



SENATE OF THE REPUBLIC OF TRINIDAD AND TOBAGO

ORDER PAPER

FIFTH SITTING, SECOND SESSION (2016/2017)

ELEVENTH PARLIAMENT

TUESDAY NOVEMBER 15, 2016 AT 1:30 P.M.

1. PRAYERS
2. OATH OR AFFIRMATION
3. ANNOUNCEMENTS BY THE PRESIDENT
4. BILLS BROUGHT FROM THE HOUSE OF REPRESENTATIVES
5. PETITIONS
6. PAPERS
 - (i) The Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Venture Capital Incentive Programme for the year ended September 30, 2011.
(By the Minister of Finance)
 - (ii) The Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Venture Capital Incentive Programme for the year ended September 30, 2012.
(By the Minister of Finance)
 - (iii) The Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Venture Capital Incentive Programme for the year ended September 30, 2013.
(By the Minister of Finance)
 - (iv) The Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Venture Capital Incentive Programme for the year ended September 30, 2014.
(By the Minister of Finance)
 - (v) The Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Venture Capital Incentive Programme for the period October 01, 2014 to August 16, 2015.
(By the Minister of Finance)
 - (vi) The Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Regulated Industries Commission for the year ended December 31, 2013.
(By the Minister of Finance)

- (vii) The Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Tunapuna/Piarco Regional Corporation for the year ended September 30, 2004.
- (By the Minister of Finance)**
- (viii) The Second Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Tunapuna/Piarco Regional Corporation for the year ended September 30, 2005.
- (By the Minister of Finance)**
- (ix) The Second Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Tunapuna/Piarco Regional Corporation for the year ended September 30, 2006.
- (By the Minister of Finance)**
- (x) The Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Tunapuna/Piarco Regional Corporation for the year ended September 30, 2007.
- (By the Minister of Finance)**
- (xi) The Report of the Auditor General of the Republic of Trinidad and Tobago on the Statement of Recovery of Expenses of the Ministry of Energy and Energy Industries for the year ended December 31, 2015.
- (By the Minister of Finance)**
- (xii) The Report on the Operations of the National Insurance Board of Trinidad and Tobago for the financial year ended June 30, 2015.
- (By the Minister of Finance)**
- (xiii) The Report of the Central Bank of Trinidad and Tobago (CBTT) with respect to the Progress of the Proposals to Restructure CLIC, BAT and CIB for the quarter ended September 30, 2016.
- (By the Minister of Finance)**
- (xiv) The Second Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the North West Regional Health Authority for the year ended September 30, 2005.
- (By the Minister of Finance)**
- (xv) The Second Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the North West Regional Health Authority for the year ended September 30, 2006.
- (By the Minister of Finance)**
- (xvi) The Second Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the North West Regional Health Authority for the year ended September 30, 2007.
- (By the Minister of Finance)**

- (xvii) The Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Penal/Debe Regional Corporation for the year ended September 30, 2007.
(By the Minister of Finance)
- (xviii) The Customs (Import Duty) (Caribbean Common Market) (Amendment) Order, 2016.
(By the Minister of Finance)
- (xix) The Excise Duty (Alcoholic Beverages) Order, 2016.
(By the Minister of Finance)
- (xx) The Excise Duty (Tobacco Products) Order, 2016.
(By the Minister of Finance)
- (xxi) The Annual Administrative Report of the National Information and Communication Technology Company Limited (iGovTT) for the period October 2013 to September 2014.
(By the Minister of Public Administration and Communications)
- (xxii) The Annual Administrative Report of the Telecommunications Authority of Trinidad and Tobago (TATI) for the period October 01, 2013 to September 30, 2014.
(By the Minister of Public Administration and Communications)
- (xxiii) The First Report of the Committee established to review the Levels of Health Care Delivery by the Regional Health Authorities and to Rationalize the System of Public Sector Doctors in Private Practice.
(By the Minister of Health)
- (xxiv) The One Hundred and Fifth Report of the Salaries Review Commission.
(By the Vice-President)
- (xxv) The Annual Administrative Report of the Statutory Authorities Service Commission for the period October 2014 to September 2015.
(By the Vice-President)
- (xxvi) The Sessional Review of the First Session (2015/2016), Eleventh Parliament of the Republic of Trinidad and Tobago.
(By the Vice-President)
- (xxvii) The Annual Administrative Report of the Ministry of Energy and Energy Affairs for the fiscal year ended 2010.
(By the Minister of Energy and Energy Industries)
- (xxviii) The Annual Administrative Report of the Ministry of Energy and Energy Affairs for the fiscal year ended 2011.
(By the Minister of Energy and Energy Industries)
- (xxix) The Annual Administrative Report of the Ministry of Community Development for the period 2009 to 2010.
(By the Ministry of Community Development, Culture and the Arts)

(xxx) The Annual Administrative Report of the Ministry of Arts and Multiculturalism for the period 2013 to 2014.

