



SENATE OF THE REPUBLIC OF TRINIDAD AND TOBAGO

ORDER PAPER

TWENTY-FOURTH SITTING, SECOND SESSION (2003/2004) EIGHTH PARLIAMENT
TUESDAY APRIL 06, 2004 AT 1.30 P.M.

1. PRAYERS
2. OATH OF ALLEGIANCE OF A NEW MEMBER
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 Chaguanas Borough Corporation for year ended December 31, 1994.
(By the Minister in the Ministry of Finance)
 - (ii) Report of the Law Revision Commission in the exercise of its functions and powers for the year 2002 in accordance with Section 3C of the Law Revision Act (Chap. 3:03)
(By the Minister of Legal Affairs)
 - (iii) Annual Report of the Integrity Commission for Trinidad and Tobago for the year ended 2003.
(By the Vice-President)
7. PRESENTATION OF REPORTS FROM SELECT COMMITTEES
8. QUESTIONS TO MINISTERS
 - Questions for Oral Answer
Question No. 46 to the Honourable Minister of Trade and Industry
(By Senator Wade Mark)
 - A. Is the Minister aware that the Board of Point Lisas Industrial Port Development Company recently purchased a Gantry Crane from an Italian Company?

- B. If the answer is in the affirmative, would the Minister indicate to this Senate:
- (i) whether the Gantry Crane was brand new or foreign used; and
 - (ii) what is the capability of the Gantry Crane in respect of container moves per hour?

Question No. 47 to the Honourable Minister of Trade and Industry

(By Senator Wade Mark)

Would the Minister indicate to this Senate:

- (i) the number of occasions that the newly purchased Gantry Crane has malfunctioned?
- (ii) the details surrounding each occasion it has malfunctioned?
- (iii) the name of the local Mechanical Engineering Consultancy Firm that was employed to investigate these defects?
- (iv) the amount of money paid to the Local Mechanical Engineering Consultancy Firm for its services?
- (v) the total cost of these breakdowns to PLIPDECO?

Question No. 48 to the Honourable Minister of Trade and Industry

(By Senator Wade Mark)

Could the Minister provide this Senate with the name, address and status of the company, which PLIPDECO contracted to purchase and install the new Gantry Crane?

- 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** it is provided by section 5 of the Statistics Act that the Minister may by Order direct that a census shall be taken in Trinidad and Tobago, or any part thereof of any class of inhabitant and that the Order may specify-
 - (a) the dates on or before which the census is to be taken; and
 - (b) the matters in respect of which information is to be obtained in the census:

AND WHEREAS it is provided by the section that the Order be subject to affirmative resolution of Parliament:

AND WHEREAS the Minister has on the 8th day of March, 2004 made the Agricultural Census Order, 2004 directing that an agricultural census be held between the 1st day of May, 2004 and the 30th day of September, 2004:

BE IT RESOLVED that the Agricultural Census Order, 2004 be approved.

(By the Minister of Planning and Development)

Bills Second Reading:

1. A Bill entitled, "An Act to amend the Mutual Assistance in Criminal Matters Act, 1997".
(By the Minister of Foreign Affairs)
2. **The debate on the second reading of the following Bill, which was in progress when the Senate was adjourned on Tuesday March 16, 2004, will be resumed:**

A Bill entitled, "An Act to amend the Trinidad and Tobago Postal Corporation Act, No. 1 of 1999 to extend the period of exemption from taxes and other charges".
(By the Minister of Public Utilities and the Environment)
3. A Bill entitled, "An Act to make provision for the efficient management of the Police Service, to consolidate, amend and revise the law relating to the Police Service and for other related matters".
(By the Minister of National Security)
4. A Bill entitled, "An Act to establish an independent body to investigate criminal offences involving police officers, police corruption and serious police misconduct and for other related matters".
(By the Minister of National Security)
5. A Bill entitled, "An Act to amend the Constitution by providing for the establishment of a Police Management Authority, and for other related matters".
(By the Minister of National Security)

6. A Bill entitled, “An Act to amend the Commissions of Enquiry Act, Chap. 19:01”.
(By the Attorney General)
7. A Bill entitled, “An Act to amend the Constitution of Trinidad and Tobago”.
(By the Attorney General)
8. A Bill entitled, “An Act to implement the Agreement Establishing the Caribbean Court of Justice and for other related matters”.
(By the Attorney General)
9. A Bill entitled, “An Act to amend the Regional Health Authorities Act, 1994”.
(By the Minister of Health)
10. A Bill entitled, “An Act to re-enact and revise the laws respecting Weights and Measures and to give effect to the International System of Units (SI Units)”
(By the Minister of Trade and Industry)

PRIVATE BUSINESS

Motions:

The debate on the following Motion, which was in progress when the Senate was adjourned on Tuesday March 23, 2004, will be resumed:

1. **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)

2. **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.

