



JOINT SELECT COMMITTEE ON

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

THIRD SESSION (2022/2023) OF THE TWELFTH PARLIAMENT



Committee Mandate

Pursuant to resolutions of the House of Representatives on Friday November 11, 2022 and of the Senate on Tuesday November 8, 2022, a Joint Select Committee was established to adopt the work of the Joint Select Committee in the Second Session, Twelfth Parliament and report by March 31st, 2023.

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
Ms. Paula Gopee-Scoon	Member
Dr. Amery Browne	Member
Mr. Randall Mitchell	Member
Mr. Wade Mark	Member
Dr. Maria Dillon-Remy	Member
Mr. Deorooop Temal	Member

Secretariat Support

Ms. Chantal La Roche, Senior Legal Officer	Secretary
Ms. Allisia Williams, Legal Officer I	Assistant Secretary
Ms. Megan Ali, Legal Research Officer	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 Friday November 25, 2022, your Committee elected Mrs. Camille Robinson-Regis, MP to be its Chairman, in accordance with Standing Order 112(7) of the House of Representatives and Standing Order 102(7) of the Senate.

SECRETARIAT

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

MEETINGS

3. Since its appointment, your Committee has held four (4) meetings on the following dates:
 - Friday November 25, 2022;
 - Monday December 12, 2022;
 - Monday January 16, 2023; and
 - Monday February 13, 2023.
4. Attendance records and minutes of the meetings are attached at **Appendix I**.

WORK TO DATE

5. At its Second Meeting held on Monday December 12, 2022, the Committee assessed the qualifications and experience of various experts in election campaign financing recommended to assist the Committee during its deliberations on the draft legislation. These experts were:
 - a. Mr. Charles Chauvel, Global Lead on Inclusive Institutions and Processes, UNDP, and former member of the House of Representatives in the Parliament of New Zealand.
 - b. Mr. Salvador Romero, former president of the Supreme Electoral Tribunal of Bolivia on two occasions, former director of the Centre for Electoral Advice and Promotion (CAPEL), and the former executive secretary of the Electoral Organisations of the Americas.
 - c. Mr. Grant Masterson, Head of Programme, Governance, Electoral Institute for Sustainable Democracy in Africa (EISA);
 - d. Mrs. Maxine Henry- Wilson; former Jamaican parliamentarian, government minister and Member of the Electoral Advisory Commission; and
 - e. Professor Fernando Casal Bértoa; Lecturer, University of Nottingham, Venice Commission, ODIHR, UNDP.
6. Following careful and extensive deliberations, your Committee selected Dr. Fernando Casal Bértoa as its preferred expert.

7. During its Third and Fourth meetings, your Committee discussed and finalised issues connected to the consultancy, including the terms of reference and funding.

REPORT

8. The Committee wishes to report that it has not concluded its consideration of the Bill. Additional time is required to commence a review of the Bill and to compile proposed amendments. Consequently, the Committee was unable to submit its final report by the deadline of March 31, 2023.

RECOMMENDATION

9. Your Committee humbly requests a further period of five (5) months to complete its work and submit a final report to Parliament by August 31, 2023.
10. During the period of the extension, the Committee wishes to commence discussions with its preferred consultant; conduct a thorough clause by clause analysis of the Bill and engage in stakeholder consultation on the impact of the proposed legislation.

Respectfully submitted,

Sgd.

Mrs. Camille Robinson-Regis, MP

Chairman

April 21, 2023

Appendix I
Attendance Record and
Minutes of Meetings

JSC on the Representation of the People (Amendment) Bill, 2020
Third Session (2022/ 2023) 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. WADE MARK	DR. MARIA DILLON-REMY	MR. DEOROOP TEMAL	DR. AMERY BROWNE	MS. PAULA GOPEE- SCOON
First Meeting 25.11.22	✓	✓	✓	EXCUSED	EXCUSED	✓	✓	EXCUSED	EXCUSED	✓	EXCUSED	✓
Second Meeting 12.12.22	✓	✓	✓	✓	✓	✓	✓	EXCUSED	EXCUSED	✓	EXCUSED	✓
Third Meeting 16.01.23	✓	✓	EXCUSED	✓	✓	✓	EXCUSED	✓	✓	EXCUSED	✓	✓
Fourth Meeting 11.04.23	EXCUSED	EXCUSED	✓	✓	✓	EXCUSED	EXCUSED	✓	✓	✓	✓	✓

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

MINUTES OF THE FIRST MEETING HELD VIA ZOOM VIDEO PLATFORM ON FRIDAY NOVEMBER 25, 2022 AT 10:00 A.M.

