



HOUSE OF REPRESENTATIVES

FIFTH SESSION

NO. 12

TENTH PARLIAMENT

2014/2015

ORDER PAPER

WEDNESDAY NOVEMBER 19, 2014: 1:30 P.M.

PRAYERS

OATH OR AFFIRMATION

ANNOUNCEMENTS BY THE SPEAKER

BILLS BROUGHT FROM THE SENATE

PETITIONS

PAPERS

1. The Audited Financial Statements of National Schools Dietary Services Limited for the financial year ended September 30, 2010.

(By the Minister of Finance and the Economy who will move that the Report be referred to the Public Accounts [Enterprises] Committee)

2. The Response of the Public Service Commission to the First Report (2011/2012) and the Fifth Report (2012/2013) of the Joint Select Committee appointed to inquire into and report to Parliament on Municipal Corporations and Service Commissions on an Evaluation of the Service Commissions and on a Re-Evaluation of the Efficiency and Effectiveness of the Public Service Commission.

(By the Deputy Speaker)

REPORTS FROM COMMITTEES

1. The Sixteenth Report of the Joint Select Committee appointed to inquire into and report on Ministries (Group 2) Statutory Authorities and State Enterprises on the Administration and Operations of the National Commission for Self Help Limited.

(By the Member for Arouca/Maloney)

2. The Seventeenth Report of the Joint Select Committee Appointed to inquire into and report on Ministries (Group 2) Statutory Authorities and State Enterprises on the Administration and Operations of the Trinidad and Tobago Blind Welfare Association.

(By the Member for Arouca/Maloney)

3. The Fifth Report of the Public Accounts Committee on the Examination of the Audited Financial Statements of the Regulated Industries Commission for the years ended September 30, 2008 to 2010.

(By the Member for Diego Martin North/East)

4. The Sixth Report of the Public Accounts Committee on the Examination of the Audited Financial Statements of the Trinidad and Tobago Electricity Commission for the years ended September 30, 2008, 2009 and 2011.

(By the Member for Diego Martin North/East)

PRIME MINISTER'S QUESTIONS

URGENT QUESTIONS

QUESTIONS ON NOTICE

Question No. 4 to the Minister of Health

(By the Member for Point Fortin)

Further to the response provided to Question 151 on June 25, 2014 on the construction of the Point Fortin Hospital, could the Minister please state:

- a) the process used to nominate VAMED Engineering GmbH & Company as design/build contractor;
- b) whether Cabinet has approved the total estimated project budget for the Hospital;
- c) the cost of the project;
- d) the date of the sod turning ceremony; and
- e) whether all the necessary plans have been completed and approved by the relevant authorities?

Question No. 5 to the Minister of Foreign Affairs

(By the Member for Point Fortin)

Could the Minister state:

- a) which persons were officially recalled over the past three years from the position of head of missions at our overseas offices, the reasons for such recall and what is the effective date of such termination; and
- b) whether emoluments ceased concomitant with the recall dates?

Question No. 6 to the Minister of Foreign Affairs

(By the Member for Point Fortin)

Could the Minister state:

- a) which foreign missions are without sitting Heads of Missions whether temporarily or on a permanent basis; and
- b) who is responsible for the respective offices in the absence of the Head of Mission, and are these persons suitable to manage the affairs of the Government of the Republic of Trinidad and Tobago?

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

1. The Motor Vehicles and Road Traffic Bill, 2014.

(By the Minister of Transport)

2. The Adoption of Children (Amendment) Bill, 2014.

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

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

PUBLIC BUSINESS

GOVERNMENT BUSINESS

Motions:

1. **BE IT RESOLVED** that the Senate amendments to the Constitution (Amendment) Bill, 2014 listed in the Appendix be now considered.

(By the Prime Minister)

2. **BE IT RESOLVED** that this House consider the findings and recommendations in the 36th Annual Report of the Ombudsman.

(By the Leader of the House)

3. **BE IT RESOLVED** that the Police Service (Amendment) Regulations, 2014 be approved.

(By the Minister of National Security)

Bills Second Reading:

1. **The debate on the Second Reading of the following Bill which was adjourned on Friday November 07, 2014 will be resumed:**

A Bill entitled, “An Act to provide for public procurement, and for the retention and disposal of public property, in accordance with the principles of good governance, namely accountability, transparency, integrity and value for money, the establishment of the Office of Procurement Regulation, the repeal of the Central Tenders Board Act, Chap. 71:91 and related matters”.

(By the Minister of Planning and Sustainable Development)

2. A Bill entitled, “An Act to give effect to the Partial Scope Trade Agreement between the Republic of Trinidad and Tobago and the Republic of Panama and for related matters”.

