

SENATE*Tuesday, November 15, 2016*

The Senate met at 1.30 p.m.

PRAYERS[MADAM PRESIDENT *in the Chair*]**VACANT SEAT**

Madam President: Hon. Senators, I have received the following correspondence from His Excellency the President Anthony Thomas Aquinas Carmona SC, ORTT:

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

By His Excellency ANTHONY THOMAS AQUINAS
 CARMONA, O.R.T.T., S.C., President and
 Commander-in-Chief of the Armed Forces of the
 Republic of Trinidad and Tobago

/s/ Anthony Thomas Aquinas Carmona O.R.T.T. S.C.

President

TO: MS. SARAH BUDHU

WHEREAS by the provisions of paragraph (e) of subsection (2) of section 43 of the Constitution of the Republic of Trinidad and Tobago, the President, in exercise of the power vested in him and acting in accordance with the advice of the Prime Minister, is empowered to declare the seat of a Senator to be vacant:

NOW, THEREFORE, I, ANTHONY THOMAS AQUINAS CARMONA, President as aforesaid, acting in accordance with the advice of the Prime Minister, in exercise of the power vested in me by the said paragraph (e) of subsection (2) of section 43 of the Constitution of the

UNREVISED

Republic of Trinidad and Tobago, do hereby declare the seat of you, to be vacant, with effect from 31st October, 2016.

Given under my Hand and the Seal of the
President of the Republic of Trinidad
and Tobago at the Office of the
President, St. Ann's, this 31st day of
October, 2016.”

SENATOR'S APPOINTMENT

Madam President: Hon. Senators, I have received the following correspondence from His Excellency the President, Anthony Thomas Aquinas Carmona, S.C., O.R.T.T.:

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND
TOBAGO

By His Excellency ANTHONY THOMAS AQUINAS
CARMONA, O.R.T.T., S.C., President and
Commander-in-Chief of the Armed Forces of the
Republic of Trinidad and Tobago

/s/ Anthony Thomas Aquinas Carmona O.R.T.T. S.C.

President

TO: MR. KAZIM HOSEIN

In exercise of the power vested in me by paragraph (a) of subsection (2) of section 40 of the Constitution of the Republic of Trinidad and Tobago, I, ANTHONY THOMAS AQUINAS CARMONA, President as aforesaid, acting in accordance with the advice of the Prime Minister, do hereby appoint you, KAZIM HOSEIN, a Senator, with effect from 31st October, 2016.

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Given under my Hand and the Seal of the President of the Republic of Trinidad and Tobago at the Office of the President, St. Ann's, this 31st day of October, 2016.”

OATH OF ALLEGIANCE

Senator Kazim Hosein took and subscribed the Oath of Allegiance as required by law.

ARRANGEMENT OF BUSINESS

Madam President: Hon. Senators, there is another item of business to be dealt with under this item three but I will revert to it later.

FINANCE (NO. 3) BILL, 2016

Bill seeks to provide for the variation of certain duties and taxes and to introduce provisions of a fiscal nature and for related matters, brought from the House of Representatives [*The Minister of Finance*]; read the first time.

PAPERS LAID

1. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Venture Capital Incentive Programme for the year ended September 30, 2011. [*The Minister of Finance (Hon. Colm Imbert)*]
2. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Venture Capital Incentive Programme for the year ended September 30, 2012. [*Hon. C. Imbert*]
3. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Venture Capital Incentive Programme for the year ended September 30, 2013. [*Hon. C. Imbert*]

4. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Venture Capital Incentive Programme for the year ended September 30, 2014. [*Hon. C. Imbert*]
5. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Venture Capital Incentive Programme for the period October 01, 2014 to August 16, 2015. [*Hon. C. Imbert*]
6. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Regulated Industries Commission for the year ended December 31, 2013. [*Hon. C. Imbert*]
7. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Tunapuna/Piarco Regional Corporation for the year ended September 30, 2004. [*Hon. C. Imbert*]
8. Second Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Tunapuna/Piarco Regional Corporation for the year ended September 30, 2005. [*Hon. C. Imbert*]
9. Second Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Tunapuna/Piarco Regional Corporation for the year ended September 30, 2006. [*Hon. C. Imbert*]
10. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Tunapuna/Piarco Regional Corporation for the year ended September 30, 2007. [*Hon. C. Imbert*]
11. Report of the Auditor General of the Republic of Trinidad and Tobago on the Statement of Recovery of Expenses of the Ministry of Energy and Energy Industries for the year ended December 31, 2015. [*Hon. C. Imbert*]
12. Report on the Operations of the National Insurance Board of Trinidad and Tobago for the financial year ended June 30, 2015. [*Hon. C. Imbert*]

