

CHAPTER 10

PARLIAMENT (ADMINISTRATION) 1989-29

This Act came into operation on 26th February, 1990 by Proclamation (S.I. 1990 No. 23).

Amended by:

<i>1990/125</i>	<i>1999/97</i>	<i>2003/172</i>
<i>1996/34</i>	<i>1999/105</i>	<i>2005/110</i>
<i>1998/40</i>	<i>2000/50</i>	<i>2007/16</i>
<i>1999/1</i>	<i>2002/74</i>	<i>2008/121</i>

Law Revision Orders

The following Law Revision Order or Orders authorized the insertion and removal of pages as the case may be under the Law Revision Act Cap.2 now repealed:

1991	2007
2002	2008

Guide to symbols in historical notes:

- indicates an amendment made by an Act

/ indicates an amendment made by statutory instrument

CHAPTER 10

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THE MANAGEMENT COMMISSION OF PARLIAMENT

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**BARBADOS****PARLIAMENT (ADMINISTRATION)
1989-29**

An Act to revise the law relating to the Administration of Parliament.

[Commencement: 26th February, 1990]

Short title

1. This Act may be cited as the *Parliament (Administration) Act*.

Interpretation

2. For the purposes of this Act,
“Chairman” means Chairman of the Commission;
“Clerk” means the person holding the office of Clerk of Parliament;
“Commission” means the Management Commission of Parliament established under section 3;
“Constituency Assistant” means a person appointed under Part I of the *Fourth Schedule*;
“Deputy Clerk” means a person holding an office of Deputy Clerk of Parliament;

“former Act” means the *Parliament (Debates and Establishment) Act*; [1970-29]

“Leader of the House of Assembly” means the Minister for the time being nominated as such by the Prime Minister;

“Leader of the Senate” means the Minister for the time being nominated as such by the Prime Minister;

“printer of debates” means the person for the time being printing the debates and proceedings of the House of Assembly and Senate;

“staff of Parliament” means persons who are the holders of the offices specified in the first column of the *Second Schedule*.

The Management Commission of Parliament

3.(1) There is established a body to be known as the Management Commission of Parliament that shall be responsible for the administration and management of Parliament.

(2) Nothing in subsection (1) shall be construed as affecting any power conferred on the President of the Senate or the Speaker of the House of Assembly by any law in force in Barbados or any standing order of the Senate or House of Assembly, as the case may be.

(3) The Management Commission is a body corporate to which, subject to this Act, section 21 of the *Interpretation Act*, Cap. 1 applies.

(4) The provisions of the *First Schedule* have effect with respect to the constitution of the Commission and otherwise in relation thereto.

Functions of the Management Commission in respect of the staff of Parliament

4.(1) Subject to section 5, the Commission shall appoint, discipline and control the staff of Parliament.

(2) The Commission shall ensure that the grading, pay, pensions, benefits and other conditions of service with respect to the staff of Parliament, are the same as or similar to those in the public service, so far as is consistent with the requirements of Parliament.

Delegation of functions of Commission

5.(1) The Commission may delegate to

- (a) the Chairman any of its functions under this Act;
- (b) the Clerk any functions other than discipline concerning the staff of Parliament.

(2) Anything done by a person to whom functions are delegated under this section in the discharge of the functions of the Commission shall have the same effect as if done by the Commission.

(3) Notwithstanding any delegation under this section, the Commission shall retain the ultimate responsibility for considering representations made by trade unions in respect of the employment of staff and for the conduct of consultations and negotiations on those matters with the unions.

(4) A delegation under this section may at any time be revoked by the Commission and shall not prevent the discharge by the Commission of any function that it has delegated under subsection (1).

Accounting Officer

6.(1) The Clerk of Parliament shall be the Accounting Officer.

(2) The Accounting Officer shall be the officer responsible for

- (a) all moneys voted by Parliament for the work of the Commission; and
- (b) all moneys paid into the Commission.

(3) The Accounting Officer shall prepare in each financial year an estimate and, whenever necessary a supplementary estimate of

- (a) the expenditure of the Commission; and
- (b) any other expenditure incurred by the rendering of any service to Parliament or Members of Parliament.

(4) The Accounting Officer shall, as soon as possible after the preparation of an estimate of the expenditure referred to in subsection (3), first submit the estimate to the Commission for its approval and thereafter to the Minister of Finance.

