

FORTY-SIXTH REPORT

OF

THE SALARIES REVIEW COMMISSION

OF

**THE REPUBLIC OF
TRINIDAD AND TOBAGO**

June 4, 1997

**FORTY-SIXTH REPORT OF THE
SALARIES REVIEW COMMISSION**

Review of the Salaries and Terms and Conditions
of Service for Executive Members and the Senior
Staff of the Tobago House of Assembly

In accordance with Section 141(1) of the Constitution of the Republic of Trinidad and Tobago, His Excellency the President, by letter dated January 27th, 1997, conveyed his approval for a review by the Salaries Review Commission of the salaries and other terms and conditions of service of the executive members and senior staff of the Tobago House of Assembly (The Assembly).

2. The specific offices which have been placed within the purview of the Salaries Review Commission and which form the subject of this Report are as follows:-

Executive Members

Chief Secretary
Deputy Chief Secretary
Secretary
Assistant Secretary
Assemblyman
Councillor
Presiding Officer
Deputy Presiding Officer
Minority Leader

Senior Staff

Chief Administrator
Administrator
Clerk.

3. The Assembly was restructured by the Constitution (Amendment) Act, No. 39 of 1996, which was assented to on December 5, 1996 and which came into force on December 6, 1996.

The Assembly

4. The Tobago House of Assembly Act, No. 40 of 1996 (The Act) which repealed and replaced the former Tobago House of Assembly Act, Chapter 25:03, provides for the membership, powers and

functions of the Assembly and its Executive Council. That Act, which came into force on December 10, 1996, defines the Assembly as a body corporate consisting of:-

- i) Twelve (12) Assemblymen
- ii) Four (4) Councillors; and
- iii) A Presiding Officer.

5. The Assemblymen, who are elected through the Assembly elections, elect the Presiding Officer who presides at meetings of the Assembly. This office holder is not necessarily chosen from among the Assemblymen and he is not precluded from being appointed a Councillor. The Assemblymen also elect, from among themselves, the Chief Secretary and Deputy Chief Secretary. Secretaries and Assistant Secretaries, who are appointed by the President on the advice of the Chief Secretary, are selected from among the Members of the Assembly.

6. The Act also makes provision for a Minority Leader. The President appoints to this office, the Assemblyman who, in his opinion, commands the support of the largest number of Assemblymen who do not support the Chief Secretary.

7. Three Councillors are appointed by the Presiding Officer on the advice of the Chief Secretary and one on the advice of the Minority Leader.

8. A Deputy Presiding Officer is elected by Members from among themselves. This office holder is required to preside at meetings of the Assembly, in the absence of the Presiding Officer.

Term of the Assembly

9. The normal term of the Assembly is four years from the date of its first sitting after a primary election. However, the term of office of an Assemblyman begins on the day on which he is elected to office while that of other Members, that is, Councillors and the Presiding Officer, commences on the day on which they are sworn in.

Functions of the Assembly

10. In undertaking our review, we examined the duties and responsibilities of the Members of the Assembly. We noted that section 25 of the Act charges the Assembly with the formulation and implementation of policy, in relation to Tobago, with respect to a number of wide-ranging matters, including Finance, State Lands, Tourism, Agriculture and Health Services. The actual areas of responsibility of the Assembly are set out in Appendix I. In respect of these matters, the Assembly is vested with the power to

"do all acts and take all steps as may be necessary for or incidental to the exercise of its powers or for the discharge of its duties". In particular, the Assembly may:-

- (a) devise mechanisms to ensure the protection and security of property, buildings, or other assets under its control;
- (b) enter into such contracts as it deems fit for the efficient discharge of its functions; and
- (c) obtain from international donors any grant, aid or technical assistance.

11. The Assembly will exercise a certain measure of control over statutory authorities and state enterprises which provide services in Tobago, since those organisations are required by the legislation to act in accordance with the policies and programmes of the Assembly. The Act further authorises the Assembly to act as the agent of the Government, a statutory authority or state enterprise in respect of any of the responsibilities of those entities, by way of a Memorandum of Understanding.

12. We have noted that, apart from the powers outlined in the preceding paragraphs, the Assembly can propose and adopt Bills in relation to the matters outlined in Appendix I, provided that those Bills do not seek to abrogate, suspend, repeal, override, alter or be contrary to any existing laws of Trinidad and Tobago. However, Bills adopted by the Assembly can be submitted to Parliament only on the approval of the Cabinet.

Funding for the Assembly

13. The Assembly is financed through the Tobago House of Assembly Fund which has been established under section 141D of the Constitution and which consists of money appropriated by Parliament as well as money that the Assembly is empowered to collect on behalf of the Government by way of taxes, fees, duties etc. However, money collected and credited to the Fund will be offset against the annual allocation appropriated by Parliament, but where the money collected exceeds the sums appropriated, the Assembly will be allowed to retain 50% of the excess or more, if permitted by the Minister of Finance.

The Executive Council

14. Section 141C of the Constitution (Amendment) Act, 1996 makes provision for an Executive Council which is comprised of the following offices:-

Chief Secretary;
Deputy Chief Secretary; and
A maximum of five (5) Secretaries.

These Secretaries are selected from among the Members and are appointed by the President on the advice of the Chief Secretary, after the latter office holder has consulted with Members. The Commission has observed that the Presiding Officer is precluded from being a member of the Executive Council.

Remuneration arrangements

15. Prior to formulating our recommendations on the remuneration arrangements for the Members of the Assembly, the Commission held discussions with the Chief Secretary who advised us of the proposals submitted by the Assembly on remuneration arrangements. We also compared the role and functions of the Assembly as well as its scope and responsibilities with those of legislative and other policy making bodies of Trinidad and Tobago, that is, the Parliament and the Cabinet and those of Local Government authorities.

The Assembly

16. We recognised that though unicameral, the Assembly operates on much the same principles as those which govern the two houses of Parliament - the House of Representatives and the Senate. As in the case of Parliament, deliberations of the Assembly are subject to Standing Orders and are controlled by a presiding officer. Apart from this similarity, their roles and functions differ. It needs to be emphasised that the Assembly is responsible for the formulation and implementation of policy in respect of matters assigned to it by the Act, while the main function of Parliament is to make laws for the peace, order and good governance of the entire country. This contrast becomes more pronounced when cognisance is taken of the fact that although the Assembly, like Parliament, can propose and adopt Bills, it does not have the power to pass such Bills into law. This power resides with Parliament. Further, where such laws, termed 'Assembly Laws', are passed by Parliament, their scope is restricted to Tobago.

