



SENATE OF THE REPUBLIC OF TRINIDAD AND TOBAGO

ORDER PAPER

TWENTY-FIFTH SITTING, SECOND SESSION (2021/2022)

TWELFTH PARLIAMENT

TUESDAY MAY 17, 2022 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
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. 78 to the Social Development and Family Services

(By Senator Wade Mark)

Given the dislocation of residents at Diamond Road, Claxton Bay following massive landslides in September 2021, can the Minister provide a status report on the measures being taken to assist these residents in locating alternative accommodation and receiving compensation?

Question No. 82 to the Minister of Works and Transport

(By Senator Wade Mark)

Can the Minister state the causes of the collapse of the road at Mosquito Creek on the weekend of January 23, 2022?

Question No. 83 to the Minister of Works and Transport

(By Senator Wade Mark)

Given the collapse of a piece of the roadway at Mosquito Creek over the weekend of January 23, 2022, can the Minister state whether action will be taken against the contractor as well as NIDCO?

Question No. 145 to the Minister of Finance

(By Senator Charrise Seepersad)

Can the Minister advise whether the Compliance Unit at the National Insurance Board will provide education and training to employers in cases where it is determined that non-compliance by those employers was not deliberate?

Question No. 146 to the Minister of Finance

(By Senator Charrise Seepersad)

Given that the minimum NIS pension was increased over time from \$1,000 to \$3,000, which caused the National Insurance Board to subsidise this shortfall by approximately \$20B as at 2022, can the Minister state how the Government will address this issue?

Question No. 147 to the Minister of Finance

(By Senator Charrise Seepersad)

Can the Minister state whether consideration is being given to adjusting the investment rules of the National Insurance Board to increase the percentage allowed for foreign asset investments?

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) **The debate on the Second reading of the following Bill which was in progress when the Senate adjourned on Tuesday May 10, 2022 will be resumed:**
A Bill entitled, 'An Act to provide for the regulatory control of the handling of cannabis for certain purposes, the establishment of the Trinidad and Tobago Cannabis Licensing Authority and connected matters'.
(By the Attorney General)
- (ii) **The debate on the Second reading of the following Bill which was adjourned on Tuesday January 18, 2022 will be resumed:**
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)
- (iii) A Bill entitled, 'An Act to amend the Sexual Offences Act, Chap. 11:28 and for other related matters'.
(By the Attorney General)

PRIVATE MEMBERS' BUSINESS

Motions:

- (i) **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)
- (ii) **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)
- (iii) **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)

- (iv) **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)

- (v) **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)

Bills Second Reading:

- (i) A Bill entitled, 'An Act to amend the Soroptimist Club of Port-of-Spain (Incorporation) Act, 1972 (Act No. 26 of 1972)'.

(The President of the Senate will propose the question that the Bill be read a Second Time)

- (ii) A Bill entitled, 'An Act to amend the Trinidad and Tobago Association for Retarded Children Ordinance, 1961 (Ordinance No. 15 of 1961)'.

(The President of the Senate will propose the question that the Bill be read a Second Time)

Keiba Jacob Mottley
Clerk of the Senate (Ag.)

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

May 11, 2022

ORDER PAPER TUESDAY MAY 17, 2022
QUESTIONS FOR WRITTEN ANSWER

Question No. 160 to the Minister of Public Utilities

(By Senator Wade Mark)

Can the Minister provide the names of the contractors engaged by the Trinidad and Tobago Electricity Commission (T&TEC) to prune vegetation, particularly trees, along the Commission's various transmission right of way corridors for the period January 1, 2020 to April 30, 2022?

(Answer due by 07.06.2022)

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NOTICE OF URGENT QUESTIONS

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

1. **TO THE PRIME MINISTER**

(By Senator Wade Mark)

In light of reports of abuse at the Heliport detention facility in Chaguaramas, will the Government be taking immediate steps to have three children immediately removed from the facility and placed in the care of the Children's Authority?

2. **TO THE MINISTER OF PUBLIC UTILITIES**

(By Senator Wade Mark)

Can the Minister indicate when will the water supply from the Navet Water Treatment Plant to thousands of residents of the South Eastern peninsula of Trinidad be restored?

Brian Caesar
Clerk of the Senate (Ag.)

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