
Fourth Session First Parliament Republic of Trinidad
and Tobago



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 51 of 1979

AN ACT to provide for the establishment and control of
an Auxiliary Fire Service and for matters connected
therewith and incidental thereto.

[Assented to 31st December, 1979]

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

1. This Act may be cited as the Auxiliary Fire Service short title
Act, 1979.

Interpretation

2. In this Act—

“Auxiliary Fire Service” means the Auxiliary Fire Service of Trinidad and Tobago established by section 3;

“Chief Fire Officer” and “Deputy Chief Fire Officer” mean the persons appointed to the offices of Chief Fire Officer and Deputy Chief Fire Officer respectively under the Fire Service Act, 1965;

No. 31 of 1965

“Fire Service” means the Fire Service established by section 3 of the Fire Service Act, 1965;

“Minister” means the member of the Cabinet to whom responsibility for the Fire Service is assigned.

Establishment of Auxiliary Fire Service

3. (1) There is hereby established an Auxiliary Fire Service to be known as the Auxiliary Fire Service of Trinidad and Tobago.

(2) The Auxiliary Fire Service shall consist of First Division Officers and Second Division Officers (hereinafter together referred to as “members”).

Second Schedule

(2) The officers of each Division of the Auxiliary Fire Service are those set out in the Second Schedule and such other offices as the President may, by Order, prescribe from time to time.

Appointment of members

4. (1) The Minister acting on the advice of the Chief Fire Officer may in writing appoint such persons as he thinks fit to be First Division Officers of the Auxiliary Fire Service.

(2) Subject to the approval of the Minister, the Chief Fire Officer may in writing appoint such persons as he thinks fit to be Second Division Officers of the Auxiliary Fire Service.

First Schedule

(3) Applications for appointments shall be made in writing on the form prescribed in the First Schedule, to the Chief Fire Officer who shall, in the case of persons seeking appointments as First Division Officers, forward their applications to the Minister.

(4) Each application must be accompanied by a medical certificate and a certificate of good character.

5. Every member shall, before entering upon his ^{Oath of affirmation} duties under this Act, take and subscribe the oath or affirmation of office and of secrecy set out in the ^{Third Schedule} Third Schedule before a Justice of the Peace.

6. The appointment of any member may be ^{Revocation of appointment} revoked at any time—

(a) by the Minister, in the case of a First Division Officer; and

(b) by the Chief Fire Officer, in the case of a Second Division Officer.

7. A member may ^{Resignation} resign by giving one month's notice in writing to the Chief Fire Officer who shall, in the case of an officer in the First Division, transmit the notice to the Minister.

8. (1) Subject to subsection (2) the ^{Retirement} compulsory retiring age shall be—

(a) in the case of a First Division Officer, sixty years; and

(b) in the case of a Second Division Officer, fifty-five years.

(2) The retirement age of a First Division Officer may be extended with the approval of the Minister on the recommendation of the Chief Fire Officer for periods not exceeding five years in the aggregate.

9. Where the Minister is of the opinion that ^{Power of Chief Fire Officer} additional personnel is required for the preservation of good order, the protection of persons or property or the performance of any other duty exercisable by members of the Fire Service, he may, on the advice of the Chief Fire Officer call out members of the Auxiliary Fire Service for duty on a full-time, part-time or temporary basis.

10. Subject to any special or general directions of the ^{Responsibilities of the Chief Fire Officer} Minister, the Chief Fire Officer shall be responsible for the command, and superintendence of the Auxiliary Fire Service.

Powers and
responsibilities
of members

11. Every member shall, when called out for duty, have, exercise and enjoy the same powers, authority, privileges and immunities and shall perform the duties and have the responsibilities of a member of the Fire Service.

Clothing and
equipment to
be provided

12. The Chief Fire Officer or any other officer in the Fire Service authorised for the purpose in writing by the Chief Fire Officer (hereinafter referred to as "an authorised officer") shall provide each member with such clothing and equipment as may be prescribed; the cost of which clothing and equipment shall be defrayed from funds provided by Parliament for the purpose.

Duty to return
clothing and
equipment

13. (1) A person who ceases to be a member shall, within one week of his ceasing to be a member, return to the Chief Fire Officer or an authorised officer the clothing and equipment with which he was provided by virtue of section 12.

(2) A person who ceases to be a member and who fails or refuses without reasonable excuse to return within the period specified under subsection (1), the clothing and equipment with which he was provided is guilty of an offence and liable on summary conviction to a fine of five hundred dollars.

Offences and
penalties

14. (1) A member who—

(a) when called out for duty fails or refuses to perform any duty assigned to him or to carry out any lawful order given to him;
or

(b) sells, lends, pledges or otherwise disposes of or wilfully damages any clothing or equipment with which he was provided,

is guilty of an offence and liable on summary conviction to a fine of five hundred dollars or to imprisonment for six months or to both such fine and imprisonment.

(2) A person who impersonates, or in any other manner pretends to be, a member, is guilty of an offence and liable on summary conviction to a fine of five hundred dollars or to imprisonment for six months or to both such fine and imprisonment.

(3) No prosecution shall commence for an offence under paragraph (a) subsection (1) without the express approval of the Director of Public Prosecutions.