13. Report of the Central Bank of Trinidad and Tobago (CBTT) with respect to the Progress of the Proposals to Restructure CLICO, BAT and CIB for the quarter ended September 30, 2016. [*Hon. C. Imbert*]
14. Second Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the North West Regional Health Authority for the year ended September 30, 2005. [*Hon. C. Imbert*]
15. Second Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the North West Regional Health Authority for the year ended September 30, 2006. [*Hon. C. Imbert*]
16. Second Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the North West Regional Health Authority for the year ended September 30, 2007. [*Hon. C. Imbert*]
17. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Penal/Debe Regional Corporation for the year ended September 30, 2007. [*Hon. C. Imbert*]
18. Customs (Import Duty) (Caribbean Common Market) (Amendment) Order, 2016. [*Hon. C. Imbert*]
19. Excise Duty (Alcoholic Beverages) Order, 2016. [*Hon. C. Imbert*]
20. Excise Duty (Tobacco Products) Order, 2016. [*Hon. C. Imbert*]
21. Annual Administrative Report of the National Information and Communication Technology Company Limited (iGovTT) for the period October 2013 to September 2014. [*The Minister of Energy and Energy Industries (Sen. The Hon. Franklin Khan)*]
22. Annual Administrative Report of the Telecommunications Authority of Trinidad and Tobago (TATT) for the period October 01, 2013 to September 30, 2014. [*Sen. The Hon. F. Khan*]

23. First Report of the Committee established to review the Levels of Health Care Delivery by the Regional Health Authorities and to Rationalize the System of Public Sector Doctors in Private Practice. [*Sen. The Hon. F. Khan*]
24. Annual Administrative Report of the Ministry of Community Development for the period 2009 to 2010. [*Sen. The Hon. F. Khan*]
25. Annual Administrative Report of the Ministry of Arts and Multiculturalism for the period 2013 to 2014. [*Sen. The Hon. F. Khan*]
26. Response by the Minister of Planning and Development in accordance with Senate Standing Order 41 on the Implementation of the National Strategy for Sustainable Development Goals. [*Sen. The Hon. F. Khan*]
27. Annual Administrative Report of the Ministry of Energy and Energy Affairs for the fiscal year ended 2010. [*Sen. The Hon. F. Khan*]
28. Annual Administrative Report of the Ministry of Energy and Energy Affairs for the fiscal year ended 2011. [*Sen. The Hon. F. Khan*]
29. Fourth Ministerial Response on the Second Report of the Joint Select Committee on Human Rights, Equality and Diversity on the Challenges Faced by Persons with Disabilities with Specific Focus on Access to Services and Employment. [*Sen. The Hon. F. Khan*]
30. First Ministerial Response on the First Report of the Joint Select Committee on Human Rights, Equality and Diversity on the Support Programmes and Services for Children whose Parent or Guardian was the Perpetrator or Victim of a Violent Offence. [*Sen. The Hon. F. Khan*]
31. Second Ministerial Response on the First Report of the Joint Select Committee on Human Rights, Equality and Diversity on the Support Programmes and Services for Children whose Parent or Guardian was the

- Perpetrator or Victim of a Violent Offence. [*Sen. The Hon. F. Khan*]
32. Second Ministerial Response on the Second Report of the Joint Select Committee on Human Rights, Equality and Diversity on the Challenges Faced by Persons with Disabilities with Specific Focus on Access to Services and Employment. [*Sen. The Hon. F. Khan*]
 33. One Hundred and Fifth Report of the Salaries Review Commission. [*The Vice-President (Sen. Nigel De Freitas)*]
 34. Annual Administrative Report of the Statutory Authorities Service Commission for the period October 2014 to September 2015. [*Sen. N. De Freitas*]
 35. Sessional Review of the First Session (2015/2016), Eleventh Parliament of the Republic of Trinidad and Tobago. [*Sen. N. De Freitas*]
 36. The Delegation Report of the 41st Regional Conference of the Caribbean Americas and Atlantic Region of the Commonwealth Parliamentary Association (CPA) Nassau, the Bahamas, on July 22 to 30, 2016. [*Sen. N. De Freitas*]
 37. Annual Administrative Report of the Palo Seco Agricultural Enterprises Limited (PSAEL) for the period 2013 to 2014. [*The Minister of Rural Development and Local Government (Sen. The Hon. Kazim Hosein)*]
 38. Annual Administrative Report of the San Fernando City Corporation for the period 2013 to 2014. [*Sen. The Hon. K. Hosein*]
 39. Ministerial Response to the Second Report of the Joint Select Committee on Human Rights, Equality and Diversity on the Challenges Faced by Persons with Disabilities with Specific Focus on Access to Services and Employment. [*Sen. The Hon. K. Hosein*]
 40. Annual Administrative Report of the Industrial Relations Advisory

