
Third Session Fifth Parliament Republic of Trinidad
and Tobago



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 5 of 1998

[L.S.]

AN ACT to amend the Public Sector (Arrears
of Emoluments) Act, 1995

[Assented to 27th March, 1998]

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

1. This Act may be cited as the Public Sector (Arrears Short title
of Emoluments) (Amendment) Act, 1998.

Interpretation Act
No. 7 of 1995

2. In this Act, The Public Sector (Arrears of Emoluments) Act, 1995 is referred to as “the Act”.

Section 2 amended

3. Section 2 of the Act is amended—

(a) by repealing the definition of “emoluments” and substituting the following definition:

“emoluments” means—

(a) salaries and wages including overtime payments and any other allowances to which a person is entitled that were adversely affected by—

L.N. No. 9 of 1987

(i) the Remuneration (Teaching Service) Order, 1987;

L.N. No. 10 of 1987

(ii) the Remuneration (Judicial and Legal Service) Order, 1987;

L.N. No. 11 of 1987

(iii) the Remuneration (Fire Service) Order, 1987;

L.N. No. 12 of 1987

(iv) the Remuneration (Police Service) Order, 1987;

L.N. No. 13 of 1987

(v) the Remuneration (Prison Service) Order, 1987;

L.N. No. 14 of 1987

(vi) the Remuneration (Civil Service) Order, 1987;

(vii) Circular No. 5 of the Minister of Finance and the Economy, dated February 10, 1987;

- (vii) non-implementation or partial implementation, during the period February 1, 1987 to December 31, 1994, of the award of the Special Tribunal dated July 26, 1988 in matters Nos. 1-5 of 1985;
 - (ix) non-implementation or partial implementation, during the whole or any part of the period January 23, 1987 to December 31, 1994, of collective agreements and terms and conditions of e m p l o y m e n t respecting employees of entities specified in the Third Schedule; Third Schedule
 - (x) non-implementation during the period January 1, 1989 to February 29, 1992, of revised rates of pay of officers and other ranks of the Trinidad and Tobago Defence Force;
- (b) lumpsum payments not exceeding four thousand dollars made in lieu of

salaries, wages and rates of pay for the whole or any part or parts of the period January 1, 1989 to December 31, 1996 and any incentive award or special award not exceeding one thousand dollars made in respect of the period January 1, 1997 to December 31, 1997 to employees or employees of entities listed in the Fourth Schedule;”;

Fourth Schedule

(b) by inserting after subsection (2), the following subsection:

“ (3) A reference to a Corporation in the Third and Fourth Schedules to this Act means the corresponding Corporation more fully named in the First and Second Schedules to the Municipal Corporations Act, 1990.”.

Act No. 21 of 1990

Section 3 amended

4. Section 3 of the Act is amended—

(a) in subsection (1)—

(i) by deleting the comma appearing at the end of paragraph (c) and substituting a semi-colon;

(ii) by inserting after paragraph (c), the following paragraph:

“(d) to employees or employees of entities listed in the first column of the Fourth Schedule for the periods listed in the second column in respect of emoluments listed in the third column of the said Schedule;”;

(b) by repealing subsection (2) and substituting the following subsections:

“(2) Subject to subsection (3), the Minister may issue bonds where, in respect of the liquidation referred to in subsection (1)(a), (b) and (c)—

(a) the Chief Personnel Officer has agreed upon the quantum and terms of liquidation of arrears of emoluments and the issuance of bonds—

(i) with the appropriate recognised association; and

(ii) with the recognised majority union; or

(b) there is no appropriate recognised association or recognised majority union and the employer has agreed upon the quantum and terms of liquidation of arrears of emoluments and the issuance of bonds with the individual employee.

“(2A) Subject to subsection (3), the Minister may issue bonds where, in respect of the liquidation referred to in subsection (1)(d), the relevant employer has agreed upon the payment in lieu of salaries and wages, incentive award or special award by issuance of bonds.

