



JOINT SELECT COMMITTEE ON

**THE REPRESENTATION OF THE
PEOPLE (AMENDMENT) (NO. 2)
BILL, 2020**
INTERIM REPORT

SECOND SESSION (2021/2022) OF THE TWELFTH PARLIAMENT



Committee Mandate

Pursuant to resolutions of the House of Representatives on Friday January 14, 2022 and of the Senate on Tuesday February 8, 2022, a Joint Select Committee was established to adopt the work of the Joint Select Committee in the First Session, Twelfth Parliament and report by April 30th, 2022.

Committee Membership

Mrs. Camille Robinson-Regis, MP	Chairman
Mr. Colm Imbert, MP	Member
Mr. Fitzgerald Hinds, MP	Member
Ms. Shamfa Cudjoe, MP	Member
Mr. Davendranath Tancoo, MP	Member
Mr. Saddam Hosein, MP	Member
Mr. Clarence Rambharat*	Member
Mr. Nigel de Freitas	Member
Mr. Randall Mitchell	Member
Mr. Wade Mark	Member
Dr. Maria Dillon-Remy	Member
Mr. Deorooop Temal	Member

*Mr. Clarence Rambharat ceased to be a member of the Committee as of March 16, 2022.

Secretariat Support

Ms. Chantal La Roche, Senior Legal Officer	Secretary
Ms. Sharla Elcock, Legal Officer I	Assistant Secretary
Mr. Roger Hector, Legal Officer I	Research Support
Ms. Allisia Williams, Legal Research Officer	Research Support
Ms. Sherlana Ramdeen, Procedural Officer Intern	Research Support
Mr. Khaleem Ali, Legal Unit Intern	Research Support
Mrs. Susannah Gittens, Business Operations Assistant II	Administrative Support

Contact

Secretary

The Joint Select Committee on the Representation of the People (Amendment) (No.2) Bill, 2020
Parliamentary Complex, Cabildo Chambers

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Date Laid in HOR:

Date Laid in Senate:

HOR Paper No.:

Senate Paper No.:

PARL No.: 14/3/86

CHAIRMANSHIP

1. At its First Meeting on Monday February 28, 2022 your Committee elected Mrs. Camille Robinson-Regis, MP to be its Chairman, in accordance with Standing Order 97(3) of the House of Representatives and Standing Order 87(3) of the Senate.

SECRETARIAT

2. Ms. Chantal La Roche, Senior Legal Officer, was assigned as Secretary to the Committee and Ms. Sharla Elcock, Legal Officer I, as Assistant Secretary.

MEETINGS

3. Since its appointment, your Committee has held five (5) meetings on the following dates:
 - Monday February 28, 2022;
 - Monday March 14, 2022;
 - Monday March 28, 2022;
 - Monday, April 11, 2022; and
 - Monday April 25, 2022
4. Attendance records and minutes of the meetings are attached at **Appendix I**.

WORK TO DATE

5. During preliminary discussions your Committee agreed, that to ensure greater public engagement in the Committee's process, another call for written submissions from the public would be published on the Parliament's social media platforms and in the daily newspapers. The Committee agreed to a deadline of Friday April 15, 2022 for the receipt of submissions from the public.
6. In addition, your Committee agreed to request written submissions from political parties and civil society, as well as other stakeholders that may be affected by the Bill. The list of stakeholders is attached at **Appendix II**.
7. The Committee agreed to a deadline of Friday April 15, 2022 for the receipt of submissions from stakeholders. At the request of some stakeholders, the deadline for submissions has been extended to Friday May 6, 2022. To date, submissions have been received from the following:
 - Mr. Clyde Weatherhead;
 - The Election and Boundaries Commission (inclusive of advice from Mr. Russell Martineau, C.M.T, S.C.);
 - The Financial Intelligence Unit of Trinidad and Tobago;
 - The Trinidad Humanity Campaign;
 - The Bankers Association of Trinidad and Tobago;
 - Civil Society of Tobago;
 - Friends of TNT; and

— The OAS Department of Electoral Cooperation and Observation.

8. Your Committee also approached regional and international entities seeking assistance in sourcing expert assistance for the Committee during its deliberations on the Bill. The list of agencies to which the Committee wrote requesting assistance is attached at **Appendix II**.
9. The following technocrats from the Law Reform Commission were invited to the Second and Third meetings and delivered presentations to the Committee:
 - Mrs. Paula Cross-Horton, Senior Legal Research Officer (Policy); and
 - Ms. Tamara Dookran, Senior Parliamentary Counsel (Drafting).
10. The technocrats also provided your Committee with research materials for a greater appreciation of the policy objectives and the key features of the Bill, as well as of comparative legislation.

REPORT

11. The Committee wishes to report that it has not concluded its consideration of the Bill. Consequently, the Committee is unable to submit its final report by the deadline of April 30, 2022.

RECOMMENDATION

12. Your Committee humbly requests a further period of five (5) months to complete its work and to submit a final report to Parliament by September 2, 2022.
13. During the period of the extension, the Committee proposes to review the submissions received by the public and stakeholders; engage a consultant to provide technical advice on the Bill; as well as review the Bill before submitting a final report to Parliament.

Respectfully submitted,

Sgd.

