

**LAWS OF TRINIDAD AND TOBAGO**

**CONSTITUTION (PRESCRIBED MATTERS) ACT**

**CHAPTER 1:02**

**Act**

**36 of 1966**

Amended by

38 of 1968	45 of 1979
28 of 1972	4 of 1980*
17 of 1973	1 of 1983
7 of 1976	96/1984
23 of 1976	171/1985
49 of 1976	189/1985
11 of 1977	3 of 1986
22 of 1977	

\*See Note on page 2

**Current Authorised Pages**

<i>Pages (inclusive)</i>	<i>Authorised by L.R.O.</i>
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LAWS OF TRINIDAD AND TOBAGO

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**Note on Consolidation**

The Constitution of the Republic of Trinidad and Tobago (Prescribed Offices) Act, 1980 (Act No. 4 of 1980) has been incorporated in this Chapter as section 5 and as the Second Schedule.

**CHAPTER 1:02**

**CONSTITUTION (PRESCRIBED MATTERS) ACT**

ARRANGEMENT OF SECTIONS

**SECTION**

1. Short title.
2. Announcement of date of election for President.
3. Salaries and allowances of holders of certain offices.  
Payment of salaries and allowances charged on the Consolidated Fund.
4. Retirement age of Auditor General.
5. Offices prescribed under section 141(1) of the Constitution.

**FIRST SCHEDULE.**

**SECOND SCHEDULE.**

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CHAPTER 1:02

CONSTITUTION (PRESCRIBED MATTERS) ACT

36 of 1966. \*An Act to prescribe various matters required by the Constitution to be prescribed by Parliament.

Commencement. [8<sup>TH</sup> SEPTEMBER 1966]

Short title. 1. This Act may be cited as the Constitution (Prescribed Matters) Act.

Announcement of date of election for President. [49 of 1976]. 2. The date of every election for President under section 26 of the Constitution of the Republic of Trinidad and Tobago shall be announced not less than twenty-one days nor more than thirty days in advance.

Salaries and allowances of holders of certain offices. [3 of 1986]. First Schedule. 3. (1) There shall be paid to the holder of an office specified in the first column of the First Schedule a monthly salary at the rate specified in respect thereof in the second column of the said Schedule.

(2) There shall be paid to the holder of an office specified in the first column of the First Schedule such allowances as the President may by Order prescribe.

Payment of salaries and allowances charged on the Consolidated Fund. (3) The salaries and allowances prescribed in this section shall be a charge on the Consolidated Fund.

Retirement age of Auditor General. 4. The age at which the Auditor General is required to vacate his office under section 136(1) of the Constitution is sixty years.

Offices prescribed under section 141(1) of the Constitution. Second Schedule. [1 of 1983]. 5. (1) For the purposes of section 141(1) of the Constitution the offices set out in the Second Schedule are prescribed.

(2) The President may by Order amend the Second Schedule.

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\*See Section 19 of the Constitution of the Republic of Trinidad and Tobago Act (Chapter 1:01) for saving of enactments prescribing matters under former Constitution.

## FIRST SCHEDULE

Section 3.  
[38 of 1968  
\*28 of 1972  
†7 of 1976  
‡3 of 1986].

Office	Monthly Salary			
	1980	1981	1982	1983
	\$	\$	\$	\$
(a) Chairman of the Public Service Commission... ..	3,690	5,657	6,788	7,466
(b) Deputy Chairman of the Public Service Commission... ..	3,074	4,000	4,800	5,280
(c) Member of the Public Service Commission other than the Chairman and the Deputy Chairman ... ..	1,230	2,000	2,400	2,640
(d) Chairman of the Teaching Service Commission... ..	2,458	3,500	4,200	4,620
(e) Member of the Teaching Service Commission other than the Chairman ... ..	1,024	1,500	1,800	1,980
(f) Chairman of the Police Service Commission... ..	—	750	900	990
(g) Member of the Police Service Commission other than the Chairman or a member who is also a member of the Public Service Commission... ..	410	600	720	792
(h) Chairman of the Elections and Boundaries Commission ... ..	4,714	5,657	6,788	7,466
(i) Member of the Elections and Boundaries Commission other than the Chairman ... ..	1,538	2,000	2,400	2,640
(j) Chairman of the Judicial and Legal Service Commission... ..	—	750	900	990
(k) Member of the Judicial and Legal Service Commission other than the Chairman ... ..	410	600	720	792
(l) Auditor General... ..	6,150	7,800	9,000	9,900

\*Came into operation on 01/01/1971.

†Came into operation on 01/01/1974.

‡Came into operation on 01/01/1981.

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Section 5.