17. The Commission recognises that members of both the Assembly and the House of Representatives have the obligation of political office to seek the welfare of the residents of their constituencies. However, the demographic size of the respective constituencies created for Assembly elections is not as large as those created for national elections. This implies that a greater responsibility rests on the members of the House of Representatives than on members of the Assembly.

18. When examined against the role and functions of Local Government bodies, such as the Municipal Corporations, we are of the view that the Assembly is vested with greater powers and is of a higher status. The functions of the Municipal Corporations are more administrative in nature as they are required to discharge specific responsibilities assigned to them by the Municipal Corporations Act, 1990 rather than to establish policy. These duties include assisting in the maintenance of law and order in the municipality, setting and collecting house rates, establishing markets, issuing licences to peddlars, maintaining the physical environment and discharging duties imposed by the Public Health Act.

19. The Corporations also have the power to make bye-laws for the good governance of the municipalities but these would be of even more limited scope than the Assembly Laws. Additionally, unlike the Assembly or Parliament, Municipal Corporations are not constitutional bodies and they do not enjoy the privilege of freedom of speech within the confines of the Corporation chambers nor are they immune from civil and criminal proceedings for words spoken before, or written in reports of, the Corporation. Even in terms of size, we note, according to statistics compiled by the Central Statistical Office, that the population of the individual municipalities (excluding Port of Spain) ranging from 20,100 to 28,600 persons, is significantly smaller than that of Tobago (48,600). Port of Spain has a population of some 46,000 persons.

The Executive Council

20. It is evident that the Executive Council is the central body of the Assembly where policies are established, administrative action is co-ordinated and legislative proposals are sanctioned. The Council can, therefore, be viewed as the counterpart of the Cabinet. Similarities also exist in the structure and functioning of the two bodies. As the Prime Minister does with Ministers of Government, the Chief Secretary can undertake or assign responsibility for any of the Assembly's functions. Similarly, members of the Cabinet and the Council are individually and collectively responsible to Parliament and to the Assembly respectively.

21. Notwithstanding those similarities, however, the Commission's view is that the scope of the activities of the Executive Council is not as broad as that of the Cabinet. In the first place, the matters for which the Assembly has responsibility are circumscribed by section 26 of the Act which indicates the matters for which the Assembly does not have responsibility. These include National Security, Foreign Affairs, Immigration, Service Commissions and Legal Affairs. Additionally, in those areas for which the Assembly does have responsibility, the policies formulated and implemented are to be in respect of Tobago only. The effect of these policies will have an impact on some 48,600 persons compared with those of the Cabinet on the entire population of Trinidad and Tobago i.e. 1.2 million persons. The powers of the Executive Council are also far more limited than those of the Cabinet. In this connection, the Commission has noted that the Constitution confers on the Cabinet the power of general direction and control of the Government of Trinidad and Tobago. No similar provision exists for the Executive Council.

22. The Commission recognises that the duties and responsibilities of the individual members of the Executive Council, who assume duties of Secretary, are akin to those of a Minister of Government in that both office holders are required to exercise general direction and control over the respective Ministries or Divisions to which they have been assigned. We have noted that because the Act permits the appointment of no more than seven Secretaries, these office holders are generally assigned multiple portfolios. However, on closer examination, it becomes clear that the scope of the Secretaries' responsibilities in any area to which they are assigned is narrower than that of Ministers of Government. This is evident especially in the areas of Finance, Education, Health and Works (roads and highways) where the duties of the Ministers of Government assigned to those portfolios would be significantly more onerous than those of a Secretary whose responsibilities are restricted to Tobago. Ministers of Government responsible for those areas would be required to establish and carry out national policies, while a Secretary's duties are likely to entail adapting those established policies to Tobago. In an attempt to highlight this consideration which we regard as significant, we draw attention to the fact that in the area of Education, for example, the Minister of Education would be responsible for formulating and implementing policies in respect of an education system which comprises 576 schools and 289,000 students. In Tobago, the Secretary for Education has responsibility for 37 schools and a school population of some 10,900 students.

23. On the basis of the foregoing, we have concluded that there can be no direct correlation between the Members of Parliament and the Cabinet, on the one hand, and Members of the Assembly and the Executive Council, on the other.

24. We have been advised that pending the review of remuneration arrangements for Members of the Assembly by the Commission, interim salaries have been provided. These salaries, with the exception of that of the Minority Leader, equate with the existing salaries of certain office holders and Members of Parliament and represent the actual recommendations of the Assembly on the issue of salaries.

The interim salaries and the corresponding parliamentary offices are as follows:-

<u>THA Offices</u>	<u>\$ per month</u>	<u>Members and offices of Parliament</u>
Chief Secretary	12,000	Cabinet Minister
Deputy Chief Secretary	11,000	Non-Cabinet Minister
Secretary	11,000	Non-Cabinet Minister
Presiding Officer	8,000	Speaker of the House of Representatives/President of the Senate
Assistant Secretary	7,500	Parliamentary Secretary
Deputy Presiding Officer	5,700	Deputy Speaker of the House of Representatives/Vice President of the Senate
Minority Leader	5,700	(No established equivalent)
Assemblyman	5,250	Member of the House of Representatives
Councillor	4,000	Member of the Senate.

25. However, based on the observations outlined in paragraphs 16 to 22, the Commission sees the need to adopt different relationships in establishing appropriate remuneration arrangements.

RECOMMENDATIONS

a) SALARIES

Chief Secretary

26. In accordance with section 16 of the Act, the salary, allowances and other conditions of service of the Chief Secretary are to be equal to that of a Minister, except that in lieu of a

housing allowance and a travelling allowance, the office holder is to be provided with an official residence and an official car. In addition, appropriate security services are to be provided for the Chief Secretary.

27. While the legislation established a relationship between a Minister and the Chief Secretary, the Commission has had to consider whether the salary of the latter should be that payable to a Cabinet Minister or a non-Cabinet Minister.