PRESENT

Mrs. Bridgid Annisette-George - Speaker of the House

Committee Members present

Mrs. Camille Robinson-Regis, MP - Member
Mr. Davendranath Tancoo, MP - Member
Mr. Fitzgerald Hinds, MP - Member
Mr. Deorooop Temal - Member
Mrs. Paula Gopee-Scoon - Member
Mr. Colm Imbert, MP - Member
Mr. Randall Mitchell - Member

Secretariat

Ms. Chantal La Roche - Secretary
Ms. Allisia Williams - Assistant Secretary
Ms. Megan Ali - Legal Research Officer

ABSENT/EXCUSED

Dr. Maria Dillon-Remy - Member
Mr. Wade Mark - Member
Mr. Saddam Hosein, MP - Member
Dr. Amery Browne - Member
Ms. Shamfa Cudjoe, MP - Member

COMMENCEMENT

- 1.1 The meeting was called to order by the Speaker of the House of Representatives at 10:02 a.m.

ANNOUNCEMENTS BY THE PRESIDENT OF THE SENATE

- 2.1 The Speaker of the House informed Members that Ms. Chantal La Roche would serve as the Committee's Secretary and Ms. Allisia Williams as Assistant Secretary.

ELECTION OF CHAIRMAN

- 3.1 The Speaker of the House advised that her role was to facilitate the election of a Chairman and invited nominations.
- 3.2 Mrs. Camille Robinson-Regis was nominated by Mr. Fitzgerald Hinds for the chairmanship and this nomination was seconded by Mr. Randall Mitchell.
- 3.3 There being no further nominations, Mrs. Camille Robinson-Regis was declared Chairman of the Committee. The Speaker of the House wished the Members productive and cooperative deliberations.

(The Speaker of the House of Representatives exited the meeting and Mrs. Robinson-Regis assumed her role as Chairman)

- 3.4 The Chairman thanked Members for electing her to serve as the Chairman.

QUORUM

- 4.1 The Chairman recommended a quorum of three (3) Members inclusive of the Chair and with representation from each House pursuant to the Standing Orders.
- 4.2 Discussion ensued and the Members agreed, that the quorum for meetings would be three (3) persons, inclusive of the Chairman with representation from each House.

TERMS OF REFERENCE OF THE COMMITTEE

- 5.1 The Chairman reminded Members of the Committee's mandate to consider and report on the Representation of the People (Amendment) (No. 2) Bill, 2020, and of its reporting deadline of March 31, 2023.
- 5.2 The Chairman also reminded the Members that the Committee was also mandated to adopt the work of the Committees established to consider the Bill during the First and Second Sessions.

DETERMINATION OF THE WAY FORWARD

- 6.1 The Chairman recommended and Members agreed that the Committee will meet fortnightly on Mondays at 3:00 p.m.
- 6.2 The Chairman then proposed, and the Committee agreed that its next meeting would be held on **Monday December 12, 2022 at 3:00 p.m.**

ADJOURNMENT

- 7.1 There being no other business, the Chairman thanked Members and adjourned the meeting to **Monday December 12, 2022 at 3:00 p.m.**
- 7.2 The adjournment was taken at 10:12 a.m.

I certify that these minutes are true and correct.

