

PUBLIC TRANSPORT SERVICE ACT

CHAPTER 48:02

Act

11 of 1965

Amended by

9 of 1969

36 of 1974

45 of 1979

47 of 1980

Current Authorised Pages

<i>Pages (inclusive)</i>	<i>Authorised by L.R.O.</i>
1-2	..
3-32	..
33-36	..
37-44	..
45	..

Index of Subsidiary Legislation

	<i>Page</i>
Public Transport Service (Compensation for Loss of Office) Regulations (GN 57/1966)	36

Note on Part II (Administration) (page 15)

Under section 3(2) of the Statutory Authorities Act (Chapter 24:01), the Public Transport Service Corporation has been declared a statutory authority subject to the provisions of that Act (*see* Chapter 24:01—Subsidiary Legislation). So long as this declaration remains in force, the provisions of this Act relating to staff must be read and construed accordingly.

Note on Adaptation

Certain fees in this Chapter were increased by the Commission under paragraph 4 of the Second Schedule to the Law Revision Act (Ch. 3:03). Where this occurs, a marginal reference in the form normally indicating an amendment is made to LN 51/1980 (the Legal Notice by which the President's approval was signified).

Note on Omission

The Public Transport Service (Tax Exemption) Orders made under section 45 of the Act have been omitted—(*See the Current Edition of the Consolidated Index of Acts and Subsidiary Legislation for references to these Orders*).

CHAPTER 48:02

PUBLIC TRANSPORT SERVICE ACT

ARRANGEMENT OF SECTIONS

SECTION

1. Short title.

PRELIMINARY

2. Interpretation.

PART I

ESTABLISHMENT OF CORPORATION

3. Establishment and incorporation of the Corporation.
4. Custody and use of seal.

PROCEDURE

5. Procedure and meetings of the Corporation.
6. Appointment of committees.
7. Power of Corporation to delegate.

**GENERAL POWERS AND DUTIES
OF THE CORPORATION**

8. Powers and duties of Corporation.
9. Policy directions.

VESTING OF PROPERTY IN THE CORPORATION

10. Assets and liabilities of the Corporation.
Revesting of land in the State.

MISCELLANEOUS

11. Remuneration of members.
12. Declaration of interest.
13. Execution of documents.
14. Annual report of Corporation.

ARRANGEMENT OF SECTIONS—*Continued*

SECTION

PART II

ADMINISTRATION

PERSONNEL

15. Appointment of officers and other employees.
16. Transfer of public officers to Corporation.
17. Transfer on secondment.
18. Pension Scheme.
19. Content of Pension Scheme.
20. Compensation for loss of office.
21. Responsibility of officers.

FINANCIAL PROVISIONS

22. Financial.
23. Funds and resources of Corporation.
24. Guarantee of borrowing of Corporation.
25. Application of revenue.
26. Authorised investments.
27. Fares and other charges made by Corporation.
28. Accounting of Corporation.
29. Cash deposits and payments.
30. Rules made by the Corporation.

PART III

RAILWAYS

31. Phased disposal of Corporation's railway.
32. Sales of rolling stock and other property.
33. Duty of Corporation to provide alternative transport.
34. Disposal of proceeds of sale of property.
35. Power of Corporation to agree to construct highways on its property.

SECTION

PART IV

GENERAL AND MISCELLANEOUS

36. Presumption as to power to make, certain conditions.
37. Avoidance of certain contracts.
38. Corporation to be insured or secured against third-party risks.
39. Requirements in respect of policies of insurance.
40. Requirements in respect of securities.
41. Payment for emergency treatment or traffic casualties.
42. Recovery of fares, charges and impositions, etc.
43. Regulations.
44. Legal proceedings.
45. Exemption from taxes.
46. Transitional.

SCHEDULE.

CHAPTER 48:02

PUBLIC TRANSPORT SERVICE ACT

11 of 1965. **An Act to provide for the establishment of a Public Transport Service to operate road and rail transport facilities with a view to promoting the development of road transport and to facilitating the phased substitution of road transport for the existing railway system.**

Commencement. [7TH MAY 1965]
43/1965.

Short title. **1.** This Act may be cited as the Public Transport Service Act.

PRELIMINARY

Interpretation. **2.** In this Act—
“Chairman” means a member appointed as such under section 3;
“Corporation” means the Public Transport Service Corporation established by section 3;
“Vice-Chairman” means the member appointed as such under section 3;
“existing railway system” means the railway (within the meaning of section 2 of the Railways Ordinance) the property of the State;
“member” means a duly appointed member of the Corporation;
“Minister” means the Minister responsible for Public Utilities;
“public service vehicle” has the meaning assigned to it in section 2 of the Motor Vehicles and Road Traffic Act;
Ch. 17 No. 1. (1950 Ed.).
Ch. 48:50. “Secretary” means the secretary of the Corporation;
“Standing Orders” means Standing Orders made by the Corporation under section 5(7).

PART I

ESTABLISHMENT OF CORPORATION

Establishment and incorporation of the Corporation. [9 of 1969]. **3.** (1) A Corporation is hereby established for the purposes of this Act, and is a body corporate.

UNOFFICIAL VERSION

UPDATED TO DECEMBER 31ST 2012

(2) The Corporation shall consist of no fewer than five nor more than nine members appointed by the President. Of the members, four shall be appointed from persons who have special qualifications in, and have had experience of, matters relating to engineering, accountancy, law, economics or business management.

(3) The President shall appoint a Chairman and a Vice-Chairman from amongst the members of the Corporation.

(4) The Chairman and members of the Corporation shall, subject to subsection (6), be for such period as may be specified in the instrument of appointment.

(5) A member may at any time resign his office by notice in writing addressed to the Chairman, who shall forthwith cause it to be forwarded to the Minister.

(6) The appointment of any person as a member and the termination of office of any person as such whether by death, resignation, revocation, effluxion of time or otherwise shall be notified in the *Gazette*.

(7) If a member is unable to perform the functions of his office owing to absence from Trinidad and Tobago or to inability for any reason, the President may appoint some other person to act as a temporary member during the time such absence or inability continues.

4. (1) The seal of the Corporation shall be kept in the custody either of the Chairman or the Vice-Chairman or of the Secretary as the Corporation may determine and may be affixed to instruments pursuant to Standing Orders or to a resolution of the Corporation and in the presence of the Chairman or the Vice-Chairman, of one other member, and of the Secretary.

Custody and use
of seal.

(2) The seal of the Corporation shall be attested by the signature of the Chairman or the Vice-Chairman, and the Secretary.

(3) All documents, other than those required by law to be under seal made by, and all decisions of, the Corporation may be signified under the hand of the Chairman, the Vice-Chairman or the Secretary.

(4) Service upon the Corporation of any notice, order or other document shall be executed by delivering the same or by sending it by registered post addressed to the Secretary at the office of the Corporation.

PROCEDURE

Procedure and meetings of the Corporation. [9 of 1969 47 of 1980].

5. (1) The Corporation shall meet at such times as may be necessary or expedient for the transaction of business, and such meetings shall be held at such place and time and on such days as the Corporation determines.

(2) The Chairman may at any time call a special meeting of the Corporation and shall call a special meeting within seven days of the receipt of a requisition for that purpose addressed to him by any three members.

