



SENATE OF THE REPUBLIC OF TRINIDAD AND TOBAGO

**ORDER PAPER**

EIGHTH SITTING, SECOND SESSION (2021/2022)

TWELFTH PARLIAMENT

TUESDAY NOVEMBER 23, 2021 AT 1:30 P.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 Annual Report of the National Infrastructure Development Company Limited for the fiscal year 2017.  
**(By the Minister of Works and Transport)**
  - (ii) The Annual Administrative Report of the Trinidad and Tobago Civil Aviation Authority for the period 2018-2019.  
**(By the Minister of Works and Transport)**
7. REPORTS FROM COMMITTEES
  - (i) The Second Report of the Joint Select Committee on Local Authorities, Service Commissions and Statutory Authorities (including the THA) on an Inquiry into the efficiency and effectiveness of the National Insurance Appeals Tribunal (NIAT) (with specific focus on the tribunal's capacity to dispose of appeals) First Session (2020/2021), Twelfth Parliament.  
**(By Senator Dr. Varma Deyalsingh)**
  - (ii) The Third Report of the Joint Select Committee on Local Authorities, Service Commissions and Statutory Authorities (including the THA) on An Inquiry into the Administration of the Children's Life Fund Authority, First Session (2020/2021), Twelfth Parliament.  
**(By Senator Dr. Varma Deyalsingh)**
8. URGENT QUESTIONS
9. QUESTIONS ON NOTICE

## **Questions for Oral Answer**

### **Question No. 5 to the Minister of Energy and Energy Industries**

**(By Senator Wade Mark)**

With respect to the funding agreement and the gas sales agreement between Atlantic LNG and the National Gas Company for Atlantic LNG's Train 1, can the Minister indicate:

- (i) whether said agreements have been terminated; and
- (ii) if the answer to (i) is in the affirmative, when?

### **Question No. 6 to the Minister of Energy and Energy Industries**

**(By Senator Wade Mark)**

Given that the National Gas Company's investment in Atlantic LNG's Train 1 involves hundreds of millions of dollars, can the Minister indicate on whose advice the Government relied to proceed with said investment?

### **Question No. 7 to the Minister of Energy and Energy Industries**

**(By Senator Wade Mark)**

Can the Minister advise whether Shell and BPTT, the largest natural gas producers in this country, had informed the Government, since 2020, of their inability to supply gas to Atlantic LNG's Train 1?

### **Question No. 28 to the Minister of National Security**

**(By Senator Jayanti Lutchmedial)**

As regard the DNA testing lab at the Forensics Sciences Centre, can the Minister advise as to:

- (i) whether said lab has obtained international accreditation; and
- (ii) the total monies expended by the State on DNA testing at private laboratories during the financial year 2020-2021?

### **Question No. 29 to the Minister of National Security**

**(By Senator Jayanti Lutchmedial)**

Given the risk of exposure to COVID-19 posed to this country's population by persons who enter the country illegally, can the Minister advise as to what is the procedure for testing such persons arrested by the police?

### **Question No. 30 to the Minister of National Security**

**(By Senator Jayanti Lutchmedial)**

Can the Minister advise whether any Venezuelan nationals who were detained at the Mayaro Police Station during the month of September 2021 tested positive for the COVID-19 virus?

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
12. PERSONAL EXPLANATIONS
13. INTRODUCTION OF BILLS
14. MOTIONS RELATING TO THE BUSINESS OR SITTINGS OF THE SENATE AND MOVED BY A MINISTER
15. PUBLIC BUSINESS

## PRIVATE MEMBERS' BUSINESS

### Motions:

- (i) **WHEREAS** all Senators have a duty to uphold the dignity, discipline and decorum of Parliament and defend it against disrespect;

**AND WHEREAS** failure to uphold the dignity of Parliament, by disregarding its rules, by using unparliamentary language, by disobeying and ignoring the authority of the Presiding Officer, diminishes and erodes public confidence in said institution;