Chairman

Secretary

November 25, 2022

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

**MINUTES OF THE SECOND MEETING OF THE THIRD SESSION (2022/2023)
HELD VIA ZOOM VIDEO PLATFORM ON MONDAY DECEMBER 12, 2022 AT 3:00 P.M.**

PRESENT

Committee Members

Mrs. Camille Robinson-Regis, MP	-	Chairman
Mr. Davendranath Tancoo, MP	-	Member
Mr. Fitzgerald Hinds, MP	-	Member
Mr. Deorooop Teemal	-	Member
Mrs. Paula Gopee-Scoon	-	Member
Mr. Colm Imbert, MP	-	Member
Mr. Randall Mitchell	-	Member
Mr. Saddam Hosein, MP	-	Member
Ms. Shamfa Cudjoe, MP	-	Member

Secretariat

Ms. Chantal La Roche	-	Secretary
Ms. Allisia Williams	-	Assistant Secretary
Ms. Megan Ali	-	Legal Research Officer

ABSENT/EXCUSED

Dr. Maria Dillon-Remy	-	Member
Mr. Wade Mark	-	Member
Dr. Amery Browne	-	Member

COMMENCEMENT

1.2 The Chairman called the meeting to order at 3:04 p.m.

CONFIRMATION OF THE MINUTES OF THE FIRST MEETING

- 2.1 The Committee considered the Minutes of the First Meeting held on Friday November 25, 2022.
- 2.2 The motion for the confirmation of the Minutes was moved by Mr. Randall Mitchell and seconded by Mrs. Paula Gopee-Scoon.
- 2.3 The Minutes of the First Meeting were approved.

SELECTION OF AN EXPERT

- 3.1 The Committee reviewed the qualifications and experience of the following experts recommended to assist the Committee during its deliberations on the draft legislation:
 - Mr. Charles Chauvel, UNDP;
 - Mr. Grant Masterson, EISA;
 - Maxine Henry-Wilson, former MP Jamaica;
 - Dr. Salvador Ignacio Romero Ballivian, International Republican Institute; and
 - Dr. Fernando Casal Bértoa; Venice Commission, ODIHR, UNDP
- 3.2 The Chairman then invited discussion on the selection of the most suitable to assist the Committee.
- 3.2 During its deliberations, the Committee agreed to rank the experts based on knowledge and experience in electoral reform and consequently selected Dr. Fernando Casal Bértoa as its preferred expert. The Committee also decided on Dr. Salvador Ignacio Romero Ballivian as the next most suitable consultant.

WAY FORWARD

- 4.1 Following a brief discussion, the Committee agreed that the Secretariat would:
 - i. circulate, via email, the draft Terms of Reference to Members for their feedback;
 - ii. receive amendments, if any, from Members by Thursday December 15, 2022; and
 - iii. send the finalized Terms of Reference, along with the Bill, to Ms. Samantha Montanari at the British High Commission who will forward these documents to the expert to ascertain his consultation fees.

ADJOURNMENT

- 5.1 There being no other business, the Chairman thanked Members and adjourned the meeting to **Monday January 16, 2022 at 3:00 p.m.**

5.2 The adjournment was taken at 3:29 p.m.

I certify that these minutes are true and correct.

Chairman

Secretary

December 13, 2022

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

**MINUTES OF THE THIRD MEETING OF THE THIRD SESSION (2022/2023)
HELD VIA ZOOM VIDEO PLATFORM ON MONDAY JANUARY 16, 2023 AT 3:00 P.M.**

PRESENT

Committee Members

Mrs. Camille Robinson-Regis, MP	-	Chairman
Mr. Davendranath Tancoo, MP	-	Member
Mrs. Paula Gopee-Scoon	-	Member
Mr. Colm Imbert, MP	-	Member
Mr. Saddam Hosein, MP	-	Member
Ms. Shamfa Cudjoe, MP	-	Member
Dr. Maria Dillon-Remy	-	Member
Mr. Wade Mark	-	Member
Dr. Amery Browne	-	Member

Secretariat

Ms. Chantal La Roche	-	Secretary
Ms. Allisia Williams	-	Assistant Secretary
Ms. Megan Ali	-	Legal Research Officer

ABSENT/EXCUSED

Mr. Deeroop Teemal	-	Member
Mr. Fitzgerald Hinds, MP	-	Member
Mr. Randall Mitchell	-	Member

COMMENCEMENT

1.3 The Chairman called the meeting to order at 3:13p.m.

CONFIRMATION OF THE MINUTES OF THE SECOND MEETING

- 2.1 The Committee considered the Minutes of the Second Meeting held on Monday December 12, 2022.
- 2.2 The motion for the confirmation of the Minutes was moved by Mrs. Paula Gopee-Scoon and seconded by Mr. Saddam Hosein.
- 2.3 The Minutes of the Second Meeting were approved.

