



**BERMUDA  
1971 : 22**

**SOCIAL WELFARE ACT 1971**

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FIRST SCHEDULE

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SECOND SCHEDULE

Amendment of Acts *[omitted]*

THIRD SCHEDULE

## **SOCIAL WELFARE ACT 1971**

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Amendment of statutory instruments [*omitted by 1972:3*]

[14 April 1971]

[*preamble and words of enactment omitted*]

### **Interpretation**

1 (1) In this Act, except where the context otherwise requires—

"local authority" means a municipal corporation or a parish council;

"the Minister" means the Minister for the time being responsible for social services and related matters;

"social welfare organization" means any society or association of persons the purposes of which consist of or include the promotion or maintenance of social welfare, but does not include any Government Department or Government Board, any local authority, the Bermuda Hospitals Board, or the governing body of any school.

(2) In this Act "social welfare" shall be construed as denoting desirable standards or conditions of moral or physical being; and any reference to social welfare shall be construed as reference to social welfare among the people of Bermuda or any section or part thereof.

### **General duties of Minister**

2 The Minister shall—

- (a) generally promote and maintain the social welfare of the people of Bermuda by such means and in such manner as he may determine;
- (b) collect such information and prepare and maintain such statistical or other records relating to social welfare as he may consider desirable; and
- (c) advise and assist local authorities and social welfare organizations with respect to measures undertaken or contemplated by such authorities or organizations for the promotion and maintenance of social welfare and endeavour to co-ordinate their activities in relation to such measures.

### **Minister to administer Government social welfare undertakings**

3 (1) The Minister shall administer any Government social welfare undertaking.

(2) For the purposes of this section—

- (a) "administer" in relation to any Government social welfare undertaking, includes initiating and carrying the undertaking into effect and having the charge and management of the undertaking and of any land, buildings, articles or equipment provided for or in connection with the undertaking;
- (b) "Government social welfare undertaking" means any social welfare undertaking the expenses of the establishment and maintenance of which are defrayed wholly out of public funds; and moneys or funds which are contributed or bequeathed to the Minister or to the Government for the benefit of a social welfare undertaking shall, unless a contrary intention appears, be deemed to be public funds;
- (c) "social welfare undertaking" does not include any undertaking or measure which under any Act or law falls within the functions of any Minister other than the Minister as defined in section 1 but, subject as aforesaid, "social welfare undertaking" means any undertaking or measure for the promotion or maintenance of social welfare.

(3) The Minister may, to such extent and subject to such conditions as he may determine, delegate any of his duties under this section to any persons or association of persons approved by him and subject to his directions.

**Funds for relief of dependents of persons in prison**

4 Funds appropriated by the Legislature for the relief of poverty among the dependents of persons detained in legal custody in the prisons in Bermuda shall be administered by the Minister in such manner as he may think fit.

**Minister to make arrangements for dealing with social welfare in default of other arrangements**

5 Where with respect to any matter connected with the promotion and maintenance of social welfare it appears to the Minister that no measures, or no satisfactory measures, are being taken to deal with the matter, the Minister shall take the matter under consideration and shall either deal with it himself or arrange for it to be dealt with by some other suitable authority or organization.

6 [repealed by 1972:3]

7 [repealed by 1972:3]

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### **Applications to Minister by social welfare organizations for grants**

8 (1) Where a social welfare organization desires to receive a pecuniary grant out of public funds in aid of the objects and purposes of the organization, the appropriate authority of the organization shall make application accordingly to the Minister.

(2) Every such application shall be in writing and shall include an explanation of the need of the organization for the grant and a statement setting out the manner in which it is proposed to apply the grant.

(3) The Minister shall consider every application made by a social welfare organization under this section and may pay the grant to such organization out of moneys appropriated by the Legislature for such purposes.

(4) Where a grant has been made under subsection (3), the Minister may from time to time require the organization to submit reports and statements of account in such form as he may approve, showing how the grant has been or is being applied.

### **Minister may receive gifts for social welfare**

9 The Minister may receive all funds or gifts in kind given or bequeathed to him or to the Bermuda Social Welfare Board or to the Government, as the case may be, for purposes connected with the promotion or maintenance of social welfare, and, subject to any condition or direction imposed or given by the donor or testator, shall apply all such funds or gifts to the furtherance of such purposes in such manner as he thinks fit.

### **Minister may make regulations**

10 (1) The Minister may make regulations generally for facilitating the discharge of his functions under this Act and for giving effect to the purposes of this Act.

(2) Without prejudice to the generality of subsection (1), the Minister may make regulations—

- (a) for regulating the use by a social welfare organization of any premises, article or equipment under his control;
- (b) for regulating the conduct of persons in or using any such premises;
- (c) for prescribing fees to be charged for the use of any such premises, article or equipment;
- (d) for regulating the sale of goods on any such premises;
- (e) for the punishment of persons convicted of offences against the regulations by a court of summary jurisdiction, so, however, that such punishment shall be

by way of a fine not exceeding twenty-five dollars for each such offence.

(3) The affirmative resolution procedure shall apply to regulations made under this section.

**Winding up of Bermuda Social Welfare Board**

11 [omitted]

**Amendment of Acts**

12 [omitted]

**Amendment of statutory instruments**

13 [omitted]

**Saving**

14 [omitted]

**Revocation**

15 [omitted]

**SOCIAL WELFARE ACT 1971**

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**FIRST SCHEDULE**

Provisions consequential to the transfer of functions and reorganization of the Bermuda Social Welfare Board.

[*Omitted*]

**SECOND SCHEDULE**

Amendment of Acts  
[*omitted*]

**THIRD SCHEDULE**

Amendment of statutory instruments  
[*omitted*]

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[*Amended by*

1971 : 116

1972 : 3

1977 : 35 ]