



SENATE

ORDER PAPER

**THIRTY-SEVENTH SITTING, FIRST SESSION (2002/2003), EIGHTH PARLIAMENT
TUESDAY SEPTEMBER 16, 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
 - (i) Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Sangre Grande Regional Corporation for the nine-month period ended September 30, 1998.
(By the Minister in the Ministry of Finance)
7. PRESENTATION OF REPORTS FROM SELECT COMMITTEES
8. QUESTIONS TO MINISTERS
Questions for Oral Answer

Question No. 90 to the Honourable Attorney General

(By Senator Wade Mark)

- A. Could the Minister indicate to this Senate if the government intends to introduce legislation similar to that contained in Chap. 11 of Bankruptcy Protection Laws in the U.S.A?
- B. If the answer is in the affirmative, could she state how soon the government intends to bring these legislation?
- C. Could the Minister indicate whether it is government's intention to extend this facility to only bankrupt companies or also to provide private citizens experiencing serious financial difficulties?

Question No. 91 to the Honourable Minister of Health

(By Senator Wade Mark)

- A. Could the Minister tell the Senate about the total amount of monies owing to private nursing homes for the provision of medical services arising out of the impasse with the nation's doctors?
- B. Could he identify the names of the private nursing homes and the sums of money owed to each one of them?
- C. Could the Minister of Health indicate when the sum of money owed will be remitted to the owners of the nursing homes?

Question No. 92 to the Honourable Minister of Finance

(By Senator Wade Mark)

In order to arrest the continued imposition of excessive bank charges levelled on private citizens with limited savings in the pursuit of excess profit by the banks, could the Minister state what steps, if any, are being taken by the Minister of Finance to regulate commercial banks from arbitrarily imposing and raising bank charges?

Question No. 124 to the Honourable Minister of Public Utilities and the Environment

(By Senator Sadiq Baksh)

- A. Could the Minister inform this Senate of the exact location, address, light pole number and/or directions to sites (location) of all the compost sites established under the CEPEP programme to date?
- B. Could the Minister also provide the names and addresses of the CEPEP contractors responsible for the various sites?
- C. Could the Minister inform this House of the amount paid to the contractors for the establishment and upkeep of these sites?

Question No. 125 to the Honourable Minister of Trade and Industry

(By Senator Kenneth Ramchand)

Could the Minister as Leader of the House and as Chairman of the House Committee of the House of Representatives make an up-to-date statement on the status of restoration work on the Red House indicating:

- A. All the work already completed?
- B. The work scheduled to be completed over the next six months?
- C. The extent to which the concerns of Members as represented by the House Committee of the House who are responsible for all matters relating to the convenience and comfort of Members are being taken into account? and
- D. Whether he would welcome the opportunity to provide up-to-date information to Members of Parliament in response to a question like this being asked every six months?

Question No. 126 to the Honourable Attorney General*(By Senator Robin Montano)*

- A. Would the Minister please provide a list of all bodies, statutory authorities, boards, commissions or any other tribunals established by law and intended to exercise judicial or quasi-judicial functions but the members of whom up to June 15th, 2003 have not been appointed?
- B. Would the Minister please state whether or not citizens' rights are being infringed by the State's refusal and/or neglect and/or omission to appoint and/or duly constitute such bodies?

Question No. 127 to the Honourable Minister of Works and Transport*(By Senator Sadiq Baksh)*

- A. Could the Minister state whether there was a pre-qualification exercise for the Piarco Airport Runway Overlay Project?
- B. If the answer to (a) is in the affirmative, could the Minister inform this House of:
 - (i) the names of the contractors who qualified?
 - (ii) how many of those contractors submitted responsive bids to the Tender?
 - (iii) the number of Tenders received?
- C. The name of the contractor awarded the contract and the value of the contract inclusive of VAT?

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

Motions:

1. **WHEREAS** Section 6(5) of the Extradition (Commonwealth and Foreign Territories) Act, 1985 provides that the Attorney General may by Order, subject to affirmative resolution of Parliament, amend the First Schedule of the said Act;

AND WHEREAS the Attorney General for the purpose of amending the said First Schedule has on the 23rd day of June, 2003 made an Order entitled “The Extradition (Commonwealth and Foreign Territories) (Extradition Offences) Order, 2003”;

AND WHEREAS it is expedient that the Order be now affirmed;

BE IT RESOLVED that the Extradition (Commonwealth and Foreign Territories) (Extraditable Offences) Order, 2003 be now affirmed.

(By the Minister of Foreign Affairs)

2. **BE IT RESOLVED** that this Senate adopt the Third Special Report of the Joint Select Committee Appointed to Consider and Report on the Police Service Reform Bills, to wit:

“(i) The Constitution (Amendment) Bill, 2002;
(ii) The Police Service Bill, 2002; and
(iii) The Police Complaints Authority Bill, 2002”.

