

THE CONSTITUTION (AMENDMENT) ACT, 2007

Arrangement of Sections

Section

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Fifth Session Eighth Parliament Republic of
Trinidad and Tobago



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 12 of 2007

[L.S.]

AN ACT to amend the Constitution of Trinidad and Tobago

[Assented to 12th June, 2007]

WHEREAS it is enacted by subsection (1) of section 54 of ^{Preamble} the Constitution that Parliament may alter any of the provisions thereof:

And whereas it is provided in subsection (2) of the said section 54 that insofar as it alters certain provisions of the Constitution, a Bill for an Act of Parliament under the said section 54 shall not be passed by Parliament unless at the final vote thereon in each House it is supported by the votes of not less than two-thirds of all the members of each House:

And whereas it is intended by this Act to alter the Constitution:

- Enactment ENACTED by the Parliament of Trinidad and Tobago as follows:—
- Short title **1.** This Act may be cited as the Constitution (Amendment) Act, 2007.
- Commencement **2.** This Act shall come into force on a date to be fixed by the President by Proclamation.
- Alteration of the Constitution **3.** The Act shall be construed as altering the Constitution.
- Section 122A amended **4.** Section 122A of the Constitution is amended—
- (a) in subsection (1), by inserting after the words “criminal offence” the words “which carries a penalty of six or more months of imprisonment”; and
- (b) in subsection (2), by—
- (i) inserting after the words “Select Committee” the words “and the Police Service Commission”; and
- (ii) inserting after the words “and 66B” the word “respectively”.
- Section 123 amended **5.** Section 123 of the Constitution is amended—
- (a) in subsection (1)(f), by inserting after the words “been delegated,” the words “in relation to appointments on promotion or”;

(b) by deleting subsection (6) and substituting the following subsection:

“(6) For the purpose of subsection (1)(d)—

(a) the Commissioner of Police shall, every six months, submit a report in writing to the Police Service Commission on the management of the Police Service; and

(b) the Police Service Commission shall have the power to call on the Commissioner of Police to produce documents pertaining to financial, legal and personnel matters in relation to the Police Service.”;

(c) in subsection (7), by inserting after the words “special report” the words “in writing”; and

(d) in subsection (8), by deleting paragraphs (c) and (d) and substituting the following:

“(c) reported inefficiency based on his performance appraisal reports;

(d) on dismissal in consequence of disciplinary proceedings,

after giving him an opportunity to be heard;

(e) where the officer holds a permanent appointment—

(i) on being retired on medical grounds;

(ii) on being retired in the public interest; or

(iii) on the abolition of office.”.

Section 136
amended

- 6.** Section 136 of the Constitution is amended—
- (a) in subsection (15), by inserting after the words “a Service Commission” the words “other than the Police Service Commission”; and
 - (b) in subsection (16), by inserting after the words “apply to” the words “the Police Service Commission and”.

Passed in the House of Representatives this 14th day of May, 2007.

Clerk of the House

IT IS HEREBY CERTIFIED that this Act is one the Bill for which has been passed by the House of Representatives and at the final vote thereon in the House has been supported by the votes of not less than two-thirds of all the members of the House, that is to say by the votes of 29 members of the House.

Clerk of the House

Passed in the Senate this 29th day of May, 2007.

Clerk of the Senate

IT IS HEREBY CERTIFIED that this Act is one the Bill for which has been passed by the Senate and at the final vote thereon in the Senate has been supported by the votes of not less than two-thirds of all the members of the Senate, that is to say by the votes of 28 members of the Senate.

Clerk of the Senate