



SENATE OF THE REPUBLIC OF TRINIDAD AND TOBAGO

ORDER PAPER

TWENTY-SECOND SITTING, FIFTH SESSION (2019/2020)

ELEVENTH PARLIAMENT

THURSDAY MARCH 26, 2020 AT 2:30 P.M.

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 Annual Audited Financial Statements of the National Schools Dietary Services Limited (NSDSL) for the year ended September 30, 2019.
(By the Minister of Finance)
 - (ii) The Annual Audited Financial Statements of the Caribbean Industrial Research Institute (CARIRI) for the financial year ended September 30, 2014.
(By the Minister of Finance)
 - (iii) The Administrative Report of the Ministry of Planning and Development for the period October 2013 to September 2014.
(By the Minister of Planning and Development)
7. REPORTS FROM COMMITTEES
 - (i) The Twenty-Second Report of the Public Administration and Appropriations Committee, Fifth Session (2019/2020), Eleventh Parliament on an Examination of the expenditure and internal controls of the Trinidad and Tobago Police Service (TTPS) for the financial year 2018/2019.
(By Senator Wade Mark)
 - (ii) The Twenty-Third Report of the Public Administration and Appropriations Committee, Fifth Session (2019/2020), Eleventh Parliament on an Examination into the expenditure and internal controls of the Ministry of Communications for the financial year 2018/2019.
(By Senator Wade Mark)
 - (iii) The Fifteenth Report of the Joint Select Committee on Human Rights, Equality and Diversity, Fifth Session (2019/2020), Eleventh Parliament on the Current Provisions for the Education of Children who require Special Education Programmes and Services in Public Primary and Secondary Schools.
(By Senator the Hon. Kazim Hosein)

- (iv) The Second Interim Report of the Joint Select Committee appointed to consider and report on the National Statistical Institute of Trinidad and Tobago Bill, 2018, Fifth Session (2019/2020), Eleventh Parliament.

(By Senator the Hon. Clarence Rambharat)

8. URGENT QUESTIONS
9. QUESTIONS ON NOTICE

QUESTIONS FOR WRITTEN ANSWER APPEAR IN THE APPENDIX

Questions for Oral Answer

***Question No. 51 to the Minister of National Security**

(By Senator Wade Mark)

Given the recent decision of the Court of Appeal to award a UK based company approximately US\$10.6 M, in a matter against the State, for breach of contract in relation to the four (4) Augusta Westland AW139 twin turbine helicopters, can the Minister indicate if the Government intends to resume a maintenance contract with the said company?

***Question No. 53 to the Minister of National Security**

(By Senator Wade Mark)

Can the Minister indicate what, if any, new policies are being implemented by the Government to curb the escalating murder rate?

Question No. 67 to the Minister of National Security

(By Senator Wade Mark)

In light of the November 2019 murder of a Claxton Bay man who was a State witness, what new measures are being taken by the Government to safeguard the lives of State witnesses?

Question No. 68 to the Minister of Education

(By Senator Wade Mark)

Having regard to the electrical issues which have led to a suspension of classes at the Barataria Anglican Primary School, can the Minister indicate the following:

- (i) what is the specific nature of the electrical issues; and
- (ii) how long would it take for the problem to be rectified?

Question No. 69 to the Minister of Education

(By Senator Wade Mark)

In light of the ongoing impasse between the Ministry of Education and the Maxi-Taxi Concessionaires Association, can the Minister advise as to the following:

- (i) the amount of monies owed to the concessionaires; and
- (ii) the deadline for settling the debt?

Question No. 123 to the Minister of Health

(By Senator Paul Richards)

* Question Nos. 51 and 53 were deferred for two weeks on 12.03.2020

What public awareness programmes have the Ministry implemented to sensitise the public to the following issues:

- (i) the effects of the use of dangerous drugs; and
- (ii) the dangers of marijuana usage on the brain development of minors?

Question No. 124 to the Minister of Education

(By Senator Paul Richards)

In light of reports that the health of students is being negatively affected by marijuana brownies and other sweets at a number of schools in the country, can the Minister advise as to what action is being taken to address said reports?

Question No. 125 to the Minister of Health

(By Senator Paul Richards)

As regard the forty persons who have died from the influenza virus as at February 2020, can the Minister indicate how many of the said persons were considered to have been in the ‘at-risk group’?

