



SENATE

ORDER PAPER

TWENTY-FOURTH SITTING, FIRST SESSION (2002/2003), EIGHTH PARLIAMENT
TUESDAY MAY 06, 2003 AT 1:30 P.M.

1. PRAYERS
2. OATH OF ALLEGIANCE OF A NEW SENATOR
3. ANNOUNCEMENTS BY THE PRESIDENT
4. BILLS BROUGHT FROM THE HOUSE OF REPRESENTATIVES
5. PETITIONS
6. PAPERS
7. PRESENTATION OF REPORTS FROM SELECT COMMITTEES
8. *QUESTIONS TO MINISTERS

Questions for Oral Answer

Question No. 34 to the Honourable Minister of Public Utilities and the Environment

(By Senator Wade Mark)

Could the Minister of Public Utilities and the Environment indicate to this Senate:

- (i) What steps/measures are being taken, if any, to recover the sums of money which were overpaid to the Chief Executive Officer, General Managers and Deputy General Managers of WASA between the period March 2002 to January 2003?
- (ii) Whether the Minister intends to take any action against the Board of Commissioners of WASA for illegally and unilaterally increasing the salaries, allowances and other perquisites to the Chief Executive Officer, several Managers and Deputy General Managers of WASA during the period March 2002 to January 2003?

Question No. 35 to the Honourable Minister of Public Utilities and the Environment

(By Senator Wade Mark)

- A. Is the Minister aware that three former senior WASA employees were dismissed for fraudulent activities discovered after an investigation carried out by the Water and Sewerage Authority (WASA)? If the answer is in the affirmative, could the Minister provide this Senate with the names of those employees and the offices which they occupied at that time?
- B. Is the Minister also aware that two of the dismissed employees filed appeals with the Industrial Court and the Court ruled against them? Does the Minister know that the matter was set for appeal again but has not been heard to date?

Question No. 36 to the Honourable Minister of Public Utilities and the Environment

(By Senator Wade Mark)

- A. Could the Minister indicate to this Senate whether those former WASA employees were ever compensated for their dismissal?
- B. If the answer is in the affirmative, could he indicate the amount of money they received as the final settlement?

Question No. 69 to the Honourable Attorney General

(By Senator Robin Montano)

- A. Could the Minister state what is the current amount of debt (inclusive of cost and interest) owed by the Jamat Al Mulsimeen and One Hundred and Thirteen Members in the High Court Action Judgement No. 2292 of 1994/Civil Appeal No. 16 of 2001?
- B. Could the Minister state whether there is a stay of execution to prevent the enforcement of the judgment awarding fifteen million dollars in damages plus interest and cost to the state in the said matter?
- C. If the answer to 'B' is in the negative could the Minister indicate what steps, if any, the Government has taken on behalf of the state to enforce the judgement referred to in 'A' so as to receive monies owed by the Jamat Al Muslimeen on behalf of the people of Trinidad and Tobago.

9. QUESTIONS TO CHAIRMEN OF SESSIONAL AND SPECIAL SELECT COMMITTEES

10. REQUESTS FOR LEAVE TO MOVE THE ADJOURNMENT OF THE SENATE ON DEFINITE MATTERS OF URGENT PUBLIC IMPORTANCE

11. STATEMENTS BY MINISTERS

12. PERSONAL EXPLANATIONS

13. INTRODUCTION OF BILLS
14. MOTIONS RELATING TO THE BUSINESS OR SITTINGS OF THE SENATE AND MOVED BY A MINISTER OR PARLIAMENTARY SECRETARY
15. PUBLIC BUSINESS

GOVERNMENT BUSINESS

Bills Second Reading:

1. **The debate of the following Bill which was in progress when the Senate was adjourned on Tuesday April 15, 2003 will be resumed:**

A Bill entitled, “An Act to provide for the punishment of Kidnapping for ransom and other related offences and for matters incidental thereto”.

(By the Minister of National Security)

2. A Bill entitled, “An Act to validate the Fourth Report of the Elections and Boundaries Commission under the Elections and Boundaries Commission (Local Government) Act, Chap. 25:50 for the purpose of Local Government Elections”.

(By the Minister of Local Government)

3. A Bill entitled, “An Act to amend the Commissions of Enquiry Act, Chap. 19:01”.

(By the Attorney General)

PRIVATE BUSINESS

Motions:

1. **The debate on the following Motion which was in progress when the Senate was adjourned on Tuesday March 25, 2003, will be resumed:**

WHEREAS the Report of the Constitution Commission (‘the Hyatali Commission’) appointed in 1987, under the Commissions of Enquiry Act Chapter 19:01, made recommendations which have never been debated in Parliament or presented officially to the public for consideration and comment; and

WHEREAS there have been no adjustments to the Republican Constitution (1976) at any time in the last twenty-five years in response to changing social and cultural circumstances; and

WHEREAS there have been in the last ten years an increase in the electorate’s “dissatisfaction with the existing political establishment, and confusion and uncertainty about what options for meaningful change are open.” (Wooding Commission Report); and

