



SENATE OF THE REPUBLIC OF TRINIDAD AND TOBAGO

ORDER PAPER

THIRTY-SECOND SITTING, SECOND SESSION (2021/2022)

TWELFTH PARLIAMENT

THURSDAY JUNE 23, 2022 AT 2:30 P.M.

1. PRAYER
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 Oral Answer

Question No. 114 to the Minister of Education

(By Senator Wade Mark)

Given the resumption of face to face classes, can the Minister state whether online classes will still be utilized to address the concerns of parents not wanting to send their children to school in light of the high number of COVID-19 cases?

Question No. 115 to the Minister of Education

(By Senator Wade Mark)

In light of the negative psychological impacts of the online learning experience on some students, such as fatigue, social isolation, anxiety and stress, can the Minister indicate whether the Government will implement any measures to address these negative impacts?

Question No. 116 to the Minister of Public Utilities

(By Senator Wade Mark)

Can the Minister provide the reason(s) for the absence of a potable water supply for the residents of East Port-of-Spain during January and February 2022?

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

Motions:

- (i) **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 public purposes;

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, 2022 was made by the President under section 5(1) of the Act as Legal Notice No. 77 dated the 6th day of April, 2022;

AND WHEREAS it is expedient to approve the said Order;

BE IT RESOLVED that the Land Acquisition (Requisition) Order, 2022 be approved.

(By the Minister of Agriculture, Land and Fisheries)

Bills Second Reading:

- (i) A Bill entitled, ‘An Act to amend the Sexual Offences Act, Chap. 11:28 and for other related 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)

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 Sexual Offences (Amendment) (No. 3) Bill, 2021.
(By Senator the Hon. Reginald Armour, SC)

PRIVATE MEMBERS' BUSINESS

Motions:

- (i) **The debate on the following Motion which was in progress when the Senate adjourned on Wednesday May 25, 2022 will be resumed:**

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)

- (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** 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)

- (iv) **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)

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

**Senate Secretariat
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PORT OF SPAIN**

June 21, 2022



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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 NATIONAL SECURITY**

(By Senator Paul Richards)

In light of the recent warning issued by the Minister of Health regarding a Monkeypox outbreak globally, can the Minister indicate whether the Government intends to institute immediate travel restrictions to countries where the virus has been detected?

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

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