
Second Session Fifth Parliament Republic of Trinidad
and Tobago



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 10 of 1997

[L.S.]

AN ACT to amend the Fire Service Act, Chap. 35:50

[Assented to on July 3rd, 1997]

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

1. This Act may be cited as the Fire Service Short title
(Amendment) Act, 1997.

2. In this Act, the Fire Service Act is referred to as The Act
"the Act". Chap. 35: 50

Section 2 amended

3. Section 2 of the Act is amended—

- (a) by deleting from the definition of “building” the words “but does not include a temporary structure which is moveable”; and
- (b) by deleting the definitions of “grade”, “office” and “pay” and substituting the following new definitions:
 - “office” means an office in the Service as specified in the First Schedule;
 - “pay” means the amount payable to an officer at a rate prescribed in respect of his office, and for the purposes of the Fifth Schedule may include certain prescribed allowances;”;
- (c) in the definition of “public premises” by inserting the words “enclosure or any other area” after the word “building”.

Section 3 amended

4. Section 3 of the Act is amended—

- (a) by deleting from subsection (1) the words “being the office of a member of a Fire Brigade”; and
- (b) by deleting subsections (3) and (4).

New sections inserted

5. The Act is amended by inserting after section 3 the following new sections:

“Purposes of Fire Service

3A. The purposes of the Trinidad and Tobago Fire Service are—

- (a) to save and protect life or property from damage or destruction by fire or other hazards, whether fire related or not;
- (b) to provide and advise upon, preventive measures against the occurrence of such damage or destruction;
- (c) to render related humanitarian services where required; and

(d) to conduct investigations in order to ascertain the cause or origins of a fire, or other hazard requiring the services of the Fire Service.

Private
functions

3B. Subject to the exigencies of the Service, the Chief Fire Officer may make available to a person upon receipt of the prescribed application and payment of a prescribed fee, the services of an officer who is not rostered for duty, for the prevention of damage to life and property by fire and other hazards, whether fire related or not.”.

6. (1) Section 7(1) of the Act is amended by deleting paragraphs (c) and (d). Section 7 of the Act amended

(2) Notwithstanding subsection (1), an Order made under paragraph (c) or (d) of section 7(1) of the Act that was in force immediately prior to the commencement of this Act shall continue to remain in force.

7. The Act is amended by repealing section 8 and substituting the following new section: New section inserted

“Delegation
by Chief Fire
Officer

8. (1) The Chief Fire Officer may, in writing, delegate to an officer all or any of his powers or functions (other than the power of delegation) under—

- (a) a relevant Act;
- (b) the regulations made under a relevant Act;
- (c) an agreement made under Part II of the Act;
- (d) an award made under Part III of the Act.

(2) A power or function delegated, in accordance with subsection (1), when exercised or performed by the delegate, shall be deemed to have been exercised or performed, as the case may be, by the Chief Fire Officer.

(3) A delegation of a power or function by the Chief Fire Officer under subsection (1)—

- (a) may be absolute or conditional;
- (b) does not prevent the exercise of the power or the performance of the function by the Chief Fire Officer;
- (c) may be revoked at any time by the Chief Fire Officer.

(4) Every delegation under this section shall be revocable in writing at will and no delegation shall prevent the exercise of any power or function by the Chief Fire Officer.

(5) Any delegation under this section shall, until it is revoked, continue in force according to its tenor, notwithstanding any change in the incumbency of the office of the Chief Fire Officer.”.

Section 16 amended

8. Section 16 of the Act is amended by inserting immediately after paragraph (e) the following new paragraphs:

- “(ea) on being retired in the public interest;
- (eb) on abandonment of office;”.

Section 17 amended

9. Section 17 of the Act is amended—

- (a) in subsection (1), by deleting the words “be required to”; and
- (b) in subsection (2), by deleting the words “be required to”.

Sections 28 and 29 repealed

10. Sections 28 and 29 of the Act are repealed.

Section 30 amended

11. Section 30(1) of the Act is amended—

- (a) by deleting all the words following the words “matters concerning fire officers”;
- (b) by repealing subsection (2).

