



HOUSE OF REPRESENTATIVES

FOURTH SESSION
ELEVENTH PARLIAMENT

NO. 27
2018/2019

ORDER PAPER

TUESDAY APRIL 23, 2019: 10:30 A.M.

PRAYERS

OATH OR AFFIRMATION

ANNOUNCEMENTS BY THE SPEAKER

BILLS BROUGHT FROM THE SENATE

PETITIONS

PAPERS

1. The Notification of Her Excellency, the President in respect of the nomination of Mr. Roger Mark Kawalsingh, for appointment as a Member of the Police Service Commission.

(By the Speaker of the House)

2. The Consolidated Audited Financial Statements of ExportIT Limited for the financial year ended September 30, 2017.

(By the Minister of Finance who will move that the Report be referred to the Public Accounts [Enterprises] Committee)

3. The Audited Financial Statements of the National Commission for Self Help Limited for the financial year ended September 30, 2016.

(By the Minister of Finance who will move that the Report be referred to the Public Accounts [Enterprises] Committee)

4. The Audited Financial Statements of East Port of Spain Development Company Limited for the financial year ended September 30, 2012.

(By the Minister of Finance who will move that the Report be referred to the Public Accounts [Enterprises] Committee)

5. The Audited Financial Statements of MIC Institute of Technology Limited for the financial year ended September 30, 2017.

(By the Minister of Finance who will move that the Report be referred to the Public Accounts [Enterprises] Committee)

6. The Annual Report of the First Citizens Asset Management Limited for the year ended September 30, 2018.

(By the Minister of Finance)

7. The Ministerial Response of the Ministry of Planning and Development to the Sixteenth Report of the Public Administration and Appropriations Committee on the Examination into the Implementation of the Public Sector Investment Programme.

(By the Minister of Planning and Development)

8. The Ministerial Response of the Ministry of Sport and Youth Affairs to the Sixteenth Report of the Public Administration and Appropriations Committee on the Examination into the Implementation of the Public Sector Investment Programme.

(By the Minister of Sport and Youth Affairs)

9. The Ministerial Response of the Ministry of the Attorney General and Legal Affairs to the Twentieth Report of the Public Accounts Committee on the Examination of the Report of the Auditor General on the Public Accounts of the Republic of Trinidad and Tobago for the financial year 2017.

(By the Ministry of the Attorney General and Legal Affairs)

10. The Ministerial Response of the Ministry of Health to the Twentieth Report of the Public Accounts Committee on an Examination of the Report of the Auditor General on the Public Accounts of the Republic of Trinidad and Tobago for the financial year 2017.

(By the Minister of Health)

11. The Ministerial Response of the Ministry of Agriculture, Land and Fisheries to the Fifth Report of the Joint Select Committee on Land and Physical Infrastructure on an Inquiry into the state of the Agriculture and Fisheries Industry in Tobago (with specific focus on the levels of participation in the industries and the output of farmers).

(By the Minister of Agriculture, Land and Fisheries)

REPORTS FROM COMMITTEES

PRIME MINISTER'S QUESTIONS

URGENT QUESTIONS

QUESTIONS ON NOTICE

Questions for Oral Answer

***Question No. 140 to the Prime Minister:**

(By the Member for Pointe-a-Pierre)

With regard to statements in the Prime Minister's address to the nation on September 2, 2018 that, *"the wider population in fence line communities will benefit from some deliberate additional Government expenditure on infrastructure and social support"*, could the Prime Minister provide the specific list of projects that have been undertaken within the fence line communities of Pointe-a-Pierre, Santa Flora, Couva and Gasparillo?