(By the Ministry of Community Development, Culture and the Arts)

(xxxi) The Annual Administrative Report of the Palo Seco Agricultural Enterprises Limited (PSAEL) for the period 2013 to 2014.

(By the Minister of Rural Development and Local Government)

(xxxii) The Annual Administrative Report of the San Fernando City Corporation for the period 2013 to 2014.

(By the Minister of Rural Development and Local Government)

(xxxiii) The Ministerial Response to the Second Report of the Joint Select Committee on Human Rights, Equality and Diversity on the Challenges Faced by Persons with Disabilities with Specific Focus on Access to Services and Employment.

(By the Minister of Rural Development and Local Government)

(xxxiv) The Annual Administrative Report of the Industrial Relations Advisory Committee for the period February 16, 2014 to February 15, 2015.

(By the Minister of Labour and Small Enterprise Development)

(xxxv) The Annual Administrative Report of the Occupational Safety and Health Authority (OSHA) for the period October 2014 to September 2015.

(By the Minister of Labour and Small Enterprise Development)

(xxxvi) The Annual Administrative Report of the Boiler Examiners Board for the period October 01, 2014 to September 30, 2015.

(By the Minister of Labour and Small Enterprise Development)

(xxxvii) The Response by the Minister of Planning and Development in accordance with Senate Standing Order 41 on the Implementation of the National Strategy for Sustainable Development Goals.

(By the Leader of Government Business)

7. REPORTS FROM COMMITTEES

(i) The First Report of the Joint Select Committee on Local Authorities, Statutory Authorities and Service Commissions (including the THA), on an Inquiry into the Land Settlement Agency in relation to Squatter Regularisation - Second Session (2016/2017), Eleventh Parliament.

(By Senator H.R. Ian Roach)

(ii) The First Report of the Joint Select Committee on Finance and Legal Affairs on an inquiry into Criminal Case Flow Management in the Judicial System - Second Session (2016/2017), Eleventh Parliament.

(By Senator Sophia Chote, SC)

- (iii) The Report of the Joint Select Committee on National Security on Inquiries Conducted during the First Session (2015/2016), Eleventh Parliament.

(By Senator Nigel De Freitas)

- (iv) The Delegation Report of the 41st Regional Conference of the Caribbean Americas and Atlantic Region of the Commonwealth Parliamentary Association (CPA) Nassau, the Bahamas on July 22 to 30, 2016.

(By the Vice-President)

8. URGENT QUESTIONS

9. QUESTIONS ON NOTICE

QUESTIONS FOR WRITTEN ANSWER APPEAR IN THE APPENDIX

Question for Oral Answer

Question No. 1 to the Honourable Minister of Social Development and Family Services

(By Senator H.R. Ian Roach)

Can the Minister state whether there has been any stakeholder consultation on the National Policy relating to Persons with Disabilities?

- i. If yes, please name the stakeholders and advise on the status of such consultations;
- ii. If no, please give reasons why there has been no such consultation.

Question No. 2 to the Honourable Minister of Social Development and Family Services

(By Senator H.R. Ian Roach)

What measures has the Government implemented to ensure that persons with disabilities can access Government buildings and other public spaces, including the Courts?

Question No. 3 to the Honourable Minister of Energy and Energy Industries

(By Senator Wade Mark)

Could the Minister inform the Senate:

- i. whether the Chairman of the National Gas Company (NGC) is using or has used any vehicle that is owned or leased by the NGC for either official or private business; and
- ii. whether the Chairman of the NGC has had the services of a driver assigned to him by the NGC for the purposes of driving any vehicle referred to in part (i) for either official or private business?

Question No. 4 to the Honourable Minister of Labour and Small Enterprise Development

(By Senator Wade Mark)

Can the Minister state how the Government proposes to deal with the non-payment of severance benefits to the OAS Construtora Workers?