(3) The Chairman, or in his absence the Vice-Chairman, and two other members shall form a quorum.

(4) Minutes in proper form of each meeting shall be kept by the Secretary and shall be confirmed by the Chairman or the Vice-Chairman, at a subsequent meeting. Certified copies of such minutes when so confirmed shall, within twenty-one days thereof, be forwarded to the Minister.

(5) The General Manager shall, unless the Minister otherwise directs, attend all meetings of the Corporation but he shall not have any right to vote.

(6) The Corporation may co-opt any one or more persons to attend any particular meeting of the Corporation for the purpose of assisting or advising the Corporation, but no such co-opted person shall have any right to vote.

(7) Subject to this section, the Corporation may by Standing Orders regulate its own proceedings.

Appointment of committees. [9 of 1969].

6. (1) The Corporation may appoint committees to examine and report to it on any matter whatsoever arising out of or connected with any of its powers and duties under this Act.

(2) A committee appointed by the Corporation shall consist of at least one member of the Corporation together with such other persons, whether members of the Corporation, or not, whose assistance or advice the Corporation may desire.

(3) Where persons, not being members of the Corporation, are members of a committee appointed under this section or where persons are co-opted under section 5(6), the Corporation may, with the approval of the Minister, by resolution declare the remuneration and allowances of such persons, and such sums shall properly be so payable out of the funds and resources of the Corporation.

(4) The Corporation may by resolution reject the report of any such committee or adopt it either wholly or with such modification, additions or adaptations as the Corporation may think fit.

7. Subject to this Act, and to the prior approval of the Minister, the Corporation may delegate to a member or a committee, power and authority to carry out on its behalf such duties and functions and to exercise such powers as the Corporation may determine, so however that any such delegation shall be revocable at will and shall not preclude the Corporation from acting from time to time as occasion requires.

Power of Corporation to delegate.

GENERAL POWERS AND DUTIES OF THE CORPORATION

8. (1) Subject to this Act, it shall be the duty of the Corporation to carry on the business of operating public service vehicles under this Act, so as to ensure the provision of a safe, adequate, economic and efficient public transportation system, adapted to the needs of the country; and for such purpose the Corporation shall have and exercise such functions, powers and duties as are conferred and imposed on it by this Act, and in particular, the Corporation shall have power—

Powers and duties of Corporation.

- (a) to carry goods and passengers by rail and road;
- (b) to store goods;

- (c) to consign goods on behalf of other persons from any place in Trinidad and Tobago to any other place therein;
- (d) to provide such amenities and facilities for passengers and other persons making use of the services provided by it as appears to it requisite or expedient to provide.

(2) The duty imposed on the Corporation by subsection (1) includes responsibility for establishing sufficient road transport facilities as in the opinion of the Corporation are necessary or desirable for the purpose of providing transportation for school children and for persons requiring public transport for recreational purposes and for supplying such institutional needs as may be required.

(3) Subject to this Act, the powers conferred by subsection (1) are to the exclusion of any right, power or authority in any other person or authority and include power to do all things, which in the opinion of the Corporation are necessary or expedient to facilitate the proper carrying on of the business of the Corporation under the said subsection (1), and in particular—

- (a) to construct, manufacture, purchase, maintain and repair anything required for the purpose of any of the activities of the Corporation;
- (b) to hold inquiries and conduct studies respecting economy and efficiency in the transport service.

(4) Nothing in subsection (3) shall apply to the carrying of passengers by road in a hiring car (within the meaning of the Motor Vehicles and Road Traffic Act) adapted to carry less than six passengers and used for plying or standing for hire in a street, or to the carriage of goods by any other person for hire or reward or otherwise, but the Corporation may, in its discretion, authorise any person to operate public service vehicles of any special class or description upon such terms and conditions, including payment of any such fee therefor as may be prescribed, in any area or district where the Corporation on economic or any other grounds does not consider it suitable or expedient to operate its own service.

Ch. 48:50.

(5) Any person who contravenes or fails to comply with the provisions of this section or with the requirements of any terms or conditions under which he is authorised to operate public service vehicles under subsection (4), is liable on summary conviction to a fine of seven hundred and fifty dollars or to imprisonment for three months and in the case of a continuing offence to a further fine of one hundred and fifty dollars or to imprisonment for three months for each day on which the offence continues after conviction therefor.

9. In the exercise of its functions, powers and duties under this Act or any other written law, the Corporation shall act in accordance with any special or general direction given to it by the Minister. Policy directions.

VESTING OF PROPERTY IN THE CORPORATION

10. (1) Subject to the provisions of subsection (2), the following provisions of this subsection shall have effect as from 7th May 1965: Assets and liabilities of the Corporation. *[36 of 1974].

- (a) all land and other property of every kind including things in action, vested immediately before the commencement of this Part in the State or in the Railway Board under any written law or by any other right or title relating to—
- (i) railways;
 - (ii) road transportation service for the carriage of passengers, including the property vested in the Government under the Motor Omnibus Concessions (Acquisition of Undertakings) Act 1964, 32 of 1964.
- are vested in the Corporation;
- (b) all the rights, privileges and advantages, and all the liabilities and obligations relating to the matters referred to in paragraph (a) that, immediately before the commencement of this

*Incorporated in this section.

Part, the Government or the Railway Board were entitled or subject to, are transferred and conferred or imposed upon the Corporation for the purposes of this Act;

- (c) a reference in any deed, contract, bond or security or other document to the Government or to the Railway Board in relation to its rights, titles and obligations concerning any of the matters referred to in paragraph (a) or (b) shall be construed as a reference to the Corporation;
- (d) legal proceedings pending immediately before 7th May 1965 the commencement of this Part by or against the Government or the Railway Board in relation to the matters mentioned in paragraph (a) or (b), may be continued on or after 7th May 1965 by or against the Corporation as the party to the proceedings instead of the Government or the Railway Board, as the case may be;
- (e) in this subsection, "Railway Board" means the statutory authority in whom the management and control of the then existing railway system was vested prior to 7th May 1965.

Revesting of
land in the
State.
Schedule.
36 of 1974.

(2) As from 24th December 1974 [that is, the date of commencement of the Public Transport Service (Revesting of Property) Act 1974]—

Schedule.

- (a) all the land, other than the several parcels of land described in the Schedule, that was vested by subsection (1) in the Corporation are revested in the State;
- (b) all the rights, privileges and advantages and all the liabilities and obligations in relation to the land to which paragraph (a) applies, that immediately before 24th December 1974 the Corporation was entitled or subject to, are transferred to and conferred or imposed upon the State for the purposes of this Act;

UNOFFICIAL VERSION

UPDATED TO DECEMBER 31ST 2012

- (c) a reference in any deed, contract, bond or security or other document to the Corporation, in relation to its rights, titles and obligations concerning the land to which paragraph (a) applies, shall, on or after 24th December 1974, be construed as a reference to the State.

MISCELLANEOUS

11. The Corporation shall, subject to the approval of the Minister pay to each member in respect of his office such remuneration and allowances, if any, as the Corporation thinks fit, and, subject to the like approval, to the Chairman and Vice-Chairman in respect of his office, such remuneration and allowances, if any, in addition to any remuneration or allowances to which he may be entitled in respect of his office as a member, as subject to the like approval, may be so determined.

