

ONE HUNDRED AND SEVENTH REPORT OF THE SALARIES REVIEW COMMISSION

Determination of the salary and other conditions of service for the office of Director, Maritime Services, Ministry of Works and Transport

By letter dated October 29, 2014, His Excellency the President conveyed his approval for the Salaries Review Commission (SRC) to determine the salary and other conditions of service for the office of Director, Maritime Services (DMS), in the Ministry of Works and Transport. This office was placed within the purview of the SRC by virtue of Legal Notice No. 295 dated October 09, 2014.

2. The Maritime Services Division (MSD) was established by Section 403(1) of the Shipping Act, Chap. 50:10 to make provision for the registration and licensing of ships, matters relating to crews, safety of life at sea and matters incidental thereto. The Division plays a pivotal role in the growth and development of the national maritime sector through the necessary regulatory, administrative, advisory and development frameworks. Section 403(2) of the Act states that the MSD shall include a public office of DMS, the incumbent of which shall be a marine officer and who shall exercise general supervision over all matters to which the Shipping Act relates.

3. In addition to the administration of the Shipping Act, the MSD has oversight of the under-mentioned primary legislation:

- The Carriage of Goods By Sea Act, Chap. 50:02
- The Harbours Act, Chap. 50:06
- The Droghers Act, Chap. 50:07
- The Motor Launches Act, Chap. 50:08
- The Pilotage Act, Chap. 51:02
- Oil Pollution of Territorial Waters Act, Chap. 37:03.

4. As a consequence, the work of the MSD is multifaceted and heavily involved in activities pertaining to the oversight of vessel operations, ship repairs, maintenance of waterways and ship surveying, among other things. Some of its major functions are:

- (a) registering and licensing of ships;
- (b) keeping a record of all merchant ships, fishing vessels and ships under construction as well as the transfer of ships registered in Trinidad and Tobago or any such register as may be deemed necessary;

- (c) receiving and processing vessel pre-arrival declarations granting departure clearance to any ship prior to proceeding to sea;
- (d) monitoring the carriage of bulk cargo, passengers and dangerous goods;
- (e) manning and surveying of all ships including fishing vessels;
- (f) regulating safety precautions and navigational safety of life at sea and load lines;
- (g) establishing and maintaining of navigational aids;
- (h) issuing maritime and navigational warnings and shipping notices; and
- (i) directing and supervising all matters relating to wrecks and salvage.

5. In 1965, Trinidad and Tobago became a member of the International Maritime Organization (IMO) which is a specialized agency of the United Nations involved primarily with the safety and security of international shipping and with marine pollution. The MSD therefore represents the State's interest at the IMO and acts as the implementation, monitoring and compliance authority for most of the State's obligations with respect to international maritime instruments, conventions, codes, protocols and guidelines.

6. Five (5) major Conventions to which the Government of Trinidad and Tobago is a signatory are:

- The United Nations Convention on the Law of the Sea (UNCLOS)
- The Safety of Life at Sea (SOLAS)
- The Marine Pollution Prevention (MARPOL)
- The Standards of Training, Certification and Watchkeeping (STCW) for Seafarers
- The Regulations for Preventing Collisions at Sea (COLREGS);

7. To execute its functions effectively and efficiently, the MSD collaborates with the Customs and Excise Division of the Ministry of Finance, the Immigration Division, Ministry of National Security and the Trinidad and Tobago Coast Guard on the management and control of ships' arrival, stay and departure at the various ports of Trinidad and Tobago.

Duties and Responsibilities of the office of DMS

8. The holder of the office of DMS is responsible for planning, organizing, directing and coordinating the operations and activities of the MSD. Work is performed with considerable initiative and independence in conformity with legislation, established policies and procedures

related to maritime safety and associated services. As head of the Division, the duties of the DMS include, but are not limited to:

- serving as:
 - (a) Harbour Master to ensure compliance with the Harbours Act, Chap. 50:60;
 - (b) ex-officio Chairman of the Pilotage Authority and overseeing the business of the Authority;
 - (c) Registrar of Ships, Registrar of Seamen and Principal Receiver of Wreck, in accordance with the Shipping Act, Chap. 50:10, pending creation of those offices;
 - (d) Receiver of Revenue, in keeping with the Exchequer and Audit Act, Chapter. 69:01;
 - (e) Registrar of Births and Deaths in the waters of Trinidad and Tobago.
- advising the Permanent Secretary and the maritime shipping community on all maritime related matters;
- advising on the investigation of shipping casualties and search and rescue operations;
- facilitating local/overseas training for seafarers and members of the shore-based shipping and port community, according to established standards;
- evaluating international maritime conventions, codes, protocols and guidelines and making recommendations thereon to Government; and
- representing the Ministry of Works and Transport on national, regional and international meetings and conferences on maritime and navigational issues.

Qualifications, Training and Experience

9. With regard to the educational qualifications and experience necessary for the office of DMS, the incumbent is required to have extensive experience in Maritime Safety Administration, including at least four (4) years' experience as Master or Chief Engineer of a Foreign-Going ship and training as evidenced by the possession of a Bachelor's Degree from a recognized university or other institution in maritime safety or a related field, or any equivalent combination of experience and training.

10. Additionally, the incumbent must possess extensive knowledge of:

- national shipping laws and International Maritime Conventions;
- nautical matters including navigation, seamanship and pilotage;

- issues relating to the establishment, operations and maintenance of navigational aids; and
- laws governing the operations of the Public Service.

