

NINETY-SEVENTH REPORT

OF THE

SALARIES REVIEW COMMISSION

OF THE

REPUBLIC OF TRINIDAD AND TOBAGO

December , 2012

NINETY-SEVENTH REPORT OF THE SALARIES REVIEW COMMISSION

Determination of the salary and other conditions of service of the offices of Administrator, Tobago House of Assembly and Clerk, Tobago House of Assembly

By letter dated August 26, 2011, His Excellency the President conveyed his approval for the Salaries Review Commission (SRC) to determine the salary and other conditions of service of the offices of Administrator, Tobago House of Assembly (THA) and Clerk, THA. These offices were placed within the purview of the SRC by virtue of Legal Notice No. 151 dated July 28, 2011 which was deemed to have come into effect on June 1, 2010.

2. The Commission has now been provided with all the information necessary to undertake the review of the remuneration arrangements applicable to the offices of Administrator, THA and Clerk, THA.

3. In undertaking this review, we held discussions with the Chief Administrator, THA who provided clarification on the duties and responsibilities of the office of Administrator, the functions of the various Divisions of the THA and the relationship of the office to Secretaries of the THA. We also interviewed two representatives of the Administrators as well as the Clerk, THA.

4. Section 25 of the Tobago House of Assembly Act, Chap. 25:03 (the Act) vests in the THA responsibility for formulation and implementation of policy in relation to Tobago with respect to a number of matters as set out in the Fifth Schedule to the Act. Such matters include State lands, tourism, agriculture and health services.

5. We note that the Sixth Schedule and Seventh Schedule to the Act specify the matters for which the THA is not responsible and outlines the services that are to be performed or delivered in Tobago by the State or other relevant bodies. Provisions also exist in the Act to ensure that, in all instances, due consideration is given to the views of the THA. In this regard, the Act specifies the necessary protocols/arrangements that all stakeholders must engage in for the conduct of the THA's business.

Role and Function of the office of Administrator, THA

6. The THA is divided into nine (9) Divisions each of which is headed by an Administrator who is responsible for directing the operations and activities of a Division. Each of these Divisions is under the general direction and control of a Secretary, who is a member of the Executive Council of the THA.

7. We are advised that Administrators report to the Chief Administrator in respect of the financial and administrative arrangements of a Division, and in respect of the implementation of policies formulated by the Executive Council of the THA, an Administrator is required to liaise on a regular basis with the Secretary of the relevant Division.

8. Expenditure incurred by the Assembly is paid out of the Tobago House of Assembly Fund which is established under section 141D of the Constitution of the Republic of Trinidad and Tobago. We are advised that while the Act stipulates that the office of Administrator is an Accounting Officer of the Division, the Accounting Officer of the THA is the Chief Administrator who is appointed as such in accordance with the Financial Regulations of the Exchequer and Audit Act, Chap. 69:01. An Administrator's function as the Accounting Officer of a Division requires him/her to account to a committee of the THA for monies released to the Division under his/her control. We are further advised that the Chief Administrator has delegated some of his authority for the procurement of goods and services to Administrators and consequently, they are allowed to procure such up to the value of five hundred thousand dollars (\$500,000) and to appoint Consultants where the amount of fees payable does not exceed one hundred thousand dollars (\$100,000).

Duties and Responsibilities of the office of Administrator, THA

9. The duties and responsibilities of the office of Administrator include:-
- (i) supervising a Division of the THA;
 - (ii) planning, organizing, directing and co-ordinating the work of a Division of the THA;
 - (iii) assisting in the development of policy related to the programmes and projects of the Division and directing and co-ordinating the implementation of such policy;
 - (iv) contributing to the development of plans of the THA and the national plan of the Government of Trinidad and Tobago;
 - (v) providing advice and decision-making support to the Secretary;
 - (vi) managing the provision and use of goods and services allocated to the Division with a view to ensuring adherence to the provisions of the Exchequer and Audit Act and to the guidelines of the Ministry of Finance;

- (vii) liaising and collaborating with heads of sections to ensure that all programmes and projects are conducted in accordance with agreed policies and strategies;
- (viii) monitoring the implementation of the programmes and projects of the Division which are funded by national and international agencies; and
- (ix) representing the Division on boards, committees and other similar bodies.