Remuneration of members.

12. (1) A member who is in any way, whether directly or indirectly interested in a contract or proposed contract with the Corporation, shall declare the nature of his interest at the first meeting of the Corporation at which it is practicable for him to do so.

Declaration of interest.

(2) A member shall not take part in any deliberation or decision of the Corporation with respect to any contract or proposed contract with the Corporation in which he is in any way interested, whether directly or indirectly.

(3) This section shall not apply to—

- (a) an interest in a contract or other matter which a member may have as one of a group of persons making use of any road transport facilities provided on charter by the Corporation; or
- (b) to an interest in any matter relating to the terms on which the right to participate in any service provided by the Corporation is offered to the public.

- (4) For the purposes of this section, a person—
- (a) who, or any nominee of whom, is a shareholder or partner in a company or other body of persons (other than a statutory authority); or
 - (b) who is an employee thereof,

shall be treated as having indirectly a pecuniary interest in a contract or other matter, if such company or such other body of persons is a party to the contract or proposed contract or has a pecuniary interest in such other matter under consideration.

(5) Nothing in subsection (4) shall apply to any person who, but for the said subsection (4), would not fall to be treated as having indirectly a pecuniary interest in a contract or other matter, if the total value of his shareholding or other interest does not exceed such amount of the total nominal value of the issued share capital of the company or body as the Standing Orders of the Corporation provides.

(6) A person who fails to comply with the provisions of this section is liable on summary conviction to a fine of seven hundred and fifty dollars unless he proves that he did not know that a contract, proposed contract or other matter in which he had a pecuniary interest was the subject of consideration at the meeting.

Execution of documents.

13. (1) Any document requiring to be executed by the Corporation shall be deemed to be duly executed—

- (a) if signed by the Chairman or the Vice-Chairman and the General Manager or the Secretary; or
- (b) if signed, whether within or without Trinidad and Tobago by a person or persons authorised by resolution of the Corporation so to sign; but such an extract of the resolution certified by the Chairman or Vice-Chairman and the Secretary shall be attached to and form part of the document.

(2) Any cheque, bill of exchange or order for the payment of money requiring to be executed by the Corporation shall be deemed to be duly executed if signed by a person or persons authorised by this Act or by resolution of the Corporation.

14. The Corporation shall make an annual report of its proceedings to the Minister which shall be laid before Parliament. Annual report of Corporation.

PART II

***ADMINISTRATION**

PERSONNEL

15. (1) The Corporation may appoint on such terms and conditions as it thinks fit, a General Manager and such other officers and staff for the purpose of managing its rail and road transportation services respectively, and such other officers and employees as may be necessary and proper for the due and efficient administration, management and performance by the Corporation of its duties under this Act. Appointment of officers and other employees. [45 of 1979].

(2) An annual salary in a sum that is equivalent to or exceeds the annual salary of nine thousand six hundred dollars or such greater amount as the Minister may prescribe shall not be assigned to any post under this section without the prior approval of the Minister.

(3) The General Manager is the chief executive officer of the Corporation and is responsible for the carrying out of the decisions of the Corporation; and in the performance of his duties is subject to the control of the Corporation.

16. (1) An officer in the public service may, with the approval of the Minister, be transferred to the service of the Corporation, and upon such transfer shall become a member of the Pension Scheme referred to in section 18, and, if such officer's transfer becomes effective before the establishment of that Scheme, he shall become a member within one year of its establishment. Transfer of public officers to Corporation.

(2) A transfer described in subsection (1) shall be on such terms as may be acceptable to the President, the Corporation and the officer concerned and the pension or superannuation rights accruing to the officer at the time of his transfer shall be preserved.

*See Note on page 2.

Transfer on
secondment.

17. (1) Subject to subsection (2), any officer in the public service may, with the approval of the Minister, be transferred on secondment to the service of the Corporation or from the service of the Corporation to the public service.

(2) Where a transfer on secondment contemplated by subsection (1) is effected, the President or the Corporation, as the case may require, shall make such arrangements as may be necessary to preserve the rights of the officer so transferred to any pension, gratuity or other allowance for which he would have been eligible had he remained in the service of the Government or of the Corporation, as the case may be.

(3) A period of transfer on secondment shall not in any case exceed three years.

Pension
Scheme.

18. The Corporation shall within a period of three years of its establishment, by rules confirmed by the Minister, provide for the establishment and maintenance of a Pension Scheme or Provident Fund for the benefit of the officers and employees of the Corporation.

Content of
Pension
Scheme.

19. Without prejudice to the generality of section 18, the Pension Scheme may enable the Corporation to—

- (a) grant gratuities, pensions or superannuation allowances to, or to the widows, families or dependants of, its employees;
- (b) establish contributory and superannuation schemes, and establish and contribute to superannuation funds for the benefit of its employees;
- (c) enter into and carry into effect agreements with any insurance company or other association or company for securing to any such employee, widow, family or dependant such gratuities, pensions or allowances as are by this section authorised to be granted;

- (d) give donations or subscriptions to charitable institutions, sick funds, benevolent funds and other objects calculated to benefit its employees.

20. Prescribed public officers and other employees of the Government in connection with the existing railway or with the road transportation service referred to in section 10 shall, where such public officers or employees are not eligible for an increase of pension under regulation 11 of the Pensions Regulations 1938, be paid by the Government such compensation for loss of office or employment as may be prescribed, if—

Compensation for loss of office.

Ch. 23:52
Sub. Leg.

- (a) such employees are not employed by the Corporation or with such other persons or authority prescribed by the President within three months of the commencement of this section; or
- (b) in the case of public officers, do not continue to be public officers.

21. (1) All officers charged with the receipt, accounting for, or disbursement of moneys or with the custody or delivery of stores, or other property belonging to the Corporation shall be individually responsible for the due and efficient discharge of their respective duties, and for the exercise of proper supervision of the accounts kept or controlled by them and of all property entrusted to their care, and for the due observance of all rules and regulations, and of all orders and instructions prescribed for their guidance.

Responsibility of officers.

(2) The Corporation may require any officer or servant in its service to give security to its satisfaction for the due execution of his duties.

FINANCIAL PROVISIONS

22. (1) The Corporation shall so exercise and perform its functions as to ensure that its revenues are sufficient to—

Financial.

- (a) cover operating expenses, including taxes, if any, and to provide adequate maintenance and depreciation, and interest payments on borrowings;

- (b) meet periodic repayment on long-term indebtedness to the extent that any such repayment exceeds the provisions for depreciation;
- (c) create reserves for the purpose of future development,

and the sums required for any of the purposes of the Corporation shall be met out of the funds and resources of the Corporation.

(2) Subject to subsection (1), the Corporation may in such manner as is considered appropriate, but subject to the approval of the Minister of Finance borrow sums required by it for meeting any of its obligations and discharging any of its functions.

Funds and
resources of
Corporation.

23. The funds and resources of the Corporation shall consist of—

- (a) such amounts as may be provided by Parliament;
- (b) all sums from time to time received by or falling due to the Corporation in respect of its operations;
- (c) sums borrowed by the Corporation for the purpose of meeting any of its obligations or discharging any of its functions; and
- (d) all other sums or property that may in any manner become payable to or vested in the Corporation in respect of any matter incidental to its powers and duties.