- Committee for the period February 16, 2014 to February 15, 2015. [*The Minister of Labour and Small Enterprise Development (Sen. The Hon. Jennifer Baptiste-Primus)*]
41. Annual Administrative Report of the Occupational Safety and Health Authority (OSHA) for the period October 2014 to September 2015. [*Sen. The Hon. J. Baptiste-Primus*]
 42. Annual Administrative Report of the Boiler Examiners Board for the period October 01, 2014 to September 30, 2015. [*Sen. The Hon. J. Baptiste-Primus*]
 43. Third Ministerial Response on the Second Report of the Joint Select Committee on Human Rights, Equality and Diversity on the Challenges Faced by Persons with Disabilities with Specific Focus on Access to Services and Employment. [*Sen. The Hon. J. Baptiste-Primus*]

JOINT SELECT COMMITTEE REPORTS

(Presentation)

Local Authorities, Statutory Authorities and Service Commissions (including the THA)

Sen. H.R. Ian Roach: Madam President, I have the honour to present the following report as listed on the Order Paper in my name:

First Report of the Joint Select Committee on Local Authorities, Statutory Authorities and Service Commissions (including the THA), on an Inquiry into the Land Settlement Agency in relation to Squatter Regularisation - Second Session (2016/2017), Eleventh Parliament.

Finance and Legal Affairs

Sen. Sophia Chote SC: Madam President, I have the honour to present the following report as listed on the Order Paper in my name:

First Report of the Joint Select Committee on Finance and Legal Affairs on an Inquiry into Criminal Case Flow Management in the Judicial System - Second Session (2016/2017), Eleventh Parliament.

National Security

Sen. Nigel De Freitas: Madam President, I have the honour to present the following report as listed on the Order Paper in my name:

Report of the Joint Select Committee on National Security on Inquiries Conducted during the First Session (2015/2016), Eleventh Parliament.

Public Administration and Appropriations

Sen. Wade Mark: Madam President, I have the honour to present the following report as listed on the Supplemental Order Paper in my name:

First Report of the Public Administration and Appropriations Committee, First Session (2015/2016), Eleventh Parliament on Examination into the Current Expenditure of Ministries and Departments under three (3) Sub-Heads: Current Transfers and Subsidies, Development Programme – Consolidated Fund and Infrastructure Development Fund.

State Enterprises

Sen. David Small: Madam President, I have the honour to present the following reports as listed on the Supplemental Order Paper in my name:

Petroleum Company of Trinidad and Tobago

First Report of the Joint Select Committee on State Enterprises, First Session (2015/2016), Eleventh Parliament on an Inquiry into the Administration and Operations of the Petroleum Company of Trinidad and Tobago (PETROTRIN).

Urban Development Corporation of Trinidad and Tobago Limited

Second Report of the Joint Select Committee on State Enterprises, First Session (2015/2016), Eleventh Parliament on an Inquiry into the Administration and Operations of the Urban Development Corporation of Trinidad and Tobago Limited (UDeCOTT).

National Gas Company of Trinidad and Tobago Limited

Third Report of the Joint Select Committee on State Enterprises, First Session (2015/2016), Eleventh Parliament on an Inquiry into the Administration and Operations of the National Gas Company of Trinidad and Tobago Limited (NGC).

URGENT QUESTIONS**Board of Inland Revenue****(Details of Working Conditions)**

Sen. Wade Mark: Thank you. To the hon. Minister of Finance: In light of recent protest concerning the unhealthy working conditions at the Board of Inland Revenue, Trinidad House, Port of Spain, what urgent measures are being taken to alleviate this situation.

The Minister of Finance (Hon. Colm Imbert): Thank you, Madam President. I think it is necessary give some history of this matter. I am advised that the head of the Public Services Association entered Trinidad House on Monday, November 07, 2016, and advised staff to vacate the premises, citing the Occupational Safety and Health Act. Subsequent reports indicated that Mr. Duke had claimed that the building was affected by a rat infestation which was making workers sick as several employees had complained of various illnesses including fungal infections and rashes.