Mrs. Camille Robinson-Regis, MP

Chairman

April 29, 2022

Appendix I
Attendance Record and
Minutes of Meetings

JSC on the Representation of the People (Amendment) Bill, 2020
Second Session (2021/ 2022) Eleventh Parliament

Meetings	Mr. Colm Imbert,	Mrs. Camille Robinson-Regis	Mr. Fitzgerald Hinds	Ms. Shamfa Cudjoe	Mr. Saddam Hosein	Mr. Davendranath Tancoo	Mr. Randall Mitchell	Mr. Clarence Rambharat (ceased to be a Member w.e.f 16 March 22)	Mr. Wade Mark	Dr. Maria Dillon-Remy	Mr. Deorooop Teemal	Mr. Nigel de Freitas
First Meeting 28.02.22	✓	✓	EXCUSED	✓	✓	EXCUSED	✓	✓	✓	✓	✓	✓
Second Meeting 14.03.22	EXCUSED	✓	EXCUSED	EXCUSED	✓	✓	EXCUSED	EXCUSED	✓	✓	✓	EXCUSED
Third Meeting 28.03.22	EXCUSED	✓	EXCUSED	✓	✓	✓	✓		✓	✓	✓	EXCUSED
Fourth Meeting 11.04.22	✓	EXCUSED	✓	✓	EXCUSED	✓	✓		EXCUSED	EXCUSED	✓	EXCUSED
Fifth Meeting 25.04.22	EXCUSED	EXCUSED	✓	✓	EXCUSED	✓	EXCUSED		✓	✓	EXCUSED	EXCUSED



JOINT SELECT COMMITTEE ON THE REPRESENTATION OF THE PEOPLE (AMENDMENT) (NO.2) BILL, 2020

MINUTES OF THE FIRST MEETING OF THE SECOND SESSION (2021/2022) HELD VIA ZOOM ON MONDAY FEBRUARY 28, 2022 AT 3:00 P.M.

PRESENT

Mrs. Bridgid Annisette-George, MP - Speaker of the House

Committee Members

Mrs. Camille Robinson-Regis, MP	-	Member
Mr. Colm Imbert, MP	-	Member
Ms. Shamfa Cudjoe, MP	-	Member
Mr. Saddam Hosein, MP	-	Member
Mr. Clarence Rambharat	-	Member
Mr. Nigel de Fretias	-	Member
Mr. Randall Mitchell	-	Member
Mr. Wade Mark	-	Member
Mr. Deeroop Teemal	-	Member
Dr. Maria Dillon-Remy	-	Member

Secretariat

Ms. Chantal La Roche	-	Secretary
Ms. Sharla Elcock	-	Assistant Secretary
Mr. Roger Hector	-	Legal Officer I
Ms. Sherlana Ramdeen	-	Procedural Officer Intern
Mr. Khaleem Ali	-	Legal Unit Intern

ABSENT/EXCUSED

Mr. Davendranath Tancoo, MP	-	Member
Mr. Fitzgerald Hinds, MP	-	Member

COMMENCEMENT

1.1 The Speaker of the House called the meeting to order at 3:00 p.m.

- 1.2 The Speaker indicated that her role at the meeting was to facilitate the election of the Chairman. Members were thereafter informed that Ms. Chantal La Roche had been assigned as Secretary and Ms. Sharla Elcock as Assistant Secretary.

ELECTION OF A CHAIRMAN

- 2.1 The Speaker invited nominations for the position of Chairman. Mr. Nigel De Freitas nominated Mrs. Camille Robinson-Regis and the nomination was seconded by Ms. Shamfa Cudjoe.
- 2.2 There being no other nominations, the Speaker declared Mrs. Camille Robinson-Regis, the duly elected Chairman and invited her to take the Chair. The Speaker wished the Committee success in its deliberations and exited the meeting.
- 2.3 The Chairman took the chair at 3.04 p.m. and welcomed Members to the Committee.

DETERMINATION OF A QUORUM

- 3.1 The Chairman recommended a quorum of three (3) Members inclusive of the Chair and with representation from each House.
- 3.2 Discussion ensued and the Committee agreed to the quorum proposed by the Chair of three (3) Members inclusive of the Chair and with representation from each House.

TERMS OF REFERENCE

- 4.1 The Chairman reminded Members that the Committee was established to consider the Representation of the People (Amendment) (No.2) Bill, 2020 and report to Parliament by **April 30th, 2022**. The Chairman also reminded Members that the Committee was mandated to adopt the work of the Committee appointed in the First Session of the Twelfth Parliament.
- 4.2 The Chairman welcomed Dr. Maria Dillon-Remy, who was not a member of the Committee during the First Session.

DETERMINATION OF THE WAY FORWARD

- 5.1 Members were advised that the following Committee documents and submissions had been uploaded to Rotunda for their ease of access:
 1. *The Representation of the People (Amendment) (No.2) Bill, 2020;*
 2. *Report of the Constitution Commission (1974) (The Wooding Commission on Constitutional Reform);*
 3. *Law Reform Commission's Preliminary Report on Political Parties and The Law, 2007;*

4. *Joint Select Committee of the Parliament Appointed to Propose a Legislative Framework to Govern the Financing of Election Campaigns (2014);*
5. *Elections and Boundaries Commission Policy Paper on the Registration of Political Parties and Public Campaign Financing (2015);*
6. *Election Campaign Financing: Legislation and Regulations published June 2017 by the Electoral Commission of Jamaica;*
7. *Registration of Political Parties: Legislation and Regulations published June 2017 by the Electoral Commission of Jamaica;*
8. *Statement by the Prime Minister upon the Introduction and First Reading of the Representation of the People Bill, 2020;*
9. *Stakeholder Comments received during the First Session Twelfth Parliament; and*
10. *The Report of the JSC established during the First Session Twelfth Parliament to consider and report on the Representation of the People (Amendment) (No.2) Bill, 2020.*

5.2 The Chairman advised that responses had been received from the following stakeholders during the call for submissions on the Bill in the First Session:

1. *The Trinidad and Tobago Transparency Institute (TTTI);*
2. *The Progressive Party;*
3. *The Movement for Social Justice (MSJ);*
4. *The Telecommunications Authority of Trinidad and Tobago (TATT);*
5. *The Financial Intelligence Unit of Trinidad and Tobago (FIUTT);*
6. *The Media Association of Trinidad and Tobago (MATT);*
7. *The National Joint Action Committee (NJAC);*
8. *The Trinidad & Tobago Publishers & Broadcasters Association (TTPBA);*
9. *CARICOM Implementation Agency for Crime and Security (CARICOM IMPACS);*
10. *The Organisation of the American States (OAS).*
11. *Mr. Allan Karim;*
12. *Mr. Dan Russell Ethan Martineau, BSc, MBA; and*
13. *Mr. Nigel Henry*

5.3 The Chairman noted that despite calls for comments on the Bill, there were no responses from the major political parties.