(By the Minister of Trade, Industry, Investment and Communications)

3. A Bill entitled, “An Act to amend the Registration of Deeds Act, Chap. 19:06 and the Real Property Act, Chap. 56:02”.

(By the Minister of Legal Affairs)

4. A Bill entitled, “An Act to repeal and replace the Trade Marks Act, Chap. 82:81 and to provide for the law relating to trade marks and related matters”.

(By the Minister of Legal Affairs)

PRIVATE BUSINESS

Motions:

1. **WHEREAS** the security and well-being of Trinidad and Tobago are threatened by an Ebola epidemic that has affected multiple countries;

AND WHEREAS the implementation of effective measures against Ebola is critical to the future of Trinidad and Tobago;

AND WHEREAS the Government has failed to sufficiently prepare this nation to properly prevent and manage Ebola infections:

BE IT RESOLVED that this House direct the Government to initiate a comprehensive National Response to protect the people of Trinidad and Tobago from the Ebola virus.

(By the Member for Diego Martin Central)

2. **WHEREAS** the lack of proper maintenance of sea line operations at Pointe-a-Pierre by PETROTRIN resulted in a major oil spill that severely disrupted the lives of the residents in the coastal zone of La Brea in December 2013;

AND WHEREAS the residents of the La Brea coastal zone continue to suffer deterioration of their health and loss of earnings because of the continued occurrence of large amounts of dead fish on the beaches of La Brea;

AND WHEREAS PETROTRIN is responsible for the indiscriminate dispersal of the very toxic Corexit 9500 in shallow coastal waters and the shore at La Brea, contrary to the guidelines of the National Oil Spill Contingency Plan;

AND WHEREAS there is documented evidence that the use of the toxic Corexit 9500 and the lack of proper safety apparatus for those employed in oil spill cleanup has resulted in illness known to cause permanent damage to the liver, kidneys, lungs, stomach and in the long term, cancer;

BE IT RESOLVED that this Honourable House call on the Government to:

- i. Immediately evacuate and relocate the coastal zone residents of La Brea;
- ii. Design and implement a proper medical programme with monitoring and adequate treatment for a minimum of twenty (20) years at no cost to residents;
- iii. Design and implement a proper compensation package for residents of the La Brea coastal zone; and
- iv. Eradicate the very toxic Corexit 9500 mixed with Bunker C fuel nodules that are present in the coastal waters of La Brea.

(By the Member for La Brea)

*Jacqui Sampson-Meiguel
Clerk of the House*

*House of Representatives' Secretariat
The Port of Spain International Waterfront Centre
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PORT OF SPAIN*

November 11, 2014

The Constitution (Amendment) Bill, 2014

List of Amendments made in the Senate at the Committee Stage of the
Constitution (Amendment) Bill, 2014

First Column	Second Column
Clause	Extent of Amendment
6	<p>A. In the proposed section 49B-</p> <ul style="list-style-type: none"><li data-bbox="701 709 1385 772">(a) In subsection (2)(a), delete the words “three years” and substitute the words “two years and six months”;<li data-bbox="701 814 1369 848">(b) Insert after subsection (2), the following subsections:<ul style="list-style-type: none"><li data-bbox="727 882 1401 1016">“(3) The Elections and Boundaries Commission shall, within two weeks from the date that an application is received under subsection (1), cause notice of the application to be-<ul style="list-style-type: none"><li data-bbox="867 1050 1401 1184">(a) published in the <i>Gazette</i>, at least two newspapers in daily circulation in Trinidad and Tobago and on its website; and<li data-bbox="867 1188 1401 1323">(b) made available for inspection and signature at the place or places designated in the notice and during the times specified in the notice.<li data-bbox="760 1360 1401 1766">(4) A notice published under subsection (3) shall-<ul style="list-style-type: none"><li data-bbox="867 1428 1401 1528">(a) designate the place or places at which the application is available for signature; and<li data-bbox="867 1533 1401 1766">(b) state that the application shall be made available for inspection and signature between the hours of 8.00 a.m. and 4.00 p.m. for a period of twenty-one days from the date of its first publication in a newspaper, including Saturdays and Sundays, but not on public holidays.”;

First Column

Second Column

Clause

Extent of Amendment

6

- (c) Delete subsections (5) and (6) and renumber subsections (3) and (4) as (5) and (6), respectively;
- (d) In the renumbered subsection (5), in paragraph (a), delete the words “ten per cent” and substitute the words “twenty per cent”;
- (e) In the renumbered subsection (6) –
 - (i) delete the words “three years” and substitute the words “two years and six months”; and
 - (ii) delete the words “signatures in”;
- (f) In subsection (7) –
 - (i) delete from the word “-” to the words “(b)”; and
 - (ii) delete the words “ten per cent” and substitute the words “twenty per cent”;
- (g) In subsection (8)(b), delete the words “Form No. 3” and substitute the words “Form No. 2”; and
- (h) In subsection (11), delete the words “Form No. 4” and substitute the words “Form No. 3”.