The following day, the Chairman of the Board of Inland Revenue reported

that staff reported to work on Tuesday 8th but left after two hours as advised by the PSA. The staff on the first floor of Trinidad House had complained that they had seen evidence of rats on the floor. Following this, Rentokil and the Port of Spain City Corporation visited the floor and did a thorough assessment and comprehensive examination and advised there was no evidence of any rat infestation. However, notwithstanding that, the Facilities Unit of the Ministry of Finance took all necessary precautions. I am also advised there were no reports of workers feeling ill from fungal infections or rashes as claimed by the PSA.

The Chairman, Board of Inland Revenue, later reported that she met on Friday, November 11th, with the first Vice-President of the PSA. However, the PSA did not give any commitment that staff would return to work in light of efforts taken by the management. Following this, on November 11th, the Chairman of the Board of Inland Revenue reported that most departments returned to work—
[Interruption]

Madam President: Minister, your time is up.

Hon. C. Imbert: Okay.

Sen. Mark: Yeah. Madam President, through you, could the hon. Minister indicate whether a state of normalcy has returned to the Board of Inland Revenue since these allegations?

Hon. C. Imbert: Sure. I was just about to say that on Friday November 11th, most departments returned to work as normal except the first floor. That includes the cashiers. The first floor has since been sanitized and during the period, the cashiers operated out of the St. George West District Revenue Offices. My understanding is the rest of the building is either sanitized or is in the process of being sanitized.

Yes, operations have returned to normal and I might say I am also advised

that the proper procedure under the Occupational Safety and Health Act was not followed.

Sen. Mark: The cashiers that you mentioned who operate on the first floor, have these cashiers returned to duty or are they still operating out of the St. George office that you mentioned?

Hon. C. Imbert: I believe I did answer that. But as of today, normal operations at the Cashiers Unit, Trinidad House, have resumed.

[Sen. S. Chote SC rises]

Madam President: No, I am sorry, Sen. Chote, only two questions are supplemental.

Police Service

(Officers engaged in Criminality)

Sen. Wayne Sturge: To the Minister of National Security: In light of the increasing number of police officers being arrested, detained and charged with criminal offences, can the Minister indicate whether any urgent and immediate measures are being considered to arrest rising criminality in the police service?

The Minister of National Security (Hon. Maj. Gen. Edmund Dillon): Thank you very much, Madam President. The Government condemns any act of criminality or any crime being committed by members of the Trinidad and Tobago Police Service or any agencies of the State whose duty it is to protect, to serve and secure the people of Trinidad and Tobago. Anyone found culpable will face the full brunt of the law.

The Professional Standards Bureau of the Police Service is conducting its investigation and continues so to do. The Commissioner of Police will, in fact, be holding a press conference tomorrow to speak to the public on issues of criminality being conducted by members of the Trinidad and Tobago Police Service.

Madam President, no one is above the law and any one such person would, in fact, experience or would be allowed to take—justice will allow to take its course.

Sen. Sturge: Madam President, through you, can the Minister indicate, quite apart from such errant officers being dealt with, when charged, whether and what preventive measures he is going to put in place to deal with the rise in criminality in the police service?

Hon. Maj. Gen. E. Dillon: Madam President, the Commissioner of Police will be addressing these issues but I can safely say that from the policy and strategic level, we are looking at the recruitment of the police service insofar as new entrants come into the police service with respect to psychometric testing and psychological examination. Additionally, the Police Commissioner would be introducing or including areas of professional development through training and individual development.

Sen. Sturge: Madam President, quite apart from the measures which the Minister indicated with respect to new entrants, can the Minister indicate what preventive measures he intends to take with respect to existing members of the police service to arrest rising criminality?

Hon. Maj. Gen. E. Dillon: Madam President, that is being addressed by the Commissioner of Police at this point in time.

Sen. Sturge: Madam President, that is not an answer.

Madam President: Sen. Sturge, once again I say—please take your seat. Once again, may I point out that the Presiding Officer does not and cannot influence the answer that a Minister gives. Okay?

ORAL ANSWERS TO QUESTIONS**National Policy Relating to Persons with Disabilities****(Stakeholder Consultation on)**

1. Sen. H.R. Ian Roach asked the hon. Minister of Social Development and Family Services:

Can the Minister state whether there has been any stakeholder consultation on the National Policy relating to Persons with Disabilities?

- i. If yes, please name the stakeholders and advise on the status of such consultations;
- ii. If no, please give reasons why there has been no such consultation.

The Minister of Social Development and Family Services (Hon. Cherrie-Ann Crichlow-Cockburn): Thank you, Madam President. The project proposal to review and revise the National Policy on Persons with Disabilities was approved by the Ministry of Social Development and Family Services for implementation in fiscal 2015. Intra-ministerial meetings were conducted with various divisions including the Social Investigations Unit, Policy Programme Planning and Development Division and the Disability Affairs Unit as a first step towards the completion of a draft revised policy.