Fees etc. to be paid into the Consolidated Fund

7. All fees and other sums payable to the Commission shall be paid into the Consolidated Fund.

Accounts and audit

8.(1) The Commission shall keep accounts of its transactions in such form and such manner as the Auditor General approves.

(2) The accounts of the Commission shall be audited annually by the Auditor General.

(3) The Auditor General may at any time and shall at the direction of the Minister of Finance, carry out an investigation into or a special audit of the accounts of the Commission.

Report

9. The Commission shall as soon as possible after the expiration of each financial year and in any case not later than 30th June in each year, submit to Parliament

- (a) a report on the exercise of its functions in that year; and
- (b) a statement of its audited accounts.

Offices

- 10.(1)** There shall be
- (a) such title and number of offices of Parliament and such emoluments payable to the holders of such offices as are set out in the first, second and third columns of the *Second Schedule* respectively; and
 - (b) such qualifications required for the offices referred to in paragraph (a) as are set out in the *Third Schedule* opposite the offices to which they relate.
- (2) Subject to this Act, the terms and conditions of service of the holders of the offices referred to in subsection (1) shall be determined by the Commission.
- (3) Subject to this Act, a person who is the holder of an office referred to in subsection (1), shall, unless that person resigns the office, hold office until such time as he is required to retire pursuant to the *Public Employees Pensions Act, Cap. 30* or the *Public Employees Pensions Regulations, 1964*.
[1964/191]
- (4) Nothing done by the holder of an office under this Act shall be invalid by reason only that the person has attained the age on which he is required under subsection (3) to vacate office.
- (5) Part I of the *Fourth Schedule* shall apply to the Constituency Assistants to members of the House of Assembly.
- (6) Part II of the *Fourth Schedule* shall apply to the personal staff of the Leader of the Opposition.
- (7) Subject to subsection (2), the persons appointed to the offices referred to in subsection (1) shall hold office during good behaviour and shall be liable to be removed by the Commission for breach of duty, inefficiency, negligence, misconduct or any other just cause.

Reporting of debates and proceedings in Parliament

11.(1) Subject to subsection (2), such number of reporters as the Clerk directs shall

- (a) attend meetings of the Senate and House of Assembly and of the Committees of the Senate and House of Assembly and record the debates and proceedings thereof; and
- (b) deliver to the Clerk, not later than 6 days after the date of each such meeting, a report in legible copy certified correct by the Deputy Clerk attending that meeting, of the debates and proceedings respectively, with the divisions taken and the number and names of the members on each side.

(2) Notwithstanding subsection (1), the President of the Senate or the Speaker of the House of Assembly, as the case may be, may, if he thinks fit, extend the period of 6 days referred to in paragraph (b) of subsection (1).

Printing of debates

12.(1) The Clerk shall, as soon as may be after the receipt by him of the report referred to in section 11, but in any case not later than 3 days thereafter, deliver or cause to be delivered the report to the printer of the debates.

(2) Where the Commission has not contracted for the printing of the debates and proceedings of the Senate, the House of Assembly and of the Committees of the Senate and House of Assembly, the debates and proceedings shall be printed by the Government Printer.

(3) The printer of debates shall within 12 days after the receipt by him of any report mentioned in subsection (1) cause to be published in the *Official Gazette* the copy of the report furnished him by the Clerk and the reports shall be published in the order in which the meetings occurred.

(4) Within the period of 12 days allowed by subsection (3) such number of copies of the report published in accordance with that subsection and printed in

such form as the Commission directs shall be furnished by the printer of the debates to the Clerk who shall distribute them among the members of the Senate and House of Assembly and otherwise as the Commission directs.

(5) The printer of the debates shall make available for sale to the members of the public such number of copies of any report published by him pursuant to subsection (3) as the Commission directs, at such costs as the Commission considers reasonable.

(6) Where the printer of the debates, not being the Government Printer, fails to comply with any of the provisions of this section the Commission may forthwith terminate any contract made between the Commission and the printer under this Act for the failure.

(7) The Clerk shall keep a record of the dates on which the reports under this Part are published showing in each case whether such reports have been published within the period of 12 days limited by subsection (3) and, if not, within what period and, if such reports are published by a person other than the Government Printer, shall submit such record to the Commission at the end of each month.