***Question No. 140 was deferred for two (2) weeks on Friday March 22, 2019 and Friday April 5, 2019. Question No. 133 was deferred for two (2) weeks on Friday March 29, 2019. Question Nos. 117, 149 and 150 were deferred for two (2) weeks on Monday April 8, 2019. Question No. 163 remained unanswered due to the expiration of time allotted for questions on notice on Friday April 5, 2019.**

Question No. 133 to the Minister of Tourism:*(By the Member for Barataria/San Juan)**

Could the Minister indicate why cruise ship arrivals are not timed to coincide with Carnival activities (inclusive of Carnival shows and Carnival promotions)?

Question No. 117 to the Minister of National Security:*(By the Member for Oropouche West)**

Further to the number of gang members as at November 29, 2017 provided by the Attorney General at a Senate Sitting on March 20, 2018, could the Minister state:

- a) whether there has been an increase in the number of persons under the age of eighteen (18) years joining gangs;
- b) if the answer to part (a) is affirmative, provide the current number; and
- c) the measures initiated to deter persons under the age of 18 years from engaging in criminal activities?

Question No. 149 to the Minister of Tourism:*(By the Member for Chaguanas East)**

Could the Minister provide the number of completed tourism projects since September 2015?

Question No. 150 to the Minister of Tourism:*(By the Member for Chaguanas East)**

Could the Minister state the efforts taken to promote local tourism in Trinidad and Tobago?

Question No. 163 to the Minister of National Security:*(By the Member for Barataria/San Juan)**

Could the Minister indicate:

- a) the current number of prisoners on death row; and
- b) the commencement year of incarceration for each prisoner on death row in part (a)?

Question No. 151 to the Minister of Health:**(By the Member for Chaguanas East)**

Could the Prime Minister provide the expected demolition and reconstruction dates for the Port of Spain General Hospital?

Question No. 165 to the Minister of National Security:**(By the Member for Oropouche West)**

With regard to the continuous kidnappings and robberies of local fishermen by pirates allegedly from Venezuela could the Minister state:

- a) the measures if any, which have been implemented to prevent occurrences of this nature;
- b) whether any additional resources have been allocated to the Trinidad and Tobago Coast Guard to address this problem and if in the affirmative, provide the details;
- c) the number of missing persons extracted from January 2017 to January 2019; and
- d) the amount of stolen items retrieved from January 2017 to January 2019?

Question No. 166 to the Minister of National Security:**(By the Member for Oropouche West)**

With regard to the circulation of video and images of children engaging in sexual activities, could the Minister indicate:

- a) the measures which have been implemented by the Child Protection Unit of the Trinidad and Tobago Police Service to monitor and prevent this offence; and
- b) whether any persons have been apprehended or charged in relation to this offence from January 2017 to January 2019?

Question No. 167 to the Minister of Agriculture, Land and Fisheries:**(By the Member for Oropouche West)**

With regard to the response to House of Representatives Question No. 8 on Friday December 7, 2018 and subsequent reports that 19 affected farmers in Los Iros are yet to receive assistance, could the Minister state the expected time frame that these farmers will be compensated?

REQUESTS FOR LEAVE TO MOVE THE ADJOURNMENT OF THE HOUSE ON DEFINITE MATTERS OF URGENT PUBLIC IMPORTANCE

STATEMENTS BY MINISTERS

PERSONAL EXPLANATIONS

INTRODUCTION OF BILLS

MOTIONS RELATING TO THE BUSINESS OR SITTINGS OF THE HOUSE AND MOVED BY A MINISTER

PUBLIC BUSINESS

GOVERNMENT BUSINESS**Motions:**

1. **BE IT RESOLVED** that the Senate amendments to the Non-Profit Organisations Bill, 2019 listed in the Appendix be now considered.