(2B) Agreement referred to in subsection (2A) shall be between the relevant employer and—

- (a) the appropriate recognised association;
- (b) the recognised majority union; or
- (c) the individual employee where there is no appropriate recognised association or recognised majority union,

as the case may be.”;

(c) by repealing subsection (3) and substituting the following subsection:

“(3) For the purpose of liquidating arrears of—

- (a) emoluments referred to in subsection (1)(a), (b) and (c), the Minister may issue bonds bearing dates earlier than the date of commencement of this Act, except that no bond so issued shall bear a date earlier than January 2, 1995;
- (b) emoluments referred to in subsection (1)(d), the Minister may issue bonds bearing dates earlier than the date of commencement of the Public Sector (Arrears of Emoluments) (Amendment) Act, 1998, except that no bond so issued shall bear a date earlier than January 2, 1998.”.

5. The Act is amended by inserting after the Third ^{Fourth Schedule} Schedule, the following Schedule: _{inserted}

"FOURTH SCHEDULE

[Section 3(1)]

1. Monthly-Paid Employees

FIRST COLUMN	SECOND COLUMN	THIRD COLUMN
<i>Entities/Employees</i>	<i>Period</i>	<i>Emolument</i>
GROUP 1		
The Civil Service (other than holders of offices within the purview of the Salaries Review Commission who held such offices on January 1, 1990 in respect of the sum in lieu of salary increases and January 1, 1997 in respect of the incentive award)	January 1, 1990– December 31, 1995 January 1, 1997– December 31, 1997	Sum in lieu of increases in salary Incentive award
The Sugar Industry Labour Welfare Fund Committee		
The Sugar Industry Control Board		
The National Housing Authority		
The Zoological Society of Trinidad and Tobago		
The Trinidad Public Library		
The Carnegie Free Library		
The Cocoa and Coffee Industry Board		
The National Lotteries Control Board		
The St. Dominic's Children's Home		
The St. Mary's Children's Home		
The St. Jude's School for Girls		

FOURTH SCHEDULE—CONTINUED

FIRST COLUMN	SECOND COLUMN	THIRD COLUMN
<i>Entities/Employees</i>	<i>Period</i>	<i>Emolument</i>
GROUP 1— <i>Cont'd</i>		
The St. Michael's School for Boys		
The Agricultural Society of Trinidad and Tobago		
The Port-of-Spain Corporation		
The San Fernando Corporation		
The Arima Corporation		
The Point Fortin Corporation		
The Trinidad and Tobago Association for Retarded Children		
The Trinidad and Tobago Association in Aid of the Deaf		
The Tobago Council for Handicapped Children		
The Legal Aid and Advisory Authority		
The Queen's Hall		
The Naparima Bowl		
The Caribbean Fisheries Training and Development Institute		
The Mayaro Civic Centre		
The Point Fortin Civic Centre		
The Sangre Grande Civic Centre		
The Board of Industrial Training		

FOURTH SCHEDULE—CONTINUED

FIRST COLUMN	SECOND COLUMN	THIRD COLUMN
<i>Entities/Employees</i>	<i>Period</i>	<i>Emolument</i>
The Trinidad and Tobago Association of Local Government Authorities		
The Trinidad and Tobago Blind Welfare Association		
The Cipriani College of Labour and Co-operative Studies (staff, academic and administrative)		
The National Institute of Higher Education (Research, Science and Technology)		
The Public Transport Service Corporation		
Employees in Ministries and Departments other than civil servants		
The National Agricultural Marketing and Development Corporation (former employees of the Central Marketing Agency)		
The Princess Elizabeth Centre for Physically Handicapped Children		
The Trinidad and Tobago Bureau of Standards		
The Trinidad and Tobago Racing Authority		
The Chaguaramas Development Authority		

FOURTH SCHEDULE—CONTINUED

FIRST COLUMN	SECOND COLUMN	THIRD COLUMN
<i>Entities/Employees</i>	<i>Period</i>	<i>Emolument</i>
GROUP II		
The Teaching Service	January 1, 1990— December 31, 1995	Sum in lieu of increases in salary
The Police Service (other than the holder of an office within the purview of the Salaries Review Commission who held such office on January 1, 1990)		
The Fire Service (other than the holder of an office within the purview of the Salaries Review Commission who held such office on January 1, 1990)		
The Prison Service (other than the holder of an office within the purview of the Salaries Review Commission who held such office on January 1, 1990)		
Members of the Special Reserve Police assigned to Ministries, Departments, Statutory Authorities and similar bodies		
Persons on contract who held appointments in an office designated in and classified under the Public Service Classification and Compensation Plans		

