

BELIZE

No. 25/1/12

SENATE

Wednesday, 1st July 2015

10:20 A.M.

Pursuant to the direction of Mr. President, in writing, dated 26th June 2015, the Senate met in the National Assembly Chamber in Belmopan on Wednesday, 1st July 2015, at 10:20 A.M.

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Members Present:

Senator, the Honourable Marco Pech – President
Senator, the Honourable Godwin Hulse – Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality
Senator, the Honourable Juliet Thimbriel – Vice President
Senator, the Honourable Joy Grant – Minister of Energy, Science and Technology and Public Utilities
Senator, the Honourable Charles Gibson – Minister of Public Service and Elections and Boundaries
Senator, the Honourable Lisel Alamilla – Minister of Forestry, Fisheries and Sustainable Development
Senator, the Honourable Gerardo Sosa
Senator, the Honourable Lisa Shoman
Senator, the Honourable Anthony Sylvestre, Jr.
Senator, the Honourable Patrick Andrews
Senator, the Honourable Markhelm Lizarraga
Senator, the Honourable Rev. Fr. Noel Leslie
Senator, the Honourable Adelaida Guerra - Temporary

Member Absent:

Senator, the Honourable Ray Davis

MR. PRESIDENT *in the Chair*.

PRAYERS *read by Mr. President*.

OATH OF ALLEGIANCE OF A NEW SENATOR

SENATOR A. GUERRA: I, Adelaida Guerra, do swear that I will bear true faith and allegiance to Belize, and will uphold the constitution and the law, and I will conscientiously, impartially and to the best of my ability discharge my duties as Senator and do right to all manner of people without fear and favour, affection or ill-will. So help me God.

MR. PRESIDENT: Welcome to today's sitting, Senator.

SENATOR A. GUERRA: Thank you.

ANNOUNCEMENT BY THE PRESIDENT

MR. PRESIDENT: Honourable Members, by letter dated June 26, 2015, Cabinet's recommendation has been signified to the following:

1. General Revenue Supplementary Appropriation (No. 2) (2014/2015) Bill, 2015;
2. General Revenue Supplementary Appropriation (2015/2016) Bill, 2015;
3. Petrocaribe Loans (Amendment) Bill, 2015; and
4. Cruise Ship Passenger Tax Bill, 2015.

BILLS BROUGHT FROM THE HOUSE OF REPRESENTATIVES

SENATOR G. HULSE (Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality): Pleasant good morning, Mr. President, and colleagues, first of all, I want to welcome Senator Adelaida Guerra to these Chambers. It increases the number of women participation in the Senate to five today. So welcome to these proceedings.

Mr. President, I rise to take charge of the following Bills:

1. General Revenue Supplementary Appropriation (No. 2) (2014/2015) Bill, 2015;
2. General Revenue Supplementary Appropriation (2015/2016) Bill, 2015;
3. Petrocaribe Loans (Amendment) Bill, 2015;
4. Cruise Ship Passenger Tax Bill, 2015; and
5. Caribbean Community Climate Change Centre Bill, 2015.

Mr. President, in accordance with Standing Order No. 49 (1) I move that the Bills be taken through all their stages forthwith.

MR. PRESIDENT: Honourable Members, the question is that the Bills be taken through all their stages forthwith.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

PAPERS

SENATOR G. HULSE (Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality): Mr. President, I rise to lay on the Table Sessional Papers 162/1/12 - Fisheries (Hol Chan Marine Reserve) Regulations, 2015; 163/1/12 - Fisheries (Hol Chan Marine Reserve) Order, 2015; 164/1/12 - Supplementary Appropriation (No. 3) Schedule for Fiscal Year 2014/2015; 165/1/12 - Supplementary Appropriation Schedule for Fiscal Year 2015/2016; and 166/1/12 - The Fourteenth Annual Report of the Ombudsman of Belize for the year 2014.

MR. PRESIDENT: Honourable Members, those papers are order to lie on the Table.

MOTIONS RELATING TO THE BUSINESS OR SITTINGS OF THE SENATE

SENATOR G. HULSE (Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality): Mr. President, I move that at its rising today the Senate adjourn to a date to be fixed by the President.

MR. PRESIDENT: Honourable Members, the question is that at its rising today the Senate adjourn to a date to be fixed by the President.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

PUBLIC BUSINESS

A. GOVERNMENT BUSINESS

I MOTIONS

1. Resolution Authorizing the Acceptance by Belize to the Protocol Amending the Marrakesh Agreement Establishing the World Trade Organization Motion, 2015.

SENATOR G. HULSE (Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality): Mr. President, I move that WHEREAS, the Protocol amending the Marrakesh Agreement establishing the World Trade Organization (hereinafter called “the Protocol”) was done at Geneva on 27 November 2014 (WT/L/940);

AND WHEREAS, in accordance with its paragraph 4, the Protocol shall enter into force in accordance with Article X:3 of the Marrakesh Agreement Establishing the World Trade Organization;

AND WHEREAS, section 61(A)(2)(a) of the Belize Constitution as amended by the Belize Constitution (Fourth Amendment) Act (No. 39 of 2001) provides that the Senate shall authorize the acceptance of any protocol by the Government of Belize;

NOW, THEREFORE, BE IT RESOLVED that the Senate authorizes the Government of Belize to accept the Protocol, a full text of which is hereto annexed.

SENATOR L. SHOMAN: Mr. President, there is absolutely no doubt that one of the important functions of the Senate is the ratification of treaties and protocols. All of these treaties and protocols, Mr. President, are important. But I am forgetting my manners, Mr. President, and that is not a good thing.

Let me start, first of all, with your indulgence, by welcoming our newest colleague, Senator Adelaida Guerra. It gives me special pleasure to be able to welcome another woman to this Honourable Chamber. I admit my bias in regard to having more women in the Senate. This is not to say anything at all negative about her predecessor; however, it's lovely to have Senator Guerra here. I know that we can lean on her special skills. She is a teacher, and I'm sure she has a lot to teach all of us here today. So I look forward to working with you, Senator. Please know that my bench and I give you a warm welcome as well as all our support. We look forward to working with you. Thank you.

Mr. President, the job of the Senate sometimes is described as being a rubber stamp, and that is unfair because one of the important functions that we do have is not only the ratification of legislation, the passage of Bills, but we have an important part to play in legislation making. However, we also have an extremely important role to play in terms of these international protocols, conventions, agreements that we are asked to ratify by motion, and this says that, this is a motion saying that we authorize the acceptance of this protocol. Now I know that we got our papers, some of us, a little earlier than we usually do, and I was happy to have it because it allowed me the time to go and read through this. However, I keep saying, Mr. President, and one day I hope to be heard, that it would be good when these things come to us in the Senate that we be provided with either an explanation note or the same courtesy of the briefing notes that Cabinet gets when it considers these matters. There is absolutely no excuse or reason why the Executive should be given more privilege than the Legislators when it comes to these matters.

And so, Mr. President, I will not and I cannot in good conscience continue to simply just signify my acceptance of these things, even if they are important, even if they are necessary, without being given the benefit of a full explanation because, Mr. President, one of the things that is clear under almost all of these conventions is that they have deep implications for our national law and a lot of time, Mr. President, they place heavy obligations on us, as a country, for reporting. The next thing you know, either we don't report, or we don't provide the information, or we skip a step, or we don't do something, and our country is shown up in the international stage as ignoring a convention which it has ratified. I'm not in favour of that. I'm not in favour of our continuing to just stand up and say, "Aye", or sometimes nothing at all, and these things pass. I wish the Leader of Government Business to convey, once again, to the Attorney General's Ministry who normally takes charge of these things that we expect to see explanation notes on these things. They do exist, and we would like to have them.

It is not fair to those of my colleagues, who necessarily don't have the background to be able to thoroughly go through the international law implications that some of these conventions have and, for instance, this one in particular which I know the Leader of Government Business is probably quite skilled in because it has to do with international trade, and he has always been someone who has been very au fait with the rules and the obligations of that. I had the good fortune of

being able to work with him when I was the Minister responsible for foreign trade. And so I was able to read, understand and absorb what is in here. And what is clear to me is that my fellow Senators and I are being asked to ratify these things without notes of explanation, and it isn't right. The modern era demands of each and every one of us, Mr. President, that we place scrupulous care and attention to what it is we are doing. I am calling once again, and I don't intend to join in any ratification of anything, until and unless I see a note of it, of explanation, and it is something that we can all absorb and understand without any problems. Some things are straightforward. Some things like this one are more complex. Thank you, Mr. President.

SENATOR G. HULSE (Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality): Thank you, Mr. President. Honourable Senator's comments are so noted; of course, as she pointed out, as the Honourable Senator pointed out, we have provided, and in a timely manner, the protocol itself. The issue is that the briefing notes she refers to, from time in memorial, have not been forthcoming to either Government or from either Government in the format. But we can change that. So I have taken the time, myself, to read it, and, as she says, we are familiar with it. I trust other Senators have done that, but so noted. I move the Motion.

MR. PRESIDENT: Honourable Members, that Motion is refer to the Constitution and Foreign Affairs Committee for the examination, consideration and report.

2. **Resolution Authorizing the Ratification by Belize to the Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment Motion, 2015.**

SENATOR G. HULSE (Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality): Mr. President, I move that, WHEREAS, the Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (hereinafter called "the Protocol") entered into force on 22 June 2006;

AND WHEREAS, the objective of the Protocol is to establish a system of regular visits undertaken by independent international and national bodies to places where people are deprived of their liberty in order to prevent torture and other cruel, inhuman or degrading treatment or punishment;

AND WHEREAS, the Government of Belize is desirous of ratifying the Protocol pursuant to Article 27(2) of the Protocol;

AND WHEREAS, section 61(A)(2)(a) of the Belize Constitution as amended by the Belize Constitution (Fourth Amendment) Act (No. 39 of 2001) provides that the Senate shall authorize the ratification to any treaty by the Government of Belize;

NOW, THEREFORE, BE IT RESOLVED that the Senate authorizes the Government of Belize to accede to the Protocol, a full text of which is hereto annexed.

SENATOR L. SHOMAN: Thank you, Mr. President. Mr. President, this is one of the most important types of treaties/conventions that we sign. This one is the Optional Protocol to the Convention Against Torture, Other Cruel, Inhuman,

or Degrading Punishment or Treatment. This is a Protocol, Mr. President, that sets up an entire mechanism to which we are acceding that will examine Belize as a state as to how we treat persons deprived of liberty. Let me be very clear. This is not for a situation where one citizen deprives another citizen of liberty. This is about the state. Specifically then, it is about how Belize keeps people detained and incarcerated. This is important and critical because there have been too many times in our nation's history where persons who are either detained or imprisoned, while in the custody of either the prison administration or in detention centres in police stations, have lost their lives. In fact, no, I take it back, have been killed, have died. You don't lose your life. It is taken from you in those situations.

So this is one of those things actually that I welcome, not only that we are acceding to it but I notify, and put my fellow Senators on notice, that this is a convention that will put us under a microscope, as a country, and that will set up a committee that will make periodic visits to Belize and that will analyze how we are detaining persons and to what treatment are they being subjected to. We are, as a state, to allow unrestricted access, not only to all information concerning the number of persons deprived of liberty but also unrestricted access to the treatment of those persons, the opportunity to have private interviews with persons deprived of liberty without witnesses, either personally or with a translator, if necessary, and with any other person who the sub-committee on prevention believes needs to be spoken to.

It makes it clear under Article 15 that no authority or official shall order, apply, permit or tolerate any sanction against any person who speaks out about abuses, cruelty, torture in places where liberty is deprived. None of us should forget, Mr. Sotz, young Hilberto Sotz, who died in a police station in Caye Caulker. None of us should forget that there have been persons who have come out of the prison system to speak out about the conditions in those systems. This is the type of initiative that will place obligations on our state and that will have real implications because, although the reports are given privately to Government, there is a public report which is published with recommendations, and if, as a nation, we do nothing about the recommendations, those private recommendations can actually be made public. And we have to, in our own country, establish an independent, national, preventive mechanism for the prevention of torture at a domestic level.

I expect to see with the advent of this legislation, not only better treatment for persons in detention and persons deprived of liberty, I expect to see better behaviour from the law authorities of this nation, and I expect not to continue to hear the reports that people's doors are being kicked down at 3 o'clock in the morning and people are being taken out of their homes shoeless, shirtless, pants less and taken to places of detention and left like that because that deprives them of their right to be taken before a magistrate, and that must stop. It must stop. So I welcome this initiative. This is actually one of these things that deserve support. I'm glad I took the time to read it. Again, I am very happy to hear, and I welcome the promise by the Leader of Government Business that he notes what I have said and will look into our getting briefing notes because, I think, this is the type of initiative that we in the Opposition are more than please to be able to support, more than please to be able to join along with. It's just, like I said, important that all Senators have the benefit of these briefing notes. Thank you, Mr. President.

SENATOR G. HULSE (Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality): Mr. President, I move the Motion.

MR. PRESIDENT: Honourable Members, that Motion is refer to the Constitution and Foreign Affairs Committee for examination, consideration and report.

3. **Resolution Authorizing the Accession by Belize to the 1961 International Convention for the Reduction of Statelessness Motion, 2015.**

SENATOR G. HULSE (Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality): Mr. President, I move that, WHEREAS, the International Convention for the Reduction of Statelessness (hereafter called “the Covenant”) entered into force on 13 December 1975;

AND WHEREAS, the objective of the Covenant is to reduce the incidence of statelessness;

AND WHEREAS, the Government of Belize is desirous of acceding to the Covenant pursuant to Article 18 (2) of the Covenant;

AND WHEREAS, section 61(A)(2)(a) of the Belize Constitution as amended by the Belize Constitution (Fourth Amendment) Act (No. 39 of 2001) provides that the Senate shall authorize the accession to any treaty by the Government of Belize;

NOW, THEREFORE, BE IT RESOLVED that the Senate authorizes the Government of Belize to accede to the Covenant, a full text of which is hereto annexed.

Mr. President, by way of quick comment, and I hear the Honourable Senator, statelessness is an issue that we have to take rather seriously. Nobody really by this should be stateless. As you can see, it came into force in 1975. This is 2015. So that’s a rather long time ago. And, as Minister responsible for immigration, we are aware that there are many persons who would and could fall into that category, deprived nationality one way or another, and many who, now that we’ve established once again the Refugee Committee, are making application under the premise that, in fact, they are stateless somewhere where they have been before. So I ask the Senate for their ratification.

SENATOR L. SHOMAN: Mr. President, a quick note on this, not only do I welcome that we are entering into this convention but I am also hoping, Leader of Government Business and Minister of Immigration, that your Government will take the opportunity to say something very forceful about the efforts of the Dominican Republic and the people who are born in the Dominican Republic of Haitian parents and who are in effect in some cases being made stateless.

At one time in the world the biggest amount of stateless people had occurred around World War II, and that continued up into the sixties, and then there was amelioration in the seventies and the eighties. I’ve read a statistic lately that says that statelessness is now once again becoming a scourge in the world. Not only should Belize fight against this but, given our own particular challenges, our own particular concerns and fears, I think we need to stand in solidarity with our afro-Dominican brothers and sisters born of Haitian parentage who are now being deported to a nation in which they have never lived and to which they have almost no ties, except for parentage and ancestry.

If this country is going to be able to stand up and say with a straight face that we are against racism and intolerance, we need, Mr. Minister of Immigration, Mr. Leader of Government Business, I think, to make a strong statement to the Dominican Republic, stronger perhaps even than we've done so far at the CARICOM level. Thank you, Mr. President.

SENATOR G. HULSE (Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality): I move the Motion, Mr. President. Thank you.

MR. PRESIDENT: Honourable Members, that Motion is refer to the Constitution and Foreign Affairs Committee for examination, consideration and report.