**\*SECOND SCHEDULE**

President of the Industrial Court  
Vice-President of the Industrial Court  
Member of the Industrial Court  
Ambassador  
High Commissioner  
Permanent Secretary  
Chief Personnel Officer  
Economic Adviser to the Prime Minister  
Special Adviser to the Cabinet on all Protective Services and Chief Executive  
Officer of the National Security Council  
Commissioner of Inland Revenue and Chairman of the Board of Inland  
Revenue  
Commissioner of Inland Revenue  
Member of the Tax Appeal Board other than the Chairman  
Member of the Public Service Appeal Board  
Commissioner of Police  
Chief of Defence Staff  
Executive Officer, Office of the Ombudsman  
Director of Personnel Administration  
Director of Contracts  
Chief Medical Officer  
Executive Director, Water and Sewerage Authority  
Deputy Executive Director, Water and Sewerage Authority  
Director (Finance), Water and Sewerage Authority  
Director (Technical), Water and Sewerage Authority

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\*The Second Schedule was amended by the following:

4 of 1980; 1 of 1983; 96/1984; 189/1985; 25/1989; 158/1990; 106/1991; 4/1992; 132/1992;  
24 of 1992; 63/1993; 85/1993; 164/1993; 23/1994; 53/1994; 67/1994; 82/1994; 145/1994;  
153/1994; 167/1994; 166/1995; 201/1995; 7/1996; 31/1996; 59/1996; 2/1997; 53/1997; 183/1997;  
212/1997; 19/1998; 32/1998; 167/1998; 186/1998; 187/1998; 7/1999; 13/2000; 20/2000; 33/2000;  
249/2000; 12/2001; 39/2001; 50/2001; 56/2001; 76/2001; 158/2001; 159/2001; 30/2003;  
187/2003; 209/2003; 33/2004; 118/2004.

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Director, Water Resources Agency, Water and Sewerage Authority  
Executive Director, National Housing Authority  
Executive Director, National Advisory Council  
Director, Management Development Centre  
General Manager, Public Transport Service Corporation  
General Manager, Industrial Development Corporation  
Mayor, Alderman and Councillor—Municipalities  
Chairman, Alderman and Councillor—County Councils  
Chairman of the Essential Services Division of the Industrial Court  
Director of Budgets  
Comptroller of Accounts  
Director, Research and Development, Ministry of Finance and Planning  
Chief Executive Officer, Office of Corporation Sole (now Permanent Secretary,  
Ministry of State Enterprises)  
Member of the Statutory Authorities Appeal Board  
President of the National Institute of Higher Education (Research, Science and  
Technology) (NIHERST)  
Director (Financial Institutions) of the National Institute of Higher Education  
(Research, Science and Technology) (NIHERST)  
Special Adviser (Protective Services), Ministry of National Security  
Chairman, Registration Recognition and Certification Board  
Inspector of Police Services  
Chairman, Police Complaints Authority  
Special Adviser to the Prime Minister on Crime  
Secretary, National Security Council Secretariat  
Executive Director, Public Utilities Commission  
Deputy Permanent Secretary  
Special Adviser to the Minister of Community Development, Culture and  
Women's Affairs  
Part-time Magistrate  
Comptroller of Customs and Excise

**SECOND SCHEDULE—(Continued)**

Special Adviser to the Minister Extraordinaire  
Chairman, Law Commission  
Chief State Counsel, Inland Revenue Division, Ministry of Finance  
Assistant Chief State Counsel, Inland Revenue Division, Ministry of Finance  
Administrator General  
Public Trustee  
Official Receiver  
Chief Administrator, Tobago House of Assembly  
Deputy Chief Personnel Officer  
Magistrate (Appointed on Contract)  
Legal Adviser, Service Commission  
Deputy Director of Personnel Administration  
Executive Director, Investment/Divestment  
Clerk of the House of Representatives  
Clerk of the Senate  
Divisional Manager, Technical Services, Water and Sewerage Authority  
Divisional Manager, Water Resources, Water and Sewerage Authority  
Divisional Manager, Operations, Water and Sewerage Authority  
Divisional Manager, Special Projects, Water and Sewerage Authority  
Secretary to Cabinet  
Executive Director, National Library and Information System (NALIS)  
Deputy Executive Director, National Library and Information System (NALIS)  
Law Reform Officer  
Registrar, Environmental Commission  
Deputy Comptroller of Accounts  
Chairman, Law Revision Commission  
Senior Assistant Registrar General  
Examiner of Title

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Registrar, Integrity Commission  
Assistant Registrar, Industrial Court  
Vice-Chief of Defence Staff  
Director, Forensic Science Centre  
Chief Immigration Officer  
Deputy Commissioner of Police  
Deputy Commission of Prisons  
Deputy Chief Fire Officer  
Chairman, Environmental Commission  
Deputy Chairman, Environmental Commission  
Assistant Commissioner of Inland Revenue  
Assistant Auditor General  
Court Executive Administrator  
Magistracy Registrar and Clerk of the Court  
Director Special Anti-Crime Unit  
Deputy Secretary to Cabinet