Guarantee of
borrowing of
Corporation.

24. (1) The Treasury may guarantee in such manner and on such conditions as it thinks fit the payment of the principal and interest in respect of any borrowing of the Corporation under section 22(2).

(2) Where the Minister of Finance is satisfied that there has been default in the repayment of any principal moneys or interest guaranteed under this section, he shall direct the repayment out of the general assets and revenue of Trinidad and Tobago of the amount in respect of which there has been such default.

(3) The Corporation shall make to the Treasury, at such time and in such manner as the Minister of Finance may direct, payments of such amounts as may be so directed in or towards repayment of any sums issued in fulfilment of any guarantee given under this section, and payments of interest on what is outstanding for the time being in respect of any sums so issued at such rates as the Minister of Finance may direct, and different rates of interest may be directed as regards different sums and as regards interest for different periods.

25. (1) The revenue of the Corporation for any financial year shall be applied in defraying the following charges: Application of revenue.

- (a) the remuneration, fees and allowances of the members or of any committee of the Corporation;
- (b) the salaries, fees, remuneration and gratuities (including payments for the maintenance of the Pension Fund authorised by this Act) of the officers, agents and servants, and technical and other advisers of the Corporation;
- (c) working operations and establishment expenses and expenditure on, or provision for, the maintenance of the property of the Corporation, and the insurance of the same and the discharge of the functions of the Corporation properly chargeable to revenue account;
- (d) interest on any debenture or debenture stock or other security issued or on any loan raised by the Corporation;
- (e) sums required to be transferred to a sinking fund or otherwise set aside for the purpose of making provision for the redemption of debentures or debenture stock or other security or the payment of other borrowed money;
- (f) such sums as it may be deemed appropriate to set aside in respect of depreciation on the property of the Corporation having regard to the amount set aside out of the revenue under paragraph (e);

(g) any other expenditure authorised by the Corporation and properly chargeable to revenue account.

(2) The balance of the revenue of the Corporation shall be applied to the creation of reserve funds to finance future development.

Authorised investments.

26. Funds of the Corporation not immediately required to be expended in the meeting of any obligations or the discharge of any functions of the Corporation may be invested from time to time in securities approved by the Minister of Finance for investment by the Corporation.

Fares and other charges made by Corporation.

27. (1) The fares and other charges to be charged by the Corporation for the carriage of passengers and goods and other services shall be in accordance with such fares and charges as may, from time to time, be fixed by or under this Act or any other enactment.

(2) Subsection (1) does not prevent the Corporation from charging other fares and charges by special agreement under this Act.

Accounting of Corporation.

28. (1) All decisions, orders, rules and regulations relating to the financial operations of the Corporation and authorised by this Act shall be made by resolution of the Corporation at a meeting thereof and shall be recorded in the minutes of the Corporation.

(2) The accounts of the Corporation shall be audited by the Auditor General.

(3) After the end of each financial year of the Corporation, the Corporation shall, as soon as the accounts of the Corporation have been audited, cause a copy of the statement of account to be transmitted to the Minister of Finance, together with a copy of any report made by the Auditor General on that statement or on the accounts of the Corporation.

(4) The Minister of Finance shall cause a copy of every such statement and report to be laid before Parliament.

29. (1) All moneys of the Corporation accruing from its operations under this Act shall be paid into the prescribed bank, and such moneys shall, as far as practicable, be paid into the bank from day to day, except such sums as the accounts officer of the Corporation may be authorised by rules of the Corporation to retain in his hands to meet petty disbursements for immediate payments.

Cash deposits
and payments.

(2) All payments out of the funds of the Corporation except petty disbursements not exceeding such sums to be fixed by the rules, shall be made by the accounts officer, or on his behalf by any other officer appointed by the Corporation, in accordance with the rules.

(3) Cheques against any banking account required to be kept or withdrawals from any savings bank account and bills of exchange or orders for payment of money shall be signed by the accounts officer or on his behalf by an officer appointed by the Corporation and countersigned by the Chairman of the Corporation or any member of the Corporation or any officer of the Corporation appointed by resolution of the Corporation for the purpose; and a copy of any such resolution shall be certified by the Chairman and forwarded to the bank or banks concerned.

30. For the purpose of regulating and controlling its financial operations, the Corporation may with the approval of the Minister of Finance make rules in respect of the following matters:

Rules made by
the Corporation.

- (a) the manner in which and the officers by whom payments are to be approved;
- (b) the bank or banks into which moneys of the Corporation are to be paid, the title of any account with any such bank, and the transfer of funds from one account to another;
- (c) the appointment of a member of the Corporation or an officer of the Corporation to countersign cheques on behalf of the Chairman or in the absence of the Chairman;
- (d) the sum to be retained by the accounts officer to meet petty disbursements and immediate payments and the maximum sum that may be so disbursed for any one payment;

- (e) the method to be adopted in making payments out of the funds of the Corporation; and
- (f) generally as to all matters necessary for the proper keeping and control of the finances of the Corporation.

PART III

RAILWAYS

Phased disposal of Corporation's railway.

31. (1) Subject to this Act it shall be the duty of the Corporation to dispose, within such time as is reasonably practicable, of all such property held by it for the purpose of so much of its undertaking relating to the carriage of goods and passengers by rail, as the Minister may direct.

(2) In the performance of its duties under subsection (1), the Corporation shall have due regard to the needs of any industry or community with regard to railway transport; and pending the disposal of the property mentioned in subsection (1), it shall be the duty of the Corporation to carry on the existing railway service in such manner as appears to it to be expedient for the purposes of enabling the said property to be disposed of without delay and on the best terms available and without avoidable disturbance of the transport system of the country.

Sales of rolling stock and other property.

32. (1) For the purpose of disposing of the property referred to in section 31(1), the Corporation shall from time to time by public notice, invite tenders for the purchase, on specified conditions, of—

- (a) one or more specified railway engine and other rolling stock; and
- (b) such other property, as may be specified,

and the specified conditions may include conditions whereby the purchaser takes over such rights and obligations of the Corporation, whether under contract or otherwise as may be specified, being rights and obligations connected with the subject matter of the purchase.

(2) In the case of each such invitation, the property which is to be the subject of the purchase, and the conditions of the purchase, shall be such as, in the opinion of the Corporation is calculated to result in the minimum inconvenience to members of the public making use of the services provided by the Corporation.

(3) The property for which persons are invited to tender shall be determined with a view to securing that the property held by the Corporation for the purpose of the existing railway system fetches in the aggregate the best possible price.

33. (1) Where the Corporation disposes of any railway engines or rolling stock under this Part and thereby reduces or discontinues its passenger traffic on some particular part of its railway system, the Corporation shall, whenever it is necessary to meet the demand for passenger transport on such part of the railway system, introduce the requisite road transport vehicles to meet such demand.

Duty of corporation to provide alternative transport.

(2) Nothing in subsection (1) shall be construed as requiring the Corporation to introduce any road transport vehicles to meet such demand if there is at any time after such reduction or discontinuance of its said passenger traffic a sufficient passenger transportation service, provided by way of public service vehicles to meet such demand.

