SENATE OF THE REPUBLIC OF TRINIDAD AND TOBAGO

ORDER PAPER

FOURTH SITTING, SECOND SESSION (2021/2022)

TWELFTH PARLIAMENT

MONDAY OCTOBER 18, 2021 AT 10:00 A.M.

PROCLAMATION

(The Clerk will read the Proclamation declaring the continuation of the Second Session of the Twelfth Parliament of the Republic of Trinidad and Tobago, during the outbreak of a dangerous infectious disease in Trinidad and Tobago)

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 Motor Vehicles and Road Traffic (Extension of Period for Payment of Fifty Percent of Fixed Penalty) (No. 3) Order, 2021.
   (By the Minister of Works and Transport)

   (ii) The Annual Report of the National Infrastructure Development Company Limited for the year 2016.
   (By the Minister of Works and Transport)

   (iii) The Ministerial Response of the Ministry of Works and Transport to the Second Report of the Public Accounts (Enterprises) Committee on the Examination of the Audited Financial Statements of the Vehicle Management Corporation of Trinidad and Tobago Limited for the financial years 2013 and 2014.
   (By the Minister of Works and Transport)

   (iv) The Ministerial Response of the Ministry of Digital Transformation to the Fourth Report of the Public Accounts (Enterprises) Committee on the Examination of the Audited Financial Statements of the National Information and Communication Technology Company Limited for the financial years 2015 to 2019.
   (By the Minister of Digital Transformation)

   (v) The Report on the Fourth withdrawal in the amount of US $100,000,000.00 from the Trinidad and Tobago Heritage and Stabilisation Fund in accordance with Section 15A3 of the Heritage and Stabilisation Fund Act, Chapter 70:09 as amended for the period May to June, 2021.
   (By the Minister of Finance)

(vi) The Report on the Fifth withdrawal in the amount of US $100,000,000.00 from the Trinidad and Tobago Heritage and Stabilisation Fund in accordance with Section 15A3 of the Heritage and Stabilisation Fund Act, Chapter 70:09 as amended for the period May to June, 2021.
(By the Minister of Finance)

(vii) The Consolidated Financial Statements of Caribbean Airlines Limited for the financial year ended December 31, 2015.
(By the Minister of Finance)

(viii) The Annual Audited Financial Statements of the Trinidad and Tobago Solid Waste Management Company Limited for the financial year ended September 30, 2018.
(By the Minister of Finance)

(ix) The Annual Audited Financial Statements of National Quarries Company Limited for the financial year ended September 30, 2016.
(By the Minister of Finance)

(x) The Annual Audited Financial Statements of National Quarries Company Limited for the financial year ended September 30, 2017.
(By the Minister of Finance)

(xi) The Annual Audited Financial Statements of National Quarries Company Limited for the financial year ended September 30, 2018.
(By the Minister of Finance)

(xii) The Annual Audited Financial Statements of National Quarries Company Limited for the financial year ended September 30, 2019.
(By the Minister of Finance)

(xiii) The Consolidated Financial Statements of Trinidad and Tobago National Petroleum Marketing Company Limited for the financial year ended March 31, 2019.
(By the Minister of Finance)

(xiv) The Consolidated Financial Statements of Evolving TecKnologies and Enterprise Development Company Limited for the financial year ended September 30, 2019.
(By the Minister of Finance)

(xv) The Annual Audited Financial Statements of MIC-Institute of Technology formerly Metal Industries Company Limited for the financial year ended September 30, 2019.
(By the Minister of Finance)

(xvi) The Annual Audited Financial Statements of Portfolio Credit Management Limited for the financial year ended December 31, 2019.
(By the Minister of Finance)

(xvii) The Annual Audited Financial Statements of Youth Training and Employment Partnership Limited for the financial year ended September 30, 2020.
(By the Minister of Finance)

(xviii) The Annual Audited Financial Statements of Telecommunications Services of Trinidad and Tobago Limited for the financial year ended March 31, 2021.
(By the Minister of Finance)