Trinidad and Tobago ratified the UN Convention on the Rights of Persons with Disabilities in July 2015. In keeping with this, the policy was again reviewed to ensure its alignment with the Articles of the UN Convention. In 2016, a plan of action for the conduct of consultations was proposed. However, given that there was general agreement among members of the community of persons with disabilities on the provisions of the convention and in view of the need to expedite completion of the draft, the Ministry proceeded to draft the revised policy document for dissemination to key stakeholders for their comments.

The draft policy has since been disseminated to the 73 stakeholder groups. Consequently, there has been no external consultation with stakeholders thus far. However, it is envisaged that a national consultation will be held within the next two months to discuss the draft policy, after further revision based on the comments received.

Persons with Disabilities

(Access to Government Buildings/Public Spaces)

2. Sen. H.R. Ian Roach asked the hon. Minister of Social Development and Family Services:

What measures has the Government implemented to ensure that persons with disabilities can access Government buildings and other public spaces, including the Courts?

The Minister of Social Development and Family Services (Hon. Cherrie-Ann Crichlow-Cockburn): Thank you, Madam President. Concerted efforts to ensure accessibility by persons with disabilities to government buildings and other public spaces commenced more than six years ago when the Disability Affairs Unit of the Ministry of Social Development and Family Services carried out extensive consultations during the period 2010—2013 with 33 key stakeholders.

These consultations were aimed at improving the level of physical and infrastructural access to state buildings and public areas. In 2011, the Trinidad and Tobago Bureau of Standards, the Consortium of Disability Organisations and the then Ministry of the People and Social Development began discussions on the development of an accessibility code for Trinidad and Tobago. Accessible and Usable Buildings and Facilities document 2009 was selected as the base document to serve the foundation in developing a Trinidad and Tobago national accessibility code.

The Planning and Facilitation of Development Act was assented on October 01, 2014. This Act, when fully proclaimed, will replace the Town and Country Planning Act, Chap. 35:01 and would allow for the establishment of a national planning authority and implementation of the accessible and useable building facilities codes. In July 2015, Trinidad and Tobago ratified the United Nations Convention of the Rights of Persons with Disabilities and established a Cabinet-appointed inter-ministerial committee to advance domestic operationalization of the 50 Articles contained within the Convention, many of which relate to physical and infrastructural access.

The committee is comprised, inter alia, of high-level representatives from the Ministries of Social Development and Family Services, Local Government, Works and Transport, Housing and Urban Development, and Sport and Youth Affairs.

2.00 p.m.

A plan of action to advance the inclusion of persons with disabilities in the area of physical and infrastructural access under Articles 9, 19, 24, 25 and 30 of the UN Convention was established. In addition, a reporting matrix was developed to monitor and ensure continuous implementation of projects and programmes regarding building and infrastructural access.

All Ministries represented at the committee are required to report on a quarterly basis. There is continuous improvement within the judicial system to accommodate persons with disabilities, and access for persons with physical disabilities already exists at the Hall of Justice in Port of Spain, the Medina Building court facility in San Fernando and the Point Fortin Magistrates' Court. It is envisaged that a similar design would be utilized in the construction and remodelling of other courts.

The Ministry of Education has implemented several initiatives to create an

accessible learning environment such as physically accessible classrooms and the upgrading of schools with appropriate facilities and support to enable access and participation.

The Ministry of Sport is engaged in the modification of all public recreation and sporting facilities to accommodate persons with disabilities and to ensure that the services offered are accessible. An estimated 90 per cent of stadia, indoor sport arenas and community swimming pools are accessible, including entry access ramps, special lifts installed at community pools, accessible restrooms for persons with disabilities and special carports. Handrails and adaptable showers within the toilet and bathroom facilities are installed to accommodate persons with physical disabilities at several swimming pools.

Two new public libraries were opened during 2015 at Couva and Rio Claro. Both facilities, like others before it, are equipped with ramps, accessible toilet facilities, workstations that accommodate wheelchairs and other accessible amenities.

The new library at Mayaro will be outfitted with braille-labelled elevators, ramps, JAWS and other accessible features for persons with varying disabilities.

To date, some government buildings have been outfitted to enable access for persons with disabilities. The Ministry of Social Development and Family Services will liaise with the Property and Real Estate Services Division to obtain information on the number of government buildings which have already been made accessible to persons with disabilities.

