



HOUSE OF REPRESENTATIVES

SECOND SESSION
TENTH PARLIAMENT

NO. 35
2011/ 2012

ORDER PAPER

FRIDAY JUNE 15, 2012: 1:30 P.M.

PRAYERS

OATH OF ALLEGIANCE OF A NEW MEMBER

ANNOUNCEMENTS BY THE SPEAKER

BILLS BROUGHT FROM THE SENATE

PETITIONS

PAPERS

1. The Audited Financial Statements of the Palo Seco Agricultural Enterprises Limited for the year ended September 30, 2011.
(By the Minister of Finance who will move that the Report be referred to the Public Accounts [Enterprises] Committee)
2. The Audited Financial Statements of the Government Human Resources Services Company Limited for the year ended September 30, 2011.
(By the Minister of Finance who will move that the Report be referred to the Public Accounts [Enterprises] Committee)
3. The Report of the Statutory Authorities' Service Commission for the period 1st October, 2010 to 30th September, 2011.
(By the Deputy Speaker)
4. The First Annual Report of the Police Complaints Authority of Trinidad and Tobago (PCA) for the period December 29, 2010 to September 30, 2011.
(By the Minister of Justice)

PRESENTATION OF REPORTS FROM SELECT COMMITTEES

1. The First Report of the Joint Select Committee established to inquire into and report to Parliament on Municipal Corporations and Service Commissions with the exception of the Judicial and Legal Service Commission.
(By the Minister of Legal Affairs)

2. The Third Report of the Joint Select Committee established to inquire into and report to Parliament on Ministries (Group I), and to the Statutory Authorities and State Enterprises falling under their purview on the Administration of the Legal Aid and Advisory Authority.

(By the Member for Port of Spain North/St. Ann's West)

3. The Fourth Report of the Joint Select Committee established to inquire into and report to Parliament on Ministries (Group I), and on the Statutory Authorities and State Enterprises falling under their purview on the Administration and Methods of Functioning of the National Schools Dietary Services Limited.

(By the Member for Port of Spain North/ St. Ann's West)

QUESTIONS TO MINISTERS

Questions for Written Answer appear in Appendix I

Questions for Oral Answer

¹Question No. 96 to the Honourable Minister of Finance

(By the Member for Diego Martin North/East)

Could the Minister state what were the percentage increases in basic salary for workers at Petrotrin, TSTT and T&TEC for each year over the period January 2006 to March 2012?

²Question No. 97 to the Honourable Minister of Finance

(By the Member for Diego Martin North/East)

Could the Minister state, without naming the office holders, the total compensation package, inclusive of salary and all allowances, as of April 12, 2012, paid to the Chief Executive Officer or equivalent office in the following State Enterprises/State Companies/Statutory Authorities:

- i) First Citizens Bank Limited;
- ii) Trinidad and Tobago National Petroleum Marketing Company Limited;
- iii) Tourism Development Company Limited;
- iv) Government Information Services Limited;
- v) Evolving TecKnologies and Enterprise Development Company Limited
- vi) Petroleum Company of Trinidad and Tobago
- vii) Caribbean Airlines Limited
- viii) Trinidad and Tobago Electricity Commission
- ix) Telecommunications Services of Trinidad and Tobago
- x) Airport Authority of Trinidad and Tobago
- xi) National Gas Company of Trinidad and Tobago
- xii) Urban Development Corporation of Trinidad and Tobago
- xiii) National Infrastructure Development Company Limited

¹ Questions Nos. 96 and 97 were deferred for two (2) weeks on Monday June 04, 2012 having first deferred on May 11, 2012 and secondly on Friday May 25, 2012.

3Question No. 98 to the Honourable Minister of Tobago Development

(By the Member for Laventille East/Morvant)

- A. Could the Minister state the total amount expended by the Ministry of Tobago Development for expenses of the Minister, family members and staff associated with her, incurred at the Crowne Plaza Hotel, Trinidad from June 2010 to the present?
- B. Could the Minister provide a breakdown of this sum indicating the total spent on:
- i) Accommodation;
 - ii) Telephone;
 - iii) Meals; and
 - iv) Entertainment?

Question No. 99 to the Honourable Minister of Housing and the Environment

(By the Member for Laventille East/Morvant)

- A. Has permanent housing arrangements in Trinidad been provided to the Minister of Tobago Development by the State, and if so on what date were those arrangements put in place?
- B. Can the Minister indicate the date on which the Minister of Tobago Development took possession of the keys for the house provided to her by the State, for her accommodation while in Trinidad?