4. **Resolution Authorizing the Accession by Belize to the International Convention for the Protection of All Persons from Enforced Disappearance Motion, 2015.**

SENATOR G. HULSE (Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality): Mr. President, I move that, WHEREAS, the International Convention for the Protection of All Persons from Enforced Disappearance (hereafter called "the Covenant") entered into force on 23 December 2010;

AND WHEREAS, the objective of the Covenant is to prevent enforced disappearance;

AND WHEREAS, the Government of Belize is desirous of acceding to the Covenant pursuant to Article 38 (2) of the Covenant;

AND WHEREAS, section 61(A)(2)(a) of the Belize Constitution as amended by the Belize Constitution (Fourth Amendment) Act (No. 39 of 2001) provides that the Senate shall authorize the accession to any treaty by the Government of Belize;

NOW, THEREFORE, BE IT RESOLVED that the Senate authorizes the Government of Belize to accede to the Covenant, a full text of which is hereto annexed.

Mr. President, as you will note, all of these are coming, these Conventions are rather old, not dated but old. It's now time that I think in our own development that we begin to give serious consideration, and I do agree that these form the framework for balanced legislation to be able to deal with all the issues that have been raised today, forced disappearance, statelessness, cruelty, etcetera. In this new climate of harmony, cooperation and intolerance against that, I think it is very important that we recognize our responsibility, as a state, to be able to protect all persons, whether they are citizens or not but all persons who are on our territory from time to time. Thank you.

MR. PRESIDENT: Thank you, Senator. Honourable Members, the Motion is refer to the Constitution and Foreign Affairs Committee for examination, consideration and report.

5. **Resolution Authorizing the Ratification by Belize of the Framework Cooperation Agreement between Belize and the**

Republic of Costa Rica Motion, 2015.

SENATOR G. HULSE (Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality): Mr. President, I move that, WHEREAS, the Framework Cooperation Agreement (hereafter referred to as “the Agreement”) was signed on 8 February 2011;

AND WHEREAS, the objective of the Agreement is to promote technical, economic, scientific, and cultural cooperation between the parties;

AND WHEREAS, the Government of Belize is desirous of ratifying the agreement pursuant to Article 10 (2) of the Agreement;

AND WHEREAS, section 61(A)(2)(a) of the Belize Constitution as amended by the Belize Constitution (Fourth Amendment) Act (No. 39 of 2001) provides that the Senate shall authorize the ratification to any treaty by the Government of Belize;

NOW, THEREFORE, BE IT RESOLVED that the Senate authorizes the Government of Belize to ratify the Agreement, a full text of which is hereto annexed.

MR. PRESIDENT: Thank you, Senator. Honourable Members, that Motion is refer to the Constitution and Foreign Affairs Committee for examination, consideration and report.

II BILLS FOR SECOND READING

1. **General Revenue Supplementary Appropriation (No.2) (2014/2015) Bill, 2015.**

SENATOR G. HULSE (Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality): Mr. President, I rise to move the second reading of a Bill for an Act to appropriate further sums of money for the use of the Public Service of Belize for the financial year ending on the thirty-first day of March, two thousand and fifteen.

SENATOR M. LIZARRAGA: Thank you, Mr. President, good morning. I take this opportunity as well to welcome Senator Guerra. Mr. President, I rise to share my views on this General Revenue Supplementary Appropriation (No. 2) (2014/2015) Bill. This Bill like the Bill before it, submitted on March 13, 2015, and the subsequent Appropriation Bill to be presented today, Mr. President, all continue to display spending which ignore and lack compliance for the requirements of the Finance and Audit (Reform) Act of 2005, section 5(4).

In view of the criminal consequences imposed by Finance and Audit (Reform) Act, S.I. 31 of 2010, I'd like to take this opportunity to remind the Honourable Senators, and this Honourable House, and the Executive as well of the many instances of spending and reporting obligations not adhered to as required by the Finance and Audit (Reform) Act, 2005 and the Finance and Audit (Reform) Act, Statutory Instrument 95 of 2010. Mr. President, the Finance and Audit (Reform) Act of 2005 states, and I quote, section 5 (1) says, “If the Minister is satisfied that there has arisen an urgent and unforeseen need which cannot without serious injury to the public interest be postponed until the next meeting of the House of Representatives called for consideration of a supplementary

estimate, he may, by Special Warrant, authorize the issue of monies from the Consolidated Revenue Fund.” But, Mr. President, it goes on to say that all “authorizations by Special Warrant shall be reported to the House of Representatives at its next meeting provided, however, that all such authorizations by Special Warrant must be reported to and confirmed by the House of Representatives within three months of the date of any such warrant. Authorizations”, however, Mr. President, “which have not been confirmed by the enactment of a previous Supplementary Appropriation Act shall not at any time exceed in the aggregate an equivalent amount to 10% of the amount voted for in the respective head of the approved expenditure estimates for the year, or the sum of \$500,000.00 in the case of a new good or service.”

Mr. President, the General Revenue Supplementary Appropriation (No. 2) (2014/2015) Bill of 2015 today clearly displays non-compliance for the Finance and Audit (Reform) Act. This Supplementary Appropriation claims and reports, as overspent, some \$6,223,488 under Capital II or collectively overspending by some 30%, remember that the law says 10%, or some \$15,958,000 under Capital III spending or collectively overspending by 26%. We draw attention to the instances of spending done in contravention of the law, Mr. President, which exceeded the legal threshold and timeframe for bringing it to the National Assembly. We emphasize that the law is very clear and that it is only under serious circumstances, where to do otherwise would seriously injure the public good that the Minister of Finance is allowed to incur such additional expenditure without first coming to the National Assembly for permission. (Applause)

Mr. President, let us look under Head-18 and subhead-375; there was overspending by 12.3%; but it goes on. Head-18, subhead-1864, was overspent by 50%. Head-29, subhead-673, was overspent by 20% or some \$900,000.00. Head-29, subhead-927, was overspent by 40%; but it gets worse. Head-29, subhead-1435, was overspent by 54% or some \$1.4 million. Subhead-1828 was overspent by 40% or some \$2.1 million, contrary to law. Head-33, subhead-1727, was overspent by 66%; Head-18, subhead-1831, by some 17% or some \$1.3 million. Head-29, subhead-1835, was overspent by 36% or some \$7.9 million, all without permission of the House of Representatives and the Senate.

So, Mr. President, and fellow Senators, not only can this Government be seen to have barrowed Petrocaribe monies contrary to the Finance and Audit (Reform) Act, but today, if we were to approve these Supplementary Bills, we too could be accused of condoning such illegality. (Applause) This spending is clearly and overwhelmingly in defiance of the Finance and Audit (Reform) Act as well.

Mr. President, of concern is that, upon further investigation, we found as well two instances where prior approval is claimed but we could not source the approvals under the budget or under Supplementary Appropriations approved in March 2015. But yet in this Supplementary today we see that they claim that such approval was granted. In Head-19, subhead-1852, this Supplementary claims that prior approval was given for the spending of \$684,000.00. However, when we did a careful check of both the budget and the previous Supplementary Appropriations, we see that no such amounts were ever approved. This leaves us certainly, Mr. President, to begin to question the accounting and the reporting of the spending of these monies. (Applause) Therefore, it is evident that the \$700,000.00 spent was, in fact, for a new item, and it surpassed the \$500,000.00 maximum allowed under the Finance and Audit (Reform) Act.

Head-21 and subhead-1825 as well we found a similar situation. The Supplementary claims that prior approval was given for the spending of \$676,000.00. However, again, a check of both the budget and the previous

Supplementary Bills shows that no such amounts were ever approved. Therefore, it is evident that \$697,000.00 spent was, in fact, for a new item and was contrary to the law by exceeding the threshold of \$500,000.00 maximum allowed.

Mr. President, what is increasingly evident is that the Executive has been persistent in spending millions and millions of our tax dollars without legal approval and contrary to the Finance and Audit (Reform) Act. (Applause) And the multimillion dollar question is, Mr. President, why have we seen so much urgent and unforeseen spending to the tune of \$120 million in Supplementary Appropriations since March of this year? Since March, \$120 million would have been spent in appropriations. What were all these urgent and unforeseen circumstances that led to this spending? The Constitution and the laws expect the Executive to forecast, to project, always in our budgets, but, for the long-term development strategy of our nation. Our law insists on forward planning, while encouraging and while allowing, the Executive to have some leeway for these unforeseen expenses. But at no time does our law encourage this barrage of supplementary spending. (Applause) One is only led then to surmise that such spending is suggestive of seriously flawed planning. Hopefully, Mr. President, such spending is not sinister as has been suggested by many.

Mr. President, did this spending contribute to growing our economy in order that we have the capacity today to pay back these loans? How did this spending affect our social and economic landscape? How has it helped to create lasting and sustainable employment? We have 8,000 young adults coming out of school every year. How had this helped them to have lasting, sustainable employment? (Applause) How has it improved the housing in this country? How has it helped us to lower crime? How has it helped us to lower poverty? How did it help us to grow the private sector so that we could repay Petrocaribe loans with Belizean goods and services? (Applause) How? These, Mr. President, are the questions the business community will remain concerned about when presented with any application for more borrowing or more spending. Thank you, Mr. President. (Applause)

SENATOR A. SYLVESTRE JR.: Thank you, Mr. President. Mr. President, I join with my colleagues, Senator Lizarraga and Senator Shoman, in welcoming our newest member, Senator Guerra, to this Honourable Chamber.

Mr. President, I support and endorse fully the observations of Senator Lizarraga on the issue of this Supplementary Appropriation (No. 2) (2014/2015) Bill, 2015. As Senator Lizarraga has outlined and pointed out, this is the second Supplementary Appropriation Bill in respect to this fiscal year, when it is a fact that we were only here in March, three months ago, in which this Honourable Chamber approved the overspending of \$25,122,233.00. The Government at the time submitted to the House of Representatives, and it was passed, and then, thereafter, that Bill was put to this Honourable Chamber, a Supplementary Appropriation Bill in respect of overspending of BZE\$25,122,000.00.

As Senator Lizarraga has pointed out, the laws of Belize, but I go even further and say, the Constitution of Belize which is the supreme law of this country, it, in fact, actually sets out the framework for spending of a Government. It sets out firstly in section 114(3), and it says that “No moneys shall be withdrawn from any public fund other than the Consolidated Revenue Fund unless the issue of those moneys has been authorized by a law enacted by the National Assembly.” So that the framers of our Constitution contemplate, as Senator Lizarraga observed, that there would be some fiscal prudence and management in respect of our Executive, and so that, when they come to the National Assembly in March of a year and they put forward a budget for the

ensuing fiscal year, that that budget would, as far as possible, encompass all the spending. All the spending of a government would have been contemplated within the framework of the budget for the upcoming fiscal year.

But what this Appropriation Supplementary (No. 2) Bill has highlighted and it has shown is that this Government, rather than working within what the framers of our Constitution had contemplated, they seem to be overspending and spending and then after the fact come to the National Assembly and seek approval and authorization. And, again, the point has to be made that it is not their money. It's the people's money. (Applause) Things are difficult and hard for people but yet the people of Belize, they are the ones who bear the brunt of the raising of revenues. Revenues are raised primarily through taxes. When you look at the budget estimates, the grants which are given to the country, they are minuscule. They amount to .001%, if that much. So that the bulk of the monies government raises comes from revenue, and the framers of our Constitution, indeed, all framers of Constitutions throughout the world, they contemplate that a government must be fiscally prudent, and in that regard they must set forth in their budget what will be the extent of their spending, and it is only in rare instances, and those rare instances were enumerated by Senator Lizarraga, and they are to be found again in the Constitution of Belize section 115(3). It says that, "If in respect of any financial year it is found that the amount appropriated", that is the amount passed by the National Assembly, "for any purpose is insufficient or that a need has arisen for expenditure for a purpose for which no amount has been appropriated", then it would be appropriate for a supplementary budget to be passed.

But here's the thing. The Government knew all along. It's only until last year in November that we knew that they had these large sums of money, this largesse, as the Prime Minister likes to characterize it. They have it set aside in the Central Bank. By the way I noted that the Governor of the Central Bank stated in an interview that, "Well, there can be no suggestion that anything improper with respect to the monies at the Central Bank, whether it is spent for political purposes, nothing can be said about that". But, Mr. President, I just need to point out and remind this Honourable Chamber that it is not us on this side who said it but it is the same Auditor General which the Governor of the Central Bank suggested can go in and seek to ask and request for the records. The Auditor General in her report which was laid before this Chamber in March, she stated, the Auditor General stated at page 9, paragraph 1.25 of her report, the report of April 2011/March 2012, she questioned the integrity of the statement of public debt by this Central Bank. So that, of course, the Governor of the Central Bank has to, he has to make a statement so as to try to dismiss what has been recorded by the Auditor General. (Applause)

And very quickly what the Auditor General had stated in her report which was laid before this National Chamber, and by the way none of the Government Senators or nobody objected to that portion being struck, or edited, or amended. So that has to be accepted that everybody in this Chamber accepted what the Auditor General said. (Applause) And she said at page 9 that the Central Bank's record of payout in respect of external debt in several instances did not reconcile with the Accountant General's financial statement. Point being made is that whatever records the Central Bank has it is not reconciling with the Auditor General, and, again, nobody in this Honourable Chamber, nobody from the Government side said, "You know what, I take objection to that. I take objection to that portion of her report being accepted by this Chamber." So now that is the record.

The point being made, Mr. President, is that there is this mass spending because it's not a little bit of spending; \$25 million, they sought to get our approval in March, three months later, another \$15 plus million, almost \$16 million. This is no small spending. This is a lot of spending, and this is on top of the fact that you had forecasted \$1-billion budget for that same year 2014/2015, a billion dollars, you know. So the Government had forecasted, let me put it this way, on the backs of the Belizean public, they eat out a billion dollars in revenue, and on top of that they overspent that, you know, and then they come after the fact to ask us to now support that overspending, in addition to the fact that, there is, on a principle position, has to be something fundamental with respect to the overspending. There is, Mr. President, some serious issues with respect to these figures that have been submitted to us. I make two observations: one in respect to the Ministry of Housing and Urban Development; and one also in respect to the large spending that has been taking place in respect to the infrastructure, concreting of streets.

Firstly, in respect to the Ministry of Housing and Urban Development, in that Supplementary Appropriation Bill that was passed in March, they had as the Supplementary estimates, the Ministry of Housing had housing assistance/constituency program, and they had overspent at October 2014, \$405,000.00. The point has to be made and it continues to be made because it's a fact. You travel this country and no new homes have been built. (Applause) So that what this money has been spent on, only God knows, Mr. President. But what is quite interesting is that, when you look and you go, and, Mr. President, anyone can quickly research this and see that I am not speaking out of my head. I am actually referring to the documents. I am referring to my papers which were handed to me in March. At that time there were no approved estimates in respect to housing assistance/constituency program and that would have made sense. That's why you had to come for a supplementary budget because it wasn't approved and you spent the money.

But do you know what they do now, Mr. President? In this Supplementary Appropriation (No. 2) (2014/2015) Bill, all of a sudden now they have an approved estimate for that period in respect to that housing assistance and constituency program. How can you have monies being approved when in the first place or in your first Bill you stated categorically that it wasn't approved and that's why you came to the National Assembly to seek approval after the fact? But now all of a sudden you curiously insert a figure of \$652,000.00 as being monies that were previously approved, and it's a farce. It's a lie. (Applause) It's a deception, as Senator Lizarraga has pointed out. It's a deception that is trying to be thrust down the Belizean public's throat. After you have already overspent the money, Mr. President, this is fraudulent, and let me further highlight why I say it is fraudulent. It is because they have that, well, you know, we approved \$652,000.00. So, if you had approved \$652,000.00, right, when you add what they overspent, you would actually have to come up with the actual expenditure, and they have as the actual expenditure \$1,081,000.00. But when you add the approved estimates and when you add the supplementary estimates in March and the supplementary estimates that is now before this House today, do you know how much you get? You get \$1.5 million. So what that means then is that you have a mysterious, almost \$500,000.00 unaccounted for.