(8) Where the reports under this Part are printed by a person other than the Government Printer the Accounting Officer shall deduct from the bill next paid the sum set out in the contract for printing for each day, excluding Sundays and public holidays during which the publication of any report is delayed beyond the period of 12 days limited by subsection (3).

Expenses

13. Any expenditure required to be made by virtue of the provisions of this Act shall be charged on and paid out of the Consolidated Fund.

Transitional provisions

14.(1) Any person who is appointed or purported to be appointed prior to the 26th February, 1990, by the Debates Committee of Parliament to any of the offices specified in subsection (2) is deemed to have been lawfully appointed by the Debates Committee.

- (2) The offices referred to in subsection (1) are
- (a) Library Assistant;
 - (b) Administrative Officer; and
 - (c) Messenger/Cleaner.
- (3) Subject to subsection (4), any person who was appointed to an office under the former Act may, at his option exercisable in accordance with subsection (4), state whether or not he desires to be employed by the Commission.
- (4) The option referred to in subsection (3) is exercisable by a person referred to in that subsection giving notice in writing of his option to the Clerk of Parliament within 1 month of the 26th February, 1991 or within such further period as the Minister in any special case, approves by order.
- (5) A person referred to in subsection (3) who exercises the option to be employed by the Commission, shall, from the 26th February, 1990, be employed by the Commission and
- (a) the employment of that person under the former Act in the service of the Debates Committee, the House of Assembly or the Senate as the case may be, shall for all purposes be deemed to be continuous service in the service of the Commission; and
 - (b) the terms and conditions of service of that person with the Commission including any pension, gratuity or other allowance, shall be no less favourable than they were in the service of the Debates Committee, the House of Assembly or the Senate, as the case may be.
- (6) Any person referred to in subsection (3) who exercises his option not to be employed by the Commission shall be deemed to have retired from the service of the Debates Committee, the House of Assembly or the Senate, as the case may be, and is entitled to receive any pension, gratuity or allowance that he would have received pursuant to any relevant law in force on 26th February, 1990, at the time at which he qualifies under that law to receive the pension, gratuity or allowance.

Power to amend Schedules

15. The Minister responsible for Finance may by order subject to negative resolution amend any of the *Schedules* to this Act.

FIRST SCHEDULE*(Section 3(4))**THE MANAGEMENT COMMISSION OF PARLIAMENT*

1. The Commission shall comprise
 - (a) the President of the Senate *ex officio*;
 - (b) the Speaker of the House of Assembly *ex officio*;
 - (c) the Prime Minister *ex officio*;
 - (d) the Leader of the House of Assembly *ex officio*;
 - (e) the Leader of the Senate *ex officio*;
 - (f) the Leader of the Opposition *ex officio*;
 - (g) four members of the House of Assembly appointed by the House of Assembly; and
 - (h) two members of the Senate appointed by the Senate.

[1999-97]

2. Subject to paragraph 3, a member of the Commission, other than an *ex officio* member, shall hold office for
 - (a) the duration of the session of Parliament in which he is appointed;
 - (b) where Parliament is not dissolved immediately after the session referred to in sub-paragraph (a), the period of prorogation preceding the commencement of the new session of Parliament;
 - (c) where Parliament is dissolved immediately after the session referred to in sub-paragraph (a), the period specified in paragraph 4.

3. A member of the Commission, other than an *ex officio* member, shall vacate office

- (a) where the member resigns at any time by giving notice to the Commission;
- (b) where the member ceases, otherwise than by reason of a dissolution of Parliament, to be a member of the House of Assembly or the Senate of which he was a member on his appointment to the Commission; or
- (c) where another person is appointed in the place of that member.

4.(1) After a dissolution of Parliament, a member of the Commission who is not an *ex officio* member shall remain a member until

- (a) nomination day;
- (b) where he was an elected Member of Parliament immediately before its dissolution and is validly nominated as a candidate for the House of Assembly, general election day; and
- (c) where he is elected a Member of Parliament at that general election, the day on which Parliament first meets after a dissolution.

(2) Subject to the provisions of this Act, a member of the Commission is eligible for re-appointment.

CHAIRMAN

5.(1) The Speaker shall be Chairman of the Commission, and in the absence of the Speaker the President shall preside.

(2) The Commission shall appoint a member of the Commission, who is not an *ex officio* member, to act as Chairman of the Commission, in the absence of the Speaker and the President.