Question No. 100 to the Honourable Minister of Tobago Development

(By the Member for Laventille East/Morvant)

- A. Has the Minister incurred any expenses with regards to the outfitting of any official office in Tobago?
- B. If the answer is in the affirmative, could the Minister state:
- i) the total cost incurred and the purposes for which the costs were incurred?
 - ii) what was the procurement process utilized in selecting a contractor for the services obtained?

Question No. 103 to the Honourable Minister of National Security

(By the Member for Laventille East/Morvant)

Could the Minister advise:

- a) whether in addition to the salary of \$108,992 which he is paid each month pursuant to a fixed term contract with the Government of Trinidad and Tobago, the Commissioner of Police Dr. Dwayne Gibbs is also in receipt of the \$1,000 monthly special tax free duty allowance recently added to the remuneration package of Police Officers;
- b) whether in addition to the salary of \$104,000 which he is paid each month pursuant to a fixed term contract with the Government of Trinidad and Tobago, Deputy Commissioner of Police Mr. Jack Ewatski is also in receipt of the \$1,000 monthly special tax free duty allowance recently added to the remuneration package of Police Officers?

³Questions Nos. 98 to 100 were deferred for two (2) weeks on Monday June 04, 2012.

Question No. 104 to the Honourable Minister of National Security

(By the Member for Laventille East/Morvant)

Could the Minister advise:

- a) whether the Commissioner of Police has retained private counsel at the expense of the State?
- b) if the answer is in the affirmative, can the Minister list all the purposes for which such private counsel has been retained by the Commissioner of Police?

Question No. 105 to the Honourable Minister of Trade and Industry

(By the Member for Port of Spain South)

Could the Minister state:

- i) all foreign countries he has travelled to since assuming office from May 2010 to present;
- ii) the total cost of each foreign trip including airfare, hotel accommodation, per diem, meals and other incidental costs?

Question No. 106 to the Honourable Minister of Gender, Youth and Child Development

(By the Member for Port of Spain South)

Could the Minister state when will the St. James Youth Centre be opened for use?

Question No. 107 to the Honourable Minister of Food Production, Land and Marine Affairs

(By the Member for La Brea)

Could the Minister state:

- a) when will the La Brea Fish Market be renovated and refurbished;
- b) the name of the contractor who was awarded the contract for these works;
- c) the cost of the contract;
- d) the date for the commencement of the said works?

Question No. 108 to the Honourable Minister of Food Production, Land and Marine Affairs

(By the Member for La Brea)

Could the Minister state:

- a) when will the La Brea Fishing Port at Point Sable Road, La Brea will be upgraded;
- b) the name of the contractor who was awarded the contract for these works;
- c) the cost of the said contract;
- d) the date for the commencement of the said upgrade?

Question No. 109 to the Honourable Minister of Food Production, Land and Marine Affairs

(By the Member for La Brea)

Could the Minister state:

- a) when will the La Brea Provision and Vegetable Market be renovated and refurbished;
- b) the name of the contractor who was awarded the contract for these works;
- c) the cost of the said contract;
- d) the date for the commencement of said works?

REQUESTS FOR LEAVE TO MOVE THE ADJOURNMENT OF THE HOUSE ON
DEFINITE MATTERS OF URGENT PUBLIC IMPORTANCE

STATEMENTS BY MINISTERS

PERSONAL EXPLANATIONS

INTRODUCTION OF BILLS

MOTIONS RELATING TO THE BUSINESS OR SITTINGS OF THE HOUSE AND MOVED
BY A MINISTER OR PARLIAMENTARY SECRETARY

PUBLIC BUSINESS

GOVERNMENT BUSINESS

Motions:

1. **BE IT RESOLVED** that the Senate Amendments to the Children Bill, 2012 listed in Appendix II be now considered.

(By the Minister of Gender, Youth and Child Development)

2. **WHEREAS** it is provided by section 56(1)(a) of the Customs Act, Chap. 78:01 that the House of Representatives may, from time to time, by Resolution provide that any class of goods specified in the Resolution shall be exempt from import duties of Customs if the goods are imported or entered for use by any person for any purpose specified in the Resolution during any period to be fixed by the Minister in each particular case, not being a period terminating later than the date prescribed in the Resolution as the last day on which such exemption shall be operative, and subject to such condition as the Minister may impose:

BE IT RESOLVED that the House of Representatives, in accordance with and subject to the provisions of section 56 of the Customs Act, exempt from import duties of customs the classes of goods imported or entered for use in Trinidad and Tobago for the respective purposes set out in the List of Conditional Duty Exemptions in the Third Schedule to the Customs Act for –

- (a) Approved Agriculture, Livestock, Forestry and Fisheries in Part A, subheading II;
- (b) Approved Hotels in Part A, subheading III;
- (c) Approved Mining Purposes in Part A, subheading IV; and
- (d) Other Approved Purposes in Part A, subheading V, from the date of publication to December 31, 2015.