(xix) The Ministerial Response of the Ministry of Finance to the First Report of the Joint Select Committee on Land and Physical Infrastructure on a Continuation Inquiry into measures for ensuring water security in Trinidad and Tobago.
(By the Minister of Finance)

(xx) The Value Added Tax (Amendment to Schedule 2) Order, 2021.
(By the Minister of Finance)

(xxi) The Ministerial Response of the Ministry of Energy and Energy Industries to the Third Report of the Public Accounts (Enterprises) Committee on the Examination of the Audited Financial Statements of the National Gas Company of Trinidad and Tobago Limited for the financial years 2016 to 2018.
(By the Minister of Energy and Energy Industries)

(xxii) The Annual Report of the Equal Opportunity Commission for the year 2019.
(By the Attorney General)

(xxiii) The Annual Administrative Report of the Trinidad and Tobago Bureau of Standards for the period 2017/2018.
(By the Minister of Trade and Industry)

(xxiv) The Annual Administrative Report of the National Flour Mills for the year ended December 31, 2019.
(By the Minister of Trade and Industry)

(xxv) The Annual Administrative Report of the Statutory Authorities Service Commission for the period October 2019 to September 2020.
(By the Vice-President)

7. REPORTS FROM COMMITTEES

8. URGENT QUESTIONS

9. QUESTIONS ON NOTICE

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 repeal the Livestock and Livestock Products Board Act, Chap. 67:05'.
(By the Minister of Agriculture, Land and Fisheries)

(ii) A Bill entitled, 'An Act to repeal the Foreign Labour Contracts Act, Chap. 88:11'.
(By the Minister of Labour)

PRIVATE MEMBERS' BUSINESS

Motions:

(i) **WHEREAS** the Commissions of Enquiry Act, Chapter 10:01 provides for the establishment of Commissions to manage the conduct of enquiries into public officers, departments and matters of public welfare;

AND WHEREAS Commissions of Enquiry are recognized as an important tool for social investigation in contemporary society, an effective mechanism for delivering into and ameliorating matters of public concern;

AND WHEREAS successive Government administrations have failed to adequately address public concerns which have arisen from time to time on whether the Commissions of Enquiry in Trinidad and Tobago have been effectively and efficiently carrying out their mandate;

BE IT RESOLVED that this Senate call on the Government to review the Commissions of Enquiry Act, Chap. 19:01 and the public inquiry process in Trinidad and Tobago.

(By Senator Anthony Vieira)

(ii) **WHEREAS** in 2001 the States of the Caribbean Community established by agreement (by treaty) the Caribbean Court of Justice ("the Court"), convinced that the Court would have a determinative role in the development of Caribbean jurisdiction steeped in the ethos of the region;

AND WHEREAS Trinidad and Tobago, having ratified without reservation the agreement establishing the Court, is bound under treaty to refer its appeals to the Court in lieu of continuing to have them heard by the Judicial Committee of Privy Council;

AND WHEREAS the unique and varied legal matters which arise in the Caribbean are far removed and foreign to the society, culture and habits of the Judicial Committee of the Privy Council, as sentiment echoed by Privy Council judges and senior British legal figures;

AND WHEREAS almost all Commonwealth States outside the Caribbean as well as four CARICOM states, have since delinked from the Privy Council, recognizing that it goes against the sovereignty of independent nations, and is therefore politically unacceptable, to have such a foreign tribunal permanently entrenched in their Constitutions as their final appellate Court;

AND WHEREAS this is an appropriate time for Trinidad and Tobago to accede to the Court in its appellate jurisdiction, so that the Country's civil, criminal and constitutional appeals can be heard by the Court, which will also serve this Country's democratic and developmental objectives regarding affordability, relevance and increased access to justice;

BE IT RESOLVED that this Senate agree that the Caribbean Court of Justice be recognized as the final Court of Appeal for Trinidad and Tobago and that the appropriate amendments be made to alter the Constitution of Trinidad and Tobago so as to entrench the court as its final court of appeal.