THE WAY FORWARD

6.1 The Committee agreed that:

- i. there will be another call for submissions on the Bill;
- ii. members will submit to the Secretariat the names of additional persons and organisations who may be able to provide comments on the Bill, by **Friday March 4, 2022;**

- iii. technocrats from the Law Reform Commission, the Office of the Chief Parliamentary Counsel and the Ministry of the Attorney General and Legal Affairs will be invited to the next meeting to present on the Bill;
- iv. expert assistance and support would be engaged at a later date;
- v. a brief explanation of the aims and objective of the proposed legislation and/or a Bill Essentials will be circulated to Members;
- vi. the Committee will conduct a public outreach and engagement exercise; and
- vii. The Committee will meet twice per month on **Mondays at 3:00 p.m.**

ADJOURNMENT

7.1 There being no other business, the Chairman adjourned the meeting to **Monday March 14, 2022 at 3:00 p.m.**

7.2 The adjournment was taken at 3:38 p.m.

I certify that these minutes are true and correct.

Chairman

Secretary

February 28, 2022



JOINT SELECT COMMITTEE ON THE REPRESENTATION OF THE PEOPLE (AMENDMENT) (NO.2) BILL, 2020

MINUTES OF THE SECOND MEETING OF THE SECOND SESSION (2021/2022) HELD **VIA ZOOM ON MONDAY MARCH 14, 2022 AT 3:00 P.M.**

PRESENT

Committee Members

Mrs. Camille Robinson-Regis, MP	-	Chairman
Mr. Davendranath Tancoo, MP	-	Member
Mr. Saddam Hosein, MP	-	Member
Mr. Wade Mark	-	Member
Mr. Deorooop Teemal	-	Member
Dr. Maria Dillon-Remy	-	Member

Secretariat

Ms. Chantal La Roche	-	Secretary
Ms. Sharla Elcock	-	Assistant Secretary
Mr. Roger Hector	-	Legal Officer I
Ms. Sherlana Ramdeen	-	Procedural Officer Intern
Mr. Khaleem Ali	-	Legal Unit Intern

ABSENT/EXCUSED

Ms. Shamfa Cudjoe, MP	-	Member
Mr. Colm Imbert, MP	-	Member
Mr. Fitzgerald Hinds, MP	-	Member
Mr. Nigel de Freitas	-	Member
Mr. Randall Mitchell	-	Member
Mr. Clarence Rambharat	-	Member

COMMENCEMENT

- 1.1 The Chairman called the meeting to order at 3:02 p.m.
- 1.2 The Chairman advised that the following members asked to be excused from the meeting:

- Mr. Colm Imbert, MP
- Mr. Nigel de Freitas,
- Mr. Randall Mitchell and
- Ms. Shamfa Cudjoe, MP.

CONFIRMATION OF THE MINUTES OF THE FIRST MEETING

- 2.1 The Committee considered the Minutes of the First Meeting held on Monday February 28, 2022.
- 2.2 The motion for the confirmation of the Minutes was moved by Mr. Deeroop Teemal and seconded by Mr. Wade Mark.
- 2.3 The Minutes of the First Meeting were approved.

MATTERS ARISING

- 3.1 The Chairman advised that:
 - i. **Per item 6.1 (ii)**, an email was circulated to members requesting the names of additional stakeholders by Friday March 4, 2022. Members were once again asked to review the list of stakeholders on rotunda and submit any additional stakeholders. The Chairman thanked Dr. Dillon-Remy who submitted the names of two additional stakeholders, Civil Society of Tobago (Civil Net) and The Tobago Business Chamber.
 - ii. **Per item 6.1 (iii)**, technocrats from the Law Reform Commission were present to deliver a presentation on the Bill.
 - iii. **Per item 6.1 (v)**, a summary document titled, *Overview of the Representation of the People (Amendment) (No.2) Bill 2020*, prepared by the Law Reform Commission, was circulated to Members and uploaded to Rotunda.
- 3.2 The Chair agreed to circulate documents from the Forum to Strengthen the Regulation of Political Parties and Political Financing in the Caribbean, organised by the Organisation of American States (OAS) together with the International Institute for Democracy and Electoral Assistance (International IDEA).

PRESENTATION BY TECHNOCRATS OF THE LAW REFORM COMMISSION

- 4.1 The Committee was joined by the following representatives of the Law Reform Commission for the delivery of a presentation on the Representation of the People (Amendment) (No.2) Bill, 2020:
 - Mrs. Paula Cross-Horton, Senior Legal Research Officer (Policy), and
 - Ms. Tamara Dookran, Senior Parliamentary Counsel (Drafting).
- 4.2 Their presentation focused on:

- The Policy- Objectives, Principles and Considerations of the Bill,
- Comparative Legal Research, and
- Key features of the Representation of the People (Amendment) (No.2) Bill, 2020.

