



SENATE OF THE REPUBLIC OF TRINIDAD AND TOBAGO

**ORDER PAPER**

TWENTY-NINTH SITTING, SECOND SESSION (2003/2004) EIGHTH PARLIAMENT  
TUESDAY MAY 18, 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 Central Marketing Agency for the year ended December 31, 1990.  
*(By the Minister in the Ministry of Finance)*
  - (ii) Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Central Marketing Agency for the period January 01, 1991 to August 16, 1991.  
*(By the Minister in the Ministry of Finance)*
7. PRESENTATION OF REPORTS FROM SELECT COMMITTEES
8. QUESTIONS TO MINISTERS
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 on the Second Reading of the following Bill, which was in progress when the Senate was adjourned on Tuesday May 11, 2004, will be resumed:**

A Bill entitled, "An Act to amend the Telecommunications Act, 2001".

*(By the Minister of Public Administration and Information)*

2. A Bill entitled, "An Act to amend the Insurance Act and for matters related thereto".

*(By the Minister in the Ministry of Finance)*

3. A Bill entitled, "An Act to amend the Regional Health Authorities Act, 1994".

*(By the Minister of Health)*

4. 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)*

5. 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)*

6. 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)*

7. 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)*

8. A Bill entitled, "An Act to amend the Commissions of Enquiry Act, Chap. 19:01".

*(By the Attorney General)*

9. A Bill entitled, "An Act to amend the Constitution of Trinidad and Tobago".

*(By the Attorney General)*

10. A Bill entitled, “An Act to implement the Agreement Establishing the Caribbean Court of Justice and for other related matters”.

*(By the Attorney General)*

### **PRIVATE BUSINESS**

#### **Motions:**

**The debate on the following Motion, which was in progress when the Senate was adjourned on Tuesday April 27, 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 3<sup>rd</sup> 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 24<sup>th</sup> 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)*

4. **WHEREAS** the Integrity in Public Life Act, 2000 has been proclaimed by the President and came into force on the 6<sup>th</sup> day of November, 2000.

**AND WHEREAS** the Integrity in Public Life (Prescribed Forms) Regulations, 2003 were duly made by the Integrity Commission on the 12<sup>th</sup> day of September, 2003.

**AND WHEREAS** the Integrity in Public Life (Period of Furnishing of Information Regulations) was duly made by the Integrity Commission on the 12<sup>th</sup> day of September, 2003.

**AND WHEREAS** the Integrity Commission, under Section 11(2) of the Act, has no power to extend the time for persons in public life to furnish their declarations for the years 1999, 2000 and 2001 respectively:

**AND WHEREAS** by December 1<sup>st</sup>, 2003, the Integrity Commission shall under Section 11(2) of the Act, have no power to extend the time for persons in public life to furnish their declarations for the year 2002:

**AND WHEREAS** the Opposition United National Congress is committed to ensuring that the law is not frustrated and that the Government is not allowed to escape its responsibilities under the law:

**BE IT RESOLVED** that leave of this House be granted to Senator Robin Montano to introduce a Bill entitled the Integrity in Public Life Act (Amendment) (No. 3) Bill, 2004.

*(By Senator Robin Montano)*

**NEIL JAGGASSAR**  
*Clerk of the Senate (Ag.)*

*Senate Secretariat  
The Red House  
Abercromby Street  
PORT OF SPAIN*

*May 12, 2004*

## 8. QUESTIONS TO MINISTERS

*Questions for Written Answer***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. 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)*

**NEIL JAGGASSAR**  
*Clerk of the Senate (Ag.)*

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