In the Ministry of Social Development and Family Services, all social welfare offices have dedicated parking ramps and rails and all regional health authorities are wheelchair accessible.

Additionally, in May 2015, the Ministry of Food Production launched a

Cabinet-approved policy to allow the access of service dogs used by the visually impaired persons in all government buildings.

In fiscal 2017, the Ministry of Social Development and Family Services will embark on a project to ensure accessibility of all its offices for persons with disabilities.

Madam President: Hon. Minister, your five minutes, the time is up.

Sen. Roach: Madam President, may I? To the hon. Minister again, could you tell me if an audit has been done on the number of government buildings that have so far complied with this new accessibility, and if so, is there a target for compliance within a certain period of time? Thank you.

Hon. C. Crichlow-Cockburn: Thank you. An audit has not been completed thus far. What we have been doing is that we have been trying to get the relevant Ministries to provide information, in terms of what they have already completed.

Sen. Sturge: Thank you kindly. Can the hon. Minister indicate, in light of the High Court judgment in George Daniel, which makes it—inaccessibility of public buildings by disabled persons—unconstitutional, can the Minister indicate a time frame within which all courts in this country will become accessible to the disabled?

Hon. C. Crichlow-Cockburn: Thank you, Madam President. Madam President, at this point in time I am not in a position to indicate when all courts will be made accessible, however, the Government is working assiduously to be able to come in line with UN Convention for persons with disabilities.

Sen. Mark: Could the hon. Minister of Social Development and Family Services indicate whether a budget has been allocated for addressing these areas that you have mentioned so that we can enhance the facilities, whether they are government buildings or government-related buildings? Is there a budget and could you share

with us the value of that budget?

Hon. C. Crichlow-Cockburn: Madam President, the individual Ministries would have made provision in their budgets for the work that they are expected to carry out. For example, at the Ministry of Social Development and Family Services, it is our aim to have all of our buildings accessible and we have budgeted \$1 million for that in fiscal 2017.

Sen. Mark: May I again ask the hon. Minister whether there is any time frame to translate into domestic legislation the UN Convention that we have signed up to, so that the rights of persons who are physically challenged could be properly realized, consistent with the UN Convention on the rights of the physically challenged?

Hon. C. Crichlow-Cockburn: Thank you, Madam President. Trinidad and Tobago is expected to report to the UN on the Convention next year. I can say to the Senate at this point in time we will not meet all of the provisions of the Convention by that time. What we have done is that we have worked out a timetable to present to the UN, which would show that Trinidad and Tobago is in fact working towards achieving that.

National Gas Company Chairman

(Use of Owned/Leased NGC Vehicle)

3. **Sen. Wade Mark** asked the hon. Minister of Energy and Energy Industries:
Could the Minister inform the Senate:
- i. whether the Chairman of the National Gas Company (NGC) is using or has used any vehicle that is owned or leased by the NGC for either official or private business; and
 - ii. whether the Chairman of the NGC has had the services of a driver assigned to him by the NGC for the purposes of driving any vehicle referred to in part (i) for either official or private business?

The Minister of Energy and Energy Industries (Sen. The Hon. Franklin Khan): Thank you, Madam President. Madam President, the National Gas Company of Trinidad and Tobago Limited has advised that whenever the Chairman is required to attend business meetings on behalf of the company, a company car and driver are provided for use by the Chairman.

Sen. Mark: Could the hon. Minister indicate whether that vehicle that has been provided to the Chairman—is it on a permanent basis, is it on a leased basis, or is it on a needs basis?

Sen. The Hon. F. Khan: My understanding is it is on a needs basis because under the manual for state sectors, a state companies manual, chairmen of state enterprises are not entitled to a vehicle in their own right. So the transportation is provided on a needs basis when they are attending official meetings and/or official functions but the vehicle is not bought for them or assigned to them solamente.

Sen. Mark: Would the hon. Minister be surprised if the Chairman of NGC is in possession of a private vehicle loaned to him by the NGC?

Madam President: Sen. Mark, that is not a supplemental question.

OAS Construtora Workers

(Non-Payment of Severance Benefits to)

4. Sen. Wade Mark asked the hon. Minister of Labour and Small Enterprise Development:

Can the Minister state how the Government proposes to deal with the non-payment of severance benefits to the OAS Construtora workers?

The Minister of Labour and Small Enterprise Development (Sen. The Jennifer Baptiste-Primus): Thank you very much, Madam President. In the case of OAS Construtora, by letter dated March 11, 2016, the company in accordance with section 4 of the Retrenchment and Severance Benefits Act submitted to the

Minister of Labour and Small Enterprise Development, a notice of termination of the services of 879 workers, due to reasons of redundancy attributed to the cessation of the Sir Solomon Hochoy Highway Extension to Point Fortin Project.

