



# HOUSE OF REPRESENTATIVES

FIFTH SESSION  
TENTH PARLIAMENT

NO. 28  
2014/2015

## ORDER PAPER FRIDAY APRIL 24, 2015: 1:30 P.M.

PRAYERS

OATH OR AFFIRMATION

ANNOUNCEMENTS BY THE SPEAKER

BILLS BROUGHT FROM THE SENATE

PETITIONS

PAPERS

REPORTS FROM COMMITTEES

PRIME MINISTER'S QUESTIONS

URGENT QUESTIONS

QUESTIONS ON NOTICE

**Questions for Written Answer appear in Appendix II**

**\*Question No. 105 to the Minister of Energy and Energy Affairs**

**(By the Member for Point Fortin)**

Could the Minister state what were the investigation findings following the oil spill crisis?

**Question No. 127 to the Minister of Energy and Energy Affairs**

**(By the Leader of the Opposition)**

Could the Minister state the total public relations/communications/ advertisement/community relations budget for the years 2010, 2011, 2012, 2013, 2014 and 2015 for the National Gas Company?

**Question No. 129 to the Minister of Energy and Energy Affairs**

**(By the Leader of the Opposition)**

With respect to the "What is HaPPiness" Campaign, could the Minister state:

- a) when was it initiated and how long is it scheduled to run for;

---

**\* On Wednesday April 08, 2015, Questions Nos. 105, 127 and 129 were deferred for two (2) weeks.**

- b) the breakdown of the total cost for this campaign;
- c) the recipients of the various payments in this project and how much did each person/agency/company receive;
- d) what is “HaPPiness”;
- e) the significance of the “PP” in the word “HaPPiness” being highlighted and underscored in this NGC campaign project?

**Question No. 113 to the Minister of Transport**

**(By the Member for La Brea)**

Having noted the Minister’s response to question 152 on June 25, 2014, could the Minister state:

- a) when the water taxi service will be extended to Point Fortin;
- b) the name of the contractor who will construct the necessary facilities for the landing site; and
- c) the cost of construction of the landing site?

**Question No. 114 to the Minister of Tourism**

**(By the Member for La Brea)**

With respect to the La Brea Cruise Ship Terminal, could the Minister state:

- a) the proposed site;
- b) the commencement date for construction;
- c) the construction cost; and
- d) the name of the contractor?

**Question No. 115 to the Minister of Energy and Energy Affairs**

**(By the Member for La Brea)**

- A. What is the cost to Petrotrin of the non-functioning Fluidized Catalytic Cracker (FCCU) to the Alkylation and Acid Unit plants at the Pointe-a-Pierre Refinery?
- B. Is the Government contemplating to sell or divest the Pointe-a-Pierre Refinery?

**Question No. 142 to the Minister of Energy and Energy Affairs**

**(By the Member for St. Joseph)**

Could the Minister state:

- a) the specific projects that the National Gas Company funded in the constituency of St. Joseph;
- b) the cost of each project during the period 2010-2014;
- c) whether during the period 2010-2014 these projects were implemented in consultation with the past and present Member of Parliament?

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

**PRIVATE BUSINESS**

**Motions:**

1. **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)**
  
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** the 2011 State Enterprises Performance Monitoring Manual effected by the Government calls for strict monitoring of state agencies by monitoring agents which include in the case of Petrotrin, the Minister of Finance as corporate sole and the Minister of Energy and Energy Affairs and the Chairman and Board of Directors and the President;

**AND WHEREAS** recent allegations of impropriety with Petrotrin's South West Soldado Project involving the illegal advance payment of US \$1.25 million which was not in accordance with the terms and conditions of the contract;

**AND WHEREAS** on failure of the contract there was a transfer of US \$750,000 into two private bank accounts at Scotiabank, Maraval;

**AND WHEREAS** the matter was raised in the budget debate of September 2013, evoking no response by the Minister of Energy and Energy Affairs;

**AND WHEREAS** a contract of approximately US \$50 million could only be approved by the Chairman and Board of Directors;

**AND WHEREAS** several Board Members voiced their concerns to the award of the contract;

**BE IT RESOLVED** that the Government immediately order an investigation into this contractual arrangement;

**BE IT FURTHER RESOLVED** that the matter of the misdirected state funds into private bank accounts be immediately brought to the attention of the Trinidad and Tobago Police Service for investigation;

**AND BE IT FURTHER RESOLVED** that the current Chairman and Board Members be suspended from office pending the outcome of the investigation of the failed South West Soldado Project.

**(By the Member for Point Fortin)**

## GOVERNMENT BUSINESS

### Motions:

1. **The debate on the following Motion which was adjourned on Friday April 17, 2015, will be resumed:**

**WHEREAS** the reckless conduct of the Leader of the Opposition and Member of Parliament for Diego Martin West has given rise to serious concerns in the public domain about his judgment and the exercise of his discretion;

**AND WHEREAS** the Leader of the Opposition had a duty to exercise the power conferred on him under Section 6(1) of the Police Complaints Authority Act, Chap. 15:05 to nominate a

Director of the Police Complaints Authority (“PCA”) impartially, free from bias and in accordance with the Code of Conduct laid out in the Integrity in Public Life Act, Chap. 22:01 (“IPL”);

**AND WHEREAS** there was a real possibility that the Leader of the Opposition was biased when he exercised his power under Section 6(1) of the PCA Act;

**AND WHEREAS** the Leader of the Opposition, in making the said nomination, abused his office or could be perceived as abusing his office, by failing to comply with the Code of Conduct set out in the IPL Act;

**AND WHEREAS** the Leader of the Opposition and the Member for Diego Martin West by this conduct and other reckless acts has brought the Office of the Leader of the Opposition and the House into public odium and disrepute:

**BE IT RESOLVED** that this Honourable House censure and condemn the conduct of the Leader of the Opposition and Member of Parliament for Diego Martin West;

**AND BE IT FURTHER RESOLVED** that this Honourable House express its lack of confidence in Dr. Keith Rowley as the Leader of the Opposition and Member of Parliament for Diego Martin West.