(By the Minister of Trade and Industry)

3. **WHEREAS** it is provided by subsection (3) of section 4 of the Elections and Boundaries Commission (Local Government and Tobago House of Assembly) Act (hereinafter referred to as "the Act"), that as soon as may be after the Elections and Boundaries Commission (hereinafter referred to as "the Commission") has submitted a report under paragraph (a) of subsection (1) of section 4 of the Act, the Minister shall lay before the House of

Representatives for its approval the draft of an Order by the President for giving effect, whether with or without modifications, to the recommendations contained in the report:

AND WHEREAS the Commission has submitted a report to the Minister in accordance with the provisions of subsection (1) of section 4 of the Act:

AND WHEREAS the draft of an Order entitled the "Elections and Boundaries Commission (Local Government and Tobago House of Assembly) (Tobago) Order, 2012" giving effect to the recommendations of the Commission was laid before the House of Representatives on the 4th day of May, 2012:

BE IT RESOLVED that the draft of the "Elections and Boundaries Commission (Local Government and Tobago House of Assembly) (Tobago) Order, 2012" be approved.

(By the Minister of Local Government)

Bills Second Reading:

1. A Bill entitled, "An Act to reform the law providing for the regulation of insurance business and for the other purposes related to or connected with such business and for the regulation of privately administered pension fund plans".

(By the Minister of Finance)

2. A Bill entitled, "An Act to amend the Equal Opportunity Act, Chap. 22:03".

(By the Attorney General)

3. A Bill entitled, "An Act to amend the Motor Vehicles and Road Traffic Act, Chap. 48:50 and the Motor Vehicles and Road Traffic (Enforcement and Administration) Act, Chap. 48:52".

(By the Minister of Transport)

4. A Bill entitled, "An Act to amend the Customs Act, Chap. 78:01 to enhance border control by providing for advance passenger and cargo information to be submitted electronically to the Comptroller of Customs and Excise and for related matters".

(By the Minister of Finance)

5. A Bill entitled, "An Act to repeal and replace the Crown Suits Limitation Ordinance".

(By the Attorney General)

COMMITTEE BUSINESS

Motions:

1. **BE IT RESOLVED** that the House adopt the Second Report of the Joint Select Committee on Parliamentary Accommodation of the Second Session of the Tenth Parliament (2011/2012).

(By the Minister of Trade and Industry)

2. **BE IT RESOLVED** that the House adopt the Report of the Special Select Committee of the House of Representatives appointed to consider and report on a Private Bill entitled, "An Act for the Incorporation of the Way of Trinidad and Tobago and for matters incidental thereto".

(By the Deputy Speaker)

3. **BE IT RESOLVED** that the House take note of the Interim Report of the Joint Select Committee appointed to consider and report to Parliament on the Legislative Proposals to provide for Public Procurement and Disposal of Public Property and the Repeal and Replacement of the Central Tenders Board Act for the Second Session [2011/2012] Tenth Parliament.

(By the Minister of Planning and the Economy)

PRIVATE BUSINESS

Motions:

1. **The debate on the following motion which was in progress when the House adjourned on Friday May 25, 2012 will be resumed:**

WHEREAS the crime situation in Trinidad and Tobago has continued to escalate, and;

AND WHEREAS the former PNM administration had initiated a number of systems and strategies to deal with the crime situation in Trinidad and Tobago, and;

AND WHEREAS the current government of Trinidad and Tobago has taken certain actions to weaken the national security systems and structure in Trinidad and Tobago;

AND WHEREAS the action of the current government has contributed to the escalation of crime in Trinidad and Tobago:

BE IT RESOLVED that this House take note of the systematic dismantling of the national security systems and structures in Trinidad and Tobago and call on the government to cease this action and to take steps to put in place an effective national security system which would have the effect of securing the borders and by extension the citizenry of Trinidad and Tobago to bring about a reduction in crime in Trinidad and Tobago.

(By the Member for Laventille East/Morvant)

2. **The debate on the following motion which was adjourned on Friday November 25, 2011 will be resumed:**

WHEREAS the Government of Trinidad and Tobago has given a commitment to provide all students, from Early Childhood, to the Primary and Secondary levels, with all core textbooks and work books at no cost to parents;

AND WHEREAS the Ministry of Education has reneged on this commitment in September 2011 by neglecting to provide sufficient and timely replacements for books lost or damaged, thereby placing an unexpected hardship on parents:

BE IT RESOLVED that this Government take all necessary steps to ensure that students are properly equipped with their school books for a quality education from ECCE to Secondary, in accordance with the commitment that has been given since 2004.