(By the Attorney General)

2. **WHEREAS** section 122(3) of the Constitution of the Republic of Trinidad and Tobago, Chap. 1:01 ("the Act") provides that the President shall, after consultation with the Prime Minister and Leader of the Opposition nominate persons, who are qualified and experienced in the disciplines of law, finance, sociology or management, to be appointed as members of the Police Service Commission;

AND WHEREAS section 122(4) of the Act provides that the President shall issue a Notification in respect of each person nominated for appointment under subsection (3) and the Notification shall be subject to affirmative resolution of the House of Representatives;

AND WHEREAS the President has nominated Mr. Roger Mark Kawalsingh to be appointed as a member of the Police Service Commission;

AND WHEREAS the President has on the 4th day of April, 2019 made a Notification in respect of the nomination;

AND WHEREAS it is expedient to approve the Notification:

BE IT RESOLVED that the Notification of the nomination of Mr. Roger Mark Kawalsingh as a member of the Police Service Commission be approved.

(By the Prime Minister)

3. **WHEREAS** it is provided by subsection (3) of section 4 of the Elections and Boundaries Commission (Local Government and Tobago House of Assembly) Act (hereinafter referred to as “the Act”), that as soon as may be after the Elections and Boundaries Commission (hereinafter referred to as “the Commission”) has submitted a report under paragraph (a) of subsection (1) of section 4 of the Act, the Minister shall lay before the House of Representatives for its approval the draft of an Order by the President for giving effect, whether with or without modifications, to the recommendations contained in the report;

AND WHEREAS the Commission has submitted a report to the Minister in accordance with the provisions of paragraph (a) of subsection (1) of section 4;

AND WHEREAS the draft of an Order entitled the “Elections and Boundaries Commission (Local Government and Tobago House of Assembly) Order, 2019” giving effect to the recommendations of the Commission was laid before the House of Representatives on the 5th day of April, 2019:

BE IT RESOLVED that the draft of the “Elections and Boundaries Commission (Local Government and Tobago House of Assembly) Order, 2019” be approved.

(By the Minister of Rural Development and Local Government)

4. **WHEREAS** it is provided by section 5(1) of the Land Acquisition Act, Chap. 58:01 (hereinafter referred to as “the Act”) that the President may by Order, declare that land is required for a public purpose;

AND WHEREAS it is provided by section 5(2) of the Act that Parliament may by resolution approve an Order made under section 5(1);

AND WHEREAS the Land Acquisition (Requisition) Order, 2018 was made by the President under section 5(1) of the Act as Legal Notice No. 190 dated the 19th day of December, 2018;

AND WHEREAS it is expedient to approve the said Order:

BE IT RESOLVED that the Land Acquisition (Requisition) Order, 2018 be approved.

(By the Attorney General)

5. **WHEREAS** it is provided by section 5(1) of the Land Acquisition Act, Chap. 58:01 (hereinafter referred to as “the Act”) that the President may by Order, declare that land is required for a public purpose;

AND WHEREAS it is provided by section 5(2) of the Act that Parliament may by resolution approve an Order made under section 5(1);

AND WHEREAS the Land Acquisition (Requisition) Order, 2019 was made by the President under section 5(1) of the Act as Legal Notice No. 34 dated the 18th day of February, 2019;

AND WHEREAS it is expedient to approve the said Order:

BE IT RESOLVED that the Land Acquisition (Requisition) Order, 2019 be approved.

(By the Attorney General)

Bills Second Reading:

1. A Bill entitled, “An Act to combat corruption and other wrongdoings by encouraging and facilitating disclosures of improper conduct in the public and private sector, to protect persons making those disclosures from detrimental action, to regulate the receiving, investigating or otherwise dealing with disclosures of improper conduct and to provide for other matters connected therewith”.

(By the Attorney General)

2. A Bill entitled, “An Act to establish a Council for Urban and Regional Planners and to provide for the regulation of the urban and regional planning profession and other matters incidental thereto”.

(By the Minister of Planning and Development)

3. A Bill entitled, “An Act to amend the Administration of Justice (Indictable Proceedings) Act, 2011 (Act No. 20 of 2011)”.