WHEREAS the historic electoral tie in the General Election of 2001 has had the following effects among others: (a) focusing the public’s attention on the Republican Constitution’s strengths and

weaknesses; (b) causing for the first time in the history of the country a significant number of individuals, institutions, and citizen groups acting independently to examine the Constitution and conclude unanimously that there is a crying need for constitution reform; and (c) impelling the political parties to declare during the 2002 General Election Campaign their urgent intention, if elected, to undertake Constitution Reform; and

WHEREAS the now governing People's National Movement in its Election Manifesto 2002 commits the party to the "widest possible discussion and participation in the process leading up to the Reform of the Constitution for a modern Trinidad and Tobago" and to developing a Constitution "capable of ensuring the involvement of all its citizens in the running of the country" and permitting "equity in the distribution of the resources";

BE IT RESOLVED that the Government of Trinidad and Tobago articulate its position on the question of Constitution Reform indicating: (a) what areas of the Constitution it considers to be in urgent need of review; (b) whether it proposes piecemeal reform or a comprehensive review; (c) how it intends to involve the population in the process; and (d) what steps it will take to ensure that this crucial exercise is completed no later than eighteen months after the first sitting on October 17, 2002 of the first session of the Eighth Parliament of the Republic of Trinidad and Tobago.

(By Sen. Prof. Kenneth Ramchand)

2. **WHEREAS** a healthy democracy depends on a well informed citizenry

WHEREAS citizens are entitled to know how Members of Parliament represent them in Parliament

WHEREAS there is a need for citizens to have at first hand and, as far as practical, information regarding what transpires in the country's Parliament, and,

WHEREAS the information gap between the proceedings in Parliament and citizens' awareness needs to be closed as far as practical

BE IT RESOLVED that the Government arrange, with appropriate permission, for full debates and the business of both Houses to be transmitted to the public through the electronic media (television and radio) in an equitable and discreetly edited form on fixed days of the week and with such transmission to begin before the end of the year 2003.

(By Sen. Prof. Ramesh Deosaran)

3. **WHEREAS** there is a growing need for skills training and training in science and technology in developing societies like Trinidad and Tobago; and

WHEREAS many unmonitored and unregulated tertiary institutions have sprung up to cater to the desire to acquire such training and skills among students of differing levels, ages and abilities who have not gained entry to the University of the West Indies; and

WHEREAS there are other institutions and initiatives old and new in post secondary and tertiary education in Trinidad and Tobago whose programmes are associated with different sectors of the economy; and

WHEREAS there is a need to create a body with the intellectual authority and material and human resources to assess, regulate, and direct the development of this confusing array of so-called tertiary offerings and integrate them into coherent and authentic tertiary education programmes contributing to the social and economic development of the country; and

WHEREAS there is a need, further, for an institution founded on the recognition that skills training and training in science and technology depend upon scientific research and technological innovation of the kind associated with those places of higher learning called Universities; and

WHEREAS graduates of such a technical institution should be recognized as recipients of a University degree and a University education;

BE IT RESOLVED that the Government of Trinidad and Tobago reorganize and integrate this side of the tertiary education provision, ensure efficiency and high standards and contribute to solving developmental problems and human needs, by giving modern Trinidad and Tobago what it needs and deserves – a Technical University of Trinidad and Tobago which can stand proudly beside, and share the national work with, the St. Augustine Campus of the University of the West Indies.

(By Sen. Prof. Kenneth Ramchand)

4. **WHEREAS** Section 4 of the Constitution of the Republic of Trinidad and Tobago provides for all citizens the right to equality of treatment from any public authority in the exercise of any function and the right to equality before the law and the protection of the law;

AND WHEREAS both Houses of Parliament have already passed into law the Equal Opportunities Act;

BE IT RESOLVED that the Government takes immediate steps to have the Equal Opportunity Legislation proclaimed and fully effected in the Republic of Trinidad and Tobago

(By Senator Wade Mark)

5. **WHEREAS** the events of terrorism and terrorists' actions of *September 11, 2001* have caused grave pain and hurt and resulted in the death of thousands of innocent lives.

WHEREAS the United States of America has embarked upon "*an all out war*" against terrorism and terrorists' groups and is seeking the support of all Member States worldwide in the fight against terrorism and terrorists.

AND WHEREAS many citizens of this country are concerned about terrorism and terrorists and the negative and disastrous impact that they can cause on the lives and welfare of the people of this nation.

BE IT RESOLVED that this House urges the Government to declare before this House how it proposes to deal with any form of terrorism or terrorists' group in this country particularly those with a proven track record in subversive and criminal activities.

(By Senator Robin Montano)

6. **WHEREAS** serious concerns have arisen in the national community over the operations of the banking industry in Trinidad and Tobago.

AND WHEREAS it is in the best interest of Trinidad and Tobago that there be vibrant and strong banking institutions that operate not only in the best interest of the banks themselves but also in the best interest of the citizens.