(By the Member for Port of Spain North/St. Ann's West)

3. **WHEREAS** the Government of the Republic of Trinidad and Tobago is at the service of all of the citizens of Trinidad and Tobago;

AND WHEREAS this Government has committed to the people of Trinidad and Tobago "Prosperity for all", through socio-economic transformation;

AND WHEREAS this Government has targeted the South Western Peninsula for development, within and by 2014, impacting on investment, construction, infrastructure development, jobs, growth and development in the following sectors: port development, fishing, manufacturing, support services and agriculture among others.

BE IT RESOLVED that this House take note of the limited action taken by the Government to meet the targeted development of the South Western Peninsula.

AND BE IT FURTHER RESOLVED that this House mandate the government to issue a clear statement on the steps it intends to take to achieve the commitment to the South Western Peninsula within the timeframe promised.

(By the Member for Point Fortin)

*Jacqui Sampson-Meiguel
Clerk of the House*

*House of Representatives' Secretariat
The Port of Spain International Waterfront Centre
Level 3, Tower D
1 A Wrightson Road
PORT OF SPAIN*

June 08, 2012

APPENDIX I

ORDER PAPER/FRIDAY JUNE 15, 2012

QUESTIONS FOR WRITTEN ANSWER

Question No. 101 to the Honourable Prime Minister

(By the Member for Laventille East/Morvant)

Could the Prime Minister provide a list of all personnel, other than public servants appointed by the Public Service Commission, employed at the Office of the Prime Minister over the period September 1, 2010 to April 30, 2012, and state the total remuneration, inclusive of allowances, in each case and the Cabinet authority for such employment?

Question No. 102 to the Honourable Minister of National Security

(By the Member for Laventille East/Morvant)

Could the Minister provide a list of all personnel employed on contract (short term or long term) at the office of the Commissioner of Police as at April 30, 2012 and state the date of the Cabinet authority under which they have been employed as well as the total remuneration, inclusive of allowances, in each case?

THE CHILDREN BILL, 2012

**List of Amendments made in the Senate at the Committee Stage of the
Children Bill 2012 on Wednesday May 23, 2012**

FIRST COLUMN <i>Clause</i>	SECOND COLUMN <i>Extent of the Amendments</i>
3	<p>A. In the definition of “child pornography” delete all the words after the words “part of a” and substitute the words “or civil proceedings or in the lawful performance of a person’s professional duties and functions;”.</p> <p>B. In the definition of “Children’s Attorney” delete after the word “section” the words “66” and substitute the word “88”.</p> <p>C. In the definition of the word “Court” insert after the word “Magistrate” the word “Court”.</p> <p>D. Delete the definition of “family matter” and substitute the following definition:</p> <p style="padding-left: 40px;">“family matter” means any cause, matter or legal proceeding arising out of any written or other law and connected with a matrimonial, familial or other domestic relationship;”.</p> <p>E. Delete the definition of “Juvenile Court”.</p> <p>F. In the definition of “video recording” insert after the word “produced” the words “or transmitted”.</p> <p>G. In subclause (b), delete subparagraph (i) and substitute the following subparagraph:</p> <p style="padding-left: 40px;">“(i) the person’s purpose in relation to it, is, because of its nature, sexual; or”.</p> <p>H. Delete subclause (3).</p>
4	<p>A. Delete subclause (1), and substitute the following subclause:</p> <p style="padding-left: 20px;">“(1) Where a person has responsibility for a child and –</p> <p style="padding-left: 40px;">(a) the person wilfully assaults, ill-treats, neglects, abandons or exposes the child or causes or procures the child to be assaulted, ill-treated, neglected, abandoned, or exposed in a manner likely to cause that child suffering or injury to his physical, mental or emotional health; or</p> <p style="padding-left: 40px;">(b) an infant under the age of three years dies whilst in bed or any other place with that person and it is proved that</p> <p style="padding-left: 80px;">–</p> <p style="padding-left: 40px;">(i) the death was not caused by disease or any other medical cause; and</p>

