

THE POLICE SERVICE (AMENDMENT) BILL, 2007

List of Amendments made in the House of Representatives
on Wednesday May 16, 2007

First Column

Second Column

Clause

Extent of Amendment

- 4 In the proposed section 16 -
- (a) In paragraph (a), delete the proposed subsection (1) (a) and substitute the following:
- “(a) in the case of promotion to and within the First Division, the results of the promotional assessment process”; and**
- (b) In paragraph (b), delete the proposed subsection (3) and substitute the following:
- “(3) The Commissioner shall ensure that the points attained by the officer are sent to the person mentioned in section 17A (1) prior to the commencement of the promotional assessment process.”.**
- 5 A. In the proposed section 17 delete the words **“in accordance with”** and substitute the words **“only on the basis of the results of”**.
- B. In proposed section 17A(1) -
- (a) delete the words **“may cause to be contracted”**; and
- (b) after the words **“the Commissioner”** insert the words **“shall, in accordance with the procedure prescribed, cause to be contracted from time to time”**.
- C. In the proposed section 19 delete subsection (6) and substitute the following:
- “(6) A sitting of the Board shall not be limited to one day.”.**

- 8
- A. Insert after the proposed paragraph (a) the following new paragraph:
- “(b) deleting, in section 50 (1) as renumbered, the words “on request be handed over to such person, or, where no such request is made within four months, be destroyed” and substituting the words “be kept by the Commissioner”.**
- B. Renumber paragraph (b) as paragraph (c).
- C. In the renumbered paragraph (c) -
- (a) delete the word **“subsection”** and substitute the word **“subsections”**; and
- (b) insert the following new subsection after the proposed subsection (2):
- “(3) The data derived from the analysis of the fingerprint impression taken from the person under subsections (1) and (2) shall not be destroyed, and the Commissioner shall cause that data to be transferred to a national data base created by written law.”**
- 9
- Delete paragraph (b) and substitute the following:
- “(b) inserting after section 52(1) as renumbered the following subsections:**
- “(2) The Police Service shall destroy the certificate of analysis of the fingerprint impression where the person, who made the application for the analysis under subsection (1), fails to collect the certificate after six months from the date of the analysis and a record of the destruction shall be kept in a separate register maintained by the Commissioner for that purpose.**
- (3) Notwithstanding any law to the contrary and without prejudice to subsection (2), the data derived from the analysis of the fingerprint impression mentioned in subsection (1) shall not be destroyed, and the Commissioner shall cause that data to be transferred to a national data base created by written law.”.**

cause the fingerprint impression of every member of the Police Service to be taken and analysed, and the data derived from that analysis shall be kept in a data base established and maintained by the Commissioner, who shall cause that data to be transferred to a national data base created by written law.”.

Preamble

The Bill is amended by inserting before the enactment clause the following preamble:

“WHEREAS it is enacted, *inter alia*, by subsection (1) of section 13 of the Constitution that an Act to which that section applies may expressly declare that it shall have effect even though inconsistent with sections 4 and 5 of the Constitution and, if any such Act does so declare, it shall have effect accordingly:

And whereas it is provided by subsection (2) of the said section 13 of the Constitution that an Act to which that section applies is one the Bill for which has been passed by both Houses of Parliament and at the final vote thereon in each House has been supported by the votes of not less than three-fifths of all the members of that House:

And whereas it is necessary and expedient that the provisions of this Act shall have effect though inconsistent with sections 4 and 5 of the Constitution.”.

Certificate

Delete the certificate attached to the end of the Bill and substitute the following new certificate:

“Passed in the House of Representatives this day of , 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 three-fifths of all the Members of the House that is to say by the votes of Members of the House.

Clerk of the House

I confirm the above.

Speaker of the House

Passed in the Senate this day of , 2007.

Clerk of the Senate

IT IS HEREBY CERTIFIED that is 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 three-fifths of all the members of the Senate that is to say by the votes of Senators.

Clerk of the Senate

I confirm the above.

President of the Senate”.

*House of Representatives’ Secretariat
The Red House
PORT OF SPAIN*

May 18, 2007