28. In our deliberations, we relied heavily on section 30 of the Act which indicates that the Chief Secretary could be invited by the Prime Minister to attend meetings of the Cabinet in order to apprise Cabinet of decisions taken by the Assembly or to represent the interest of Tobago in any matter which has or is likely to have an adverse effect on Tobago. While that section reinforces the status of the Chief Secretary, we observed that the Act prohibits the office holder from voting on any matter before the Cabinet. It is evident that while the Act creates a linkage between the Chief Secretary and a Minister, it does not confer on the office holder the responsibilities and privileges of a Cabinet Minister. This we regard as significant. Consequently, the Commission recommends that the salary of the Chief Secretary should be equivalent to that of a non-Cabinet Minister, that is \$11,000 per month.

Deputy Chief Secretary and Secretary

29. The legislation does not specify the actual role of the Deputy Chief Secretary but we have ascertained that the functions of the office holder are the same as those of a Secretary. However, it is expected that the office holder would be required to perform the duties of the Chief Secretary in the event of the absence from duty of the latter. Additionally, in accordance with section 34(1) of the Act, the office holder may, like a Secretary, be assigned responsibility for a Division. There is, therefore, no fundamental difference between the offices of Deputy Chief Secretary and Secretary. Consequently, we recommend that the salaries of these two offices should be equal.

30. The Act defines a Secretary as a member of the Executive Council to whom administrative responsibility is assigned. A Secretary exercises general direction and control over the Division for which he/she is responsible and may, in the course of his/her duties, consult with any Minister on matters pertinent to his/her Division. While as noted before, because of the maximum number of Secretaries permitted by the Act, these office holders have been assigned functions which may be carried out by more than one Minister in the Central Government, we are of the opinion that the diversity of the portfolios as well as the size of the population to be serviced emphasise the point that the duties of Secretaries cannot be equated with those of a Minister. Although some

comparison could be made with the office of Parliamentary Secretary, the Commission believes that the duties of a Secretary are broader in scope than those of such office. We also took account of the fact that in contrast to Parliamentary Secretaries who report to Ministers, the Secretaries of the Assembly assume responsibility for their Divisions. On the basis of the foregoing, we recommend that the salary of a Secretary be \$9,000 per month.

Assistant Secretary

31. Section 37B of the Act makes provision for the appointment of a Member of the Assembly to the office of Assistant Secretary. An Assistant Secretary, as the name implies, provides support to a Secretary. We recommend a salary of \$7,000 per month.

Other Members of the Assembly

32. Based on our observations set out at paragraphs 16 to 19, we recommend that the other Members of the Assembly should be remunerated as follows:-

Office	Recommended Salary per month \$
Presiding Officer	7,500
Deputy Presiding Officer	5,000
Minority Leader	6,000
Assemblyman	4,000
Councillor	3,000

Other Remuneration Arrangements

33. In considering other remuneration arrangements which are to comprise the compensation package of the Members of the Assembly, we have had in instances to take account of the special circumstances of the Island of Tobago, for example, the remoteness of certain areas and the difficulty in accessing them. Our recommendations are as follows:-

Housing

34. As noted in paragraph 26, the Chief Secretary is to be provided with an official residence. We have, however, been advised that the property earmarked as an official residence is not habitable at present. Consequently, we recommend that in the interim, the Chief Secretary be provided with a Housing Allowance until the residence is ready for occupation. We recommend that the

interim allowance be set at \$1,000 per month from the date on which the incumbent was elected to office and should our recommendations contained in our recent Forty-fourth Report on the review of Housing Allowances be accepted, the interim allowance should be revised to \$5,000 per month with effect from April 1, 1997.

35. The Commission is of the view that a housing benefit should be provided to the offices of Deputy Chief Secretary, Secretary, Assistant Secretary and Presiding Officer. A Housing Allowance of \$1,000 per month should be paid. Should the recommendations contained in our Report referred to in paragraph 34 be accepted, housing allowances should be provided as follows with effect from April 1, 1997:-

Deputy Chief Secretary and Secretary	-	\$2,500 per month
Assistant Secretary	-	\$1,900 per month
Presiding Officer	-	\$1,900 per month.

Transport

36. We have already noted that in accordance with section 16 of the Act, the Chief Secretary is to be provided with an official car in lieu of a travelling allowance. We expect that this means that the expenses relating to the upkeep and maintenance of the vehicle are to be borne by the Assembly. We recommend that, in addition, the office holder be eligible for a personal chauffeur. In recognition of the fact that the necessary administrative arrangements for the provision of an official car were not in place at the time the Chief Secretary took the oath of office, as an interim arrangement, the office holder should be eligible for a Travel Allowance of \$2,300 per month until an official car is provided.

37. In the case of the other Members of the Assembly, the Commission recommends that they be provided with loan facilities to assist them in purchasing and insuring motor vehicles. The Deputy Chief Secretary, the Secretaries and the Presiding Officer should also be provided with a Personal Chauffeur. The details of the transport facilities recommended in respect of each office holder are set out in Appendix II.

38. In addition to the loan facilities, the Commission recommends the payment of the following levels of travel allowances:-

Office	Travel Allowance (per month)
	\$
Deputy Chief Secretary/ Secretary	2,150
Assistant Secretary	1,800
Minority Leader	1,550
Presiding Officer	1,300 or 1,500, if an Assemblyman.
Deputy Presiding Officer	1,300 or 1,500, if an Assemblyman.
Assemblyman	1,500
Councillor	950

Subsistence

39. Subsistence Allowances are paid to a number of office holders within the purview of the Commission for travel on official business away from headquarters, for residence beyond specified radii from Port of Spain and where the office holder is required to travel to Tobago. For Members of the Assembly, the Commission recommends as follows:-

i) Official Travel

\$70 per day when travelling on official business beyond a radius of 10 kilometres from Scarborough.

ii) Residence

Where a Member resides beyond a radius of 10 kilometres from Scarborough, an allowance of \$350 per month should be paid.

iii) Late Sittings of the Assembly

\$150 when Members are required to seek accommodation as a result of late sittings of the Assembly, provided that they reside beyond a radius of 10 kilometres from Scarborough.

