



SENATE OF THE REPUBLIC OF TRINIDAD AND TOBAGO

**ORDER PAPER**

THIRTEENTH SITTING, SECOND SESSION (2021/2022)

TWELFTH PARLIAMENT

TUESDAY JANUARY 18, 2022 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 Auditor General to the Third Report of the Public Administration and Appropriation Committee on the implementation of the recommendations of the Twenty-Fourth Report of the PAAC on the examination into the processing of the payment of Pensions and Gratuities of Retired Public Officers and Contracted Employees.  
**(By the Minister of Finance)**
  - (ii) The Ministerial Response of the Ministry of Finance to the Fourth Report of the Public Accounts (Enterprises) Committee on the Examination of the Audited Financial Statements of the National Information and Communication Technology Company Limited (iGovTT) for the financial years 2015 to 2019.  
**(By the Minister of Finance)**
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. 23 to the Minister of National Security**

**(By Senator Wade Mark)**

In light of the quarantining of nine (9) police officers at the Valencia police station, can the Minister advise as to what measures are being put in place to safeguard officers performing duties at police stations?

**Question No. 24 to the Minister of Health**

**(By Senator Wade Mark)**

Can the Minister outline the monitoring systems put in place for persons who have tested positive for COVID-19 and have been ordered to home quarantine by the Ministry?

**Question No. 36 to the Minister of Housing and Urban Development**

**(By Senator Wade Mark)**

In light of the deteriorating infrastructure affecting the homes of several residents at the Vieux Fort, St. James HDC Development, can the Minister indicate what measures are being taken to address same?

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

**GOVERNMENT BUSINESS**

**Bills Second Reading:**

- (i) 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)**
- (ii) A Bill entitled, 'An Act to provide for the establishment of the National Academy for the Performing Arts and for the management and control thereof and for related matters'.  
**(By the Minister of Tourism, Culture and the Arts)**
- (iii) A Bill entitled, 'An Act to provide for the establishment of the Southern Academy for the Performing Arts and for the management and control thereof and for related matters'.  
**(By the Minister of Tourism, Culture and the Arts)**

**Motions:**

- (i) **WHEREAS** it is provided by section 63 of the Public Procurement and Disposal of Public Property Act, 2015 (hereinafter referred to as "the Act") that the Minister, on the recommendation of the Office of Procurement Regulation, may make Regulations to give effect to the provisions of the Act;  
**AND WHEREAS** it is provided by section 63(3), that Regulations made under the Act shall be subject to affirmative resolution of Parliament;

**AND WHEREAS** the Minister of Finance, on the recommendation of the Office of Procurement Regulation, caused the Public Procurement and Disposal of Public Property (Record of Procurement Proceedings) (No. 2) Regulations, 2021 to be prepared;

**AND WHEREAS** the Public Procurement and Disposal of Public Property (Record of Procurement Proceedings) (No. 2) Regulations, 2021 were laid in the House of Representatives on the 13th day of December, 2021;

**AND WHEREAS** it is expedient that the Public Procurement and Disposal of Public Property (Record of Procurement Proceedings) (No. 2) Regulations, 2021 now be affirmed:

**BE IT RESOLVED** that the Public Procurement and Disposal of Public Property (Record of Procurement Proceedings) (No. 2) Regulations, 2021 be approved.

**(By the Minister of Finance)**

- (ii) **WHEREAS** it is provided by section 63 of the Public Procurement and Disposal of Public Property Act, 2015 (hereinafter referred to as “the Act”) that the Minister, on the recommendation of the Office of Procurement Regulation, may make Regulations to give effect to the provisions of the Act;

**AND WHEREAS** it is provided by section 63(3), that Regulations made under the Act shall be subject to affirmative resolution of Parliament;

**AND WHEREAS** the Minister of Finance, on the recommendation of the Office of Procurement Regulation, caused the Public Procurement and Disposal of Public Property (Challenge Proceedings) (No. 2) Regulations, 2021 to be prepared;

**AND WHEREAS** the Public Procurement and Disposal of Public Property (Challenge Proceedings) (No. 2) Regulations, 2021 were laid in the House of Representatives on the 13th day of December, 2021;

**AND WHEREAS** it is expedient that the Public Procurement and Disposal of Public Property (Challenge Proceedings) (No. 2) Regulations, 2021 now be affirmed:

**BE IT RESOLVED** that the Public Procurement and Disposal of Public Property (Challenge Proceedings) (No. 2) Regulations, 2021 be approved.

