



HOUSE OF REPRESENTATIVES

FIFTH SESSION

NO. 13

TENTH PARLIAMENT

2014/2015

ORDER PAPER

FRIDAY NOVEMBER 28, 2014: 1:30 P.M.

PRAYERS

OATH OR AFFIRMATION

ANNOUNCEMENTS BY THE SPEAKER

BILLS BROUGHT FROM THE SENATE

PETITIONS

PAPERS

1. The Second Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Chaguaramas Development Authority for the year ended September 30, 2000.

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

2. The Report of the Auditor General of the Republic of Trinidad and Tobago on the Statement of Recovery of Expenses of the Ministry of Energy and Energy Affairs for the year ended December 31, 2013.

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

3. The Report of the Auditor General of the Republic of Trinidad and Tobago on a Special Audit of the School Nutrition Programme managed by the National Schools Dietary Services Limited.

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

4. The Audited Financial Statements of the Tourism Development Company Limited for the financial year ended September 30, 2011.

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

5. The Foster Care Regulations, 2014.

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

6. The Children's Community Residences Regulations, 2014.

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

7. The Children's Authority Regulations, 2014.
(By the Minister of Gender, Youth and Child Development)
8. The Annual Report of the Regulated Industries Commission for the year ended December 31, 2011.
(By the Minister of Public Utilities)
9. The Annual Report of the Regulated Industries Commission for the year ended December 31, 2012.
(By the Minister of Public Utilities)
10. 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)
11. The Response of the Teaching Service Commission to the First Report (2011/2012) 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.
(By the Deputy Speaker)
12. The Response of the Teaching Service Commission to the Third Report (2011/2012) of the Joint Select Committee appointed to inquire into and report to Parliament on Municipal Corporations and Service Commissions on a Re-Evaluation of the Efficiency and Effectiveness of the Teaching Service Commission.
(By the Deputy Speaker)

REPORTS FROM COMMITTEES

1. The Fifteenth Report of the Joint Select Committee appointed to inquire into and report to Parliament on Municipal Corporations and Service Commissions on a review of the Administration of the San Juan/Laventille Regional Corporation.
(By the Member for St. Ann's East)
2. The Sixteenth Report of the Joint Select Committee appointed to inquire into and report to Parliament on Municipal Corporations and Service Commissions on a review of the Administration of the Sangre Grande Regional Corporation.
(By the Member for Arima)
3. The Tenth Report of the Joint Select Committee appointed to inquire into and report to Parliament on Ministries (Group 1), and on the Statutory Authorities and State Enterprises falling under their purview on the administration and operation of the National Insurance Board of Trinidad and Tobago [with particular focus on the Board's relations with the National Insurance Appeals Tribunal (NIAT)].
(By the Member for La Horquetta/Talparo)

PRIME MINISTER'S QUESTIONS

URGENT QUESTIONS

QUESTIONS ON NOTICE

Question No. 7 to the Minister of Energy and Energy Affairs

(By the Member for La Brea)

- A. What is the status of the repairs/replacement to the Hydrant system at the Pointe-a-Pierre Refinery?
- B. Is Petrotrin prepared for all major fire scenarios in the Pointe-a-Pierre Refinery?
- C. Does Petrotrin have a structured framework for corrosion management with mitigation actions?

Question No. 8 to the Minister of Energy and Energy Affairs

(By the Member for La Brea)

- A. What is the status of the Fractionator Column?
- B. Was a recommendation made to change the Fractionator Column?
- C. If yes, why hasn't the Fractionator Column been changed?

Question No. 9 to the Minister of Energy and Energy Affairs

(By the Member for La Brea)

What risk control measures and practices have been taken by Petrotrin to eliminate the reoccurrence of recent incidents at the refinery?