	<p style="text-align: center;">(ii) the person was, at the material time under the influence of drink, dangerous drugs or other substances having a similar effect and this resulted in the death of the child, the person commits the offence of cruelty to a child.”.</p> <p>B. Delete subclause (4), and substitute the following subclause:</p> <p style="text-align: center;">“(4) Where a person is charged with an offence under subsection (1), it is a defence for him to prove that, at the material time, he was unable to adequately provide for the child because he suffered from an infirmity of the mind or body.”.</p> <p>C. Insert after subclause (7), the following subclause:</p> <p style="text-align: center;">“(8) Nothing in this section shall be taken as preventing proceedings from being brought against any person in respect of an offence under any written law.”.</p>
5(1)	Delete after the words “begging” the words “or receiving alms or inducing the giving alms” .
6(2)	Delete after the words “respect of an” the word “ indictable” .
7(3)	Delete after the words “respect of an” the word “ indictable” .
8(3)	Delete after the words “respect of an” the word “ indictable” .
10	Delete after the words “of her” the word “own” .
11	Delete the chapeau and substitute the following chapeau: “A person having responsibility for a child who knowingly allows or encourages that child to reside in or to frequent a brothel, as defined in section 2 of the Sexual Offences Act, commits an offence and is liable- ”.
12	A. In subclause (4) – (a) in the chapeau, delete after the words “knowledge of the” the words “parent or guardian of the child” and substitute the words “parent, guardian or person with responsibility for the child” ; and (b) delete paragraph (a), and substitute the following paragraph: “(a) order that the parent, guardian or person with responsibility for the child enter into a recognisance to exercise due care and supervision in respect of the child; or”.
14	A. Renumber clause 14 as clause 14(1). B. In the chapeau of clause 14(1), as renumbered, delete after the word “Tobago” the words “or elsewhere” .

	<p>C. Insert after subclause (1), as renumbered, the following subclause:</p> <p style="text-align: center;">“ (2) Where a national of Trinidad and Tobago does an act in a country outside of Trinidad and Tobago which would, if it had been done in Trinidad and Tobago, constitute an offence under this section, he is liable to the penalty prescribed under subsection (1).”.</p>				
15	<p>A. Renumber clause 15 as clause 15(1).</p> <p>B. In the chapeau of clause 15(1), as renumbered, delete after the word “Tobago” the words “or elsewhere”.</p> <p>C. Insert after subclause (1), as renumbered, the following subclause:</p> <p style="text-align: center;">“ (2) Where a national of Trinidad and Tobago does an act in a country outside of Trinidad and Tobago which would, if it had been done in Trinidad and Tobago, constitute an offence under this section, he is liable to the penalty prescribed under subsection (1).”.</p>				
16	<p>A. Renumber clause 16 as clause 16(1).</p> <p>B. In the chapeau of clause 16(1), as renumbered, delete after the word “Tobago” the words “or elsewhere”.</p> <p>C. Insert after subclause (1), as renumbered, the following subclause:</p> <p style="text-align: center;">“ (2) Where a national of Trinidad and Tobago does an act in a country outside of Trinidad and Tobago which would, if it had been done in Trinidad and Tobago, constitute an offence under this section, he is liable to the penalty prescribed under subsection (1).”.</p>				
22	Delete after the words “imprisonment for” the words “twenty-five years” and substitute the word “life”.				
27	Delete all the words after the words “they are” and substitute the words “or believed on reasonable grounds that they were lawfully married to each other.”.				
33	<p>Delete and substitute the following clauses:</p> <p>“</p> <table style="width: 100%; border: none;"> <tr> <td style="vertical-align: top; width: 30%;">Power of Arrest</td> <td>33. A constable may take into custody, without warrant, a person who has committed, or who the constable has reason to believe has committed an offence under section 18 or 19(3).</td> </tr> <tr> <td style="vertical-align: top;">Powers of constable with respect to child sexual offenders</td> <td> 33A. (1) Where a constable has reasonable cause to believe that a sexual offence has been committed by a child, the constable shall, as soon as practicable, notify – <ul style="list-style-type: none"> (a) the parents, guardian or person with responsibility for the child; (b) the Authority; and (c) the Children’s Attorney. <p style="text-align: center;">(2) A constable referred to in subsection (1) shall make a written report of the action taken under this section to his superior officer within seventy-two hours</p> </td> </tr> </table> <p>”</p>	Power of Arrest	33. A constable may take into custody, without warrant, a person who has committed, or who the constable has reason to believe has committed an offence under section 18 or 19(3).	Powers of constable with respect to child sexual offenders	33A. (1) Where a constable has reasonable cause to believe that a sexual offence has been committed by a child, the constable shall, as soon as practicable, notify – <ul style="list-style-type: none"> (a) the parents, guardian or person with responsibility for the child; (b) the Authority; and (c) the Children’s Attorney. <p style="text-align: center;">(2) A constable referred to in subsection (1) shall make a written report of the action taken under this section to his superior officer within seventy-two hours</p>
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	<p style="text-align: center;">of the taking of such action.”.</p>
<p>38</p>	<p>A. In subclause (1), delete subparagraphs (ii) and (iii) and substitute the following subparagraphs:</p> <p style="padding-left: 40px;">“ (ii) obtain the name, address and contact details of the child or person, and of the parent, guardian or person with responsibility for the child or person; and</p> <p style="padding-left: 40px;">(iii) immediately notify the Authority, who shall contact the parent, guardian or the person with responsibility for the child, forthwith on receiving the information.”</p> <p>B. Delete and substitute the following subclause:</p> <p style="padding-left: 40px;">“(2) A person or child referred to in subsection (1) shall heed the warning of the constable and comply with the request by him for information.”.</p>
<p>40</p>	<p>A. In subclause (1) –</p> <p style="padding-left: 40px;">(a) in the chapeau, insert after the words “person who” the word “knowingly”;</p> <p style="padding-left: 40px;">(b) in paragraph (b), insert after the word “distributes” the words “,transmits”;</p> <p style="padding-left: 40px;">(c) in paragraph (d), delete the word “knowingly”; and</p> <p style="padding-left: 40px;">(d) delete paragraph (e), and substitute the following paragraph:</p> <p style="padding-left: 80px;">“(e) has in his possession or control any child pornography; or”.</p> <p>B. Delete the chapeau of subclause(2) and substitute the following chapeau:</p> <p style="padding-left: 40px;">“(2) For the purposes of subsection (1), a person knowingly distributes child pornography, if he knowingly – ”.</p> <p>C. Delete subclause(3) and substitute the following subclause:</p> <p style="padding-left: 40px;">“(3) Where a person is charged with an offence under subsection (1), it is a defence for him to prove that he had not himself seen the child pornography, or did not know or did not have any cause to suspect it to be child pornography.”.</p> <p>D. In subclause (5) –</p> <p style="padding-left: 40px;">(a) in paragraph (f), delete after the words “pornography;” the word “or”;</p> <p style="padding-left: 40px;">(b) renumber paragraph (g) as paragraph (i); and</p>

