SENATE OF THE REPUBLIC OF TRINIDAD AND TOBAGO

ORDER PAPER

TWENTY-SIXTH SITTING, FIFTH SESSION (2019/2020)

ELEVENTH PARLIAMENT

TUESDAY MAY 12, 2020 AT 10:00 A.M.

1. PRAYERS
2. OATH OR AFFIRMATION
3. ANNOUNCEMENTS BY THE PRESIDENT
4. BILLS BROUGHT FROM THE HOUSE OF REPRESENTATIVES
5. PETITIONS
6. PAPERS
7. REPORTS FROM COMMITTEES
8. URGENT QUESTIONS
9. QUESTIONS ON NOTICE

QUESTIONS FOR WRITTEN ANSWER APPEAR IN THE APPENDIX

Questions for Oral Answer

Question No. 79 to the Minister of National Security
(By Senator Wade Mark)
Given the increase in the number of shootings directed at members of the Trinidad and Tobago Police Service (TTPS) and the increase in the deaths of police officers in the line of duty, can the Minister indicate what measures are being taken to address this issue?

Question No. 80 to the Minister of Social Development and Family Services
(By Senator Wade Mark)
In light of reports which show the inadequacy of this country’s provision of shelters for victims of domestic violence, can the Minister indicate what is being done to increase the number of shelters?

Question No. 90 to the Minister of Education
(By Senator Wade Mark)
In light of the non-payment of severance benefits to some 200 former employees of the University of Trinidad and Tobago (UTT), can the Minister indicate what urgent measures are being taken to settle this outstanding debt?

10. REQUESTS FOR LEAVE TO MOVE THE ADJOURNMENT OF THE SENATE ON DEFINITE MATTERS OF URGENT PUBLIC IMPORTANCE
GOVERNMENT BUSINESS

Motions:

(i) WHEREAS it is provided by section 38(1) of the Tobacco Control Act, Chap. 30:04 (hereinafter called “the Act”) that the Minister may make Regulations prescribing requirements and standards for tobacco product constituents, including emissions of smoked products, additives and product design and specifying methods for testing and measuring compliance with the performance prescribed and generally for carrying out the purpose of this Act;

AND WHEREAS it is also provided by section 38(1) of the Act that Regulations made under that section shall be subject to affirmative resolution of Parliament;

AND WHEREAS the Minister has on the 29th day of May, 2019 made the Tobacco Control (Amendment) Regulations, 2019 (hereinafter called “the Regulations”);

AND WHEREAS it is expedient that the Regulations now be affirmed;

BE IT RESOLVED that the Tobacco Control (Amendment) Regulations, 2019 be approved.

(By the Minister of Health)

(ii) WHEREAS it is provided by section 5(1) of the Land Acquisition Act, Chap. 58:01 (hereinafter referred to as “the Act”) that the President may by Order, declare that land is required for a public purpose;

AND WHEREAS it is provided by section 5(2) of the Act that Parliament may by resolution approve an Order made under section 5(1);

AND WHEREAS the Land Acquisition (Requisition) Order, 2018 was made by the President under section 5(1) of the Act as Legal Notice No. 190 dated the 19th day of December, 2018;

AND WHEREAS it is expedient to approve the said Order;

BE IT RESOLVED that the Land Acquisition (Requisition) Order, 2018 be approved.

(By the Attorney General)

(iii) WHEREAS it is provided by section 5(1) of the Land Acquisition Act, Chap. 58:01 (hereinafter referred to as “the Act”) that the President may by Order, declare that land is required for a public purpose;

AND WHEREAS it is provided by section 5(2) of the Act that Parliament may by resolution approve an Order made under section 5(1);

AND WHEREAS the Land Acquisition (Requisition) Order, 2019 was made by the President under section 5(1) of the Act as Legal Notice No. 34 dated the 18th day of February, 2019;
AND WHEREAS it is expedient to approve the said Order;

BE IT RESOLVED that the Land Acquisition (Requisition) Order, 2019 be approved.

(By the Attorney General)

Bills Second Reading:

(i) A Bill entitled, ‘An Act to amend the Registrar General Act, Chap. 19:03, the Registration of Deeds Act, Chap. 19:06, the Conveyancing and Law of Property Act, Chap. 56:01, the Real Property Act, Chap. 56:02, the Stamp Duty Act, Chap.76:01 and the Registration of Title to Land Act, 2000’.

(By the Attorney General)

(ii) A Bill entitled, ‘An Act to amend the Copyright Act, Chap.82:80, to give effect to the Marrakesh Treaty to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired or otherwise Print Disabled and to the Beijing Treaty on Audiovisual Performances’.

(By the Attorney General)


(By the Minister of Agriculture, Land and Fisheries)


(By the Attorney General)

(v) A Bill entitled, ‘An Act to amend the Animals (Diseases and Importation) Act, Chap. 67:02’.