UPDATE ON EXPERT SELECTED TO ASSIST THE COMMITTEE

- 3.1 The Chairman informed the Committee of the following:
 - Via email correspondence dated December 19, 2022, the updated Terms of Reference and the Bill were forwarded to Ms. Samantha Montanari at the British High Commission for dispatch to the selected Consultant, Dr. Bértoa to ascertain his consultation fees and availability.
 - The Consultant's daily rate is £715, and he proposed a period of work of approximately 10 working days to thoroughly assess the Bill and undertake the relevant comparative analysis.
 - With regard to the consultancy, Dr. Bértoa proposed the following course of action:
 - ❖ Members should submit any specific areas of concern/focus before he commences his analysis;
 - ❖ the Committee should agree on a deadline date for the submission of a written report to the Committee; and
 - ❖ the Committee should set a date for the delivery of one virtual briefing session by the Consultant to discuss the report findings in depth.
- 3.2 The Committee, after careful extensive discussions, agreed to receive further comments from Members on the Terms of Reference by **Wednesday January 18, 2023 at 4:00 p.m.** before its finalisation and dispatch to the Consultant.
- 3.3 The Committee also agreed, pursuant to the Consultant's request, to submit any issues, questions and/or areas of concern with regard to the Bill prior to the commencement of the consultancy.

WAY FORWARD

- 4.1 Following a brief discussion, the Committee agreed that the Secretariat would:

- iv. circulate, via email, the Terms of Reference to Members for their feedback; and
- v. receive amendments, if any, from Members by **Wednesday January 18, 2023 at 4:00 p.m.**

4.2 Members also agreed to submit any issues, questions and/or areas of concern to the Consultant, for him to consider during his analysis of the Bill, at their earliest convenience.

ADJOURNMENT

5.1 There being no other business, the Chairman thanked Members and adjourned the meeting to **Monday January 30, 2023 at 3:00 p.m.**

5.2 The adjournment was taken at 4:14 p.m.

I certify that these minutes are true and correct.

Chairman

Secretary

January 17, 2023

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

**MINUTES OF THE FOURTH MEETING OF THE THIRD SESSION (2022/2023)
HELD VIA ZOOM VIDEO PLATFORM ON MONDAY FEBRUARY 13, 2023 AT 3:00 P.M.**

PRESENT

Committee Members

Mrs. Paula Gopee-Scoon	-	Member
Mr. Saddam Hosein, MP	-	Member
Ms. Shamfa Cudjoe, MP	-	Member
Dr. Maria Dillon-Remy	-	Member
Mr. Wade Mark	-	Member
Dr. Amery Browne	-	Member
Mr. Deorooop Teemal	-	Member
Mr. Fitzgerald Hinds, MP	-	Member

Secretariat

Ms. Chantal La Roche	-	Secretary
Ms. Allisia Williams	-	Assistant Secretary
Ms. Megan Ali	-	Legal Research Officer

ABSENT/EXCUSED

Mrs. Camille Robinson-Regis, MP	-	Chairman
Mr. Randall Mitchell	-	Member
Mr. Colm Imbert, MP	-	Member
Mr. Davendranath Tancoo, MP	-	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. Mr. Teemal was nominated on a motion moved by Mr. Mark and seconded by Mr. Hosein. Mrs. Gopee-Scoon was nominated on a motion moved by Mr. Hinds and seconded by Dr. Dillon-Remy.
- 1.3 Mr. Teemal declined his nomination. Consequently, there being no other nominations, the Secretary declared Mrs. Gopee-Scoon the duly elected Chairman for the day.
- 1.4 Mrs. Gopee-Scoon assumed the Chair.

