

**REVIEW OF THE THE CONSTITUTION (AMENDMENT) (TOBAGO SELF-GOVERNMENT) BILL, 2021 AND THE
TOBAGO ISLAND GOVERNMENT BILL, 2021
SUMMARY FEEDBACK TABLE**

Comment Sheet Information

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(TOBAGO SELF-GOVERNMENT) BILL, 2021**

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No.	Section	Reviewer's Comments and Proposals
THE CONSTITUTION (AMENDMENT) (TOBAGO SELF-GOVERNMENT) BILL, 2021		
1	<p>8 (4) Where a Tobago Act is inconsistent with an Act passed by Parliament, the Act passed by Parliament prevails to the extent of the inconsistency.</p>	<p>This should not apply to matters which fall under the exclusive law making responsibilities of the Tobago Legislature.</p>
2	<p>141F. (1) Where there is occasion for the appointment of a Chief Secretary, the President shall appoint as-</p> <p>(a) a Chief Secretary a member of the House of assembly who commands the support of the majority of members of the House of Assembly; or</p> <p>(b) where it appears to him that that party does not have an undisputed leader in the House of Assembly or that no party commands the support of such a majority, the member of the House of Assembly who, in his judgment, is most likely to command the support of the majority of members of that House, and who is willing to accept the office of Chief Secretary.</p> <p>(2) Where there is occasion for the appointment of a Deputy Chief Secretary, the Chief Secretary shall appoint a Deputy Chief Secretary from among the members of the party that commands the support of the majority in the House of Assembly a member who is willing to accept the office of Deputy Chief Secretary,.</p>	<p>141F (1) Where there is occasion for the appointment of a Chief Secretary, the President shall appoint as Chief Secretary— (a) The Assembly Member who is the Leader of the party which commands the support of the majority of Assembly Members; or</p> <p>(b) where it appears to him that that party does not have an undisputed leader or that no party commands the support of such a majority, the Assembly Member who, in his judgment, is most likely to command the support of the majority of Assembly Members, and who is willing to accept the office of Chief Secretary.</p> <p>(2) Where there is occasion for the appointment of a Deputy Chief Secretary, the President shall appoint as Deputy Chief Secretary an Assembly Member, on the advice of the Chief Secretary.</p>
3	<p>141L. (1) Where the House of Assembly passes a resolution, supported by the votes of a majority of Assembly Members, declaring that it has no confidence in the Chief Secretary and the Chief Secretary does not within seven days of the passing of such a resolution either resign or advise the President to dissolve the House of Assembly, the President shall revoke the appointment of the Chief Secretary.</p> <p>(2) The Chief Secretary shall also vacate his office-</p> <p>(a) when after any dissolution of the House of Assembly he is informed by the President that the President is about to reappoint him as Chief Secretary or to appoint another person as Chief Secretary; or</p>	<p>141L. (1) Where the Assembly Members pass a resolution, declaring that they have no confidence in the Chief Secretary and the Chief Secretary does not within seven days of the passing of such a resolution either resign or advise the President to dissolve the Tobago Legislature, the President shall revoke the appointment of the Chief Secretary.</p> <p>(2) The Chief Secretary shall also vacate his office-</p> <p>(a) when after any dissolution of the Tobago Legislature he is informed by the President that the President is about to reappoint him as Chief Secretary or to appoint another person as Chief Secretary; or</p> <p>(b) where for any reason other than a dissolution of the Tobago Legislature he ceases to be an Assembly Member.</p>

	<p>(b) where for any reason other than a dissolution of the House of Assembly he ceases to be a member of the House of Assembly.</p> <p>(3) A Secretary shall vacate his office-</p> <p>(a) when any person is appointed or reappointed as Chief Secretary;</p> <p>(b) where his appointment is revoked by the President acting in accordance with the advice of the Chief Secretary.</p>	<p>(3) The Deputy Chief Secretary or a Secretary shall vacate his office-</p> <p>(a) when any person is appointed or reappointed as Chief Secretary;</p> <p>(b) where his appointment is revoked by the President acting in accordance with the advice of the Chief Secretary.</p>
4	<p>141Q. (1) The Tobago Legislature shall continue for four years from the date of its first meeting after any primary election, and shall then stand dissolved.</p> <p>(2) A primary election for the House of Assembly shall be held on the second Monday after the date of the fourth anniversary of the last primary election.</p> <p>(3) Where the date specified under subsection (2) is a public holiday or the date of a general election, the primary election of the House of Assembly shall be held on the Monday of the following week</p>	<p>OPTION 1 (TRADITIONAL ROUTE):</p> <p>141Q (1) Tobago Legislature shall continue for four years from the date of its first meeting after any primary election and shall then stand dissolved; unless dissolved earlier by a resolution supported by a majority of two thirds of the Assembly Members, or by the President acting in accordance with section 141L (1).</p> <p>(2) The President shall, after consultation with the Chief Secretary, fix the date of a primary election of the House of Assembly, which date shall not be earlier than the expiration of one month after the date of any dissolution nor later than the expiration of two months after that date.</p> <p>OPTION 2 (FIXED TERM):</p> <p>141Q (1) The Tobago Legislature shall be dissolved:</p> <p>(a) four years from the date of its first meeting after any primary election, or</p> <p>(b) by a resolution supported by a majority of two thirds of the Assembly Members, or</p> <p>(c) by the President, acting in accordance with section 141L (1)</p> <p>(2) A primary election for the House of Assembly shall be held:</p> <p>(a) on the second Monday after the date of the fourth anniversary of the last primary election, or</p> <p>(b) on the fourth Monday after the date of any dissolution in accordance with subsections 1 (b) or 1 (c)</p> <p>(3) Where the date specified under subsection (2) is a public holiday or the date of a general election, the primary election of the House of Assembly shall be held on the Monday of the following week.</p>