



HOUSE OF REPRESENTATIVES

FIFTH SESSION
TENTH PARLIAMENT

NO. 39
2014/2015

ORDER PAPER

FRIDAY JUNE 05, 2015: 10:00 A.M.

PRAYERS

OATH OR AFFIRMATION

ANNOUNCEMENTS BY THE SPEAKER

BILLS BROUGHT FROM THE SENATE

1. The Family and Children Division Bill, 2015.
(By the Attorney General who will move that who will move that the next stage of the Bill be taken later in the proceedings)

PETITIONS

PAPERS

1. The Annual Report and the Audited Financial Statements of the Central Bank 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)

REPORTS FROM COMMITTEES

1. The Fifteenth Report of the Joint Select Committee on Ministries (Group I), Statutory Authorities and State Enterprises on the administration and operations of the Estate Management and Business Development Company Limited.
(By the Member for Oropouche West)
2. The Nineteenth Report of the Joint Select Committee of Parliament appointed to inquire into and report on Municipal Corporations and Service Commissions on a review of the administration and operations of the Mayaro/Rio Claro Regional Corporation.
(By the Member for Arima)
3. The Twentieth Report of the Joint Select Committee appointed to inquire into and report on Municipal Corporations and Service Commissions on an inquiry into the administration and operations of the Couva/Tabaquite/Talparo Regional Corporation.
(By the Member for Arima)
4. The Twenty-First Report of the Joint Select Committee appointed to inquire into and report on Municipal Corporations and Service Commissions on a review of the administration and operations of the Siparia Regional Corporation.
(By the Member for Arima)

5. The Twenty-Second Report of the Joint Select Committee to inquire into and report on Government Ministries (Group 2), Statutory Authorities and State Enterprises on an inquiry into administration and operations of the Evolving Technologies and Enterprise Development Company Limited.

(By the Member for Cumuto/Manzanilla)

6. The Second Report of the Standing Finance Committee of the House of Representatives for the Fifth Session (2014/2015), Tenth Parliament on the consideration of proposals for the Variation of Appropriation for the fiscal year 2015.

(By the Minister of Finance and the Economy)

PRIME MINISTER'S QUESTIONS

URGENT QUESTIONS

QUESTIONS ON NOTICE

Questions for Written Answer appear in Appendix I

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 Finance (Variation of Appropriation) (Financial Year 2015) Bill, 2015.

(By the Minister of Finance and the Economy who will move that the next stage of the Bill be taken later in the proceedings)

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 this House adopt the Second Report of the Standing Finance Committee of the House of Representatives for the Fifth Session (2014/2015), Tenth Parliament on the consideration of proposals for the Variation of Appropriation for the fiscal year 2015.

(By the Minister of Finance and the Economy)

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 36th 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 II be now considered.

(By the Prime Minister)

4. **BE IT RESOLVED** that this House consider the findings and recommendations in the 37th Annual Report of the Ombudsman.

(By the Leader of the House)

4. **WHEREAS** it is provided by subsection (3) of section 4 of the Elections and Boundaries Commission (Local Government and Tobago House of Assembly) Act, that as soon as may be after the Elections and Boundaries Commission (hereinafter referred to as “the Commission”) has submitted a report under paragraph (a) of subsection (1) of section 4 of the said Act, the Minister shall lay before the House of Representatives for its approval the draft of an Order by the President for giving effect, whether with or without modifications, to the recommendations contained in the report:

AND WHEREAS the Commission has submitted a report to the Minister in accordance with the provisions of paragraph (a) of subsection (1) of section 4:

AND WHEREAS the draft of an Order entitled the “Elections and Boundaries Commission (Local Government and Tobago House of Assembly) Order, 2015” giving effect to the recommendations of the Commission was laid before the House of Representatives on the 29th day of May, 2015:

BE IT RESOLVED that the draft of the “Elections and Boundaries Commission (Local Government and Tobago House of Assembly) Order, 2015” be approved.

