

Fourth Session Fourth Parliament Republic of Trinidad
and Tobago



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 17 of 1995

[L.S.]

AN ACT to amend the Constitution of Trinidad and
Tobago

[Assented to 5th August, 1995]

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

1. This Act may be cited as the Short title Constitution
(Amendment) (No. 2) Act, 1995.

Alteration of the
Constitution

2. This Act shall be construed as altering the Constitution.

Section 50 amended

3. Section 50 of the Constitution is amended—

- (a) In subsection (6), by inserting after the words “subsection (8)” the words “or (9)”; and
- (b) by inserting after subsection (8) the following subsections:

“ (9) Upon delivery by the Clerk of the House to the Speaker of a resolution signed by a majority of the members of the House that the Speaker be removed from office, (hereinafter referred to as “the resolution”) the Speaker shall vacate his office temporarily and cease to perform his functions as Speaker.

(10) The resolution shall state the grounds on which the Speaker’s removal from office is proposed.

(11) The Speaker may, within twenty-one days of the delivery of the resolution, supply to the Clerk of the House in writing any grounds on which he resists his removal from office, and the Clerk of the House shall supply a copy thereof to each member of the House.

(12) Unless a motion in support of the resolution is moved in the House—

- (a) within fourteen days of the receipt by the Clerk of the House of the grounds supplied by the speaker; or
- (b) where no such grounds have been supplied, within fourteen days of the time prescribed therefor,

the Speaker shall resume the performance of his functions as Speaker.

(13) For the purposes of subsection (9) a resolution left at the office of the Speaker shall be deemed to be delivered at the time it is so left.

(14) Where the motion in subsection (12) is passed, the Clerk of the House shall within seven days of the passing of the motion referred to in subsection (12) transmit the records of proceedings in the House to a Special Tribunal comprising a Chairman and two other members appointed by the President after consultation with the Prime Minister and the Leader of the Opposition, (hereinafter referred to as "the Tribunal").

(15) The record shall include the resolution, the grounds supplied by the Speaker and the speeches made by Members of the House upon debate of the resolution.

(16) The Tribunal shall review the record and within twenty-one (21) days of its receipt of the record shall make a recommendation to the House accompanied by a brief statement of its reasons therefor either—

(a) confirming that the Speaker should vacate office; or

(b) withholding confirmation.

(17) Where the Tribunal confirms that the Speaker should vacate office the Speaker shall do so immediately upon delivery to him of the confirmation of the Tribunal by the Clerk of the House.

(18) Where the Tribunal withholds confirmation the House by resolution may resolve not to follow the recommendation of the Tribunal and to confirm the motion that the Speaker should vacate office and where such a resolution is passed the Speaker shall vacate his office immediately.

(19) During the period of review by the Tribunal the Speaker shall not resume performance of his functions as Speaker.”.

Passed in the Senate this 20th day of July, 1995.

N. COX
Clerk of the Senate

Passed in the House of Representatives this 4th day of August, 1995.

J. SAMPSON
Clerk of the House