

GOVERNMENT NOTICE No. 28

TRINIDAD AND TOBAGO

P  
Ord A 1965 (55)

## THE JUDGES' SALARIES AND PENSIONS ACT, 1965

## REGULATIONS

MADE BY THE GOVERNOR-GENERAL UNDER SECTION 14 OF THE  
JUDGES' SALARIES AND PENSIONS ACT, 1965THE JUDGES' (CONDITIONS OF SERVICE AND  
ALLOWANCES) REGULATIONS, 1971

Citation 1. These Regulations may be cited as the Judges' (Conditions of Service and Allowances) Regulations, 1971.

## PRELIMINARY

Definitions 2. (1) In these Regulations—  
 "children" means the children of a Judge (including legally adopted children) who are below the age of twenty years; unmarried and dependent on him;  
 "court vacation" means the whole of any period prescribed as a court vacation by rules of court in relation to the High Court and the Court of Appeal respectively;  
 "long vacation" means the period from 1st August to 30th September (both days inclusive) in each year.  
 (2) All allowances expressed in these Regulations in terms of an annual sum shall be treated as accruing monthly and shall be paid accordingly.

Option and application of these Regulations G.N. No. 25 of 1965 3. For the purpose of section 89(3) of the Constitution of Trinidad and Tobago, a Judge shall have the option of accepting the conditions of service and allowances provided for in these Regulations as a whole instead of those provided for in the Judges' (Conditions of Service and Allowances) Regulations, 1965; and these Regulations shall apply as a whole to such of the Judges only as have before the expiration of three months from the coming into force of these Regulations exercised the option in favour of these Regulations.

## VACATION AND VACATION PASSAGE ALLOWANCES

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 all court vacations.

Absence abroad 5. Subject to these Regulations, a Judge may go abroad during any court vacation with the approval of the Chief Justice, but, save as herein provided, no Judge shall be absent from Trinidad and Tobago without the approval of the Governor-General.

6. (1) In every alternate year a Judge shall be entitled to go abroad during the long vacation and, in such event, he shall be paid a passage allowance as provided by regulation 7. Vacation entitlements

(2) In this regulation and in regulation 7, for the year 1971, but no other, the expression "long vacation" means the period—

- (a) in relation to Judges of the High Court, from 26th June to 3rd October (both days inclusive); and
- (b) in relation to Judges of the Court of Appeal, from 1st August to 2nd October (both days inclusive).

7. (1) Subject to this regulation, passage allowance shall be payable for a Judge for his wife, if any, and for his children, if any, and shall be a sum equivalent— Passage allowance

- (a) to the full actual cost of a first-class return passage; or
- (b) to the full cost of a first-class return passage from Trinidad to Kingston, Jamaica,

whichever is less, but so however that the total passage allowance payable under this regulation shall not exceed the cost of three adult first-class return fares by air in accordance with paragraph (a) or (b) and shall be in respect of a passage by the most direct route.

(2) For the year 1971 and thereafter for every alternate occasion in which a Judge is entitled to go abroad during the long vacation, the passage allowance payable to a Judge under this regulation shall be in accordance with paragraph (1), with the substitution of a reference to London for the reference to Kingston, Jamaica, occurring therein.

(3) Passage allowance shall be payable in such a manner as to enable a Judge's wife or children or both the wife and children to precede or to follow him, if he so desires, on the outward or homeward journey, as the case may require.

#### HOUSING

8. (1) Subject to this regulation fully furnished residences shall be provided for all Judges rent-free. Housing

(2) The residence and furniture shall be of the super-grade category and the allocation of all such residences among Judges shall be in the sole discretion of the Chief Justice.

(3) Subject to paragraph (4) where a residence of the super-grade category is not provided or available, a monthly housing allowance of three hundred dollars in the case of the Chief Justice and two hundred and fifty dollars in the case of any other Judge shall be paid, save that such an allowance shall not be paid if the Judge is in occupation of quarters owned by the Government that are not of the super-grade category.

(4) The housing allowance to Judges other than the Chief Justice shall be paid only after the Chief Justice certifies in writing that in his view the residence that the Judge occupies or proposes to occupy is compatible with the status of a Judge.

(5) Notwithstanding anything in this regulation, where a residence of the super-grade category is not available, a Judge may at his option occupy quarters owned by Government (not being of the super-grade category) in lieu thereof.

(6) This regulation shall be deemed to have come into operation on the first day of April, 1970.

Judge on circuit 9. A Judge on circuit in San Fernando or Tobago shall be entitled to the exclusive use of quarters provided by the Government.

Deemed allowances 10. The provision of a residence or quarters shall be deemed to be an allowance for the purposes of regulation 19.

#### TRANSPORT

Transport allowance 11. From the first day of April, 1970, each Judge shall be paid a transport allowance at the rate of one thousand, eight hundred dollars per annum.

Application of Travelling Allowances Regulations, 1953. 12. The provisions of the Travelling Allowances Regulations, 1953, that relate to advances to purchase means of transport apply with any necessary or expedient modifications to the purchase of transport by a Judge and for the purposes of those provisions a Judge shall be deemed to be an officer required to use a motor vehicle for the performance of his official duties.

Advances to purchase means of transport  
Transport to Tobago 13. A Judge on duty in Tobago, shall be provided with paid passage for himself (by sea or air at the Judge's option) and free transportation of his motor car to and from Tobago.

#### CHAUFFEUR'S ALLOWANCE

Chauffeur's allowance 14. There shall be paid to each Judge a chauffeur's allowance so long as he holds the office of Judge as follows:—

(a) a sum at the rate of two thousand, four hundred dollars per annum from the first April, 1970, to the 31st July, 1971;

(b) a sum at the rate of two thousand, nine hundred and forty dollars per annum as from the first day of August, 1971.

#### SUBSISTENCE

Subsistence 15. (1) A Judge on duty in San Fernando or Tobago shall be paid a subsistence allowance at the rate of thirty dollars per day.

(2) This regulation shall be deemed to have effect from the first day of April, 1970.

#### ENTERTAINMENT ALLOWANCE

Entertainment allowance 16. (1) There shall be paid an entertainment allowance—

(a) to the Chief Justice of three thousand dollars per annum; and

(b) to the Judges other than the Chief Justice of one thousand, eight hundred dollars per annum.

(2) This regulation shall be deemed to have effect from the first day of January, 1971.

#### MEDICAL TREATMENT

Medical treatment 17. A Judge is entitled without charge to operative treatment, X-ray, bacteriological and pathological examinations and physiotherapy treatment and to all incidental hospitalization services at any hospital or other institution established and maintained by the Government under the Hospitals Ordinance or when those services are not available at such hospital, with the approval of the Chief Justice, to be paid the cost of such treatment and services at any other hospital, institution or nursing home in Trinidad and Tobago, the payment whereof shall be deemed to be an allowance for the purposes of regulation 19.

TELEPHONES

18. (1) There shall be paid for every Judge the cost of rental of a Telephone telephone at his residence or quarters and such other metered charges and allowance ticketed calls made for official purposes as are claimed by him.

(2) The amounts paid under this regulation shall be deemed to be an allowance for the purposes of regulation 19.

(3) This regulation shall be deemed to have effect from the first day of April, 1970.

EXEMPTION FROM INCOME TAX

19. Every allowance of whatsoever nature payable under these Regula- Exemption from income  
tions shall be wholly exempt from payment of income tax and any other tax. tax

Dated this 10th day of December, 1971.

D. H. N. ALLEYNE  
*Secretary to the Cabinet*