34. (1) The Corporation shall, within thirty days of the disposal of any property of which the Corporation is authorised to dispose by section 31(1), as well as upon receipt of the purchase price or any instalment thereof, submit to the Minister of Finance particulars of the conditions on which the property was disposed of, as well as a statement of account respecting the payment therefor, respectively.

Disposal of proceeds of sale of property.

(2) The proceeds of the sale or disposal (including every instalment in respect of the property) less any expenses properly incurred and disbursed shall be paid, upon submitting the statements of accounts required by subsection (1), into the Consolidated Fund.

Power of Corporation to agree to construct highways on its property.

35. (1) Subject to this section the Corporation and a highway authority may agree that any part of the existing railway system being land the property of the Corporation may, upon such terms as may be agreed, be used for the purpose of the construction of a public highway.

(2) Where it is proposed that the highway with respect to the construction of which the Corporation and a highway authority propose to make an agreement under this section is to continue into the district of another highway authority, the agreement shall not be made without the consent of that other highway authority who may give its consent upon such terms as it thinks fit, save that such a highway authority shall not unreasonably refuse to enter into an agreement for the purposes of this section or insist unreasonably upon terms unacceptable to the other parties, and any question arising under this section as to whether or not such a highway authority is acting unreasonably shall be referred to the Minister responsible for Roads, and the Minister may himself refer the matter to the President whose decision shall be final.

(3) In this section “highway authority” means, in the case of a highway or part thereof that will become maintainable at public expense, the Chief Technical Officer (Works), and in any other case, the authority or person in whom the highway will become vested or who will become responsible for the maintenance thereof or, if no authority or person will become responsible therefor, the owners of the soil of the highway, and “land” includes any interest or part thereof in land and any easement or right in, to or over land.

(4) For the purposes of subsection (3), the expression “highway or part thereof that will become maintainable at public expense” means that the highway will become so maintainable at the expense of the public generally and not at the expense of a particular portion of the public, whether the expense will be met wholly or partly out of public funds or otherwise; and a highway or part thereof in any other case shall be held to continue so to be, notwithstanding that the expense of the maintenance thereof will be met wholly or partly out of public funds or otherwise.

PART IV

GENERAL AND MISCELLANEOUS

36. (1) Subject to subsection (2) and to section 37, the Corporation may, on the sale of a ticket or the making of any contract, restrict or otherwise limit its liability for negligence or any other wrongful act or omission or its liability for breach of contract in any way whatsoever arising.

Presumption as to power to make certain conditions.

(2) Notwithstanding any rule of law to the contrary, but subject to section 37, in any proceedings upon the sale of a ticket or the making of a contract with the Corporation for the carriage of passengers or goods or of both such passengers and goods, or for the storage or consignment of goods, it shall be held to be sufficient notice of the terms and conditions thereof, if it is proved that the Corporation, before the sale of the ticket or the making of the contract—

- (a) published, in at least one newspaper circulating in Trinidad and Tobago, notice of the terms and conditions on which the sale of tickets or other contracts with it may be made; and
- (b) affixed a copy of such notice to a conspicuous place at its head office or on any vehicle or place where the ticket was sold or the contract was made.

37. A contract for the conveyance of passengers in any public service vehicle shall, so far as it purports to negative or restrict the liability of a person in respect of a claim which may be made against him in respect of the death or bodily injury to, the passenger while being carried in, entering or alighting from the vehicle, or purports to impose any conditions with respect to the enforcement of any such liability, is void.

Avoidance of certain contracts.

38. (1) Subject to the provisions of sections 39 to 41, it shall not be lawful for the Corporation or any other person to use, or cause or permit any other person to use, a motor vehicle, the property of the Corporation, on a road unless there is in force in

Corporation to be insured or secured against third-party risks.

relation to the user of the vehicle by the Corporation or that person or that other person, as the case may be, such a policy of insurance or such a security in respect of third-party risks as complies with the requirements of sections 39 to 41.

(2) Any person who acts in contravention of this section is liable on summary conviction to a fine of seven hundred and fifty dollars and to imprisonment for three months.

(3) A person charged with using a motor vehicle in contravention of this section shall not be convicted if he proves that he was using the vehicle in the course of his employment and that he neither knew nor had reason to believe that there was not in force in relation to the vehicle such a policy of insurance or security as is mentioned in subsection (1).

(4) Where the Corporation is convicted of an offence against this section, every person who at the time of commission of the offence was a member or General Manager or Secretary of the Corporation shall be deemed to be guilty of that offence unless he proves that he exercised all due diligence to prevent the commission of the offence.

Requirements in respect of policies of insurance.

39. (1) In order to comply with the requirements of this section and section 40, a policy of insurance must satisfy the following conditions.

(2) The policy must be issued by an authorised insurer, that is to say, a person or body of persons carrying on motor vehicle insurance business in Trinidad and Tobago.

(3) The policy—

(a) must insure the Corporation in respect of any liability which may be incurred by it in respect of the death of or bodily injury to any person caused by, or arising out of, the use of the vehicle on a road;

(b) must also insure it in respect of any liability which may be incurred by it under the provisions of section 41 relating to payment for emergency treatment;

- (c) must cover liability in respect of the death of, or bodily injury to, persons being carried in or upon, or entering or getting on to or alighting from, the vehicle at the time of the occurrence of the event out of which the claims arise; and
- (d) must cover liability in respect of the death, arising out of and in the course of his employment, of a person in the employment of the Corporation or of bodily injury sustained by such a person arising out of and in the course of his employment.

40. (1) In order to comply with the requirements of this section and section 39, a security must satisfy the following conditions.

Requirements in respect of securities. [51/1980].

(2) The security must be given either by an authorised insurer or by some body of persons which carries on in Trinidad and Tobago the business of giving securities of a like kind and has deposited and keeps deposited with the Treasury the sum of one hundred thousand dollars in respect of that business.

(3) The security must consist of an undertaking by the giver of the security to make good, subject to any conditions specified therein, and up to the amount of not less than two hundred and fifty thousand dollars, any failure by the Corporation duly to discharge any liability which may be incurred by it, being a liability required under the last foregoing section to be covered by a policy of assurance.

41. (1) Where medical or surgical treatment or examination is immediately required as a result of bodily injury (including fatal injury) to a person caused by, or arising out of, the use of a motor vehicle, the property of the Corporation, on a road, and the treatment or examination so required (in this section and section 39 referred to as “emergency treatment”) is effected by a legally qualified medical practitioner, the person who was using the vehicle at the time of the event out of which the bodily injury arose shall, on a claim being made in accordance with Regulations made by the

Payment for emergency treatment or traffic casualties.

Minister, pay to the practitioner or, where emergency treatment is effected by more than one practitioner, to the practitioner by whom it is first effected—

- (a) the prescribed fee in respect of each person in whose case the emergency treatment is effected by him; and
- (b) such sum, in respect of any distance in excess of two miles which he must cover in order to proceed from the place whence he is summoned to the place where the emergency treatment is carried out by him and to return to the first-mentioned place, as is prescribed.

(2) Where emergency treatment is first effected in a hospital, the provisions of the foregoing subsection with respect to payment of a fee shall, so far as applicable, but subject (as regards the recipient of a payment) to the provisions of any regulations made by the Minister, have effect with the substitution of references to the hospital for reference to a legally qualified medical practitioner.