COMMENCEMENT

- 3.1 The Chairman called the meeting to order at 3:09 p.m.

CONFIRMATION OF THE MINUTES OF THE THIRD MEETING

- 3.1 The Committee considered the Minutes of the Third Meeting held on Monday January 16, 2023.
- 3.2 The motion for the confirmation of the Minutes was moved by Dr. Dillon-Remy and seconded by Mr. Hinds.
- 3.3 The Minutes of the Third Meeting were approved.

UPDATE ON CONSULTANCY

Funding

- 4.1 The Chairman informed the Committee that the British High Commission had received approval in principle for full funding for the consultancy, and that this approval was reliant on the Secretariat and the Consultant completing the requisite paperwork (i.e. the Terms of Reference and Consultancy Agreement) as well as the consultancy, before the end of March, 2023.
- 4.2 At this juncture, concerns were raised by some Committee Members about the funding of the consultancy. In response, the Secretary clarified the issue of the funding

of consultancy fees in support of the work of Joint Select Committees and noted that funding is solely managed by the Secretariat and approved by the Clerk of the House.

- 4.3 Members acknowledged and accepted the explanation provided¹ on the issue of funding and requested further information on the Westminster Foundation for Democracy from the Secretariat.

Agreement with the Consultant

- 4.4. The Chairman informed the Committee that the Secretariat has not yet finalised an agreement with the Consultant, Dr. Fernando Casal Bértoa

Upcoming meeting between the Secretariat and the Consultant

- 4.5 The Chairman informed the Committee that the Secretariat was scheduled to meet with the Consultant on **Monday February 13, 2023** to discuss the Terms of Reference to ensure that the Consultant fully understands the concerns of the Committee and the expectations of the engagement. The Chairman further stated that this meeting did not take place as scheduled and is now expected to be convened by Friday **February 17, 2023**.

Proposed Timeline for the consultancy

- 4.6 The Chairman informed the Committee that the consultancy would commence in early March, 2023, and that the Consultant will submit his written report on the Bill before the virtual briefing which is tentatively scheduled for **Monday March 13, 2023**.

WAY FORWARD

- 5.1 Following extensive discussions, the Committee agreed that the Secretariat would circulate, via email, further information on the Westminster Foundation for Democracy to Members on **Tuesday February 14, 2023** and receive feedback, if any, from Members by **Thursday February 16, 2023 at 4:00 p.m.**

ADJOURNMENT

- 6.1 There being no other business, the Chairman thanked Members and adjourned the meeting to **Monday February 27, 2023 at 3:00 p.m.**
- 6.2 The adjournment was taken at 4:14 p.m.

¹ Appendix

I certify that these minutes are true and correct.

Chairman

Secretary

February 15, 2023

Appendix

- In relation to any request by a Joint Select Committee for expert assistance, the Secretariat seeks recommendations for expert assistance from reputable international organisations, including, but not limited to, United Nations Development Programme (UNDP), European Union (EU), Westminster Foundation for Democracy (WFD), Organization of American States (OAS) and Venice Commission.
- These organisations provide a roster of independent experts from which a Joint Select Committee may select, or alternatively, a Committee may issue a public call for experts or identify a specific expert.
- The identification of funding for and/or payments to identified consultants to assist Joint Select Committees, including via assistance from partner international organisations, is a matter that the Secretary of the Committee manages upon consultation with the Clerk of the House.
- From time to time, consultancies may be offered at no cost, via subsidized fees or as in the instance of Dr. Bértoa, via grant funding.
- If the aforementioned options do not arise, the Office of the Parliament will identify funding from its own budget once the proposed consultant fees are reasonable and in keeping with usual consultancy rates.
- The possibility of the availability of funding for Dr. Bértoa's consultancy was proposed during negotiations of the Terms of Reference and Consultancy Agreement as a consequence of the subject matter of the Bill (i.e. campaign financing) and the work of the Westminster Foundation for Democracy to assist countries with improving election processes and campaign financing legislation.