

Jehovah's Witness argues against national insurance

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A Jehovah's Witness man has asked the Supreme Court to rule that he is not required to pay National Insurance contributions on his monthly stipend from the religious organization.

Glen Colebrooke lives at Bethel, the administrative branch office of The Christian Congregation of Jehovah's Witnesses of The Bahamas. He receives an allowance of \$84. Members of the faith are not paid for service in the congregations, however, full-time branch workers like Colebrooke and traveling representatives get a modest monthly allowance.

The National Insurance Board (NIB) has said that this arrangement constitutes a contract of employment and the funds must be taxed. But the Witnesses said Colebrooke's duties at the branch were voluntary and that he should not be required to make the payments to the NIB fund because the money is a stipend, not a salary.

Colebrooke and the Witnesses have asked Justice Stephen Isaacs to review the board's decision that requires Colebrooke to make the contributions.

According to the Witnesses' lawyer, W. P. Cathcart, "This case is of significance to the small, religious minority." He said that the court's decision would affect the worldwide organization, as the issue had never been raised in the Supreme Court. However, according to Cathcart, the work of members of Bethel in countries such as France and Italy has not been considered an employment contract. But he was quick to add that this decision was made on an administrative level.

But lawyer for the Attorney General's office, David Higgins, asked the application for judicial review be set aside. He said that the decision could have been dealt with by an administrative appeal to the NIB.

Higgins further noted that ministers are considered employed persons under the National Insurance Act.

However, Cathcart submitted that the notion that members of the Witness faith "function under a contract of service is inconsistent with their central religious beliefs and practices." He continued, "It is troubling that such a powerful body in The Bahamas would condone the idea that its unlawful conduct should be immune from review by this court."

Justice Isaacs has reserved judgment in the case.