(By the Minister of Local Government)

5. **WHEREAS** section 122(3) of the Constitution of the Republic of Trinidad and Tobago, Chap. 1:01 (“the Act”) provides that the President shall, after consultation with the Prime Minister and Leader of the Opposition nominate persons, who are qualified and experienced in the disciplines of law, finance, sociology or management, to be appointed as members of the Police Service Commission;

AND WHEREAS section 122(4) of the Act provides that the President shall issue a Notification in respect of each person nominated for appointment under subsection (3) and the Notification shall be subject to affirmative resolution of the House of Representatives; and

AND WHEREAS the President has nominated **Mr. Dinanath Ramkissoon** to be appointed as a member of the Police Service Commission; and

AND WHEREAS the President has on the 29th day of May, 2015 made a Notification in respect of the nomination; and

AND WHEREAS it is expedient to approve the Notification:

BE IT RESOLVED that the Notification of the nomination of **Mr. Dinanath Ramkissoon** be approved.

(By the Leader of the House)

Bills Second Reading:

1. **The debate on the following Bill which was in progress on Friday May 15, 2015 will be resumed:**
A Bill entitled, “An Act to amend the Industrial Relations Act, Chap. 88:01.”
(By the Minister of Labour and Small and Micro Enterprise Development)
2. **The debate on the following Bill which was adjourned on Friday May 29, 2015 will be resumed:**
A Bill entitled, “An Act to repeal and replace the Insurance Act, Chap. 84:01, to reform the law relating to insurance companies, to regulate insurance businesses and privately administered pension fund plans and for other related purposes.”
(By the Minister of Finance and the Economy)
3. **The debate on the following Bill which was adjourned on Friday May 15, 2015 will be resumed:**
A Bill entitled, “An Act to provide for the creation of offences related to cybercrime and related matters.”
(By the Minister of National Security)
4. **The debate on the following Bill which was adjourned on Friday May 15, 2015 will be resumed:**
A Bill entitled, “An Act to provide for the establishment of the Trinidad and Tobago Cyber Security Agency and for matters relating thereto.”
(By the Minister of National Security)
5. **The debate on the following Bill which was in progress on Friday May 15, 2015 will be resumed:**
A Bill entitled, “An Act to amend the Constitution of the Republic of Trinidad and Tobago.”
(By the Minister of Labour and Small and Micro Enterprise Development)
6. **The debate on the following Bill which was in progress on Friday May 01, 2015 will be resumed:**
A Bill entitled, “An Act to provide for the monitoring of prescribed activities and the prevention of the diversion of precursor chemicals and other chemical substances used, or capable of being used, in any type of illicit transaction involving narcotic drugs, psychotropic substances and other drugs or substances having a similar effect and for purposes connected therewith”.
(By the Attorney General)
7. 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)

PRIVATE BUSINESS

Motions:

1. **The debate on the following Motion which was in progress on Friday May 22, 2015 will be resumed:**
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 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.

AND BE IT FURTHER RESOLVED that this matter be referred to the Joint Select Committee on Energy Affairs for investigation and report.

(By the Member for Point Fortin)

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** on May 6, 2015 the House approved a Motion to Censure and to Suspend from the House the Honourable Leader of the Opposition;

AND WHEREAS in the debate on the said Motion, the mover of the Motion, the Honourable Leader of the House, made numerous references to a collection of emails and claimed these emails were fake as a matter of fact and used this as one of the bases on which the Leader of the Opposition should be censured and suspended;

AND WHEREAS the Deputy Director of Public Prosecutions (DPP) has issued a statement indicating that no conclusion has been made by the Office of the DPP nor the Police as to whether these emails are in fact fake or genuine, and that investigations into the authenticity of the emails are still ongoing;

AND WHEREAS the statement by the Deputy DPP disproves the claim by the Leader of the House that as a matter of fact the emails are fake, hence the rationale upon which the Honourable Leader of the Opposition was suspended was critically baseless and renders the suspension unjust;

AND WHEREAS there is also widespread concern that the process used and procedure followed to suspend the Leader of the Opposition was fundamentally flawed;

BE IT RESOLVED that for the reasons foregoing, this Honourable House rescind the suspension of the Honourable Leader of the Opposition forthwith.

(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*

June 03, 2015

ORDER PAPER FRIDAY JUNE 05, 2015

QUESTIONS FOR WRITTEN ANSWER

***Question No. 98 to the Attorney General**

(By the Member for Chaguanas West)

For the period May 2010 to present, could the Honourable Attorney General please state the names of all persons, legal, quasi legal and paralegal, hired on short or long term contract and all Cabinet approved advisors hired in the Office of the Attorney General and in the case of each above-named person:

- a) whether the position was advertised and how many applications were received;
- b) the remuneration package paid to the employee;
- c) the terms of reference;
- d) the academic qualifications and experience required for the post;
- e) the academic qualifications and experience of the person hired for the post; and
- f) the date and duration of the contract?

