



Bill Essentials

The Fire Service (Amendment) Bill, 2017

An Act to amend the Fire Service Act, Chap 35:50

11th Parliament

Introduced in the House of Representatives on January 6, 2017 by the Honourable
Colm Imbert MP, Minister of Finance

Background and Purpose of the Bill

1. **The Fire Service (Amendment) Bill, 2017** (hereinafter “the Bill”) seeks to amend the **Fifth Schedule of the Fire Service Act, Chap. 35:50**, which provides for the payment of pensions and gratuities to Fire Officers of the First and Second Division. **Section 2 (1) of the Fifth Schedule** stipulates that a contribution towards superannuation¹ allowances ought to be deducted.
2. **The Fire Service (Amendment) Bill, 2017** is also a Money Bill as defined in **Section 66 (1) of the Constitution of the Republic of Trinidad and Tobago Act, Chap. 1:01**² and therefore must comply with Standing Order 59 of the Standing Orders of the House of Representatives 2015 and Standing Order 57 of the Standing Orders of the Senate 2015.

Key Features of the Fire Service (Amendment) Bill, 2017

3. **Clause 1** sets out the short title of the Bill.
4. **Clause 2** provides for the amendment of paragraph 3 of the **Fifth Schedule of the Fire Service Act** by the insertion of proposed **sub clauses 7A, 7B, and 7C**.
5. The proposed **sub clause 7A (a)**, provides that a fire officer who has acted in a higher office for a continuous period of at least three years immediately prior to the date of his compulsory retirement or acts in that higher position prior to proceeding on annual leave before the date of his compulsory retirement, shall be eligible to have his pension, gratuity or other allowance calculated as if he were substantively appointed to that higher office.

¹Superannuation is a way to save for your retirement. The money comes from contributions made into a super fund by an employer and, ideally, topped up by your own money.

² Under section 66 (1) “Money Bill” means a public Bill which, in the opinion of the Speaker, contains only provisions dealing with all or any of the following matters, namely:

- a) The imposition, repeal, remission, alteration or regulation of taxation;
- b) the imposition, for the payment of debt or other financial purpose, of charges on public money or the variation or repeal of any such charges; the grant of money to the State or to any authority or person, or the variation or the revocation of any such grant;
- c) the appropriation, receipt, custody, investment, issue or audit of accounts of public money;
- d) the raising of any guarantee of any loan or the repayment thereof, or the establishment, alteration, administration or abolition of any sinking fund provided in connection with any loan; or
- e) subordinate matters incidental to any of the matters referred to in this subsection.

<http://rgd.legalaffairs.gov.tt/laws2/Constitution.pdf>

6. **Sub clause 7A (b)** proposes that a fire officer who satisfies these requirements shall be required to pay arrears of contribution calculated on the basis of the pay he would have received in that higher office had he been substantively appointed.
7. **Sub clause 7B** proposes that arrears of contribution³ which is payable shall be determined on the basis of the pay the fire officer would have received in that higher office for each year in respect of which he acted continuously and deducted as a lump sum from the gratuity payable to the fire officer where practicable or from the fire officer's pension in equal monthly instalments over a period to be determined by the Comptroller of Accounts.
8. **Sub Clause 7C** seeks to make the aforementioned sub clauses applicable to fire officers in the First Division and the Second Division who compulsorily retire or who had compulsorily retired from the Fire Service on, or after January 1, 2008.

Reference Material

Newspaper Articles

- <http://www.guardian.co.tt/news/2016-06-22/fire-officers-may-lose-backpay>
- <http://www.workersunion.org.tt/where-we-stand/nwu-media/fireofficersfedup>
- http://www.ilo.org/dyn/natlex/natlex4.detail?p_lang=en&p_isn=88077&p_country=LCA&p_classification=22.10



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³ To one's pension

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