

THE CONSTITUTION (AMENDMENT) (TOBAGO SELF-GOVERNMENT) BILL, 2020

List of Amendments to be moved in the House of Representatives by the Attorney General and Minister of Legal Affairs at the Committee Stage of the Constitution (Amendment) (Tobago Self-Government) Bill, 2020

First Column Clause	Second Column Extent of Amendments
5(3)(a) (ii)	Insert after subparagraph (i) the following: “(ia) in the definition of “Service Commission”, by inserting after the words “Public Service Commission,”, the words “the Tobago Service Commission,”.
5(3)(b) Definition of Tobago	Delete the proposed paragraph (10) and substitute the following: “(10) For the purposes of sections 53, 75, 75A and Chapter 11A, a reference to “Tobago” means the Island of Tobago, Little Tobago, St. Giles Island, Marble Island, Goat Island, Sisters Island and shall extend to such part of the territorial sea of Trinidad and Tobago comprising those areas of the sea having as their inner limits the low watermark of Tobago and as their outer limits, a line measured seaward from that low watermark, every point of which is at a distance of eleven nautical miles from the nearest point of that low watermark.”.
12 To include Councillors as Secretaries	In the proposed section 75B (1)(c), delete the words “Assembly Members” and substitute “Members of the Assembly”.
New 14A	Section 110(2)(b) is amended by inserting after the word “Commission”, the words “and the Chairman of the Tobago Service Commission”.
16	Delete and substitute the following: “Section 121 of the Constitution is amended – (a) in subsection (1), by inserting after the word “Commission”, the words “except for persons in offices in the Tobago Island Government for which the Tobago Service Commission shall have jurisdiction immediately after its establishment and the several public offices in

	<p>the service of the Tobago Island Government in a civil capacity is deemed to constitute the Tobago Civil Service”;</p> <p>(b) in subsection (2), by inserting after the word “Commission” where it first occurs, the words “or the Tobago Service Commission”;</p>
	<p>(c) by inserting after subsection (3), the following subsection:</p> <p>“(3A) Before the Tobago Service Commission makes any appointment to an office to which this subsection applies, it shall consult the Chief Secretary.”;</p>
	<p>(d) by inserting after subsection (4), the following subsection:</p> <p>“(4A) A person shall not be appointed to an office to which subsection (3A) applies if the Chief Secretary signifies to the Tobago Service Commission his objection to the appointment of that person to that office.”;</p>
	<p>(e) by inserting after subsection (5), the following subsection:</p> <p>“(5A) Subject to subsections (6A) and (7A), subsection (3A) applies to the offices of Chief Administrator, Administrator, to a head of a department in a Division and to a chief professional advisor in a Division.”;</p>
	<p>(f) by inserting after subsection (6), the following subsection:</p> <p>“(6A) Power to make appointments on transfer to the following offices shall vest in the Chief Secretary:</p> <p>(a) any office of Chief Administrator or Administrator from one such office to another such office carrying the same salary; and</p> <p>(b) such offices as may from time to time be designated by the Chief Secretary after consultation with the Tobago Service Commission.”;</p>
	<p>(g) in subsection (7), by inserting after the words “Civil Service,” the words “the Tobago Civil Service,”; and</p>

	<p>(h) in subsection (9) –</p> <p>(i) by deleting the words “and “Prison Service” ” and substituting the words “, “Prison Service” and “Tobago Civil Service”; and</p> <p>(ii) by inserting after the words “Prison Service Act”, the words “and the Tobago Civil Service established under this Constitution”.</p>
<p>19</p> <p>Direct election Chief Secretary</p>	<p>In the proposed section 141F, delete subsection (1) and substitute the following:</p> <p>“(1) Where at a primary election-</p> <p>(a) every political party nominates a candidate for an electoral district, it shall also nominate a candidate for election to the office of Chief Secretary; and</p> <p>(b) a person other than a person under paragraph (a), may be nominated as a candidate for election to the office of Chief Secretary.</p> <p>(2) An elector voting at a primary election for an Assembly Member shall/may also vote for a candidate to the office of Chief Secretary [set out in the ballot].</p> <p>(3) Where there is only one candidate for the office of Chief Secretary that person is deemed to be elected as Chief Secretary.</p> <p>(4) Where there are two or more candidates for office of Chief Secretary if more votes are cast in favour of one of those candidates that person is deemed to be elected as Chief Secretary.</p> <p>(5) Where no person is elected under subsections (3) or (4) and where the votes cast in favour of two or more candidates are equal, the Chairman of the Election and Boundaries Commission acting in the presence of the Chief Justice and the public shall by lot choose one of the candidate and declare that person duly elected as Chief Secretary.”.</p>