

Third Session Third Parliament Republic of Trinidad  
and Tobago

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REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 1 of 1989

[L.S.]

AN ACT to raise monies for the purpose of tertiary education by imposing a cess on citizens of Trinidad and Tobago attending the University of the West Indies, the Institute of International Relations and the Professional Law Schools of Trinidad and Tobago and Jamaica, and to authorise the Government of Trinidad and Tobago to guarantee loans provided by commercial banks for payment of the cess.

*[Assented to 27th January, 1989]*

Enactment	ENACTED by the Parliament of Trinidad and Tobago as follows:—
Short title	1. This Act may be cited as the Students Cess Act, 1989.
Interpretation	<p>2. In this Act—</p> <p>“bank” means a financial institution listed in the Second Schedule;</p> <p>“cess” means the tax which a sponsored student is required to pay in accordance with the First Schedule;</p> <p>“Government” means the Government of Trinidad and Tobago;</p> <p>“higher degree” includes a diploma regulated by the Board for Higher Degrees of the University but does not include any other diploma or any certificate;</p> <p>“Institution” means the University of the West Indies, the Hugh Wooding Law School, the Norman Manley Law School and the Institute of International Relations;</p> <p>“Minister” means the member of the Cabinet to whom responsibility for education is assigned;</p> <p>“national scholar” means a person who has been awarded a scholarship included in the categories of scholarships which the Minister may by Order prescribe;</p> <p>“sponsored student” means a citizen of Trinidad and Tobago accepted to pursue a course of study at an Institution, in relation to whom the Government makes a financial contribution to the Institution towards the cost of his course of study, but does not include a student accepted to pursue—</p> <p style="padding-left: 40px;">(a) a post-graduate course of study leading to the award of the degree of Ph.D., M.D. or M.Phil.; or</p> <p style="padding-left: 40px;">(b) any other course of study specified by the Minister by Order;</p> <p>“tuition fees” means the charge which a sponsored student is required to pay for tuition, in accordance with the regulations of the Institution;</p>

“University” means the University of the West Indies.

3. (1) Subject to this section every sponsored student shall prior to registration for a course of study at an Institution for each academic year, pay to the University for that academic year, cess in the amount prescribed in the First Schedule save that upon registration for a part-time course the amount of the cess payable shall be equal to one-half of the amount of the cess payable by a full-time student.

Payment of cess

First Schedule

(2) The cess payable by a sponsored student for the academic year 1988–1989 shall be paid before the 30th April, 1989.

(3) The Government shall pay tuition fees to the University on behalf of sponsored students who have paid cess, and where on the coming into force of this Act sponsored students have already paid tuition fees, upon payment of the cess by such students the University shall refund to them the amount paid by way of tuition fees.

4. (1) Subject to this section the University is the agent of the Government for the purpose of collecting the cess and shall pay the sum so collected to the Permanent Secretary of the Ministry responsible for education and such sum shall form part of the Consolidated Fund.

University is agent

(2) In respect of the academic year 1988–1989 the cess paid by the University to the Permanent Secretary in the Ministry responsible for education shall be received for the account of the Board of Inland Revenue.

5. In pursuance of section 4, the Board of Inland Revenue may do all such acts as may be deemed necessary and expedient for collecting, receiving and accounting for the cess in like and as full and ample a manner as the Board is authorised to do, in relation to any tax under its care and management.

Powers of the Board of Inland Revenue

6. (1) In this section “Minister” means the member of the Cabinet to whom responsibility for finance is assigned.

Guarantee of loans by Government

(2) The Government may in such a manner and subject to such conditions as may be agreed between it and a bank, guarantee the discharge of the obligations

of a sponsored student and his parent, guardian or other person acting in that behalf created under any agreement between a bank and the sponsored student and his parent, guardian and such other person in respect of a loan for the payment of the cess.

(3) A guarantee given under this section shall be given in writing in the name of the Government and may be signed by the Minister or by any person authorised by him in that behalf.

(4) Where any sum becomes payable by the Government pursuant to a guarantee given in exercise of the powers conferred by subsection (2) the sum shall be charged on the Consolidated Fund.

