



SENATE OF THE REPUBLIC OF TRINIDAD AND TOBAGO

ORDER PAPER

SIXTH SITTING, FOURTH SESSION (2018/2019)

ELEVENTH PARLIAMENT

TUESDAY DECEMBER 04, 2018 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 Trinidad and Tobago Housing Development Corporation (Vesting) (Amendment to the First Schedule) (No. 3) Order, 2018.
(By the Minister of Housing and Urban Development)
 - (ii) The Ministerial Response of the Ministry of the Attorney General and Legal Affairs to the Eighth Report of the Joint Select Committee on Human Rights, Equality and Diversity, Third Session (2017/2018), Eleventh Parliament on the Examination of the Perceived Inequality Faced by Single Fathers in Trinidad and Tobago with Specific Focus on Custody Matters, Policies and Access to Programmes and Services.
(By the Attorney General)
 - (iii) The Ministerial Response of the Ministry of Education to the Eighth Report of the Joint Select Committee on Human Rights, Equality and Diversity, Third Session (2017/2018), Eleventh Parliament on an Examination of the Perceived Inequality Faced by Single Fathers in Trinidad and Tobago with Specific Focus on Custody Matters, Policies and Access to Programmes and Services.
(By the Minister of Education)
 - (iv) The Response of the Personnel Department to the Eighth Report of the Joint Select Committee on Human Rights, Equality and Diversity, Third Session (2017/2018), Eleventh Parliament on an Examination of the Perceived Inequality Faced by Single Fathers in Trinidad and Tobago with Specific Focus on Custody Matters, Policies and Access to Programmes and Services.
(By the Vice-President)
 - (v) The Annual Audited Financial Statements of the National Maintenance Training and Security Company Limited for the year ended December 31, 2017.
(By the Minister of Finance)

7. REPORTS FROM COMMITTEES
8. URGENT QUESTIONS
9. QUESTIONS ON NOTICE

QUESTIONS FOR WRITTEN ANSWER APPEAR IN THE APPENDIX

Questions for Oral Answer

Question No. 9 to the Attorney General

(By Senator Gerald Ramdeen)

Over the period September 2015 to September 2018, what was the average time taken to file an indictment in a capital matter from the time that the proceedings were received by the Magistrate's Court to the time that the indictment was filed in the High Court?

Question No. 11 to the Attorney General

(By Senator Gerald Ramdeen)

During the period September 2015 to September 2018, how many persons on death row had their death sentences commuted, pursuant to the Privy Council's decision of Pratt and Morgan?

Question No. 12 to the Attorney General

(By Senator Gerald Ramdeen)

As regard the instituting of criminal proceedings against persons deemed responsible for the 2009 financial demise of CLICO:

- (i) what is the total amount of monies provided to the Office of the Director of Public Prosecutions in respect of this matter, for the period September 2015 to September 2018; and
- (ii) how many persons have had criminal charges preferred against them arising out of said matter?

Question No. 26 to the Minister of Finance

(By Senator Wade Mark)

In light of the challenges facing the National Insurance Board (NIB), can the Minister advise of the implications for the NIB fund given the Board's recent decision to invest over one billion dollars in the National Investment Fund?

Question No. 27 to the Minister of Works and Transport

(By Senator Wade Mark)

In view of the recent death of a nine (9) year old student arising from an accident on the Priority Bus Route, what measures are being taken to prevent such accidents on the PBR?

Question No. 28 to the Minister of National Security

(By Senator Wade Mark)

In light of the statement by the Commissioner of Police that police identification must be produced by all Police Officers when engaging with members of the public during the execution of their duties, can the Minister indicate what options are available to said members of the public if these officers refuse to so do?

Question No. 53 to the Minister of National Security

(By Senator Taharqa Obika)

As regard the reports of card skimming over the last year, can the Minister advise as to what is the total amount of money stolen from local customers as a result of this practice over the period?

Question No. 54 to the Minister of Works and Transport

(By Senator Taharqa Obika)

What steps were taken by the Trinidad and Tobago Civil Aviation Authority prior to giving approval to Sunwing Airlines to operate direct flights from Toronto to Tobago?