Now, Mr. President, this is perhaps, and maybe it's a glaring, maybe it's a typographical error, maybe it's some error that, and I wish the Honourable Leader of Government Business could highlight and shed some light on this but this is something serious. Half a million dollars is no little amount of money. Do you know what you could do with half a million dollars? Well, other than buying

tacos, there are quite a lot of things that you could do with half a million dollars, serious things, serious development, and address serious issues for the country.

Mr. President, you also see this serious discrepancy, and this is something very serious in respect to the estimates for spending in respect to the concreting of streets. Now when we came here in March and we passed the first Supplementary Appropriation Bill for 2014/2015, they had no approved estimates for the infrastructure concreting of streets; but they had recorded as being spent up to October 2014, \$7,481,000.00. Do you know what has happened now, Mr. President? All of a sudden, and I invite Members to actually, in fact, look at the Schedule. All of a sudden now and it's to be found on page 3 of the Schedule to this Appropriation Bill which we are debating. All of a sudden now they have approved estimates of \$11,738,000.00 for Fiscal Year 2014/2015. Well, if the money was approved, we wouldn't need to come to this National Assembly in March to get approval for overspending, nor would we need to be here again because, in fact, what actually was spent overall was \$12 million, according to them, \$12,249,000.00. And so now they are telling us that, "Oh, we only overspent by \$511,000.00." But the fact is, Mr. President, that means that the first Appropriation Bill that we passed in March, what is that? Is that a farce? What is that? That doesn't worth the paper in which it is written on because that's what they're telling us that, in fact, they approved it. I don't know how it was approved. It was never approved! These are serious things because you know what is happening is that figures are being juggled. It is serious. It is not only I, or it is not only this side, or it is not only the observations of many Belizeans, the Auditor General confirmed it, and it is being confirmed when you actually go through these Supplementary estimates.

Mr. President, no one suggests that a Government cannot pass a Supplementary Budget. That is not what is being suggested. What is being suggested is that the Government is spending taxpayers' money in a reckless (Applause) and a dangerous way without any regard to the fact that these are monies which have to be paid because they tell you that the source of the funding is Petrocaribe. By the way, Mr. President, a very interesting thing, on a point also in respect to a comment made by the Governor of the Central Bank, he noted that, "Well, you know, the reserves, they are actually high because you have the Petrocaribe monies, they're actually placed in reserves." I am not a, and I readily concede that I'm not a finance man. I'm not an economist. But it seems to me very simple. If I go to the bank and I borrow \$100,000.00 and I put that as my asset and out of that same \$100,000.00 I am paying for the salaries of my workers and I pay for everything else, I pay for other loans and stuff like that, do I, in fact, have \$100,000.00? No! And, again, it is this type of playing with numbers in which the Government is clearly trying to conceal, trying to hide what is the true state of affair, when they are spending money recklessly, and monies are being spent without any regard to the fact that it is us, the Belizean public, who has to pay it back. And for those reasons, Mr. President, I can't support this Bill. (Applause)

SENATOR L. SHOMAN: I yield to Senator Sosa, very well. Mr. President, not only do I agree with what my friend and colleague, Senator Sylvestre, has said but I also agree with what the Senator who represents the business community in Belize has said. Mr. President, the era of doing as one likes because one is in government, the era of ruling with no or little control on the public purse, is over. (Applause) That was made clear, not only by the Finance and Audit (Reform) Act of 2005, but that was confirmed, as some like to say, by the election results of 2008. Furthermore, I am well aware that, if my friend, the Leader of Government Business, was sitting where Senator Lizarraga is now sitting, he would not tolerate this type of legislation to come before this Chamber. (Applause)

This is one of the most disingenuous pieces of legislation I have ever seen, and I am really trying, Mr. President, to remain as parliamentary and as cool as I possibly can because what Senator Sylvestre said is true. This is money being spent on the backs of Belizeans, (Applause) people who have to stand up out there in the sun hot, rain or shine, just like the people who everyday have to get up in the morning, whether they like it or not, to go to work, to pay their taxes, so that we, as a nation, progress.

Do you know what is the worse part, Mr. President? It is when the Executive takes the Legislature for a joke and doesn't even provide details as to what this General Revenue Supplementary Appropriation Act is all about. At least the first one of this kind that we saw in March had more details than this. At least there was a breakdown on each head so that we could have seen how much they spent on actual programs and how much they spent on constituency allowance. Constituency allowance, please tell me, Mr. Leader of Government Business, what constituency does the Ministry of Housing have? (Applause) Who is their constituency? It had better be the people of Belize. But when I get three pieces of paper with this amount of writing on it, six or seven lines per page, to tell me that I must come here and approve the spending of \$60 million or more, I'm telling you straight, Mr. President, I won't do it. I will not do it. I am not going to go down with my team, as violating the Finance and Audit (Reform) Act, the Act of 2010 or the S.I., straight like that. (Applause) I am not going to be put in a position where I have to plead my parliamentary immunity to save myself from prosecution; I won't do it, straight like that. (Applause)

Mr. President, I will not be asked to give my advice and consent or authority to seven or eight lines on a piece of paper which says that money should be spent and has a little bullet at the bottom that says, "Source of funds: Proceeds from Petrocaribe". I don't even know what that bullet is doing there, except maybe to shoot us in the head because we will have to pay for this. (Applause) I don't have the words to describe how angry it makes me that there are people in this country who get up and don't have enough to feed their children, have to eat ramen, have to eat Vienna sausage, imperiling their health, and we are wasting money and taking this Chamber for a joke in asking that we approve spending that has already occurred. You want to be wrong and strong, Mr. President, do it; but you won't do it with my consent. Be wrong and strong! (Applause) But you shall not do it with my consent. I will not entertain it, Mr. President. I won't entertain it. That's what I won't entertain, taking this Chamber for granted and giving us six lines on a piece of paper to tell us that you want to spend this much more money and we must consent to it because you have already spent it and after all this is what it is.

I don't intend to go through the legalities and the numbers that either Senator Lizarraga, or Senator Sylvestre has done. I think they've made presentations that, in and of themselves, are very damning. But I ask my brothers and sisters of this Honourable Chamber, Mr. President, to search their consciences because you're going to have to live with yourself after this. This isn't money that is taxed and earned. This is money that we have to pay back, pay it back over 23 years, pay it back.

Mr. President, I claim a division when we vote on this because every Senator in this Chamber will be put on the spot and asked to vote as to whether they signify approval to this Bill, and the Hansard for all time will stand to see who saddled the people of Belize with this debt without a scrap of explanation, with all the illegalities that it contains, and in the face of the already perilous, fiscal situation that we are in. Thank you, Mr. President.

SENATOR M. SOSA: Mr. President, allow me to welcome colleague, Senator Adelaida Guerra, to the Chambers. First of all, the Finance and Audit Act is a mechanism that allows some form of control on spending, and I want to agree with that, however, stating clearly that after government or the Executive seeks the approval of the Senate, as is required by the Financial and Audit Act, on whatever Supplementary Appropriations is laid is ignorance of the law. They're saying that they are not prepared to accept any Supplementary Appropriation presented to this Chamber. However, at the end or at the beginning of every fiscal year, an Appropriation Bill is presented for endorsement and approval but the supreme law of the land also makes provisions for Supplementary Appropriations, and it also requires that it be laid in the National Assembly for its approval within a quarter thereof. I must have to go back to the period of 1998 – 2008, where a large number of Supplementary, extraordinary expenses were incurred by the then government and never laid in the National Assembly for its approval. I am not saying, and let me ignore that part, Mr. President. (Applause) I must however indicate that, regardless that the Finance and Audit Act was enacted in 2005, there was a period between 2005 – 2008 that any supplementary expenditure done during that period of time could have been laid before the National Assembly and was not.

The new government elected between the period of 2008, and if I am not sure, it's about two years ago, have taken all those supplementary expenditures and presented them as appropriation here to this National Assembly, and we have cleaned or cleansed, sorry, all that expenditure that was never laid before the National Assembly. Now, if the Finance and Audit Act provides for a Supplementary Appropriation, certainly this Government cannot be charged for not bringing any to the National Assembly.

Whilst I don't expect the Opposition Members to endorse and shake hands with us, I do expect the social partners to be fair. Why do I say fair? I say fair because, while your contribution to the debate is done, there has to be some form of remarks in respect to some of the projects, the good deeds, the good benefits that the people of Belize have received from the expenditures now being asked to be approved retrospectively. If you cannot do that, you are being unfair.

Now expenditures will be prioritized by either or whosoever is representing the Executive. I have to agree that you may disagree with the Government's priorities, and, if you do, you have your own conscience to do so. But to come to the Honourable Chamber and say, "I am not going to go by the Finance and Audit Act in entertaining the Supplementary Appropriation" is not what I can take to be something nice. To speak against the expenditures of government and not being fair to those who have benefitted, those sectors of society that have benefitted from the projects that have caused these expenditures, is also unfair. Supplementary Appropriations will never end. They will never end but at least I can stand here and make a very simple comparison of all the expenditures that the Government of the United Democratic Party has asked us to approve. There is concrete evidence out there that's beneficial to the general society. For those of which we had to enter into, now seemed to have been forgotten, super bond, there is no evidence of that expenditure. And whilst the Leader of the Opposition in the Chamber has mentioned that that time has ended because the people voted against it, I want to put it the other way around; at the time that the then government was voted out we can safely say that at the time did not trust the messenger and did not trust the message; and since 2008, subsequent elections have been called and by-elections have been called, and the institution that was not trusted then is still not trusted now, and they cannot come to the House purporting to be sanctimonious because the people have never forgotten.

So the institution is the same of 1998 and 2008, the People's United Party. So the general citizenry does not trust that institution. So they don't trust the messenger.

Having said that, Mr. President, the Supplementary Appropriation Bills presented today are in line with the supreme law of the land. We're coming to the right place for its approval, and we're coming in due time, and it has my full endorsement. Thank you. (Applause)

SENATOR G. HULSE (Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality): Mr. President, it's an interesting debate. But there are some facts we need to correct because for a moment I thought that it was all modeled up, and I would put it, hopefully, not today, the beginning of any type of all-timers on my part, given my age as a senior citizen. I trust I'll be around until I'm 100. But I was looking at and listening to the Senator representing the business as well as my colleague, Senator from the Opposition, and I heard that this Government has come this year with supplementaries already amounting to over \$120 million. And I was trying to put the figures together because I know you will. But the point is that, Mr. President, this Government came with a Supplementary on the 14th of March, and that one was for \$58.9 million, and we're back now with one on the 1st of July for \$22.182 million, and, if you add that together, and I'm glad teachers are here, I make it approximately \$70 million.

Now the error that is being reflected is that these supplementaries are for this year. Well, it is not because not that it was presented in March of this year and, again, it's for this year. The year runs from 1st April to 31st March of the following year. And, if you look carefully, you will see that what is being proposed is a supplementary for the Fiscal Year 2014/2015. And so, if you look carefully, the two supplementaries for this year of \$70 million of a total estimated, expenditure of \$1.011 billion, my mathematics tells me that \$70 million is not 10%.

The Finance and Audit (Reform) Act says, and I quote, that, indeed, the Government is required to come with supplementaries. It says, "Authorizations by Special Warrant which have not been confirmed by the enactment of a Supplementary Appropriation Act shall not at anytime exceed in the aggregate an amount equivalent to 10% of the amount voted for the respective heads of the approved expenditure estimates for the year, or the sum of \$500,000.00 in the case of new goods or a new service." So, Mr. President, as you go through them and, yes, I've heard the representative, Honourable Senator for the business community, mentioned a few, I haven't had time to check them, but the aggregate is not more than 10% of the approved estimates for the year 2014/2015. Do the mathematics.

I also heard him said, "We couldn't find", and I just picked out one. He said, "We couldn't find".

SENATOR M. LIZARRAGA: Mr. President, on a point of order, the Leader of Government Business is misleading the Honourable House because the law says...

SENATOR G. HULSE (Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality): That's not a point of order.

MR. PRESIDENT: Senator, the point of order is to make a correction.

SENATOR M. LIZARRAGA: I am making a correction, Mr. President. I am making a correction.

SENATOR G. HULSE (Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality): That is not a point of order.

SENATOR M. LIZARRAGA: I'm making a correction, Mr. President. He read the law to say "respective heads". The law says, "the aggregate for the respective head", not heads. (Applause)

MR. PRESIDENT: That's the correction. You can go ahead, Senator Hulse. What's the point of order, Mr. Sylvestre?

SENATOR A. SYLVESTRE JR.: I just want to make a clarification in respect to the Supplementary Appropriations for Fiscal Year 2014/2015.

SENATOR G. SOSA: Mr. President, what is the point of order?

MR. PRESIDENT: The point of order is for a clarification.

SENATOR A. SYLVESTRE JR.: Yes, actually there are three Supplementary Appropriations for Fiscal Year 2014/2015. We came here in November for which there was expenditure for \$25,122,000.00; in March it was for \$46,206,000.00; and now there is an additional, how much is it, \$51 million. So that the \$71 million that the Leader of Government Business spoke about is accurate but it relates to two previous Supplementary Appropriation Bills. And perhaps maybe it's the way it has been put.

MR. PRESIDENT: Thank you, Senator.

SENATOR G. HULSE (Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality): Mr. President, he said, "For this year". I am saying, and you're correct, it is \$70 plus million. In any case, Mr. President, I didn't see the point of order but that's your ruling.

What the point I'm making is that it is wrong and inaccurate to pretend that, in fact, the figures are cooked. Government officers do these figures. The Financial Secretary is responsible, people in the Ministry of Finance, people in the various heads, departments, finance officers, etcetera. And I take umbrage at the fact that those persons who are not here are being accused of cooking the figures. I am here to tell you that the Cabinet does not dictate, "You adjust the figure, and adjust that figure". I can tell you that there was a time when I attended a meeting when a certain Minister, long before our time, did not agree with the report coming out from the Statistical Institute of Belize and said, "Man, no, man, that can't be wrong. It must be more than that." That doesn't happened in the Cabinet of Belize that I sit. And so, unless and until the Auditor General says these figures are wrong, this was wrong for which she or he can call the respective finance officer and the Financial Secretary, I take great objection for it to be on the record that these people who are doing these numbers are cooking. Nobody in here, myself and none of my Ministers and Senators, including our colleagues here, sit down and go through these numbers in a meticulous way to see what has been spent and not spent. That's the job of the Auditor General, the finance officers and the Financial Secretary.

However, I do agree that the Constitution and the Finance and Audit Act give the responsibility to the Government to bring to the National Assembly Supplementaries for over expenditure. It has happened from time in memorial. It happens in every government every year, and my colleague, Senator Sosa, is correct. In the past they came two, three, four years later. The Honourable Prime Minister has promised that they will come within three months, and they have come within three months. (Applause) This is a three-month report, and so there is great improvement. In fact, Mr. President, it gets better, you know, as we will see with the next Supplementary. It gets better.

But I wanted to make the point that, indeed, while each line item needs to be carefully studied, there is a thing that allows the Financial Secretary and the finance officers within a head to make necessary adjustments. The figures are here for us to study, and I welcome the notifications by my colleague from the business community and I can assure him that I am going to look at them carefully and I am going to consult with the Financial Secretary and, if there is any error, we're going to point it out because there is nothing to hide. But to suggest that there is some sinister motive why these numbers are juggled, please, don't put that on the Financial Secretary and the good people of this country who work for the Government.

In terms of expenditure, I am very happy to see the teachers here because I'm sure they will applaud the fact that this year they got an 8% raise on top of the 2% increment and last year a 6% on top of their 2% increment. (Applause) I don't think they will quarrel with that. I see the former President and I remember during the negotiations they wanted a ceiling of 5, please, put that in. (Applause)

So, Mr. President, these Supplementaries cover the years passed. As I said, again, I noted one where my good friend, the Senator from the business community, said he couldn't find, and this was Head-1852, I think, 1852. In this year's budget, you will find it on page 195, and so with time we will work through the numbers that he has said and see where we go. Mr. President, I move the question.