(5) Where any sum is paid out of the Consolidated Fund in respect of any liability incurred by the Government under guarantee to which this section refers, the student and his parent, guardian or other person acting in that behalf shall repay such sum together with interest thereon, at such a rate as the Minister may prescribe and in such manner as the Minister may direct.

Legal proceedings

7. Where any sum of money to which section 5(5) refers remains unpaid, the Attorney General may institute legal proceedings to recover such sum.

Order to vary Schedules

8. The Minister may by Order subject to negative resolution of Parliament—

(a) amend the First Schedule by varying the quantum of the cess;

Second Schedule

(b) amend the Second Schedule by adding to the number of banks therein; and

(c) specify any course of study as being one in respect of which cess is not payable.

Regulations

9. The Minister may make regulations for giving effect to this Act.

Commencement

10. This Act is deemed to have come into operation on the 1st September, 1988.

Duration

11. This Act shall continue in force until 30th September, 1990 and may be continued in force for a further period of two years thereafter by resolution of Parliament.

## FIRST SCHEDULE

The Cess payable by sponsored students in relation to specified programmes of the Institution shall be as follows—

		<i>Cess payable by Full-time Students</i>
		\$
1. Arts/Social Sciences		
(a) First Degree	Year 1	2,400
	Year 2	2,800
	Year 3	2,800
(b) Certificate		2,400
(c) Diploma		2,800
(d) Higher Degree		2,800
2. Agriculture		
(a) Pre-Agriculture		2,400
(b) First Degree	Year 1	2,800
	Year 2	3,200
	Year 3	3,200
(c) Diploma		3,200
(d) Higher Degree		3,200
3. Education		
(a) Certificate		2,400
(b) First Degree		
Two-Year Programme	Year 1	2,800
	Year 2	2,800
Three-Year Programme	Year 1	2,400
	Year 2	2,800
	Year 3	2,800
(c) Diploma		2,800
(d) Higher Degree		2,800
4. Engineering		
(a) First Degree	Year 1	3,200
	Year 2	3,600
	Year 3	3,600
(b) Diploma		3,600
(c) Higher Degree		3,600

## FIRST SCHEDULE—Continued

		<i>Cess Payable by Full-time Students</i>
		\$
5. Law		
(a) First Degree	Year 1	3,200
	Year 2	3,600
	Year 3	3,600
(b) Certificate		2,400
(c) Diploma		3,600
(d) Higher Degree		3,600
6. Professional Law School		
Hugh Wooding Law School	Year 1	3,600
Norman Manley Law School	Year 2	3,600
7. Medical Sciences		
(a) Certificate		2,400
(b) First Degree (Nursing)	Year 1	2,400
	Year 2	2,800
	Year 3	2,800
(c) First Degree (special)	Year 3	3,200
(d) Pre-clinical		2,800
(e) Clinical		4,000
(f) Diploma		4,000
(g) Higher Degree		4,000
8. Natural Sciences		
(a) First Degree	Year 1	2,800
	Year 2	3,200
	Year 3	3,200
(b) Diploma		3,200
(c) Higher Degree		3,200
9. Institute of International Relations		
(a) Diploma		2,800
(b) Higher Degree		2,800

## SECOND SCHEDULE

Bank of Commerce of Trinidad and Tobago Limited  
Bank of Nova Scotia Trinidad and Tobago Limited  
National Commercial Bank of Trinidad and Tobago Limited  
Republic Bank Limited  
Royal Bank of Trinidad and Tobago Limited  
Trinidad Co-operative Bank Limited  
United Bank of Trinidad and Tobago Limited  
Workers Bank of Trinidad and Tobago

Passed in the House of Representatives this 21st day  
of November, 1988.

J. E. CARTER

*Clerk of the House*

Passed in the Senate this 13th day of December, 1988.

N. COX

*Acting Clerk of the Senate*

Senate Amendments were agreed to in the House of  
Representatives on 20th January, 1989.

J. E. CARTER

*Clerk of the House*