Academic Qualifications, Experience and Training of the Administrator, THA

10. We are advised that an incumbent is required to possess a degree from a recognized university or any other recognized professional qualification and five years' experience at a senior managerial level in the Public Service; or any equivalent combination thereof.

Role and Function of the office of Clerk, THA

11. We are informed that the holder of the office of Clerk, THA is responsible for the efficient discharge of the functions that are required of him/her under the Rules and Standing Orders of the THA or as assigned to him/her by the Presiding Officer of the THA. Additionally, he/she is responsible for the administration of the secretariat to the THA, management of the legislative staff of the THA as well as the provision of advice to members of the THA on the procedures of that body as established by the Rules and Standing Orders.

Duties and Responsibilities of the Clerk, THA

12. The Clerk, THA, as head of the secretariat to the THA, is responsible for:-
- (i) planning, organizing, co-ordinating and directing the administrative functions of the secretariat;
 - (ii) providing procedural advice to the Presiding Officer and Members of the THA in relation to the Rules and Standing Orders of the Assembly;
 - (iii) performing the function of the Accounting Officer of the THA; (The Clerk, THA is personally and pecuniarily responsible for the due performance of the financial duties of the Assembly, proper collection and custody of all public monies received, and for any accounts rendered by him/her or under his/her

authority. However, he/she is not an Accounting Officer in accordance with the Exchequer and Audit Act, Chap. 69:01)

- (iv) attending all sittings of the THA;
- (v) representing the secretariat to the THA at senior management meetings and other official engagements.

Academic Qualifications, Experience and Training of the Clerk, THA

13. We are advised that an office holder is required to possess a degree from a recognized university or other approved professional qualification, extensive experience in Public Administration including considerable experience in an administrative capacity or to have passed the prescribed examination for entry into the administrative class or any equivalent combination thereof. The prescribed examination for entry is the Certificate in Public Administration.

Submissions

14. In considering appropriate remuneration for the office of Administrator, we considered the issues discussed in the interview with the office holders as well the justifications put forward in their submissions. These included the following:

- (i) Administrators have more responsibilities than a Deputy Permanent Secretary (DPS) and serve as Accounting Officers with a financial limit twice that of a DPS;
- (ii) the similarities between the approved job specifications of the offices of Administrator and Deputy Permanent Secretary;
- (iii) Administrators perform a dual role since they report to the Chief Secretary and to the Chief Administrator;
- (iv) Administrators have the authority to recruit and terminate persons employed on contract in their Divisions as well as daily-paid personnel; and
- (v) Administrators carry out the work in their Division whereas a DPS assists the Permanent Secretary.

15. We also took note of the concerns of the THA that it was losing and would most likely continue to lose the services of incumbent Administrators through acting appointments to other offices which fall within our purview and that that development had and was likely to compromise the efficient functioning of the

THA as well as contribute to the loss of institutional memory. Similarly, we noted the view expressed by the THA that equating the terms and conditions of service of the office of Administrator with those of the office of Deputy Permanent Secretary would ensure that the THA is served by an 'enriched' cadre of Administrators.

16. In respect of the office of Clerk, THA, the following concerns were drawn to our attention:-

- (i) The office has been subject to a stream of 'transient' incumbents as most of the appointments were made in an acting capacity;
- (ii) such periods were insufficient for incumbents to build operational expertise based on experience on the job and an in-depth appreciation of the vagaries of the office; and
- (iii) given the nature of the office, as in the case of the offices of Clerk of the House and Clerk of the Senate, the office of Clerk, THA should be held by an incumbent with the capacity and time to mature in the office.

17. We also noted the suggestion by the THA that 'upgrading' the office of Clerk, THA to the level of Clerk of the Senate would contribute significantly in attracting to and retaining suitable persons in the former office and would also elevate the status of the office.

Recommendations

18. As is customary, in recommending remuneration arrangements for the offices of Administrator and Clerk, THA, we took into consideration the duties and responsibilities attaching to the offices, the scope of the jobs, that is, whether they are national in nature or limited to a specific area or region, financial responsibilities, including authorised spending limits and reporting relationships. In the case of the office of Clerk, THA we also took account of the number of matters generated by the THA.