With regard to sub-paragraphs (ii) and (iii) above, pending the availability of the official residence, and subject to the stipulated criteria being met, the Chief Secretary should be eligible for the allowances specified.

iv) Travel to Trinidad

- (a) Where the Chief Secretary, Deputy Chief Secretary, Secretary, Assistant Secretary and Presiding Officer are required to travel to Trinidad on official business or to attend official functions, the cost of airfare and ground transportation to be met by the Assembly and:-
- i) where no overnight stay is required, \$70 per day;
 - ii) where overnight stay is required, payment of hotel expenses, including meals plus \$10 per day. Where the office holder opts not to utilise hotel facilities, a flat sum of \$70 per day.
- (b) For attendance at official functions in Trinidad, the expenses of the spouse of the office holders referred to in (a) above in respect of airfare, ground transportation and hotel accommodation to be met by the Assembly.
- (c) All other Members of the Assembly - for attendance at official functions in Trinidad, the cost of airfare, ground transportation and hotel accommodation for self and spouse to be met by the Assembly.

Assembly/Constituency Allowances

- (i) **Cost of rental of office accommodation, electricity, telephone and employment of staff.**

40. Section 16(3) of the Act specifies that every Assemblyman shall be entitled to a monthly allowance to defray the cost of rental of office accommodation in his district (constituency),

employment of staff, telephone and electricity services. In considering the quantum of the allowances, we took note of similar allowances paid at present to elected Members of Parliament as well as the fact that the allowances are provided as a means of assisting the office holders in defraying costs associated with holding an elected office. We recommend that the same level of allowances be paid to Assemblymen. These are as follows:-

- (a) where the Assemblyman is not provided with office accommodation by the Assembly, a maximum of \$700 per month to assist in defraying the cost of rental expenses;
- (b) a maximum sum of \$400 per month for telephone and electricity costs in his/her constituency office; and
- (c) a sum of \$2,500 per month for the employment of a maximum of two persons hired to perform administrative/secretarial services.

As applies to elected Members of Parliament, the allowance referred to at (c) above should be paid directly to the employees by the Assembly. However, they will remain the private employees of the Assemblyman.

(ii) Grant of Free Stationery and Postage

41. All Members of the Assembly should be eligible for official stationery and free postage within Trinidad and Tobago for official correspondence. Members of Parliament are entitled to a similar provision.

Entertainment

42. In recognition of the fact that Members of the Assembly may be required to undertake official entertainment in the course of performing their functions, the Commission recommends that an Entertainment Vote should be established by the Assembly to defray the cost of actual expenses incurred by Members of the Assembly for such entertainment.

Medical Benefits

43. The provision of medical benefits is a common perquisite for holders of full-time offices within our purview. We recommend that the following office holders should be eligible for medical

benefits, the details of which are set out in Appendix II:-

Chief Secretary
Deputy Chief Secretary
Secretary
Assistant Secretary
Presiding Officer.

Vacation Leave

44. We recommend that holders of the offices of Deputy Chief Secretary, Secretary and Assistant Secretary should be eligible for thirty (30) calendar days per annum. In the case of the Presiding Officer, we are of the view that the office holder would automatically be on vacation when the Assembly is in recess. Moreover, we note that the Speaker of the House of Representatives is not provided with such a benefit.

45. The Chief Secretary will be eligible for vacation leave of thirty (30) calendar days per annum since he/she is entitled to the same terms as a Minister.

Overseas Travel Facilities

46. The Chief Secretary should be eligible for the same Overseas Travel Facility as a Minister of Government as recommended in our Thirty-fourth Report, that is,

Either:-

(i) At the end of each full term of office, entitlement to a maximum of four (4) first class passages to any point on BWIA's scheduled route structure to meet the cost of travel for self, spouse and dependent children who are unmarried and under the age of eighteen;

or

(ii) a Travel Grant of \$15,000 per annum.

Pensions/Gratuity

47. We have noted that section 16(5) of the Act provides for the Assembly to establish a contributory pension scheme for Members of the Assembly.

48. The details of the remuneration arrangements recommended by the Commission are summarised in Appendix II.

Senior Staff of the Assembly

Chief Administrator

49. The office of Chief Administrator is a public office falling within the purview of the Public Service Commission. We have been advised that the duties and responsibilities of the officer have not yet been determined formally, but it is envisaged that the office holder would be assigned to work with the Chief Secretary and will be responsible for matters of general policy, public administration, finance and the human resource function of the Assembly.

50. Section 71(3) of the Act provides for the Chief Administrator to be an Accounting Officer. It is our understanding that the appointment of an officer as Accounting Officer under the Exchequer and Audit Act, Chapter 69:01 confers on such officer the power to draw on the Exchequer Account and the responsibility to appear before the Public Accounts Committee. Should the Chief Administrator be appointed an Accounting Officer under the aforementioned Act, the office holder will be required to ensure that public funds entrusted to his/her care for use by the Assembly are properly safe-guarded and are applied only for the purposes intended by Parliament. In such a case, the Chief Administrator would be required to disburse funds to Administrators of Divisions for use by the Divisions.

51. In accordance with section 71(2) of the Act, all the rights, privileges and conditions of service incidental to the office of Clerk of the former Assembly were transferred to the office of Chief Administrator. The remuneration arrangements applicable to the Clerk of the former Assembly were the same as those of a Permanent Secretary. We are of the view that the relationship established between the Chief Administrator and that of the former Clerk of the Assembly or a Permanent Secretary is appropriate and should be maintained. The remuneration arrangements recommended are set out in Appendix III.

Administrator

52. Each Division of the Assembly is to be placed under the supervision of an Administrator who, according to section 73 of the Act, must be of a level no lower than that of a Chief Technical Officer who is classified in Range 68 in the Public Service Classification and Compensation Plans. The Administrator is the Accounting Officer of the Division under his/her supervision.

53. In considering the appropriate remuneration arrangements for this office, the Commission faced a number of obstacles. We were advised that the functions of the Administrators were still to be determined formally by way of job specifications. These specifications are important to understanding the relationship between the office of Chief Administrator and that of Administrator. Nevertheless, it is clear that the offices are significantly different. Further, we noted that the Act specifies that an Administrator is to be the Accounting Officer of the Division under his supervision. It is our understanding that the Administrators would not be appointed Accounting Officers in accordance with the Exchequer and Audit Act, Chapter 69:01 but would simply be required to account to a committee of the Assembly for monies released to the Divisions under their control.