(By the Attorney General)

4. A Bill entitled, “An Act to amend the Registrar General Act, Chap. 19:03, the Registration of Deeds Act, Chap. 19:06, the Conveyancing and Law of Property Act, Chap. 56:01, the Real Property Act, Chap. 56:02, the Stamp Duty Act, Chap. 76:01 and the Registration of Title to Land Act, 2000”.

(By the Attorney General)

COMMITTEE BUSINESS

Motions:

1. **The debate on the following Motion which was in progress when the House adjourned on Friday November 09, 2018 will be resumed:**

BE IT RESOLVED that this House adopt the Fifth Report of the Joint Select Committee on National Security on the Final Report of the Police Manpower Audit Committee.

(By the Member for Laventille West)

PRIVATE MEMBERS' BUSINESS

Motions:

1. **The debate on the following Motion which was adjourned on Friday March 22, 2019 will be resumed:**

WHEREAS the United Nations established seventeen (17) Sustainable Development Goals (SDGs) to transform the world by 2030;

AND WHEREAS the second target under SDG number five (5) states, “the elimination all forms of violence against all women and girls in the public and private spheres, including trafficking and sexual and other types of exploitation”;

AND WHEREAS women are increasingly becoming victims of domestic abuse, violent crime and human trafficking in Trinidad and Tobago;

BE IT RESOLVED that the Government take urgent steps to ensure the protection of our nation’s women.

(By the Member for Fyzabad)

2. **WHEREAS** over the recent past there have been a number of media articles alleging acts of serious misbehaviour and abuse of office by the Chief Justice, the most serious of which remain unanswered;

AND WHEREAS the Chief Justice has by his resolute refusal to respond adequately to these allegations, brought the office of Chief Justice and by extension, the entire Judiciary into disrepute and odium;

AND WHEREAS by Section 137 of the Constitution the Prime Minister has the authority and responsibility to act in the interest of the integrity of the Office of the Chief Justice and the Judiciary;

AND WHEREAS the Law Association of Trinidad and Tobago established a Committee to investigate allegations of misconduct by the Chief Justice and the Committee Report was sent to the Prime Minister for which action is yet to be taken;

AND WHEREAS there have been public calls for the Prime Minister to act and trigger Section 137 thereby allowing for the course of natural justice which would allow for the rebuilding of public confidence in the administration of justice and the Judiciary;

AND WHEREAS the Prime Minister by his failure to act permits the perception that the Government is protecting the Chief Justice and has further eroded public confidence in the administration of justice;

BE IT RESOLVED that this House call upon the Prime Minister to trigger Section 137 of the Constitution and forthwith advise the President that the question of removing the Chief Justice ought to be investigated.

(By the Member for Oropouche East)

3. **The debate on the following Motion which was in progress when the House adjourned on Friday February 22, 2019 will be resumed:**

BE IT RESOLVED that this House consider the details of the two-part address by the Hon. Keith Rowley, MP, Prime Minister termed, “*Mind your Business: Reporting to the Nation*” that aired on January 6, 2019 and January 7, 2019.

(By the Leader of the Opposition)

4. **WHEREAS** the Government has taken a policy decision to construct and establish an all-inclusive tourist destination in Tobago;

AND WHEREAS this decision has been met with considerable public disquiet, controversy and outrage over matters of procurement of Sandals Resorts International and project planning and development;

AND WHEREAS it is felt that this project had been conceptualized and is being implemented without any regard to transparency, accountability and good governance;

AND WHEREAS this project involves the expenditure of approximately one billion Trinidad and Tobago dollars with concerns over the social and economic returns to such an investment;

BE IT RESOLVED that this House condemn the lack of proper procurement policy, disclosure and the improper implementation of the Sandals Resorts International project.

(By the Member for Couva North)

5. **WHEREAS** climate change is a matter of global concern which threatens all nations;

AND WHEREAS small island states and coastal states are especially susceptible to the impact of climate change;

AND WHEREAS the Caribbean region including Trinidad and Tobago has recently experienced heavy rainfall, devastating hurricanes, and floods;

AND WHEREAS earthquakes and drought are anticipated and must be prepared for;

BE IT RESOLVED that this House agree that the Government develop a holistic and sustainable national response to climate change inclusive of solutions to perennial flooding in Trinidad and Tobago and the management of drought conditions.

