
Second Session Second Parliament Republic of Trinidad
and Tobago



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 8 of 1983

[L.S.]

AN ACT to amend the Statutory Authorities Act.

[Assented to 13th May, 1983]

ENACTED by the Parliament of Trinidad and Tobago as Enactment
follows:—

1. This Act may be cited as the Statutory Authorities Short title
(Amendment) Act, 1983.

Section 7 of the
Statutory
Authorities
Act repealed.
Chap. 24:01

2. Section 7 of the Statutory Authorities Act (hereinafter called "the Act") is repealed.

Act amended

3. The Act is amended by renumbering sections 8 and 9 as sections 7 and 8.

Act amended

4. The Act is amended by adding immediately after section 8 as renumbered, the following:

"STATUTORY AUTHORITIES APPEAL
BOARD

Constitution
of Appeal
Board

9. (1) There shall be a Statutory Authorities Appeal Board (hereinafter referred to as the "Appeal Board") to which appeals shall lie from such decisions against any officer as are specified in section 9B.

(2) The Appeal Board shall consist of—

- (a) the Chairman and members of the Public Service Appeal Board; and
- (b) two other persons each of whom has experience in matters relating to industrial relations management, the Public Service or the statutory authorities.

(3) The Chairman referred to in subsection (2)(a) shall be the Chairman of the Appeal Board.

(4) The persons referred to in subsection (2)(b) shall be appointed to the Appeal Board by the President after consultation with the Prime Minister and the Leader of the Opposition and on such terms and conditions as the President may determine.

(5) Three members of the Appeal Board of whom one shall be the Chairman and another a person referred to in subsection (2)(b) shall hear and determine appeals under section 9B.

Oath of
Office

9A. Before entering upon the duties of his office a member of the Appeal Board shall take and subscribe the oath of office set out in the First Schedule.

First
Schedule

Appeals in
disciplinary
cases

9B. (1) An appeal shall lie to the Appeal Board from any decision of the Commission as a result of disciplinary proceedings brought against an officer.

(2) An appeal under subsection (1) shall lie to the Appeal Board at the instance of the officer in respect of whom the decision is made.

(3) The Appeal Board may, where it considers it necessary that further evidence be adduced—

(a) order such evidence to be adduced either before the Board or by affidavit;

(b) refer the matter back to the Commission to take such evidence and—

(i) to adjudicate upon the matter afresh; or

(ii) to report for the information of the Appeal Board specific findings of fact.

(4) Where a matter is referred to the Commission under paragraph (b) of subsection (3), the matter, so far as may be practicable or necessary, shall be dealt with as if it were being heard at first instance.

(5) Upon the conclusion of the hearing of an appeal under this section, the Appeal Board may—

(a) affirm, modify or amend the decision appealed against;

- (b) set aside the decision;
- (c) substitute any other decision which the Commission could have made;
- (d) refer the matter back to the Commission with directions to rehear it.

(6) Every decision of the Appeal Board shall require the concurrence of the majority of its members.

(7) No decision, order, direction, declaration, ruling or other determination of the Appeal Board shall be questioned in any proceedings whatsoever.

(8) The Appeal Board may by regulations make provision for—

- (a) procedure of its own;
- (b) the procedure in appeals under this section.

(9) With the consent of the Prime Minister, the Appeal Board may by regulations or otherwise confer powers and impose duties on any officer or any authority of the Government for the purpose of the exercise of the functions of the Appeal Board.

(10) This section and sections 9 and 9A shall be in addition to and not in derogation of any other provisions for review of the decision of the Commission.”.

Act amended

5. The Act is amended in section 27(1)(a) by inserting the word “Second” immediately before the word “Schedule”.

6. The Act is amended by inserting immediately ^{Act amended} after section 28 the following:

[Section 9A]

“FIRST SCHEDULE

OATH OF OFFICE

I, A.B., having been appointed

of Trinidad and Tobago do swear by.....
(solely affirm) that I will bear true faith and allegiance to
Trinidad and Tobago and will uphold the Constitution and the law,
that I will conscientiously, impartially and to the best of my
knowledge, judgment and ability discharge the functions of my
office and do right to all manner of people after the laws and
usages of Trinidad and Tobago without fear or favour, affection
or ill-will.”.

7. The Act is amended by substituting for the heading ^{Act amended}
“SCHEDULE” the heading “SECOND SCHEDULE”.

Passed in the House of Representatives this 15th day
of April, 1983.

J. E. CARTER
Clerk of the House

Passed in the Senate this 26th day of April, 1983.

R. L. GRIFFITH
Clerk of the Senate