

**THE  
PARLIAMENTARY DEBATES**

**OFFICIAL REPORT**

**IN THE SIXTH SESSION OF THE FIFTH PARLIAMENT OF THE REPUBLIC OF TRINIDAD  
AND TOBAGO WHICH OPENED ON NOVEMBER 27, 1995**

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**SESSION 2000**

**VOLUME 22**

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**SENATE**

*Monday, October 09, 2000*

**1.30 p.m.**

*The Senate having assembled, and it being the first meeting of the Sixth Session of the Fifth Parliament of the Republic of Trinidad and Tobago, the Clerk of the Senate read the following Proclamation:*

**REPUBLIC OF TRINIDAD AND TOBAGO**

*No. 10 of 2000.*

By His Excellency ARTHUR N. R. ROBINSON, T.C., O.C.C.,  
S.C., President and Commander-in-Chief of the  
Republic of Trinidad and Tobago.

ARTHUR N. R. ROBINSON  
President

**A PROCLAMATION**

Whereas it is provided by subsection (1) of section 67 of the Constitution of the Republic of Trinidad and Tobago, that each session of Parliament shall be held at such place within Trinidad and Tobago and shall commence at such time as the President may by Proclamation appoint:

Now, therefore, I, ARTHUR N. R. ROBINSON, President as aforesaid, do hereby appoint the Red House, Port of Spain, Trinidad as the place at which the Sixth Session of the Fifth Parliament of the Republic of Trinidad and Tobago shall be held at 1.30 p.m. on Monday the 9th day of October, 2000 as the time at which the said Session shall commence.

Given under my Hand and the Seal of the President  
of the Republic of Trinidad and Tobago, at the  
Office of the President, St. Ann's, this 5th day  
of October 2000.

Prayers

Monday, October 09, 2000

**PRAYERS**

[MR. VICE-PRESIDENT *in the Chair*]

**SENATORS' APPOINTMENT**

**Mr. Vice-President:** Hon. Senators, the President of the Senate is presently performing the duties as President of the Republic of Trinidad and Tobago and I have received communication from the Office of His Excellency as follows:

TO: MR. VINCENT CABRERA

WHEREAS the President of the Senate has temporarily vacated his Office of Senator to act as President of the Republic of Trinidad and Tobago.

AND WHEREAS the Vice-President of the Senate is acting President of the Senate.

NOW, THEREFORE, I, GANACE RAMDIAL, Acting President as aforesaid, acting in accordance with the advice of the Prime Minister, in exercise of the power vested in me by section 40(2)(c) and section 44 of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, VINCENT CABRERA, to be temporarily a member of the Senate, with immediate effect and continuing during the period that Senator Ganace Ramdial has temporarily vacated his Office as Senator.

Given under my Hand and the Seal of the  
President of the Republic of Trinidad and  
Tobago at the Office of the President, St.  
Ann's, this 9<sup>th</sup> day of October, 2000."

**OATH OF ALLEGIANCE**

*Senator Vincent Cabrera took and subscribed the Oath of Allegiance as required by law.*

**LEAVE OF ABSENCE**

**Mr. Vice-President:** Hon. Senators, I have also received communication from Sen. J. Yuille-Williams, who has been granted leave of absence from today's sitting of the Senate.

**PAPERS LAID**

1. Report of the Committee to facilitate timely enforcement actions by State Agencies with respect to Environmental Issues. [*The Minister of Public Administration (Sen. The Hon. Wade Mark)*]