4.4 The technocrats, in the course of their presentation, made reference to several documents which they will endeavour to provide to the Committee. These included:

- i. Ministry of the Attorney General and Legal Affairs Paper titled “Funding of Political Parties”;
- ii. Law Reform Commission Report on Registration of Political Parties;
- iii. The judgment of ***Fakeemeah Cehl Mohammed and Another v Essouf Amanoullah Ahmad and Others [UKPC 1994]***;
- iv. Guidelines for Political Broadcast, Broadcasting and Radio Re-Diffusion Act Television and Sound Broadcasting Regulations-Jamaica, 1996;
- v. The 1974 Wooding Commission on Constitutional Reform which recommended the establishment of an independent media corporation for the purpose of dispensing information to voters;
- vi. The 1977 Report of the Commission of Inquiry into the Use of the M.V. Tobago which recommended the reform of the use of public assets for campaigning purposes;
- vii. A Report of the Campaign Financing Forum 2016;
- viii. A table on the advantages and disadvantages of the various campaign finance approaches; and
- ix. Other relevant research materials used by the Law Reform Commission in preparing objectives for Bill.

4.5 The Committee thanked the technocrats for their presentation and granted them leave to depart the meeting.

4.6 Members were advised that the presentation on the Representation of the People (Amendment) (No.2) Bill, 2020, was uploaded to Rotunda.

ADJOURNMENT

5.1 There being no other business, the Chairman adjourned the meeting to **Monday March 28, 2022 at 3:00 p.m.**

5.2 The adjournment was taken at 5:32 p.m.

I certify that these minutes are true and correct.

Chairman

Secretary

March 14, 2022

JOINT SELECT COMMITTEE ON THE REPRESENTATION OF THE PEOPLE (AMENDMENT) (NO.2) BILL, 2020

**MINUTES OF THE THIRD MEETING OF THE SECOND SESSION (2021/2022)
HELD VIA ZOOM ON MONDAY MARCH 28, 2022 AT 3:00 P.M.**

PRESENT

Committee Members

Mrs. Camille Robinson-Regis, MP	-	Chairman
Ms. Shamfa Cudjoe, MP	-	Member
Mr. Davendranath Tancoo, MP	-	Member
Mr. Saddam Hosein, MP	-	Member
Mr. Randall Mitchell	-	Member
Mr. Wade Mark	-	Member
Mr. Deorooop Teemal	-	Member
Dr. Maria Dillon-Remy	-	Member

Secretariat

Ms. Chantal La Roche	-	Secretary
Ms. Sharla Elcock	-	Assistant Secretary
Mr. Roger Hector	-	Legal Officer I
Ms. Allisia Williams	-	Legal Research Officer
Mr. Khaleem Ali	-	Legal Unit Intern

ABSENT/EXCUSED

Mr. Colm Imbert, MP	-	Member
Mr. Fitzgerald Hinds, MP	-	Member
Mr. Nigel de Freitas	-	Member

COMMENCEMENT

- 1.1 The Chairman called the meeting to order at 3:08 p.m.
- 1.2 The Chairman advised that Mr. Nigel de Freitas had asked to be excused from the day's meeting.

CONFIRMATION OF MINUTES OF THE SECOND MEETING

- 2.1 The Committee considered the Minutes of the Second Meeting held on Monday March 14, 2022.
- 2.2 The motion for the confirmation of the Minutes was moved by Mr. Deeroop Teemal and seconded by Mr. Randall Mitchell.
- 2.3 The Minutes of the Second Meeting were approved.

MATTERS ARISING FROM THE MINUTES

- 3.1 **Per item 4.4**, the Chairman advised that
 - i. The following documents referred to in the presentation of the Law Reform Commission were submitted and uploaded to Rotunda:
 - The judgment of Fakeemeah Cehl Mohammed and Another v Essouf Amanoullah Ahmad and Others [UKPC 1994];
 - Guidelines for Political Broadcast- Jamaica;
 - Broadcasting and Radio Re-Diffusion Act- Jamaica;
 - Television and Sound Broadcasting Regulations-Jamaica, 1996;
 - The 1974 Wooding Commission on Constitutional Reform which recommended the establishment of an independent media corporation for the purpose of dispensing information to voters; and
 - The 1977 Report of the Commission of Inquiry into the Use of the M.V. Tobago which recommended the reform of the use of public assets for campaigning purposes.
 - ii. The Law Reform Commission informed that the Report of the Campaign Financing Forum, and the Paper titled “Funding of Political Parties” will be made available to the Committee in due course.
 - iii. The Law Reform Commission agreed to deliver an oral presentation on the advantages and disadvantages of the various campaign finance approaches.

PRESENTATION BY TECHNOCRATS OF THE LAW REFORM COMMISSION

- 4.1 The Committee was joined by the following representatives of the Law Reform Commission to deliver their presentation *Campaign Finance Reform: Benefits and Risks of Regulatory Approaches*:
 - Mrs. Paula Cross-Horton, Senior Legal Research Officer (Policy), and
 - Ms. Tamara Dookran, Senior Parliamentary Counsel (Drafting).

