

FIFTY-FOURTH REPORT

OF THE

SALARIES REVIEW COMMISSION

OF THE

REPUBLIC OF TRINIDAD AND TOBAGO

February 12, 1999.

FIFTY- FOURTH REPORT OF THE SALARIES REVIEW COMMISSION

Review of the Salaries and other Terms and Conditions of Service of the Offices of Clerk of the House and Clerk of the Senate of the Parliament of Trinidad and Tobago

The President of the Republic of Trinidad and Tobago by letter dated June 16, 1998, conveyed his approval for a review by the Salaries Review Commission of the salaries and other terms and conditions of employment of the offices of Clerk of the House and Clerk of the Senate. These offices which are on the establishment of the Parliament Department were placed within the purview of the Commission by their addition to the Second Schedule to the Constitution (Prescribed Matters) Act, Chap. 1:02 and effected by Legal Notice No. 167 dated May 27, 1998.

2. In reviewing the matter, we considered first of all the role of the Parliament for which the holders of these two offices provide secretariat and administrative services. The Constitution of the Republic of Trinidad and Tobago established the Parliament of the Republic comprising the President who is the Head of State and a bicameral legislature consisting of the Senate and the House of Representatives and empowered it to make laws for the peace, order and good government of the Republic. In addition to this fundamental legislative power, Parliament has a representational function through which it channels demands from the people and in response, information and explanation from the government.

3. Towards the fulfillment of its role, the Parliament is served by the offices of the President of the Senate and the Speaker of the House and a Parliamentary Secretariat comprising the offices of Clerk of the House and Clerk of the Senate, among others.

4. In discussions with the incumbents of the offices of Clerk of the House and Clerk of the Senate we were advised that the administrative management of the Parliament Department is exercised by the Clerk of the House who is also the Department's Accounting Officer. The Clerk of the House is assisted by the Clerk of the Senate in this administrative responsibility.

5. We took note also of a view expressed by the incumbents of the two offices that beyond their administrative function, account should be taken of their advisory role. Over time quite a repository of knowledge regarding practices and procedures as well as the formal and informal rules of Parliament has come to reside with the Clerks of the Table, that is, the Clerk of the House and the Clerk

of the Senate. As such they are equipped with the knowledge to provide procedural advice to the President of the Senate, the Speaker of the House and Parliamentarians generally, to assist them in carrying out their responsibilities in an informed and efficient manner.

6. As career public officers, these office holders are expected to provide much needed continuity in the Senate and the House of Representatives whose memberships are subject to change every five years.

CLERK OF THE HOUSE

Duties and Responsibilities of the Clerk of the House

7. The Clerk of the House holds the most senior public service position in the Parliament Department and has significant administrative and managerial functions including responsibility for financial management and control as the Accounting Officer for the Department as well as for the Parliamentary Institutions of the Office of the Ombudsman and the Office of the Leader of the Opposition.

8. The office holder is the principal adviser to the House of Representatives, its Committees, the Speaker and Members individually and is frequently consulted by regional Parliamentary Secretariats on procedural matters.

9. With specific reference to the Speaker, the Clerk of the House is required to assist this officer of Parliament in the preparation for sittings by ensuring the accuracy of the Order Paper and advising on any foreseeable points of procedural difficulty. During sittings of the House of Representatives the Clerk is required to provide the Speaker with immediate procedural advice when necessary.

10. As Head of the Secretariat Division of the Parliament Department, the Clerk of the House ensures that secretarial support is assigned to four Sessional Committees of Parliament, the Public Accounts Committee, the Public Accounts (Enterprises) Committee and any select Committees appointed to investigate particular matters.

11. The main duties and responsibilities of this office are as follows:-

- (i) Advising the Speaker of the House and Members of the Parliament on Parliamentary Practices and Procedures.
- (ii) Coordinating all arrangements for sittings of the House of Representatives and ensuring proper recording of all proceedings.

- (iii) Attending sittings of the House of Representatives, Committees and other related meetings.
- (iv) Acting as Custodian of all votes, records, Bills, Acts and documents laid before the House and maintaining appropriate records of notices, questions and motions.
- (v) Serving as the Accounting Officer of the Parliament Department as well as for the offices of the Ombudsman and the Leader of the Opposition.
- (vi) Organising, planning and directing the administrative function of the Parliament Department.
- (vii) Reviewing Hansard reports and minutes and ensuring timely circulation of minutes, notices and Order Papers for sittings of the House to all Members of the House.
- (viii) Ensuring the accuracy of the text of Statutes passed by the House and certifying and dating them as passed by the House;
- (ix) Arranging for assent to Statutes after ascertaining their accuracy and certifying copies for printing, publishing and distribution by the Government Printer.