**AND WHEREAS** conduct calculated to obstruct, intimidate or impede Members in the discharge of their duties is a breach of privilege;

**AND WHEREAS** all Opposition Senators who were present at the meeting of the Electoral College on October 21, 2021 made abusive and malicious assertions; imputed false and improper motives, and cast negative reflections on the character and impartiality of all Independent Senators during said proceedings of the Electoral College, and in the media;

**BE IT RESOLVED** that this Senate censure the unparliamentary conduct of said Opposition Senators who by threat or molestation have attempted to obstruct, impede, influence or interfere with said Independent Senators in the performance of their duties;

**AND BE IT FURTHER RESOLVED** that a Select Committee be established to consider and report on a code of ethical conduct and behavior for Senators.

**(By Senator Anthony Vieira)**

- (ii) **WHEREAS** the Commissions of Enquiry Act, Chapter 19:01 provides for the establishment of Commissions to manage the conduct of enquiries 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 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)**

- (iii) **WHEREAS** in 2001 the States of the Caribbean Community established by agreement (by treaty) the Caribbean Court of Justice (“the Court”), convinced that the Court would have a determinative role in the development of Caribbean jurisdiction steeped in the ethos of the region;

**AND WHEREAS** Trinidad and Tobago, having ratified without reservation the agreement establishing the Court, is bound under treaty to refer its appeals to the Court in lieu of continuing to have them heard by the Judicial Committee of the Privy Council;

**AND WHEREAS** the unique and varied legal matters which arise in the Caribbean are far removed and foreign to the society, culture and habits of the Judicial Committee of the Privy Council, as sentiment echoed by Privy Council judges and senior British legal figures;

**AND WHEREAS** almost all Commonwealth States outside the Caribbean as well as four CARICOM states, have since delinked from the Privy Council, recognizing that it goes against

the sovereignty of independent nations, and is therefore politically unacceptable, to have such a foreign tribunal permanently entrenched in their Constitutions as their final appellate Court;

**AND WHEREAS** this is an appropriate time for Trinidad and Tobago to accede to the Court in its appellate jurisdiction, so that the Country's civil, criminal and constitutional appeals can be heard by the Court, which will also serve this Country's democratic and developmental objectives regarding affordability, relevance and increased access to justice;

**BE IT RESOLVED** that this Senate agree that the Caribbean Court of Justice be recognized as the final Court of Appeal for Trinidad and Tobago and that the appropriate amendments be made to alter the Constitution of Trinidad and Tobago so as to entrench the court as its final court of appeal.

**(By Senator Anthony Vieira)**

- (iv) **WHEREAS** availability of foreign exchange is important for investment and competitiveness in the private sector and a shortage of foreign exchange can hinder prospects for diversification and economic recovery aspired to in the Government's fiscal strategy;

**AND WHEREAS** energy sector revenues continue to be adversely affected by lower domestic energy production due to natural gas supply challenges, ongoing maintenance activity and temporary plant closures;

**AND WHEREAS** it is recognized that micro, small and medium-sized enterprises (MSMEs) and the wider population continue to experience the negative effects of limited access to foreign exchange, notwithstanding interventions by the Central Bank and the Government to ease tight foreign exchange market conditions;

**BE IT RESOLVED** that this Senate call on the Government to table in Parliament, within six (6) months, a comprehensive policy framework that will guide key stakeholders, including MSMEs, on how the Government intends to navigate the worsening foreign exchange market to overcome downside risks in the medium term.

