



HOUSE OF REPRESENTATIVES

FIFTH SESSION
TENTH PARLIAMENT

NO. 20
2014/2015

ORDER PAPER

FRIDAY FEBRUARY 20, 2015: 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, 2006.

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

2. 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, 2007.

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

3. 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, 2008.

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

4. 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, 2009.

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

5. The Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statement of the Princes Town Regional Corporation for the year ended September 30, 2007.

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

6. The Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statement of the Princes Town Regional Corporation for the year ended September 30, 2007.

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

7. The Audited Financial Statements of TAURUS Services Limited for the financial year ended September 30, 2012.

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

8. The Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Sport and Culture Fund for the year ended December 31, 2004.

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

9. The Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Sport and Culture Fund for the year ended December 31, 2005.

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

10. The Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Sport and Culture Fund for the year ended December 31, 2006.

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

11. The Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Sport and Culture Fund for the year ended December 31, 2007.

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

12. The Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Sport and Culture Fund for the year ended December 31, 2008.

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

13. The Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Sport and Culture Fund for the year ended December 31, 2009.

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

14. The Report of the Auditor General on the Financial Statements of the Heritage and Stabilization fund of the Republic of Trinidad and Tobago for the year ended September 30, 2014.

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

15. The Report of the Central Bank of Trinidad and Tobago with respect to the Progress of the proposals to Restructure CLICO, BAT and CID for the quarter ended December 31, 2014.

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

16. The Audited Financial Statements of Tourism Development Company Limited for the financial year ended September 30, 2012.

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

17. The Annual Report of the Financial Intelligence Unit of Trinidad and Tobago (FIUTI) for the period October 1, 2013 to September 30, 2014.

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

REPORTS FROM COMMITTEES

PRIME MINISTER'S QUESTIONS

URGENT QUESTIONS

QUESTIONS ON NOTICE

Questions for Written Answer appear in Appendix II

Questions for Oral Answer

***Question No. 17 to the Minister of Trade, Industry, Investment and Communications**

(By the Member for La Brea)

- A. Where will the new Port for La Brea be located?
- B. How many consultations were held with La Brea residents?
- C. Was an Environmental Impact Assessment conducted?
- D. If yes, when was the Environmental Impact Assessment conducted?
- E. Did the Environmental Management Authority give a certificate of Environmental Clearance on the project?
- F. Are there any plans to relocate residents of Point D'or for the construction of the Port?
- G. If yes, when and where will Point D'or residents be located?

***Question No. 22 to the Minister of Local Government**

(By the Member for La Brea)

When will the Landslips between Light Poles Number 39 and 41 Upper Salazar Trace and Upper La Union Road be repaired?

* On Wednesday January 21, 2015, Question No. 17, was deferred for two (2) weeks and for a further two (2) weeks on Friday February 06, 2015.

* On January 23, 2015, Question No. 22 was deferred for two (2) weeks and for a further two (2) weeks on February 06, 2015.

Question No. 63 to the Minister of Finance and the Economy

(By the Member for Diego Martin North/East)

- A. What percentage of Government's total petroleum revenues, as defined by the Heritage and Stabilisation Fund Act, is earned from oil?
- B. How much revenue does the Government lose when the average price of oil drops by US\$1.00 over the fiscal year?
- C. In light of the recent precipitous decrease in the price of oil, what is the Government's estimated loss of revenue for fiscal 2015?

Question No. 64 to the Minister of Finance and the Economy

(By the Member for Diego Martin North/East)

- A. Would the Minister confirm whether the Heritage and Stabilisation Fund Act allows withdrawals from the Heritage and Stabilisation Fund before the end of a fiscal year?
- B. If the answer to part (A) is yes, does the Government intend to withdraw any money from the Fund before the end of fiscal 2015?

Question No. 65 to the Minister of Finance and the Economy

(By the Member for Diego Martin North/East)

- A. Could the Minister state the number of employees on payroll at the Central Bank of Trinidad and Tobago on July 13, 2012?
- B. What was the number of employees on payroll at the Central Bank on December 23, 2014?
- C. How many new employees were hired by the Central Bank between July 13, 2012 and December 23, 2014?