SENATOR M. LIZARRAGA: A correction, Mr. President.

MR. PRESIDENT: Senator, you have made your presentation already. Go ahead, Senator Leader of Government Business.

SENATOR G. HULSE (Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality): Mr. President, I move the question be put.

MR. PRESIDENT: Senator, you still request the division.

SENATOR L. SHOMAN: Oh, I definitely want the division.

CLERK: There is a division for the General Revenue Supplementary Appropriation (No.2) (2014/2015) Bill, 2015.

The Senators voted as follows:

Senator Godwin Hulse	-	Aye
Senator Juliet Thimbriel	-	Aye
Senator Joy Grant	-	Aye
Senator Charles Gibson	-	Aye
Senator Lisel Alamilla	-	Aye

Senator Gerardo Sosa	-	Aye
Senator Lisa Shoman	-	No
Senator Anthony Sylvestre Jr.	-	No
Senator Patrick Andrews	-	No
Senator Markhelm Lizarraga	-	No
Senator Fr. Reverend Noel Leslie	-	Aye
Senator Adelaida Guerra	-	No

MR. PRESIDENT: Thank you. Okay, this is the outcome of the division: those in favour - seven (7), those against - (5). So I think the ayes have it.

Bill read a second time.

2. General Revenue Supplementary Appropriation (2015/2016) Bill, 2015.

SENATOR G. HULSE (Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality): Mr. President, I rise to move the second reading of a Bill for an Act to appropriate further sums of money for the use of the Public Service of Belize for the financial year ending on the thirty-first day of March, two thousand and six.

A brief comment before I sit and listen to the debate, Mr. President, this Supplementary Appropriation is in line with a promise that was made by the Government that, as best as possible, they will come with Supplementaries in advance to the spending to the National Assembly. They have always come after the fact. There is rule and cause for after the fact because there is always going to be over expenditure. That is clear. It has always happened and will continue to happen. But this one comes before the fact to seek the approval of the expenditure, in line with the transparency that has been called for, in line with the accountability that's been called for. When we come back with a Supplementary, if there is any over expenditure on this, you will be clear that that is in line with the request that is being made at this point in time to the National Assembly for these expenditures.

Mr. President, in accordance with Standing Order 10 (8), I move that the proceedings on the order paper may be entered upon and proceeded with at this day's sitting at any hour though opposed.

MR. PRESIDENT: Honourable Members, the question is that the proceedings on the order paper may be entered upon and proceeded with at this day's sitting at any hour though opposed.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

SENATOR M. LIZARRAGA: Thank you, Mr. President. Mr. President, before I begin my presentation, please allow me few minutes to correct some misrepresentation.

MR. PRESIDENT: Senator, that matter has been dealt with.

SENATOR M. LIZARRAGA: Okay, Mr. President, then I will incorporate them in my presentations. Mr. President, there is some claim that we have some ignorance to the laws providing for Supplementary. I did not wish to

re-quote from the law, but perhaps I will do so to educate some of my fellow Senators.

The law certainly provides and does not suggest that Supplementaries should always be, okay, in fact, the law clearly states that Supplementaries can be entered into under special circumstances. It does not allow for you not to plan. The law does not allow for you not to project. The law does not allow for you not to make development goals and set development targets in your budget. The law says that you can spend, and as the Minister, authorize spending, if there is (a) urgent and unforeseen need for such spending. (Applause) And this spending has to meet certain criteria. It says that without such spending there will be serious injury to the public interest. It goes on to say, not only does it specify a time limitation that it must be reported within three months, but it goes on to say, the law says, and I quote again, “shall not at anytime exceed in the aggregate an equivalent of 10% of the amount voted for the respective head of the approved expenditure estimates for the year, or the sum of \$500,000.00 in the case of new goods or a new service.” That is clear. It doesn’t care how you try to bend it, shape it, explain it, the law is very clear.

I would like to add that my previous comments made reference to section 5 of the Finance and Audit (Reform) Act apply here as well, Mr. President. And we remind again that spending must meet certain criteria to legally allow the Minister to spend by Special Warrant which then allows him to come to Parliament after for such approval. Again, we highlight and condense section 5 of the Finance and Audit (Reform) Act which says that the Minister may expend and authorize the issue of monies if there is an urgent and unforeseen need, and emphasis has to be on urgent, which cannot without serious injury to the public interest be postponed.

Additionally it says that each warrant shall apply, shall specify, sorry, a head and a subhead. And when it talks about aggregate, it means an aggregate for that head and that subhead, not for the whole budget. (Applause) Today, the Government seeks to legalize \$29 million in allocations from April to June and \$22.4 million in allocations for July to September 2015, for a total of \$51.754 million in additional spending. And this is just for the first six months of this year. I imagine since it is a fact that we will have Supplementaries we will see another one down the road. And while I congratulate the Government in forward projecting its needs, it is no substitute for proper budget planning.

This \$51 million, Mr. President, represents a 309% increase over the approved Capital III spending in four Ministries alone, 309% increase between March and now. And we have this prompt return now for permission to spend. It’s concerning, to say the least. And what I said earlier was that the Government has presented three Supplementary budgets in a period of less than three months to the tune of \$120 million, and that is, in fact, a fact. These Supplementaries make you wonder as to the competence, the management capacity, the vision and the planning skills of those with this responsibility. And what should only happen under unforeseen and urgent circumstances has now, it seems, become the rule.

Let me share an analogy shared by a member of the business community with me. She said, imagine if you employ somebody to do a job for you and this job would last one year. And three months into the job, the person doing the job for you comes back to you saying that they need more money, that the money you gave them was not enough. The \$1 billion you gave them was not enough, three months into the job. What would you do? What would you think? How would you feel?

We highlight, Mr. President, and caution concerns about the following again: In head-18, subhead-1770, we see allocated, already allocated, but not noted in this Act was \$3 million. Look at the budget on page 201. I have a copy here if you need to look at it. Page 201 of the budget states that \$3 million was allocated for this same item yet it is not entered in the Supplementary, and we're issuing warrants for \$850,000.00 for this item, which would be 28.3% more than the previous sum allocated.

SENATOR G. HULSE (Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality): Ask the Honourable Senator which Bill he is debating because I can't follow his figures at all. This is the projected General Revenue Supplementary Appropriation (2015/2016) Bill, 2015 that we are debating.

MR. PRESIDENT: Ok, Senator, please stick to the Bill being debated.

SENATOR M. LIZARRAGA: That is precisely the point I'm making, Mr. President, and let me repeat it once more. In this Supplementary it is stated, okay, it is stated that there has been no allocations for head-18, subhead-1770. But, in fact, if we look at the records, this is not a new item; \$3 million was already allocated for this item; and so the spending of \$850,000.00 now on this item represents 28.3% over spending. The fact that it is not entered in that Supplementary today concerns us again and baffles us about the competency of the recording of things that have already been allocated.

In our budget exercise in March, \$3 million was allocated for this; I refer you to page 201 of the budget; and again we see in head-18, subhead-1831, allocations for Bill for \$1.5 million are 33.3% more than the \$4.5 million previously allocated for this item. Head-8, subhead-1845 is a new item. So the \$900,500.00 is over the \$500,000.00 allowed under law. Head 21, subhead 1825 is a new item as well, and the \$720,000.00 allocated is over \$500,000.00 allowed under law as well. Head-29, subhead-377, is a new item, and the \$700,000.00 is over the amount allowed under law. Head-29, subhead-673, is a new item, and the \$1.2 million being proposed is over the \$500,000.00 allowed under the law, and I can go on. It is the same thing in head-29, subhead-1828, the same thing in head-29, subhead-1835 where \$17 million or 42% over the approved budget is being allocated. Head-29, subhead-1891 as well, all fall outside the law.

Mr. President, the fact is that these items in this Supplementary under the heading April to June 2015 indicates that special warrants have already been issued on these items, or otherwise they would have been submitted under allocations for July to September. All the above-mentioned items, Mr. President, have more than likely been spent already, and we remain, very, very concerned that our Belizean Petro...

MR. PRESIDENT: Senator.

SENATOR M. LIZARRAGA: Yes?

MR. PRESIDENT: You are touching a matter that has been voted on already.

SENATOR M. LIZARRAGA: No, Mr. President, I am talking about this Supplementary, okay. This is the Supplementary that talks about spending April to June 2015/2016 year and July to September 2015/2016 year. If you want me to slow down so that you can catch up, I can.

MR. PRESIDENT: Senator, it's on this matter of 2016.

SENATOR M. LIZARRAGA: I'm talking about this Supplementary, Mr. President. Mr. President, all the above-mentioned items, and they will be in record, and I can provide you with copies if you wish to look at them further. All the items have more than likely been spent already, and we remain, very, very concerned that our Belizean Petro-issued credit card continues to be swiped with no regard or concern or a plan to pay back. (Applause) And we continue to disregard the laws governing the spending of our people's borrowed money. Thank you, Mr. President.

SENATOR P. ANDREWS: Mr. President, I rise to make my contribution to the General Revenue Supplementary Appropriation (2015/2016) Bill, 2015. Mr. President, you know, we're sitting here in this House and we talk about money that's being spent but I would like to place for the record, Mr. President, again, that we have a Government and a UDP Government that continues to remove the check and balance and the systems that have been put in place to ensure good governance and the appropriate spending of this money. And I want to place on record, once more, Mr. President, that we need to have a functional and effective Public Accounts Committee that could carefully examine the expenditures of the people's money. (Applause) If this UDP Government was serious about accountability, they would have ensured, Mr. President, that we have an effective Public Accounts Committee, and while the people have called and while the different unions and the different social partners have called over and over to be able to make sure we have that happening, yet there's been a refusal from this UDP Government to do so.

Mr. President, I see that in this expenditure there is a next \$51 million after just a few months ago where we were asked to approve a budget of over a billion dollars, and now we're coming back to ask for another \$51 million. I want to raise, Mr. President, that, do we have a proper Audit Department that is really ensuring that we are getting value for money that is being spent? Again, a next entity that has been put in place to ensure that we have proper accountability for the people's money, not the Prime Minister or the UDP money, for the people's money that is being spent.

Just recently, Mr. President, here in Belmopan we spent millions of dollars on cement streets, and I ask anyone of my colleagues in this House to take a drive down, particularly on Cemetery Road, in Salvapan, and you will see that those said cement streets, they are already deteriorating. And I hope that in time to come that we will not have this heavy burden that has been put upon us on borrowed money with no true value shown for it, Mr. President, and that is what the Belizean people are against, the mismanagement and the misuse of the people's money as it relates, particularly, to the Petrocaribe funding.

Recently, Mr. President, I say with the Public Accounts Committee and also with the Audit Department that these are entities put in place for check and balance. But just here in Belmopan, of March of this year, Mr. President, we had our Chief Engineer from the City Council of Belmopan, who was supposed to ensure that this same money that we are talking about, that we're getting value for our money, he was removed. And we have the same Minister from Belmopan bro-lee brother-in-law who was now put in that place and who has no experience as an engineer. And I raise up that point, Mr. President, because if this UDP Government was serious about accountability, if they were serious about transparency, we wouldn't have to be here in this House trying to figure out where the millions and millions of dollars are that have been spent. (Applause)

I listened to my colleague talked about the past, and we do learn from the past, Mr. President. And that's why we, the people of this country, rallied for the Finance and Audit (Reform) Act in 2005 because we are serious about the future of this country, and I stand here as a young Belizean who is serious about the future development of this country. And so why then the same Government that was fighting for that specific piece of reform now is undoing the same reform that they fought for? And, again, I bring it to the attention of the Leader of Government Business, man. (Applause) We cannot continue to sit in this House and tolerate the hypocrisy of all ages to continue. I am sorry, if we are serious about accountability, Mr. Leader of Government Business, then man, for God's sake, let's stand behind the 2005 Reform Act. (Applause) I believe that's why these teachers are in this House because they fought and they stood to make sure that we have good governance and accountability as it relates to the people's spending; but that is not taking place in this country or under this UDP Government.

Mr. President, it has been mentioned, it has been stated, I think, by the former Leader, the former Prime Minister, in this same House, in his documentation that over 27 years period of time, between 1981 to 2008, that our country's national debt was at \$1.7 billion. Seven years later, Mr. President, our national debt is at \$2.7 billion and because we have not even incorporated the utilities companies that will probably be well over a billion dollars or however many hundred millions of dollars. And so we have a Government that is recklessly borrowing and borrowing and saddling the young people of this country with debt, with no plans or means on how to pay it back. And that saddens me because we do not have a government that is thinking futuristic about the young people of this country that make up the majority of our population, our young people. And, again, I call upon the young people of this country to be aware of the reckless borrowing and spending and administration and misuse of money by this UDP Government.

Mr. President, it clearly appears to me that we have seen where, in fact, let me use the Prime Minister's own words as it relates to standing in this House, where he mentioned in the last budget debate after the municipal elections that, because the good people of Dangriga had decided to vote UDP, that now they could expect money from the public purse to go into Dangriga. And it's a great injustice when we have the leader of our country who publicly state in this Honourable House that, if you don't vote UDP, you can't enjoy from the taxpayers' money, or from this debt that all of us will have to pay back. It doesn't matter if you're PUP, UDP, or if you do not participate in politics, you will have to be able to pay back these debts as it relates to this Petrocaribe spending that this Government have seen to be unrestrained in their spending.

Mr. President, I am saddened over and over again because we see, and I am only able to observe that with this \$51-million Supplementary that we are asked to approve here today, that it truly would be, or it seems to me as it's the war chest for the UDP Government because over and over I stand here and I say that the UDP they continue to use the people's money for their political expediency. And the statement in Dangriga only backs that up. And it's time that the people of this country that we stand and that we stand united to put a check to the reckless spending of this Government.

Mr. President, it was mentioned that over \$2 million was spent in one of the by-elections by this Government, and it concerns me because no one could show me a full audit report of these millions of millions of dollars that have been spent. (Applause) And so what conclusion am I to come to? And I know that, I think, it was the ex-UDP Minister that called out the Prime Minister for the

misuse of these same taxpayers' money, Mr. President, and it was that ex-UDP Minister that also called out the Prime Minister for using the taxpayers' money to try and bribe and buy elections in this country.

SENATOR G. HULSE (Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality): Mr. President, on a point of order.

MR. PRESIDENT: Senator, please stick to the content of this Bill being discussed.

SENATOR P. ANDREWS: Yes, Mr. President.

SENATOR G. HULSE (Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality): On a point of order, Mr. President, he can't impute motives against the Prime Minister and other persons who are not here. You cannot do that man, please.

SENATOR P. ANDREWS: I am only repeating what your ex-UDP Minister said.

MR. PRESIDENT: Senator.

SENATOR P. ANDREWS: I am only repeating what your ex-UDP Minister said because we are talking about the Supplementary spending of the Petrocaribe money, and I am saying that if you could show me a full accounted report of the Petrocaribe money of the millions and millions then I would not have to side with your ex-UDP Minister with his allegations. (Applause) And that's what the people of this country want to see. They want to see a detailed report. I have come here over and over in this House, Mr. President, and we have asked for detailed report of the Petrocaribe spending, and we have not seen it. Today we will approve \$51 million, and it just tells you \$39 million for infrastructure annexed, how many \$10 millions for housing, and, man, come on. And that's why I have to bring up, Leader of Government Business, maybe that the ex-UDP Minister was right in his views of your said Government. And so, Mr. President, we continue to see a UDP Government that continues to dig us in a hole of debt with very little to show for it, and the very little that is there to show, the work, as I've mentioned to you, it's inferior work. There's no value for money that is being spent.

