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**Fifth Session Fifth Parliament Republic of Trinidad
and Tobago**



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 10 of 2000

[L.S.]

AN ACT to amend the Police Complaints Authority
Act, No. 17 of 1993 and for matters connected
therewith or incidental thereto.

[Assented to 1st June, 2000]

ENACTED by the Parliament of Trinidad and Tobago as Enactment
follows:—

1. This Act may be cited as the Police Complaints Short title and
commencement
Authority (Amendment) Act, 2000.

(2) This Act comes into force on such date as the President may appoint by Proclamation.

Interpretation
No. 17 of 1993

2. In this Act, “the Act” means the Police Complaints Authority Act.

Section 3 amended

3. Section 3 of the Act is amended by deleting the definition of “police officer” and substituting the following:

“Police officer means—

(a) a member of the Police Service established under the Police Service Act;

Chap. 15:01

(b) a member of the Municipal Police Force established under the Municipal Corporations Act;

No. 21 of
1990

(c) a member of the Special Reserve Police established under the Special Reserve Police Service Act.”

Chap. 15:03

New sections 17A and
17B inserted

4. The Act is amended by inserting after section 17, the following sections—

“Auditing of
accounts

17A. (1) The Authority shall keep accurate and proper accounts and records of all transactions in accordance with internationally and locally recognized accounting standards, principles and practices and shall ensure that all payments out of the funds of the Authority are properly authorised and correctly made and that adequate control is maintained over the incurring of expenditure.

(2) The Accounts of the Authority shall be audited annually by the Auditor General or by an auditor authorised by him for such purpose.

17B. (1) The Authority shall, within three months of the end of each financial year submit to the Minister in respect of the preceding financial year—

- (a) an annual report dealing with the activities of the Authority during the financial year;
- (b) a copy of the audited statement of accounts and such information relating to the operations of the Authority as the Minister may require.

(2) The Minister shall cause a copy of the annual report and audited statement to be laid in Parliament and if Parliament is not then in session, within twenty-eight days of the commencement of its next session.”.

5. Section 21 of the Act is amended by inserting Section 21 amended immediately after subsection (4), the following subsection:

“ (5) Where a person makes a complaint in writing to the Authority, but fails to complete the form contained in the Schedule, the Authority may proceed to deal with the complaint in the same manner as it would deal with complaints made under subsection (1).”.

6. Section 23 of the Act is amended in subsection (3), Section 23 amended by deleting the word “25” and substituting the word “24”.

Section 27 repealed
and substituted

7. Section 27 of the Act is repealed and substituted as follows:

"Review by
Commissioner

27. (1) The Commissioner shall review all reports submitted by the Division under this Part, and unless notice of an application for a review of the findings is served on the Authority in accordance with section 30, the Commissioner may immediately—

(a) refer the matter to the Director of Public Prosecutions where the report recommends this course of action;

(b) take such action as he thinks fit—

(i) with respect to members of the Police Service, in accordance with the Police Service Regulations or the Police Service Commission Regulations as the case may be;

(ii) with respect to members of the Special Reserve Police in accordance with the Special Reserve Police Act; and

(iii) with respect to members of the Municipal Police Force in accordance with such Regulations as are made by the Service Commission pursuant to section 60 of the Municipal Corporations Act, or such Regulations made under the Police Service Act as the Service Commission deems applicable.

Act No. 21 of
1990

(2) The Commissioner shall also give notice in writing to the Authority, the complainant and the police officer

concerned of the action taken under subsection (1), giving the reasons for such action.

Chap. 24:01 (3) In this section, “Service Commission” means the Statutory Authorities’ Service Commission established under the Statutory Authorities Act.”.

8. Section 32 of the Act is amended in subsection (2) Section 32 amended by inserting after paragraph (c), the following new paragraph:

“(ca) shall inform the person who made the complaint of the action taken;”.

Passed in the Senate this 22nd day of February, 2000.

N. COX
Clerk of the Senate

Passed in the House of Representatives this 7th day of April, 2000.

J. SAMPSON-JACENT
Clerk of the House