



## SENATE OF THE REPUBLIC OF TRINIDAD AND TOBAGO

# ORDER PAPER

FORTY-THIRD SITTING, SECOND SESSION (2009), NINTH PARLIAMENT  
TUESDAY DECEMBER 08, 2009 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) The Annual Audited Financial Statements of East Port of Spain Development Company Limited for the financial year ended September 30, 2008.  
**(By the Minister of Trade and Industry and Minister in the Ministry of Finance)**
  - (ii) The Audited Financial Statements of Vehicle Maintenance Corporation of Trinidad and Tobago for the financial year ended September 30, 2008.  
**(By the Minister of Trade and Industry and Minister in the Ministry of Finance)**
  - (iii) The Audited Financial Statements of Trinidad and Tobago Free Zones Company Limited for the financial year ended December 31, 2007.  
**(By the Minister of Trade and Industry and Minister in the Ministry of Finance)**
  - (iv) The Audited Financial Statements of Trinidad and Tobago Free Zones Company Limited for the financial year ended December 31, 2008.  
**(By the Minister of Trade and Industry and Minister in the Ministry of Finance)**
  - (v) The Audited Financial Statements of Trinidad and Tobago Mortgage Finance Company Limited for the financial year ended December 31, 2008.  
**(By the Minister of Trade and Industry and Minister in the Ministry of Finance)**
  - (vi) The Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Mayaro Civic Centre for the year ended September 30, 2006.  
**(By the Minister of Trade and Industry and Minister in the Ministry of Finance)**
  - (vii) The Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Mayaro Civic Centre for the year ended September 30, 2007.  
**(By the Minister of Trade and Industry and Minister in the Ministry of Finance)**

7. PRESENTATION OF REPORTS FROM SELECT COMMITTEES
8. QUESTIONS TO MINISTERS

**QUESTIONS FOR WRITTEN ANSWER APPEAR IN APPENDIX I**

**Questions for Oral Answer**

**\*Question No. 184 to the Honourable Minister of Foreign Affairs**

**(By Senator Lyndira Oudit)**

Could the Minister indicate to the Senate, how the Ministry of Foreign Affairs proposes to benefit from the funding and training to be made available to this country through the International Organisation of Migration (IOM), as a consequence of becoming a member in June, 2009?

**\*Question No. 185 to the Honourable Minister of Foreign Affairs**

**(By Senator Lyndira Oudit)**

With respect to membership in the International Organisation for Migration (IOM), could the Minister indicate to the Senate the measures presently in place to detect, gather evidence, collate data on and to counter human-trafficking in 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 OR PARLIAMENTARY SECRETARIES
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:**

- (i) **BE IT RESOLVED** that the Senate adopt the Interim Report of the Joint Select Committee on the Local Government Bill, 2009.

**(By the Minister of Health)**

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\* Question No. 184 and 185 were deferred to next sitting (Member absent) on 29.09.09, for two (2) weeks on 1.10.09, for two (2) weeks on 20.10.09, one (1) week on 03.11.09, for three (3) weeks on 10.11.09 and for one (1) week on 01.12.09.

- (ii) **BE IT RESOLVED** that the Senate adopt the Second Interim Report of the Joint Select Committee on the Local Government Bill, 2009.

**(By the Minister of Health)**

- (iii) **BE IT RESOLVED** that the Senate adopt the Second Interim Report of the Joint Select Committee appointed to consider and report on the Data Protection Bill, 2009 and the Electronic Transactions Bill, 2009.

**(By the Minister of Agriculture, Land and Marine Resources)**

- (iv) **BE IT RESOLVED** that the House of Representatives amendments to the Evidence (Amendment) Bill, 2009 listed in Appendix II be considered.

**(By the Attorney General)**

### **Bills Second Reading:**

- (i) A Bill entitled, “An Act to provide protection to investors from unfair, improper or fraudulent practices; foster fair and efficient capital markets and confidence in the capital markets in Trinidad and Tobago and to reduce systemic risk; to co-operate with other jurisdictions in the development of fair and efficient capital markets, and for other related matters”.