- 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

Motions:

- (i) **WHEREAS** it is provided by section 3(1) of the Development Loans Act that the Government is authorized, for the purpose of –
 - (a) financing general development in Trinidad and Tobago;
 - (b) repayment of borrowings effected for such general development; or
 - (c) repayment of borrowings effected for general development—
 - i. by a statutory authority within the meaning of the Statutory Authorities Act;
 - ii. by an enterprise that is controlled by or on behalf of the State; or
 - iii. by the University of the West Indies;

to borrow from time to time money externally or internally in a sum or sums not exceeding in the aggregate forty five thousand million dollars in the currency of Trinidad and Tobago;

AND WHEREAS it is also provided in the said section 3(1), that thereafter such sum in such currency may from time to time be specified by Resolution passed by the Senate and the House of Representatives;

AND WHEREAS it is necessary for the Government to borrow further sums of money for the purposes stated in the said section;

BE IT RESOLVED that for the purposes stated in the said section, the Government is hereby authorized to borrow money externally or internally in a further sum or in further sums not exceeding in the aggregate ten thousand million dollars in the currency of Trinidad and Tobago.

(By the Minister of Finance)

- (ii) **WHEREAS** it is provided by section 38(1) of the Tobacco Control Act, Chap. 30:04 (hereinafter called “the Act”) that the Minister may make Regulations prescribing requirements and standards for tobacco product constituents, including emissions of smoked products, additives and product design and specifying methods for testing and measuring compliance with the performance prescribed and generally for carrying out the purpose of this Act;

AND WHEREAS it is also provided by section 38(1) of the Act that Regulations made under that section shall be subject to affirmative resolution of Parliament;

AND WHEREAS the Minister has on the 29th day of May, 2019 made the Tobacco Control (Amendment) Regulations, 2019 (hereinafter called “the Regulations”);

AND WHEREAS it is expedient that the Regulations now be affirmed;

BE IT RESOLVED that the Tobacco Control (Amendment) Regulations, 2019 be approved.

(By the Minister of Health)

- (iii) **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)

- (iv) **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:

- (i) **The debate on the Second Reading of the following Bill which was in progress when the Senate adjourned on Tuesday March 10, 2020 will be resumed:**
A Bill entitled, 'An Act to establish the Trinidad and Tobago Revenue Authority and for related matters'.
(By the Minister of Finance)
- (ii) 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)
- (iii) 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)
- (iv) A Bill entitled, 'An Act to amend the Motor Vehicles and Road Traffic Act, Chap. 48:50'.
(By the Attorney General)
- (v) A Bill entitled, 'An Act to amend the Animals (Diseases and Importation) Act, Chap. 67:02'.
(By the Minister of Agriculture, Land and Fisheries)
- (vi) A Bill entitled, 'An Act to amend the Copyright Act, Chap.82:80, to give effect to the Marrakesh Treaty to Facilitate Access to Published Works for Persons who are Blind, Visually Impaired or otherwise Print Disabled and to the Beijing Treaty on Audiovisual Performances'.
(By the Attorney General)
- (vii) 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)
- (viii) 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)

PRIVATE MEMBERS' BUSINESS

Motions:

- (i) **The debate on the following Motion which was in progress when the Senate adjourned on Tuesday February 04, 2020 will be resumed:**
WHEREAS it is the Government's responsibility to ensure public safety and security of the citizenry;
AND WHEREAS thousands of citizens and businesses have been negatively affected by the high levels of crime in Trinidad and Tobago;

BE IT RESOLVED that this Senate condemn the Government for its failure to effectively deal with the unacceptable and serious crime situation affecting law-abiding citizens.

(By Senator Saddam Hosein)

- (ii) **The debate on the following Motion which was in progress when the Senate adjourned on Tuesday November 26, 2019 will be resumed:**

WHEREAS in August 2019 the Government of the Republic in Trinidad and Tobago concluded a TT\$580 million contract, originally estimated at TT\$460 million, with the Australian shipbuilding company, Austal Ltd for the purchase of two Cape Class Patrol Boats for use by the Trinidad and Tobago Coast Guard;

AND WHEREAS there appears to be ambiguity concerning the price paid in 2019 when compared to similar vessels purchased in 2015;

BE IT RESOLVED that this Senate call on the Government to table, within fourteen days, the contract entered into with Austal for the procurement of the two Cape Class Patrol Boats.

(By Senator Wade Mark)

- (iii) **WHEREAS** following a year of negotiations, the Trinidad and Tobago Housing Development Corporation (HDC) and China Gezhouba International Engineering Company Ltd (CGGC) signed a TT \$485 million contract in May 2019 for the construction of 5,000 apartment units at specific sites across Trinidad and Tobago;

AND WHEREAS in September 2019 it was announced that the contract was cancelled;

BE IT RESOLVED that this Senate condemn the Government for its ineffectiveness in its negotiations with CGGC and in its failure to conduct due diligence prior to signing the contract;

AND BE IT FURTHER RESOLVED that the Government take the appropriate action to hold the responsible person(s) to account.