**(By the Minister of Finance)**

- (iii) **WHEREAS** it is provided by section 63 of the Public Procurement and Disposal of Public Property Act, 2015 (hereinafter referred to as “the Act”) that the Minister, on the recommendation of the Office of Procurement Regulation, may make Regulations to give effect to the provisions of the Act;

**AND WHEREAS** it is provided by section 63(3), that Regulations made under the Act shall be subject to affirmative resolution of Parliament;

**AND WHEREAS** the Minister of Finance, on the recommendation of the Office of Procurement Regulation, caused the Public Procurement and Disposal of Public Property (Ineligibility Proceedings) (No. 2) Regulations, 2021 to be prepared;

**AND WHEREAS** the Public Procurement and Disposal of Public Property (Ineligibility Proceedings) (No. 2) Regulations, 2021 were laid in the House of Representatives on the 13th day of December, 2021;

**AND WHEREAS** it is expedient that the Public Procurement and Disposal of Public Property (Ineligibility Proceedings) (No. 2) Regulations, 2021 now be affirmed:

**BE IT RESOLVED** that the Public Procurement and Disposal of Public Property (Ineligibility Proceedings) (No. 2) Regulations, 2021 be approved.

**(By the Minister of Finance)**

- (iv) **WHEREAS** it is provided by section 63 of the Public Procurement and Disposal of Public Property Act, 2015 (hereinafter referred to as “the Act”) that the Minister, on the recommendation of the Office of Procurement Regulation, may make Regulations to give effect to the provisions of the Act;

**AND WHEREAS** it is provided by section 63(3), that Regulations made under the Act shall be subject to affirmative resolution of Parliament;

**AND WHEREAS** the Minister of Finance, on the recommendation of the Office of Procurement Regulation, caused the Public Procurement and Disposal of Public Property (Retention and Disposal of Personal Property) (No. 2) Regulations, 2021 to be prepared;

**AND WHEREAS** the Public Procurement and Disposal of Public Property (Retention and Disposal of Personal Property) (No. 2) Regulations, 2021 were laid in the House of Representatives on the 13th day of December, 2021;

**AND WHEREAS** it is expedient that the Public Procurement and Disposal of Public Property (Retention and Disposal of Personal Property) (No. 2) Regulations, 2021 now be affirmed:

**BE IT RESOLVED** that the Public Procurement and Disposal of Public Property (Retention and Disposal of Personal Property) (No. 2) Regulations, 2021 be approved.

**(By the Minister of Finance)**

- (v) **WHEREAS** it is provided by section 63 of the Public Procurement and Disposal of Public Property Act, 2015 (hereinafter referred to as “the Act”) that the Minister, on the recommendation of the Office of Procurement Regulation, may make Regulations to give effect to the provisions of the Act;

**AND WHEREAS** it is provided by section 63(3), that Regulations made under the Act shall be subject to affirmative resolution of Parliament;

**AND WHEREAS** the Minister of Finance, on the recommendation of the Office of Procurement Regulation, caused the Public Procurement and Disposal of Public Property (Miscellaneous) (No. 2) Regulations, 2021 to be prepared;

**AND WHEREAS** the Public Procurement and Disposal of Public Property (Miscellaneous) (No. 2) Regulations, 2021 were laid in the House of Representatives on the 13th day of December, 2021;

**AND WHEREAS** it is expedient that the Public Procurement and Disposal of Public Property (Miscellaneous) (No. 2) Regulations, 2021 now be affirmed:

**BE IT RESOLVED** that the Public Procurement and Disposal of Public Property (Miscellaneous) (No. 2) Regulations, 2021 be approved.