12. In terms of qualifications for this office, the office holder is required to have extensive knowledge of Parliamentary procedures and practices as well as considerable knowledge and understanding of the Standing Orders of Parliament, the Constitution and other relevant Laws.

Existing Terms and Conditions of Service of the Clerk of the House

13. At present, the Clerk of the House is remunerated in salary range 60 in the Public Service Classification and Compensation Plans. The remuneration package is as follows:-

<u>Salary</u>	-	\$6,458 per month
<u>Cost of Living Allowance</u>	-	\$50 per month

Transport Facilities

- (i) A maximum loan of \$75,000 currently at a rate of interest of 6% per annum repayable over a period of six (6) years to facilitate the purchase of either:-
 - (a) a locally assembled or imported motor vehicle with exemption from Motor Vehicle Tax limited to the amount payable on a vehicle with an engine capacity of 1799cc and exemption from Value Added Tax limited to the amount payable on a vehicle costing \$75,000; or
 - (b) a locally assembled vehicle using foreign parts or completely built-up foreign used vehicle with exemption to a maximum of \$7,196 from Special Registration Fee or Special Motor Vehicles Tax (whichever is applicable) and a maximum exemption of \$11,250 from Value Added Tax.
- (ii) A loan to cover the cost of Motor Vehicle Insurance premium.
- (iii) A maximum loan of \$10,000 at a rate of interest of 6% per annum to effect repairs to a motor vehicle.
- (iv) An Upkeep Allowance of \$750 per month.

- (v) A kilometric allowance at the rate of 72¢ per kilometre.
- Subsistence Allowance - \$45 per day when travelling on official duty beyond a radius of 16 kilometres from official headquarters and \$51 when in Tobago.
- Vacation Leave - 1 - 10 years service - 28 working days per annum
Over 10 years service - 35 working days per annum
- Pension/Gratuity - Entitlement to pension benefits in accordance with the provisions of the Pensions Act, Chap. 23:52.
- Other Benefits - Eligible for Casual Leave, Sick Leave, Bereavement Leave and Maternity Leave/Paternity Leave as appropriate, as now applies in the Public Service.

CLERK OF THE SENATE

Duties and Responsibilities of the Clerk of the Senate

14. The Clerk of the Senate is the second most senior Parliamentary Table Clerk next to the Clerk of the House. The office holder performs the duties of Secretary to the Senate which are similar to those performed by the Clerk of the House and is responsible for the coordination of the services necessary for sittings of the Senate. Overall, the office holder performs a supportive role to the Clerk of the House in the administrative management of the Parliament Department.

15. The main duties and responsibilities of the Clerk of the Senate are as follows:-

- (i) Advising the President and members of the Senate on Parliamentary Practices and Procedures.
- (ii) Attending sittings of the Senate, Committees and other related meetings.

(iii) Ensuring:-

- (a) proper recording of all proceedings, including verbatim discussions, votes on motions and action taken; and
 - (b) accuracy of the text of Statutes, certifying and dating them.
- (iv) Reviewing Hansard reports and minutes and ensuring timely circulation after they are certified. Additionally, preparing notices and Order Papers for sittings of the Senate and ensuring their timely circulation.
- (v) Acting as Custodian of all votes, records, Bills, Acts and documents brought before the Senate.

16. We were advised that as in the case of the Clerk of the House, the Clerk of the Senate is required to have extensive knowledge and experience of parliamentary procedures and practice and considerable knowledge and understanding of the Standing Orders of Parliament, the Constitution and other relevant Laws.

Existing Terms and Conditions of Service of the Clerk of the Senate

17. The existing remuneration package of this office is as follows:-

<u>Salary</u>	-	\$5,288 per month (Range 54D)
<u>Cost of Living Allowance</u>	-	\$50 per month
<u>Subsistence Allowance</u>	-	\$45 per day when travelling on official duty beyond a radius of 16 kilometres from official headquarters and \$51 when in Tobago.
<u>Vacation Leave</u>	-	1- 10 years service - 28 working days per annum Over 10 years service - 35 working days per annum
<u>Pension/Gratuity</u>	-	Entitlement to pension benefits in accordance with the provisions of the Pensions Act, Chap. 23:52.

Other Benefits

- Eligible for Casual Leave, Sick Leave, Bereavement Leave and Maternity Leave/Paternity Leave as appropriate, as now applicable in the Public Service.

