

CONSTITUTION (PRESCRIBED MATTERS) ACT

CHAPTER 1:02

Act

36 of 1966

Amended by

38 of 1968	*4 of 1980
28 of 1972	1 of 1983
17 of 1973	96/1984
7 of 1976	171/1985
23 of 1976	189/1985
49 of 1976	3 of 1986
11 of 1977	22/2011
22 of 1977	151/2011
45 of 1979	204/2011

*See Note on page 2

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<i>Pages (inclusive)</i>	<i>Authorised by L.R.O.</i>
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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.

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UPDATED TO DECEMBER 31ST 2012

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.

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. [8TH 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.

**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].

<i>Office</i>	<i>Monthly Salary</i>			
	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 1st January 1971.

†Came into operation on 1st January 1974.

‡Came into operation on 1st January 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
Director (Finance), Water and Sewerage Authority
Director (Technical), Water and Sewerage Authority
Director, Water Resources Agency, Water and Sewerage Authority
Executive Director, National Housing Authority

*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; 114/2005; 267/2005; 38/2006;
161/2006; 175/2006; 18/2007; 273/2007; 274/2007; 66/2008; 151/2008; 12/2009; 180/2010;
259/2010; 283/2010; 22/2011; 151/2011 and 204/2011.

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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—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
Special Adviser to the Minister Extraordinaire
Chairman, Law Commission

SECOND SCHEDULE—(Continued)

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
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
Registrar, Integrity Commission
Assistant Registrar, Industrial Court
Vice-Chief of Defence Staff
Director, Forensic Science Centre
Chief Immigration Officer
Deputy Commissioner of Police
Deputy Commissioner of Prisons
Deputy Chief Fire Officer

Chairman, Environmental Commission
Deputy Chairman, Environmental Commission
Member, Environmental Commission (Full-time)
Member, Environmental Commission (Part-time)
Member, Environmental Commission (Periodic)
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
Parliamentary Counsel III
Deputy Auditor General
Chief Education Officer
Defence Adviser, Ministry of National Security
Director, Defence Transformation and Integration Secretariat
Chief Election Officer, Elections and Boundaries Commission
Deputy Comptroller of Customs and Excise
Deputy Director of Budgets
Deputy Director of Contracts
Deputy Chief Immigration Officer
Coroner
Coroner (Appointed on Contract)
Legislative Draftsman, Law Reform Commission
Registrar, Equal Opportunity Tribunal
Director, Police Complaints Authority
Deputy Director, Police Complaints Authority
Director, Financial Intelligence Unit
Deputy Director, Financial Intelligence Unit
Administrator, Tobago House of Assembly
Clerk, Tobago House of Assembly

SUBSIDIARY LEGISLATION

AUDITOR GENERAL (ALLOWANCES) ORDER

ARRANGEMENT OF CLAUSES

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

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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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.).