(By the Minister of Agriculture, Land and Fisheries)

(vi) A Bill entitled, ‘An Act to establish a Council for Urban and Regional Planners and to provide for the regulation of the urban and regional planning profession and other matters incidental thereto’.

(By the Minister of Planning and Development)

(vii) A Bill entitled, ‘An Act to combat corruption and other wrongdoings by encouraging and facilitating disclosures of improper conduct in the public and private sector, to protect persons making those disclosures from detrimental action, to regulate the receiving, investigating or otherwise dealing with disclosures of improper conduct and to provide for other matters connected therewith’.

(By the Attorney General)

PRIVATE MEMBERS’ BUSINESS

Motions:

(i) The debate on the following Motion which was in progress when the Senate adjourned on Tuesday February 04, 2020 will be resumed:

WHEREAS it is the Government’s responsibility to ensure public safety and security of the citizenry;

AND WHEREAS thousands of citizens and businesses have been negatively affected by the high levels of crime in Trinidad and Tobago;

BE IT RESOLVED that this Senate condemn the Government for its failure to effectively deal with the unacceptable and serious crime situation affecting law-abiding citizens.

(By Senator Saddam Hosein)
(ii) The debate on the following Motion which was in progress when the Senate adjourned on Tuesday November 26, 2019 will be resumed:

WHEREAS in August 2019 the Government of the Republic in Trinidad and Tobago concluded a TT$580 million contract, originally estimated at TT$460 million, with the Australian shipbuilding company, Austal Ltd for the purchase of two Cape Class Patrol Boats for use by the Trinidad and Tobago Coast Guard;

AND WHEREAS there appears to be ambiguity concerning the price paid in 2019 when compared to similar vessels purchased in 2015;

BE IT RESOLVED that this Senate call on the Government to table, within fourteen days, the contract entered into with Austal for the procurement of the two Cape Class Patrol Boats.

(By Senator Wade Mark)

(iii) WHEREAS following a year of negotiations, the Trinidad and Tobago Housing Development Corporation (HDC) and China Gezhouba International Engineering Company Ltd (CGGC) signed a TT $485 million contract in May 2019 for the construction of 5,000 apartment units at specific sites across Trinidad and Tobago;

AND WHEREAS in September 2019 it was announced that the contract was cancelled;

BE IT RESOLVED that this Senate condemn the Government for its ineffectiveness in its negotiations with CGGC and in its failure to conduct due diligence prior to signing the contract;

AND BE IT FURTHER RESOLVED that the Government take the appropriate action to hold the responsible person(s) to account.

(By Senator Wade Mark)

(iv) WHEREAS the Government has, by virtue of a lease agreement, assigned interest in excess of one thousand acres to the owner of General Earth Movers Limited / Marilissa Farms Limited for the use of a livestock station;

BE IT RESOLVED that the Senate call on the Government to take steps to ensure that the rich aggregate on the said acreage of the leased lands is protected;

AND BE IT FURTHER RESOLVED that this Senate call on the Government to table, within fourteen days, the lease agreement between Marilissa Farms Limited / General Earth Movers Limited and the Ministry of Agriculture, Land and Fisheries.

(By Senator Wade Mark)

(v) WHEREAS section 6(2) of the Education Act Chap. 39:01 provides that the Ministry of Education should provide special schools suitable to the requirements of students with physical and learning disabilities;

AND WHEREAS the Ministry has not provided students with disabilities, additional learning needs and/or challenging behaviours with the requisite support networks, and equal opportunities needed to achieve their full potential;

AND WHEREAS the lack of adequate funding, policies and specialist staff is reflected in the poor performance of students;

BE IT RESOLVED that this Senate call on the Government to commit to the allocation of adequate funding, reform of the appropriate legislation and revision of policies designed to ensure that all children with special needs are provided with equal educational opportunities to other students;
AND BE IT FURTHER RESOLVED that the Ministry of Education immediately initiate and implement a comprehensive strategy to assist all children with disabilities, additional learning needs and/or challenging behaviours.

(By Senator Paul Richards)

(vi) WHEREAS the Criminal Justice System continues to be faced with inefficiencies notwithstanding the numerous legislative measures taken by the Government;

AND WHEREAS citizens continue to be adversely affected by the slow pace of the Criminal Justice System;

BE IT RESOLVED that this Senate condemns the Government for its inability to adequately address the said inefficiencies in the Criminal Justice System in Trinidad and Tobago.

(By Senator Sean Sobers)

(vii) WHEREAS citizens nationwide are consistently plagued by flooding;

AND WHEREAS under this administration the country has suffered the worst flooding in decades;

BE IT RESOLVED that this Senate condemn the Government for its failure to take action including infrastructure maintenance and development in a manner to prevent perennial flooding.