And I wanted to also mention that I congratulate our colleague from the business sector who has taken many timeout to educate the Belizean people of the mismanagement and the administration of the use of the Petrocaribe money, not only the set up or the framework of it. And so, Mr. President, I thank you for obliging me the opportunity to be able to speak freely in this House, and I hope that the Speaker of the House would somehow follow you. (Applause)

SENATOR A. SYLVESTRE JR.: Thank you, Mr. President. Mr. President, the Leader of Government Business in introducing this Bill, this General Revenue Supplementary Appropriation (2015/2016), said that this is in keeping with the Government's promise to bring to the House, in advance, monies that they intend to spend. But that is not true, Mr. President. That's far from the truth, and I refer, Mr. President, and Honourable Members of this Chamber, to Sessional Paper 165/1/12 which seeks to give a detail of the spending of this \$51

million, which the Government is coming to this Honourable Chambers to seek approval from.

When you look at the approved estimates, there is a breakdown. It's compartmentalized in columns. So you have descriptions. You have approved estimates. Then you have a column that says, proposed additional allocation, April to June 2015. Today's the 1st of July. So that means then that money is already spent. And how much money has already been spent? (Applause)

When you go down all the way to the bottom, you have a total of \$29,354,579.00. So, in other words, almost \$30 million have already been blown away, spent, since March, and then they dare come to us and tell us, and deceptively because that's a gross deception to tell us, "Oh, we bring this thing before so we could get approval". What they are doing is just as what they have sought to do in the Petrocaribe Loans Act which will be debated in some minutes, Mr. President, is that they are trying to ratify, affirm, ratify their illegal spending. And why do we say that? It is because the source of the spending is from Petrocaribe, and it goes back to what Senator Lizarraga has pointed out repeatedly and other members have pointed out that the Finance and Audit (Reform) Act, it sets the goalpost, it sets the guidance that is to be complied and followed by all fiscally prudent government. (Applause)

The Prime Minister and his Government boast that "Well, we, unlike the previous government, we do things differently". Well, in fact, the previous government never did break the law because there is a law in which each of those members of the Executive and the public officers have been complicit in the breaking of the law. The Finance and Audit (Reform) Act explicitly provides that the National Assembly's approval must be sought before you spend money. Now we have it here in black and white, their own black and white that they spent \$30 million since March, and now they are coming to us to try to seek approval. Money from Petrocaribe, they never get no approval to spend this money. So, again, what is being done in a very deceptive way is that they are trying to get us to try to approve an illegality. And, as my colleague, Senator Shoman, has said in previous contributions, that we will not be a party to that. We will not be a party to an illegality. And, you see, it was all fine and well when last year the matter first was brought to the public's attention, and it was pointed out, Mr. Government, you know you are breaking the law. But it seems as though this Government has no care as it relates to following the law. They keep breaking the law, and they keep coming to the National Assembly after the fact to try to get ratification.

Now, Mr. President, laws are very, very important. It's a situation where you can't have laws to be abided by and to be obeyed only by those citizens who do not have the *backtative* of a government. So that the young men on the street who are detained and arrested for these many offences, these gun offenses, they don't have the *backtative* to be able to have somebody make a call and say, "Okay, do not arrest them". The rule of law is a very important instrument in any functioning democracy, and it provides very simply, Mr. President, the law is there. It is to be complied and it is to be followed by every single individual because, if it is not, what it does, it creates a contempt for the law and it creates a contempt for all institutions. The National Assembly is the institution which creates laws. We therefore, Mr. President, have a situation where people begin to feel as though this is a waste of time. It is a waste of time. When you have our citizens reaching that state, Mr. President, then an anarchy is next. So that, when we in this National Assembly, when we in this Honourable Chamber make this point, it's not for purposes of grandstanding but it is because it is important to ensure that there is something left for our children, that there is a Belize that is left

for our children. (Applause) And that ties in as well with respect to the resources. What resource will we leave for our children? Or will we only leave them with debt, debt on top of debt?

Now, Mr. President, as with the previous Schedules which set out how these spendings are to be done or have been done, one cannot help but be alarmed by what we find here. Take for instance, Mr. President, under the description, Mother's Day appreciation program, which is found in the Ministry of Finance and Economic Development. It should have supposedly be properly or better being worded the Tacos and Etcetera appreciation program. (Applause) Do you know how much money they spent for that because they have already spent it? They spent \$905,000.00, almost a million dollars. A million dollars, Mr. President, were just blown just like that. You know many useful and productive things a million dollars could have been used towards. Put another way; they say that they are giving the teachers their salary increase; that million dollars could have gone towards that.

Mr. President, when we go down, we see as well that there is an item 1825-under the Ministry of Education, Youth and Sports. It is an item for back-to-school assistance. Now here is the thing, Mr. President. This is a program, and this is an initiative that is to be taking place between April and June. Now April and June, as all school teachers know, are when school is about to end; but yet they have a back-to-school assistance program. And, as pointed out already, they have already spent this money, \$720,000.00 on a back-to-school initiative. Mr. President, these are the matters which many Belizeans have pointed out with respect to the spending, and, again, what is the source? They are proceeds from Petrocaribe.

Very interestingly, Mr. President, I know a while back they had this song, the Government radio station and television station used to play it, "Petro Gimme". They used the rhythm of the Jamaican dancehall song, "Wild Gilbert". But you know, Mr. President, you know Wild Gilbert is actually a party, it's a satire. It's a critique on the social situation in Jamaica in which people got their stuff through ill-gotten means, through illegal means. After hurricane some people were stealing, and that's how they got their television and that's how they got their refrigerator. Now I don't know if that is a fry dance slip on behalf of the Government when they are telling us, "Yes, what we did is illegal but we are giving it to you". I notice that they kind of pull that song now. But, Mr. President, the point being made is that what and how the Government has been spending the money is illegal. It's contrary to the Finance and Audit (Reform) Act. And in addition to breaking the law, they spend the money without getting approval. In their own documents, it shows that they are spending this money in manners which clearly leaves much to be desired.

We had, as pointed out a while ago, almost a million dollars being spent on a Mother's Day appreciation program which was facilitated though the Ministry of Finance and Economic Development. But do you know what, Mr. President? Minister Boots, he got his own Mother's Day appreciation program. (Applause) He got \$240,000.00 to spend as well. It defies logic. It defies any type of common sense, any type of fiscal prudence. How is it that you would have a Mother's Day program generally, it seems, facilitated through the Ministry of Finance, the Prime Minister's Ministry, but, Honourable Boots, he got his own Mother's Day program? What is this? What is this, Mr. President? How can this be justified?

Similarly, Mr. President, we see that there is to be found in the Ministry of Works, of all places, the Ministry of Works, and this one has to floor you. The Ministry of Works, you know, has a program known as poverty alleviation. What

the Ministry of Works has to do with poverty alleviation? What does the Ministry of Works has to do with that? It's not OPEC. It's Petrocaribe. This is what it says. So now it's counterpart. It is said here that this \$700,000.00, the source of funding is from Petrocaribe. So you are taking Petrocaribe money that has nothing to do with no OPEC. And you take \$700,000.00 from Petrocaribe money, poverty alleviation, according to the document here, through Ministry of Works.

You see, Mr. President, they put these things, they record these things, and, no, they don't expect, they compel people to just accept these things and to say nothing, without the realization that it is us, the people, who have to pay back, who have to pay back the Petrocaribe loan and our children and our children's children.

You know, Mr. President, and this is the final point. In the great United States, you know the great United States, they actually, white was formed because of the same thing that this Government is doing, when you have taxation without representation. (Applause) You tax the people, you take the people's money, you spend it, and then the people can't say anything. Mr. President, I can't support this Bill. Thank you.

SENATOR A. GUERRA: Mr. President, I rise to make my representation on the General Revenue Supplementary Appropriation (2015/2016) Bill, 2015. As I sit here and listen, I always think that every time when we hear the sitting of the Senate, as a teacher, we tend to listen and say that we blame previous administration with what is taking place.

My contribution is that this present Government was elected on good governance, compliance and accountability. (Applause) And who knows more than that than we, the teachers and the public servants, and those people who stood up on 2005 for the Finance and Audit (Reform) Act. (Applause) We fought for it. So we are holding them accountable. We at the Congress and teachers are holding them accountable. So when we look at this Supplementary Appropriation coming after the fact and asking us to approve or to approve the bill, we look at the source. Where is it coming from? And I see Petrocaribe, and, because of the source, then we have to think again because of the source of this. In the agreement, it has certain things for it to be used for. I cannot, and I have heard the Senator from the business highlighting all the numbers and all of that. But my reason for standing and talking is not in favour of this Bill because of the Petrocaribe source. It is a fact that these projects don't give us accountability. In this paper, it has one sheet of paper. We don't see how the \$10 million or this whole \$51 million will be used. It should have been itemized so that we're able to agree with it.

Consultation, how much consultation is done to be able to or for us to have an input on what projects these monies have to be used for? At the Congress, it is consultation after the fact. It is just to say that we have consulted with you. (Applause)

Our salaries, yes, we are going to be getting a salary adjustment which is due to the teachers and the public servants. (Applause) But, as I see here, it says that this Petrocaribe money should not be used for salaries. Therefore, we cannot say that this is coming or our salary adjustment is coming from this Petrocaribe money. Therefore, I will say, Mr. President, that the National Trade Union Congress, we are not voting in favour of this Bill again because of the time that it comes. It is with retrospective. We don't have accountability, and proper consultation is not given to us. Thank you, Mr. President. Thank you. (Applause)

SENATOR L. SHOMAN: Thank you, Mr. President. Mr. President, one thing that I try to make sure that I have the capacity to do is to listen and not just listen but listen and absorb when the Belizean people are speaking. Mr. President, Belizeans have made it clear on social media, on talk shows, in forums, on the streets, in every way that they know how, that they are sick and tired of business as usual. Belizeans expect that the Executive and the Legislature of this country will work to make their lives better. We exist as a National Assembly to serve the people of Belize. So, as attractive as our acid sound bites might be, that's not our purpose here. Our purpose here is to ensure that the legislation that we're passing is in the best interest of the people of Belize. As interesting as the verbal circus might be, that is not what they are interested in. They want to know that we are here and that we got their back. (Applause) That's why we're here.

When we look, Mr. President, at the General Revenue Supplementary Appropriation (2015/2016) Bill, Senator Thimbiel, what we are called upon to do is to give advice and consent as to whether we are going to approve these estimates in this Bill. And you know what is the worse part, Mr. President, and colleague Senators, that three short months ago we were here with a book, this big, that long, that book, that not only gave the revised estimates because that is one thing; once upon a time you used to knock your head to try to figure out the figures, took you a couple three or four weeks. Our jobs have been made easier because we went to program budgeting. Our job has been made easier because there are key performance indicators. Our job has been made easier because there are planning notes in that big book, and it takes public servants, public officers working long, hard hours to satisfy the political directorate as to what will happen in the year ahead. It takes them about six months, more or less, to get it to the shape that we can bring it to this Honourable Chamber. Then we have two or three weeks of intense debate, examination, discussion in the House and the Senate, and all of us get our chance to say and over say for hours, and we turn around 90 days later, okay, 90 days later, and say, "Oops, we forget to include this in there" because I don't see the emergency. I don't see the unforeseen circumstance. So Senator Lizarraga is right. Either it is incompetence, which I wouldn't like to think is what is happening, or negligence. Take your pick. When you are asking Belizeans, and this is something you knew you were going to do ever since. When you are asking Belizeans to accommodate to the fact that extra monies are going to be spent for certain things that you didn't planned in the budget, the rules and the laws say that they have to be for a good reason.

Now, when I look at this piece of paper, the bullet has suddenly gotten a lot smaller from the last Appropriation Bill. But a good thing is that my eyes still kind of work and I can see that it says, "Source of funding: Proceeds from Petrocaribe". This can't be read without the Sessional Paper that was so conveniently buried in the Sessional Papers that have been put to lay before us. It has to be read in conjunction with Sessional Paper, as my friend and colleague, Senator Sylvestre, has said, 165/1/12. The devil is in these details. As you see, Mr. President, if you are going to jump up and holler, "Roll it", people need to know what you are rolling. And I'll tell you, Mr. President, it's really unfortunate that that phrase, "roll it", was even raised by the Prime Minister of this country because I'll tell you, that will come back to haunt in the same way that the expression, "let them eat cake", haunts Marie Antoinette to this very day because it is a glib, filliped response to borrowing massive amounts of money that our children and grandchildren are going to be paying back for the next 25 years. So, Senators, we had better get it right.

I cannot see how it is, by the name of anything that you call good governance, and let's admit that the mistakes of the past are the mistakes of the past. Quit dwelling on them. (Applause) Try to govern by looking where you're

going and not in your rearview mirror. If you look in the rearview mirror all the time, you're never going to look at the road in front of you. You will run off the road and crash us. (Applause) And there we will be on the side of the road with our four wheels up in the air unable to move ahead. The mistakes of the past are in the past. They've admitted the party has been punished for them and we moved on. We learned. Try to not repeat the mistakes that were made in the past. Try to do better because you say that you can. You say that you will. You say that this is what you're all about. But when you are spending the sum of \$40,000.00 in the Ministry of Finance on back-to-school assistance program and an additional \$720,000.00 for a total of \$760,000.00, when you are spending that for a three-month period, April to June, to get kids in Belize back to school and yet you have that ridiculous ad running on television where a poor mother is trying to tell her son, "Son, I wish I could send you to school; I wish I could send you to school; only a miracle could send you there", how dare we spend in excess of \$1.14 million on a one day hooray, back to Mother's Day, Hopkins, tacos and beer, and think that is okay? (Applause) You know, Mr. President, I may not be a mother, but I know a lot of mothers and I don't know a single mother who wouldn't give up the one-day hooray so that more children can go to high school. (Applause) So we don't have to put that stupid ad on television where a poor mother is telling her son, "Son, I just don't have it. I wish we had the \$300. That would have helped us out big time. Only a miracle could get us back to school." No, Mr. President, it's not a miracle that we need. It's good governance that we need. (Applause) It is proper spending of these monies.

I don't know, Mr. President, how you can tell me that Mother's Day appreciation program is counterpart funding for any Capital III project. That is a lie. But it's a lie that has been put in print on this Sessional Paper because you include in Capital III the Mother's Day appreciation program. You want to quarrel about counterpart funding in poverty alleviation for OPEC in the Ministry of Works, explain to me where is the counterpart funding that you are getting for the Mother's Day appreciation program. Explain it to me. Explain to me, even if you are going to spend that, how comes mothers in divisions represented by UDP elected officials were offered more money than mothers in divisions represented by PUP elected officials. Why? Is it because some of us are more equal than others? You tell me.

There is a matter of principle here, Mr. President. Lecture me all you want about the mistakes of the past, I will take my beating. I will take it like a woman, but likely and in the same vein take your beating for the wrongs that you are doing now, Mr. President. (Applause) Humble yourself before the Belizean people and admit to the Belizean people that you have done wrong and then we will try to listen about how you are going to do better.

When we look at the projected allocations for July to September, that is less than the money that you said you have already spent. And so explain to us why it is, for instance, and, I am sorry, people are going to get embarrass by this. How is it that we are able to spend \$125,000.00 on a chapel at KMHM and a grant to the Methodist High School in Belmopan of \$125,000.00, and, yet, you cannot build a single school with Petrocaribe money? (Applause) Belmopan Hospital, right down the road here, rat infested, Western Regional Hospital. (Applause) Why are monies not being allocated to improve that because that's going to pay dividends? Improvements in the health of Belizeans will pay dividends in lower health care costs, in increased economic production which will in turn allow us to have productive citizens who are working, who are paying their taxes, and maybe then Senator Lizarraga will be able to pay back the monies from this, maybe then.

