SENATE OF THE REPUBLIC OF TRINIDAD AND TOBAGO

ORDER PAPER

THIRTY-SEVENTH SITTING, FIFTH SESSION (2019/2020)

ELEVENTH PARLIAMENT

MONDAY JUNE 29, 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
   (i) The Response of the Trinidad and Tobago Police Service to the Twenty-Fifth Report of the Public Administration and Appropriations Committee on an Examination into the Development Programme for fiscal year 2018/2019 and follow-up on the Ministerial Response to the Sixth Report on the Tobago House of Assembly (THA).
      (By the Minister of National Security)
        (By the Attorney General)
        (By the Attorney General)
        (By the Minister of Finance)
        (By the Minister of Finance)

7. REPORTS FROM COMMITTEES
        (By Senator the Hon. Clarence Rambharat)
        (By Senator the Hon. Kazim Hosein)
8. URGENT QUESTIONS

9. QUESTIONS ON NOTICE

QUESTIONS FOR WRITTEN ANSWER APPEAR IN THE APPENDIX

Questions for Oral Answer

*Question No. 132 to the Minister of Finance
(By Senator Wade Mark)
Given the views expressed by leading economists that the Coronavirus poses a serious threat to the national economy, can the Minister advise as to what measures are being contemplated to address this potential problem?

Question No. 144 to the Minister of Education
(By Senator Wade Mark)
Given reports of an agreement between the State and the Jamaat Al Muslimeen for financial assistance in respect of the Madressa Al Muslimeen Primary School, can the Minister indicate:
(i) whether such agreement has been entered into; and
(ii) if the answer to (i) above is in the affirmative, what are the terms and conditions of said agreement?

Question No. 145 to the Minister of Energy and Energy Industries
(By Senator Wade Mark)
Can the Minister advise as to the amount of money received by Paria Fuel Trading Company Limited from the purchaser of the 150,000 barrels of gasoline shipped to Aruba and allegedly transferred to Venezuela?

Question No. 155 to the Minister of Finance
(By Senator Wade Mark)
Can the Minister indicate whether the formal relationship with the United States Department of the Treasury, pursuant to the Tax Information Exchange Agreements (United States of America) Act, 2017, has been adversely affected by the Government’s engagement with the Vice-President of Venezuela?

Question No. 172 to the Minister of Health
(By Senator Dr. Maria Dillion-Remy)
In light of reports that over the past year medical practitioners in Tobago have been required to courier DNA samples to the Forensic Sciences Centre, in accordance with the Sexual Offences (Amendment) Act, 2019 and the Administration of Justice (Deoxyribonucleic Acid) Regulations, 2018, can the Minister advise:
(i) whether this is considered to be an efficient and appropriate use of expert medical practitioners;
(ii) what can be done to correct this misinterpretation of the legislation; and
(iii) how soon will corrective action be taken?

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

11. STATEMENTS BY MINISTERS OR PARLIAMENTARY SECRETARIES

* Question No. 132 was deferred for two weeks on 09.06.2020
GOVERNMENT BUSINESS

Motions:

(i) **BE IT RESOLVED** that the House amendment to the Domestic Violence (Amendment) Bill, 2020 listed in Appendix II be now considered.

(By the Attorney General)

(ii) **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)

(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, 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)

(iv) **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)

(v) WHEREAS it is provided by section 13(1) of the Excise (General Provisions) Act, Chap. 78:50 that Parliament may from time to time, by resolution, impose Excise Duties and revoke, reduce, increase or alter any such duties and provide for exemptions therefrom;

AND WHEREAS it is expedient that a provisional Excise Duty be imposed in respect of ethyl alcohol for the use in the manufacture of hand sanitizer;

BE IT RESOLVED that the Excise Duty on ethyl alcohol to be used in the manufacture of hand sanitizers be two dollars and twenty-two cents per litre and so in proportion for any part of a litre and for any greater or lesser strength until 31st August, 2020.