- 4.2 Their presentation highlighted *inter alia*:
- A definition of campaign financing;
 - General Benefits of regulatory systems for campaign finance;
 - General Risks of regulatory systems for campaign finance;
 - Regulatory Approaches to campaign finance:
 - Public Funding,
 - Prohibition on the Use of State resources, and
 - Oversight.
- 4.3 The following documents referenced in the technocrats' presentation were provided to the Committee:
- i. UK - Communications Act, 2003;
 - ii. *Figueroa v. Canada (Attorney General)*, [2003] 1 S.C.R. 912, 2003 SCC 37;
 - iii. *08-205 Citizens United v. Federal Election Commission (01/21/10)*- United States Supreme Court
 - iv. Khushbu Agrawal, Yukihiro Hamada and Alberto Fernández Gibaja, *Regulating Online Campaign Finance - Chasing the Ghost, 2021*. International IDEA;
 - v. ACE Project - Assessment of Strengths and Weaknesses of Existing Legal Frameworks;
 - vi. Venice Commission - *Guidelines on Political Party Regulation*, 2nd edition, 2020;
 - vii. International IDEA - *Funding of Political Parties and Election Campaigns - Handbook on Political Finance 2014*;
 - viii. United Nations, OCHR - *Human Rights and Elections: A Handbook on International Human Rights Standards on Elections*. Professional Training Series No. 2/ Rev.1, 2021; and
 - ix. Brennan Center for Justice - *Analysis: New York's Big Donor Problem & Why Small Donor Public Financing Is an Effective Solution for Constituents and Candidates*.
- 4.4 The Committee thanked the technocrats of the Law Reform Commission for their presentation and granted them leave to depart the meeting.
- 4.5 The Chairman advised that the presentation comparing the advantages and risks of the various campaign finance approaches, would be uploaded to Rotunda.

WAY FORWARD

- 5.1 The Committee agreed that:
- i. the Secretariat will develop a Public Call for Submissions to be disseminated in the daily newspapers as well as on the Parliament's website and social media platforms, including its Facebook, Instagram and Twitter pages;

- ii. the Secretariat will work with the Corporate Communications Department to prepare a feature on the Bill, which will be presented on the Parliament Channel 11 and Parliament Radio 105.5 FM;
- iii. the Secretariat will disseminate letters requesting submissions from stakeholders;
- iv. the deadline for submissions on the Bill shall be **Friday April 15, 2022**;
- v. the List of Stakeholders will be updated to include the Council for Responsible Political Behavior and the Ministry of Finance; and
- vi. the Secretariat will write to the following organisations/persons to identify experts who can assist the Committee with its deliberations:
 - The Venice Commission;
 - The Caribbean Community (CARICOM) Implementation Agency for Crime and Security (IMPACS);
 - The Canadian High Commission- Mr. Jean-Pierre Kingsley, former Chief Electoral Officer of Elections Canada;
 - The Jamaican High Commission-The Electoral Commission of Jamaica;
 - LUMIN Consulting;
 - The Organisation of American States (OAS);
 - The United Nations Development Programme;
 - The International Foundation for Electoral Systems (IFES);
 - The Consortium for Elections and Political Process Strengthening (CEPPS);
 - The International Republican Institute (IRI);
 - The National Democratic Institute; and
 - The ACE Electoral Knowledge Network.

ADJOURNMENT

6.1 There being no other business, the Chairman adjourned the meeting to **Monday April 11, 2022 at 3:00 p.m.**

6.2 The adjournment was taken at 5:49 p.m.

I certify that these minutes are true and correct.

Chairman

Secretary

March 28, 2022



JOINT SELECT COMMITTEE ON THE REPRESENTATION OF THE PEOPLE (AMENDMENT) (NO.2) BILL, 2020

**MINUTES OF THE FOURTH MEETING OF THE SECOND SESSION (2021/2022)
HELD VIA ZOOM ON MONDAY APRIL 11, 2022 AT 3:00 P.M.**

PRESENT

Committee Members

Ms. Shamfa Cudjoe, MP	-	Member
Mr. Colm Imbert, MP	-	Member
Mr. Fitzgerald Hinds, MP	-	Member
Mr. Davendranath Tancoo, MP	-	Member
Mr. Randall Mitchell	-	Member
Mr. Deorooop Teemal	-	Member

Secretariat

Ms. Chantal La Roche	-	Secretary
Ms. Sharla Elcock	-	Assistant Secretary
Mr. Roger Hector	-	Legal Officer I
Ms. Allisia Williams	-	Legal Research Officer
Ms. Sherlana Ramdeen	-	Procedural Clerk Intern
Mr. Khaleem Ali	-	Legal Unit Intern
Mrs. Susannah Gittens	-	Business Operations Assistant II

ABSENT/EXCUSED

Mr. Nigel de Freitas	-	Member
Mr. Wade Mark	-	Member
Mr. Saddam Hosein, MP	-	Member
Dr. Maria Dillon-Remy	-	Member
Mrs. Camille Robinson-Regis, MP	-	Chairman

ELECTION OF CHAIRMAN FOR THE DAY

- 1.1 The Secretary informed members that the Chairman would be absent. Members were further advised that in the absence of the Chairman, the Committee was required to elect

a Member to perform the duties of Chairman for the day's meeting in accordance with Standing Orders 112(4) of the House of Representatives and 102(4) of the Senate.

- 1.2 The Secretary invited nominations for Chairman for the day. Mr. Mitchell was nominated on a motion moved by Mr. Teemal and seconded by Mr. Tancoo.
- 1.3 There being no other nominations, the Secretary declared Mr. Mitchell the duly elected Chairman for the day.
- 1.4 Mr. Mitchell assumed the Chair.

COMMENCEMENT

- 2.1 The Chairman called the meeting to order at 3:05 p.m.
- 2.2 The Chairman advised that the following members had asked to be excused from the day's meeting:
 - Mr. Nigel de Freitas;
 - Mr. Wade Mark;
 - Mr. Saddam Hosein, MP; and
 - Mrs. Camille Robinson-Regis, MP.

CONFIRMATION OF MINUTES OF THE THIRD MEETING

- 3.1 The Committee considered the Minutes of the Third Meeting held on Monday March 28, 2022.
- 3.2 The motion for the confirmation of the Minutes was moved by Mr. Deeroop Teemal and seconded by Mr. Davendranath Tancoo.
- 3.3 The Minutes of the Third Meeting were approved.