Mr. President, I will call for a division on this Bill. I claim it. I demand it. I think the people of Belize deserve to know who is going down on record as supporting and approving the wrongful spending of the Petrocaribe loan funds for things like beer and tacos, Corozal Day today and Hopkins next year. (Applause) It is wrong. You can say that's just a detail, and it's neither here nor there. Belizeans are angry about this, and we have the responsibility in this Chamber to be a voice for the voiceless. Thank you, Mr. President. (Applause)

SENATOR G. SOSA: In making my contribution to this proposal, to this Bill, an argument was brought up by the Opposition Member, Senator Andrews, about Public Accounts Committee. And I start to think whether it was right to have brought that up, and maybe so. However, the Public Accounts Committee has existed for some time and is enacted with specific membership. Both governments have had an opportunity to have a Public Accounts Committee. However, since 1998 to 2008, it didn't meet, and undoubtedly the composition of the Public Accounts Committee had a lot to do with it. One thing is for the Chair to call for the meeting and the other is for the membership to show up. And the composition of the Public Accounts Committee to me plays some very serious repercussions to now meeting or not meeting. But whilst there was an opportunity between 1998 to 2008 to clearly make a workable Public Accounts Committee and clear the government's accounts then, we at that time did not have what I will term a Petro-phobia. We didn't have what was building up to become a super bond without proper evidence of investment and expenditures.

However, there came the change of government and the composition of the Public Accounts Committee did not change and has not changed by law. So by law the Opposition chairs the Committee but not necessarily the membership. Good or bad is not the issue. The issue is, when the Public Accounts Committee had been asked to meet within this period of time, the membership said, "We wish that the Public Accounts Committee investigate 1998 to 2008", and fireworks started to burst. Even so, now, that was a clear indication that there is no intention by the Opposition to expose or to allow to being exposed every detail of their expenditure traditions and customs of 1998 to 2008. So, when the meetings of the Public Accounts Committee were called within this period under the United Democratic Party, when asked to investigate all those transactions, the Chair decided to walk out, and he claimed foul play because the membership is from the government. But it was not foul play when they were in government. Why? What is there to hide? And I am bringing this up, Mr. President, because it was an argument brought up within his presentation, and it deserves a reaction from our part. So, will it be left in the people's imagination, the voters' imagination, that 1998-to-2000 fiscal behavior should never be accessed or investigated?

Now, that by itself answers that I don't think that such topic within this session should have been brought up. It does not speak well of them because they had walked out, and it was not the first instance they walked out because the water is hot. If you can't stand the heat in the kitchen, walk out. It has occurred in several instances, and when the kitchen was too hot, they still walked out, Mr. President. Didn't that occurred in the last House Meeting when very important matters of which the general citizenry of this country had every interest to listen to a debate and what contributions would have been brought by the Opposition? They walked out. They walked out of the Public Accounts Committee because the kitchen was too hot, and in the last meeting, again, that occurred.

SENATOR L. SHOMAN: On a point of order, I really dislike interrupting my friend when he is in flow but I would like to know where that is going in terms of the Bill.

MR. PRESIDENT: I think he was referring to the comment by the Senator on the Public Accounts Committee.

SENATOR L. SHOMAN: Okay, Mr. President, no problem, just as long as when I start off we are allowed as well, no problem.

SENATOR G. SOSA: Thank you, Mr. President. Now someone said, “Got your back”. The Honourable Member, Leader of the Opposition in the Senate, stated, “Got your back”. Aye! Whose back did they have in 1998 to 2008? Did they have your back?

SENATOR L. SHOMAN: Mr. President.

MR. PRESIDENT: What is your point of order, Senator?

SENATOR L. SHOMAN: Are we really going there? I don’t mind you know, Mr. President. On a point of order, if we are going there, I would like to be permitted the same latitude. Thank you.

MR. PRESIDENT: Are you asking for a clarification or something?

SENATOR L. SHOMAN: No, it’s a point of order to say that my learned friend is straying from the topic. But, if Mr. President is going to allow him, then I will be grateful for the same amount of latitude when I speak. Thank you, Mr. President.

MR. PRESIDENT: You can go ahead, Senator.

SENATOR G. SOSA: But “Got your back” is a phrase, Mr. President, that I wish to look behind the colleague that is sharing the Chamber because, if I understood well, at least my interpretation was that we are going to vote against the Bill because of the source of funding.

SENATOR L. SHOMAN: On a point of clarification, I never said that.

MR. PRESIDENT: Senator.

SENATOR L. SHOMAN: Yes, Mr. President?

MR. PRESIDENT: I believe the Senator should have asked for the clarification.

SENATOR L. SHOMAN: Sure, Mr. President, but I am going to give him the clarification because I have a right, if I have been misquoted, and I have been misquoted. I never said nor did any of my colleagues said we are going to vote against it because of the source of funding. Please, get it right, Senator.

MR. PRESIDENT: Senator, I think he was referring to Senator Guerra’s comment. So I expected her to make a clarification.

SENATOR G. SOSA: That’s why I said I was going to turn because she said they cannot support because of the source of funding, and I think that statement is a very big statement because with the source of funding we have your back. The increase in salaries to public servants and teachers is a dear expression of social conscience.

MR. PRESIDENT: Senator, excuse me, visitors in the galleries, please, you can participate just by listening, please. Go ahead, Senator.

SENATOR G. SOSA: The distribution of the Petrocaribe funds to allow for an increase in salaries for teachers and public servants is a clear expression of social conscience, and with those funds we got your back. Now, a big statement like that transcends to the general membership. I am a little bit fearful of the general membership's reaction.

Nonetheless, Mr. President, we have brought the General Revenue Supplementary Appropriation Bill to the House and to the Senate as is required by law. Is there anything wrong? We are debating and seeking this Chamber's approval for the Supplementary Appropriation. Is that illegal? We are outlining, and the Executive is now outlining to the Legislature: (a) what expenditures have we incurred; (b) the expenditure is within a timeframe as was agreed and proposed by the Prime Minister to all, at least to the Legislature; and, in compliance of that, we are here presenting the Supplementary Appropriation. Is that illegal?

Well, Mr. President, this Supplementary Appropriation Bill is providing extreme, it's an expression of extreme prudence, respect to the Legislature and the nation by telling them that this is what we're doing, and legally we are asking the Legislature to consent to it as required by law. Some may disagree. Fine! That's why there is an Opposition. And, in view of that, and with due respect, as is done, as is required, I stand again and say I support the Supplementary Appropriation Bill, and I hope that, when the division is asked, I just want to add a little bit more, a division with a conscience because what we are doing is required by law and we are doing it lawfully. Thank you very much.

SENATOR J. GRANT (Minister of Energy, Science and Technology and Public Utilities): Thank you. Mr. President, I will just talk to a few points that were made on this General Revenue Supplementary Appropriation (2015/2016) Bill. I want to say that it's quite, maybe spectacular to quote all the different sections in the budget and say, doesn't agree or not. But I believe, Mr. President, that the Belizean public do realize that in a household, or a business, or a government that you budget, and over time the budget will not completely be the way you envision it because there are differences in priorities or whatever, and there will always be a need for supplementary Bills to come here for us to debate.

But I want to say also that I welcome the new Senator, Senator and Sister Guerra. But I also want to put on record my appreciation to Brother Davis who was an excellent Senator, a man of integrity who served his country really well, and I want to say that myself, as a Government Representative, thank him and, as I know, you will do your best, Sister.

I also want to say that I want someone to explain to me how we could be against giving the Methodist High School \$125,000.00 when the members of the Methodist Church work hard every time to put the money for a new classroom, and I was there at the opening of that school when mothers were crying because their children were getting into a school when they couldn't get anywhere else. I have to stand here today and say that the Methodist society in this country thank the Government of Belize for their help, as we, and I am a Methodist, continue to raise the funds for this school.

I want someone to explain to me how it is that I, like every other Belizean, sat on Friday, waiting for a debate of important Bills and the Opposition walked out. Explain to me how this could ever be justified. I also want you to explain to

me how you could turn your back on money at 1% over 25 years, when the previous government was borrowing at commercial rates and we see no projects. Explain to me how this could ever be acceptable.

I also want to say because the Honourable Prime Minister Dean Barrow speaks for himself, he doesn't need me for sure, but he never said that the money and the actions of this Government are only for UDP's. He has never said that, and I must, because I am here and he is not, say that this UDP Government is for all Belizeans and that everything we do is for them at heart.

I also want someone to explain to me why the \$10 million that went to the National Bank of Belize for teachers and public servants that we were able to get approvals and disbursements of that amount, and those funds were from Petrocaribe, in less than a year and that even now with these funds having been expended that we still have this overwhelming demand for teachers and public servants for money for first-time home mortgages that we are continuing to meet.

So, as we stand here and talk about the Supplementary Appropriation Bill, I want to say that I support it. That it has never been the case of any government to come first and say, in a three-month period, what they are going to do. So this Government has gone so far beyond what has ever happened with transparency and accountability. Thank you very much. (Applause)

MR. PRESIDENT: Senator Guerra, you have made your presentation.

SENATOR A. GUERRA: I just wanted to clarify something.

MR. PRESIDENT: Yes, I was expecting that you have called on a point of order to clarify.

SENATOR A. GUERRA: Yes, to clarify the Senator's point that he raised on what I had said.

MR. PRESIDENT: That's why, when he was having his presentation, I expected you on a point of order to make a clarification then. So I will allow Senator Leslie to make his presentation.

SENATOR FR. REV. N. LESLIE: Mr. President, I rise to refer to the General Revenue Supplementary Appropriation (2015/2016) Bill. It's good to know that this Supplementary Appropriation Bill is coming to us ahead of time. We had been criticizing the retroactive aspects of Bills in the past. Now we have one that looks ahead. It's not perfect. It's not totally detailed but an effort had been made, and I believe that's important for us to focus on. And whichever Government is in power, Mr. President, this is what they are called to do.

Now, as we look at this Bill, this Act before us, it is important for us to realize that we want to see our country Belize move forward. We don't want to be a backward country. We realize that much has been accomplished. There's been a transformation all over. In Belize City, in particular, we see it, and for this we are grateful, Mr. President. But sure enough the concern of everyone is that the greater common good will always be served, Mr. President, and that there be a sense of fairness at all times, as funds are used. Of course, Mr. President, we want to make sure that money is used wisely, not just for temporary fixes, but that there will be some tangible results, something good that we can see down the road.

As was mentioned, yes, this money, this Petrocaribe fund, is being given to us, as a loan to us, yes, at only 1% interest. That's something marvelous knowing that interest rates can be pretty high. Mr. President, we want to see value for money in the future. We want to see accountability and transparency down the road. Yes, an effort has been made at this time to present us with this Supplementary Appropriation Schedule with the projections. At the same time, let us get detailed reports of how the money was spent. I believe that will make everybody from both parties and other parties in our country and even our people in general be happy and satisfied that proper accountability is being made.

So, Mr. President, I thank you for giving me this opportunity to address this issue. Let us see the greater good being served at all times. Thank you.

SENATOR G. HULSE (Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality): Mr. President, thank you. Mr. President, I want to thank all the colleagues who spoke to this Bill but there are a few points that we need to leave the clarity on.

Of the total amount of some \$68 million that is being proposed, we're looking at \$16.7 million that was budgeted; and we're looking at \$29 million that is in various forms of spending; and we're looking at \$22.4 million that approval is being sought. In this structure of presenting a Supplementary, and a Sessional Paper, as support, is not new. Indeed, all the budgets, for those who don't know, come with line items. The details of those line items are never given but they are available. In fact, many years ago, when I sat in the chair of the representative for the business community, there used to be House Meetings on a Friday, and the Senate would be called on a Monday. And I would get my papers at home, and I would spend the entire weekend researching all the data so that I could have information to be able to speak. We're advancing, and I am sure with time perhaps these will come in even greater details. But this structure of presenting in line item is not new. This is how it has been done. So I don't want the impression to be left that this is some sort of sinister plot. We all know this is how it's been done. But I want to go through the expenditures a little bit for the benefit of the public and our teachers who are listening.

Mr. President, we could quarrel with the fact that we're doing social assistance and back-to-school programs. We could quarrel with those, that we are doing all of those programs in terms of the monies we are spending. But I think it will be difficult to quarrel with the fact that, of the total \$68 million, the total of social assistance which is \$800,000.00, back-to-school assistance which is \$40,000.00, Mother's Day appreciation program, and much has been said about the Mother's Day program, you know.

And maybe it is because I grew up with the conscience that you work for everything you got, no handouts, however poor you are, that I might be a little scud in terms of social assistance. But, after having met thousands of people who scratch out a living every day and struggle to scratch it out, I believe, and because it has been reported that out country percentage of poverty is high, there are many, many people who cannot afford a little day off or a little treat. They cannot afford it. There are some of us who can afford to go every weekend. We have our own transport, our own boats, and our own whatever we have. So we can go. But there are many people in this country who are happy to have a little day off. One of the things I thought about, with all the back and forth of how Mother's Day money is being spent, is that, yes, the children will have to pay. But 25 years from now a child might say, "You know, I went on a little junket with my mother. It was the first time I ever get a chance to see something or see somewhere; first

time I saw the Blue Hole; first time I was a tourist in my own country.” And we’ve spent \$900,000.00 on that.

Let me say, Mr. President, back-to-school assistance program - \$720,000.00, summer sports program - \$500,000.00, Mother’s Day appreciation - I’ve mentioned it already, a total accumulation of \$2,635,000.00 in what we could round off as this so-called social assistance or 3.8% of this Supplementary. But I am sure nobody can quarrel, or, if they do, I don’t know how they will quarrel with rural water projects because, when I took the Ministry of Rural Development, we had a large amount of villages without water. We are happy to say that monthly we continue to improve on that. We just did nine villages in the River Valley. We are doing Gardenia and Biscayne which will be inaugurated in a couple weeks time. We’ve done villages in the south. We’ve just done, and we have not discriminated on where we do them. Wherever there is the need we do. Wherever there is the need we do it. It doesn’t matter who is representing that area because it is the people of Belize. It’s part of our millennium goals.

We can’t argue with equipment for intensive pediatric care. That is something nobody can argue with, really. We can’t argue with the counterpart safety project for the Western Highway, and I noted that head-1770, one of the Senators mentioned was new. No, it’s not. We can find it in the budget. The Western Highway is looking good. It’s safer than it used to be. No road will ever be safe, but it is safer than it used to be. And we passed a loan here sometime ago for that project, and my colleague, Senator Shoman, said, “I’m glad to know. I’m happy to see in the nights. I can better see on that highway”. And she did ask for details, and I said, “Yes, we’ll put down centre markers. We’ll do this. We’ll do that. We’ll do the other.” This is the counterpart funds because every fund you borrow needs a counterpart. They don’t lend you 100%. So I don’t know that we can quarrel with that.

I know that we can’t quarrel with the Belize Infrastructure Limited projects. Lots of them are going up, or maybe we can. But you can see it. You can touch it. You can enjoy it. I don’t know that we’ll quarrel with residential mortgage relief. Again, I have my own view on residential mortgage relief but many persons find themselves in difficulty, and I don’t think because Governments over the years have done that of trying to write off some loans for persons who they consider might be in a difficult position or desirable.

I don’t know that we can quarrel with upgrading secondary schools’ computer labs. I don’t know we can quarrel with that. I also don’t know that we can quarrel with this poverty alleviation which was raised. But the poverty alleviation has been going on for some time, and it is the Southside poverty alleviation project which comes under the Ministry of Works. And it was budgeted in Capital II; it’s been budgeted from 2012/2013, budgeted under Capital II and budgeted under Capital III. It’s a CDB Project. It’s an OPEC Project, and it has a counterpart from GOB. The Southside is looking better. I think people will agree.

I don’t know that we can quarrel with the Lake Independence Boulevard project. I don’t think we can quarrel with that. You see it. We go on it. We drive on it.