**(By the Minister of Finance)**

- (vi) **WHEREAS** it is provided by section 63 of the Public Procurement and Disposal of Public Property Act, 2015 (hereinafter referred to as “the Act”) that the Minister, on the recommendation of the Office of Procurement Regulation, may make Regulations to give effect to the provisions of the Act;

**AND WHEREAS** it is provided by section 63(3), that Regulations made under the Act shall be subject to affirmative resolution of Parliament;

**AND WHEREAS** the Minister of Finance, on the recommendation of the Office of Procurement Regulation, caused the Public Procurement and Disposal of Public Property (Evaluation) (No. 2) Regulations, 2021 to be prepared;

**AND WHEREAS** the Public Procurement and Disposal of Public Property (Evaluation) (No. 2) Regulations, 2021 were laid in the House of Representatives on the 13th day of December, 2021;

**AND WHEREAS** it is expedient that the Public Procurement and Disposal of Public Property (Evaluation) (No. 2) Regulations, 2021 now be affirmed:

**BE IT RESOLVED** that the Public Procurement and Disposal of Public Property (Evaluation) (No. 2) Regulations, 2021 be approved.

**(By the Minister of Finance)**

- (vii) **WHEREAS** it is provided by section 63 of the Public Procurement and Disposal of Public Property Act, 2015 (hereinafter referred to as “the Act”) that the Minister, on the recommendation of the Office of Procurement Regulation, may make Regulations to give effect to the provisions of the Act;

**AND WHEREAS** it is provided by section 63(3), that Regulations made under the Act shall be subject to affirmative resolution of Parliament;

**AND WHEREAS** the Minister of Finance, on the recommendation of the Office of Procurement Regulation, caused the Public Procurement and Disposal of Public Property (Participation in Procurement) (No. 2) Regulations, 2021 to be prepared;

**AND WHEREAS** the Public Procurement and Disposal of Public Property (Participation in Procurement) (No. 2) Regulations, 2021 were laid in the House of Representatives on the 13th day of December, 2021;

**AND WHEREAS** it is expedient that the Public Procurement and Disposal of Public Property (Participation in Procurement) (No. 2) Regulations, 2021 now be affirmed:

**BE IT RESOLVED** that the Public Procurement and Disposal of Public Property (Participation in Procurement) (No. 2) Regulations, 2021 be approved.

**(By the Minister of Finance)**

- (viii) **WHEREAS** it is provided by section 63 of the Public Procurement and Disposal of Public Property Act, 2015 (hereinafter referred to as “the Act”) that the Minister, on the recommendation of the Office of Procurement Regulation, may make Regulations to give effect to the provisions of the Act;

**AND WHEREAS** it is provided by section 63(3), that Regulations made under the Act shall be subject to affirmative resolution of Parliament;

**AND WHEREAS** the Minister of Finance, on the recommendation of the Office of Procurement Regulation, caused the Public Procurement and Disposal of Public Property (Pre-Qualification and Pre-Selection) (No. 2) Regulations, 2021 to be prepared;

**AND WHEREAS** the Public Procurement and Disposal of Public Property (Pre-Qualification and Pre-Selection) (No. 2) Regulations, 2021 were laid in the House of Representatives on the 13th day of December, 2021;

**AND WHEREAS** it is expedient that the Public Procurement and Disposal of Public Property (Pre-Qualification and Pre-Selection) (No. 2) Regulations, 2021 now be affirmed:

**BE IT RESOLVED** that the Public Procurement and Disposal of Public Property (Pre-Qualification and Pre-Selection) (No. 2) Regulations, 2021 be approved.

**(By the Minister of Finance)**

- (ix) **WHEREAS** it is provided by section 63 of the Public Procurement and Disposal of Public Property Act, 2015 (hereinafter referred to as “the Act”) that the Minister, on the recommendation of the Office of Procurement Regulation, may make Regulations to give effect to the provisions of the Act;

**AND WHEREAS** it is provided by section 63(3), that Regulations made under the Act shall be subject to affirmative resolution of Parliament;

**AND WHEREAS** the Minister of Finance, on the recommendation of the Office of Procurement Regulation, caused the Public Procurement and Disposal of Public Property (Procurement Methods and Procedures) (No. 2) Regulations, 2021 to be prepared;

**AND WHEREAS** the Public Procurement and Disposal of Public Property (Procurement Methods and Procedures) (No. 2) Regulations, 2021 were laid in the House of Representatives on the 13th day of December, 2021;

**AND WHEREAS** it is expedient that the Public Procurement and Disposal of Public Property (Procurement Methods and Procedures) (No. 2) Regulations, 2021 now be affirmed:

**BE IT RESOLVED** that the Public Procurement and Disposal of Public Property (Procurement Methods and Procedures) (No. 2) Regulations, 2021 be approved.

