
3rd Session Third Parliament Trinidad and Tobago
23 Elizabeth II



TRINIDAD AND TOBAGO

Act No. 5 of 1974

[L.S.]

AN ACT to amend the Fire Service Act, 1965.

[Assented to 18th March, 1974]

BE IT ENACTED by the Queen's Most Excellent Majesty, ^{Enactment}
by and with the advice and consent of the Senate and
House of Representatives of Trinidad and Tobago, and
by the authority of the same, as follows:—

1. This Act may be cited as the Fire Service (Amend- ^{Short title}
ment) Act, 1974.

Act No. 31 of
1965 amended

2. The Fire Service Act, 1965 is amended—

(a) by repealing and replacing section 16A as follows:—

“Age of
retirement
for fire
officers

16A. (1) A fire officer in the Second Division shall be required to retire from the Fire Service on his attaining the age of fifty-five years but may, with the approval of the Public Service Commission, be permitted to retire on his attaining the age of fifty years.

(2) A fire officer in the First Division shall be required to retire from the Fire Service on his attaining the age of sixty years, but may—

(a) at his option retire; or

(b) be retired at the instance of the Public Service Commission,

from the Fire Service at anytime after he has attained the age of fifty-five years.

(3) Notwithstanding subsection (2) a fire officer in the First Division who has attained the age of fifty years may, with the approval of the Public Service Commission, be permitted to retire from the Fire Service at anytime after he has attained that age.

(4) This section is without prejudice to any other enactment providing for the retirement of fire officers from the Fire Service.”;

(b) by repealing section 16B;

(c) by renumbering section 16C as section 16B;

(d) by substituting the words “in the First and Second Divisions” for the words “in the Second Division” occurring in section 16B as renumbered;

(e) by amending the Sixth Schedule as follows:—

(i) by substituting the words “in the First and Second Divisions” for the words “in the Second Division” wherever they appear in the Schedule;

(ii) by adding immediately after subsection (2) of section 2 the following subsections—

“Sixth Schedule amended

(3) In addition to the contribution payable under subsection (1), a fire officer shall, if the case so requires, pay arrears of contribution in respect of his full-time service as a fire officer or in a pensionable office in the Public Service or in respect of both.

Arrears of contribution payable

(4) The arrears of contribution payable under subsection (3) (hereinafter referred to as (“the arrears”)) shall be determined on the basis of the actual pay received by the fire officer for each year in respect of which the arrears are payable.

Mode of deducting arrears

(5) The aggregate amount of the arrears shall be deducted as follows:—

(a) in the case of a fire officer who is in the Fire Service after the commencement of the Fire Service (Amendment) Act, 1974 the arrears shall be deducted—

(i) from his pay as far as practicable, by equal

monthly instalments over a period of three years from the commencement of the said Act or such lesser period, where the remainder of the service of such officer is less than three years;

(ii) from his gratuity by lump sum, where any arrears are unpaid on the retirement of such fire officer;

(b) in the case of a fire officer—

(i) who retires from the Fire Service on the commencement of the Fire Service (Amendment) Act, 1974; or

(ii) to whom the provisions of subsection (6) apply,

the arrears shall be deducted by lump sum from any arrears of gratuity payable to such fire officer.

(6) The provisions of subsection (3) and of subsections (4A) to (4C) of section 3 shall extend to fire officers who entered

the Fire Service in the Second Division and retired from the Fire Service on or after the 1st day of January, 1966, but before the commencement of the Fire Service (Amendment) Act, 1974, and shall in their application to such fire officers, have effect as if those provisions had come into operation on the 1st day of January, 1966.

(7) For the purposes of subsection (3) "Public Service" has the meaning assigned to that expression by section 2 of the Pensions Ordinance, and includes service in the Police Service established by the Police Service Act, 1965, in the Prison Service established by the Prison Service Act, 1965 and service as a member of the Special Police established by the Special Reserve Police Ordinance.";

(iii) by adding immediately after subsection (4) of section 3 the following subsection—

"Meaning of full-time service"

(4A) For the purposes of sections 2(3) and 3(4), a period of full-time service in a pensionable office in the Public Service shall be counted as service in the Fire Service if it terminates not earlier than the day immediately preceding the commencement of service in the Fire Service.

Ch. 9.
No. 6

Act No. 30
of 1965

Act No. 32
of 1965

Ch. 11.
No. 3

Passed in the House of Representatives this 15th day of February, 1974.

G. R. LATOUR
Clerk of the House

Passed in the Senate this 5th day of March, 1974.

J. E. CARTER
Clerk of the Senate