

PRESIDENT'S EMOLUMENTS ACT

CHAPTER 2:50

Act
40 of 1976
Amended by
12 of 2009

Current Authorised Pages

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Note on Subsidiary Legislation

This Chapter contains no subsidiary legislation.

CHAPTER 2:50

PRESIDENT'S EMOLUMENTS ACT

ARRANGEMENT OF SECTIONS

SECTION

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CHAPTER 2:50

PRESIDENT'S EMOLUMENTS ACT

40 of 1976. **An Act to provide for the emoluments and superannuation benefits of the President and for matters incidental thereto.**

Commencement. [18TH JUNE 1976]

Short title. **1.** This Act may be cited as the President's Emoluments Act.

*Emoluments of the President of the Republic. **2.** (1) The emoluments attaching to the office of President of the Republic of Trinidad and Tobago shall consist of—

(a) a salary at the rate of four thousand, five hundred and fifty dollars a month; and

(b) a duty allowance at the rate of one thousand, three hundred dollars a month payable during the period of performance in Trinidad and Tobago of the functions of the office.

(2) Where the office of President is vacant or the holder of the office is absent from Trinidad and Tobago or is for any reason unable to perform the duties of the office, the person performing the functions of the President shall be paid the same salary and duty allowance as a President.

Gratuity and pension payable to President. **3.** (1) Every person who having been elected President ceases at any time after the election to be President, other than on his removal from office under section 35(a) to (c) of the Constitution, shall be paid an annual pension equivalent to the full amount of the annual salary received by him at the date he ceased to be President.

(2) A person to whom a pension is payable under this Act shall, where he has exercised his option as herein provided, but not otherwise, be paid in lieu of the pension, pension at the rate of three-fourths of the pension, together with a gratuity equal to twelve and a half times the amount of the annual reduction so made in the pension.

*See the latest Report of the Salaries Review Commission.

(3) The option referred to in subsection (2) shall be exercisable, and where it has been exercised, may be revoked, not later than the day immediately preceding the date of such person ceasing to be President; but the Cabinet may, where it appears equitable to do so, allow him to exercise the option or revoke an option previously exercised at any time between that date and the actual date of the first payment of any pension under this Act.

(4) Subject to subsection (3), where such person has exercised the option referred to in subsection (2), his decision shall be irrevocable so far as concerns any pension paid to him under this Act.

(5) Where a person who has not exercised the option dies after he has ceased to be President but before a pension has been paid under this Act, there shall be granted to his legal personal representatives a gratuity and a reduced pension as provided for in subsection (2) as if that person before his death had exercised the option therein referred to, so, however, that such pension shall not be paid in respect of any period later than the date of the death of such person and shall not exceed in the aggregate the total amount due and payable to him on the said date.

(6) The date of the exercise of the option by such person shall be deemed to be the date of the receipt of his written notification addressed to the Secretary of the Cabinet.

(7) A person in receipt of a pension under this Act who again becomes President or who is acting temporarily as President, as the case may be, is not entitled to receive and shall not be paid pension under this Act—

- (a) during such time as he is President or is acting temporarily as President; and
- (b) in respect of any period during which he became or again became President or acted temporarily as President, respectively.

3A. (1) Every person referred to in section 3(1) is eligible on every sixth anniversary of the date he ceased to be President for

Review of
pension payable
to President.
[12 of 2009].

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a revised pension equivalent to the salary payable to the incumbent on that date.

(2) A person who has exercised the option under section 3(2) is not eligible to exercise an option in respect of a revised pension under subsection (1).

(3) A person referred to in subsection (1) who has ceased to hold office for more than six years before 1st April 2008, is entitled to the revised pension referred to in subsection (1) as of 1st April 2008.

Gratuity payable to legal personal representatives.

4. (1) Where the President dies while he is holding office and does not leave a widow, a gratuity of an amount equivalent to twelve and a half times one-quarter of the highest salary paid to him at any time as President shall be paid to his legal personal representatives on account of the deceased person's estate.

Ch. 76:02.

(2) Notwithstanding anything contained in any law, a gratuity payable under subsection (1) is exempt from the payment of estate duty under the Estate and Succession Duties Act.

(3) In this section a reference to "widow" includes a reference to "widower".

Pension payable to surviving widow of a President. [12 of 2009].

5. (1) Where a person dies while holding the office of President and he leaves a widow, the widow shall be paid—

(a) a gratuity of an amount equivalent to twelve and a half times one-quarter of his pensionable emoluments at the date of his death; and

(b) a pension at an annual rate equivalent to one-half of his pensionable emoluments at the date of his death.

(2) Where a person dies after having retired from the office of President, there shall be granted to his widow an annual pension equivalent to two-thirds of the annual pension to which that person was entitled.

(3) In calculating the annual pension of a widow mentioned in subsection (2), the formula set out in section 3A(1) shall apply as though the person mentioned in subsection (2) is alive.

(4) Pension granted under this section shall cease upon the remarriage of the recipient.

(5) In this section a reference to “widow” includes a reference to “widower”.

6. Notwithstanding anything to the contrary contained in the Customs Act, all goods as defined in section 2 thereof imported for use in the residence of the President shall be exempt from the payment of import duties of Customs.

Duty-free
goods.
Ch. 78:01.

7. The payment of the emoluments, pensions and gratuities made in pursuance of this Act shall be a charge on the Consolidated Fund.

Payments to be
charge on
Consolidated
Fund.

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