15. (1) The Minister may make such regulations as he ^{Regulations} considers necessary for giving effect to the provisions of this Act, for prescribing anything that is required by this Act to be prescribed and by such regulations may provide for—

- (a) the organisation of the Auxiliary Fire Service;
- (b) the establishment of different ranks in the Auxiliary Fire Service and the precedence and command to be had or exercised by the members of each rank;
- (c) the training of members;
- (d) the conditions of service, promotion, demotion, resignation, suspension or dismissal of members;
- (e) the remuneration and payment of allowances to members and the rates at which and the conditions upon which such allowances shall be paid to members of the different ranks;
- (f) the grant of benefits to members who are injured while in the execution of their duties and the rates at which and the conditions upon which such benefits shall be granted to members of the different ranks;
- (g) the grant of pensions or gratuities to members who, consequent upon injuries received in the course of their duties, are permanently incapacitated or whose earning power has been considerably impaired and the rates at which and the conditions upon which the pensions or gratuities shall be granted to members of the different ranks;
- (h) the grant, subject to such conditions as the Minister may impose and at such rates as may be specified, of a pension or gratuity

to the widow, children or other dependents of any member who dies from injuries received as a result and in the course of the performance of his duties without his own neglect or default;

- (i) the control of the use of transport used by members for the purpose of carrying out their duties under this Act;
- (j) the discipline of the Auxiliary Fire Service and the procedure to be followed in cases of breaches of discipline; and
- (k) the prescription and supply of clothing and equipment for the use of members.

(2) Regulations made under paragraphs (e), (f), (g) and (h) of subsection (1) shall be subject to negative resolution of the Senate and the House of Representatives.

(3) For the purposes of paragraph (h) of subsection (1) "child" includes—

- (a) a posthumous child;
- (b) a step-child or illegitimate child born before the date of the injury and was wholly or mainly dependent on the deceased member for support; and
- (c) a child who was legally adopted before the date of the injury and was wholly or mainly dependent on the deceased member for support.

FIRST SCHEDULE

(Section 4)

TRINIDAD AND TOBAGO AUXILIARY FIRE SERVICE
APPLICATION FOR ENLISTMENT—*FIRST/SECOND
DIVISION

- 1. Full Name and Address.....
-
- 2. Date of Birth..... 3. Place of Birth.....
- 4. Name and Occupation of father and mother.....
-
-

- 5. Schools attended (with dates).....
- 6. Standard of education reached.....
- 7. Examinations passed or courses taken.....
-
- 8. History of employment
-
-
- 9. Record of Service (In the Fire Service).....
-
-
- 10. Present occupation..... 11. Pay
- 12. Married or Single 13. No. of Children.....
- 14. Height (in bare feet) 15. Weight
- 16. Chest: (a) normal (b) expanded
- 17. Special qualifications
-
-
- 18. Details of any games played
-
-
- 19. Names, occupations and addresses of any two respected members of the community who can testify to your good character:
- (a)
- (b)

I,declare that
to the best of my knowledge the answers given
above are true and correct.

.....
Date

.....
Signature of Applicant

NOTE:

- 1. Some physical requirements are as follows:—
 - (a) Minimum height, 5 ft. 6½ ins. in bare feet;
 - (b) Minimum chest measurement, normal 33 ins.;
 - (c) Arms and legs, not deformed;
 - (d) Feet, not flat-footed.
- 2. Set out any additional facts in support of application above.

*Strike out status not applicable.

SECOND SCHEDULE

(Section 3)

- A. The offices in the First Division of the Auxiliary Fire Service—
 - Divisional Fire Officer.
 - Assistant Divisional Fire Officer.
- B. The offices in the Second Division of the Auxiliary Fire Service—
 - Fire Station Officer
 - Fire Sub-Station Officer
 - Fire Sub-Officer
 - Fireman.

THIRD SCHEDULE

(Section 5)

OATH OF OFFICE AND OF SECRECY

I, (A.B.) solemnly and sincerely swear that I will faithfully and honestly fulfil the duties that devolve upon me by reason of my employment in the service of the Auxiliary Fire Service and that I will not without due authority in that behalf, in any manner whatsoever publish or communicate any facts or information being facts or expressions of opinion based on such facts that come to my knowledge by reason of such employment.

So help me God:

Signature.....

Sworn before me at _____, this _____ day of _____, 19.....

.....
Justice of the Peace

AFFIRMATION OF OFFICE AND OF SECRECY

I, (A.B.) solemnly and sincerely affirm and declare that I will faithfully and honestly fulfil the duties that devolve upon me by reason of my employment in the service of the Auxiliary Fire Service and that I will not without due authority in that behalf, in any manner whatsoever publish or communicate any facts or information being facts or expressions of opinion based on such facts that come to my knowledge by reason of such employment.

Signature.....

Affirmed before me at _____, this _____ day
of _____, 19_____

.....
Justice of the Peace

Passed in the House of Representatives this 4th day
of December, 1979.

R. L. GRIFFITH
Acting Clerk of the House

Passed in the Senate this 14th day of December, 1979.

E. WILLIAMS
Acting Clerk of the Senate