(Answer due by 21.03.2015)

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)

***On Friday April 17, 2015, Questions Nos. 98, 122, 124, 125, 131, 132, 133, 135 and 138 were deferred for two (2) weeks and for a further two (2) weeks on Friday May 01, 2015 including Questions 109, 144, 145, 146, 147 and 148.**

Question No. 122 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 please list all:

- a) sponsorships;
- b) donations; and
- c) expenditure of advertising and promotion?

(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. 124 to the Minister of Health

(By the Member for Chaguanas West)

With respect to each Carnival from 2010 to present, could the Minister list for each Regional Health Authority (RHA) all:

- a) sponsorships;
- b) donations; and
- c) expenditure of advertising and promotion?

(Answer due by 7.04.2015)

Question No. 125 to the Minister of Health

(By the Member for Chaguanas West)

With respect to each Carnival from 2010 to present, could the Minister list all purchase of tickets made by each Regional Health Authority, stating 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. 131 to the Prime Minister

(By the Member for Chaguanas West)

Could the Honourable Prime Minister please provide a detailed breakdown of all furnishings and household items, inclusive of draperies and dining utensils, etc. purchased by the Office of the Prime Minister from 2010 to present, indicating for each item:

- i. the purchase date;
- ii. the price; and
- iii. whether the item was used at the Official Residence of the Prime Minister, the personal residence of the Prime Minister or elsewhere?

(Answer due by 17.04.2015)

Question No. 132 to the Minister of the People and Social Development

(By the Member for Diego Martin Central)

With regard to the special grants of financial support for churches announced by the Prime Minister in December 2014, can this House be provided with a detailed breakdown of all expenditure on such support from December 2014 to present, including:

- i. the name of each recipient organization;
- ii. the address of each recipient organization;
- iii. the Constituency in which each recipient organization is located;
- iv. the specific names to which each cheque was made;
- v. the sums received by each recipient; and
- vi. the total expenditure under this programme from December 2014 to present?

(Answer due by 17.04.2015)

Question No. 133 to the Minister of Energy and Energy Affairs

(By the Member for Port of Spain North/St. Ann's West)

With respect to the \$4,372,143.98 that was reportedly distributed by National Gas Company from January 2013 to June 2014 in Port of Spain North/St. Ann's West 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 17.04.2015)

Question No. 135 to the Minister of Energy and Energy Affairs

(By the Member for Port of Spain South)

With respect to the \$5,280,252.11 that was reportedly distributed by National Gas Company from January 2013 to June 2014 in Port of Spain South 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 17.04.2015)

Question No. 138 to the Minister of Energy and Energy Affairs

(By the Member for La Brea)

With respect to the \$1,696,945.00 that was reportedly distributed by National Gas Company from January 2013 to June 2014 in La Brea 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 17.04.2015)

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)

Question No. 147 to the Minister of Finance and the Economy

(By the Member for Chaguanas West)

For each state board for the period May 2010 to present, could the Minister please provide the details of all legal briefs issued, including matters settled by attorneys acting on behalf of the State and in matters settled out of court, with such information including but not limited to:

- a) the names of the attorney and/or law firm hired;
- b) the amount paid and/or owing to each attorney and/or law firm;

- c) the subject matter of the legal brief or matter, and;
- d) the status of the matter?

(Answer due by 29.04.2015)

Question No. 148 to the Attorney General

(By the Member for Chaguanas West)

Could the Attorney General please provide the list of names of the law firms that state enterprises, government ministries and agencies were instructed by letter in 2010 to send their legal work to, by the then Attorney General?

(Answer due by 29.04.2015)

June 05, 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> <p>(a) In subsection (2)(a), delete the words “three years” and substitute the words “two years and six months”;</p> <p>(b) Insert after subsection (2), the following subsections:</p> <p>“(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-</p> <p>(a) published in the <i>Gazette</i>, at least two newspapers in daily circulation in Trinidad and Tobago and on its website; and</p> <p>(b) made available for inspection and signature at the place or places designated in the notice and during the times specified in the notice.</p> <p>(4) A notice published under subsection (3) shall-</p> <p>(a) designate the place or places at which the application is available for signature; and</p> <p>(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.”;</p>

**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”;
- (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**