(By Senator Anthony Vieira)

(iii) **WHEREAS** availability of foreign exchange is important for investment and competitiveness in the private sector and a shortage of foreign exchange can hinder prospects for diversification and economic recovery aspired to in the Government's fiscal strategy;

AND WHEREAS energy sector revenues continue to be adversely affected by lower domestic energy production due to natural gas supply challenges, ongoing maintenance activity and temporary plant closures;

AND WHEREAS it is recognized that micro, small and medium-sized enterprises (MSMEs) and the wider population continue to experience the negative effects of limited access to foreign exchange, notwithstanding interventions by the Central Bank and the Government to ease tight foreign exchange market conditions;

BE IT RESOLVED that this Senate call on the Government to table in Parliament, within six (6) months, a comprehensive policy framework that will guide key stakeholders, including MSMEs, on how the Government intends to navigate the worsening foreign exchange market to overcome downside risks in the medium term.

(By Senator Amrita Deonarine)

(iv) **WHEREAS** on April 24, 2018 the Senate unanimously passed a resolution calling on the Government *"… to introduce legislation on parliamentary autonomy during the Fourth Session of the Eleventh Parliament and have same referred to a Joint Select Committee of Parliament for consideration and report before the end of the Fourth Session of the Eleventh Parliament"*;

AND WHEREAS on February 12, 2019, in the Senate, the Attorney General committed to making best efforts to have legislation on Parliamentary Autonomy introduced in the Fourth Session of the Eleventh Parliament;

AND WHEREAS to date the Government has not presented to Parliament a legislative framework on Parliamentary Autonomy;

BE IT RESOLVED that the Senate call on the Government to reaffirm its commitment to introduce a legislative framework on Parliamentary Autonomy;

AND BE IT FURTHER RESOLVED that the Senate call on the Government to introduce in Parliament, within three (3) months, a Bill on Parliamentary Autonomy and have same referred to a Joint Select Committee of Parliament for consideration and report.

(By Senator Wade Mark)

(v) **WHEREAS** it is provided by section 1(2) of the Data Protection Act 2011 that the Act shall come into operation on such day as is fixed by the President by Proclamation;

AND WHEREAS Part 1 and sections 7 to 18, 22, 23, 25(1), 26 and 28 of the Act were operationalised on January 06, 2012 and section 42(a) and (b) were operationalised on August 20, 2021;

AND WHEREAS there are other sections of the Act that offer the necessary checks and balances in safeguarding the personal data/information of every citizen;

BE IT RESOLVED that the Senate call on the Government to immediately proclaim the remaining sections of the Data Protection Act and in the process ensure the necessary checks and balances aimed at safeguarding citizens' fundamental right to privacy.

(By Senator Wade Mark)

(vi) **WHEREAS** the Senate, as a House of Parliament, ought to afford Members such freedom of debate so as to allow full, frank and meaningful discussion within the constraints of the Standing Orders and well established parliamentary practice;

AND WHEREAS the position and authority of the President of the Senate ought not to be used in a partisan manner to prevent and or stymie criticism of the Government;

AND WHEREAS the Senate President is the servant of the Senate and not of the Government and as such ought to be impartial at all times;

AND WHEREAS the President of the Senate by her rulings has demonstrated her bias in favor of the PNM Government and her lack of understanding of the nature and role of the Office of President of the Senate;

AND WHEREAS by her actions the Senate President has stifled the freedom of debate guaranteed by the Constitution and thus brought this Senate into disrepute;

BE IT RESOLVED that this Senate declare that it has lost confidence in the President of the Senate, Senator the Honourable Christine Kangaloo.

(By Senator Wade Mark)

Brian Caesar
Clerk of the Senate (Ag.)

Senate Secretariat
Office of the Parliament
The Parliamentary Complex
The Red House
Abercromby Street
PORT OF SPAIN

October 15, 2021