	<p>(c) insert after paragraph (f) the following paragraphs:</p> <p style="text-align: center;">“(g) a legal officer involved in the prosecution or defence of a case;</p> <p style="text-align: center;">(h) a teacher or counsellor in the execution of his duties for the purpose of education or counselling; or”; and</p> <p>(d) insert after the word “official” the words “or professional”.</p>
41	Insert after the word “who” the word “intentionally” .
42	<p>A. Delete and substitute the following clause:</p> <p>“</p> <p>Inciting or facilitating child pornography 42. (1) A person who intentionally causes, incites, controls, arranges or facilitates a child’s involvement in pornography in Trinidad and Tobago is liable on conviction on indictment, to imprisonment for twenty years.</p> <p style="text-align: center;">(2) Where a national of Trinidad and Tobago does an act in a country outside of Trinidad and Tobago which would, if it had been done in Trinidad and Tobago, constitute an offence under this section, he is liable to the penalty prescribed under subsection (1).”.</p>
43	<p>A. In subclause(1) –</p> <p>(a) in the chapeau –</p> <p>(i) delete after the words “this Act” the word “and” and substitute the word “or”; and</p> <p>(ii) insert after the words “these Parts” the words “or the Sexual Offences Act”; and</p> <p>(b) . in paragraph (b), delete after the word “is” the words “sixteen years of age or under” and substitute the words “under sixteen years of age”.</p>
44	Delete the word “complainant” wherever it occurs and substitute the words “virtual complainant” .
45	<p>In subclause (1), delete all the words after the words “committed,” and substitute the following words and paragraphs:</p> <p style="text-align: center;">“ and shall notify –</p> <p style="text-align: center;">(a) the Authority; (b) the parent, guardian or the person with responsibility for the child; (c) a Children’s Attorney; and (d) the police.”.</p>