54. An Administrator would be responsible for directing the operations and activities of his/her Division in the formulation and implementation of the policies and programmes of the Assembly. He/she would also be required to oversee the financial management of the Division. While the Assembly has proposed that the office of Administrator should be aligned with that of a Permanent Secretary, we are of the view that the office would more appropriately be aligned with offices classified in Range 68 in the Public Service Classification and Compensation Plans.

55. We recommend that the office of Administrator be placed in Salary Range 68 and be removed from the Second Schedule to the Constitution (Prescribed Matters) Act, Chapter 1:02. We are aware that final classification of offices in the Public Service, other than those which are prescribed, is subject to consultation and negotiation between the Chief Personnel Officer and the appropriate recognised Association.

Clerk, Tobago House of Assembly

56. The duties of the Clerk of the Assembly have not yet been established. However, we have been advised that the office holder will function on a basis similar to that of the Secretary of the former Assembly, though possibly at a higher level since the powers of the new Assembly are wider than those of the former Assembly. That latter office holder served as secretary to the Assembly and was responsible for the management of the secretariat. The officer was also required to attend meetings of the Assembly and its committees. The Clerk will perform similar functions, being responsible for the legislative staff as well as for advising the Members of the Assembly on the procedures of that body as established by the Rules and Standing Orders.

57. We note that the former office of Secretary was classified in Salary Range 54D of the Public Service Classification and Compensation Plans. While we recognise that there may be an expanded role for the Clerk, we do not consider that the duties would be of a comparable level of difficulty and responsibility to those of the office of Clerk of the House (of Representatives) which is classified in Salary Range 60. We, therefore, recommend that the office of Clerk of the Assembly should, in the interim, be assigned to Salary Range 54D of the Classification and Compensation Plans and that this classification be reviewed by the Chief Personnel Officer when the duties of that office have been finally determined. As in the case of the office of Administrator, we further recommend that the office of Clerk be removed from the Second Schedule to the Constitution (Prescribed Matters) Act.

Effective Dates

58. The Commission recommends that the new remuneration arrangements applicable to the office of Assemblyman should take effect from the date on which the incumbents were elected to office. The terms and conditions applicable to other Members of the Assembly, should take effect from the date on which they took the relevant oath of office.

59. In the case of the Chief Administrator, the remuneration arrangements should take effect from the date on which the office holder assumed duty.

60. In summary, our recommendations are as follows:-

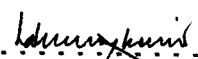
- (i) The remuneration arrangements to be applicable to the Chief Secretary and the other Executive Members of the Assembly are those summarised in Appendix II;
- (ii) pending the provision of an official car, as an interim arrangement, the Chief Secretary should be eligible for a Travel Allowance of \$2,300 per month;
- (iii) pending the provision of an official residence, the Chief Secretary should be provided with a Housing Allowance of \$1,000 per month and subject to the acceptance of the recommendations contained in the Commission's Forty-fourth Report, the allowance should be revised to \$5,000 per month with effect from

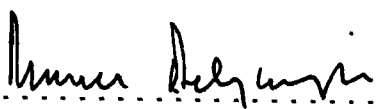
April 1, 1997. He/she should also be eligible for:-

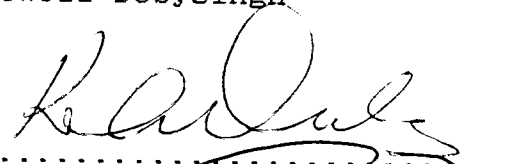
- (a) a Subsistence Allowance of \$350 per month, if he/she resides beyond a radius of 10 kilometres from Scarborough; and
- (b) \$150 if he/she is required to seek accommodation as a result of late sittings of the Assembly, provided he/she resides beyond a radius of 10 kilometres from Scarborough;
- (iv) with effect from a current date, the Chief Secretary should be entitled to a Personal Chauffeur with terms and conditions as set out in Minister of Finance Circular No. 5 of 1995, dated February 17, 1995;
- (v) except where specified, the new remuneration arrangements for Assemblymen should take effect from the date on which the incumbents were elected to office and in the case of other Members of the Assembly, from the date on which they took the relevant oath of office;
- (vi) the remuneration arrangements to be applicable to the office of Chief Administrator are those summarised in Appendix III;
- (vii) the offices of Administrator and Clerk, Tobago House of Assembly should be at the same level as offices in Salary Range 68 and Salary Range 54D respectively of the Public Service Classification and Compensation Plans and this classification should be reviewed by the Chief Personnel Officer when the duties of the offices have been finally determined. The offices should be removed from the Second Schedule to the Constitution (Prescribed Matters) Act, Chapter 1:02; and
- (viii) except where specified, the remuneration arrangements for the offices of Chief Administrator, Administrator and Clerk, Tobago House of Assembly should take effect from the date on which the office holders assumed duty.

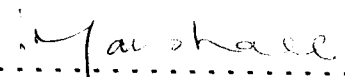
Dated this 4th day of June, 1997.


.....
Professor George M. Richards


.....
Edward Collier


.....
Rowell Debysingh


.....
Keith Ortiz


.....
Joyce Marshall

Areas of Responsibility of the
Tobago House of Assembly

1. Finance, that is to say the collection of revenue and the meeting of expenditure incurred in the carrying out of the functions of the Assembly;
2. State Lands;
3. Land and marine parks;
4. Museums, archives, historical sites and historical buildings;
5. Public buildings and the maintenance of the residences of the President and the Prime Minister;
6. Tourism;
7. Sports;
8. Culture and the Arts;
9. Community Development;
10. Co-operatives;
11. Agriculture;
12. Fisheries;
13. Food Production;
14. Forestry;
15. Town and Country Planning;
16. Infrastructure, including air and sea transportation, wharves and airports and public utilities;
17. Telecommunications;
18. Highway and Roads;
19. Industrial Development;
20. The Environment;
21. Customs and Excise;

22. Licensing;
23. Health Services;
24. Library Services;
25. Education including Curriculum;
26. Social Welfare;
27. Marketing;
28. Valuations;
29. Postal services and collection of revenue therefrom;
30. Statistics and Information;
31. Housing;
32. Plant and Animal Quarantine;
33. Such other matters as the President may, by Order, assign to the Assembly.