National Road Rehabilitation projects, we had mentioned that we budgeted \$12 million, and now we are looking at an additional \$28 million. But, ladies and gentlemen, Honourable Senators, from north, to south, to east, to west, roads in this country have been upgraded in almost every single village without exception. When you look in the villages of the south that are controlled by

Representatives from the Opposition side, they have not been discriminated against. Call the villages, Trio. Call the villages, Bella Vista. Go up north, go in the Central, in Belize Rural Central, in Ladyville, roads/streets have been upgraded. I don't think we can quarrel with that.

Mullins River Bridge, who can quarrel with that, man? Mullins River Bridge, the Coastal Road, I wish we would do the Coastal Road, and that's another project on the horizon. It would cut that distance down to Stann Creek if you're trying to go through that area.

Rehabilitation of the Hummingbird, we had a loan project here which we approved for the Hummingbird. The Hummingbird is deteriorating. My Senator from the business community lambaste the Government, in fact, for not having maintained that road over a period of time, and this is why now we needed a large loan to redo it, resurface it, etcetera, cut out the small bridges, etcetera. And I agree there are detriments. One of my trucks ran into one of them. My driver almost died. But thank goodness he was okay afterwards, and bridges are very small and at night very dark.

So it's a total of \$2.63 million for social assistance, 3.8%, and the remaining 96.2% is for those projects I mentioned.

Finally, Mr. President, the mere fact that we are here today debating this is because there is an attempt, a clear attempt, to bring the facts to everybody. It tells you what we've spent, what we have done. I hear the talk of illegal and illegal spending, but it comes to the public, and everybody knows because there is nothing to hide, and that is the bottom line. So it won't jump up at you. You can quarrel with what is being spent, and you can quarrel with lots of things, but you know, and the reason for bringing the things to the National Assembly is so they know.

Last but not least, Mr. President, I maintain and I continue to maintain that in all the money Bills that come before the Honourable Senate, for our teachers and those listening, that while the Senate debates, and it's a robust, healthy debate, our powers of denying government spending is zero because it's the purview of the elected representatives of the people. There is a thing called commodities of supply in the House where people sit and debate and go through these various line items. As far as I am concern, that is the responsibility of the elected people who knock on your door, whom you gave the authority to tax and spend their tax money, and who will come back to knock on your door whenever a general election is called. And, therefore, that is where the debate, this same robust debate, should have occurred on Friday. (Applause)

Last but not least, Mr. President, I just wanted to touch a bit on the proceeds. Again, proceeds of the Petrocaribe fund going into these projects have been stated. There was a call here some time ago to come with Supplementaries before your spending. So we've come. Yes, we haven't come the next morning but we've now come. There is a good start to say, "Look, for the next three months this is what we've spent." That has happened. There is a call to say, "Please, be transparent with the spending." That has happened. There's been a call to say, "We don't want you to spend any money before the National Assembly approve." But you cannot ever deny that there is going to be over spending as all Senators have said and that there are Supplementaries to manage that. The 10%, the \$500,000.00 are things that have to be managed and monitored. And while, yes, there are some expenses, some heads, as I was scanning, that have exceeded that limit, and one could say, "Okay, illegal spending on the Government". The fact of the matter is there is a process to manage it, there is a process to be

transparent, a process to be open, and that is why all the teachers, all the representatives, everybody here today know what we're doing. I move that the question be put.

MR. PRESIDENT: Senator, do you still want the division?

SENATOR L. SHOMAN: It might be quixotic of me but, yes, I still want it because it should go on the record as to who is approving or not.

MR. PRESIDENT: Clerk, you can go ahead and prepare for the division.

CLERK: There is a division called on the General Revenue Supplementary Appropriation (2015/2016) Bill, 2015.

The Senators voted as follows:

Senator Godwin Hulse	-	Aye
Senator Juliet Thimbriel	-	Aye
Senator Joy Grant	-	Aye
Senator Charles Gibson	-	Aye
Senator Lisel Alamilla	-	Aye
Senator Gerardo Sosa	-	Aye
Senator Lisa Shoman	-	No
Senator Anthony Sylvestre Jr.	-	No
Senator Patrick Andrews	-	No
Senator Markhelm Lizarraga	-	No
Senator Fr. Reverend Noel Leslie	-	Aye
Senator Adelaida Guerra	-	No

MR. PRESIDENT: Senators, this is the outcome of the division: seven (7) Senators in favour and five (5) against. So I think the ayes have it.

Bill read a second time.

3. Petrocaribe Loans (Amendment) Bill, 2015.

SENATOR G. HULSE (Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality): Mr. President, I rise to move the second reading of a Bill for an Act to amend the Petrocaribe Loans Act (No. 4 of 2015); to clarify certain provisions of the Act; and to provide for matter connected therewith or incidental thereto.

SENATOR M. LIZARRAGA: Thank you. Thank you, Mr. President. Mr. President, the business community today would like to affirm that we don't have to agree on anything to be kind to one another. We emphasize that the truth is not always the same as the majority decision. We reemphasize that the principles of common good do not depend on a majority vote; wrong is wrong even if everyone is wrong; and right is right even if no one is right. We are ever mindful, Mr. President, that the approval or legalization of wrongdoing sets far reaching precedence, and it's something far different from the liberality of such wrongdoing. And we reaffirm that it's only by working together in close harmony that we will fulfill our destiny to build a lasting society and prepare a peaceful future for our children and our children's children.

Mr. President, meaningful interaction with the private sector is required in any successful development strategy, and where the use of the Petrocaribe funds, or law, or the proposed amendments, today are concerned, there has been no such meaningful dialogue. This is especially concerning, given the impact that this borrowing will have, not only on this generation but also on our children and our children's children.

Mr. President, as I seek to present the views of the business community on the proposed amendments today, please allow me to state publicly some inconvenient truths for the record and to correct some false propaganda as to the business community's concerns on the Petrocaribe Loans Act, its amendments and, of course, its impact on the Belizean society.

Mr. President, in response to an overture made by the Prime Minister, offering to consider amendments to the Petrocaribe Loans Act, the Belize Chamber of Commerce and Industry, via a letter dated 14th of May 2015, signaled our willingness to dialogue. I quote, Mr. President, and the letter says,

“Dear Prime Minister Barrow,

We write in response to your communication through our past President Kay Menzies on the issue of the Petrocaribe Loans Act. Prime Minister, the Belize Chamber of Commerce and Industry is encouraged by the overtures you have made in relation to the Petrocaribe Loans Act, and we are grateful that you have invited us to present our views thereon. We believe that the starting point for us must be to emphatically say that the BCCI (Belize Chamber of Commerce and Industry) is not against the Petrocaribe loan initiative. However, you will recall that the Belize Chamber of Commerce and Industry was among the private sector groups that had lobbied and partially championed the passing of the Finance and Audit (Reform) Act of 2005. This legislation was at the time the answer to what we saw as rampant corruption and misuse of public funds. Unfortunately, the Petrocaribe Loans Act is the anti-thesis to everything that was fought for and represents a reversal of all that was attained by the Finance and Audit (Reform) Act.”

The letter goes on to say that,

“The BCCI stands ready to support the full implementation of any legislation that embodies the principles of transparency, accountability, good governance as already enshrined in the Finance and Audit (Reform) Act and other existing legislation which strengthens the enforcement of the same.”

The letter goes on to say that,

“Central to the principle of good governance must be the reporting by parliament to the people of Belize of the manner in which it spends public funds and manages government owned assets. Good governance by necessity must include welcomed and strict oversight by the Auditor General, the Public Accounts Committee, and an empowered Senate which embraces its role more fully in this regard.”

The letter goes on,

“The Belize Chamber of Commerce and Industry is firmly committed to the principles outlined before and remains most interested in the respectful, serious dialogue that would result in the full implementation of reform oriented legislation.”

The letter ends by saying,

“In anticipation of continued dialogue, we remain,

Yours sincerely.” And it was signed by the President of the Chamber of Commerce and Industry.

I don’t know what’s ambiguous about our attempt to continue dialogue on this matter with the Government of Belize. Although the Prime Minister engaged the unions on the proposed amendments to the Act, the Belize Chamber of Commerce and Industry received absolutely, not even a courtesy response from the Prime Minister to our letter. Wherein, as you saw, we clearly indicated our anticipating further dialogue on the matter.

Proposed amendments to the Act were subsequently released to which the business community has reviewed, and we, of course, have our views on it which I will express to you today.

Mr. President, the business community is not against taking advantage of the terms of the Petrocaribe initiative, provided that such borrowings are transparent, accountable, participatory, and are so distributed as to sub serve the common good. We indicated our unanswered desire for meaningful and respectful dialogue. The business community, as the largest taxpayers in the country and as investors, have a substantial interest in the sustainable development and long-term potential of Belize to protect our investment and to insure the common good. The business community of Belize helped to birth the Finance and Audit (Reform) Act of 2005, this very law that these amendments today and its parent law have violated and disfigured.

We have in the past and we will continue, Mr. President, in the future to align ourselves, not with a political party but to any government administration that supports transparency, accountability, good governance, and fiscal responsibility. (Applause) In fact, we supported the very mandates that brought this very current administration to power. (Applause) The business community of Belize champions and supports legislations which are designed to deliver on the promise for accountability and transparent management of public monies. We credit this current administration with strengthening some of those laws.

For example, we give them credit for passing the Sixth Amendment to our Constitution, Act No. 13 of 2008, calling for the 13th Senator. We credit them with that. We continue, of course, to await its implementation. (Applause) We credit them for Statutory Instrument No. 95 of 2010, which further strengthens the Finance and Audit (Reform) Act by obligating the Government “to enhancing”, and I quote, “to enhancing fiscal transparency and accountability in the conduct of its affairs”. We congratulate them. This very law went on further to state, “It is expedient to provide a framework for sound, fiscal discipline and public scrutiny of fiscal policy and performance at all levels”. They passed this law. We supported it. We support and congratulate them for passing the Finance and Audit (Reform) (Amendment) Act No. 31 of 2010 that seeks to enhance transparency in Government’s procurement and tendering processes and to establish thresholds for open, selective and limited tendering procedures, to restore the financial orders and the store orders to their original status of subsidiary legislations and to provide penalties for any person that violates and contravenes the Finance and Audit (Reform) Act. We congratulated them and supported them. (Applause)

So it is regrettable then today to see this very same administration ignore, break, fail to conform to the spirit, the substance, the essence of these very laws

that they passed in order to strengthen our democracy. (Applause) We are told that these amendments today will ensure greater transparency in the spending of our Petro dollars. But, in fact, Mr. President, these amendments today do nothing to strengthen our management of public funds. On the contrary, what they do is seek to validate and encourage poor budgeting practices.

Mr. President, as taxpayers, shouldn't we be concerned when independent reports speak to the failure of this administration to properly manage and account for our monies? Shouldn't we be concerned that these reports like the PEFA Report, Public Expenditure and Financial Assessment Report, like the recent Cost Savings Report commissioned by the Government, like all the previous reports of the Auditor General, where all of these reports collectively point to a government that does not yet prepare a debt sustainability analysis and does not yet enforce internal controls and rules, and accountability is not demanded, even though we have general and specific rules for sound, financial, internal controls and clear accountability? Shouldn't we be concerned given this environment? As taxpayers, Mr. President, shouldn't we be concerned about the \$20 million as being used from Petrocaribe loan funds for teachers' salaries, when we know that it is illegal to use borrowed money for recurrent expenses? (Applause) That is what the record show. Shouldn't we be concerned about the \$500,000.00 or maybe even more that seems to have gone missing from the Treasury at the Central Bank? Was this Petrocaribe money too? Shouldn't we be concerned about the money missing from the Post Office, the various hospitals and other government institutions? Shouldn't we be concerned about the consistent refusal to implement the countless recommendations of the Auditor General? Shouldn't we be concerned about the two most recent reports of the Auditor General, (1) where she withholds her opinion completely on the financial statements of Government, and (2) where in her opinion the financial statements did not give a true and fair view of the Government's financial position in accordance with the Finance and Audit (Reform) Act of 2005? Shouldn't we be concerned?

Mr. President, we want as promised, a Government that complies with the laws and encourages and legislates good practices for sound governance. The amendments today and the Petrocaribe law does not address the fact that we do not want a government to continue to incur debt on our behalf, not knowing if we can afford to pay back such debt. We champion and advocate for, prior discussion, prior presentation, proper debate, and proper approval by Parliament before loans are made and before spending is done. This is money the Government borrows in our name and for which we will have to pay back. We do not want any laws or amendments that take away from the guidelines for borrowing and spending in the Finance and Audit (Reform) Act. We want laws and should be championing for laws that give us more, not less accountability. (Applause)

The proposed amendments today, Mr. President, continue to allow, and let us be clear, we do not and will not encourage or support as a practice retrospective reporting for approval of borrowed monies which fundamentally goes against the very principles of the Constitution and certainly those that go against the Finance and Audit (Reform) Act. We encourage program budgeting, planning. This amendment does not encourage, and we would like to encourage and support government as it seeks a multiyear approach to budgeting and planning, where each Ministry, department, unit, program, project, is expected to provide key performance indicators and structures their budgets for the attainment of those targets that are required and to report on the progress with respect to achieving their targets, and, as such, they are awarded additional funding on that basis, on the basis of their performance. We encourage and would want to support that sort of legislation.

These amendments do not address the concerns of the business community with respect to oversight, or good governance in relation to the use of the funds. These amendments do not allow for strengthened scrutiny by the Public Accounts Committee or a Senate Investigating Committee. These amendments do not allow for scrutiny. These amendments do nothing, nothing to suppress the concerns reference the recorded use of Petro dollars to pay teachers' salaries. That's what was recorded. I'm only reporting what I see. These amendments do not address that. And we ask, why has the Executive not provided documentation and display such documentation publicly to pacify that this was, in fact, not so? If they did not use this money to pay the teachers' salaries, then, let them show us there was a mistake.

Mr. President, let us look at only one social support program to see the lack of certainty that we have as to how much funds were spent on one project. Let us look at the purchase of tablets, head-18, subhead-1002.

SENATOR G. SOSA: Mr. President, we are asked to clarify this Act in itself or this presentation of the Bill is asking to clarify, and certainly it clarifies certain provisions of the original Act. His presentation does not make any reference to the original Act. He's giving a speech of something else. Kindly assist, Mr. President.

MR. PRESIDENT: Senator, I think you have noted Senator Sosa's comments.

SENATOR M. LIZARRAGA: Mr. President, it should be obvious to any but the politically blinded and bias that what I am debating and sharing and proposing is the laws in place and the amendments being proposed today and that they fall way short on delivering expected, accountable and good governance. (Applause) I hope we would not be seeking to muzzle freedom of speech in the Senate as well, Mr. President, because they will have their way but at least allow us to have our say.

Mr. President, this law does nothing to address the fact that in the draft estimates it states that \$850,000.00 was allocated for these tablets. But, yet, the Government in its use of funds drawdown, at the end of February 2015, reported \$2 million as used for this item. In an article in the Reporter Press, May 8, 2015, it was recorded that, according to the Financial Secretary, the figure spent was \$1.6 million. Which is correct, we ask, Mr. President? Shouldn't we be concerned about this? This amendment, these laws do nothing to address this.

Mr. President, the claimed uniqueness of the Petrocaribe loan funds could have been accommodated under existing law without the need for the Petrocaribe Loan Act or these amendments today. These proposed cosmetic amendments that were passed in the House on Friday do not address the outrageous precedence that has been legislated in the Petrocaribe Loans Act. Section 3(1) still states, "Notwithstanding the Finance and Audit (Reform) Act or any other law, borrowing can occur without prior authorization of Parliament." Section 4 still allows the Government to validate and confirm retrospectively borrowing under the Petrocaribe loans initiative, and under section 5 it still says, "In the event of conflict, this Act shall prevail".