MATTERS ARISING FROM THE MINUTES

- 4.1 **Per item 4.3**, the Chairman advised that the technocrats of the Law Reform Commission had submitted the following additional documents, which were uploaded to the Rotunda Application:
 - A Model Bill on the Reporting of Campaign Contributions and Expenditures;
 - South African Development Community - Draft SADC Model Law on Elections;
 - Money in Democracy: Australia's Political Finance Laws Across The Federation;
 - and

- UNODC Public sector legislative and administrative measures, including measures to enhance transparency in the funding of candidatures for elected public office and, where applicable, the funding of political parties.

4.2 Per item 5.1 (i), the Chairman advised that:

- (i) The Public Call for Submissions was disseminated in the daily newspapers on the following days:
 - Trinidad Express: Monday April 4, 2022,
 - Trinidad Guardian: Thursday April 7, 2022, and
 - Trinidad and Tobago Newsday: Monday April 11, 2022.
- (ii) The Public Call for Submissions was also circulated on Parliament’s social media platforms including Facebook, Instagram and Twitter.
- (iii) The deadline for submissions as agreed by the Committee was April 15, 2022.

4.3 Per item 5.1 (ii), the Chairman informed the Committee that:

- (i) The Secretariat disseminated letters to stakeholders on Monday April 4, 2022 requesting submissions on the Bill.
- (ii) The Chairman provided the following updates in relation to responses received from stakeholders:
 - Via electronic correspondence dated April 8, 2022, the Telecommunications Services of Trinidad and Tobago (TSTT) indicated that they have no comments on the Bill.
 - Via electronic correspondence dated April 5, 2022, political leader of The National Coalition for Transformation (NCT), Ms. Nalini Dial indicated that the party was pleased to be considered a stakeholder.
 - Via telephone call dated April 5, 2022, the National Joint Action Committee (NJAC) advised that they will review their previous submissions and add further comments, if necessary.
 - Via electronic correspondence, Ms. Marissa John, Executive Assistant, Bankers Association of Trinidad and Tobago requested an extension to April 29, 2022, for the submission of comments.
 - Via email dated April 7, 2022, correspondence was received from Mrs. Farzana Nasir-Mohammed, Director, Legal, Criminal Justice Unit, Office of the Attorney General and Ministry of Legal Affairs requesting the inclusion

of the National Anti-Money Laundering and Counter Financing of Terrorism Committee (NAMLC) to the list of stakeholders.

- Via letter dated April 5, 2022, the Commissioner of Police advised that the request was forwarded to the Deputy Director Legal Services for consideration, attention and requisite action.
- Via email dated April 11, 2022, Mr. Marcus Ramkissoon, Political Leader of the Trinidad Humanity Campaign requested a two-week extension for the submission of comments on the Bill.

4.4 **Per item 5.1 (v),** the Chairman advised that the List of Stakeholders was updated to include the following entities:

- Council for Responsible Political Behaviour;
- The Ministry of Finance;
- National Anti-Money Laundering and Counter Financing of Terrorism Committee (NAMLC); and
- The Central Bank of Trinidad and Tobago.

4.5 **Per item 5.1 (vi),** the Chairman advised that:

- (i) via letter dated April 6, 2022, the Secretariat wrote to the following organisations to identify experts who could assist the Committee with its deliberations:
 - (1) The Venice Commission;
 - (2) The Caribbean Community (CARICOM) Implementation Agency for Crime and Security (IMPACS);
 - (3) The Canadian High Commission- Mr. Jean-Pierre Kingsley, former Chief Electoral Officer of Elections Canada;
 - (4) The Jamaican High Commission-The Electoral Commission of Jamaica;
 - (5) LUMIN Consulting;
 - (6) The Organisation of American States (OAS);
 - (7) The United Nations Development Programme (UNDP);
 - (8) Mr. Charles Chauvel, Global Lead and Asia-Pacific Focal Point, Inclusive Processes and Institutions, (UNDP);
 - (9) The International Foundation for Electoral Systems (IFES);
 - (10) The Consortium for Elections and Political Process Strengthening (CEPPS);
 - (11) The International Republican Institute (IRI);
 - (12) The National Democratic Institute (NDI);
 - (13) The Electoral Institute for Sustainable Democracy in Africa (EISA);
 - (14) The Electoral Assistance Division of the UN Department of Political Affairs (UNEAD); and

(15) The ACE Electoral Knowledge Network.

(ii) Further to these letters, the Chairman advised the Committee of the following responses:

- In response to a written request received from International Republican Institute (IRI), the Secretariat held a meeting with the IRI on Monday April 11, 2022, to discuss the support that could be extended to the Committee during its deliberations on the Bill. The IRI agreed to submit a proposal to the Committee explaining various options on how the organisation could assist by April 25, 2022.
- Via electronic correspondence dated April 6, 2022, Ms. Marina Piper, Officer-in-Charge, OAS, advised that the Committee's letter of request has been forwarded to the OAS Headquarters and awaits their response.
- Via electronic correspondence dated April 7, 2022, Ms. Leslie-Ann Boisselle, Foreign Policy and Diplomacy Service Officer of the Canadian High Commission advised that it will look into the matter and respond soonest.
- Via electronic correspondence dated April 7, 2022, Ms. Melissa Johnson, Senior Policy and Project Officer of LUMIN Consulting informed that the request would be reviewed and a response sent at the earliest opportunity.
- Via electronic correspondence dated April 8, 2022, Mrs. Isele Robinson-Cooper Programme Officer of Inclusive Growth and Social Policy Office, UNDP advised that a response would be forwarded at the earliest opportunity.
- Via electronic correspondence dated April 10, 2022, Mr. Charles Chauvel, Global Lead and Asia Pacific Focal Point Inclusive Processes and Institutions, UNDP, forwarded his CV for consideration by the Committee. The Chairman noted that Mr. Chauvel had previously worked with the JSC established during the 10th Parliament to consider Campaign Financing.