**(By the Minister of Trade and Industry and Minister in the Ministry of Finance)**

- (ii) A Bill entitled, “An Act to amend the Evidence Act, Chap. 7:02”.

**(By the Attorney General)** *(To revive the common law doctrine of recent complaint in respect of trials for sexual offences).*

- (iii) A Bill entitled, “An Act to amend the Supreme Court of Judicature Act, Chap. 4:01”.

**(By the Attorney General)**

- (iv) **The debate on the following Bill which was in progress when the Senate adjourned on Tuesday May 19, 2009 will be resumed:**

A Bill entitled, “An Act to amend the Integrity in Public Life Act, Chap. 22:01”.

**(By the Attorney General)**

- (v) **The debate on the following Bill which was in progress when the Senate adjourned on Tuesday July 14, 2009 will be resumed:**

A Bill entitled, “An Act to vest jurisdiction for all family matters and juvenile matters in a Division of the High Court to be called the Family Court and to make provision for matters connected therewith”.

**(By the Attorney General)**

- (vi) A Bill entitled, “An Act to establish the Trinidad and Tobago National Steel Symphony Orchestra Corporation and for matters incidental thereto”.

**(By the Minister of Community Development, Culture and Gender Affairs)**

## PRIVATE BUSINESS

### Motions:

- (i) **The debate on the following motion which was in progress when the Senate adjourned on Tuesday December 01, 2009 will be resumed:**

**WHEREAS** the Government of Trinidad and Tobago closed Caroni (1975) Ltd (the Company) in or around 2003;

**AND WHEREAS** the Cane Farmers, one of the major stakeholders of the industry, were adversely affected by the closure of the Company;

**AND WHEREAS** the European Union recognizing the severe impact the closure of the sugar industry would have on the Stakeholders of the ACP countries, made grant funds available to those countries to cushion the impact of the closure of the industry;

**AND WHEREAS** Trinidad and Tobago was one of the countries which stood to benefit from the grant funds from the European Union mentioned above;

**AND WHEREAS** the Government of Trinidad and Tobago has not accessed the available funds from the European Union for the benefits of the Cane farmers;

**BE IT RESOLVED** that the Government of Trinidad and Tobago take immediate steps to access the funds from the European Union and disburse same to the former Cane Farmers of Caroni (1975) Ltd.;

**AND BE IT FURTHER RESOLVED** that the Government consult with, and keep the Cane Farmers informed at regular intervals on the progress being made with respect to the drawdown of the said funds from the European Union.

**(By Senator Dr. Jennifer Kernahan)**

- (ii) **The debate on the following motion which was in progress when the Senate adjourned on Tuesday May 26, 2009 will be resumed:**

**WHEREAS** the operations of the Water and Sewerage Authority are vital and indispensable to the good health and welfare of the people of Trinidad and Tobago;

**AND WHEREAS** the Water and Sewerage Authority and its functions are provided for by Parliament;

**BE IT RESOLVED** that government take all the necessary steps to ensure that the sewerage function of the Authority remain entirely and solely the responsibility of the Water and Sewerage Authority as provided for in law.

**(By Senator Dr. Adesh Nanan)**

- (iii) **BE IT RESOLVED** that the Senate call on the government of Trinidad and Tobago to root out all corrupt practices in the management of the public purse;

**AND BE IT FURTHER RESOLVED** that individuals found engaging in such activities be subjected to swift and compelling justice;

**AND BE IT FURTHER RESOLVED** that this Senate call on the government to take immediate steps to effect legislation dealing with public procurement practices and standards in Trinidad and Tobago.

**(By Senator Wade Mark)**

(iv) **WHEREAS** it is the role of the Parliament to oversee and scrutinize the actions of the Executive arm of the State;

**AND WHEREAS** Parliament has established a number of mechanisms to give effect to its role;

**BE IT RESOLVED** that this Senate call on the government to promote standards of good governance by permitting the Parliament and its Committees to function efficiently and effectively.