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**SUBSIDIARY LEGISLATION**

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**AUDITOR GENERAL (ALLOWANCES) ORDER**

ARRANGEMENT OF ORDER

**CLAUSE**

1. Citation and commencement.
  2. Definition.
  3. Cost of living allowance.
  4. Vacation and vacation passage allowance.
  5. Passage allowance.
  6. Quarters.
  7. Allowance in respect of rent for quarters.
  8. Transport allowance.
  9. Travelling Allowances Regulations to apply.
  10. Cost of transport to Tobago.
  11. Chauffeur's allowance.
  12. Subsistence.
  13. Medical treatment.
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*Auditor General (Allowances) Order*

[Subsidiary]

**AUDITOR GENERAL (ALLOWANCES) ORDER**

171/1985.

*made under section 3(2)*

**1.** This Order may be cited as the Auditor General (Allowances) Order, and save as is otherwise herein expressly provided, shall be deemed to have come into operation on 2nd September, 1967. Citation.

**2.** In this Order, “children” means the children of the Auditor General (including legally adopted children) who are below the age of twenty-one years and are unmarried and maintained by him. Definition.

**3.** With effect from 1st January, 1981, a cost of living allowance calculated on the same basis as that which applies in the public service is payable to the Auditor General. Cost of living allowance.

**4.** Once in every two years the Auditor General shall be entitled to leave of absence on long vacation the whole or any part of which may be spent abroad and shall be paid a passage allowance as provided in clause 5. Vacation and vacation passage allowance.

**5.** (1) The passage allowance payable to the Auditor General shall be the full actual cost of first class return passages (by air or sea, or partly by air and partly by sea, at the Auditor General’s option) for himself, his wife and children, if any, subject to a maximum of the equivalent of three such adult first class return fares from Trinidad to the United Kingdom by the most direct route. Passage allowance.

(2) The passage allowance shall be payable in such a manner as to enable the Auditor General’s wife or children, or both his wife and children, to precede him or to follow him, if he so desires, on the outward or homeward journey as the case may be.

**6.** (1) With effect from 1st January, 1981, the Auditor General shall be entitled to occupy free furnished supergrade quarters or at his option, to be paid a house allowance at the rate of seven hundred and fifty dollars per month. Quarters.

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[Subsidiary]

Auditor General (Allowances) Order

(2) In addition to the benefits outlined at subclause (1), the Auditor General shall be paid the cost of the rental of a telephone at his residence or quarters and such other metered charges and ticketed calls made for official purposes as are claimed by him.

(3) When on official duty in Tobago the Auditor General shall be entitled to the exclusive use of Government quarters or to other suitable accommodation.

Allowance in respect of rent for quarters.

**7.** Where the Auditor General elects to occupy quarters under clause 6(1) without payment of rent, the provision thereof shall be deemed to be an allowance for the purpose of section 3 of the Act.

Transport allowance.

**8.** The Auditor General shall be eligible to a transport allowance—

(a) for the period 1st January, 1981 to 31st July, 1981, at the rate of \$450.00 per month; and

(b) with effect from 1st August, 1981, at the rate of \$525.00 per month.

Travelling Allowances Regulations to apply. Ch. 23:50. Sub. Leg.

**9.** The provisions of the Travelling Allowances Regulations which relate to advances to purchases, insurance and retention of means of transport shall apply *mutatis mutandis* to the Auditor General.

Cost of transport to Tobago.

**10.** The Auditor General on duty in Tobago shall be provided with paid passages (by sea or air at his option) and free transport of his motor car to and from Tobago.

Chauffeur's allowance.

**11.** (1) With effect from 1st January, 1981, there shall be paid to the Auditor General a chauffeur's allowance equivalent to the minimum salary of a Chauffeur II in the Public Service.

(2) The allowance at subclause (1) shall be increased by a cost of living allowance equivalent to the cost of living allowance payable to chauffeurs employed in the Public Service.

Subsistence.

**12.** (1) With effect from 1st January, 1981, where the Auditor General has travelled beyond a radius of ten (10) miles from his

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*Auditor General (Allowances) Order*

[Subsidiary]

Head Office he shall be paid a subsistence allowance of thirty dollars per day when in Trinidad and forty dollars per day when in Tobago.

(2) With effect from 9th June, 1983, the subsistence allowance quoted in subclause (1) shall be increased by ten dollars.

**13.** With effect from 1st January, 1981, the Auditor General is entitled without charge to operative treatment, X-ray, bacteriological and pathological examinations and physiological treatment and to all incidental hospitalisation services at any hospital or State institution established and maintained by the State under the Hospitals Ordinance; or where these services are not available at such hospital, to be paid the cost of such treatment and services in any hospital, institution or nursing home in Trinidad and Tobago.

Medical  
treatment.

Ch. 12. No. 9.  
(1950 Ed.).