

LEGAL NOTICE No. 179

REPUBLIC OF TRINIDAD AND TOBAGO

THE DEFENCE ACT, 1962

RULES

MADE BY THE COMMISSIONS BOARD WITH THE APPROVAL OF THE MINISTER
UNDER SECTION 6(5) OF THE DEFENCE ACT, 1962

TRINIDAD AND TOBAGO DEFENCE FORCE COMMISSIONS
BOARD RULES

1. These Rules shall be called the Defence Force Commissions Board Rules, 1982, and shall hereinafter be referred to as "The Rules".

Meetings

2. (1) The Board shall meet on the first Wednesday of every month, or at such times and places as the Chairman may determine, for the purpose of performing its functions.

(2) Where a member fails to attend three consecutive meetings without reasonable excuse, the Board shall make a report to the President.

Procedure, Quorum and Voting

3. (1) The Chairman shall preside at meetings of the Board, and in his absence the members present may elect a Chairman from among themselves.

(2) At any meeting of the Board, three members shall constitute a quorum.

(3) All matters for discussion at a meeting of the Board shall be decided by a majority of the votes of the members present and voting.

(4) The Chairman or person elected to preside at a meeting, shall have an original vote, and in the event of an equality of votes, shall have as well a second or casting vote.

Decisions other than at Meetings

4. (1) Notwithstanding rule 3, but subject to paragraph 2 hereunder matters may also be decided by the Board without a meeting, by circulation of the relevant papers among members, and the expression of their views in writing. In such a case, the decision shall be the view of the majority of members expressing a view.

(2) If any member should request that a matter or question being dealt with in accordance with rule 4(1) be reserved for consideration at the next following meeting of the Board, no decision shall be made on that matter or question except at a meeting of the Board.

5. The Chairman shall ensure that minutes of all meetings of the Board and all decisions arrived at under rule 4 shall be duly recorded and kept, and that the same be presented for confirmation by the Board as soon as practicable at a subsequent meeting or by individual members on circulation thereof.

Dissent

6. Any member of the Board who dissents from a decision, may require that his dissent and reason for dissenting be recorded in the minutes, and it shall be so recorded.

Appointments and Promotions

7. (1) The Board may prescribe from time to time, the form and manner in which:

- (a) Applications are to be made for appointment to Officer Cadetships and Commissions in the Force;
- (b) Examinations and interview are to be conducted for appointments to Officer Cadetships and Commissions in the Force.

(2) Every application for appointment to an Officer Cadetship or Commission in the Defence Force shall be made in writing on the prescribed forms to the Chief of Defence Staff indicating the Unit in which the appointment is desired.

(3) A candidate who qualifies for appointment to an Officer Cadetship or a Commission, shall be interviewed by the Board which will make the final selection.

(4) The names of candidates selected by the Board for appointment to Cadetships shall be submitted for approval by the Minister.

(5) The Board shall submit its recommendations for appointment to Commissions and promotion to the President through the Minister.

Selection for Promotion

8. In considering the eligibility of Officers of the Force for promotion to substantive or acting rank, the Board shall take into account as regards each Officer the following:

- (i) His general fitness;
- (ii) The position of his name on the seniority list and on the list of results of the promotion examinations;
- (iii) Any special qualifications;
- (iv) Any special courses of training that he may have undergone;
- (v) The evaluation of his overall performance as reflected in annual confidential reports by the Commanding Officer of the Unit;
- (vi) Any letters of commendation or special reports in respect of any special work done by the Officer;
- (vii) The duties of which he has had knowledge;
- (viii) Any specific recommendation of the Commanding Officer of the Unit for filling the particular appointment;
- (ix) Any previous military service;
- (x) Any special report for which the Board may call;
- (xi) His devotion to duty;
- (xii) Any other information which the Board may deem relevant.

Seniority Lists

9. In order to facilitate the Board in its deliberations, the Secretary shall keep up-to-date seniority lists of each unit and all commissioned officers of the Force.

Seniority

10. (i) The seniority of an Officer shall be determined by the date of his appointment or promotion to the particular rank which he holds. The seniority of Officers promoted to the same rank from the same date shall be in accordance with their seniority in the previous rank.
- (ii) Notwithstanding sub-paragraph (i), the Board may grant seniority to an Officer on first commissioning from a date earlier than that on which he has actually been commissioned, and his commencing pay shall be in accordance with the date of appointment.
- (iii) The seniority of an officer who voluntarily resigns from the Defence Force and is subsequently reappointed to it shall be reckoned from the date of his reappointment.

Made by the Defence Force Commissions Board this 5th day of October, 1983.

A. E. JONES

Chairman

JUSTICE U. CROSS

Member

LT. COL. J. D. G. LUKE

Member

COMMANDER J. E. WILLIAMS

Member

H. A. HARRIS

Member

Approved by the Minister of National Security this 15th day of November, 1983.

J. DONALDSON

Minister of National Security