recoverable by the Crown according to law:

Liabilities of person's property for his relief.

Provided that nothing herein contained shall relieve any person from any criminal liability which he would incur if this section were not law.

Liabilities of
relatives of poor
and destitute
person for his
relief.

12. (1) For the purposes of this Act every husband shall be liable to maintain his wife and every child under the age of fourteen years, whether legitimate or illegitimate, that she may have at the time of her marriage with him; every father to maintain his child; every grandparent his grandchild; every widow her child; and the father and mother of every child born out of wedlock their child born out of wedlock, until such child, grandchild and child born out of wedlock respectively shall attain the age of fourteen years, and when any poor and destitute person shall through old age, infirmity or other defect be unable to support himself, every child and grandchild of such person shall be liable according to his ability to maintain such poor and destitute person:

Provided that nothing herein contained shall be taken to extinguish or lessen any obligation which the law imposes upon any husband or parent in regard to the maintenance of his wife or children, legitimate or illegitimate, independent of the provisions of this subsection.

(2) If any person made liable by this section to maintain any other person shall neglect or refuse so to do, then on complaint made by the Relieving Officer in his official name it shall be lawful for any Magistrate, if satisfied of the ability of the party to make such payment, to order such party to repay to the Board any amount expended under this Act in the relief of the person whom such party is so made liable to maintain, and in default of payment to deal with such party under the Magistrate's Code of Procedure Act as though such order were a conviction within the meaning of the said Act.

(3) If in any proceedings brought under or by virtue of this section the parentage of any child born out of wedlock shall be disputed by the reputed father thereof, the evidence of the mother shall not be deemed sufficient, unless corroborated in some material particular by other testimony.

MISCELLANEOUS PROVISIONS

Recovery of
burial expenses.

13. (1) It shall be lawful for the Board in any case where it may appear expedient to pay the cost of, and expenses incidental to, the funeral of any person, and to recover the amount so paid from the person who under this

Act was liable for the maintenance of the deceased person, or from any person intermeddling with or taking possession of any property of such person.

(2) If any person made liable under this section to repay the cost of burying any person shall neglect or refuse to do so, then on complaint made by the Relieving Officer in his official name it shall be lawful for any Magistrate, if satisfied of the ability of the party to make such repayment, to order such party to repay to the Board any amount expended under this Act upon such burial and in default to deal with such party under the Magistrate's Code of Procedure Act, as though such order were a conviction within the meaning of the said Act.

14. All actions, suits, complaints, prosecutions and other proceedings by the Board may be commenced and carried on by the Relieving Officer without naming him or by any other person appointed by the Board, as the case may be, and all penalties imposed by this Act shall be recovered and enforced under the provisions of the Magistrate's Code of Procedure Act.

Relieving Officer to sue for the Board. Recovery and enforcement of penalties.

15. Every person who gives false information, knowing the same to be false, in connection with any inquiry or the obtaining of any information for the purposes and under the authority of this Act, shall be guilty of an offence against this Act and liable on summary conviction to a fine not exceeding one thousand dollars.

Penalty for giving false information.

16. It shall be lawful for any member of the Board, the secretary of the Board and for any other officer appointed under the authority of this Act, to enter any premises at any time between eight o'clock in the morning and six o'clock in the evening for the purpose of making enquiries in connection with the relief of poor and destitute persons.

Power of entry.

17. The Cabinet may make regulations for carrying into effect the provisions and purposes of this Act.

Regulations.