Recommended Remuneration Arrangements for
Members of the Tobago House of Assembly

CHIEF SECRETARY

Salary

\$11,000 per month.

Housing

Official residence. (Interim allowance of \$1,000 per month in lieu thereof and subject to the acceptance of the recommendations in the Commission's Forty-fourth Report, \$5,000 per month with effect from April 1, 1997.)

Transport

- (i) An official motor vehicle, fully maintained by the Assembly. (Interim allowance of \$2,300 per month in lieu thereof.)
- (ii) A Personal Chauffeur.

Subsistence Allowance

- (i) \$70 per day when travelling on official business beyond a radius of 10 kilometres from Scarborough;
- (ii) For travel to Trinidad on official business or to attend official functions, the cost of airfare and ground transportation to be met by the Assembly and:-
 - (a) where no overnight stay is required, \$70 per day;
 - (b) where overnight stay is required, payment of hotel expenses including meals plus \$10 per day. Where the office holder opts not to utilise hotel facilities, a flat sum of \$70 per day.
- (iii) For attendance at official functions in Trinidad, the cost of airfare, ground transportation and hotel accommodation of the spouse to be met by the Assembly.

Entertainment

Actual expenses incurred for official entertainment to be met from an official Entertainment Vote established by the Tobago House of Assembly.

Vacation Leave

Thirty (30) calendar days per annum.

Overseas Travel Facilities

Either:-

(i) At the end of each full term of office, entitlement to a maximum of four (4) first class passages to any point on BWIA's scheduled route structure to meet the cost of travel for self, spouse and dependent children who are unmarried and under the age of eighteen;

or

(ii) a Travel Grant of \$15,000 per annum.

Medical Benefits

Entitlement to operative treatment, x-ray, bacteriological and pathological examination and physiological treatment and to all incidental hospitalisation services at any hospital or State institution established and maintained by the State under the Hospitals Ordinance, or where the services are not available at such hospitals, to be paid the cost of such treatment and services in any other hospital, institution or nursing home in Trinidad and Tobago.

Assembly/Constituency Allowance

(i) Provision of official stationery and entitlement to free postage within Trinidad and Tobago for all official correspondence (including correspondence related to his/her constituency).

(ii) A maximum of \$700 per month to assist in defraying the cost of rental of office accommodation in his/her constituency, where accommodation is not provided by the Assembly.

(iii) A maximum of \$400 per month for telephone and electricity costs in his/her constituency office.

- (iv) \$2,500 per month for the employment of a maximum of two persons to perform administrative/secretarial services in respect of official duties in his/her constituency.

Pensions/Gratuity

Benefits in accordance with a contributory pension scheme to be established for Members of the Assembly.

DEPUTY CHIEF SECRETARY/SECRETARY/ASSISTANT SECRETARY

Salary

\$9,000 per month - Deputy Chief Secretary and Secretary

\$7,000 per month - Assistant Secretary.

Housing

A housing allowance of \$1,000 per month and subject to the acceptance of the recommendations contained in the Commission's Forty-fourth Report, \$2,500 per month (for the Deputy Chief Secretary and Secretary) and \$1,900 per month for the Assistant Secretary, with effect from April 1, 1997.

Transport

- (i) A maximum loan of \$100,000 at a rate of interest of 6% per annum to facilitate the purchase of:-
- (a) a locally assembled motor vehicle, with full exemption from Motor Vehicle Tax and Value Added Tax; or
 - (b) an imported motor vehicle with full exemption from Motor Vehicle Tax, Customs Duty and Value Added Tax; or
 - (c) a locally assembled motor vehicle using foreign parts with full exemption from Motor Vehicle Tax, Value Added Tax and Special Registration Fee.

- (ii) A loan to cover the cost of Motor Vehicle Insurance Premium.
- (iii) A Travel Allowance of \$2,150 per month for the Deputy Chief Secretary and Secretary. \$1,800 per month for an Assistant Secretary.
- (iv) A Personal Chauffeur (for the Deputy Chief Secretary and Secretary only.)

Subsistence Allowance

- (i) \$350 per month where residence is beyond a radius of 10 kilometres from Scarborough.
- (ii) \$70 per day when travelling on official business beyond a radius of 10 kilometres from Scarborough.
- (iii) For travel to Trinidad on official business or to attend official functions, the cost of airfare and ground transportation to be met by the Assembly and:-
 - (a) where no overnight stay is required, \$70 per day;
 - (b) where overnight stay is required, payment of hotel expenses including meals plus \$10 per day. Where the office holder opts not to utilise hotel facilities, a flat sum of \$70 per day.
- (iv) For attendance at official functions in Trinidad, the cost of airfare, ground transportation and hotel accommodation of the spouse to be met by the Assembly.
- (v) \$150 in the event that the office holder is required to seek accommodation overnight as a result of late sittings of the Assembly, provided that he/she resides beyond a radius of 10 kilometres from Scarborough.

Entertainment

Actual expenses incurred for official entertainment to be met from an official Entertainment Vote established by the Tobago House of Assembly.

Vacation Leave

Thirty (30) calendar days per annum.

Medical Benefits

Entitlement to operative treatment, x-ray, bacteriological and pathological examination and physiological treatment and to all incidental hospitalisation services at any hospital or State institution established and maintained by the State under the Hospitals Ordinance, or where the services are not available at such hospitals, to be paid the cost of such treatment and services in any other hospital, institution or nursing home in Trinidad and Tobago.

Assembly/Constituency Allowance

- (a) Provision of official stationery and entitlement to free postage within Trinidad and Tobago for all official correspondence (including correspondence related to his/her constituency, if an Assemblyman.)
- (b) If an Assemblyman:-
 - (i) A maximum of \$700 per month to assist in defraying the cost of rental of office accommodation in his/her constituency, where accommodation is not provided by the Assembly.
 - (ii) A maximum of \$400 per month for telephone and electricity costs in his/her constituency office.
 - (iii) \$2,500 per month for the employment of a maximum of two persons to perform administrative/secretarial services in respect of official duties in his/her constituency.

Pensions/Gratuity

Benefits in accordance with a contributory pension scheme to be established for Members of the Assembly.

