
Fourth Session Eleventh Parliament Republic of
Trinidad and Tobago



REPUBLIC OF TRINIDAD AND TOBAGO

Act No. 1 of 2019

[L.S.]

AN ACT to amend the Planning and Facilitation of
Development Act, 2014 and to consequentially
amend the Environmental Management Act,
Chap. 35:05.

[Assented to 25th January, 2019]

ENACTED by the Parliament of Trinidad and Tobago as Enactment
follows:

1. This Act may be cited as the Planning and Short title
Facilitation of Development (Amendment) Act, 2019.

Interpretation
Act No. 10 of 2014

2. In this Act, “the Act” means the Planning and Facilitation of Development Act, 2014.

Section 3 amended

3. Section 3 of the Act is amended by inserting after the definition of “road”, the following definition:

“ “simple development” means development for which an application is made for—

- (a) billboards or advertising signs;
- (b) outline or final planning permission not requiring a certificate of environmental clearance;
- (c) change of use, residential or building developments or any additions thereto where the cumulative floor area with additions, if any, does not exceed a gross floor area of 500m²; or
- (d) land subdivisions, including engineering operations, comprising less than twenty plots, provided that each plot falls within the range of 465m² and 800m² inclusive;”.

Section 11 amended

4. Section 11(2)(b) of the Act is amended by deleting subparagraphs (vii) and (viii) and substituting the following subparagraphs:

- “(vii) the Trinidad and Tobago Association of Local Government Authorities;
- (viii) the Ministry with responsibility for physical planning and development of land;”.

Section 13 amended

5. Section 13(2) of the Act is amended—

- (a) by deleting paragraph (a) and substituting the following paragraph:

“(a) the Director of Planning who shall have—

- (i) an undergraduate degree in the field of urban and regional planning and a post-graduate qualification in urban and regional planning or a related field; or
- (ii) an undergraduate degree in a social, environmental or design science and a post-graduate degree in urban and regional planning,

both of which are to have accredited status and have been granted by an institution accredited under the Accreditation Council of Chap. 39:06 Trinidad and Tobago Act; and

- (iii) at least seven years’ post-qualification experience in urban and regional planning;”;

(b) in paragraph (b), by deleting the words “ten years’ post-qualification experience in engineering” and substituting the words “seven years’ post-qualification experience in civil engineering”; and

(c) in paragraph (c), by deleting the word “ten” wherever it occurs and substituting in each place the word “seven”.

6. Section 15 of the Act is amended by repealing Section 15 amended subsections (2) and (3) and substituting the following subsections:

“ (2) The Chief Building Officer shall—

- (a) establish inspection procedures for building and engineering operations;

(b) forward breaches of building regulations referred to him from the National Planning Authority or a planning authority, to the Chief Enforcement Officer; and

(c) perform the functions under sections 62, 66, 67, 68 and 70 of the Act.

(3) The Chief Enforcement Officer shall take action against—

(a) breaches of building regulations referred to him by the Chief Building Officer; and

(b) breaches of planning control referred to him by the Director of Planning.”.

Section 31 amended

7. Section 31(4) of the Act is amended—

(a) in paragraph (a), by inserting the word “or” at the end of the paragraph;

(b) in paragraph (b), by deleting the words “; or” at the end of the paragraph and substituting a fullstop; and

(c) by deleting paragraph (c).

Section 60 amended

8. Section 60 of the Act is amended by inserting after subsection (9), the following subsection:

“ (9A) A person who has been served with a tree preservation order may appeal to the Environmental Commission against such an order in accordance with section 90.”.

Section 73
amended

9. Section 73 of the Act is amended—

(a) in the definition of “professional governing body” in paragraph (d), by inserting after the words “urban and regional planners,” the words “the Trinidad and Tobago Council for Urban and Regional Planners,”; and

(b) by deleting the definition of “simple development application”.

10. Section 89(1) of the Act is amended by inserting Section 89 amended after the words “National Planning Authority” the words “or a planning authority”.

11. Section 90 of the Act is amended— Section 90 amended

(a) in subsection (3)(c)(i), by inserting after the words “planning control” the words “or have been complied with”; and

(b) in subsection (4), by deleting the words “altered or revoked” and substituting the words “varied or set aside”.

12. Section 95(1) of the Act is amended by deleting Section 95 amended paragraphs (g) and (h).

13. The First Schedule of the Act is amended— First Schedule amended

(a) in clause 1—

(i) in subclause (1)(b)(v), by deleting the words “sectoral interests” and substituting the words “sectoral private interests”; and

(ii) by inserting after subclause (3), the following subclause:

“ (3A) The National Planning Authority shall appoint a Chief Executive Officer who shall—

(a) be an *ex officio* member; and

(b) be responsible for the day to day management of the National Planning Authority.”;

(b) in clause 14(2)—

(i) by deleting the words “three months” and substituting the words “six months”;

- (ii) by deleting paragraph (b) and substituting the following paragraph:

“(b) be employed with the National Planning Authority on terms and conditions no less favourable than those enjoyed by him in the Public Service; or”; and

- (iii) in paragraph (c), by deleting the words “date of the assent of this Act,” and substituting the words “date of commencement of this Act.”;

- (c) by inserting after clause 14, the following clause:

<sup>“Transfer on
secondment</sup> 14A. (1) An officer or employee in the public service, a statutory authority, any domestic or foreign public or private body may, with the consent of the National Planning Authority and the approval of the appropriate service commission or the relevant body, consent to be transferred on secondment to the service of the National Planning Authority.

(2) Where a transfer on secondment is effected, such arrangements as may be necessary, shall be made to preserve the rights of the officer or employee transferred to any pension, gratuity or other allowance for which he would have been eligible had he not been transferred.”.

14. The Environmental Management Act is amended Consequential
amendment
Chap. 35:05
in section 82—

- (a) in subsection (1), by deleting the word “five” and substituting the word “six”; and
- (b) in subsection (3), by inserting after the word “engineering,” the words “urban and regional planning,”.

Passed in the House of Representatives this 7th day of December, 2018.

J. SAMPSON-MEIGUEL

Clerk of the House

Passed in the Senate this 15th day of January, 2019.

B. CAESAR

Clerk of the Senate (Ag.)