

***SIXTY-EIGHTH REPORT***

***OF THE***

***SALARIES REVIEW COMMISSION***

***OF THE***

***REPUBLIC OF TRINIDAD AND TOBAGO***

**August 22 , 2003**

## SIXTY-EIGHTH REPORT OF THE SALARIES REVIEW COMMISSION

### Review of the salary and allowances to be applicable to the offices of Solicitor General, Director of Public Prosecutions and Chief Parliamentary Counsel

By letter dated March 6, 2003, the President of the Republic of Trinidad and Tobago conveyed his approval for a revision by the Salaries Review Commission (SRC) of the salary and allowances applicable to the offices of Solicitor General, Director of Public Prosecutions and Chief Parliamentary Counsel.

2. In the conduct of this review, we considered the background against which the recommendations for revised remuneration arrangements for the abovementioned offices – the holders of which are termed Chief Legal Officers – had been formulated in our Sixty-seventh Report, following a general review undertaken by the Commission in 2002.

3. In our deliberations on the various offices in the Judicial and Legal Service at that time, we bore in mind that Consultants had been engaged to conduct a comprehensive review and appraisal of the existing classification and compensation system in that Service, with a view to the installation of a modern, objective classification system and the establishment of an equitable and competitive salary structure.

4. We also took account of the fact that the Consultants' Report was yet to be finalized and decided, pending the completion of that Report, to utilize the existing classification groupings in the Judicial and Legal Service in the formulation of the Commission's recommendations.

5. Therefore, we were mindful, in establishing revised salaries for offices in the Judicial and Legal Service, of the need to avoid prejudicing any recommendations which the Consultants might make. We also noted that the Temporary Inducement Allowance currently payable to all office holders in the Judicial and Legal Service was to be paid until the finalisation of the Job Evaluation exercise being undertaken in that Service. In addition, with respect to the offices of Solicitor General, Director of Public Prosecutions and Chief Parliamentary Counsel, classified in Group 1 of that Service, we took into account section 12(3)<sup>1</sup> of the Judicial and Legal Service Act, Chap. 6:01, which

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<sup>1</sup> 12.(3) For the purposes of section 85 of the Constitution a Chief Legal Officer is a Permanent Secretary.

provides that for the purposes of section 85<sup>2</sup> of the Constitution, a Chief Legal Officer is a Permanent Secretary.

6. In the present review, we examined the salaries and major allowances which existed immediately prior to the implementation, with effect from April 1, 2002, of the revised terms and conditions of service in respect of the office of Permanent Secretary and the offices of the Chief Legal Officers. We also considered the revised salaries and allowances which became applicable to the said offices from April 1, 2002 and observed that apart from the Salary and Temporary Inducement Allowance components, there is no difference in the other terms of their compensation packages. The difference in the salary, however, might significantly affect their superannuation benefits since the calculation of such benefits is based, principally, on an individual's basic salary.

### **Recommendations**

7. In light of the foregoing, and having regard to the provisions of the Judicial and Legal Service Act regarding the alignment of the offices of Solicitor General, Director of Public Prosecutions and Chief Parliamentary Counsel with the office of Permanent Secretary, we are of the view that the total compensation package of the offices of Solicitor General, Director of Public Prosecutions and Chief Parliamentary Counsel should be the same as that applicable to the office of Permanent Secretary. We therefore recommend that the salary and major

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<sup>2</sup> 85.(1) Where any Minister has been assigned responsibility for any department of government, he shall exercise general direction and control over that department; and, subject to such direction and control, the department shall be under the supervision of a Permanent Secretary whose office shall be a public office.

(2) for the purposes of this section –

- (a) two or more government departments may be placed under the supervision of one Permanent Secretary; or
- (b) two or more Permanent Secretaries may supervise any department of government assigned to a Minister.

allowances applicable to holders of these three offices should be as follows:-

		<u>\$ per month</u>
<b>Salary</b>	-	20,000
<b>Duty Allowance</b>	-	2,000
<b>Transportation Allowance</b>	-	2,500
<b>Service Allowance</b>	-	2,500
<b>Housing Allowance</b>	-	5,000
<b>Telephone Allowance</b>	-	500

We also recommend that these arrangements should take effect from April 1, 2002 and that the Temporary Inducement Allowance of \$2,500 per month paid to holders of these offices should be discontinued with effect from that date. Consequently, the full compensation package applicable to the three offices should be that set out in the Appendix hereto.