(By the Member for Caroni Central)

6. **WHEREAS** there has been a decline in the educational performance, standards and academic achievements during the current Government’s administration;

AND WHEREAS the previous Computer Laptop Programme was abandoned, homework centres closed, provision of textbooks significantly decreased, and Student Support Services, IT, Special Needs, School Social professionals, School Feeding Programme and Scholarships have all been reduced;

AND WHEREAS many schools were routinely closed during several education terms because of disrepair, maintenance issues and gross incompetence of the Ministry of Education, depriving thousands of students of their education;

AND WHEREAS the Primary School Curriculum and the Continuous Assessment Component have been seriously compromised;

AND WHEREAS there has been an inadequate response to school disciplinary and security issues;

AND WHEREAS the construction of new schools has ceased and an estimated seventy schools at various levels of completion were abandoned with resultant disastrous educational environments;

AND WHEREAS the School Transport, School Feeding Programme, personnel and other vital service providers are failing to receive timely payments;

AND WHEREAS there has been a serious reduction in the GATE Programme, tertiary education participation, facilities and training in the various Tech-Voc programmes among others;

BE IT RESOLVED that this House condemn this Government for its gross failure in the Education Sector and the resultant detrimental effect on generations of students.

(By the Member for Chaguanas East)

Jacqui Sampson-Meiguel
Clerk of the House

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PORT OF SPAIN

April 15, 2019

THE NON-PROFIT ORGANISATIONS BILL, 2019

List of Amendments made in the Senate at the Committee Stage
of the Non-Profit Organisations Bill, 2019
on Thursday April 11, 2019

First Column Clause	Second Column Extent of Amendments
3	<p>In subclause (1):</p> <p>A. In the definition of “controller” at paragraph (e) delete the words “owned,”</p> <p>B. In the definition of “gross annual income” at paragraph (f), delete the words “money’s worth” and substitute the words “monetary worth of property and assets acquired”</p>
4	<p>A. In subclause (1)(a) insert after the words “non-profit organisation” the words “with a gross annual income exceeding five hundred thousand dollars”.</p> <p>B. Insert after subclause (2), the following new subclause:</p> <p>“(3) Where a non-profit organisation under subsection (1) is registered under this Act, the Regulator shall, using a risk based approach, determine the level of supervision required for the non-profit organisation under the Financial Intelligence Unit of Trinidad and Tobago Act.”.</p>
5	<p>Insert after subclause (4) the following new subclause:</p> <p>“(5) A society registered under the Friendly Societies Act Chap. 32:50 is exempted from the requirement to be registered as a non-profit organisation under this Act.”.</p>
6	<p>Insert after subclause (2) the following new subclauses:</p> <p>“(3) Where the Registrar General refuses to register an applicant under section 5, or refuses to renew an application under section 7, the Registrar General shall, within fourteen days of such refusal, issue a notice to the applicant and provide reasons in writing within fourteen days thereafter.</p> <p>(4) Where an applicant receives a notice under subsection (3), he may within thirty days of the date of the notice provide the Registrar General with written reasons as to why his application should be approved.</p>