AND WHEREAS this said Bill was introduced in the House of Representatives on July 20, 2001 but lapsed upon the dissolution of Parliament in August 2001.

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 to (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)

3. **WHEREAS** Article 3 of the United Nations Declaration on the Elimination of all forms of Discrimination states that “Particular efforts shall be made to prevent discrimination based on race, colour or ethnic origin, especially in the fields of civil rights, access to citizenship, education, religion, employment, occupation and housing”; and

WHEREAS Article 26 of the United Nations Universal Declaration of Human Rights asserts that “*Technical and professional education shall be made generally available and higher education shall be equally accessible to all on the basis of merit*”; and

WHEREAS on November 3rd 1973, Trinidad and Tobago ratified the Convention on the Elimination of all forms of Racial Discrimination; and

WHEREAS section 4 of the Constitution of the Republic of Trinidad and Tobago recognises and declares that in Trinidad and Tobago there have existed and shall continue to exist, without discrimination by reason of race, origin, colour, religion or sex, certain fundamental human rights and freedoms; and

WHEREAS the National Anthem of Trinidad and Tobago resonates with the aspiration that “*Here every creed and race find an equal place*”; and

WHEREAS section 7 of the Education Act, Chap. 39:01 states, “*No person shall be refused admission to any public institution on account of religious persuasion, race, social status or language of such a person or of his parent*”; and

WHEREAS since December 24th 2001 there has been a renewal and an institutionalization of the victimization of and discrimination against employees of State Enterprises, Statutory Authorities, Government Ministries and Public Authorities by the PNM Government; and

WHEREAS, throughout our nation, through victimization and discrimination by the PNM government, citizens are denied the opportunity to access jobs, contracts and loans in the Unemployment Relief Programme (URP); the Community Environmental Protection and Enhancement Programme (CEPEP) and the National Entrepreneurship Development Company Limited (NEDCO) and other public programmes; and

WHEREAS, throughout the nation, citizens are denied equality of treatment in accessing training opportunities in the Youth Apprenticeship Programme in Agriculture (YAPA); On the Job Training (OJT); Helping You Prepare for Employment (HYPE); Geriatric Adolescent/Partnership Programme (GAPP) and other public programmes; and

WHEREAS the Honourable Member for Diego Martin West and Minister of Housing has publicly affirmed a policy of racial and gender discrimination as contained in the *Social and Economic Framework 2004* policy document, notwithstanding its deletion as an “Errata”:

BE IT RESOLVED that this House re-affirms its commitment to the elimination of discrimination in all its forms and the right of the individual to equality of treatment from public authorities.

(By Senator Wade Mark)

DAWN DOLLY
Clerk of the Senate

Senate Secretariat
The Red House
Abercromby Street
PORT OF SPAIN

April 01, 2004

8. QUESTIONS TO MINISTERS

Questions for Written Answer

Question No. 3 to the Honourable Minister of Works and Transport

(By Senator Sadiq Baksh)

Could the Minister of Works and Transport provide this House with the names of all citizens provided with Priority Bus Route passes?

(Answer due by December 02, 2003)

Question No. 12 to the Honourable Attorney General

(By Senator Sadiq Baksh)

With respect to services rendered to the State, would the Attorney General inform this House:

- (a) of the dates on which Mr. Karl Hudson Phillips, Q.C. was retained during the period January 01, 1996 to December 31, 2003?
- (b) by whom and for what purpose was he engaged on each occasion?
- (c) what was the amount paid to him for each engagement?
- (d) whether any reports and/or recommendations were made by Mr. Hudson Phillips, Q.C. on any of the occasions he was engaged?
- (e) if the answer to (d) is in the affirmative, would the Attorney General indicate:
 - (i) to whom and on what dates were these reports and/or recommendations made; and
 - (ii) provide details of any such reports and/or recommendations?

(Answer due by February 27, 2004)

Question No. 14 to the Honourable Minister of Trade and Industry

(By Senator Wade Mark)

Could the Minister provide this Senate with the following:

- (i) copies of the technical evaluation report issued to the PLIPDECO Management by Incorrtech; and
- (ii) copies of the Germanisher Lloyd Report regarding the inspecting of the Fantuzzi Crane?

(Answer due by February 27, 2004)

Question No. 15 to the Honourable Minister of Energy and Energy Industries

(By Senator Wade Mark)

Could the Minister provide this Senate with a copy of the twenty (20) year Agreement signed between Point Fortin LNG Exports Limited and the U.S. based El Paso Merchant Energy LP to

supply LNG from Atlantic LNG's trains II and III to Elba Island regasification terminal with effect from January 01, 2004?