Dated this ..... 22<sup>nd</sup> ..... day of August, 2003.

*Edward Collier*  
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Edward Collier  
(Chairman)

*Keith Ortiz*  
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Keith Ortiz

*Joyce Marshall*  
.....  
Joyce Marshall

*Ashton Brereton*  
.....  
Ashton Brereton

*Varun Maharaj*  
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Varun Maharaj

## APPENDIX

### Recommended revised remuneration arrangements to be applicable to the offices of Solicitor General, Director of Public Prosecutions and Chief Parliamentary Counsel

#### **Salary**

\$20,000 per month.

#### **Duty Allowance**

\$2,000 per month.

#### **Transport Facilities**

- (i) A maximum loan of \$160,000 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 new motor vehicle with exemption from Motor Vehicle Tax limited to the amount payable on a vehicle with an engine capacity of 2200cc and exemption from Value Added Tax to a maximum of \$30,000; or
  - (b) a used motor vehicle with exemption from Special Motor Vehicles Tax limited to the maximum amount payable in respect of Motor Vehicle Tax on a vehicle at (a) above and exemption from Value Added Tax to a maximum of \$30,000.
- (ii) A loan to cover the cost of Motor Vehicle Insurance premium at a rate of interest of 6% per annum.
- (iii) A maximum loan of \$15,000 at a rate of interest of 6% per annum to effect repairs to a motor vehicle.
- (iv) A Transportation Allowance of \$2,500 per month.

#### **Service Allowance**

\$2,500 per month.

### **Subsistence Allowance**

- (i) \$75 per day when travelling on official duty beyond a radius of sixteen (16) kilometres from official headquarters, and where it is necessary to purchase a meal(s).
- (ii) In the case of an office holder serving in Tobago, \$75 per day when travelling on official business beyond a radius of ten (10) kilometres from official headquarters, and where it is necessary to purchase a meal(s).
- (iii) If assigned/transferred to Tobago (or to Trinidad if the office holder is stationed in Tobago), the following to be applicable:-
  - (a) **Official duty or assignment of one (1) month or less**

The office holder to be eligible for hotel accommodation and meals, as necessary. In the absence of the provision of any meal(s), to be paid \$75 per day. (The provisions at (i) and (ii) above shall not apply.)
  - (b) **Temporary assignments in excess of one (1) month and not exceeding six (6) months**

The office holder to be responsible for his/her accommodation and meals. The State may, at its option, provide accommodation only for the office holder.

    - (i) Where accommodation only is provided by the State, to be paid a Tobago/Trinidad Duty Allowance of \$1,200 per month.
    - (ii) Where accommodation is not provided by the State, to be paid a Tobago/Trinidad Duty Allowance of \$3,000 per month.
  - (c) **Permanent transfer to Tobago/Trinidad (periods in excess of six (6) months)**

The office holder to be responsible for his/her accommodation and meals and to be paid a Tobago/Trinidad Duty Allowance of \$1,200 per month for a period not exceeding two (2) years, in addition to the Housing Allowance.
- (iv) For travel abroad on official business, US\$50 per day, once not in receipt of other allowances for overseas travel, such as those payable under Minister of Finance Circular No. 3 dated March 15, 1999.

**Housing Allowance**

\$5,000 per month.

**Entertainment**

Actual expenses incurred for official entertainment to be met from an official Entertainment Vote under the control of the Ministry of the Attorney General.

**Vacation Leave**

Thirty (30) calendar days per annum.

**Telephone Facilities**

An allowance of \$500 per month. (An incumbent has to opt to retain the existing benefit or to receive the allowance. Once the option is exercised, the chosen facility should continue in effect as long as the incumbent holds the office.)

**Medical Benefits**

Entitlement to medical attention/treatment and prescribed drugs at any health care facility under the Regional Health Authorities, including the Eric Williams Medical Sciences Complex, in accordance with the provisions of Minister of Finance Circular No. 7 of 2002 dated August 16, 2002.

(‘Medical attention/treatment’ excludes optical and dental treatment/services. ‘Prescribed drugs’ exclude drugs which are obtainable without a prescription.)

**Pension/Gratuity**

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