In its correspondence, the company stated that, I quote, Madam President:
Severance benefits due and owing to each worker shall be paid within
30 days of termination of service, that is on or before May 25, 2016.

The Minister met with the union and OAS Construtora on June 22, 2016. At this meeting, the company reiterated its proposal to offer its vehicles and equipment to the union as compensation for severance and other outstanding moneys. The union rejected this offer.

Consequently, at another meeting held on July 01, 2016, between both parties, it was reiterated that the company OAS Construtora was willing to make payments but was without funds and as a result the offer of the vehicles and equipment was still available to the union. The union again rejected the offer.

Madam President, hon. Senators should take note that the matter between OAS Construtora and the union is currently before the Industrial Court of Trinidad and Tobago and, therefore, is currently outside the remit of the Minister of Labour and Small Enterprise Development. The Ministry, however, will continue to monitor the issue to determine its progress.

Madam President, the intervention of the Minister of Labour and Small Enterprise Development in matters pertaining to non-payment of severance benefit is regulated by the provisions of the existing legislation, particularly the Retrenchment and Severance Benefits Act and the Industrial Relations Act of 1972, as amended. To address the limitations of these two pieces of legislation, the Ministry has embarked on national consultations with our stakeholders on their review.

Consultations on the amendments to the Industrial Relations Act were held in Trinidad in February 2016 and in Tobago in April 2016. The first round of consultation on the Retrenchment and Severance Benefits Act was held in May 2016. Stakeholders' comments have been received and are being reviewed and a second round of consultation is expected within the coming months. It is proposed that if all goes well and according to plan, amendments to these and other important pieces of legislation will be brought before Parliament in 2017. I thank you, Madam President.

Sen. Mark: Madam President, could the hon. Minister indicate to this Parliament whether she has an estimated number, in terms of value, as to the quantum owed by this company to the 800-and-odd workers who were retrenched by the OAS Company? Do you have an idea of what is the total retrenchment figure owed to these workers under the Retrenchment and Severance Benefits Act?

Sen. The Hon. J. Baptiste-Primus: Madam President, I am not in possession of that information but certainly if the hon. Senator requires it I can obtain it from the relevant authority.

NGC Vice-President, Commercial

(Details of)

5. Sen. Wade Mark asked the hon. Minister of Energy and Energy Industries:

Can the Minister please state:

- a) the name of the person who currently holds the position of Vice-President, Commercial at the NGC;
- b) the total compensation package of said person; and
- c) the total compensation package of the person who served as his immediate predecessor?

The Minister of Energy and Energy Industries (Sen. The Hon. Franklin Khan): Thank you very much, Madam President. In response to (a), Miss Cornelia Noel currently holds the position of Vice-President, Commercial at the National Gas Company.

In response to (b), Miss Noel receives a total compensation of \$107,000 per month comprising basic salary, housing allowance and transportation allowance.

In response to (c), the total compensation for her predecessor was \$106,869 per month, comprising basic salary, housing allowance and transportation allowance.

I want to go on record as saying and it must be noted that the Minister of Energy and Energy Industries is actively reviewing this position.

ARRANGEMENT OF BUSINESS

Madam President: Hon. Senators, with your leave, may I revert to item No. 3 on the Order Paper?

Assent indicated.

SESSIONAL SELECT COMMITTEES

(APPOINTMENT OF)

Madam President: Hon. Senators, in accordance with Standing Order 79(2) of the Senate, I wish to announce the appointment of the following Sessional Select Committees for the Second Session 2016/2017 of the Eleventh Parliament:

Standing Orders Committee

Ms. Christine Kangaloo	Chairman
Mr. Nigel De Freitas	Member
Mr. Clarence Rambharat	Member
Mr. Wade Mark	Member
Miss Melissa Ramkissoon	Member

House Committee

Mr. Fanklin Khan	Chairman
Mr. Foster Cummings	Member
Mr. Daniel Dookie	Member
Miss Khadijah Ameen	Member
Miss Jennifer Raffoul	Member

Committee of Privileges

Ms. Christine Kangaloo	Chairman
Mr. Nigel De Freitas	Member
Mrs. Jennifer Baptiste-Primus	Member
Mr. Wade Mark	Member
Mr. Taurel Shrikissoon	Member