First Column Clause	Second Column Extent of Amendments
	(5) Upon receipt of reasons under subsection (4) the Registrar General shall determine whether the registration should be granted or the renewal refused and a notice shall be sent to the applicant accordingly.”.
7	Delete the words “three years” and replace with the words “five years” .
10	<p>A. In subclause (1) –</p> <p>(i) insert the word “or” at the end of paragraph (e);</p> <p>(ii) delete the words “; or” at the end of paragraph (f) and replace with the word “.”; and</p> <p>(iii) delete paragraph (g).</p> <p>B. In subclause (2), delete the words “notice,” and replace with the words “notice giving reason for the cancellation,”.</p>
12	Delete the clause.
14	<p>A. Delete the words “(1)” in subclause (1).</p> <p>B. In paragraph (d) insert after the words “non-monetary transactions” the words “of property”.</p> <p>C. Delete subclause (2).</p>
17	<p>Delete clause 17 and replace it with the following clause:</p> <p>“17. Where a controller fails to notify the Registrar General in accordance with section 16, the Registrar General is entitled to collect from the controller a penalty of three hundred dollars for every month, or part thereof, that the controller fails to notify the Registrar General.”.</p>
18	In subclause (5) delete the word “which” and replace with the words “who knowingly and without reasonable cause” .
19	<p>A. Renumber subclause (3) as subclause (4).</p> <p>B. Insert after subclause (2) the following new subclause:</p> <p>“(3) Where the Regulator in exercising its powers under section 18G of the Financial Intelligence Unit of Trinidad and Tobago Act determines that a non-profit organisation is not keeping the records required under this section it shall issue a notice to the non-profit organisation requiring it to provide the records within such time as the Regulator determines.”.</p>

First Column Clause	Second Column Extent of Amendments
	C. In renumbered subclause (4), delete the words “which” and replace with the words “who knowingly and without reasonable cause” .
20	<p>A. Delete paragraph (b) and renumber paragraphs (c), (d) and (e) as paragraphs (b), (c) and (d) accordingly.</p> <p>B. Delete the word “or” at the end of the renumbered paragraph (c).</p> <p>C. Delete the word “;” at the end of the renumbered paragraph (d) and insert the word “;”.</p> <p>D. Insert after the renumbered paragraph (d) the following paragraphs: “(e) is less than eighteen years of age; Chap. (f) is mentally ill, within the meaning of the Mental 28:02 Health Act; or (g) is an undischarged bankrupt, having been adjudged or otherwise declared bankrupt under any law in force in Trinidad and Tobago or elsewhere.”</p>
22	<p>A. In subclause (1), delete the words “shall be forfeited in accordance with” and replace with the words “shall be treated in accordance with the forfeiture provisions of”.</p> <p>B. In subclause (2) -</p> <ol style="list-style-type: none"> i. delete the words “, (f) or (g),” and replace with the words “or (f),”. ii. Delete the word “shall” and replace with the word “may”.
23	<p>A. In subclause (2) delete the word “which” and replace with the words “who without reasonable cause”.</p> <p>B. Delete subclause (3) and insert the following subclause: “(3) This section shall not apply to a person or group of persons who carry out a single event to raise funds for charitable purposes.”</p>
Clauses 13 to 28	Renumber clauses 13 to 28 as clauses 12 to 27.
New 28 inserted	<p>Insert after clause 27 the following new clause: “Guidelines 28. For the purposes of its functions under this Act, under the Regulator may exercise its powers under Chap. 72:01 section 8(3)(i) and section 18F(2) of the Financial Intelligence Unit of Trinidad and Tobago Act to</p>

First Column Clause	Second Column Extent of Amendments
	issue guidelines in respect of non-profit organisations.”.
Consequential amendments	
3	A. In the definition of “Regulations” delete the word “26” and replace with the word “25” . B. In the definition of “Rules” delete the word “27” and replace with the word “26” .
6	In subclause (2)(d) delete the word “20” and replace with the word “19” .
10	In subclause (1)(a)- (i) in paragraph (i), delete the word “14” and replace with the word “13” ; and (ii) in paragraph (ii), delete the word “15” and replace with the word “14” .
16 as renumbered	Delete the word “16” and replace with the word “15” .
17 as renumbered	In subclause (3) delete the word “21” and replace with the word “20” .
18 as renumbered	In subclause (2)(b) delete the word “14” and replace with the word “13” .

Senate Secretariat
April 15, 2019