12. Section 34 of the Act is amended—

Section 34 amended

(a) by inserting after paragraph (a) of subsection (1) the following new paragraph:

“(aa) for prescribing qualifications for appointment to an office in the Fire Service;”;

(b) by deleting in paragraph (c) of subsection (1) the words “and for the reduction of the period” and substituting therefor the words “or subsequent appointment and for the waiver, reduction or extension of such probationary period”;

(c) by deleting in paragraph (j) of subsection (1) the words “enlistment in, training and discipline of,” and substituting therefor the words “training of officers in”;

(d) by inserting after paragraph (g) of subsection (1) the following paragraph:

“(ga) for prescribing charges for the services of officers provided under section 3B and allowances payable to the officers so provided;”;

(e) by deleting paragraph (k) of subsection (1) and substituting the following paragraph:

“(k) for prescribing matters to be included in orders to be made by the Chief Fire Officer including matters of accoutrement and uniform;”.

13. Section 35 of the Act is amended—

Section 35 amended

(a) in paragraph (a), by deleting the words “fire or other disaster” and substituting therefor the words “damage or destruction whether arising from fire or not”;

- (b) in paragraph (b), by deleting the words “removal of fire hazards” and substituting therefor the words “removal of hazards whether fire related or not”; and
- (c) in paragraph (c) by deleting the words “of Police” and substituting the words “of the Police Service”.

Section 37 amended

14. Section 37 of the Act is amended by deleting the words “use in case of fire” and substituting therefor the words “fire-fighting or other purposes of the Fire Service”.

Section 38 amended

15. Section 38 of the Act is amended—

- (a) in subsection (1), by deleting the words “in case of fire” and substituting therefor the words “for fire-fighting or other purposes of the Fire Service”;
- (b) in subsection (4), by deleting the words “in case of fire” and substituting therefor the words “for fire-fighting or other purposes of the Fire Service”; and
- (c) in subsection (5) by deleting the words “for extinguishing any fire that may break out within the limits of its supply,” and substituting therefor the words “for fire-fighting or other purposes of the Fire Service.”.

Section 41 amended

16. Section 41 of the Act is amended—

- (a) in subsection (1), in paragraph (b), by deleting the words “to extinguish a fire or protect the premises or place from acts done for fire-fighting purposes” and substituting therefor the words “for fire-fighting or other purposes of the Fire Service”;

- (b) in subsection (2) by deleting the word “purposes” and substituting therefor the words “or other purposes of the Fire Service”;
- (c) in subsection (3)—
 - (i) by inserting after the words “At a fire” the words “or at the scene of any other hazard to life or property”; and
 - (ii) by deleting the words “the extinction of the fire” and substituting therefor the words “fire-fighting or other purposes of the Fire Service”;
- (d) in subsection (4) by deleting the words “extinguishing a fire” and substituting therefor the words “fire-fighting or other purposes of the Fire Service”;
- (e) in subsection (5)—
 - (i) by inserting after the word “fire” the words “or other hazard to life or property”; and
 - (ii) by deleting the words “fire-fighting purposes” and substituting therefor the words “fire-fighting or other purposes of the Fire Service”.

17. Section 44 of the Act is amended—

Section 44 amended

- (a) in subsection (1) by deleting the words “fire hazard” and substituting therefor the words “hazard to life or property by fire or otherwise”;
- (b) in subsection (2)—
 - (i) by deleting the words “fire hazard” and substituting therefor the words “hazard to life or property by fire or otherwise”;

- (ii) by deleting the words “protective devices” and substituting therefor the words “safety measures”; and
- (c) by repealing subsection (7) and substituting the following subsection:

“ (7) For the purposes of this section, “local authority” means a “Corporation” to which the Municipal Corporations Act, 1990 applies, and includes the Tobago House of Assembly established by section 3 of the Tobago House of Assembly Act.”.

Chap. 25: 03

Section 45 amended

18. Section 45 of the Act is amended—

- (a) in subsection (2), by deleting the words “fire hazard” wherever occurring and substituting therefor the words “hazard to life or property by fire or otherwise”; and
- (b) in subsection (3), by deleting the words “fire hazard” and substituting therefor the words “hazard to life or property by fire or otherwise”.

Passed in the House of Representatives this 2nd day of May, 1997.

N. COX

Acting Clerk of the House

Passed in the Senate this 27th day of May, 1997.

D. DOLLY

Acting Clerk of the Senate

Senate amendments agreed to by the House of Representatives this 6th day of June, 1997.

N. COX

Acting Clerk of the House