MINORITY LEADER

Salary

\$6,000 per month.

Transport

- (i) A maximum loan of \$100,000 at a rate of interest of 6% per annum to facilitate the purchase of:-
 - (a) a locally assembled motor vehicle, with full exemption from Motor Vehicle Tax and Value Added Tax; or
 - (b) an imported motor vehicle with full exemption from Customs Duty; or
 - (c) a locally assembled motor vehicle using foreign parts, with full exemption from Motor Vehicle Tax, Value Added Tax and Special Registration Fee.
- (ii) A loan to cover the cost of Motor Vehicle Insurance Premium.
- (iii) A Travel Allowance of \$1,550 per month.

Subsistence Allowance

- (i) \$350 per month where residence is beyond a radius of 10 kilometres from Scarborough.
- (ii) For travel to Trinidad on official business or to attend official functions, the cost of airfare and ground transportation to be met by the Assembly and:-
 - (a) where no overnight stay is required, \$70 per day;
 - (b) where overnight stay is required, payment of hotel expenses including meals plus \$10 per day. Where the office holder opts not to utilise hotel facilities, a flat sum of \$70 per day.

- (iii) \$150 in the event that the office holder is required to seek accommodation overnight as a result of late sittings of the Assembly, provided that he/she resides beyond a radius of 10 kilometres from Scarborough.
- (iv) For attendance at official functions in Trinidad, the cost of airfare, ground transportation and hotel accommodation of the spouse to be met by the Assembly.

Entertainment

Actual expenses incurred for official entertainment to be met from an official Entertainment Vote established by the Tobago House of Assembly.

Assembly/Constituency Allowance

- (i) Provision of official stationery and entitlement to free postage within Trinidad and Tobago for all official correspondence (including correspondence related to his/her constituency).
- (ii) A maximum of \$700 per month to assist in defraying the cost of rental of office accommodation in his/her constituency, where accommodation is not provided by the Assembly.
- (iii) A maximum of \$400 per month for telephone and electricity costs in his/her constituency office.
- (iv) \$2,500 per month for the employment of a maximum of two persons to perform administrative/secretarial services in respect of official duties in his/her constituency.

Pensions/Gratuity

Benefits in accordance with a contributory pension scheme to be established for Members of the Assembly.

PRESIDING OFFICER

Salary

\$7,500 per month.

Housing

An allowance of \$1,000 per month and subject to the acceptance of the recommendations contained in the Commission's Forty-fourth Report, \$1,900 per month with effect from April 1, 1997.

Transport

- (i) A maximum loan of \$100,000 at a rate of interest of 6% per annum to facilitate the purchase of:-
 - (a) a locally assembled motor vehicle, with full exemption from Motor Vehicle Tax and Value Added Tax; or
 - (b) an imported motor vehicle with full exemption from Motor Vehicle Tax, Customs Duty and Value Added Tax; or
 - (c) a locally assembled motor vehicle using foreign parts with full exemption from Motor Vehicle Tax, Value Added Tax and Special Registration Fee.
- (ii) A loan to cover the cost of Motor Vehicle Insurance Premium.
- (iii) A Travel Allowance of \$1,300 per month or \$1,500 per month if an Assemblyman.
- (iv) A Personal Chauffeur.

Subsistence Allowance

- (i) \$350 per month where residence is beyond a radius of 10 kilometres from Scarborough.
- (ii) \$70 per day when travelling on official business beyond a radius of 10 kilometres from Scarborough.
- (iii) For travel to Trinidad on official business or to attend official functions, the cost of airfare and ground transportation to be met by the Assembly and:-
 - (a) where no overnight stay is required, \$70 per day;

- (b) where overnight stay is required, payment of hotel expenses including meals plus \$10 per day. Where the office holder opts not to utilise hotel facilities, a flat sum of \$70 per day.
- (iv) For attendance at official functions in Trinidad, the cost of airfare, ground transportation and hotel accommodation of the spouse to be met by the Assembly.
- (v) \$150 in the event that the office holder is required to seek accommodation overnight as a result of late sittings of the Assembly, provided that he/she resides beyond a radius of 10 kilometres from Scarborough.

Entertainment

Actual expenses incurred for official entertainment to be met from an official Entertainment Vote established by the Tobago House of Assembly.

Medical Benefits

Entitlement to operative treatment, x-ray, bacteriological and pathological examination and physiological treatment and to all incidental hospitalisation services at any hospital or State institution established and maintained by the State under the Hospitals Ordinance, or where the services are not available at such hospitals, to be paid the cost of such treatment and services in any other hospital, institution or nursing home in Trinidad and Tobago.

Assembly/Constituency Allowance

- (a) Provision of official stationery and entitlement to free postage within Trinidad and Tobago for all official correspondence (including correspondence related to the business of his/her constituency, if an Assemblyman.)
- (b) If an Assemblyman:-
 - (i) A maximum of \$700 per month to assist in defraying the cost of rental of office accommodation in his/her constituency, where accommodation is not provided by the Assembly.

- (ii) A maximum of \$400 per month for telephone and electricity costs in his/her constituency office.
- (iii) \$2,500 per month for the employment of a maximum of two persons to perform administrative/secretarial services in respect of official duties in his/her constituency.

Pensions/Gratuity

Benefits in accordance with a contributory pension scheme to be established for Members of the Assembly.

DEPUTY PRESIDING OFFICER

Salary

\$5,000 per month.

Transport

- (i) A maximum loan of \$100,000 at a rate of interest of 6% per annum to facilitate the purchase of:-
 - (a) a locally assembled motor vehicle, with full exemption from Motor Vehicle Tax and Value Added Tax; or
 - (b) an imported motor vehicle with full exemption from Customs Duty; or
 - (c) a locally assembled motor vehicle using foreign parts, with full exemption from Motor Vehicle Tax, Value Added Tax and Special Registration Fee.
- (ii) A loan to cover the cost of Motor Vehicle Insurance Premium.
- (iii) A Travel Allowance of \$1,300 per month or \$1,500 per month if an Assemblyman.

Subsistence Allowance

- (i) \$350 per month where residence is beyond a radius of 10 kilometres from Scarborough.