Question No. 5 to the Honourable Minister of Energy and Energy Industries

(By Senator Wade Mark)

Can the Minister please state:

- a) the name of the person who currently holds the position of Vice-President, Commercial at the NGC;
 - b) the total compensation package of said person; and
 - c) the total compensation package of the person who served as his immediate predecessor?
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
 15. PUBLIC BUSINESS

GOVERNMENT BUSINESS

Motions:

- (i) **WHEREAS** it is provided by section 7 of the Customs Act, Chap. 78:01 (hereinafter called “the Act”) that the President may by Order increase or reduce any import or export duty of Customs or impose new import or export duties of Customs and from the date of publication of the Order in the *Trinidad and Tobago Gazette* and until the expiry of the Order the duties specified in the Order shall be payable in lieu of the duties payable prior thereto;

AND WHEREAS it is provided by section 7(2) of the Act that an Order issued under that section shall after four days and within twenty-one days from the date of its first publication be submitted to Parliament and Parliament may by resolution confirm, amend or revoke the Order and upon publication of the resolution of Parliament in the *Trinidad and Tobago Gazette*, the resolution shall have effect and the Order shall expire;

AND WHEREAS the Customs (Import Duty) (Caribbean Common Market) (Amendment) Order, 2016, was made under section 7 of the Customs Act and first published in the *Trinidad and Tobago Gazette* as Legal Notice No. 160 of 2016 on the 19th day of October, 2016;

AND WHEREAS it is expedient to confirm the Order:

BE IT RESOLVED that the Customs (Import Duty) (Caribbean Common Market) (Amendment) Order, 2016 be confirmed.

(By the Minister of Finance)

- (ii) **WHEREAS** it is provided by section 13(2) of the Excise (General Provisions) Act, Chap. 78:50 (hereinafter called “the Act”) that the Minister may by Order impose any new Excise duty or increase any Excise duty and from the date of publication of the Order in the *Trinidad and Tobago Gazette* and until the expiry of the Order the duties specified in the Order shall be payable in lieu of the duties payable prior thereto;

AND WHEREAS it is provided by the said section 13(2) of the Act that every Order issued under that subsection shall after four days and within twenty-one days from the date of its first publication be submitted to Parliament and Parliament may by resolution confirm, amend or revoke the Order and upon publication of the resolution of Parliament in the *Trinidad and Tobago Gazette*, the resolution shall have effect and the Order shall expire;

AND WHEREAS the Excise Duty (Alcoholic Beverages) Order, 2016, was made under section 13(2) of the Excise (General Provisions) Act and first published in the *Trinidad and Tobago Gazette* as Legal Notice No. 161 of 2016 on the 19th day of October, 2016;

AND WHEREAS it is expedient to confirm the Order:

BE IT RESOLVED that the Excise Duty (Alcoholic Beverages) Order, 2016 be confirmed

(By the Minister of Finance)

- (iii) **WHEREAS** it is provided by section 13(2) of the Excise (General Provisions) Act, Chap. 78:50 (hereinafter called “the Act”) that the Minister may by Order impose any new Excise duty or increase any Excise duty and from the date of publication of the Order in the *Trinidad and Tobago Gazette* and until the expiry of the Order the duties specified in the Order shall be payable in lieu of the duties payable prior thereto;

AND WHEREAS it is provided by the said section 13(2) of the Act that every Order issued under that subsection shall after four days and within twenty-one days from the date of its first publication be submitted to Parliament and Parliament may by resolution confirm, amend or revoke the Order and upon publication of the resolution of Parliament in the *Trinidad and Tobago Gazette*, the resolution shall have effect and the Order shall expire;

AND WHEREAS the Excise Duty (Tobacco Products) Order, 2016, was made under section 13(2) of the Excise (General Provisions) Act and first published in the *Trinidad and Tobago Gazette* as Legal Notice No. 162 of 2016 on the 19th day of October, 2016;

AND WHEREAS it is expedient to confirm the Order:

BE IT RESOLVED that the Excise Duty (Tobacco Products) Order, 2016 be confirmed.

(By the Minister of Finance)

PRIVATE BUSINESS

Motions:

- (i) **WHEREAS** Trinidad and Tobago is a signatory since 1970 to the 1958 ILO Convention C111, on discrimination in respect of Employment and Occupation;

AND WHEREAS the principle of the elimination of all forms of discrimination in the workplace is an established policy position of the Government of Trinidad and Tobago;

AND WHEREAS Senators without portfolio in the Parliament of Trinidad and Tobago, perform all the functions of legislators in discharging their Parliamentary obligations;

BE IT RESOLVED that the Legislative Retirement Allowances Act Chapter 2:03, be amended to include all Senators within the definition of legislators;

AND BE IT FURTHER RESOLVED that this Senate call upon the Government to present the required legislative amendment to the Parliament before the end of the Second Session (2016-2017).

