



SENATE OF THE REPUBLIC OF TRINIDAD AND TOBAGO

ORDER PAPER

SIXTH SITTING, SECOND SESSION (2016/2017)

ELEVENTH PARLIAMENT

MONDAY DECEMBER 19, 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 Port of Spain Corporation for the year ended September 30, 2001.
(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 Port of Spain Corporation for the year ended September 30, 2002.
(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 Port of Spain Corporation for the year ended September 30, 2003.
(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 Port of Spain Corporation for the year ended September 30, 2004.
(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 Port of Spain Corporation for the year ended September 30, 2005.
(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 Port of Spain Corporation for the year ended September 30, 2006.
(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 Port of Spain Corporation for the year ended September 30, 2007.
(By the Minister of Finance)

- (viii) The Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Port of Spain Corporation for the year ended September 30, 2008.
(By the Minister of Finance)
- (ix) 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, 2008.
(By the Minister of Finance)
- (x) The Audited Financial Statements of EXIMBANK for the financial year ended December 31, 2015.
(By the Minister of Finance)
- (xi) The Audited Financial Statements of Taurus Services Limited for the financial year ended September 30, 2015.
(By the Minister of Finance)
- (xii) The Consolidated Annual Audited Financial Statements of exporTT Limited for the financial year ended September 30, 2015.
(By the Minister of Finance)
- (xiii) The Supreme Court of Judicature (Variation of Rate of Interest of Interest on Judgment Debt) Order, 2016
(By the Minister of Finance)
- (xiv) The Petty Civil Courts (Variation of Rate of Interest on Judgement Debt) Order, 2016.
(By the Minister of Finance)
- (xv) The Annual Administrative Report of the Palo Seco Agricultural Enterprises Limited (PSAEL) for the financial year 2010 to 2011.
(By the Minister of Rural Development and Local Government)
- (xvi) The Annual Administrative Report of the Princes Town Regional Corporation for the period 2013 to 2014.
(By the Minister of Rural Development and Local Government)
- (xvii) The Annual Administrative Report of the Princes Town Regional Corporation for the period 2014 to 2015.
(By the Minister of Rural Development and Local Government)
- (xviii) The Annual Report of the Telecommunications Authority of Trinidad and Tobago (TATT) for the year 2015.
(By the Minister of Public Administration and Communications)
- (xix) The Annual Administrative Report of the Office of the Prime Minister for the financial year October 2014 to September 2015.
(By the Prime Minister)
- (xx) The Civil Aviation [(No. 2) Operations] (Amendment) Regulations, 2016.
(By the Minister of Works and Transport)

- (xxi) The Civil Aviation [(No. 3) Air Operator Certification and Administration] (Amendment) Regulations, 2016
(By the Minister of Works and Transport)
- (xxii) The Civil Aviation [(No. 4) Registration and Markings] (Amendment) Regulations, 2016.
(By the Minister of Works and Transport)
- (xxiii) The Civil Aviation [(No. 5) Airworthiness] (Amendment) Regulations, 2016.
(By the Minister of Works and Transport)
- (xxiv) The Civil Aviation [(No. 7) Instruments and Equipment] (Amendment) Regulations, 2016.
(By the Minister of Works and Transport)
- (xxv) The Civil Aviation [(No. 10) Foreign Operator] (Amendment) Regulations, 2016.
(By the Minister of Works and Transport)
- (xxvi) The Civil Aviation [(No. 13) Charges for Air Navigation Services] (Amendment) Regulations, 2016.
(By the Minister of Works and Transport)
- (xxvii) The Civil Aviation [(No. 14) Aircraft Accident and Incident Investigation] (Amendment) Regulations, 2016.
(By the Minister of Works and Transport)
- (xxviii) The Civil Aviation [(No. 15) Air Navigation Services] (Amendment) Regulations, 2016.
(By the Minister of Works and Transport)
- (xxix) The Civil Aviation [(No. 17) Economic] Regulations, 2016.
(By the Minister of Works and Transport)
- (xxx) The Civil Aviation [(No. 19) Unmanned Aircraft Systems] Regulations, 2016.
(By the Minister of Works and Transport)
- (xxxi) The Breakdown of Expenses to the Commission of Enquiry into the failure of CL Financial Limited, Colonial Life Insurance Company (Trinidad) Limited, Clico Investment Bank Limited, British American Insurance Company (Trinidad) Limited, Caribbean Money Market Brokers Limited and the Hindu Credit Union Co-operative Society Limited.
(By the Prime Minister)
- (xxxii) The 38th Annual Report of the Ombudsman for the period January 2015 to December 2015.
(By the Vice-President)
- (xxxiii) The Seventh Ministerial Response on 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 Social Development and Family Services)

(xxxiv) The Eighth Ministerial Response on 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 Social Development and Family Services)

(xxxv) The Annual Administrative Report of the Ministry of National Diversity and Social Integration for the fiscal year 2013 to 2014.