(3) Liability incurred under this section by the Corporation shall, where the event out of which it arose was caused by the wrongful act of another person, be treated for the purposes of any claim to recover damages by reason of that wrongful act as damage sustained by the Corporation.

Recovery of fares, charges and impositions, etc.

42. Any sum that the Corporation is entitled to recover for fares, charges or impositions may be recovered either summarily as a civil debt, or as a simple contract debt in any Court of competent jurisdiction.

Regulations.

43. (1) The Minister may make Regulations for the purpose of carrying this Act into effect, including prescribing anything required by this Act to be prescribed, as well as, subject to any other written law, prescribing the scale of fares and charges exigible by the Corporation in respect of its services.

(2) Such Regulations may contain provisions for imposing on any person contravening the Regulations, a fine, recoverable on summary conviction, of seven hundred and fifty dollars in respect of each offence and, in the case of a continuing offence, a further fine of seventy-five dollars for each day during which the offence continues after conviction therefor.

44. Legal proceedings may, in any Court of summary jurisdiction, be conducted on behalf of the Corporation— Legal proceedings.

- (a) by the Secretary or the General Manager; or
- (b) by any other officer of the Corporation authorised to do so by resolution of the Corporation, a copy of which purporting to be certified under the hand of the Secretary shall be sufficient evidence of the contents thereof.

45. (1) Notwithstanding any rule of law to the contrary, the President may by Order exempt the Corporation in whole or in part from the payment of any tax imposed by or under any written law. Exemption from taxes.

(2) In this section “tax” includes assessments, fees, charges, imposition and such other levies as form part or are intended to form part of the general revenue.

46. The President may by Order, subject to negative resolution of Parliament, make such incidental, consequential and supplemental provisions as may be necessary or expedient for the purpose of giving effect— Transitional.

- (a) to the transfer by section 10(1) of any property, rights and liabilities, including the subrogation of the Corporation to any such rights of the Government and the transfer to the Corporation of any such liabilities of the Government in connection with the property acquired by the Government under the Motor Omnibus Concessions (Acquisition of Undertakings) Act 1964; and 32 of 1964.

(b) to the transfer by section 10(1) of any rights, privileges and advantages and any liabilities and obligations on the Corporation for the purposes of this Act.

SCHEDULE
LAND RETAINED BY THE CORPORATION

Section 10(2),
 *[36 of 1974].

Location	Extent		Ward	County	Boundaries
	Acres	Roods Perches			
Broadway to St. Ann's River	19	2 13	St. Ann's	St. George	North—South Quay South—Beetham Highway East—St. Ann's River West—Broadway
St. Ann's River to Hi-Lo Bond, Laventille ...	50	— —	do.	do.	North—Eastern Main Road, the State, Lee Lum and J. B. Fernandes South—The State East—Public Transport Service Corporation West—St. Ann's River
Chacon Street to Broadway ...	—	— 32	do.	do.	North—The State South—State lands occupied by the Industrial Development Corporation East—Broadway West—Chacon Street
San Juan (former railway station yard) ...	4	— 38	do.	do.	North—Eastern Main Road South—Village lot East—San Juan River West—Don Miguel Road

*Incorporated.

LAND RETAINED BY THE CORPORATION—Continued

Location	Extent		Ward	County	Boundaries
	Acres	Roods Perches			
Five Rivers crossing to Bridge No. 32	3	— 4	Tacarigua	St. George	North—Laurel Hill South—P. Diamond East—Public Transport Service Corporation and Melville West—Public Transport Service Corporation
Arima (former railway station yard)	5	— —	Arima	do.	North—Mahabir lots South—L. Guppy East—Mahabir lots West—Mausica River
Sangre Grande (former railway station yard)	4	1 36	Manzanilla	St. Andrew	North—Emmanuel O' Joe South—J. Williams East—O' Joe Road West—J. Williams
Chaguana (former railway station yard)	4	1 31	Chaguana	Caroni	North—Chaguana Main Road South—Woodford Lodge Estate East—Endeavour and Public Transport Service Corporation West—Chandernagore Road

Location	Extent			Ward	County	Boundaries
	Acres	Roads	Perches			
San Fernando (former railway station yard) ...	33	—	39	Naparima	Victoria	North—J. Lambie and Public Transport Service Corporation South—Inc. Trustees of the Presbyterian Church in Trinidad and Public Transport Service Corporation East—Vistabella Road and Paradise Estate West—A. Taekoorie, C. A. Gonzales and Bontour Pt.
Claxton Bay to Union Bay ...	18	1	37	Pointe-a-Pierre	do.	North—Trinidad Cement Ltd. Trinidad Canadian Oilfields South—Trinidad Canadian Oilfields East—Trinidad Cement Ltd. West—Trinidad Cement Ltd.
Corinth Junction to Glenroy Junction, Princes Town ...	38	—	—	Savana Grande	do.	North—Friendship Estate South—Ste. Madeleine Estate East—Ste. Madeleine Estate and Public Transport Service Corporation West—Ste. Madeleine Estate and Public Transport Service Corporation
Brothers Road (former railway station yard) ...	5	2	8	Charuma	Nariva	North—J. Thomson South—J. Thomson East—Public Transport Service Corporation and J. Thomson West—Public Transport Service Corporation and J. Thomson

LAND RETAINED BY THE CORPORATION—Continued

Location	Extent		Ward	County	Boundaries
	Acres	Roods Perches			
Poole (former railway station yard) ...	5	— 18	Charuma	Nariva	North—Pirthal Rampadarath, Lak Binasari and K. Lal South—Juman East—Babooran West—Dubar and Bhagwantina
Rio Claro (former railway station yard) ...	2	— —	do.	do.	North—A. De Verteuil South—Naparima-Mayaro Road East—A. De Verteuil West—A. De Verteuil
Golconda to Penal (former railway station yard) ...	49	— —	Siparia and Naparima	Victoria and St. Patrick	North—Jackaree South—Ste. Madeleine Estate East—Ste. Madeleine Estate, Rajack Randayah, H. Seesaram, Senora E. Cipriani, Ramkeelawan, Ramdos, C. Boyce and Mahabir Ojal West—Ste. Madeleine Estate and Public Transport Service Corporation

Location	Extent		Ward	County	Boundaries
	Acres	Roads Perches			
Siparia (former railway station yard)	10	— 14	Siparia	St. Patrick	North—B. Sanchnet South—R. Farfan East—Radgesing and Public Transport Service Corporation West—J. Small, G. Decoure and Public Transport Service Corporation
Tabaquite (former railway station yard)	8	2 28	Montserrat	Caroni	North—K. Samodaree South—Tabaquite-Rio Claro Road East—Tissue and Public Transport Service Corporation West—Public Transport Service Corporation and Lezama

SUBSIDIARY LEGISLATION

**PUBLIC TRANSPORT SERVICE (COMPENSATION FOR
LOSS OF OFFICE) REGULATIONS**

ARRANGEMENT OF REGULATIONS

REGULATION

1. Citation.

PRELIMINARY

2. Interpretation.
3. Application of these Regulations.

PART I

PUBLIC OFFICERS

GENERAL

4. Pensions and gratuities for Scheduled officers.
5. Exercise of option.
6. Application of appropriate law.
7. Exemption from tax.