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

PUBLIC BUSINESS

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)

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)

4. **WHEREAS** it is provided by section 53 of the Children's Community Residences, Foster Care and Nurseries Act, 2000 (hereinafter referred to as "the Act") that the Children's Authority of Trinidad and Tobago may with the approval of the Minister of Gender, Youth and Child Development, make Regulations in respect of the imposition of requirements as to

the accommodation and equipment to be provided in residences, foster homes and nurseries, medical arrangements to be made for protecting the health of the children in community residences and foster homes, the provision of information to the Children's Authority of Trinidad and Tobago by the Managers as to the facilities provided for the parents or guardians of children in community residence and foster homes to visit and communicate with the children and where not so provided to authorise the Authority to give directions as to the provisions of such facilities, and all such other matters and things as may appear necessary or expedient or are required to be prescribed for effectively carrying into operation the provisions of the Act;

AND WHEREAS it is provided by section 53(2), that Regulations made under the Act shall be subject to affirmative resolution of Parliament;

AND WHEREAS the Children's Authority has on the 14th day of November, 2014 made the Foster Care Regulations, 2014;

AND WHEREAS the Minister of Gender, Youth and Child Development has on the 18th day of November, 2014 approved the Foster Care Regulations, 2014;

AND WHEREAS it is expedient that the Foster Care Regulations, 2014 now be affirmed:

BE IT RESOLVED that the Foster Care Regulations, 2014 be approved.

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

5. **WHEREAS** it is provided by section 53 of the Children's Community Residences, Foster Care and Nurseries Act, 2000 (hereinafter referred to as "the Act") that the Children's Authority of Trinidad and Tobago may with the approval of the Minister of Gender, Youth and Child Development, make Regulations in respect of the management of any community residence and discipline of the children therein, and to prescribe the punishment for all offences committed against the rules or discipline of any community residence, the imposition of requirements as to the accommodation and equipment to be provided in residences, foster homes and nurseries, medical arrangements to be made for protecting the health of the children in community residences and foster homes, the provision of information to the Children's Authority of Trinidad and Tobago by the Managers as to the facilities provided for the parents or guardians of children in community residence and foster home to visit and communicate with the children and where not so provided to authorise the Authority to give directions as to the provisions of such facilities, and all such other matters and things as may appear necessary or expedient or are required to be prescribed for effectively carrying into operation the provisions of the Act;

AND WHEREAS it is provided by section 53(2), that Regulations made under the Act shall be subject to affirmative resolution of Parliament;

AND WHEREAS the Children's Authority has on the 14th day of November, 2014 made the Community Residences Regulations, 2014;

AND WHEREAS the Minister of Gender, Youth and Child Development has on the 18th day of November, 2014 approved the Community Residences Regulations, 2014;

AND WHEREAS it is expedient that the Community Residences Regulations, 2014 now be affirmed:

BE IT RESOLVED that the Children's Community Residences Regulations, 2014 be approved.

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

6. **WHEREAS** it is provided by section 50 of the Children's Authority Act, Chap. 46:10 (hereinafter referred to as "the Act") that the Children's Authority of Trinidad and Tobago may with the approval of the Minister of Gender, Youth and Child Development, make Regulations in respect of matters which are required to be prescribed under the Act and for the purpose of giving effect to the provisions of the Act;

AND WHEREAS it is provided by section 50(2), that Regulations made under the Act shall be subject to affirmative resolution of Parliament;

AND WHEREAS the Children's Authority has on the 14th day of November, 2014 made the Children's Authority Regulations, 2014;

AND WHEREAS the Minister of Gender, Youth and Child Development has on the 18th day of November, 2014 approved the Foster Care Regulations, 2014;

AND WHEREAS it is expedient that the Children's Authority Regulations now be affirmed:

BE IT RESOLVED that the Children's Authority Regulations, 2014 be approved.

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

Bills Second Reading:

1. **The debate on the Second Reading of the following Bill which was in progress on Wednesday November 19, 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)

5. A Bill entitled, "An Act to establish a Motor Vehicles Authority for the registration, licensing and regulation of motor vehicles and drivers, the regulation of road use and for matters connected thereto".

(By the Minister of Transport)

6. A Bill entitled, "An Act to amend the Adoption of Children Act, 2000".

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

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
November 24, 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="699 701 1382 772">(a) In subsection (2)(a), delete the words “three years” and substitute the words “two years and six months”;<li data-bbox="699 806 1365 842">(b) Insert after subsection (2), the following subsections:<ul style="list-style-type: none"><li data-bbox="721 875 1398 1010">“(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 1043 1398 1178">(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 1184 1398 1318">(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 1352 1398 1388">(4) A notice published under subsection (3) shall-<ul style="list-style-type: none"><li data-bbox="867 1421 1398 1528">(a) designate the place or places at which the application is available for signature; and<li data-bbox="867 1528 1398 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

11

- (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