Statutory Instruments Committee

Ms. Christine Kangaloo	Chairman
Mr. W. Michael Coppin	Member
Mr. Rohan Sinanan	Member
Mr. Gerald Ramdeen	Member
Mr. Stephen Creese	Member

Business Committee

Ms. Christine Kangaloo	Chairman
Mr. Franklin Khan	Member
Mrs. Paula Gopee-Scoon	Member
Mr. Wade Mark	Member
Dr. Dhanayshar Mahabir	Member

ADJOURNMENT

The Minister of Energy and Energy Industries (Sen. The Hon. Franklin Khan): Madam President, before I move the adjournment of the Senate, I just want to provide some explanation. We had intended to debate the Finance Bill (No. 3) and the three relevant Motions but we got an opinion from the Treasury Solicitor which, and I quote a part of it, states:

In the interim, I am of the view that the Provisional Collection of Taxes Order, 2016 continues in operation and will continue in operation until Finance Bill (No. 3) and the relevant Orders, 2016 completes its full passage in the Parliament and the Act is assented to by the President. And please note this process, however, must be completed within a four-month time frame beginning October 20, 2016 and ending on February 19, 2017.

During this time, I am of the view that it is permissible for the State to collect and continue to collect online purchase taxes and the rest.

Which means that we have some time, Madam President and I want to give the Senate some opportunity to study the provisions in greater detail before we reconvene the debate.

So in that context, Madam President, I beg to move that this Senate do now adjourn to a date to be fixed.

Sen. Mark: Before, Madam President, before.

Madam President: Sen. Mark, yes.

Sen. Mark: I did hear my honourable friend refer to the Provisional Collection of Taxes Order, which is debated in the other place. But we are very surprised, if I may say so, that we were advised by the Parliament—it is on the Order Paper today and we came prepared to debate the Finance Bill along with the three Orders or resolutions and we take no comfort in this kind of intervention. And, like if the

Minister is telling this Parliament, “take some more time to study this Finance Bill along with the three Orders”. We came and we are prepared to debate the Finance Bill on behalf of the people.

Madam President, if I may, I think the Government is making a very fundamental error on this matter and we would like the hon. Minister, if he can provide this opinion that he has quoted from and have it circulated to the Senate because we have extreme difficulty with that particular position, given the fact that the experience and the practice of this Parliament over the years is to have these matters dealt with in accordance with the law.

Madam President, if you look at your Order Paper, you would see specific time frame for those Orders to be completed. So we are very much surprised, but nevertheless we would like to have a copy of the Treasury Solicitor's opinion so we too can have the benefit of that opinion, Madam President.

Sen. The Hon. F. Khan: It will be provided.

Sen. Dr. Mahabir: Thank you very much, Madam President. Madam President, I too am taken a bit by surprise, given the fact that the Order Paper that was sent to me and to all Senators was very clear that the various pieces of legislation needed to be amended and the word used was “expedient” to so do. In that regard, Madam President, the Government is telling us that there is a legal opinion, but there could be a contrary legal opinion as well. I am not sure what the law is really with respect to the expediency of passing these pieces of legislation and hence, since it was the initial position that it was absolutely necessary to debate today, I would like you to interpret Standing Order 65 for me. Thank you very much.

Madam President: Hon. Senators, the Government has proceeded to move the Motion that the Senate now adjourn. I do not think, Sen. Mahabir, that there is any necessity for me to interpret any Standing Order at this stage so I will now put the

Adjournment

Motion to the House.

Question put.

Sen. Mark: We want a division, Madam.

The Senate divided: Ayes 19 Noes 7

AYES

Khan, Hon. F.

Gopee-Scoon, Hon. P.

Baptiste-Primus, Hon. J.

Rambharat, Hon. C.

Sinanan, Hon. R.

Moses, Hon. D.

Hosein, Hon. K.

Henry, Dr. L.

Singh, A.

Coppin, W. M.

Cummings, F.

De Freitas, N.

Baksh, Miss A.

Dookie, D.

Stewart, Miss N.

Roach, HRI

Small, D.

Chote SC, Miss S.

Richards, P

NOES

Mark, W.

Adjournment

2016.11.15

Solomon, D.

Ameen, Miss K.

Sturge, W.

Samuel, R.

Ramdeen, G.

Mahabir, Dr. D.

The following Senators abstained: Mr. T. Shrikissoon, Mr. S. Creese and Miss J. Raffoul.

Madam President: Hon. Senators, you have heard the results of the division, 19 Senators voted in favour of the question that was posed, seven voted against and there were three abstentions.

Question agreed to.

Senate adjourned accordingly.

Adjourned at 2.25 p.m.