(By Senator Wade Mark)

- (iv) **WHEREAS** the Government has, by virtue of a lease agreement, assigned interest in excess of one thousand acres to the owner of General Earth Movers Limited / Marilissa Farms Limited for the use of a livestock station;

BE IT RESOLVED that the Senate call on the Government to take steps to ensure that the rich aggregate on the said acreage of the leased lands is protected;

BE IT FURTHER RESOLVED that this Senate call on the Government to table, within fourteen days, the lease agreement between Marilissa Farms Limited / General Earth Movers Limited and the Ministry of Agriculture, Land and Fisheries.

(By Senator Wade Mark)

- (v) **WHEREAS** section 6(2) of the Education Act Chap. 39:01 provides that the Ministry of Education should provide special schools suitable to the requirements of students with physical and learning disabilities;

AND WHEREAS the Ministry has not provided students with disabilities, additional learning needs and/or challenging behaviours with the requisite support networks, and equal opportunities needed to achieve their full potential;

AND WHEREAS the lack of adequate funding, policies and specialist staff is reflected in the poor performance of students;

BE IT RESOLVED that this Senate call on the Government to commit to the allocation of adequate funding, reform of the appropriate legislation and revision of policies designed to ensure that all children with special needs are provided with equal educational opportunities to other students;

AND BE IT FURTHER RESOLVED that the Ministry of Education immediately initiate and implement a comprehensive strategy to assist all children with disabilities, additional learning needs and/or challenging behaviours.

(By Senator Paul Richards)

- (vi) **WHEREAS** the Criminal Justice System continues to be faced with inefficiencies notwithstanding the numerous legislative measures taken by the Government;

AND WHEREAS citizens continue to be adversely affected by the slow pace of the Criminal Justice System;

BE IT RESOLVED that this Senate condemns the Government for its inability to adequately address the said inefficiencies in the Criminal Justice System in Trinidad and Tobago.

(By Senator Sean Sobers)

- (vii) **WHEREAS** citizens nationwide are consistently plagued by flooding;

AND WHEREAS under this administration the country has suffered the worst flooding in decades;

BE IT RESOLVED that this Senate condemn the Government for its failure to take action including infrastructure maintenance and development in a manner to prevent perennial flooding.

(By Senator Saddam Hosein)

- (viii) **WHEREAS** it is the responsibility of the Government to address economic activity, economic diversification, skills acquisition, planning and industrial growth in every major sector of the economy;

BE IT RESOLVED that the Senate take note of the Government's failure to address issues of, job creation and high levels of retrenchment in Trinidad and Tobago.

(By Senator Taharqa Obika)

- (ix) **WHEREAS** the Government in adopting the 2015 Manifesto of the People's National Movement as its official policy framework confirmed its commitment to establishing an Economic Development

Board, budgetary reform for Parliament, housing reform, establishment of new business clusters and broad economic stability with investor confidence;

BE IT RESOLVED that the Senate take note of the Government's failure to deliver on these key promises over the last four (4) years.

(By Senator Taharqa Obika)

- (x) **WHEREAS** the Government has announced that sixteen thousand Venezuelan immigrants have registered for temporary residence status in Trinidad and Tobago;

AND WHEREAS the Government has not put in place adequate infrastructure and appropriate systems to facilitate access by the Venezuelan immigrants to essential humanitarian services such as temporary housing, health and education;

BE IT RESOLVED that the Senate call on the Government to establish and outline appropriate measures to assist registered Venezuelan immigrants in accessing essential humanitarian services.

(By Senator Sean Sobers)

- (xi) **WHEREAS** the four (4) constitutionally entrenched Service Commissions namely the Public Service Commission, the Police Service Commission, the Teaching Service Commission and the Judicial and Legal Service Commission have been charged with the responsibility for the appointment, promotion, transfer and discipline within the Public Service;

AND WHEREAS the Service Commissions were also established to insulate persons holding or acting in public office from political influence, patronage and discrimination;

AND WHEREAS reported deficiencies within these Service Commissions have negatively impacted the Public Service including the extended delay within the systems of appointment, promotion and disciplinary control of public officials;

AND WHEREAS no definitive action has been taken by Governments to restructure the systems and operations of Service Commissions to better regulate the functions of the Public Service and improve service delivery to citizens;

BE IT RESOLVED that this Senate call on the Government to review the Trinidad and Tobago Constitution and the enshrined Service Commissions and to table in Parliament, within a reasonable time, a clear plan for the update of the Constitution and reform of the Commissions.