[1999/97]

[1999/97]

PROCEEDINGS OF THE COMMISSION

6.(1) The validity of any proceedings of the Commission shall not be affected by any vacancy among the members of the Commission or by any defect in the appointment of any member of the Commission.

(2) A quorum of the Commission shall be 4 members of the House of Assembly and one member of the Senate who are members of the Commission.

(3) The Commission may regulate its own procedure.

SECOND SCHEDULE

(Section 10(1)(a))

First Column	Second Column	Third Column	Fourth Column
<i>Offices</i>	<i>No. of Officers</i>	<i>Emoluments From 1st April, 2008</i>	<i>Emoluments From 1st April, 2009</i>
Administrative Officer	1	Code Z10-3 (\$50,116.32-61,123.80)	Code Z10-3 (\$52,371.00-63,874.32)
Assistant Accountant	1	Code Z23-17 (\$35,066.52-40,797.00)	Code Z23-17 (\$36,644.64-42,633.60)
Chaplain of the House of Assembly (Part-Time)	1	\$11,793.00	\$12,323.64
Chaplain of the Senate (Part-time)	1	\$11,793.00	\$12,323.64
Clerk of Parliament	1	Code S3:2 (\$116,124.24-129,209.28)	Code S3:2 (\$121,349.76-135,023.64)

First Column	Second Column	Third Column	Fourth Column
<i>Offices</i>	<i>No. of Officers</i>	<i>Emoluments From 1st April, 2008</i>	<i>Emoluments From 1st April, 2009</i>
Constituency Assistant	30	Code Z27-20 (\$31,450.92-37,931.76)	Code Z27-20 (\$32,865.84-39,639.12)
Deputy Clerk of Parliament	1	Code S5:4 (\$93,863.28-104,415.48)	Code S5:4 (\$98,087.04-109,114.08)
Deputy Clerk of Parliament (Part-Time)	2	Code Z10 (\$50,116.32)	Code Z10 (\$52,371.00)
Deputy Marshal	1	Code Z27-24 (\$31,450.92-34,111.44)	Code Z27-24 (\$32,865.84-35,646.48)
Hansard Editor	1	Code Z5-3 (\$57,750.36-61,123.80)	Code Z5-3 (\$60,348.72-63,874.32)
Librarian	1	Code Z10-3 (\$50,116.32-	Code Z10-3 (\$52,371.00-

First Column	Second Column	Third Column	Fourth Column
<i>Offices</i>	<i>No. of Officers</i>	<i>Emoluments From 1st April, 2008</i>	<i>Emoluments From 1st April, 2009</i>
		61,123.80)	63,874.32)
Library Assistant	2	Code Z16-11 (\$41,906.16-48,696.12)	Code Z16-11 (\$43,792.20-50,886.96)
Marshal	1	Code Z16-11 (\$41,906.16-48,696.12)	Code Z16-11 \$43,792.20-50,886.96)
Messenger/Cleaner	2	\$427.77 per week	\$447.01 per week
Receptionist	1	Code Z38-24 (\$22,241.88-34,111.44)	Code Z38-24 (\$23,242.68-35,646.48)
Reporter	5	Code Z10-3 (\$50,116.32-61,123.80)	Code Z10-3 (\$52,371.00-63,874.32)

First Column	Second Column	Third Column	Fourth Column
<i>Offices</i>	<i>No. of Officers</i>	<i>Emoluments From 1st April, 2008</i>	<i>Emoluments From 1st April, 2009</i>
Secretary of Parliament	1	Code Z5-3 (\$57,750.36-61,123.80)	Code Z5-3 (\$60,348.72-63,874.32)
Senior Reporter	1	Code Z6-1 (\$56,063.64-65,560.44)	Code Z6-1 (\$58,585.92-68,510.64)
Typist	4	Code Z30-17 (\$28,892.76-40,797.00)	Code Z30-17 (\$30,192.12-42,633.60)

[2008/121]

THIRD SCHEDULE*(Section 10(1)(b))*





FOURTH SCHEDULE*(section 10(5))***PART I****CONSTITUENCY ASSISTANTS**

1. Constituency Assistants shall be appointed in accordance with paragraph 4.
2. Each member of the House of Assembly shall be entitled to the services of a Constituency Assistant.
3. The Constituency Assistant shall be a temporary employee of Parliament.
4. Subject to paragraph 5, the Clerk shall, acting on the advice of the member of the House of Assembly for a constituency, appoint a Constituency Assistant for that constituency.
5. The duties and responsibilities of a Constituency Assistant may be prescribed by the Clerk on the advice of the member of the House of Assembly on whose advice the Constituency Assistant was appointed.
6. The Constituency Assistants shall be entitled to remuneration at the salary code Z27-20 that shall be payable as follows:
\$31 450.92 with effect from 1st April, 2008
\$32 865.84 with effect from 1st April, 2009.