B. In section 49C(7), delete the words “Form No. 4” and substitute the words “Form No. 3”.

8

A. Insert after the words “is amended”, the following:

“ _

- (a) in subsection (1), by deleting the words “The election” and substituting the words “Subject to subsections (3), (4), (5), (6) and (7), the election”; and
- (b) ”.

First Column

Second Column

Clause

Extent of Amendment

8

B. In the proposed subsection (4) –

- (a) delete the word “Where” and substitute the words “Subject to subsections (5), (6) and (7), where”; and
- (b) delete the words “those candidates who earned the highest and” and substitute the words “the candidate who earned the highest and the candidate who earned the”.

C. Insert after the proposed subsection (4), the following subsection:

“ (5) A candidate, other than a candidate referred to in subsection (4) -

- (a) who earns at least twenty-five per cent of the votes cast in a first poll; and
- (b) whose votes fall within a margin of five per cent of the votes earned by-
 - (i) the candidate obtaining the second highest number of votes; or
 - (ii) the two candidates who earned the highest number of votes, in the event of an equality of votes between those two candidates,

may contest the supplementary poll.

(6) Notwithstanding subsection (3), where a supplementary poll is held among three or more candidates, the candidate who obtains the highest number of votes shall be declared the candidate having the highest number of votes to be elected under subsection (1).

(7) For the avoidance of doubt, where there is an equality of votes between two candidates obtaining the highest number of votes and no other candidate earns twenty-five per cent or more of the votes, the supplementary poll shall be held between those candidates.”.

First Column
Clause

Second Column
Extent of Amendment

- 10 In the proposed Fourth Schedule:
- (a) Delete the words “[Sections 49B(1), (6), (8)(b) and (11) and 49C(7)]” and substitute the words “[Sections 49B(1), (8)(b) and (11) and 49C(7)]”;
 - (b) In the proposed Form No. 1, delete the words “ten per cent” and substitute the words “twenty per cent”; and
 - (c) Delete the proposed Form No. 2 and renumber Form No. 3 and Form No. 4 as Form No. 2 and Form No. 3, respectively.
- 11 A. In the Schedule, in paragraph (b)(ii), in the proposed section 33(3)(b)(i)(B), delete the words “of the first poll” and substitute the words “on which the results of the first poll are declared in writing by the Returning Officer”.
- B. In the proposed amendment to rule 101 of the Election Rules-
- (a) Delete subrule (1)(b)(ii) and substitute the following:
 - “ (ii) that a supplementary poll shall be held within fifteen days-
 - (A) between those candidates who earned the highest and second highest number of votes;
 - (B) where there is an equality of votes between two candidates obtaining the highest number of votes, between those two candidates; or
 - (C) among the candidates referred to in sub-subparagraphs (A) or (B) and any other candidate-who earned at least twenty-five per cent of the votes and whose votes fall within a margin of five per cent of the votes earned by the candidate obtaining the second highest number of votes or the candidates referred to in sub-subparagraph (B),”;

First Column

Second Column

Clause

Extent of Amendment

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- (b) in subrule (17), delete the words “or (c)”; and
- (c) delete subrule (18) and insert the following rule:

“(18) Where a recount-

- (a) under subrule (16)(b) results in an equality of votes among three or more candidates; or

- (b) under subrule (16)(c) does not result in-

- (i) one candidate obtaining the most votes and one other candidate obtaining the second most votes; and

- (ii) one candidate obtaining more than fifty percent of the votes,

the Chief Election Officer shall so certify to the Returning Officer who shall declare the poll void and a new poll shall, as soon as possible, be held in accordance with these Rules.”.

C. In the proposed amendments to the Election Rules, renumber paragraphs (r) to (t) as paragraphs (s) to (u) and insert after paragraph (q), the following paragraph:

“(r) renumber rule 105 as rule 105(1) and insert thereafter the following subrule:

“(2) Notwithstanding subrule (1), where a supplementary poll is to take place following the first poll of a general election, the Returning Officer (shall maintain custody of the unit registers of electors together with the keys of the binders, the register of special electors and the relevant files of answers to questions after the first poll and shall, within seven days after the supplementary poll, return them to the Registration Officers from whom he received the same; and the Registration Officers shall give to the Returning Officer a receipt for the same.”.

Senate Secretariat
August 29, 2014