**(By Senator Wade Mark)**

(v) **BE IT RESOLVED** that the Minister of Finance be afforded the financial, technical and human resources by the government to join in the fight against drug trafficking and other crimes involving large financial transactions being conducted in the Republic of Trinidad and Tobago?

**(By Senator Dr. Adesh Nanan)**

(vi) **WHEREAS** Trinidad and Tobago has been a signatory of the ILO and its conventions, recommendations and standards for a number of years;

**BE IT RESOLVED** that the government take immediate actions to respond to all request by the ILO to give effect to all the Conventions, Recommendations and Standards to which Trinidad and Tobago is a signatory.

**(By Senator Dr. Adesh Nanan)**

(vii) **WHEREAS** child mortality is a sensitive indication of a country's state and pace of development;

**AND WHEREAS** child mortality is critical evidence of basic priorities and core values of a country's administration;

**AND WHEREAS** the health and well-being of children and their mothers is not only a human rights imperative, but a sound economic decision in order to assure the country's future;

**BE IT RESOLVED** that the Government drastically increase meaningful investment in the health and well-being of children and their mothers.

**(By Senator Lyndira Oudit)**

(viii) **WHEREAS** our national heroes have performed extraordinary tasks in the interests, promotion and development of Trinidad and Tobago;

**AND WHEREAS** the current system of National Awards does not display the true affection of a grateful nation;

**BE IT RESOLVED** that the Senate appoint a Special Select Committee to examine, evaluate and prepare a new methodology for the recognition of our national heroes.

**(By Senator Gail Merhair)**

### **COMMITTEE BUSINESS**

(i) **BE IT RESOLVED** that the Senate adopt the Report of the Joint Select Committee of Parliament appointed to inquire into and report to Parliament on Municipal

Corporations and Service Commissions with the exception of the Judicial and Legal Service Commission on the Establishment of the Secretariat of the Police Service Commission at 62 Queen Street, Port of Spain.

**(By Senator Dr. Adesh Nanan)**

*Nataki Atiba-Dilchan*  
**Clerk of the Senate (Ag.)**

Senate Secretariat  
**The Red House**  
**PORT OF SPAIN**  
**December 02, 2009**

APPENDIX I

ORDER PAPER/TUESDAY DECEMBER 08, 2009

QUESTIONS FOR WRITTEN ANSWER

**Question No. 60 to the Honourable Minister of Finance**

**(By Senator Wade Mark)**

With respect to local and foreign consultants employed in each Government Department, Ministry or Agency controlled by the State or any State Enterprise, could the Minister inform the Senate of:

- (a) the total number of consultants employed;
- (b) the name of each consultant and the specific areas/projects that each consultant is advising the government on;
- (c) the exact duration of each of these contracts;
- (d) the cost of the services of each consultant?

**(Answer due by 13.05.09)**

**Question No. 64 to the Honourable Minister of Finance**

**(By Senator Wade Mark)**

- (A) Could the Minister outline in detail the various assets being held in her capacity as Corporation Sole on behalf of the People of Trinidad and Tobago?
- (B) Could the Minister also state the estimated value of these assets?
- (C) Could the Minister further give a breakdown of any changes on the portfolio of assets on a year-to-year basis over the period January 2007 – March 31, 2009?

**(Answer due by 13.05.09)**

**Question No. 79 to the Honourable Minister of Public Utilities**

**(By Senator Wade Mark)**

- (a) Could the Minister provide the Senate with:
  - (i) the names of all the contractors engaged by WASA for the period January 2007 to March 31, 2009;
  - (ii) the exact nature of works these contractors have been engaged to perform; and
  - (iii) the duration of these contracts and the financial value of each contract?
- (b) Could the Minister further 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?

