

TWENTY-SIXTH REPORT

OF THE SALARIES REVIEW COMMISSION

OF THE REPUBLIC OF TRINIDAD AND TOBAGO

May 11 1993

Twenty-Sixth Report of the Salaries Review Commission
Review of the Terms and Conditions of Service
applicable to the office of Judge - Conditions
relating to the purchase of Imported Motor
Vehicles

By Section 141(1) of the Constitution of the Republic of Trinidad and Tobago, the terms and conditions of service of the office of Judge fall to be reviewed by the Salaries Review Commission. The President of the Republic of Trinidad and Tobago has conveyed his approval for a review by the Salaries Review Commission of the conditions of service of the holders of the office of Judge, in so far as they relate to those provisions affecting the purchase of imported motor vehicles by the Chief Justice and other Judges.

2. At present, the existing tariffs and duties which are applicable to the purchase of an imported motor vehicle are as follows:-

1. Customs Duty
2. Motor Vehicle Tax
3. Value Added Tax
4. Import Surcharge
5. Stamp Duty.

3. In addressing this matter, the Commission reflected on the terms and conditions of service applicable to Judges generally. We observed that in the Nineteenth Report of the Commission, due recognition was given to the unique position that Judges hold in our democratic society and cognisance was taken of the need for adequate remuneration to be provided to the holders of these esteemed offices. In that context, the Commission had recommended that the salaries and pensions payable to Judges should be exempt from taxation. That recommendation was accepted by Government and became effective from January 1, 1990.

4. In our Twenty-Third Report which constituted a general review of compensation arrangements of all offices within the purview of the Commission, we took into consideration the abovementioned comments and recommendations in deliberating on the remuneration which should be applicable to Judges. In the circumstances, we had stated that "given the composition of the remuneration arrangements as well as the facility of exemption from income tax, we are of the view that the overall compensation package for Judges has been raised to an equitable level". It was against this background that our recommendations for revised

salaries and other terms and conditions of service for Judges were made in the Twenty-Third Report.

5. On the specific matter of taxes paid on motor vehicles purchased for official duty our recommendation in the Twenty-Third Report was that the arrangements which existed prior to the review should continue to apply, namely, "...full exemption from the payment of Motor Vehicle Tax and Value Added Tax where the vehicle is manufactured locally and exemption from customs duty where the vehicle is manufactured abroad".

6. We have observed further that Government has decided that the existing concession to eligible office-holders under the purview of the Commission permitting exemption from Motor Vehicle Tax and Value Added Tax on locally - assembled vehicles be extended to the purchase of imported vehicles.

7. It means, therefore, that with effect from January 1, 1993, a Judge enjoys full exemption from three of the five tariffs/duties applicable to imported cars, namely, Customs Duty, Motor Vehicle Tax and Value Added Tax. In the case of other office-holders under the purview of the Commission who have been granted exemption from Motor Vehicle Tax and Value Added Tax on imported vehicles, however, such exemption is limited to the tax associated with the maximum loan of \$50,000.

8. In this regard, therefore, we are mindful of the disparities which would be created should further exemptions on tariffs and duties be granted to Judges vis-a-vis other groups of office-holders who are also required to keep a motor vehicle for official duty.

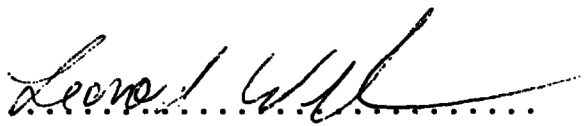
9. In the light of the foregoing, the Salaries Review Commission recommends that the Chief Justice and the other Judges should continue to be provided with the following arrangements in respect of imported motor vehicles:-

"full exemption from Customs Duty, Motor Vehicle Tax and Value Added Tax".

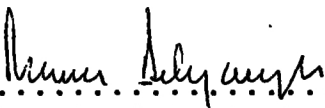
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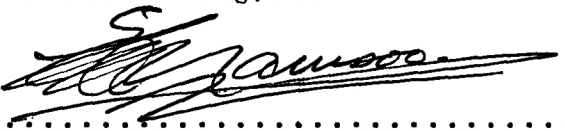
1st May, 1993

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Sgd. Leonard Williams (Chairman)

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Sgd. Edward Collier

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Sgd. Rowell Debysingh

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Sgd. Clive Forgenie

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Sgd. Michael Namsoo