(By Senator Dr. Dhanayshar Mahabir)

- (ii) **WHEREAS** financial and administrative autonomy of Parliament is an undisputed benchmark of a true democracy;

AND WHEREAS a Joint Select Committee established during the Tenth Parliament to consider proposals for the autonomy of Parliament reported to both Houses that parliamentary autonomy should be viewed as a recalibration of the existing relationship between the Executive and the Legislature;

AND WHEREAS the Government, in adopting the 2015 Manifesto of the People's National Movement as its official policy framework, confirmed its commitment to the principles of parliamentary autonomy;

BE IT RESOLVED that a Joint Select Committee of Parliament be established to consider and report within three (3) months on a legislative formula for parliamentary autonomy in Trinidad and Tobago.

(By Senator Wade Mark)

- (iii) **BE IT RESOLVED** that this House take note of the escalating levels of job losses in the country since September 2015 and condemn the Government for its failure to present a clear and cogent economic policy to guide Trinidad and Tobago through these challenging economic circumstances.

(By Senator Wade Mark)

- (iv) **WHEREAS** Section 48 of the Tobago House of Assembly Act, Chap 25:03 provides for the unspent balance at the end of the financial year to be retained in the Fund and utilized for the purposes of capital investment;

AND WHEREAS the 2006 Auditor General Report of the Assembly revealed that the relevant documents and records necessary to verify and support its Fund Account balance of \$225 million could not be produced for audit examination and funds totaling \$10 million could not be accounted for;

AND WHEREAS the Assembly Financial Rule No. 34 stipulates that *"moneys shall not be withdrawn from the Contingencies Account other than for the purposes of meeting urgent or unforeseen expenditure"*;

AND WHEREAS the Auditor General has reported that sums in excess of one million dollars were transferred from the Fund Account to the Contingencies Account between 2001 and 2006, in breach of Financial Rule No. 34;

AND WHEREAS the Auditor General has not submitted financial reports on the audited accounts of the THA for the period 2007 to 2015;

BE IT RESOLVED that the Senate do call on the Government to conduct an immediate forensic audit of the Fund Account and Contingencies Account of the THA;

AND BE IT FURTHER RESOLVED that the forensic audit include all the financial reports related to the Assembly for the period 2002 to 2012 which were laid in the THA.

(By Senator Wade Mark)

Brian Caesar
Clerk of the Senate (Ag.)

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PORT OF SPAIN

November 09, 2016

ORDER PAPER - TUESDAY NOVEMBER 15, 2016

QUESTIONS FOR WRITTEN ANSWER

Question No. 7 to the Attorney General

(By Senator Wade Mark)

With respect to the retaining of private legal services for the period September 7, 2015 to September 19, 2016, by the Attorney General and Minister of Legal Affairs, could the Attorney General please indicate:

- a) the names of the attorneys-at-law or legal firms retained;
- b) the total amounts paid and/or owed to said attorneys or legal firms; and
- c) the details of each engagement including the nature of each brief?

(Answer due by 29.10.16)

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November 09, 2016



SENATE OF THE REPUBLIC OF TRINIDAD AND TOBAGO

FIFTH SITTING, SECOND SESSION (2016/2017)

ELEVENTH PARLIAMENT

TUESDAY NOVEMBER 15, 2016 AT 1:30 P.M.

NOTICE OF URGENT QUESTIONS

The under-mentioned Questions which have been accepted by the President in accordance with Standing Order 25 are hereby forwarded for the attention of the Ministers concerned.

1. **TO THE MINISTER OF FINANCE**

In light of recent protest concerning the unhealthy working conditions at the Board of Inland Revenue, Trinidad House, Port of Spain, what urgent measures are being taken to alleviate this situation.

(By Senator Wade Mark)

2. **TO THE MINISTER OF NATIONAL SECURITY**

In light of the increasing number of Police Officers being arrested, detained and charged with criminal offences, can the Minister indicate whether any urgent and immediate measures are being considered to arrest rising criminality in the Police Service?

(By Senator Wayne Sturge)

**Brian Caesar
Clerk of the Senate (Ag.)**

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November 15, 2016