**(Answer due by 13.05.09)**

**Question No. 158 to the Honourable Attorney General**

**(By Senator Wade Mark)**

Could the Attorney General provide the Senate with the quantum of legal or consultancy fees paid to Senior Counsels appointed after January 01, 2005 by any State Enterprise, Municipal Corporation, Statutory Authority, Government Ministry or other State Agency from the period of their respective appointments to June 16, 2009?

**(Answer Due by 22.07.09)**

**Question No. 194 to the Honourable Minister of Planning, Housing and the Environment**

**(By Senator Dr. Adesh Nanan)**

Could the Minister indicate the savings realized, if any, from 2002 to present on any energy efficient project undertaken by the Government?

**(Answer due by 18.12.09)**

**Question No. 195 to the Honourable Minister of Planning, Housing and the Environment**

**(By Senator Dr. Adesh Nanan)**

- A. Could the Minister indicate how many Government vehicles have converted to CNG from 2002 to present?
- B. Could the Minister identify the said vehicle or vehicles by Ministries?

**(Answer due by 18.12.09)**

**Question No. 196 to the Honourable Minister of Planning, Housing and the Environment**

**(By Senator Dr. Adesh Nanan)**

Could the Minister indicate the record to date of emission reduction credits from 2002 to present on Government projects for either electricity savings or natural gas savings?

**(Answer due by 18.12.09)**

**Question No. 200 to the Honourable Minister of Public Utilities**

**(By Senator Dr. Adesh Nanan)**

Could the Minister indicate the number of wells drilled by WASA from 2002 to present, and the location of the said wells?

**(Answer due by 18.12.09)**

**Question No. 201 to the Honourable Minister of Public Utilities**

**(By Senator Dr. Adesh Nanan)**

- A. Could the Minister identify the village(s) without a pipe borne supply of water to date?
- B. Could the Minister outline the mechanism to be implemented to address the said deficiency?

**(Answer due by 18.12.09)**

**Question No. 208 to the Honourable Minister of Science Technology and Tertiary Education**



**(By Senator Dr. Adesh Nanan)**

- A. Could the Minister indicate how many scholarships were given out for the St. Georges Medical School in Grenada for the 2008/2009 academic years?
- B. Could the Minister also give the names and addresses of the recipients academic qualifications, and the criteria used to award the said scholarships?

**(Answer due by 18.12.09)**

**Question No. 209 to the Honourable Attorney General**

**(By Senator Dr. Adesh Nanan)**

Could the Attorney General indicate the laws that have been assented to but are still to be proclaimed from 2002 to present?

**(Answer due by 18.12.09)**



**THE EVIDENCE (AMENDMENT) BILL, 2009**

List of Amendments made in the House of Representatives  
on Friday November 20, 2009

First Column  
Clause

Second Column  
Extent of Amendments

6

A. In paragraph (a) (iii) delete the proposed paragraph (f) and substitute the following:

“(f) is fearful and no reasonable steps can be taken to protect the person or others or to protect him or others from financial loss.”; and

B. In paragraph (c), after the proposed subsection (5), insert the following subsection:

“(6) A condition set out in any paragraph of subsection (1) which is in fact satisfied is to be treated as not satisfied if it is shown that the circumstances described in that paragraph are caused-

(a) by the person in support of whose case it is sought to give the statement in evidence; or

(b) by a person acting on his behalf,

in order to prevent the person who made the statement giving oral evidence in the proceedings, whether at all or in connection with the subject matter of the statement.”.

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A. In the proposed section 15I, in subsection (1) –

(i) insert after paragraph (e), the following:

“(f) the video recording was made in the presence of an adult chosen by the witness;” and

(ii) renumber paragraphs (f) and (g) as paragraphs (g) and (h);

B. In the proposed section 15N in subsection (3), delete the words “(d) or (1)(g)”; and

C. In the proposed section 15W in subsection 2 (b),

delete the words “[including a ruling on an application under section 15N (3)]”.

**November 26, 2009**

**Senate Secretariat  
The Red House  
PORT OF SPAIN  
December 02, 2009**