(By the Minister of Finance)

Bills Second Reading:

(i) A Bill entitled, ‘An Act to amend the Summary Courts Act, Chap. 4:20, the Petty Civil Courts Act, Chap. 4:21, the Sentencing Commission Act, Chap. 4:32, the Judicial and Legal Service Act, Chap. 6:01, the Malicious Damage Act, Chap. 11:06, the Coinage Offences Act, Chap. 11:15, the Sexual Offences Act, Chap. 11:28, the Indictable Offences (Preliminary Enquiry) Act, Chap. 12:01, the Community Service Orders Act, Chap. 13:06, the Defence Act, Chap. 14:01, the Firearms Act, Chap. 16:01, the Explosives Act, Chap. 16:02, the Registrar General Act, Chap. 19:03, the Electronic Transactions Act, Chap. 22:05, the Elections and Boundaries Commission (Local Government and Tobago House of Assembly) Act, Chap. 25:50, the Mental Health Act, Chap. 28:02, the Children Act, Chap. 46:01, the Motor Vehicles and Road Traffic Act, Chap. 48:50, the Conservation of Wild Life Act, Chap. 67:01, the Value Added Tax Act, Chap. 75:06, the Customs Act, Chap. 78:01, the Liquor Licences Act, Chap. 84:10, the Administration of Justice (Indictable Proceedings) Act, 2011, the Criminal Division and District Criminal and Traffic Courts Act, 2018 and the Electronic Payments into and out of Court Act, 2018’.

(By the Attorney General)


(By the Minister of Agriculture, Land and Fisheries)

(iii) 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)

Committee Stage:

(i) The Committee Stage of the following Bill which was in progress when the Senate adjourned on Tuesday June 09, 2020 will be resumed:

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 Attorney General)
COMMITTEE BUSINESS

Motions:

(i) **BE IT RESOLVED** that this Senate adopt the Report of the Special Select Committee established to consider and report on the Evidence (Amendment) Bill, 2019.

(By Senator the Hon. Clarence Rambharat)

PRIVATE MEMBERS’ BUSINESS

Motions:

(i) The debate on the following Motion which was in progress when the Senate adjourned on Tuesday May 26, 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** 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)

(v) **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)

(vi) **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)

(vii) **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)

(viii) **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)
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)

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)

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
June 25, 2020
Question No. 168 to the Minister of Finance
(By Senator Amrita Deonarine)
Can the Minister advise on the following balance of payment figures in TT dollar value and as a percentage of GDP for the year ended December 31, 2019 and Quarter 1 of 2020:

(i) the current account (total, energy and non-energy);
(ii) capital account;
(iii) financial account;
(iv) net errors and omissions; and
(v) overall balance?

(Answer due by 27.06.2020)
APPENDIX II

THE DOMESTIC VIOLENCE (AMENDMENT) BILL, 2020

List of Amendments made in the House of Representatives at the Committee Stage of the Domestic Violence (Amendment) Bill, 2020

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House of Representatives Secretariat
June 25, 2020

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ELEVENTH PARLIAMENT
MONDAY JUNE 29, 2020 AT 10:00 A.M.

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 RURAL DEVELOPMENT AND LOCAL GOVERNMENT**
   (By Senator Wade Mark)
   Given the extremely bad weather which destroyed several homes along the East/West Corridor, can the Minister indicate what measures are being taken to directly assist the affected residents?

2. **TO THE MINISTER OF RURAL DEVELOPMENT AND LOCAL GOVERNMENT**
   (By Senator Wade Mark)
   Given the threat posed to the residents of Upper Bournes Road and the surrounding community by a potential landslide which could result in damages to nearby homes/buildings, what measures are being taken by the relevant agencies to address this situation?

3. **TO THE MINISTER OF HEALTH**
   (By Senator Wade Mark)
   In light of reports that bar owners and patrons continue to ignore COVID-19 protocols, can the Minister indicate what steps are being taken to address same?

4. **TO THE MINISTER OF HEALTH**
   (By Senator Wade Mark)
   Having regard to the discovery that some locally produced hand sanitizers contain toxic substances, can the Minister indicate the steps that are being taken to withdraw these products from the market?

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June 29, 2020