Question No. 55 to the Minister of Education

(By Senator Taharqa Obika)

Can the Minister indicate whether disciplinary action has been initiated against the students who were arrested during the protest action on October 18, 2018 at the University of the West Indies, St. Augustine Campus?

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

Bills Second Reading:

- (i) A Bill entitled, 'An Act to amend the Magistrates Protection Act, Chap. 6:03.'
(By the Attorney General)
- (ii) A Bill entitled, 'An Act to validate the constitution of licensing committees established under section 5 of the Liquor Licences Act, Chap. 84:10 as well as the grant, transfer and renewal of licences and all other acts and omissions by licensing committees and for related matters.'
(By the Attorney General)
- (iii) A Bill entitled, 'An Act to amend the National Emblems of Trinidad and Tobago (Regulation) Act, Chap. 19:04.'
(By the Minister of Agriculture, Land and Fisheries)

PRIVATE MEMBERS' BUSINESS

Motions:

- (i) **The debate on the following Motion which was in progress when the Senate adjourned on Tuesday November 27, 2018 will be resumed:**

WHEREAS the Board of Petrotrin announced on the August 28, 2018 that the company's refinery will cease its crude oil refining operations;

AND WHEREAS the Prime Minister on the September 02, 2018 confirmed that the Cabinet had accepted a recommendation of the Petrotrin Board to close its refinery;

AND WHEREAS it is evident that the decision of the Government was without stakeholder consultation and with little or no disclosure to the public;

AND WHEREAS the decision to close the Petrotrin refinery will have direct adverse consequences on thousands of persons as well as on the economy of Trinidad and Tobago;

BE IT RESOLVED that the Senate take note of the failure of the Government to disclose a viable and credible plan to address the needs of those persons/business affected by the closure of the refinery;

AND BE IT FURTHER RESOLVED that this Senate condemn the actions of the Government in closing the Petrotrin refinery.

(By Senator Gerald Ramdeen)

- (ii) **WHEREAS** the Government has acquired the Galleons Passage, a new inter-island Passenger Ferry in a procurement arrangement that did not include the Central Tenders Board;

AND WHEREAS the Minister of Finance has advised that the Government was guided in the amount it paid for the vessel by the valuation reports of two independent international firms;

AND WHEREAS it was discovered that one of the two firms that conducted the valuation is owned by the same company from which Government purchased the vessel;

AND WHEREAS in the interest of transparency and accountability in the procurement of the inter-island passenger ferry, there is need for the Government to provide the Parliament with reports including the Dunn and Bradstreet and all Arbitration Reports surrounding the settlement of the Donia Mercedes;

BE IT RESOLVED that this Senate call on the Minister of Finance to table, within fourteen days, copies of the Dunn and Bradstreet Report and all Arbitration Reports related to the settlement involving the previous owners of the Donia Mercedes.

(By Senator Wade Mark)

- (iii) **WHEREAS** it is established by Section 71(1) and (12) of the Constitution of the Republic of Trinidad and Tobago, that there shall be an Elections and Boundaries Commission that in the exercise of its functions shall not be subject to the direction or control of any other person or authority;

AND WHEREAS the Elections and Boundaries Commission is responsible for holding free and fair elections throughout Trinidad and Tobago;

BE IT RESOLVED that the Senate take note that the Elections and Boundaries Commission is not subject to any parliamentary scrutiny or accountability in respect of its activities and operations unlike other similar independent bodies such as Service Commissions;

AND BE IT FURTHER RESOLVED that the Senate call on the Government to take urgent steps to introduce legislation that would make the Elections and Boundaries Commission accountable to the citizenry of Trinidad and Tobago by allowing parliamentary scrutiny of its administration, the manner of the exercise of its powers, methods of functioning and any criteria adopted by the Commission in the exercise of its powers and functions.

(By Senator Wade Mark)

- (iv) **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)

- (v) **WHEREAS** the responsibility of a Government is to ensure public safety and security through the maintenance of law and order;

AND WHEREAS the Government has failed to address the extraordinary increase in the level of crime in Trinidad and Tobago, in particular murders and other violent crimes, which are negatively affecting national peace and economic development;

BE IT RESOLVED that the Senate take note of the Government's failure to arrest the increasing and unacceptable levels of criminal activity in Trinidad and Tobago;

AND BE IT FURTHER RESOLVED that this Senate call on the Government to table, in the shortest possible time a cogent Strategic Crime Prevention Plan to address the unacceptable levels of crime facing the citizenry of Trinidad and Tobago.