Question No. 68 to the Prime Minister

(By the Leader of the Opposition)

- A. With respect to the LIFESPORT scandal, could the Prime Minister indicate why a Commission of Enquiry has not been launched to determine what amount of public funds was spent in an inappropriate and irregular manner, as well as to further determine:
 - (i) which systems failed to detect and prevent such abuse, misuse and dishonest dealings?
 - (ii) who were responsible?
 - (iii) what corrective measures are to be put in place to avoid any recurrence of this abuse and loss of Public resources?
- B. Is the Prime Minister prepared to launch such an enquiry?

Question No. 69 to the Minister of Works and Infrastructure

(By the Member for La Brea)

Given the very dangerous use by motorists on the Siparia Erin Main Road and the Southern Main Road from Aripero to Point Fortin, the Minister is kindly asked to state when pavements will be constructed in the following areas for pedestrians:

- i. from Mount Carmel Early Childhood Centre to Pond Road Junction in Aripero;
- ii. from Rousillac Open Bible Church to Sobo Extension Junction;
- iii. from Rig Road in Chinese Village to Virginia Avenue in Chinese Village;

- iv. from Point D'or Junction to the Brighton Anglican School in La Brea;
- v. from Point D'or Junction to Prothere Street Junction in La Brea;
- vi. from Vessigny Secondary School to Union Village in Vessigny;
- vii. from Kern Street Junction to Murray Street Junction in Vance River;
- viii. from Lime Field Road to Evening Breeze Street in Cochrane Village;
- ix. from Ramdeo Drive to the Brazilian Nut trees in Arena;
- x. from the Junction of Jacob Alley No. 1 to No. 9 Road Palo Seco?

Question No. 70 to the Minister of Local Government

(By the Member for La Brea)

Could the Minister indicate when the following landslips will be repaired:

- i. Upper Carapal, Erin
- ii. Entrance to Lot 10 Village?

Question No. 71 to the Minister of Works and Infrastructure

(By the Member for La Brea)

Having noted the Minister's response to question no. 87 on April 4, 2014 in the House of Representatives, could the Minister indicate when the following landslips will be repaired:

- i. Fortune Mc Carthy Street, Vance River
- ii. LP #59 Sobo Extension Sobo Village?

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

GOVERNMENT BUSINESS

Motions:

1. **BE IT RESOLVED** that the Senate amendments to the Constitution (Amendment) Bill, 2014 listed in the Appendix I 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 following Bill which was in progress on Friday February 06, 2015 will be resumed:**

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)

2. 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)

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 amend the Bail Act, Chap. 4:60”.

(By the Attorney General)

PRIVATE BUSINESS

Motions:

1. **The debate on the following Motion which was adjourned on Friday November 28, 2014 will be resumed:**

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)

3. **WHEREAS** it is an established fact that the best indication of what could happen in the future is to observe what has happened in the past;

AND WHEREAS during his tenure as Chief Executive Officer and/or Managing Director of state-owned First Citizens Bank, Mr. Larry Howai came under serious allegations for insider trading;

AND WHEREAS there is Senior Counsel advice that a strong case could be made for his prosecution in a Court of Law;

AND WHEREAS the said Mr. Howai voluntarily left the bank to become the Minister of Finance of Trinidad and Tobago;

AND WHEREAS issues of insider trading arose within the bank under his stewardship as Minister;

AND WHEREAS the Government through the Ministry of Finance is committed to further disposal of state enterprise shares thereby opening the possibility of further insider trading;

BE IT RESOLVED that this Honourable House note with concern these serious allegations and express its lack of confidence in the Minister of Finance.

