

*Legal Supplement Part C to the "Trinidad and Tobago Gazette", Vol. 56,  
No. 6, 19th January, 2017*

No. 1 of 2017

---

---

Second Session Eleventh Parliament Republic of  
Trinidad and Tobago

---

---

HOUSE OF REPRESENTATIVES

**BILL**

AN ACT to amend the Fire Service Act, Chap. 35:50

---

---

THE FIRE SERVICE (AMENDMENT) BILL, 2017

**Explanatory Notes**

(These notes form no part of the Bill but are intended only to indicate its general purport)

This Bill seeks to amend the Fifth Schedule by providing 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 on which he proceeds 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.

The Bill provides that a fire officer who satisfies these requirements shall be required to pay in addition to the contribution payable in his substantive office, arrears of contribution calculated on the basis of the pay he would have received in that higher office had he been substantively appointed.

The Bill further provides that arrears of contribution 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 installments over a period to be determined by the Comptroller of Accounts.

The Bill seeks to make these provisions 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 1st January, 2008.

# **BILL**

AN ACT to amend the Fire Service Act, Chap. 35:50

*[ , 2017]*

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

1. This Act may be cited as the Fire Service Short title  
(Amendment) Act, 2017.

2. The Fire Service Act is amended in the Fifth Schedule in clause 3, by inserting after subclause (7), the following subclauses:

- “Eligibility for pension for service in an acting capacity (7A) A fire officer who—
- (a) has acted in a higher office for a continuous period of at least three years immediately prior to the date—
- (i) of his compulsory retirement; or
- (ii) on which he proceeds 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; and
- (b) satisfies the requirements in paragraph (a) shall be required to pay in addition to the contribution payable in his substantive office, arrears of contribution calculated on the basis of the pay he would have received in that higher office had he been substantively appointed.
- (7B) The arrears of contribution which is payable under subclause (7A)(b) shall be—
- (a) 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

(b) 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 installments over a period to be determined by the Comptroller of Accounts.

(7C) Subclauses (7A) and (7B) shall apply 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 1st January, 2008.”.

Passed in the House of Representatives this        day  
of                    , 2017.

*Clerk of the House*

I confirm the above and certify that this is a Money Bill.

*Speaker*

Passed in the Senate this        day of                    ,  
2017.

*Clerk of the Senate*

I confirm the above.

*President of the Senate*

No. 1 of 2017

SECOND SESSION

ELEVENTH PARLIAMENT

REPUBLIC OF

TRINIDAD AND TOBAGO

# BILL

AN ACT to amend the Fire Service Act,  
Chap. 35:50

Received and read the

First time.....

Second time.....

Third time.....