(By Senator Saddam Hosein)

(viii) WHEREAS it is the responsibility of the Government to address economic activity, economic diversification, skills acquisition, planning and industrial growth in every major sector of the economy;

BE IT RESOLVED that the Senate take note of the Government’s failure to address issues of job creation and high levels of retrenchment in Trinidad and Tobago.

(By Senator Taharqa Obika)

(ix) WHEREAS the Government in adopting the 2015 Manifesto of the People’s National Movement as its official policy framework confirmed its commitment to establishing an Economic Development Board, budgetary reform for Parliament, housing reform, establishment of new business clusters and broad economic stability with investor confidence;

BE IT RESOLVED that the Senate take note of the Government’s failure to deliver on these key promises over the last four (4) years.

(By Senator Taharqa Obika)

(x) WHEREAS the Government has announced that sixteen thousand Venezuelan immigrants have registered for temporary residence status in Trinidad and Tobago;

AND WHEREAS the Government has not put in place adequate infrastructure and appropriate systems to facilitate access by the Venezuelan immigrants to essential humanitarian services such as temporary housing, health and education;

BE IT RESOLVED that the Senate call on the Government to establish and outline appropriate measures to assist registered Venezuelan immigrants in accessing essential humanitarian services.

(By Senator Sean Sobers)

(xi) WHEREAS the four (4) constitutionally entrenched Service Commissions namely the Public Service Commission, the Police Service Commission, the Teaching Service Commission and the Judicial and Legal Service Commission have been charged with the responsibility for the appointment, promotion, transfer and discipline within the Public Service;
AND WHEREAS the Service Commissions were also established to insulate persons holding or acting in public office from political influence, patronage and discrimination;

AND WHEREAS reported deficiencies within these Service Commissions have negatively impacted the Public Service including the extended delay within the systems of appointment, promotion and disciplinary control of public officials;

AND WHEREAS no definitive action has been taken by Governments to restructure the systems and operations of Service Commissions to better regulate the functions of the Public Service and improve service delivery to citizens;

BE IT RESOLVED that this Senate call on the Government to review the Trinidad and Tobago Constitution and the enshrined Service Commissions and to table in Parliament, within a reasonable time, a clear plan for the update of the Constitution and reform of the Commissions.

(By Senator Anthony Vieira)

(xii) WHEREAS the Commissions of Enquiry Act, Chap. 19:01 provides for the establishment of commissions to manage the conduct of enquires into public officers, departments and matters of public welfare;

AND WHEREAS Commissions of Enquiry are recognized as an important tool for social investigation in contemporary society, an effective mechanism for delivering truth, justice and social or organizational reform, and a device for inquiring into and ameliorating matters of public concern;

AND WHEREAS successive Government administrations have failed to adequately address public concerns which have arisen from time to time on whether the Commissions of Enquiry in Trinidad and Tobago have been effectively and efficiently carrying out their mandate;

BE IT RESOLVED that this Senate call on the Government to review the Commissions of Enquiry Act, Chap. 19:01 and the public inquiry process in Trinidad and Tobago.

(By Senator Anthony Vieira)

Brian Caesar
Clerk of the Senate (Ag.)

Senate Secretariat
Office of the Parliament
The Parliamentary Complex
The Red House
Abercromby Street
PORT OF SPAIN

May 06, 2020
*Question No. 122 to the Attorney General*

(By Senator Paul Richards)

Having regard to the recent decriminalisation of marijuana, can the Minister advise as to the following:

(i)  the number of persons who were convicted for the offence of the possession of marijuana between 2015 to 2019;

(ii) the number of persons who are still on remand as at January 31, 2020, as a result of being charged with the offence of the possession of marijuana;

(iii) the number of convicted persons who, as at January 31, 2020, have applied to be released based on the amended legislation; and

(iv) the number of convicted persons who have received a reduced sentence as at January 31, 2020, given that they had been convicted for other offences?

(Answer due by 26.03.2020)

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NOTICE OF URGENT QUESTIONS

The under-mentioned Questions which have been accepted by the President in accordance with Standing Order 25 are hereby forwarded for the attention of the Ministers concerned.

1. **TO THE MINISTER OF HEALTH**
   (By Senator Saddam Hosein)
   Having regard to pleas by small and medium sized business owners to be permitted to resume business operations, does the Government intend to reconsider including these categories of businesses in phase one of the reopening of the economy?

2. **TO THE ATTORNEY GENERAL**
   (By Senator Wade Mark)
   Having regard to the disclosure that there is a restriction clause in the Paria Fuel Trading Company and Aruba ‘Spot Purchase Fuel Agreement’, does the Government intend to pursue legal action against the purchaser for breach of contract?

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