WAY FORWARD

- 5.1 Members agreed that requests for extensions would be deliberated at the next meeting.
- 5.2 Following a brief discussion, it was also agreed that the Secretariat would:
- (i) circulate the Hansard of the debate on a motion that the House do appoint a special select committee to make recommendations as to what principles and systems of financing of political parties would be appropriate in the public interest for Members' information, dated Friday October 27, 2006;

- (ii) write to governance and electoral institutions from the United Kingdom, particularly the Electoral Commission, seeking expert assistance on the Bill; and
- (iii) follow-up with the NCT to ascertain whether they intend to make submissions on the Bill.

ADJOURNMENT

6.1 There being no other business, the Chairman adjourned the meeting to **Monday April 25, 2022 at 3:00 p.m.**

6.2 The adjournment was taken at 3:32 p.m.

I certify that these minutes are true and correct.

Chairman

Secretary

April 11, 2022



JOINT SELECT COMMITTEE ON THE REPRESENTATION OF THE PEOPLE (AMENDMENT) (NO.2) BILL, 2020

**MINUTES OF THE FIFTH MEETING OF THE SECOND SESSION (2021/2022)
HELD VIA ZOOM ON MONDAY APRIL 25, 2022 AT 3:00 P.M.**

PRESENT

Committee Members

Ms. Shamfa Cudjoe, MP	-	Member (and Chairman for the Day)
Mr. Fitzgerald Hinds, MP	-	Member
Mr. Davendranath Tancoo, MP	-	Member
Mr. Wade Mark	-	Member
Dr. Maria Dillon-Remy	-	Member

Secretariat

Ms. Chantal La Roche	-	Secretary
Ms. Sharla Elcock	-	Assistant Secretary
Mr. Roger Hector	-	Legal Officer I
Ms. Allisia Williams	-	Legal Research Officer
Ms. Sherlana Ramdeen	-	Procedural Clerk Intern

ABSENT/EXCUSED

Mrs. Camille Robinson-Regis, MP	-	Chairman
Mr. Colm Imbert, MP	-	Member
Mr. Saddam Hosein, MP	-	Member
Mr. Deorooop Teemal	-	Member
Mr. Nigel de Freitas	-	Member
Mr. Randall Mitchell	-	Member

ELECTION OF CHAIRMAN FOR THE DAY

- 1.1 The Secretary informed members that the Chairman would be absent. Members were further advised that in the absence of the Chairman, the Committee was required to elect a Member to perform the duties of Chairman for the day's meeting in accordance with Standing Orders 112(4) of the House of Representatives and 102(4) of the Senate.

- 1.2 The Secretary invited nominations for Chairman for the day. Ms. Cudjoe was nominated on a motion moved by Mr. Hinds and seconded by Dr. Dillon-Remy.
- 1.3 There being no other nominations, the Secretary declared Ms. Cudjoe the duly elected Chairman for the day.
- 1.4 Ms. Cudjoe assumed the Chair.

COMMENCEMENT

- 2.1 The Chairman called the meeting to order at 3:19 p.m.
- 2.2 The Chairman advised that the following members had asked to be excused from the day's meeting:
 - Mrs. Camille Robinson-Regis, MP;
 - Mr. Colm Imbert, MP;
 - Mr. Nigel de Freitas; and
 - Mr. Randall Mitchell.

CONFIRMATION OF MINUTES OF THE FOURTH MEETING

- 3.1 The Committee considered the Minutes of the Fourth Meeting held on Monday April 11, 2022.
- 3.2 The motion for the confirmation of the Minutes was moved by Mr. Fitzgerald Hinds and seconded by Mr. Davendranath Tancoo.
- 3.3 The Minutes of the Fourth Meeting were approved.

MATTERS ARISING FROM THE MINUTES

- 4.1 **Per item 4.5**, the Chairman advised that:
 - (iv) The Secretariat held a meeting with Ms. Jessica Birks, Political Counsellor, High Commission of Canada, on Friday April 22, 2022, to discuss the request of the Committee for the assistance of Mr. Jean-Pierre Kingsley, former Chief Electoral Officer of Elections Canada.
 - (v) The High Commission for Jamaica has indicated, via email dated Friday April 22, 2022, that the request for an expert was transmitted to the Electoral Commission of Jamaica.
 - (vi) Lumin Consulting (the management consulting firm of the University of the West Indies) has recommended Mrs. Maxine Henry Wilson, a former Jamaican Parliamentarian and Government Minister, as an expert to assist the Committee.
 - (vii) By email dated Friday April 22, 2022, the International Republican Institute has indicated that it is consulting its global network of experts and partners on the

request for an expert. They expect to submit a list of recommendations for the Committee's consideration by Thursday April 28, 2022.

- (viii) By email dated Tuesday April 12, 2022, the Electoral Institute for Sustainable Democracy in Africa (EISA) has requested further information to identify an appropriate expert.

4.2 Per item 5.2 the Chairman advised that:

- (i) On Tuesday April 12, 2022, the Secretariat circulated the Hansard dated Friday October 27, 2006, of the debate on a motion that the House do appoint a special select committee to make recommendations as to what principles and systems of financing of political parties would be appropriate in the public interest.
- (ii) Based on a discussion which arose during the Committee's Fourth Meeting, the Secretariat wrote to the following agencies from the United Kingdom:
 - British High Commission seeking expert assistance on the Bill from the Electoral Commission UK; and
 - The Commonwealth Secretariat seeking expert assistance from the Commonwealth Electoral Network and the Commonwealth Election Professionals Initiative.