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

(xxxvi) The Annual Administrative Report of the East Port of Spain Development Company Limited (EPOSDC) for the year 2013.

(By the Minister of Planning and Development)

(xxxvii) The Annual Administrative Report of the East Port of Spain Development Company Limited (EPOSDC) for the year 2014.

(By the Minister of Planning and Development)

(xxxviii) The Annual Administrative Report of the Ministry of Public Utilities for the fiscal year 2015.

(By the Ministry of Public Utilities)

7. REPORTS FROM COMMITTEES

(i) The First Report of the Joint Select Committee on Land and Physical Infrastructure on an Inquiry into Land Tenure Issues in Trinidad and Tobago – Second Session (2016/2017), Eleventh Parliament.

(By Senator Stephen Creese)

(ii) The Second Report of the Joint Select Committee on Local Authorities, Statutory Authorities and Service Commissions (including the THA) on an inquiry into certain aspects of the administration of the Tobago House of Assembly.

(By Senator H.R. Ian Roach)

(iii) The First Report of the Joint Select Committee on Energy Affairs on the Strategies and Incentives to promote new production in the Energy Industry with specific focus on the Ministry of Energy and Energy Industries.

(By Senator David Small)

(iv) The First Report of the Joint Select Committee on Social Services and Public Administration on an Inquiry into the Current Level of Violence among Students in Schools with particular focus on Physical and Cyber Bullying.

(By Senator Dr. Dhanayshar Mahabir)

8. URGENT QUESTIONS

9. QUESTIONS ON NOTICE

QUESTIONS FOR WRITTEN ANSWER APPEAR IN THE APPENDIX

Question for Oral Answer

Question No. 6 to the Honourable Minister of Finance

(By Senator Wade Mark)

Can the Minister indicate whether the State has ever guaranteed any loan in excess of US\$1M to any non-public company?

Question No. 8 to the Honourable Minister of Works and Transport

(By Senator Wade Mark)

In light of the worsening road conditions in Chatham Village, Cedros, can the Minister state what steps will be taken to provide relief to the road users?

Question No. 9 to the Honourable Minister of Labour and Small Enterprise Development

(By Senator Wade Mark)

Can the Minister state what steps will be taken to ensure the payment of outstanding wages to former workers of OAS Construtora?

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
 - (i) The Miscellaneous Provisions (Marriage) Bill, 2016
(By the Attorney General)
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)

Bills Second Reading:

- (i) A Bill entitled, ‘An Act to provide for the variation of certain duties and taxes and to introduce provisions of a fiscal nature and for related matters’.

(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.)

Senate Secretariat
Office of the Parliament
Level 3, Tower D
The Port of Spain International Waterfront Centre
1A Wrightson Road
PORT OF SPAIN

December 13, 2016

ORDER PAPER - MONDAY DECEMBER 19, 2016

QUESTION 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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SENATE OF THE REPUBLIC OF TRINIDAD AND TOBAGO

SIXTH SITTING, SECOND SESSION (2016/2017)

ELEVENTH PARLIAMENT

MONDAY DECEMBER 19, 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 COMMUNITY DEVELOPMENT, CULTURE AND THE ARTS

Given that annual Government subventions to the main Carnival stakeholders have not been paid to date, can the Minister inform the Senate as to what measures are being taken to ensure the timely commencement of preparation for Carnival 2017?

(By Senator Wade Mark)

2. TO THE MINISTER OF WORKS AND TRANSPORT

Having regard to the recent grounding of a Caribbean Airlines flight due to engine problems, can the Minister state what maintenance measures CAL has in place to ensure the safety of both passengers and flight crew?

(By Senator Wade Mark)

3. TO THE MINISTER OF FINANCE

Given that Groceries have already adjusted their prices in compliance with the recent legislation, how will the Minister ensure that the recent tax moratorium on imported wine is transferred to the consumer in time for Christmas?

(By Senator Wade Mark)

Brian Caesar
Clerk of the Senate (Ag.)

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