(By the Leader of the Opposition)

4. **WHEREAS** on January 23rd, 2015, there was a Motion of Censure against the Minister of Finance on the Order Paper of the House of Representatives for debate;

AND WHEREAS before the debate the Speaker in an unprecedented move informed the House that he received "*a notice from the High Court, dated January 16th, 2015,*" regarding "*a matter involving Larry Howai and Azad Ali of the Sunshine Publishing Company Limited*";

AND WHEREAS the statement by the Speaker was intended to and did impact upon the debate on the said motion;

AND WHEREAS on January 26th, 2015, the Judiciary of Trinidad and Tobago issued a Media Release stating that "*no Notice, letter or any other communication on the matter was forwarded by the Court or any of its officers to the Speaker or any officers of the Parliament*";

AND WHEREAS the Release by the Judiciary has brought into question the conduct of the Speaker;

AND WHEREAS in a further unprecedented move on January 23rd, 2015, the Speaker allowed the Member for Oropouche East to speak on the matter even though it had come to its *“premature end”*;

AND WHEREAS by these actions the Speaker has demonstrated partiality and brought the Office of the Speaker into disrepute and public ridicule and the House of Representatives into public odium:

BE IT RESOLVED that this Honorable House declare its loss of confidence in Mr. Wade Mark as Speaker of the House of Representatives.

(By the Member for Chaguanas West)

Jacqui Sampson-Meiguel
Clerk of the House

House of Representatives' Secretariat
The Port of Spain International Waterfront Centre
Level 3, Tower D
1A Wrightson Road
PORT OF SPAIN
February 13, 2015

The Constitution (Amendment) Bill, 2014

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

First Column
Clause

Second Column
Extent of Amendment

- 6 A. In the proposed section 49B-
- (a) In subsection (2)(a), delete the words “three years” and substitute the words “two years and six months”;
 - (b) Insert after subsection (2), the following subsections:
 - “**(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-
 - (a) published in the *Gazette*, at least two newspapers in daily circulation in Trinidad and Tobago and on its website; and
 - (b) made available for inspection and signature at the place or places designated in the notice and during the times specified in the notice.
 - (4) A notice published under subsection (3) shall-
 - (a) designate the place or places at which the application is available for signature; and
 - (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	<ul style="list-style-type: none"> (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) – <ul style="list-style-type: none"> (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) – <ul style="list-style-type: none"> (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”. <p>B. In section 49C(7), delete the words “Form No. 4” and substitute the words “Form No. 3”.</p>
8	<p>A. Insert after the words “is amended”, the following:</p> <p>“ _</p> <ul style="list-style-type: none"> (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
Clause

Second Column
Extent of Amendment

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-paragraphs (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-paragraph (B),”;

**First Column
Clause**

**Second Column
Extent of Amendment**

(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

ORDER PAPER FRIDAY FEBRUARY 20, 2015

QUESTIONS FOR WRITTEN ANSWER

Question No. 41 to the Attorney General

(By the Leader of the Opposition)

With respect to the payment for legal and other technical/professional services made to persons/entities other than staff of the Ministry of the Attorney General for the period June 2010 to October 31, 2014, would the Minister:

- a) Identify each person/agency or entity so paid indicating the date and amount of each payment, specifically the purpose for such payment and the output received by the Ministry?
- b) With reference to each matter as identified in (a) above, could the Minister state whether there is any outstanding payment owing on the assignment and if so how much is owed or anticipated to be paid as at November 1, 2014?

(Answer due by 11.12.2014)

Question No. 42 to the Attorney General

(By the Leader of the Opposition)

With respect to the legal proceedings of all types for the period June 2010 to November 1, 2014, for which the state has been or is in litigation where a claim has been made against the state, would the Honourable Attorney General:

- a) identify all matters in which a claim has been made against the State and for which an out of court settlement has been arrived at and/or has been settled;
- b) indicate the claimant and his/her legal representative;
- c) indicate the date of the settlement/payment and the total amount paid including identification of claim and the total legal costs incurred, paid or owed on each item?

(Answer due by 11.12.2014)

Question No. 43 to the Minister of Works and Infrastructure

(By the Member for Laventille West)

Could the Minister:

- a) list all the roads that were paved under the Programme for Upgrading Roads Efficiency (PURE) in the Siparia Constituency during the period June 1, 2010 to September 30, 2014;
- b) provide the names of the contractors who undertook paving projects regarding (a) above; and
- c) provide the contract sum for each paving project relating to (a) above?

(Answer due by 24.12.2014)

February 13, 2015