*Papers Laid*

*Monday, October 09, 2000*

2. Report of the Commission appointed to enquire into and report and make recommendations on the machinery for the administration of justice in the Republic of Trinidad and Tobago. [*Hon. W. Mark*]
3. Report of Facts of the Matters raised in the Amnesty International Annual Report 2000 relating to Human Rights in Trinidad and Tobago. [*Hon. W. Mark*]
4. Report of the Auditor General of the Republic of Trinidad and Tobago on the accounts and financial statements of the Sugar Industry Labour Welfare Committee for the year ended December 31, 1994. [*The Minister of Finance, Planning and Development (Sen. The Hon. Brian Kuei Tung)*]
5. Report of the Auditor General of the Republic of Trinidad and Tobago on the transactions pertaining to the project for enabling Trinidad and Tobago to prepare its first national communication in response to its commitments to United Nations Framework Convention on climate change per agreement TRI/98/G81/A/GI/99 between the United Nations Development Programme and the Government of Trinidad and Tobago for the year ending December 31, 1999. [*Hon. B. Kuei Tung*]
- 6.. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial statements, special account statement and statement of expenditure (SOE) Disbursements of the Business Expansion and Industrial Restructuring Project for the period January 01, 1998 to September 30, 1998 as required by Section 4.01(b) (i) and (c) (iv) of Loan Agreement No. 3432-TR between the Government of the Republic of Trinidad and Tobago and the International Bank for Reconstruction and Development (IBRD). [*Hon. B. Kuei Tung*]
7. Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements, special account statement and statement of Expenditure (SOE) Disbursements of the Business Expansion and Industrial Restructuring Project for the period January 01, 1999 to September 30, 1999 as required by Section 4.01(b) (i) and (c) (iv) of Loan Agreement No. 3432-TR between the Government of the Republic of Trinidad and Tobago and the International Bank for Reconstruction and Development (IBRD). [*Hon. B. Kuei Tung*]
8. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial statements of the Public Utilities Commission for the year ended December 31, 1999. [*Hon. B. Kuei Tung*]

*Papers Laid*

*Monday, October 09, 2000*

9. Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the National Lotteries Control Board for the year ended December 31, 1995. [*Hon. B. Kuei Tung*]
10. Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the National Lotteries Control Board for the year ended December 31, 1996. [*Hon. B. Kuei Tung*]

**1.40 p.m.**

**ELECTRONIC TRANSFER OF FUNDS CRIME (NO. 2) BILL**

Bill to regulate the transfer of money by an electronic terminal by use of a card for the purpose of instructing or authorising a financial institution to debit or credit a cardholder's account when anything of value is purchased and for other related purposes. [*The Attorney General and Minister of Legal Affairs*]; read the first time.

*Motion made*, That the next stage of the Bill be taken at the next sitting of the Senate. [*Hon. W. Mark*]

*Question put and agreed to.*

**COMPUTER MISUSE (NO. 2) BILL**

Bill to prohibit any unauthorised access, use or interference with a computer and for other related matters. [*The Attorney General and Minister of Legal Affairs*]; read the first time.

*Motion made*, That the next stage of the Bill be taken at the next sitting of the Senate. [*Hon. W. Mark*]

*Question put and agreed to.*

**SHIPPING (MARINE POLLUTION) (NO. 2) BILL**

Bill to provide for powers and jurisdiction in relation to pollution of the seas from ships, intervention on the high seas in cases of oil pollution, dumping of wastes at sea, prevention of pollution from ships, preparedness and response for oil pollution emergencies, liability and compensation for pollution damage and matters incidental thereto. [*The Minister of Works and Transport*]; read the first time.

*Motion made*, That the next stage of the Bill be taken at the next sitting of the Senate. [*Hon. W. Mark*]

*Question put and agreed to.*

**PLANNING AND DEVELOPMENT OF LAND (NO. 2) BILL**

Bill relating to the planning and development of land. [*The Minister of Housing and Settlements*]; read the first time.

*Motion made*, That the next stage of the Bill be taken at the next sitting of the Senate. [*Hon. W. Mark*]

*Question put and agreed to.*

**ADJOURNMENT**

**The Minister of Public Administration (Sen. The Hon. Wade Mark):** Mr. Vice-President, before moving to adjourn the Senate, may I take this opportunity to inform fellow Senators of the order of business at the next sitting of the Senate. We shall be proceeding with the Shipping (Marine Pollution) (No. 2) Bill; the Planning and Development of Land (No. 2) Bill; the Electronic Transfer of Funds Crime (No. 2) Bill; and the Computer Misuse (No. 2) Bill.