46	<p>A. In subclause (1), delete the chapeau and paragraphs (a) and (b) and substitute the following chapeau and paragraphs:</p> <p style="padding-left: 40px;">“(1) Where a person having responsibility for a child has been -</p> <p style="padding-left: 80px;">(a) convicted of committing an offence under this Act or an offence mentioned in Schedule 1 in respect of that child;</p> <p style="padding-left: 80px;">(b) committed for trial for any such offence; or</p> <p style="padding-left: 80px;">(c) bound over to keep the peace towards such child,”.</p> <p>B. In subclause (2), in the chapeau, delete after the word “during” the word “the” and substitute the word “any”.</p>
50	<p>A. In subclauses (1) and (2), delete after the words “require a” the words “parent or guardian of the child” and substitute the words “parent, guardian or person with responsibility for the child”.</p> <p>B. In subclause (4)(a), delete after the words “custody of a” the words “parent or guardian” and substitute the words “parent, guardian or person with responsibility for the child”.</p> <p>C. In subclause (8), delete after the words “the child,” the words “parent, guardian, or other person” and substitute the words “parent, guardian or person with responsibility for the child”.</p>
51	<p>In paragraph(a), delete all the words after the word “which” and substitute the words “carries a term of imprisonment in excess of five years;”.</p>
52	<p>Delete after the words “accordance with” the words “section 49” and substitute the words “section 51”.</p>
53	<p>Delete after the word “preventing” the words “, so far as practicable,”.</p>
55	<p>A. In subclause (1), delete after the words “Act, his” the words “parent or guardian” and substitute the words “parent, guardian or person with responsibility for him”.</p> <p>B. In subclauses (2) to (5) delete the words “parent or guardian of the child” and “parent or guardian” wherever they occur and substitute the words “parent, guardian or person with responsibility for the child”.</p> <p>C. In subclause (4) in the chapeau, delete after the words “referred to in” the words “section 48(1)” and substitute the words “section 50(1)”.</p> <p>D. In subclause (6) –</p> <p style="padding-left: 40px;">(a) delete after the words “attendance of the” the words “parent or guardian of a child” and substitute the words “parent, guardian or person with responsibility for a child”;</p> <p style="padding-left: 40px;">(b) delete after the word “Court” in the first place where it occurs, the word “shall” and substitute the word</p>

	<p>“may”; and</p> <p>(c) delete after the words “control of his” the words “parent or guardian” and substitute the words “parent, guardian or the person with responsibility for him”.</p>
56	<p>A. In subclause (1) –</p> <p>(a) in the chapeau, delete the words “Where a child is charged and brought before a Court with an offence, the commission of which attracts a fine, damages, or costs,” and substitute the words “Where a child is charged with an offence, the commission of which attracts a fine, damages, or costs and is brought before a Court,”; and</p> <p>(b) delete the words “parent or guardian of the child” and “parent or guardian” wherever they occur and substitute the words “parent, guardian or person with responsibility for the child”.</p> <p>B. In subclause (2), delete after the words “order his” the words “parent or guardian” and substitute the words “parent, guardian or person with responsibility for him”.</p> <p>C. In subclauses (3) to (5), delete the words “the parent or guardian” wherever they occur and substitute the words “the parent, guardian or person with responsibility for the child”.</p> <p>D. In subclauses (4) and (5), delete the words “a parent or guardian” wherever they occur and substitute the words “a parent, guardian or person with responsibility for a child”.</p>
57	<p>A. Delete the words “the parent or guardian of the child”, “the parent or guardian” and “the parent” wherever they occur and substitute the words “the parent, guardian or person with responsibility for the child”.</p> <p>B. In subclauses (2),(3) and (5) delete the words “a parent” and “a parent or guardian” wherever they occur and substitute the words “a parent, guardian or person with responsibility for a child”.</p> <p>C. In subclause (3), insert after the word “enter” the word “into”.</p> <p>D. In subclause (5), delete the words “parent’s or guardian’s” and “parent’s” wherever they occur and substitute the words “parent’s, guardian’s or person’s”.</p>
59	<p>A. In subclause (1)(b), delete after the word “child” the words “who is fourteen years of age or over,”.</p> <p>B. In subclause (2)(g) and (h), delete the words “parent or guardian of the offender” wherever they occur and substitute the words “parent, guardian or person with responsibility for the offender”.</p>
61	<p>Delete after the words “Where a” the words “ parent or guardian of a child” and substitute the words “ parent, guardian or person with responsibility for a child”.</p>

66	<p>A. In subclause (1) –</p> <ul style="list-style-type: none"> (a) in the chapeau, delete after the word “defined” the words “by Part V” and substitute the words “in section 29(3)(c)”; (b) in paragraph (a), insert after the words “Residence;” the word “and”; (c) delete paragraph(b);and (d) renumber paragraph (c) as paragraph (b). <p>B. Delete subclause (4) and substitute the following subclause:</p> <p>“(4) Where the child is a child offender, the managers of the Community Residence may at anytime, by order in writing made with the approval of the Authority revoke any such licence and order the child offender to return to the Community Residence.”.</p>
68	<p>A. In subclause (1) –</p> <ul style="list-style-type: none"> (a) delete after the words “believing that” the words “his parent or guardian” and substitute the words “the parent, guardian or person with responsibility for the child offender;”; (b) Delete after the words “requiring the” the words “parent or guardian” and substitute the words “the parent, guardian or person with responsibility for him”; (c) insert after the words “the child” the word “offender”. <p>B. In subclause (2), delete after the words “If a” the words “parent or guardian of a child” and substitute the words “ parent, guardian or person with responsibility for a child”.</p>
71	<p>A. In subclause (1), delete after the words “care to a” the words “hospital or asylum” and substitute the words “general hospital or mental hospital”.</p> <p>B. In subclause (2) –</p> <ul style="list-style-type: none"> (a) insert after the words “certifying that the child” the word “offender”; (b) delete after the words “discharged from the” the words “hospital or asylum” and substitute the words “general hospital or mental hospital”; and (c) delete after the words “signed by the”, the words “Chief Medical Officer (Attendant)” and substitute the words “Medical Chief of Staff”.
72	<p>In subclause (1) –</p> <ul style="list-style-type: none"> (a) delete the words “Community Residence” wherever they occur and substitute the words “Rehabilitation Centre”; and (b) delete after the words “order that he be” the words “again sent” and substitute the word “re-committed”.
81	<p>In subclause (5), delete the words “Proceedings in the Juvenile Court” and substitute the words “Proceedings in any Court with respect to sexual offences involving children”.</p>