(Answer due by February 27, 2004)

Question No. 18 to the Honourable Attorney General

(By Senator Wade Mark)

Would the Attorney General provide this Senate with:

- (i) a list of all Acts passed by Parliament since 1976 and not yet proclaimed; and
- (ii) state the reasons for the inability of the Government to have these Acts proclaimed.?

(Answer due by February 27, 2004)

Question No. 20 to the Honourable Minister of Health

(By Senator Wade Mark)

Could the Minister provide this Senate with:

- (i) a copy of the report submitted to him by Dr. Petronella Manning-Alleyne concerning the recent deaths of scores of infants at the neo-natal unit of the Mt. Hope Women's Hospital;
- (ii) the details surrounding the circumstances of the deaths of infants at the neo-natal unit referred to in (i); and
- (iii) the details of any recommendations aimed at preventing a reoccurrence of similar deaths which may have been submitted to the Ministry of Health?

(Answer due by February 27, 2004)

Question No. 21 to the Honourable Minister of Health

(By Senator Wade Mark)

Could the Minister provide this Senate with:

- (i) a detailed breakdown on a monthly basis for the year 2003 of the total number of deaths of infants at the neo-natal unit of the Mt. Hope Women's Hospital; and
- (ii) a copy of the report submitted to the Ministry of Health by the Pan American Health Organisation (PAHO) relating to the status of the neo-natal units at the Major Hospitals in Trinidad and Tobago?

(Answer due by February 27, 2004)

Question No. 22 to the Honourable Minister of Trade and Industry

(By Senator Wade Mark)

A. Could the Minister inform this Senate of:

- (i) the details of the arrangements with Virgo Consultants as it relates to the 2004 Sugar Crop;
- (ii) the date when Virgo Consultants was incorporated;
- (iii) the registered address of Virgo Consultants;
- (iv) the names and addresses of its directors; and

- (v) the total value of the contract awarded to Virgo Consultants and its duration?
 - (vi) whether the decision to employ Virgo Consultants to manage the 2004 Crop was the subject of public tendering?
- B. If the answer to (vi) is in the affirmative, could the Minister provide details of:
- (i) the number of firms that submitted tenders;
 - (ii) the names and addresses of the firms that submitted tenders; and
 - (iii) the names of the Firms that placed first, second and third respectively?
- (Answer due by February 27, 2004)*

Question No. 23 to the Honourable Minister of Trade and Industry

(By Senator Wade Mark)

Could the Minister provide the Senate with a copy of the report of the investigations conducted by the local Mechanical Engineering Consultancy Firm on the new multi-million dollar Gantry Crane at PLIPDECO?

(Answer due by February 27, 2004)

Question No. 24 to the Honourable Minister of Trade and Industry

(By Senator Wade Mark)

- A. Is the Minister aware that the purchase of the new Gantry crane ordered by the Board of PLIPDECO was made against the advice of many senior managers and qualified technocrats?
- B. Could the Minister provide the Senate with the relevant reports, documents and feasibility studies which informed the decision of the Chairman and Board of Directors of PLIPDECO in finally deciding to order the new Gantry crane from a company in Italy?

(Answer due by February 27, 2004)

Question No. 26 to the Honourable Minister of Housing

(Senator Sadiq Baksh)

Could the Minister provide this House with a list of the names and addresses of all the applicants to all the agencies responsible to the Ministry of Housing for houses, land and rental units as at March 02, 2004?

(Answer due by March 31, 2004)

Question No. 27 to the Honourable Minister of Housing

(Senator Sadiq Baksh)

Could the Minister provide this House with a list of the names and addresses of all squatters in Trinidad as at March 02, 2004?

(Answer due by March 31, 2004)

Question No. 28 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 for?
- 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 April 07, 2004)

Question No. 29 to the Honourable Minister of Public Utilities and the Environment

(By Senator Wade Mark)

- A. Could the Minister provide this Senate with a detailed breakdown of the names and addresses of all the residential of commercial, industrial and other charitable users owing the \$500 million plus arrears to the Water and Sewerage Authority as at end of February, 2004; and
- B. Could the Minister further provide this Senate with details on the sums of money owed by each residential, commercial and industrial customer as well as each charitable organisation (customer) to the Water and Sewerage Authority as at the end of February, 2004.

(Answer due by April 07, 2004)

DAWN DOLLY
Clerk of the Senate

*Senate Secretariat
The Red House
Abercromby Street
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April 01, 2004