(By the Attorney General)

Bills Second Reading:

1. A Bill entitled, “An Act to amend the Summary Courts Act, Chap. 4:20”
(By the Attorney General)
2. A Bill entitled, “An Act relating to family proceedings”.
(By The Attorney General)
3. A Bill entitled, “An Act to provide for mediation in Trinidad and Tobago”.
(By the Attorney General)
4. A Bill entitled, “An Act to amend the Commissions of Enquiry Act, Chap. 19:01”.
(By the Attorney General)

PRIVATE BUSINESS

Motions:

The debate on the following Motion which was in progress when the Senate was adjourned on Tuesday July 08, 2003 will resume:

1. **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)

2. **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)

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** 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)

5. **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)

6. **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)

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)

8. **WHEREAS** the Government has signaled its intention to lay in Parliament the Regulations and Prescribed Forms made by the Integrity Commission in accordance with the Integrity in Public Life Act, 2000.

AND WHEREAS Section II (2) of the Act states that the Integrity Commission has the power to extend the deadline date for furnishing of a declaration for a maximum period of six months after May 31 of the year following the calendar year in question.

AND WHEREAS the deadline date and the extended period for the calendar years 1999, 2000 and 2001 have long since passed without the Regulations in place and the declarations submitted in accordance with the Act.

AND WHEREAS persons in public life may seek to use the above reasons not to file the necessary declaration and to escape their obligations under the Act.

BE IT RESOLVED that the Government, after consultation with the Opposition and the Integrity Commission, place as a definite matter of urgent public importance before Parliament, a Bill seeking to amend the Act so that the lacuna in the law can be remedied in order to carry out the true intention of Parliament.

(By Senator Robin Montano)

DAWN DOLLY
Clerk of the Senate

Senate Secretariat
The Red House
PORT OF SPAIN

September 10, 2003

APPENDIX I

SENATE

ORDER PAPER

**THIRTY-SEVENTH SITTING, FIRST SESSION (2002/2003), EIGHTH PARLIAMENT
TUESDAY SEPTEMBER 16, 2003 AT 1:30 P.M.**

8. QUESTIONS TO MINISTERS

Question for Written Answer

Question No. 6 to the Honourable Minister of Agriculture, Land 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 landowners?
- (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 were used, entered upon or acquired?

(Answer due by 20.05.2003)

Question No. 10 to the Honourable Minister of Public Utilities and the Environment

(By Senator Wade Mark)

- (a) Could the Minister of Public Utilities and the Environment state:
 - (i) The names of all the contractors engaged by the Water and Sewerage Authority (WASA) for the period December 2001 to the present time?
 - (ii) The exact nature of work these contractors have been engaged to perform?
 - (iii) The duration of these contracts and the financial value of each contract?

- (b) Could the Minister also state:
 - (i) How many contractors have been paid to date?
 - (ii) How many contractors have not been paid and exactly when would they be paid?
- (c) Would the Minister indicate whether the taxpayer is getting value for money on each contract?

(Answer due by 10.07.2003)

Question No. 11 to the Honourable Minister of Public Utilities and the Environment

(By Senator Wade Mark)

Could the Minister of Public Utilities and the Environment provide details on the following matters:-

- (i) The names and qualifications of the Members of the Board of Directors of the Green Fund Agency?
- (ii) The remuneration paid to the Chairman and Directors of the Green Fund Agency from its inception to the present time?
- (iii) The number of projects and programmes undertaken by the Agency since its inception?
- (iv) The total amount of monies accumulated in the Green Fund Agency to date?
- (v) The total amount of monies utilised from the Green Fund Agency for community projects and programmes?

(Answer due by 10.07.2003)

Question No. 13 to the Honourable Minister of Agriculture, Land and Marine Resources

(By Senator Dr. Jennifer Kernahan)

Could the Minister of Agriculture, Land and Marine Resources provide the following :-

- (i) The number of persons who have applied to the Ministry of Agriculture for agricultural lands from January, 1995 to May 23, 2003;
- (ii) Their names and addresses and;
- (iii) The dates of each application?

(Answer due by 10.07.2003)

Question No. 14 to the Honourable Minister of Agriculture, Land and Marine Resources

(By Senator Dr. Jennifer Kernahan)

Could the Minister inform the Senate of -:

- (i) The number of agricultural leases granted to applicants from January, 1995 to May, 2003;
- (ii) The names and addresses of applicants;
- (iii) The date(s) of issue, and;
- (iv) The location and size of plots of land leased?

(Answer due by 10.07.2003)

Question No. 15 to the Honourable Minister of Agriculture, Land and Marine Resources

(By Senator Dr. Jennifer Kernahan)

Could the Minister inform the Senate of:-

- (i) The status of the Accelerated Land Distribution Programme of the Ministry of Agriculture, Land and Marine Resources;
- (ii) The number of leases delivered to recipients from December, 2001 to May, 2003;
- (iii) The names and addresses of recipients, and;
- (iv) The location and size of plots of each recipient under this programme?

(Answer due by 10.07.2003)

**DAWN DOLLY
Clerk of the Senate**

**SENATE SECRETARIAT
The Red House
Abercromby Street
PORT OF SPAIN**

September 10, 2003