Recommendations

18. In our deliberations we took note of the position these office holders occupy in the management structure of the Parliament Department, as Head and Deputy Head respectively of the Parliamentary Secretariat and that in the performance of their duties they play a significant role in ensuring that Parliament is not brought into odium, contempt or ridicule. We also recognized the fact that these office holders must be particularly careful in the manner in which they treat with information before them as unauthorised or inaccurate publication of documents could be held as breaches of the Privileges of Parliament.

19. Altogether, we took cognisance of the extreme sensitivity, confidentiality and impartiality which must govern the performance of their duties. On this basis, we recommend the following remuneration packages:-

Clerk of the House

Salary

- \$10,000 per month

Transport Facilities

- (i) A maximum loan of \$100,000 currently at a rate of interest of 6% per annum repayable over a period of six years to facilitate the purchase of either:-
 - (a) a locally assembled or imported motor vehicle with exemption from Motor Vehicle Tax limited to the amount payable on a vehicle with an engine capacity of 1999cc and exemption from Value Added Tax limited to the amount payable on a vehicle costing \$100,000; or

(b) a locally assembled vehicle using foreign parts or a completely built-up foreign used vehicle with exemption to a maximum of \$15,992 from Special Registration Fee or Special Motor Vehicles Tax (whichever is applicable) and a maximum of \$15,000 from Value Added Tax.

(ii) A loan to cover the cost of Motor Vehicle Insurance premium.

(iii) A maximum loan of \$10,000 at a rate of interest of 6% per annum to effect repairs to a motor vehicle.

(iv) A Commuted Travelling Allowance of \$1,200 per month.

Subsistence Allowance - \$40 per day when travelling on official duty beyond a radius of 16 kilometres from official headquarters and when in Tobago, \$50 per day.

Entertainment - Actual expenses incurred for entertainment by the holder of the office to be met from an official Entertainment Vote under the control of the Parliament Department.

Vacation Leave - 1 - 10 years service -28 working days per annum
Over 10 years service - 35 working days per annum

Telephone - Telephone rental and other expenses related to official business to be met by the State.

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.

Pension/Gratuity

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

Clerk of the Senate

Salary

- \$7,750 per month.

Transport Facilities

- (i) A maximum loan of \$75,000 currently at a rate of interest of 6% per annum repayable over a period of six (6) years to facilitate the purchase of either:-
 - (a) a locally assembled or imported motor vehicle with exemption from Motor Vehicle Tax limited to the amount payable on a vehicle with an engine capacity of 1799cc and exemption from Value Added Tax limited to the amount payable on a vehicle costing \$75,000; or
 - (b) a locally assembled vehicle using foreign parts or a completely built-up foreign used vehicle with exemption to a maximum of \$7,196 from Special Registration Fee or Special Motor Vehicles

Tax (whichever is applicable) and a maximum exemption of \$11,250 from Value Added Tax.

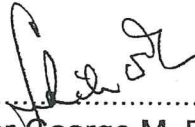
- (ii) A loan to cover the cost of Motor Vehicle Insurance premium.
- (iii) A maximum loan of \$10,000 at a rate of interest of 6% per annum to effect repairs to a motor vehicle.
- (iv) A Commuted Travelling Allowance of \$900 per month.

- Subsistence Allowance - \$40 per day when travelling on official duty beyond a radius of 16 kilometres from official headquarters and when in Tobago, \$50 per day.
- Vacation Leave - 1 - 10 years service - 28 working days per annum
Over 10 years service - 35 working days per annum
- Telephone - Telephone rental and other expenses related to official business to be met by the State.
- 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.
- Pension/Gratuity - Entitlement to pension benefits in accordance with the provisions of the Pensions Act, Chap. 23:52.

20. We recommend that the effective date of implementation of these recommendations should be July 1, 1998.

21. We also recommend that should there be acceptance of the recommendation contained in our Fifty-Second Report to the effect that the Top Managers in the Public Service grouping should be subdivided into Groups, A, B and C, the offices of Clerk of the House and Clerk of the Senate should be placed in Group C. In that case, the revised remuneration package to be applicable to the Clerk of the House would be similar to that of the office of Deputy Chief Personnel Officer. With respect to the Clerk of the Senate, the revised salary would be such as results from the application of the percentage differential (i.e. 22.5%) between the salaries recommended at paragraph 19 above, for this office and that of the Clerk of the House. The other terms and conditions of employment would be the same as those applicable to the Secretary, Integrity Commission.

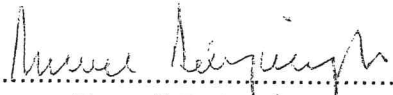
Dated this.....12th.....day of February, 1999.



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Professor George M. Richards



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Edward Collier



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Rowell Debysingh



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Keith Ortiz



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Joyce Marshall