11. In our deliberations on an appropriate compensation package for the office of DMS, we took into account that its portfolio carries a wide span of responsibilities that are peculiar to the maritime industry. We also considered that certain offices in the Top Managers in the Public Service Grouping of offices, like the DMS, carry out distinct yet equally important functions that are unique in the Public Service and have national impact. As is customary, we examined the duties and responsibilities of the office of DMS in relation to the hierarchy of offices in this Group. Specifically, we compared the depth and scope of responsibilities, level of accountability and the requirement for expertise in its discipline, with those of the Director, Financial Intelligence Unit (FIU), which is remunerated in Group 2B. We note that similarities exist between the offices, in that, while the MSD is the primary institution vested with the responsibility for regulating the Maritime Sector of Trinidad and Tobago, the FIU is the main organization charged with the collection of financial intelligence and information in the country.

12. Further, we note that the holders of the offices of DMS and Director, FIU are expected to perform with considerable initiative and independence in planning and guiding the work of their respective Divisions. Like the DMS, the Director, FIU is required to monitor and ensure adherence to several pieces of legislation. Both office holders promote legislative changes and compliance with international standards to improve the systems of operations in their respective spheres. However, we observe that while the DMS is required to be available on a 24-hour basis to respond to any emergency that may arise in the course of work at the various ports in the country, and is an appointed Receiver of Revenue in accordance with the Exchequer and Audit Act, Chap. 69:01, no such requirements exist for the Director, FIU.

13. Notwithstanding the above, we also bore in mind that the primary objective of the ongoing Job Evaluation Exercise and Compensation Survey for all offices within our purview, is the development and implementation of compensation structures that will ensure equity and address any anomalies that may exist in the current remuneration framework and be relevant to the present and future needs of the remit group. In this regard, we were informed that the office of DMS will be included in this Exercise. We anticipate that the results of this Exercise will provide a more rational, transparent and defensible evaluation of all jobs and reflect the relative worth of all of the offices, including that of DMS. Against this background, we are of the view that it would be prudent to recommend an interim remuneration package for the office of DMS.

Recommendations

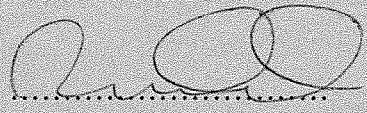
14. In light of the foregoing, we recommend that the office of DMS be remunerated, on an interim basis, in Group 2B of the Top Managers in the Public Service Grouping. The recommended remuneration arrangements for the office are contained in **Appendix I**.

Effective Dates

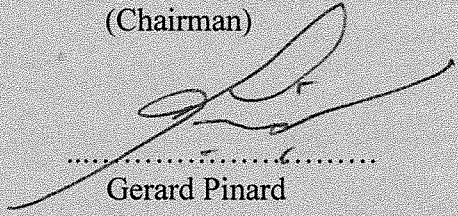
15. Except for the Motor Vehicle Loan Facilities, Tax Exemptions under the Transport Facilities provision and Subsistence Allowance, we recommend that the remuneration arrangements for the

office of DMS should be effective from October 09, 2014, that is, the date on which the office was placed within our purview. The Motor Vehicle Loan Facilities, Tax Exemptions and Subsistence Allowance should take effect from the date of the relevant memorandum/letter conveying any revised remuneration arrangements to be applicable to the office.

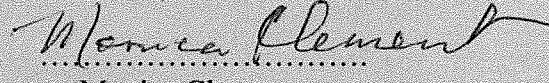
Dated this 14th day of September, 2017.



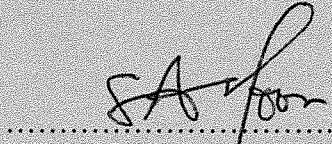
Kyle Rudden
(Chairman)



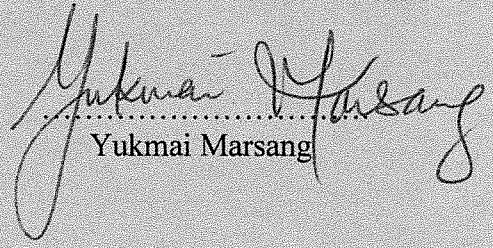
Gerard Pinard



Monica Clement



Surendra Arjoon



Yukmai Marsang

**Recommended Remuneration Arrangements for
the Office of Director, Maritime Services,
Ministry of Works and Transport**

Salary

\$30,340 per month

Duty Allowance

\$3,040 per month

Transport Facilities

- (i) A maximum loan of \$250,000 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 1999cc and exemption from Value Added Tax to a maximum of \$45,000; 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 exemption from Value Added Tax to a maximum of \$45,000.
- (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 \$3,900 per month.

Service Allowance

\$5,050 per month.

Subsistence Allowance

- (i) \$200 per day when travelling on official business beyond a radius of sixteen (16) kilometres from official headquarters.
- (ii) When on duty in Tobago, the office holder to be eligible for hotel accommodation and meals, as necessary. In the absence of the provision of any meal(s), to be paid \$200 per day.
- (iii) For travel abroad on official business, the provisions of Minister of Finance Circular No. 1 dated March 14, 2016 or other relevant Circular to apply.

Housing Allowance

\$7,740 per month.

Entertainment

Actual expenses incurred for official entertainment to be met from an official Entertainment Vote under the control of the Ministry/Department to which the office holder is attached.

Vacation Leave

Thirty (30) calendar days per annum.

Telecommunication Facilities

\$500 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.