(By Senator Anthony Vieira)

- (xii) **WHEREAS** the Commissions of Enquiry Act, Chap. 19:01 provides for the establishment of commissions to manage the conduct of enquires 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 truth, justice and social or organizational reform, and a device for inquiring 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)

Brian Caesar
Clerk of the Senate (Ag.)

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PORT OF SPAIN

March 24 2020

ORDER PAPER – THURSDAY MARCH 26, 2020

QUESTIONS FOR WRITTEN ANSWER

***Question No. 105 to the Prime Minister**

(By Senator Saddam Hosein)

Having regard to the refurbishment and restoration of The Red House, President's House, White Hall, Stollmeyer's Castle and Mille Fleurs, can the Prime Minister provide the following:

- (i) a detailed breakdown of the budgeted cost of each project;
- (ii) the actual expenditure for each project;
- (iii) the scope of works for each project and any variations;
- (iv) the contractor(s) and sub-contractors hired and the amounts paid to each; and
- (v) the number of persons employed on each of the projects?

(Answer due by 27.02.2020)

Question No. 122 to the Attorney General

(By Senator Paul Richards)

Having regard to the recent decriminalisation of marijuana, can the Minister advise as to the following:

- (i) the number of persons who were convicted for the offence of the possession of marijuana between 2015 to 2019;
- (ii) the number of persons who are still on remand as at January 31, 2020, as a result of being charged with the offence of the possession of marijuana;
- (iii) the number of convicted persons who, as at January 31, 2020, have applied to be released based on the amended legislation; and
- (iv) the number of convicted persons who have received a reduced sentence as at January 31, 2020, given that they had been convicted for other offences?

(Answer due by 26.03.2020)

Question No. 127 to the Minister of Works and Transport

(By Senator Wade Mark)

In respect of the Curepe Interchange and the acquisition of lands occupied by the Kay Donna Drive-In Cinema trading as Valsayn Resorts, Curepe/NP Gas Station (Southern Main Road and Churchill Roosevelt Highway) and all other residential and related properties, can the Minister indicate the following:

- (i) the total sum agreed to for the acquisition of each property; and
- (ii) the total acreage and amount paid per square foot for each?

(Answer due by 28.03.2020)

Question No. 128 to the Minister of Foreign and CARICOM Affairs

(By Senator Wade Mark)

With respect to the renovation and outfitting of the new Headquarters for the Ministry of Foreign and CARICOM Affairs, can the Minister indicate the following:

- (i) the original estimated costs of the project;
- (ii) the final costs; and
- (iii) the name(s) of the contractor(s) employed for same?

(Answer due by 28.03.2020)

Question No. 129 to the Minister of Finance

(By Senator Wade Mark)

As regard all the business arrangements entered into by the State with NCB Global Finance Ltd. for the period September, 2015 to February, 2020, can the Minister provide the following:

- (i) a list of all Ministries, State Enterprises, Government Departments/Agencies, Statutory Authorities and Special Purpose Companies that have entered into said business arrangements;
- (ii) the nature and scope of all business arrangements entered into by the entities listed in answer to part (i); and
- (iii) the quantum of monies involved in said business arrangements, including the assets pledged as collateral?

(Answer due by 28.03.2020)

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SENATE OF THE REPUBLIC OF TRINIDAD AND TOBAGO

TWENTY-SECOND SITTING, FIFTH SESSION (2019/2020)

ELEVENTH PARLIAMENT

THURSDAY MARCH 26, 2020 AT 2:30 P.M.

NOTICE OF URGENT QUESTIONS

The under-mentioned Questions which have been accepted by the President in accordance with Standing Order 25 are hereby forwarded for the attention of the Ministers concerned.

1. TO THE MINISTER OF HEALTH

(By Senator Paul Richards)

What, if any, special monitoring has been instituted for Senior Citizens Homes to ensure that this vulnerable group is being protected from becoming infected with COVID-19?

2. TO THE MINISTER OF EDUCATION

(By Senator Paul Richards)

Can the Minister indicate whether a decision has now been taken to reschedule the SEA, CSEC and CAPE Examinations?

3. TO THE MINISTER OF LABOUR AND SMALL ENTERPRISE DEVELOPMENT

(By Senator Paul Richards)

Can the Minister indicate the course of action or recourse available to employees who are being denied Pandemic Leave by their employers?

4. TO THE MINISTER OF NATIONAL SECURITY

(By Senator Wade Mark)

What Personal Protective Equipment has been provided to members of the Trinidad and Tobago Police Service who are required to enforce the law against persons who refuse to self-isolate?

5. TO THE MINISTER OF FINANCE

(By Senator Wade Mark)

In light of the Government's decision to provide a salary relief grant to workers who have become unemployed as a result of COVID-19, can the Minister inform the Senate of the process to be used to access said grant?

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March 26, 2020