Mr. Vice-President, I beg to move that this Senate do now adjourn to Thursday, October 12, 2000 at 10:00 a.m. [*Interruption*]

*Question proposed.*

**Sen. Prof. Spence:** Mr. Vice-President, we have not been given any explanation as to why we are not meeting on the normal day which is Tuesday, and why we have to meet at 10:00 a.m. on Thursday, October 12, 2000. We do not have copies of the Bills, so we will not be able to discuss them on Thursday. [*Interruption*]

**Sen. The Hon. W. Mark:** Mr. Vice-President, the reason we are not meeting on Tuesday is precisely what Sen. Prof. Spence has alluded to. The Bills are on the way to the Parliament. I understand that the Electronic Transfer of Funds Crime (No. 2) Bill and the Computer Misuse (No. 2) Bill are in the Senate somewhere in the Parliament. So what we are proposing is rather than come tomorrow at 1.30 p.m. to deal with these Bills when Senators will get them this evening, we felt that the better thing to do is to go to Thursday when you will get those Bills this evening. [*Interruption*]

Mr. Vice-President, if fellow Senators would like to meet on Tuesday at 1.30 p.m. In the absence of the bills—they will get them tonight—we have no problem. We will come back tomorrow at 1.30 p.m. to deal with the Shipping (Marine Pollution) (No. 2) Bill and the Planning and Development of Land (No. 2) Bill. [*Interruption*]

**Sen. Daly:** There was no consultation.

*Adjournment*

*Monday, October 09, 2000*

**Sen. The Hon. W. Mark:** Mr. Vice-President, we are proposing that with the support of the Senate we would meet on Thursday and if, for instance, there is a problem with 10.00 a.m, we are prepared to go at 10.30 a.m.

**Sen. Prof. Spence:** Mr. Vice-President, we are really here for very serious matters and we cannot rush things through. The Planning and Development of Land (No. 2) Bill is an extremely long Bill. I understand that it has been completely revised. I am seeing a new version and I could not possibly read it in two days and do justice to it. I think we are really not doing justice and doing what we need to do for the people of Trinidad and Tobago if we rush in this manner. So my proposal is that we meet next Tuesday. Thank you, Sir.

**Sen. The Hon. W. Mark:** Mr. Vice-President, with your leave, if we could probably suspend for two minutes so that I can speak to both the Leader of the Opposition and Sen. Prof. Spence and we will have some conclusion to that matter.

**Mr. Vice-President:** With the leave of the Senate we will suspend for 10 minutes. The session is suspended for 10 minutes.

**1.46 p.m.:** *Sitting suspended.*

**1.53.p.m.:** *Sitting resumed.*

**Sen. The Hon. W. Mark:** Mr. Vice-President, upon consultation and discussion behind the Chair, we have all agreed that we should proceed to meet on Tuesday, October 17, 2000. I also indicated that because of some of the matters that we have to address, we may have to meet on both Tuesday and Thursday of next week starting at 10.00 a.m. respectively. Of course, as we proceed we can always discuss further.

Mr. Vice-President, therefore, I would again, in terms of the order of business, inform my fellow Senators the approach that we intend to take. We will, in fact, deal with the Electronic Transfer of Funds Crime (No. 2) Bill; the Computer Misuse (No. 2) Bill; the Shipping (Marine Pollution) (No. 2) Bill; and the final Bill that we will address is the Planning and Development of Land (No. 2) Bill.

Mr. Vice-President, I beg to move that this Senate do now adjourn to Tuesday, October 17, 2000 at 10.00 a.m.

*Question put and agreed to.*

*Senate adjourned accordingly.*

*Adjourned at 1.55 p.m.*