AND WHEREAS the UNC Administration supported the Financial Sector Ombudsman and promoted Truth In Lending Legislation in order to establish more effective monitoring and vigilance of market conduct in the Financial Services Sector.

BE IT RESOLVED that the Government take all required steps and implement all necessary measures which could include but not be limited to the immediate establishment of the Office Banking Ombudsman and the expeditious enactment of the Truth In Lending Legislation in order to protect both citizens and Government from inappropriate banking practices and thus maintain the confidence and integrity of the Banking Sector.

(By Senator Robin Montano)

7. **WHEREAS** the Government during the period 1995 to 2001 instituted several measures to combat corruption in public office and to empower the population.

AND WHEREAS the object of the Prevention of Corruption (Amendment) Bill 2001, was to amend the Prevention of Corruption Act No. 11 of 1987 to implement further and more effective measures for the prevention of corruption by (inter alia) increasing the number of corruption and corruption related offences, providing protection for informers and whistleblowers and establishing an *Anti-Corruption Commission* equipped with the expertise required to monitor and investigate allegations of corruption, with integrity and without political interference, and to initiate prosecutions in both the public and private sectors.

AND WHEREAS this said bill was laid in Parliament in July 2001 but lapsed upon the dissolution of Parliament in August 2001 before it had been able to be debated and passed.

AND WHEREAS there still is an urgent need to address objectively the issues of corruption, transparency and probity in public affairs.

BE IT RESOLVED that the Government take all the required steps to expedite the enactment of legislation similar (if not identical with) the provisions of the Prevention of Corruption (Amendment) Bill 2001 in order to implement further and more effective measures for the prevention of corruption.

(By Senator Carolyn Seepersad-Bachan)

DAWN DOLLY
Clerk Of The Senate

Senate Secretariat
The Red House
PORT OF SPAIN

April 30, 2003

APPENDIX I

SENATE

ORDER PAPER

**TWENTY-FOURTH SITTING, FIRST SESSION (2002/2003), EIGHTH PARLIAMENT
TUESDAY MAY 06, 2003 AT 1:30 P.M.**

8. QUESTIONS TO MINISTERS

Question for Written Answer

Question No. 6 to the Honourable Minister of Agriculture, Lands and Marine Resources

(By Senator Dr. Eastlyn McKenzie)

- A. Could the Minister provide a list of all the names of land owners in Tobago whose lands have been used or entered upon or acquired by the State and have not been paid?
- B. Could the Minister state:
 - (i) the purpose for which the lands were taken?
 - (ii) the reasons for the delay in payment to the landowner?
- C. (i) Could the Minister give the description and location of all lands used or entered upon or acquired by the State where ownership has not been established?
 - (ii) Could he state the purpose for which the lands was used, entered upon or acquired?

Question No. 7 to the Attorney General

(By Senator Carolyn Seepersad-Bachan)

- A. Could the Minister provide the following information pertaining to the Commission of Enquiry into the Airport Project:
 - (i) Whether a budget was prepared for this Commission of Enquiry?

- (ii) If the answer to (i) is in the affirmative could she give the estimated cost and the estimated time that it is likely to last?
- B. (i) The names, professions, qualifications and amount of monies paid by the said to each Commissioner appointed to this Enquiry up to April 30, 2003?
- (ii) The names and amount of monies paid to each lawyer retained or employed as Counsel to the Commission?
 - (iii) The names, professions, qualifications and remuneration paid to date of all personnel employed by the State to provide administrative and support services for this Enquiry?
 - (iv) Details of all other cost incurred relating to this Enquiry up to April 30, 2003?

Question No. 8 to the Attorney General

(By Senator Carolyn Seepersad-Bachan)

Could the Minister provide the following information pertaining to the Commission of Enquiry into the Biche High School:

- (i) The names, professions, qualifications and amount of monies paid by the State to each Commissioner appointed to this enquiry up to April 30, 2003?
- (ii) The names and amount of monies paid to each lawyer retained or employed as Counsel to the Commission, Ministries and State Enterprises?
- (iii) The names, professions, qualifications and remuneration paid to all personnel employed by the State to provide administrative and support services for this Enquiry?
- (iv) Details of all other related cost incurred by this Enquiry up to April 30, 2003?

Question No. 9 to the Attorney General

(By Senator Carolyn Seepersad-Bachan)

Could the Minister provide the following information pertaining to the Commission of Enquiry into the Elections and Boundaries Commission (EBC):

- (i) The names, professions, qualifications and amount of monies paid by the State to each Commissioner appointed to this Enquiry up to April 30, 2003?
- (ii) The names and amount of monies paid to each lawyer retained or employed as Counsel to the Commission, Ministries and State Enterprises?

- (iii) The names, professions, qualifications and remuneration paid to all personnel employed by the State to provide administrative and support services for this Enquiry?
- (iv) Details of all other related cost incurred by this Enquiry up to April 30, 2003?

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April 30, 2003