

LEGAL NOTICE NO. 190

REPUBLIC OF TRINIDAD AND TOBAGO

THE JUDGES' SALARIES AND PENSIONS ACT, CHAP. 6:02

REGULATIONS

MADE BY THE PRESIDENT UNDER SECTION 16 OF THE JUDGES'  
SALARIES AND PENSIONS ACT

THE JUDGES' (CONDITIONS OF SERVICE AND ALLOWANCES)  
(AMENDMENT) REGULATIONS, 1997

1. These Regulations may be cited as the Judges' (Conditions of Service and Allowances) (Amendment) Regulations, 1997.

2. Regulation 2 of the Judges' (Conditions of Service and Allowances) Regulations (hereinafter referred to as "the Regulations") is amended—

Regulation 2  
of Chap. 6:02  
amended

(a) by deleting the definition of "long vacation"; and

(b) by inserting in the appropriate alphabetical sequence the following new definitions:

"existing Judge" means a Judge appointed before the making of the Judges' (Conditions of Service and Allowances) (Amendment) Regulations, 1997;

"new Judge" means a Judge appointed after the making of the Judges' (Conditions of Service and Allowances) (Amendment) Regulations, 1997; and

(c) by repealing subregulation (2).

3. Regulation 4 of the Regulations is repealed and the following regulation substituted:

Regulation 4  
repealed and  
substituted

"Vacations

4. Subject to such assignments for duty as may be made by the Chief Justice for the due execution of vacation business, Judges shall be on vacation during the two short vacation periods at Easter and Christmas."

Regulation 6  
repealed and  
substituted

4. Regulation 6 of the Regulations is repealed and the following regulation substituted:

"Vacation  
entitlements

6. (1) In addition to the Easter and Christmas vacations a Judge is entitled—

(a) in the case of a Justice of Appeal, to six weeks vacation per annum; and

(b) in the case of a puisne Judge, to four weeks vacation per annum and six weeks vacation per annum respectively, in alternate years.

(2) The vacation provided for in subregulation (1) shall be taken at such time or times as may be approved by the Chief Justice and shall not be accumulated from one year to another."

Regulation 7  
repealed and  
substituted

5. Regulation 7 is repealed and the following regulation substituted:

"Passage  
allowance

7. (1) In every second year a Judge shall be entitled to be paid a passage allowance to enable him and his family to go abroad during his vacation, the amount of which allowance shall be equivalent to the full cost of first-class return air fares from Trinidad to London by the most direct route for the Judge and his spouse, if any, and his children, if any, but shall not exceed the cost of three such adult fares.

(2) A Judge other than an acting Judge or one appointed under section 104(2) of the Constitution for a period of less than two years, may opt to receive in lieu of the passage allowance described in subregulation (1), an annual travel grant of twenty thousand dollars in cash.

(3) In respect of existing Judges who receive a benefit under Regulation 7A in 1997, this regulation shall come into effect from 1st January, 1998, but in respect of all other Judges this regulation is deemed to have come into effect on 1st January, 1997."

Regulation 7A  
amended

6. Regulation 7A is amended by repealing subregulation (5) and substituting the following:

" (5) This regulation shall not apply to new Judges or to any existing Judge who has exercised the option conferred by Regulation 7B of taking the allowance provided by that regulation in lieu of the benefit provided by this regulation."

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7. The Regulations are amended by inserting after Regulation 7A Regulations amended  
the following new regulations:

"Judicial  
Contact  
allowance

7B. (1) Subject to this regulation there shall be paid to every Judge an allowance known as a Judicial Contact allowance of five thousand dollars per month.

(2) This regulation shall not apply to an existing Judge unless he exercises the option provided by subregulation (3).

(3) An existing Judge may, not later than 31st December, 1997, opt to receive the allowance provided by this regulation in lieu of the benefit provided by Regulation 7A.

(4) Where an existing Judge receives a benefit under regulation 7A in 1997, but exercises the option provided by subregulation (3), the allowance provided by this regulation shall be payable to him as from 1st January, 1998 but in the case of all other Judges who are or become eligible to receive such allowance it shall be payable as from 1st January, 1997.

Option  
exercisable  
only once

7C. A Judge who is entitled to exercise the option of receiving—

(a) the cash grant in lieu of the passage allowance provided for in regulation 7; or

(b) the Judicial Contact allowance in lieu of the benefit provided for in regulation 7A,

shall do so once only in writing signed by him and shall thereafter forfeit any claim to the benefit which he has opted to forego save that the previous exercise of an option shall not be binding on, or enure to the benefit of a Judge who is appointed under section 104(2) of the Constitution."

8. Regulation 8A of the Regulations is amended—

Regulation 8A  
amended

(a) by deleting subregulation (2) and substituting the following new subregulation:

" (2) With effect from 1st April, 1997, where a Judge is not provided with a residence referred to in subregulation (1) or where he chooses not to occupy such a residence, he shall, subject to subregulation (3), be paid a monthly housing allowance of—

(a) in the case of the Chief Justice, seven thousand five hundred dollars;

(b) in the case of a Judge other than the Chief Justice, five thousand dollars,

save that the allowance shall not be paid where the Judge occupies a government owned residence not of the super-grade category.”;

(b) by deleting subregulation (4) and substituting the following new subregulation:

“ (4) This regulation is deemed to have come into effect on 1st April, 1997.”.

Regulation 10A  
amended

9. Regulation 10A of the Regulations is amended—

(a) in subregulation (1) by deleting the words “two thousand” and substituting the words “three thousand”; and

(b) in subregulation (2) by deleting the words “1980” and substituting the words “1997”

Dated this 10th day of September, 1997.

A. LEUNG WOO-GABRIEL  
*Acting Secretary to Cabinet*