**SCHEDULED OFFICERS—NOT BEING HOLDERS
OF NON-PENSIONABLE OFFICES**

8. Compensation for certain public officers.
9. Calculation of compensation.
10. Option for compensatory pension for certain public officers.
11. Refund of compensation in certain cases.

**SCHEDULED OFFICERS—BEING HOLDERS OF
NON-PENSIONABLE OFFICES**

12. Compensation for holders of non-pensionable offices.
13. Calculation of compensation for non-pensionable officers.

PART II

EMPLOYEES

14. Compensation for certain employees.

**FIRST SCHEDULE.
SECOND SCHEDULE.**

**PUBLIC TRANSPORT SERVICE (COMPENSATION FOR
LOSS OF OFFICE) REGULATIONS**

*57/1966.
[87/1970].

made under sections 20 and 43

1. These Regulations may be cited as the Public Transport Service (Compensation for Loss of Office) Regulations. Citation.

PRELIMINARY

2. In these Regulations—

Interpretation.
[87/1970].
Ch. 23:52.
Ch. 23:57.

“appropriate law” means the Pensions Act or the Provident Fund Act, as the case may be;

“employee” means a person employed temporarily in the service of the Government and remunerated at a monthly-paid rate, and includes a person so employed and remunerated who is required to perform half-day service only;

“officer” or “public officer” means the substantive holder of an office in the public service and includes—

(a) a person in the service of the Government who is the holder of a non-pensionable office and who under the Provident Fund Act is required to become a depositor; and

(b) a person other than a person described in paragraph (a) who is employed by the Government as a permanent daily-paid worker;

“pensionable emoluments” means emoluments that may be taken into account in computing the pension of an officer under the appropriate law;

“pensionable service” means the aggregate amount of service that may be taken into account for the purpose of computing the pension of an officer under the appropriate law;

“service under the Government” includes the service of an officer after the age of sixty years;

“substantive holder” in relation to any office includes a person serving in that office on probation but does not include a

*See Note on First Schedule at page 42 for amendment to that Schedule.

person (other than a person serving under a probationary agreement) serving in that office for a specified term under a contract or on temporary transfer or secondment from other public service.

Application of these Regulations. First Schedule.

3. These Regulations shall, subject to section 20 of the Act, apply to officers and employees specified in the First Schedule.

PART I

PUBLIC OFFICERS

GENERAL

Pensions and gratuities for Scheduled officers.

4. Notwithstanding that a public officer to whom these Regulations apply may, in consequence of the abolition of his office under or by virtue of the provisions of the Act—

- (a) have retired before attaining the age specified in the appropriate law as qualifying him for the grant of pension or gratuity or bonus, as the case may be; and
- (b) not have completed at the date of his retirement a period of qualifying service, if any, required by the appropriate law to render him eligible for the grant of a pension or gratuity or bonus, as the case may be,

such public officer shall be deemed to be eligible for the grant of a pension or gratuity or bonus, as the case may be, under the appropriate law.

Exercise of option.

5. Where any option is exercisable by an officer for the purposes of these Regulations—

- (a) the President may, if he thinks fit, and subject or not to conditions, extend the period for the exercise of the option;
- (b) the option shall be irrevocable after the end of the period within which it must be exercised;

- (c) the option shall be exercised by notice in writing to the President; and
- (d) the option shall be deemed to have been exercised on the date on which such notice is received.

6. The provisions of the appropriate law shall, subject to this Part, apply in relation to the grant of any pension, gratuity or bonus under this Part and to any pension, gratuity or bonus granted under the appropriate law.

Application of appropriate law.

7. Any sum granted by way of compensation under these Regulations shall be exempt from tax under any law in force in Trinidad and Tobago relating to the taxation of incomes or imposing any other form of taxation.

Exemption from tax.

**SCHEDULED OFFICERS—NOT BEING HOLDERS
OF NON-PENSIONABLE OFFICES**

8. In addition to any pension or gratuity that may be granted to him by virtue of these Regulations, a public officer to whom these Regulations apply not being an officer holding a non-pensionable office, shall be granted compensation to be calculated in accordance with the provisions of the next succeeding regulation.

Compensation for certain public officers.

9. (1) Every assessment shall be calculated by multiplying the amount of the officer's annual pensionable emoluments on the date of the commencement of the Act by the appropriate factor and the resulting amount or twenty thousand dollars, whichever is the less, shall be the amount to which he is entitled.

Calculation of compensation.

(2) In this regulation, "the appropriate factor" means the factor obtained from Table II of the Second Schedule that is appropriate to the age and pensionable service of that officer on the date taken for calculation reckoned in completed years and months; but the factor in Table II in respect of ages 56, 57 and over 57 shall apply only in respect of an officer who, on the date of his loss of office or employment had attained the age of 55 years

Second Schedule.

LAWS OF TRINIDAD AND TOBAGO

MINISTRY OF LEGAL AFFAIRS

www.legalaffairs.gov.tt

40

Chap. 48:02

Public Transport Service

[Subsidiary]

Public Transport Service (Compensation for Loss of Office) Regulations

Ch. 23:52. and had not completed the period of qualifying service required by the Pensions Act to render him eligible for the grant of a pension.

Option for compensatory pension for certain public officers.

10. Notwithstanding anything in these Regulations to the contrary where an officer referred to in regulation 8 so elects, he shall be granted in lieu of the compensation then payable to him a compensatory pension arrived at by multiplying one hundredth of the said compensation by the factor appropriate to his age at the commencement of the Act derived from Table I of the Second Schedule.

Second Schedule.

Refund of compensation in certain cases.

11. Where an officer referred to in regulation 8 receives compensation or compensatory pension and is re-employed in the Public Service or under the Government or by the Public Transport Service Corporation or such other persons or authorities as are prescribed by the President under section 20(a) of the Act, there shall be refunded by such officer such portion of the compensation or compensatory pension paid to him as is equal to compensation resulting from multiplying the amount of the officer's annual pensionable emoluments at the date of the commencement of the Act by the appropriate factor less the number of years since the date of his loss of office or employment.

**SCHEDULED OFFICERS—BEING HOLDERS
OF NON-PENSIONABLE OFFICES**

Compensation for holders of non-pensionable offices.

12. In addition to any gratuity or bonus that may be granted to him by virtue of these Regulations, an officer to whom these Regulations apply, being the holder of a non-pensionable office shall be granted compensation to be calculated in accordance with regulation 13.

Calculation of compensation for non-pensionable officers. [87/1970].

13. (1) The compensation to which an officer referred to in regulation 12 is entitled shall consist of a pension at the rate of 2 per cent of his total wages in respect of his service under the Government.

(2) In this regulation "total wages" means the aggregate amount of the basic pay received during the whole of an officer's

UNOFFICIAL VERSION

UPDATED TO DECEMBER 31ST 2012

employment under the Government, but not including the value of free quarters, any amounts of overtime paid to such officer and any other allowances received by such officer during the course of his employment, so, however, that the basic pay of an officer or employee prior to and during the year ending 31st December 1959 shall be calculated in accordance with the following Table:

Wages received before 1940	—180 per cent of basic pay;
Wages received from 1940 to 1944	—160 per cent of basic pay;
Wages received from 1945 to 1949	—130 per cent of basic pay;
Wages received from 1950 to 1954	—115 per cent of basic pay;
Wages received from 1955 to 1959	—105 per cent of basic pay.