86	Delete all the words after the words “ fine of ” and substitute the words “ five thousand dollars and to imprisonment for nine months. ”.
87	<p>A. In subclause (1) -</p> <p>(a) delete after the word “Part” the word “may” and substitute the word “shall”; and</p> <p>(b) delete all the words after the word “managers” in the second place where it occurs and substitute a full-stop.</p> <p>B. In subclause (2), delete all the words after the word “managers” and substitute a full-stop.</p>
88	<p>A. In subclause (2), delete after the word “under” the words “Part I” and substitute the words “Parts I and II”.</p> <p>B. Delete subclauses (3) and (4) and substitute the following subclauses:</p> <p style="padding-left: 40px;">“ (3) The Senior Children’s Attorney shall be an attorney-at-law with not less than seven years experience as a family law practitioner.</p> <p style="padding-left: 40px;">“ (4) The Children’s Attorney shall be an attorney-at-law with not less than three years experience as a family law practitioner.”.</p>
89	In subclause (1), delete after the word “ section ” the words “ 66(4) ” and substitute the words “ 88(4) ”.
103	Delete the definition of “ family ”and substitute the following definition: “ family” means a person within the familial relationship as defined in section 32;”.
105	Delete all the words after the word “ undertaking ” in the second place in which it occurs and substitute the words “ ,owned and controlled by members of the same family; and any person who employs any such child, commits an offence. ”.
106	Delete paragraph (b)(iii)and substitute the following subparagraph: “(iii) a programme of guidance or orientation designed to facilitate a choice of an occupation or apprenticeship of any line of training, formal or informal.”.
107	In subclause (3), delete all the words after the words “ fine of ” and substitute the words “ twenty thousand dollars and to imprisonment for one year. ”.
108	In subclause (2), delete after the words “ require a ” the words “ parent or guardian ” and substitute the words “ parent, guardian or person with responsibility for a child. ”.
110	<p>A. Delete after the word “A” the words “parent or guardian” and substitute the words “parent, guardian or person with responsibility for a child”.</p> <p>B. Insert after the word “offence” the words “and is liable on summary conviction to a fine of five thousand dollars.”.</p>

112	<p>A. Delete the words “parent or guardian” in the first and third places where they occur and substitute the words “parent, guardian or person with responsibility for the child”.</p> <p>B. Delete after the words “parent or guardian” in the second place where they occur and substitute the words “parent, guardian or person with responsibility for him”.</p>
114	Delete all the words after the words “ fine of ” and substitute the words “ twenty-five thousand dollars and to imprisonment for three years. ”.
120	In paragraph (a), delete the words “ sections 26 and ” and substitute the word “ section ”.
Schedule 3 new Item 3(g)	<p>A. Renumber paragraphs (g) to (i) as paragraphs (h) to (j).</p> <p>B. Insert after paragraph (f) the following new paragraph:</p> <p style="text-align: center;">“(g) in section 26, insert after the word “Act” the words “or under Parts V, VI or VIII of the Children Act, 2012;”.</p>
Schedule 3 Item 3(j)(b) as renumbered	Insert after the words “ Children Act ” the words “, 2012”.
Schedule 3 Item 6	<p>A. Insert after the chapeau the following paragraph:</p> <p style="text-align: center;">“(a) in section 3, in the definition of “fit person” delete after the word “children” the words “and young persons”;.</p> <p>B. Renumber paragraphs (a) and (b) as paragraphs (b) and (c), respectively.</p>
Schedule 3 Item 8(b)	<p>Delete and substitute the following paragraph:</p> <p style="text-align: center;">“(b) in section 41(b), delete after the words “fit person” the words “under section 23(1)” and substitute the words “as defined in section 3”.</p>
Schedule 3 Item 8(c)	Delete the words “ section 64 ” and substitute the words “ section 66(1) ”.

Senate Secretariat
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