[2008/121]

- 7.** The appointment of a Constituency Assistant shall cease
- (a) on one month's notice by the Constituency Assistant, or by the Clerk acting on the advice of the member of the House of Assembly on whose advice the appointment was made or for just cause without notice;
 - (b) on the resignation of the Constituency Assistant;
 - (c) if the member of the House of Assembly who advised the appointment of the Constituency Assistant ceases to be a member of the House of Assembly other than on a dissolution of Parliament, on the day of the cessation of that membership of the House of Assembly;
 - (d) after a dissolution of Parliament, on nomination day if the member who advised the appointment is not nominated for election to Parliament for the same constituency; or
 - (e) after a dissolution of Parliament, on election day if the member who advised the appointment is nominated but is not elected to Parliament.
- 8.(1)** A gratuity at the rate of one month's salary for each year of service shall be payable to a Constituency Assistant on the completion of at least 2 years' service, if the employment is terminated because the member of the House of Assembly who advised the appointment of the Constituency Assistant ceases for any reason to be a member of the House of Assembly.
- (2) For the purposes of sub-paragraph (1), "one month's salary" means the total salary during the 24 months immediately preceding the date of termination of employment referred to in that sub-paragraph divided by twenty-four.
- 9.** Any person employed as a Constituency Assistant immediately before the 26th February, 1990 shall be treated for all purposes as if the appointment had been made as provided by this Act from the date of the appointment.

PART II

(Section 10(6))

PERSONAL STAFF OF THE LEADER OF THE OPPOSITION

1. The Leader of the Opposition is entitled to personal staff holding the following offices and the staff shall be paid the emoluments set out opposite to the offices to which they relate:

Members of Personal Staff of the Leader of the Opposition

[2008/121]

First Column	Second Column	
<i>Offices</i>	<i>Annual Emoluments</i>	
	<i>From 1st April, 2008</i>	<i>From 1st April, 2009</i>
Executive Assistant	Code Z3 (\$61,123.80)	Code Z3 (\$63,874.32)
Secretary	Code Z23-14 (\$35,066.52 - 44,435.52)	Code Z23-14 (\$36,644.64 - 46,434.84)
Messenger/Cleaner	\$427.77 per week	\$447.01 per week.

2. The Clerk shall, on the advice of the Leader of the Opposition, appoint the personal staff of the Leader of the Opposition.

3. The personal staff of the Leader of the Opposition shall be temporary employees of Parliament and shall hold such qualifications as the Clerk determines on the advice of the Leader of the Opposition.

4. The duties and responsibilities of the personal staff of the Leader of the Opposition shall be prescribed by the Leader of the Opposition.

5. The appointment of a member of the personal staff of the Leader of the Opposition shall cease

- (a) on one month's notice, or for cause without notice;
- (b) where the member resigns his post; or
- (c) where the Leader of the Opposition ceases to hold that office.

6. A gratuity at the rate of 20% of the total salary earned shall be payable to the Executive Assistant and Secretary of the Leader of the Opposition on the completion of at least 2 years' service where the service is terminated because the Leader of the Opposition ceased to hold that office.

7.(1) A gratuity at the rate of 4 weeks' pay for each year of service shall be payable to any member of staff of the Leader of the Opposition not specified in paragraph 6 on the completion of at least 2 years' service where the service is terminated because the Leader of the Opposition ceased to hold that office.

(2) For the purposes of sub-paragraph (1), a week's pay shall be the total pay earned during the 104 weeks immediately preceding the date on which the service referred to in that paragraph terminated, divided by 104.

8. Any person employed on the personal staff of the Leader of the Opposition immediately before the 26th February, 1990 shall be treated for all purposes as if the appointment had been made as provided by this Act from the date of the appointment.

[2003/172]