- (ii) \$150 in the event that the office holder is required to seek accommodation overnight as a result of late sittings of the Assembly, provided that he/she resides beyond a radius of 10 kilometres from Scarborough.
- (iii) For attendance at official functions in Trinidad, the cost of airfare, ground transportation and hotel accommodation of the office holder and spouse to be met by the Assembly.

Entertainment

Actual expenses incurred for official entertainment to be met from an official Entertainment Vote established by the Tobago House of Assembly.

Assembly/Constituency Allowance

- (a) Provision of official stationery and entitlement to free postage within Trinidad and Tobago for official correspondence (including correspondence related to his/her constituency, if an Assemblyman.)
- (b) If an Assemblyman:-
 - (i) A maximum of \$700 per month to assist in defraying the cost of rental of office accommodation in his/her constituency, where accommodation is not provided by the Assembly.
 - (ii) A maximum of \$400 per month for telephone and electricity costs in his/her constituency office.
 - (iii) \$2,500 per month for the employment of a maximum of two persons to perform administrative/secretarial services in respect of official duties in his/her constituency.

Pensions/Gratuity

Benefits in accordance with a contributory pension scheme to be established for Members of the Assembly.

ASSEMBLYMAN (other than the holder of another office)

Salary

\$4,000 per month.

Transport

- (i) A maximum loan of \$100,000 at a rate of interest of 6% per annum to facilitate the purchase of:-
 - (a) a locally assembled motor vehicle, with full exemption from Motor Vehicle Tax and Value Added Tax; or
 - (b) an imported motor vehicle with full exemption from Customs Duty; or
 - (c) a locally assembled motor vehicle using foreign parts, with full exemption from Motor Vehicle Tax, Value Added Tax and Special Registration Fee.
- (ii) A loan to cover the cost of Motor Vehicle Insurance Premium.
- (iii) A Travel Allowance of \$1,500 per month.

Subsistence Allowance

- (i) \$350 per month where residence is beyond a radius of 10 kilometres from Scarborough.
- (ii) \$150 in the event that the office holder is required to seek accommodation overnight as a result of late sittings of the Assembly, provided that he/she resides beyond a radius of 10 kilometres from Scarborough.
- (iii) For attendance at official functions in Trinidad, the cost of airfare, ground transportation and hotel accommodation of the office holder and spouse to be met by the Assembly.

Entertainment

Actual expenses incurred for official entertainment to be met from an official Entertainment Vote established by the Tobago House of Assembly.

Assembly/Constituency Allowance

- (i) Provision of official stationery and entitlement to free postage within Trinidad and Tobago for official correspondence (including correspondence related to his/her constituency.)
- (ii) A maximum of \$700 per month to assist in defraying the cost of rental of office accommodation in his/her constituency, where accommodation is not provided by the Assembly.
- (iii) A maximum of \$400 per month for telephone and electricity costs in his/her constituency office.
- (iv) \$2,500 per month for the employment of a maximum of two persons to perform administrative/secretarial services in respect of official duties in his/her constituency.

Pensions/Gratuity

Benefits in accordance with a contributory pension scheme to be established for Members of the Assembly.

COUNCILLOR (other than the holder of another office)

Salary

\$3,000 per month.

Transport

- (i) A maximum loan of \$75,000 at a rate of interest of 6% per annum to facilitate the purchase of:-
 - (a) a locally assembled motor vehicle with full exemption from Motor Vehicle Tax and Value Added Tax; or
 - (b) an imported motor vehicle with full exemption from Customs Duty; or
 - (c) a locally assembled motor vehicle using foreign parts with full exemption from Motor Vehicle Tax, Value Added Tax and Special Registration Fee.

- (ii) A loan to cover the cost of Motor Vehicle Insurance Premium.
- (iii) A Travel Allowance of \$950 per month.

Subsistence Allowance

- (i) \$350 per month where residence is beyond a radius of 10 kilometres from Scarborough.
- (ii) \$150 in the event that the office holder is required to seek accommodation overnight as a result of late sittings of the Assembly, provided that he/she resides beyond a radius of 10 kilometres from Scarborough.
- (iii) For attendance at official functions in Trinidad, the cost of airfare, ground transportation and hotel accommodation of the office holder and spouse to be met by the Assembly.

Entertainment

Actual expenses incurred for official entertainment to be met from an official Entertainment Vote established by the Tobago House of Assembly.

Assembly Allowance

Provision of official stationery and entitlement to free postage within Trinidad and Tobago for all official correspondence.

Pensions/Gratuity

Benefits in accordance with a contributory pension scheme to be established for Members of the Assembly.

APPENDIX III

Remuneration Arrangements recommended for
the office of the Chief Administrator

Salary - \$10,500 per month.

Housing - An allowance of \$1,000 per month and subject to the acceptance of the recommendations contained in the Commission's Forty-fourth Report, \$2,500 per month with effect from April 1, 1997.

Transport

(i) A maximum loan of \$100,000 at a rate of interest of 6% per annum to facilitate the purchase of a locally assembled or imported motor vehicle with maximum exemption from Motor Vehicle Tax and Value Added Tax as follows:-

(a) Motor Vehicle Tax

The amount payable on a vehicle with a cubic capacity of 1999; and

(b) Value Added Tax

The amount payable on a vehicle costing \$100,000;

(ii) A loan to cover the cost of Motor Vehicle Insurance Premium;

(iii) A Commuted Travelling Allowance of \$1,200 per month;

(iv) Eligibility for waiver of a percentage of the Special Registration Fee payable on a locally assembled vehicle using foreign parts. (The quantum of the Fee which will be waived for Permanent Secretaries is yet to be determined.)

Service Allowance

\$1,500 per month.

Subsistence Allowance

\$40 per day when travelling beyond a radius of 10 kilometres from official headquarters and when in Trinidad, \$50 per day.

Entertainment

Actual expenses incurred for official entertainment to be met from an official Entertainment Vote established by the Tobago House of Assembly.

Vacation Leave

Thirty (30) calendar days per annum.

Medical Benefits

Entitlement without charge to pathological examination and physiological treatment and all incidental services at any hospital or other State institution or with approval, to be paid the cost of such treatment at any other institution in Trinidad and Tobago.

Pensions/Gratuity

Entitlement to pension benefits in accordance with the provisions of the Pensions Act, Chapter 23:52.