STAKEHOLDER SUBMISSIONS

5.1 The Chairman advised that the following stakeholders submitted submissions on the Bill:

- Mr. Clyde Weatherhead;
- The Election and Boundaries Commission (inclusive of advice from Mr. Russell Martineau, C.M.T, S.C.);
- The Financial Intelligence Unit of Trinidad and Tobago;
- The Trinidad Humanity Campaign;
- The Bankers Association of Trinidad and Tobago;
- Civil Society of Tobago;
- Friends of TNT; and
- The OAS Department of Electoral Cooperation and Observation.

5.2 The Chairman advised that the following organisations requested extensions of the deadline for submissions:

- The Congress of the People (14 days);
- The Unity of the People (27th April);
- The Unrepresented People's Party (2nd May);
- The National Coalition for Transformation (no date provided); and

- The National Anti-Money Laundering and Counter Financing of Terrorism Committee (no date provided).

5.3 Following a short discourse, the Committee agreed to extend the deadline for submissions to **Friday May 6, 2022**.

INTERIM REPORT

- 6.1 The Chairman reminded Members of the Committee's reporting deadline of April 30, 2022 and advised that an Interim Report would be prepared for laying in Parliament.
- 6.2 The Committee agreed to seek an extension of its reporting deadline to **September 2, 2022**.

WAY FORWARD

- 7.1 Following a brief discussion, the Committee agreed that the technocrats assigned to assist the Committee by the Office of the Chief Parliamentary Counsel (CPC) would be invited to join the Committee's next meeting.

ADJOURNMENT

- 8.1 There being no other business, the Chairman adjourned the meeting to **Monday May 9, 2022 at 3:00 p.m.**
- 8.2 The adjournment was taken at 3:59 p.m.

I certify that these minutes are true and correct.

Chairman

Secretary

April 25, 2022

APPENDIX II
STAKEHOLDER LISTING AND
LIST OF AGENCIES FOR ENGAGING AN EXPERT

ORGANISATION
STATE/GOVERNMENT AGENCIES
Central Bank
Central Statistical Office
Equal Opportunity Commission
Financial Investigation Branch of the Trinidad and Tobago Police Service
The Election and Boundaries Commission
The Financial Intelligence Unit
The Law Reform Commission
The Office of the Chief Parliamentary Counsel
Tobago House of Assembly
MEDIA
CNC3, Guardian Media Limited
Daily News Limited (Newsday)
Express Newspaper
The Media Association of Trinidad and Tobago
The Trinidad & Tobago Publishers & Broadcasters Association
Mr. Richard Lord
POLITICAL PARTIES
Congress of the People
Green Party
Innovative Democratic Alliance
Movement for National Development
Movement for Social Justice
National Coalition for Transformation
National Joint Action Committee
National Solidarity Assembly
New National Vision
One Tobago Voice
Patriotic Front
People's National Movement
Port of Spain People's Movement
Progressive Democratic Patriots
Progressive Empowerment Party
Progressive Party
United National Congress

Unity of the People
Your Party Trinidad and Tobago
ACADEMIA
Faculty of Law, UWI, St. Augustine
Faculty of Social Sciences, UWI, St. Augustine
SALISES, UWI, St. Augustine
The Law Association of Trinidad and Tobago
University of Trinidad & Tobago (UTT)
BUSINESS COMMUNITY
American Chamber of Industry and Commerce of Trinidad and Tobago
Bankers Association of Trinidad and Tobago
British Caribbean Chamber of Commerce
Chaguanas Chamber of Commerce
Couva / Pt. Lisas Chamber of Commerce
Downtown Owners and Merchants Association (DOMA)
Employers' Consultative Association of Trinidad and Tobago
European Business Chamber of Trinidad and Tobago
Penal / Debe Chamber of Commerce
San Juan Business Association
Securities Dealers Association of Trinidad and Tobago
The Advertising Agencies Association of Trinidad and Tobago
The Co-operative Credit Union League of Trinidad and Tobago
The Greater Tunapuna Chamber of Industry & Commerce
Tobago Business Chamber
Trinidad and Tobago Chamber of Industry and Commerce
Trinidad and Tobago Manufacturers Association
THE TRADE UNION MOVEMENT
National Trade Union Centre of Trinidad and Tobago
Joint Trade Union Movement
Federation of Independent Trade Unions and NGOs
National Union of Government and Federated Workers(NUGFW)
Oilfield Workers Trade Union
Public Service Association (PSA)
CIVIL SOCIETY
Civil Society of Tobago (CivilNet)
Council for Responsible Political Behaviour
Heliconia Foundation

Tobago Youth Council
Trinidad and Tobago Coalition of Services
Trinidad and Tobago Institute for Women in Leadership
Trinidad and Tobago Transparency Institute
Trinidad Youth Council
Women's Institute for Alternative Development
Youth Votes Matter
INTERNET SERVICE PROVIDERS
Digicel
FLOW
Fintech Association of Trinidad and Tobago
Greendot
Telecommunications Authority of Trinidad and Tobago
Telecommunications Services of Trinidad and Tobago

Regional/International Stakeholders and Experts
CARICOM IMPACS
Consortium for Elections and Political Process Strengthening (CEPPS)
Electoral Assistance Division of the UN Department of Political Affairs (UNEAD)
Elections Canada
Electoral Commission of Jamaica
Electoral Institute for Sustainable Democracy in Africa (EISA)
International Foundation for Electoral Systems (IFES)
International Republican Institute (IRI)
Lumin Consulting (UWI)
The Organisation of American States (OAS)
United Nations Development Programme (UNDP)
Venice Commission - Council of Europe