(3) The compensatory pension for a non-pensionable officer over the age of sixty years shall be a maximum of two-thirds of his salary.

PART II

EMPLOYEES

14. (1) An employee to whom these Regulations apply shall be granted compensation to be calculated in accordance with the provisions of this regulation. Compensation for certain employees.

(2) Every assessment shall be calculated as follows:

- (a) in the case of an employee with three or more years service under the Government, by multiplying the amount of the employee's annual salary on the date of the commencement of the Act by the appropriate factor obtained from Table II and the resulting amount shall be the amount to which he is entitled;
- (b) in the case of an employee with less than three years service under the Government, by

LAWS OF TRINIDAD AND TOBAGO

MINISTRY OF LEGAL AFFAIRS

www.legalaffairs.gov.tt

42

Chap. 48:02

Public Transport Service

[Subsidiary]

Public Transport Service (Compensation for Loss of Office) Regulations

- multiplying three-quarters of one month's salary of such employee by the number of completed years of service of such employee; and
- (c) in the case of an employee who is required to perform half-day service only, by dividing the compensation assessed under paragraph (a) or (b), whichever is the appropriate, by two (2).

Regulation 3.

FIRST SCHEDULE

NOTE

The list of officers in the First Schedule has been omitted since it relates exclusively to particular persons. The list has been amended by GNs 69/1967, 135/1967, 73/1968, 155/1968, 184/1968, 13/1969, 25/1969, 78/1969, 49/1970, 87/1970 and 10/1971.

UNOFFICIAL VERSION

UPDATED TO DECEMBER 31ST 2012

SECOND SCHEDULE

Regulations 9
and 10.

TABLE I

COMPENSATORY PENSION

Where the age of an officer at the date of his retirement is more than an exact number of years his annual compensatory pension shall be calculated having regard to the completed months of age in excess of the figure appropriate to the officer in the Table and there shall be applied a factor proportionally increased accordingly.

Age of Officer	Factor	Age of Officer	Factor
21	4.612	40	5.470
22	4.639	41	5.545
23	4.667	42	5.624
24	4.697	43	5.707
		44	5.795
25	4.728	45	5.888
26	4.761	46	5.987
27	4.796	47	6.092
28	4.833	48	6.204
29	4.871	49	6.322
		50	6.447
30	4.912	51	6.580
31	4.955	52	6.721
32	5.000	53	6.871
33	5.048	54	7.031
34	5.099		
		55	7.202
35	5.153	56	7.385
36	5.209	57	7.580
37	5.269	58	7.788
38	5.332	59	8.010
39	5.399	60	8.247

Note: The factor corresponding to the officer's age in years and completed months should be obtained by interpolation.

LAWS OF TRINIDAD AND TOBAGO

MINISTRY OF LEGAL AFFAIRS

www.legalaffairs.gov.tt

44

Chap. 48:02

Public Transport Service

[Subsidiary]

Public Transport Service (Compensation for Loss of Office) Regulations

SECOND SCHEDULE—Continued

TABLE II

Age of Officer	Factor where Length of Service is							
	3 years	4 years	5 years	6 years	7 years	8 years	9 years	10 years
21	.18	—	—	—	—	—	—	—
22	.20	.26	—	—	—	—	—	—
23	.22	.29	.36	—	—	—	—	—
24	.25	.33	.41	.49	—	—	—	—
25	.28	.37	.46	.56	.65	—	—	—
26	.32	.42	.53	.64	.74	.85	—	—
27	.36	.48	.60	.72	.84	.96	1.03	—
28	.41	.54	.68	.82	.95	1.09	1.22	1.36
29	.46	.62	.77	.92	1.08	1.23	1.39	1.54
30	.52	.70	.88	1.05	1.22	1.40	1.58	1.75
31	.60	.80	1.00	1.20	1.40	1.60	1.80	2.00
32	.69	.92	1.15	1.38	1.61	1.84	2.07	2.30
33	.80	1.06	1.33	1.60	1.86	2.13	2.39	2.66
34	.92	1.22	1.52	1.83	2.14	2.44	2.74	3.05
35	1.04	1.38	1.72	2.07	2.42	2.76	3.10	3.45
36	1.15	1.53	1.91	2.29	2.67	3.06	3.44	3.82
37	1.23	1.64	2.06	2.47	2.88	3.29	3.70	4.11
38	1.30	1.73	2.16	2.59	3.02	3.46	3.89	4.32
39	1.33	1.78	2.22	2.66	3.11	3.55	4.00	4.44
40	1.35	1.80	2.26	2.71	3.16	3.61	4.06	4.51
41	1.36	1.81	2.26	2.72	3.17	3.62	4.08	4.53
42	1.34	1.79	2.24	2.69	3.14	3.58	4.03	4.48
43	1.31	1.74	2.18	2.62	3.05	3.49	3.92	4.36
44	1.25	1.67	2.09	2.51	2.93	3.34	3.76	4.18
45	1.19	1.59	1.98	2.38	2.78	3.18	3.57	3.97
46	1.12	1.49	1.86	2.24	2.61	2.98	3.36	3.73
47	1.04	1.38	1.73	2.08	2.42	2.77	3.11	3.46
48	.95	1.26	1.58	1.90	2.21	2.53	2.84	3.16
49	.85	1.14	1.42	1.70	1.99	2.27	2.56	2.84
50	.76	1.01	1.26	1.52	1.77	2.02	2.28	2.53
51	.67	.90	1.12	1.34	1.57	1.79	2.02	2.24
52	.59	.79	.98	1.18	1.38	1.58	1.77	1.97
53	.51	.68	.85	1.02	1.19	1.36	1.53	1.70
54	.43	.58	.72	.86	1.01	1.15	1.20	1.44
55	.35	.47	.59	.71	.83	.94	1.06	1.18
56	.28	.38	.47	.56	.66	.75	.85	.94
57	.21	.28	.35	.42	.49	.56	.63	.70
58	.13	.18	.23	.28	.33	.38	.43	.47
59	.06	.09	.11	.13	.16	.19	.20	.22

Note: The factor corresponding to the officer's age and service in years and completed months should be obtained by interpolation.

UNOFFICIAL VERSION

UPDATED TO DECEMBER 31ST 2012

**INSTRUCTIONS FOR OBTAINING THE APPROPRIATE
FACTOR FROM TABLE II**

- I—Read off from the Table the factors for the officer's age at his last birthday and his—
- (a) completed years of service;
 - (b) completed years of service plus one year.
- II—Subtract I(a) from I(b), divide the difference by twelve and multiply the result by the number of completed months of service, if any, in excess of the completed years of service.
- III—Add I(a) and II.
- IV—Repeat steps I to III for the officer's age at his next birthday.
- V—Divide the difference between III and IV by twelve and multiply by the number of completed months of age, if any, since the officer's last birthday.
- VI—If IV is greater than III, add V to III.
If IV is less than III, subtract V from III.
VI is the appropriate factor.
-