(By Senator Taharqa Obika)

- (vi) **WHEREAS** the Education Act, Chap. 39:01, charges the Government with the responsibility to ensure the promotion of the education of the people of Trinidad and Tobago, the establishment of a system of education and educational institutions, and the effective execution of a national education policy;

AND WHEREAS the Government has failed to fulfil most of these objectives;

AND WHEREAS recent reports have highlighted the failure of the Government to address the persistent issues of school violence, bullying and mental illness;

BE IT RESOLVED that the Senate take note of the poor state of the education sector in Trinidad and Tobago;

AND BE IT FURTHER RESOLVED that this Senate call on the Government to table, within the shortest possible time, a comprehensive, long-term strategic plan for the education sector, from early childhood care to tertiary level education.

(By Senator Taharqa Obika)

Brian Caesar
Clerk of the Senate (Ag.)

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PORT OF SPAIN

November 29, 2018

ORDER PAPER – TUESDAY DECEMBER 04, 2018

QUESTIONS FOR WRITTEN ANSWER

***Question No. 10 to the Attorney General**

(By Senator Gerald Ramdeen)

Over the period September 2015 to September 2018, can the Attorney General advise:

- (i) what is the total amount of damages awarded by the High Court and Court of Appeal against the State in matters involving Police Officers, for claims of assault and battery, malicious prosecution and false imprisonment;
- (ii) against how many of the said officers has the State instituted disciplinary proceedings as a result of the damages awarded; and
- (iii) if no action has been taken, can the Attorney General provide the reason(s)?

(Answer due by 13.11.2018)

Question No. 49 to the Minister of Public Administration

(By Senator Wade Mark)

Having regard to contract employment in Government Ministries/Departments and Statutory Authorities, can the Minister provide the following information:

- a) the names and designations of all persons whose contracts were not renewed during the period September 30, 2015 – September 30, 2017;
- b) the reasons for such non-renewal referred to in (a);
- c) the names and designations of all persons employed/recruited on contract during the period September 30, 2015 – September 30, 2017;
- d) details of the compensation package of each person referred to in (c);
- e) the names and designations of all contract officers who during the period September 30, 2015 and September 30, 2017 were terminated before the original completion date of their contracts; and
- f) the reasons for the termination referred to in (e)?

(Answer due by 30.11.2018)

Question No. 60 to the Minister of Energy and Energy Industries

(By Senator Wade Mark)

Having regard to the impending importation of fuel and other petroleum products for use by the local market, can the Minister inform the Senate of the terms of the commercial agreements between Trinidad and Tobago and the vendors of the respective products?

(Answer due by 08.12.2018)

* Question No. 10 was deferred for two weeks on 20.11.2018

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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 PUBLIC UTILITIES**

(By Senator Saddam Hosein)

In light of yesterday's announcement that there has been an emergency shut down of the Pt. Lisas Desalination Plant, can the Minister indicate when the plant will again be operational?

2. **TO THE MINISTER OF RURAL DEVELOPMENT AND LOCAL GOVERNMENT**

(By Senator Wade Mark)

Given the recent fire at the Drag Mall in POS, which has adversely affected the livelihood of scores of persons, what steps are being taken by the Government to assist these small business owners?

3. **TO THE MINISTER OF ENERGY AND ENERGY INDUSTRIES**

(By Senator Wade Mark)

In light of claims made by several former Petrotrin workers that they have not yet received their severance payments, can the Minister indicate what steps are being taken to address this issue?

4. **TO THE MINISTER OF PUBLIC UTILITIES**

(By Senator Wade Mark)

Having regard to the emergency shutdown of the DESALCOTT Plant and the disruption in the water supply to residents in South and Central Trinidad, can the Minister indicate whether any mitigating measures have been put in place?

5. **TO THE MINISTER OF FINANCE**

(By Senator Wade Mark)

Can the Minister indicate what, if any, additional support has been put in place at the Board of Inland Revenue to expedite the processing of BIR documents of former Petrotrin workers?

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