



HOUSE OF REPRESENTATIVES

FIFTH SESSION
TENTH PARLIAMENT

NO. 21
2014/2015

ORDER PAPER

FRIDAY FEBRUARY 27, 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 Accreditation Council of Trinidad and Tobago 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)

2. The Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Telecommunications Authority of Trinidad and Tobago 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)

3. The Report on the Management of the Activities financed by the Green Fund for the Financial Year ended September 30, 2014.

(By the Minister of the Environment and Water Resources)

4. The Air Pollution Rules, 2014.

(By the Minister of the Environment and Water Resources)

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. 67 to the Minister of Finance and the Economy

(By the Member for Diego Martin North/East)

Could the Minister state the remuneration package for the CEO, President or General Manager, as the case may be, inclusive of salary and all allowances, for the following State Enterprises, as at December 23, 2014?

- i. WASA
- ii. TTEC
- iii. TSTT
- iv. PETROTRIN
- v. NIDCO
- vi. NGC
- vii. NIPDEC
- viii. UDECOTT

Question No. 72 to the Minister of Works and Infrastructure

(By the Member for La Brea)

- A. When will work commence in the widening of the bridge at the Entrance of #9 Road in Palo Seco?
- B. When will work commence in the widening of the bridge at the junction of Lane 2 and Merrimac Road in Vessigny Village La Brea?
- C. When will the paving of the La Brea Village Road commence?

Question No. 73 to the Minister of Tourism

(By the Member for La Brea)

Having noted the Minister's response to question 101 on May 23, 2014, could the Minister state when will bathroom facilities be constructed on the following beaches:

- i. Vance River;
- ii. Point Sable;
- iii. Carat Shed;
- iv. Palo Seco; and
- v. Los Iros?

Question No. 74 to the Minister Energy and Energy Affairs

(By the Member for La Brea)

When will arrangements be made to remove the wild vegetation that is rapidly engulfing the asphalt surface and pools of the La Brea Pitch Lake?

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** 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)

2. **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)

3. **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)

4. **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)

GOVERNMENT BUSINESS

Motions:

1. **BE IT RESOLVED** that the Senate amendments to the Constitution (Amendment) Bill, 2014 listed in 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. **The debate on the following Bill which was in progress on Friday February 20, 2015 will be resumed:**
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)

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 23, 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 | Second Column |
|--------------|---|
| Clause | Extent of Amendment |
| 6 | <p>A. In the proposed section 49B-</p> <ul style="list-style-type: none"><li data-bbox="699 674 1385 741">(a) In subsection (2)(a), delete the words “three years” and substitute the words “two years and six months”;<li data-bbox="699 779 1369 814">(b) Insert after subsection (2), the following subsections:<ul style="list-style-type: none"><li data-bbox="724 846 1401 982">“(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 1014 1401 1150">(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 1157 1401 1293">(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 1325 1401 1730">(4) A notice published under subsection (3) shall-<ul style="list-style-type: none"><li data-bbox="867 1392 1401 1493">(a) designate the place or places at which the application is available for signature; and<li data-bbox="867 1499 1401 1730">(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
Clause**

**Second Column
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**

ORDER PAPER FRIDAY FEBRUARY 27, 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)

Question No. 66 to the Minister of Finance and the Economy

(By the Member for Diego Martin North/East)

Could the Minister provide the following information with respect to employees of the Central Bank of Trinidad and Tobago?

- a) The names, qualifications and experience of all persons employed by the Central Bank between July 13, 2012 and December 23, 2014?
- b) The selection process and criteria utilised by the Central Bank in each case to employ these people?
- c) The positions that each such person was placed in, or appointed to, when first employed by the Bank, and their current position?

(Answer due by 26.02.2015)

Question No. 77 to the Minister of Food Production

(By the Member for La Brea)

Could the Minister:

- a) state the value of the Food Import Bill for each fiscal year 2009, 2010, 2011, 2012, 2013 and 2014;
- b) list the countries and the value of food imported into Trinidad and Tobago for each of the fiscal years 2010 to 2014?

(Answer due by 26.02.2015)

Question No. 78 to the Minister of Land and Marine Resources

(By the Member for La Brea)

Could the Minister list the names of farmers and their addresses who were awarded leases for agriculture in the County of St. Patrick?

(Answer due by 26.02.2015)

Question No. 90 to the Minister of Labour and Small and Micro Enterprise Development

(By the Member for La Brea)

Could the Minister:

- a) how many new small businesses were created in 2014 in Trinidad and Tobago;
- b) how many new small businesses were terminated in Trinidad and Tobago for 2014;
- c) list the number of small businesses by business type for the year 2012 and 2013; and
- d) give a breakdown of the reasons for their termination and the number of small business closures for 2012 and 2013?

(Answer due by 26.02.2015)

Question No. 93 to the Minister of Trade, Industry, Investment and Communications

(By the Member for Chaguanas West)

With respect to the engagement of the of JL Creative Source Ltd for the monitoring of “social media” government – via Government Information Service Limited (GISL) of the Ministry of Trade, Industry, Investment and Communications, could the Minister please state:

- a) The cost at which JL Creative Source has been hired and the period of the contract;
and
- b) Whether the Minister or GISL sought quotations from other providers of similar services, or whether JL Creative Source was specially selected?

(Answer due by 26.02.2015)

February 23, 2015