19. Based on the foregoing, we recommend that the office of Administrator be placed in Group 4B of the Top Managers of the Public Service grouping. In the case of the office of Clerk, THA, we recommend that a new group be created within the Top Managers in the Public Service grouping, that is, Group 5 and the office be placed in that group. Details of the recommended remuneration arrangements are set out in Appendices I and II.

Effective Date

20. We recommended that except for the loan facilities under the Transport Facilities provision, the remuneration arrangements for the offices of Administrator and Clerk, THA be effective from June 1, 2010, the date on which the offices were deemed to have been placed within the purview of the SRC. The loan facilities should take effect from the date of the relevant memorandum conveying any revised remuneration arrangements to be applicable to the offices.

Dated this day of December, 2012.

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Edward Collier
(Chairman)

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Haseena Ali

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Marjorie Thorpe

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Gerard Pinard

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Kenneth Dallip

**Recommendations for the remuneration arrangements for the office of
Administrator, Tobago House of Assembly**

Salary

\$17,100 per month

Transport Facilities

- (i) A maximum loan of \$145,000 at a rate of interest of 6% per annum repayable over a period of six (6) years to facilitate the purchase of either:-
 - (a) a new motor vehicle with exemption from Motor Vehicle Tax limited to the amount payable on a vehicle with an engine capacity of 1799cc and exemption from Value Added Tax limited to the amount payable on a vehicle costing \$145,000; or
 - (b) a used motor vehicle with exemption from Special Motor Vehicles Tax limited to the maximum amount payable in respect of Motor Vehicle Tax on a vehicle at (a) above and Value Added Tax limited to the amount payable on a vehicle costing \$145,000.
- (ii) A loan to cover the cost of Motor Vehicle Insurance premium at a rate of interest of 6% per annum.
- (iii) A maximum loan of \$20,000 at a rate of interest of 6% per annum to effect repairs to a motor vehicle.
- (iv) A Transportation Allowance of \$2,700 per month.

Subsistence Allowance

- (i) \$130 per day when travelling on official business beyond a radius of sixteen (16) kilometres from official headquarters, and where it is necessary to purchase a meal(s).

- (ii) For travel abroad on official business, US\$100 per day, once not in receipt of other allowances for overseas travel, such as those payable under Minister of Finance Circular No. 2 dated April 7, 2006.

Vacation Leave

Thirty (30) calendar days per annum.

Telephone Facilities

An allowance of \$300 per month.

Medical Benefits

Membership in and entitlement to medical benefits as provided under the UNIMED Group Health Plan.

Pension/Gratuity

Entitlement to superannuation benefits in accordance with the provisions of the Pensions Act, Chap. 23:52.

**Recommendations for the remuneration arrangements for the office of Clerk,
Tobago House of Assembly**

Salary

\$13,700 per month

Transport Facilities

- (i) A maximum loan of \$145,000 at a rate of interest of 6% per annum repayable over a period of six (6) years to facilitate the purchase of either:-
 - (a) a new motor vehicle with exemption from Motor Vehicle Tax limited to the amount payable on a vehicle with an engine capacity of 1799cc and exemption from Value Added Tax limited to the amount payable on a vehicle costing \$145,000; or
 - (b) a used motor vehicle with exemption from Special Motor Vehicles Tax limited to the maximum amount payable in respect of Motor Vehicle Tax on a vehicle at (a) above and Value Added Tax limited to the amount payable on a vehicle costing \$145,000.
- (ii) A loan to cover the cost of Motor Vehicle Insurance premium at a rate of interest of 6% per annum.
- (iii) A maximum loan of \$20,000 at a rate of interest of 6% per annum to effect repairs to a motor vehicle.
- (iv) A Transportation Allowance of \$2,400 per month.

Subsistence Allowance

- (i) \$130 per day when travelling on official business beyond a radius of sixteen (16) kilometres from official headquarters, and where it is necessary to purchase a meal(s).

- (ii) For travel abroad on official business, US\$100 per day, once not in receipt of other allowances for overseas travel, such as those payable under Minister of Finance Circular No. 2 dated April 7, 2006.

Vacation Leave

Thirty (30) calendar days per annum.

Telephone Facilities

An allowance of \$300 per month.

Medical Benefits

Membership in and entitlement to medical benefits as provided under the UNIMED Group Health Plan.

Pension/Gratuity

Entitlement to superannuation benefits in accordance with the provisions of the Pensions Act, Chap. 23:52.