FOURTH SCHEDULE—CONTINUED

FIRST COLUMN	SECOND COLUMN	THIRD COLUMN
<i>Entities/Employees</i>	<i>Period</i>	<i>Emolument</i>
GROUP III		
Officers and other ranks of the Trinidad and Tobago Defence Force (other than the holder of an office within the purview of the Salaries Review Commission who held such office on January 1, 1990)	January 1, 1990–December 31, 1995	Sum in lieu of increases in rates of pay
GROUP IV		
The Institute of Marine Affairs	August 1, 1992–July 31, 1995	Sum in lieu of increase in salary
GROUP V		
The Cipriani College of Labour and Co-operative Studies (non-academic staff)	January 1, 1991–December 31, 1996	Sum in lieu of increases in salary
	January 1, 1997–December 31, 1997	Incentive award

2. Hourly, Daily and Weekly-Rated Employees

GROUP 1		
Ministries and Departments	January 1, 1993–December 31, 1995	Sum in lieu of increase in wages
The Tobago House of Assembly		
The Arima Corporation		
The Point Fortin Corporation		
The Chaguanas Corporation		
The Diego Martin Corporation		
The San Juan/Laventille Corporation		
The Tunapuna/Piarco Corporation		
The Sangre Grande Corporation		

FOURTH SCHEDULE—CONTINUED

FIRST COLUMN	SECOND COLUMN	THIRD COLUMN
<i>Entities/Employees</i>	<i>Period</i>	<i>Emolument</i>
GROUP 1— <i>Cont'd</i>		
The Mayaro/Rio Claro Corporation		
The Princes Town Corporation		
The Couva-Tabaquite-Talparo Corporation		
The Penal/Debe Corporation		
The Siparia Corporation		
The Chaguaramas Development Authority		
The National Housing Authority		
The Zoological Society of Trinidad and Tobago		
The National Agricultural Marketing and Development Corporation		
The Tourism Development Authority		
The Industrial Development Corporation		
The Queen's Hall		
The Naparima Bowl		
The Sangre Grande Civic Centre		
The Point Fortin Civic Centre		
The Mayaro Civic Centre		
The Trinidad and Tobago Association of Local Government Authorities		

FOURTH SCHEDULE—CONTINUED

FIRST COLUMN	SECOND COLUMN	THIRD COLUMN
<i>Entities/Employees</i>	<i>Period</i>	<i>Emolument</i>
The Princess Elizabeth Centre for Handicapped Children		
The Cocoa and Coffee Industry Board		
The Legal Aid and Advisory Authority		
The Agricultural Society of Trinidad and Tobago		
The Caribbean Fisheries Training and Development Institute		
The Trinidad and Tobago Association in Aid of the Deaf		
The Board of Industrial Training		
The Cipriani College of Labour and Co-operative Studies		
The Trinidad and Tobago Blind Welfare Association		
The Carnegie Free Library		
The Trinidad Public Library		
The Trinidad and Tobago Racing Authority		
The St. Mary's Children's Home		
The St. Dominic's Children's Home		
The St. Michael's School for Boys		
The St. Jude's School for Girls		

FOURTH SCHEDULE—CONTINUED

FIRST COLUMN	SECOND COLUMN	THIRD COLUMN
<i>Entities/Employees</i>	<i>Period</i>	<i>Emolument</i>
GROUP 1— <i>Cont'd</i>		
The Sugar Industry Labour Welfare Fund Committee		
The National Institute of Higher Education (Research, Science and Technology)		
The Trinidad and Tobago Bureau of Standards		
The National Lotteries Control Board		
The Trinidad and Tobago Association for Retarded Children		
The Tobago Council for Handicapped Children		
GROUP II		
San Fernando Corporation	January 1, 1997— December 31, 1997	Special Award ² .

Passed in the House of Representatives this 20th day of March, 1998.

J. SAMPSON
Clerk of the House

Passed in the Senate this 24th day of March, 1998.

D. DOLLY
Acting Clerk of the Senate