**(By Senator Amrita Deonarine)**

- (v) **WHEREAS** on April 24, 2018 the Senate unanimously passed a resolution calling on the Government "... to introduce legislation on parliamentary autonomy during the Fourth Session of the Eleventh Parliament and have same referred to a Joint Select Committee of Parliament for consideration and report before the end of the Fourth Session of the Eleventh Parliament";

**AND WHEREAS** on February 12, 2019, in the Senate, the Attorney General committed to making best efforts to have legislation on Parliamentary Autonomy introduced in the Fourth Session of the Eleventh Parliament;

**AND WHEREAS** to date the Government has not presented to Parliament a legislative framework on Parliamentary Autonomy;

**BE IT RESOLVED** that the Senate call on the Government to reaffirm its commitment to introduce a legislative framework on Parliamentary Autonomy;

**AND BE IT FURTHER RESOLVED** that the Senate call on the Government to introduce in Parliament, within three (3) months, a Bill on Parliamentary Autonomy and have same referred to a Joint Select Committee of Parliament for consideration and report.

**(By Senator Wade Mark)**

- (vi) **WHEREAS** it is provided by section 1(2) of the Data Protection Act 2011 that the Act shall come into operation on such day as is fixed by the President by Proclamation;

**AND WHEREAS** Part 1 and sections 7 to 18, 22, 23, 25(1), 26 and 28 of the Act were operationalised on January 06, 2012 and section 42(a) and (b) were operationalised on August 20, 2021;

**AND WHEREAS** there are other sections of the Act that offer the necessary checks and balances in safeguarding the personal data/information of every citizen;

**BE IT RESOLVED** that the Senate call on the Government to immediately proclaim the remaining sections of the Data Protection Act and in the process ensure the necessary checks and balances aimed at safeguarding citizens' fundamental right to privacy.

**(By Senator Wade Mark)**

- (vii) **WHEREAS** the Senate, as a House of Parliament, ought to afford Members such freedom of debate so as to allow full, frank and meaningful discussion within the constraints of the Standing Orders and well established parliamentary practice;

**AND WHEREAS** the position and authority of the President of the Senate ought not to be used in a partisan manner to prevent and or stymie criticism of the Government;

**AND WHEREAS** the Senate President is the servant of the Senate and not of the Government and as such ought to be impartial at all times;

**AND WHEREAS** the President of the Senate by her rulings has demonstrated her bias in favor of the PNM Government and her lack of understanding of the nature and role of the Office of President of the Senate;

**AND WHEREAS** by her actions the Senate President has stifled the freedom of debate guaranteed by the Constitution and thus brought this Senate into disrepute;

**BE IT RESOLVED** that this Senate declare that it has lost confidence in the President of the Senate, Senator the Honourable Christine Kangaloo.

**(By Senator Wade Mark)**

## **GOVERNMENT BUSINESS**

### **Bills Second Reading:**

- (i) A Bill entitled, 'An Act to provide for the designation, development, operation and management of Special Economic Zones, the establishment of the Special Economic Zones Authority, the repeal of the Free Zones Act, Chap. 81:07, the regulation of Special Economic Zones and matters related thereto.

**(By the Attorney General)**

- (ii) A Bill entitled, 'An Act to repeal the Livestock and Livestock Products Board Act, Chap. 67:05'.

**(By the Minister of Agriculture, Land and Fisheries)**

**Brian Caesar**  
**Clerk of the Senate (Ag.)**

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

**November 18, 2021**



**SENATE OF THE REPUBLIC OF TRINIDAD AND TOBAGO**

**EIGHTH SITTING, SECOND SESSION (2021/2022)**

**TWELFTH PARLIAMENT**

**TUESDAY NOVEMBER 23, 2021 AT 1:30 P.M.**

**NOTICE OF URGENT QUESTIONS**

The under-mentioned Question which has been accepted by the President in accordance with Standing Order 25 is hereby forwarded for the attention of the Minister concerned.

1. **TO THE MINISTER OF HEALTH**  
**(By Senator Wade Mark)**

Can the Minister indicate when health care workers who are eligible for receiving the additional dose of the COVID-19 vaccine will receive same?

Senate Secretariat  
Office of the Parliament  
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November 23, 2021