

## THE FAIR TRADING BILL, 2006

### List of amendments made in the Senate on Tuesday May 16, 2006

First Column Clause	Second Column Extent of Amendments
2	In line three of the definition of “Community Competition Commission” delete the word “167” after the word “Article” and substitute the word “171”.
3(2) and (3)	Delete the words “ <b>public utilities</b> ” and “ <b>public utility</b> ” wherever they occur and substitute the words “ <b>service providers</b> ” or “ <b>service provider</b> ” as the case may require.
8	(A) In sub-clause (1), line 3, insert after the word “ <b>shall</b> ” the words “ <b>subject to subsection (2)</b> ”.
	(B) Delete the sub-clause (2) and insert the following new sub-clause (2):  <p style="text-align: center;"><b>“(2) The Commission may, for the purpose of enforcing the attendance of any witness, apply to the High Court for issue of a summons for attendance of the witness, and for the production of any documents, books and related matters”.</b></p>
	(C) Delete sub-clause (3).
	(D) Renumber existing sub-clauses (4) to (7) as (3) to (6)
	(E) In line 2 of renumbered sub-clause (4), delete the word “ <b>warrants</b> ” after the words “the circumstances” and substitute the word “ <b>warrant</b> ”.
9	In line 4 of sub-clause (1), delete the words “ <b>a Magistrate</b> ” after the words “shall apply to” and substitute the words “ <b>the High Court</b> ”.
10	(A) Delete paragraphs (a) and (c).
	(B) Reletter the remaining paragraphs accordingly.
	(C) In paragraph (c) as relettered, delete the word “ <b>provide</b> ” after the words “fails to” and substitute the word “ <b>give</b> ”. In the said paragraph (c), delete the words “ <b>as requested</b> ”.

**First Column  
Clause**

**Second Column  
Extent of Amendments**

- 14** (A) Delete sub-clause (3) and insert the following New sub-clause (3):
- “The Commission shall make the determination of the application referred to under subsection 14(2) within one month of the prescribed period.”**
- (B) Insert the following new sub-clause (6):
- “(6) Where the variation exceeds *fifty per cent*, the relevant Order shall be subject to affirmative resolution of Parliament”.**
- 15** Delete the word “merged” at the end of the clause and substitute the word “merge”.
- 19** In line 2 of sub-clause (1), insert the word “**competitive**” after the word “anti-“, and delete the word “**before**” after the word “practice” and substitute the word “**on**”.
- 22** In line 5 of sub-clause (1), delete the word “**Second**” after the words “prescribed in the”.
- 26** (A) In sub-clause (1), line 6, delete the words “**or management**” and insert the words “**, management or other relevant professions**”.
- (B) Insert the following New sub-clause (2):
- “(2) The number of members appointed under section (1), shall be subject to the appointments made under subsection 5(3) of the Regulated Industries Commission Act, 1998.”**
- (C) Renumber existing sub-clauses (2) to (4) as (3) to (5).
- (D) Delete renumbered sub-clause (5) and substitute the following:
- “(5) The quorum for meetings of the Commission shall be three members.”**
- 28** In sub-clause (2), line 5, insert after the word “**Gazette**”, the words “**and in two newspapers in daily circulation in Trinidad and Tobago**”.

<b>First Column Clause</b>	<b>Second Column Extent of Amendments</b>
35	In sub-clause (3), line 4, insert after the word " <b>Gazette</b> ", the words " <b>and in two newspapers in daily circulation in Trinidad and Tobago</b> ".
43	<p>(A) In sub-clause 4, delete paragraph (b) and substitute the following:</p> <p style="padding-left: 40px;"><b>“(b) an annual report on its operations for the preceding financial year including any recommendations made with respect to the operations of the Act.”</b></p> <p>(B) Insert the following new sub-clause (8):</p> <p style="padding-left: 40px;"><b>“(8) The Commission is a Statutory Authority for the purposes of section 66A(1)(a)(ii) of the Constitution.”</b></p>
48	In line 6 of sub-clause (1), insert the word “.” after the words “ <b>Competition Commission</b> ” and delete the words “ <b>established under the Treaty.</b> ”
53	In line 2 of sub-clause (2), insert the words “ <b>subject to affirmative resolution of Parliament</b> ” after the word “ <b>Regulations</b> ”.
<b>FIRST SCHEDULE</b>	Delete the “ <b>FIRST SCHEDULE</b> ”.
<b>SECOND SCHEDULE</b>	Delete the word “ <b>SECOND</b> ” before the word “ <b>SCHEDULE</b> ”.

*May 16, 2006*