**(By the Leader of the House)**

2. **The debate on the following Motion which was in progress on Friday April 17, 2015 will be resumed:**

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

**(By the Leader of the House)**

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

**(By the Prime Minister)**

4. **BE IT RESOLVED** that the Senate amendments made to the Trade Marks Bill, 2014 in Appendix III be now considered.

**(By the Minister of Legal Affairs)**

**Bills Second Reading:**

1. 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)**

*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*

*April 20, 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	<p>A. In the proposed section 49B-</p> <ul style="list-style-type: none"><li data-bbox="699 600 1382 667">(a) In subsection (2)(a), delete the words “three years” and substitute the words “two years and six months”;</li><li data-bbox="699 703 1369 737">(b) Insert after subsection (2), the following subsections:<ul style="list-style-type: none"><li data-bbox="724 772 1401 905">“(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-</li><li data-bbox="867 947 1401 1073">(a) published in the <i>Gazette</i>, at least two newspapers in daily circulation in Trinidad and Tobago and on its website; and</li><li data-bbox="867 1083 1401 1209">(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></ul></li><li data-bbox="760 1251 1382 1285">(4) A notice published under subsection (3) shall-</li><li data-bbox="867 1325 1401 1419">(a) designate the place or places at which the application is available for signature; and</li><li data-bbox="867 1430 1401 1659">(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.”;</li></ul>

**First Column  
Clause**

**Second Column  
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  
Clause**

**Second Column  
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 APRIL 24, 2015

QUESTIONS FOR WRITTEN ANSWER

Question No. 108 to the Minister of Housing and Urban Development

**(By the Member for Chaguanas West)**

Could the Minister state according to region all CEPEP contracts issued for the period May 2010 to present including:

- i. the name of the company;
- ii. the date of issue and termination of each contract;
- iii. the dollar amount of each contract; and
- iv. the scope of each contract?

**(Answer due by 7.04.2015)**

Question No. 109 to the Minister of Education

**(By the Member for Chaguanas West)**

Could the Minister state all contracts awarded by the Ministry and its supporting agencies and state enterprises for the period May 2010 to present including:

- i. the name of the company;
- ii. the date of issue of the contract;
- iii. the scope of works;
- iv. the initial amount of the contract,
- v. the final cost of the project; and
- vi. the method by which the contractor was selected for the award?

**(Answer due by 7.04.2015)**

Question No. 123 to the Minister of Finance and the Economy

**(By the Member for Chaguanas West)**

With respect to the National Lotteries Control Board for the 2015 Carnival, could the Minister list all ticket purchases, including in each case:

- a) the name of the event;
- b) the date of the event;
- c) the amount of money spent;
- d) the number of tickets purchase, and;
- e) the cost of each ticket?

**(Answer due by 7.04.2015)**

Question No. 144 to the Minister of Finance and the Economy

**(By the Member for Chaguanas West)**

For each state enterprise and special purpose company could the Minister please provide all legal briefs issued for the period May 2010 to present including:

- a) the names of the attorney and/or law firm;

- b) the amount paid and/or owing to each attorney and/or law firm;
- c) the subject matter of the legal brief; and
- d) the status of the matter?

**(Answer due by 18.04.2015)**

**Question No. 145 to the Minister of Energy and Energy Affairs**

**(By the Member for Chaguanas West)**

With respect to the Couva/Preysal Interchange beautification project which is currently being implemented by the National Gas Company (NGC), could the Minister please state:

- a) the total cost of the beautification project;
- b) the name of the contractor and names of all sub-contractors of the project;
- c) the scope of works of the project;
- d) the details of where and when the project was advertised for tenders;
- e) the names of the top five bidders and the amounts of their respective bids;
- f) the date on which the contract was awarded; and
- g) the names of the persons who comprised the committee that evaluated the tenders?

**(Answer due by 18.04.2015)**

**Question No. 146 to the Minister of Finance and the Economy**

**(By the Member for Laventille East/Morvant)**

With respect to the \$11,222.00 that was reportedly distributed by National Gas Company from January 2013 to June 2014 in Laventille East/Morvant could the Minister state:

- a) how many persons/organisations/groups/ NGOs benefitted;
- b) the names of the persons/organisations/ groups/NGOs that benefitted; and
- c) the purposes for which the said monies were granted to the various persons/organisations/ groups/NGOs?

**(Answer due by 18.04.2015)**

**April 20, 2015**

**THE TRADE MARKS BILL, 2014**

**List of Amendments made in the Senate at the Committee Stage  
of the Trade Marks Bill, 2014**

<b>First Column  Clause</b>	<b>Second Column  Extent of Amendments</b>
123	After the word “ <b>Regulations</b> ” insert the words “ <b>subject to the negative resolution of Parliament</b> ”.

Senate Secretariat  
April 14, 2015