

NEW CONSTITUTIONAL PROPOSALS FOR TRINIDAD AND TOBAGO

Both the *Report of the Joint Select Committee of Parliament* which considered Constitution reform, and the new Constitution in the form of a Bill were laid in the House of Representatives along with a separate Bill on Citizenship, and scheduled to be debated in the House on March 12, 1976. Following are some of the features of the new Constitution:

Retention of a bicameral legislature.

The Senate to be enlarged from its present 24 to 31 members—16 Government, six Opposition and nine Independents.

(The present membership is 24 members—13 Government, four Opposition, and seven Independents.

The House of Representatives under the new Constitution will consist of the present 36 seats, or another number which would correspond with the number of constituencies in the country.

Qualifying age for the appointment of a Senator reduced to 25 years, from the present 30 years.

It also agrees with reduction of the voting age from 21 to 18 years.

The quorum for the two Houses recommended is ten for the Senate as against eight at present and 12 for the House of Representatives, compared to ten as present. Persons presiding are to be excluded.

The Committee has thrown out the present system of voting with voting machines, as well as the system of Proportional Representation, advocated by the Wooding Constitution Commission.

The new Constitution also provides for an Ombudsman, whose term of office would be for five years or until a successor is appointed. He may be reappointed for additional terms, and is given protection from suits for actions done in the course of his duties.

It recommended that the Preamble and the principles of fundamental human rights and freedoms enshrined in Chapter One of the present 1962 Constitution be retained with certain amendments.

The Committee did not support the suggestion of a separate Constitu-

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tion Court. It felt that the present number of High Court judges could handle such issues adequately.

Moreover, it had enshrined in the new Constitution a right of appeal both to the Appeal Court and to the Privy Council.

These, it said, were sufficient safeguards for the protection of the rights and freedoms of the citizen granted him under the Constitution.

The Committee also recommended the drafting of a new Citizenship Bill, embodying the following:

Children and minors of citizens by descent born abroad would be entitled to citizenship provided the birth was duly registered at or before the age of 12 years;

If a Trinidad and Tobago citizen renounces his citizenship and fails to acquire the citizenship of another country, he could revert to his Trinidad and Tobago citizenship six months later;

Former Trinidad and Tobago citizens who renounced their citizenship abroad would be entitled to residence in Trinidad and Tobago as provided in the Bill;

Citizenship by descent will be acquired through the female partner in the case of an illegitimate child.

With respect to the post of President of the new Republic, the Committee disagrees with the Draft that the Chairman of the Public Service Commission should perform the functions of President whenever the office was vacant.

It recommended that the President of the Senate should be the person appointed to act as Head of State.

The Committee also recommended that the President's term of office should be five instead of three years.

The Committee also accepted the recommendation of the present Auditor-General that there be two Joint Select Committees on Public Accounts.

One committee, under the chairmanship of an Opposition Member of the House, will consider reports on Public Accounts.

The other committee, under the chairmanship of an Opposition Member of the Senate, would consider reports on the accounts of companies which Government owns or controls.

In the absence of an Opposition, or should Opposition members be unwilling to serve, then the chairmen of the committee will come from among the Independent Senators.