**(By the Minister of Finance)**

- (x) **WHEREAS** it is provided by section 63 of the Public Procurement and Disposal of Public Property Act, 2015 (hereinafter referred to as “the Act”) that the Minister, on the recommendation of the Office of Procurement Regulation, may make Regulations to give effect to the provisions of the Act;

**AND WHEREAS** it is provided by section 63(3), that Regulations made under the Act shall be subject to affirmative resolution of Parliament;

**AND WHEREAS** the Minister of Finance, on the recommendation of the Office of Procurement Regulation, caused the Public Procurement and Disposal of Public Property (Procurement of Consultants) (No. 2) Regulations, 2021 to be prepared;

**AND WHEREAS** the Public Procurement and Disposal of Public Property (Procurement of Consultants) (No. 2) Regulations, 2021 were laid in the House of Representatives on the 13th day of December, 2021;

**AND WHEREAS** it is expedient that the Public Procurement and Disposal of Public Property (Procurement of Consultants) (No. 2) Regulations, 2021 now be affirmed:

**BE IT RESOLVED** that the Public Procurement and Disposal of Public Property (Procurement of Consultants) (No. 2) Regulations, 2021 be approved.

**(By the Minister of Finance)**

### **PRIVATE MEMBERS' BUSINESS**

#### **Motions:**

- (i) **The debate on the following Motion which was in progress when the Senate adjourned on Tuesday November 23, 2021 will be resumed:**

**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)**

(viii) **WHEREAS** it is provided by section 123(2) of the Constitution that the Commissioner and Deputy Commissioner of Police be selected by criteria and procedure prescribed by Order of the President subject to negative resolution of Parliament;

**AND WHEREAS** the Commissioner of Police and Deputy Commissioner of Police (Selection Process) (No. 2) Order, 2021 and the Commissioner of Police and Deputy Commissioner of Police (Selection Process) (No. 2) (Amendment) Order, 2021, were published on November 25 and 26, 2021 by Legal Notices Nos. 277 and 278 respectively;

**AND WHEREAS** the Orders, among other things, significantly diminish the role of the Police Service Commission;

**BE IT RESOLVED** that the Commissioner of Police and Deputy Commissioner of Police (Selection Process) (No. 2) Order, 2021 and the Commissioner of Police and Deputy Commissioner of Police (Selection Process) (No. 2) (Amendment) Order, 2021 be annulled.

**(By Senator Wade Mark)**

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

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

**January 13, 2022**



**ORDER PAPER TUESDAY JANUARY 18, 2022**  
**QUESTIONS FOR WRITTEN ANSWER**

**\*Question No. 45 to the Minister of Finance**

**(By Senator Wade Mark)**

In light of the provisions of the Finance (No.2) Act 2016 and the recent amendments to the Income Tax Act concerning exemptions from income tax in relation to income derived from the letting or sale of a multi-family dwelling, can the Minister provide the following information, for the period November 2016 to November 2021:

- (i) the number of applications for exemptions received from companies/owners of companies;
- (ii) the names of the companies/owners/beneficial owners accessing said exemptions; and
- (iii) the total income the taxpayers had to forego as a result of these exemptions for companies/owners/beneficial owners?

**(Answer due by 30.12.2021)**

**\*Question No. 46 to the Minister of Housing and Urban Development**

**(By Senator Wade Mark)**

As regard the provisions of the Finance (No.2) Act 2016 and the recent amendments to the Income Tax Act, regarding exemptions related to the construction of multi-family dwelling, can the Minister provide the following information for the period November 2016 to November 2021:

- (i) the names of the companies/owners/beneficial owners who have been issued with certificates by the Ministry in support of said exemptions;
- (ii) the locations of the construction of the multi-family dwelling projects related to (i); and
- (iii) the total value of exemptions enjoyed by each company/owner/ beneficial owner?

**(Answer due by 30.12.2021)**

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

**January 13, 2022**

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\* Questions Nos. 45 and 46 were deferred for two weeks on 11.01.2022