We agree that this loan arrangement was somewhat unique as opposed to that of an international financial institution. But we say that a development fund should have been legislated as per the Finance and Audit (Reform) Act of 2005, Second Schedule, section 10(4) and (5). Finance and Audit (Reform) Act had in place everything to handle this Petrocaribe loan as it existed without the law and

without the amendments. (Applause) Furthermore, the Government could have come to Parliament in 2012, asking for permission at the time that the Prime Minister publicly stated his intent to borrow \$100 million or more a year from Petrocaribe. This loan transaction could have at all times been accommodated easily within existing law.

Mr. President, this law and these amendments still go against the very principle we fought for in the Finance and Audit (Reform) legislation of 2005 and the very spirit of the Constitution that demands Government come to Parliament before it seeks to borrow money on our behalf and only under unforeseen or special urgent circumstances should it not. We repeat that we believe that the Petrocaribe loans could have been accommodated under existing law, and, as such, this Act and these amendments continue to set bad precedent and stands against everything we have championed and stood for, for the last 15 years.

Mr. President, the business community believes that this amendment does nothing to allow for the establishment of clarity and equity in policy for the use of the Petrocaribe money, and such is critical. Clarity and equity are essential ingredients for meeting the social and development needs of our country and not only the preferred constituencies, or politically favored electoral divisions. Policy, we maintain, should be implemented by the Public Service and not the politicians. These amendments should have been used to help to prepare the way for local industry, to be able to repay Venezuela with Belizean goods and services. These amendments do nothing to address that. We need to create opportunities for new entrepreneurs and like industry, especially, in the value adding and agro sectors. Funds could have been channeled via the DFC for cheap productive sector loans, providing a much needed incentive for job creation and job security and job sustainability we desperately need in this country today. These amendments do nothing to address that. These amendments do nothing to address any cap or limit on Government's yearly borrowings. The increase in our national indebtedness is alarming, and no independent, credible debt sustainability report exists or is provided for. We do not know if we can pay back this debt, and these amendments do nothing to address that fact.

Mr. President, while we see that there is very little care about the maintenance of our national assets, about the waste in Government spending, and, with almost a bold face frequency now, there is a blur between using monies meant for county development and the spending of national monies for political influence and electioneering, these amendments do nothing, nothing to address any of these major concerns reference the use of Petro dollars.

Mr. President, we say that more borrowing equals no tax relief in sight equals a less competitive Belize. If all of our Government's liabilities are disclosed and accounted for, including our Petro debt, and all our debt that is declared, hinted and quantified, including stated and unstated legal liability and legal challenges, Mr. President, we now owe not one, not two but we now owe the equivalent of three or more super bonds. (Applause) These are the harsh realities that the Belizean business community is increasingly apprehensive about.

The declared debt to GDP ratio is at a stratospheric level, and our debt sustainability is fragile and faces serious uncertainty. According, Mr. President, to the latest risk report on Belize from Moody's, the rating agencies, our future looks bleak. The grim reality is that this reality is magnified because of a self-indulgent approach to incurring public liability by this administration and an addiction to unregulated and unsupervised spending. While successful economies in the world today, Mr. President, look towards balanced budgets and savings and increasing prosperity for its citizens, we are faced daily with the increasing prospect of

becoming debt slaves. And these amendments do nothing to address this harsh reality.

The business community's position today, with respect to the Petrocaribe Loans Act and its proposed amendments, is that it is impossible for us to reconcile this Act and the proposed amendments with the letter and the spirit of existing laws and our Constitution. We believe and suggest that this law and these amendments should be repealed. (Applause) This law now, and when amended, sets a dangerous precedence in absolving an administration of wrongdoing and illegalities. Thank you, Mr. President. (Applause)

SENATOR L. SHOMAN: Thank you, Mr. President. Mr. President, I rise to make my remarks on the Petrocaribe Loans (Amendment) Act of 2015, or, as I like to call it, the Cosmetic Procedure Act in which the eyebrows are going to be lifted and the chin is going to be sculpted slightly so the face looks better.

Mr. President, today we've heard a lot from my friends on the other side about the PUP walkout from the House last week, heard a lot, and the door was opened by my friend so I will feel free to walk in, about how duty demanded that the PUP stay and debate this amendment Act. Mr. President, there are a lot of Belizeans who don't agree with the stands taken by the Area Representatives who are of the People's United Party, and people have a right, Mr. President, to their opinion. That's actually one of the differences where the PUP is concerned that this Opposition acknowledges that people have a right to their opinions, even when those opinions are contrary to what the People's United Party believes in or stands for. But by the same token, Mr. President, it has to be said that, with the Petrocaribe Loans (Amendment) Act of 2015, the Government of Belize, the representatives, the elected representatives who are the majority in the House, who form the Cabinet and control the Executive of this country, did something far worse than walking out of a House debate. What they did, Mr. President, is no less than walkout and abandon fiscal responsibility. That, Mr. President, is the bigger sin. I have no issues in recognizing that Belizeans want their elected and nominated representatives to do the work. That is important. I hear it loud and clear, and I get it, Mr. President.

So what we are here to do is to look at the Petrocaribe Loans (Amendment) Act which amends the Petrocaribe Loans Act which was passed in indecent haste in this same Honourable Chamber in this National Assembly. It is our duty to look at both the amendment and the parent Act and see how, when, and why the Government of Belize abandoned the Finance and Audit (Reform) Act of 2005, the 2000 (Amendment) and why they are ignoring the Statutory Instrument that accompanies that. Earlier on my colleague, Senator Sylvestre, made a stirring call that, if the Government expects citizens to uphold and obey the law, then the Government, the State must uphold and obey the law. I would make the argument that the Government has a bigger responsibility because it is elected to serve the people, to uphold the laws, to obey the laws, otherwise, as Senator Sylvestre has rightly said, people then start to believe that the law has no effect and impact on their lives, there is disrespect for the law, disrespect for institutions, and in that road lies anarchy.

Mr. President, when we have a government who deals with lawsuits by trying to amend legislation to get out of them, by trying to put retrospective legislation to cure the wrongs that they have done, the least we would expect, Mr. President, is an acknowledgement that, yes, we were wrong and now we're going to try to make it better. We have as an example of that, Mr. President, the Maya land rights cases which the Government lost in 2008 and again in 2010 and then persisted in a folly of appealing but finally, in 2015, saw the light and went into a

consent order, no matter how half heartedly, grudgingly or gritting their teeth. But what has happened with the Petrocaribe Loans Act and this subsequent amendment is a persistence to continue to pretend as though wrong is right and no one can say anything about it because the majority will have its way and right will somehow come out of mite.

Mr. President, the problem is not to try to cure the wrong, you know. It's not that you try to fix what you did by legislation. It's that you are trying to legislate a way a lawsuit. You are trying to give yourself some kind of magic legislative wand to clothe the nakedness of your acts. And the Government should not be trying to escape judgment by this kind of retrospective legislation because in all the fine language that has been put in here, and if you weren't paying close attention, you would believe, Mr. President, that by putting in here a section that says, and I quote, "The money borrowed from APBEL shall be kept in a fund at the Central Bank of Belize which funds shall form a part of the Consolidated Revenue Fund and may be withdrawn from time to time as the need arises. The withdrawal and spending of the money shall be in full measure subject to the Finance and Audit (Reform) Act and all other laws, regulations and procedures applicable to monies forming part of the Consolidated Revenue Fund."

It sounds good, right, Mr. President, sounds really good, until you realize that this is not talking any at all about the borrowing of that money. It's not touching how that money is borrowed. There is still an issue with the constitutionality of the borrowing of that money, and it doesn't matter if you try to claim, like the Leader of Government Business claimed when we were debating the parent Act, that it isn't a loan at all, it's a supplier's credit. Well, I'm sorry to have to contradict my learned friend. The parent Act and this Act makes it clear that it is not a supplier's credit. This is money that is being borrowed and will be put into the Consolidated Fund, and, therefore, since you have not touched the issue of the borrowing in this Act, the amendment does not cure the constitutional illegality that still exists. (Applause) You are still going to run afoul of the constitution, and I also want to point out that section 5 of the parent Act has remained untouched in this cosmetic eyebrow lifting and chin sculpting. (Applause) And it still says, "In the event of a conflict between the provisions of this Act and any other law, the provisions of this Act shall prevail." So you can pretend all you like that there is now a fig leaf that covers the nakedness of the illegality when it comes to the parent Act but it won't fly.

Mr. President, the Leader of Government Business and his colleagues cannot hope to escape judgment for the fact that he and his colleagues voted for the Petrocaribe Loans Act, voted for the parent Act in this very Chamber, and with verve and enthusiasm tried to make it out as though it was some special arrangement that didn't fall under the Laws of Belize, that was supplier's credit. In fact, like Rumpelstiltskin, he determinedly tried to spin straw into gold, trying to deny the nature of the thing. Now, Mr. President, if it's not a loan, why did we pass an Act entitled the Petrocaribe Loans Act? Why do we have an (Amendment) Act that is entitled the Petrocaribe Loans (Amendment) Act? It's a loan, and we will have to pay it back. (Applause) If it is not against the Constitution, why pass the Act or the amendment? And if the Act was not offensive, why are we here today, what, a month later, looking at an amendment which does nothing more than paint a little bit of lipstick on the pig?

Mr. President, this amendment like the parent Act offends. The parent Act purported to clothe a naked wrong. The parent Act is like the story of the Emperor's New Clothes, and the amendment now seeks to add jewellery, makeup and shoes, along with the carnival costume of the parent Act. And yet, Mr.

President, we still do not have an amendment that deals with the fundamental issues that Belizeans want addressed, that Belizeans across the board continue to raise questions on the streets, in forums, on social media, in talk shows, and no matter how you try to shut those people up those voices still continue to raise questions. Just like how, Mr. President, you can't be hauled before a magistrate shirtless, without pants or a skirt, this parent Act still offends the law while grotesquely protesting, in the section I just read, that it will follow all the laws. Mr. President, not only does it not acknowledge the constitutional issue, but paying attention to the laws means that the FARA (Finance and Audit (Reform) Act) 2005 and the FARA (Amendment) of 2010 will address not only the banking and spending of the money but borrowing and pay it back. And what Belizeans want to see, in addition to what is being done, not only that the Government roll it when they are spending it but roll out the plan as to how this is going to benefit the lives of all Belizeans, make economic development for our country, have jobs, educate our children, take care of their health care, and how we are going to pay it back.

You know, it's interesting, Mr. President, that we look at the amendments and it repeals subsection 3(3) and replaces it. And this is the section now that talks about how you will spend the thing. Let me remind you that in the offending parent Act it said, "No limitations shall apply to the use of the money borrowed from APBEL and it may be used to finance capital projects as well as to provide social and community assistance to the poor and socially marginalized and any other legitimate purpose as the Government may think fit."

Really what they did, Mr. President, is to drop off the first sentence only, you know. It now reads, "The money borrowed from APBEL may be used", not shall, "may be used to finance capital projects, provide social and community assistance to the poor, socially marginalized and other sectors of the community", they squeezed in a new thing, "pay compensation relating to the Government's nationalization of BEL and BTL, assist with commercial and super bond debt buyback", and then they put back exactly what was in the parent section, "and for any other similar legitimate purposes". So who gets to define what those legitimate purposes are? The answer is, the Executive does. They do. They get to define that. They get to decide that, and it really is no different in substance, except for the addition of a couple frills on the carnival costume to tell you what they may spend the money on. It isn't saying "shall".

And I'm sorry but with all due respect to my friend, the Leader of Government Business, and his heart tugging story about people going on a day out, one day out of their entire struggling lives, one day to go bathe in the Caribbean Sea by Corozal Bay, drink beer, and eat tacos, does not constitute social and community assistance to the poor, socially marginalized and other sectors of the community because, if that is your vision of how you are going to help the poor and the socially marginalized in this country, then the poverty is yours. You have a poverty of vision. You have a poverty of planning. (Applause) And you don't understand how to lift people out of the misery and the hardship of their lives. (Applause) I am sorry for anyone who thinks that beer and tacos is the way to lift people out of the poverty of their lives; cold like that; cold like that.

Similar, giving a mother \$50.00 a day for one day out of the entire year, but what she really needs is, like the ad says, the \$300.00 to really send her pickney to school. (Applause) If you think that giving a senior \$50.00 or \$20.00 and a lee bit of medication and a day at Bird's Isle or wherever you went, if you think that is going to pay for the fact that people's pensions have been cut, that you are taking away from our elders instead of increasing the amount that elders can get, instead of making their lives easier so they don't have to go back to

Social Security every year to prove that they are alive, so they could get the miserable pittance that they are getting, and instead you think that under the Petrocaribe Loans Act or the amendment that spending that amount of people's lives is what you call social and community assistance to the poor, then you have a poverty of vision. Then you don't understand what real grinding day-to-day poverty does to people. (Applause) What it does when those three, four days before you get pay, if you have a job, and you don't have no food in the house and you're trying to figure out how to split one ramen between six children, if you don't understand what that feels like, then I suggest you go into some of the homes and try and understand what that looks like, what that feels like, and what it is that we should be focusing on to be able to do better for our people with this Act.

Mr. President, it's disappointing. It's really disappointing because there are those, I know, who really believed when the Prime Minister said, "Okay, I hear you. We got it wrong. We will fix it." There were Belizeans who really, genuinely believed what he was saying, only to come to the pass where you are being shown clearly that not only is the (Amendment) Act still against the spirit and the letter of the Finance and Audit (Reform) Act but that providing the scraps of carnival costume to say that you're going to report the money borrowed to the National Assembly quarterly and pass a retrospective Supplementary Allocation like the two that we just finished looking at, with the level of detail I imagine that we saw, and a prospective Supplementary allocation will be required for all spending proposed to be done in the following quarter. All of that sounds nice, you know, but you will still see \$2 million for Mother's Day program and whatever other social impact programs you want to have.

Mr. President, it would have done this Administration far better to have swallowed their pride and try to work with the constitutional Opposition of this country which is also a part of the Government. It would have been better if instead we had looked at and passed the draft Bill proposed by the Opposition entitled Petrocaribe Revenue Management Fund Bill. This would have been a piece of legislation that would have laid a proper basis. This isn't something new that was magic out of the air. This is actually something that there is already a platform to deal with petroleum revenue. And in the same way that that is a special case this draft would have dealt with Petrocaribe as a special case, with a proper oversight committee and with an investment committee that would have made it clear that we are establishing a special public fund, that the fund is vested in trust for the people of Belize by the Government, that it cannot be made available, except in accordance with the law, that it is a restricted fund that can only be used for certain purposes, that petroleum, that revenues for Petrocaribe would be paid into this fund, and that a committee of individuals composed of seven members, including the Financial Secretary, the Governor, social partners, including the churches, the Chamber, the unions would have been a part of this, including, Mr. President, that there would have been someone with qualifications in economics, and that there would have been oversight relating to how the monies are invested. And that law, Mr. President, also includes that the members cannot simply invest in what they want but has certain very careful guidelines. And that those guidelines will be looked over by an independent oversight body to make sure that our monies are being spent properly and that our monies are being dealt with in a way. Mr. President, this Bill, not only deserves debate and discussion it is something that I think all Belizeans can look at and see that the language here is not three or four little paragraphs over five pages it is a substantial, substantive Bill, and that is what we should have been passing. We should have been repealing the Petrocaribe Loans Act and replacing it with something solid and substantial that gives us guidelines for all the ages. (Applause)

If any of my colleagues want to continue to take shots at the PUP as to what it did in the past and what it didn't do, I will take it, Mr. President, with equanimity. I will listen. I will hear. I may even agree but likewise this Government has got to stop fighting with everybody who doesn't agree. (Applause) This Government has got to give credit to the unions, to the business society, to the churches, to NGO's and, yes, to the constitutional Opposition, when it tries, as it has in producing this draft, to make sure that we have a country that is govern better with fiscal responsibility, transparency and accountability. No, Mr. President, I want to tell my friend, Senator Sosa, that he is not right. The Opposition doesn't exist to oppose. The Opposition exists because the people of Belize believe that there must be a balance in their Parliament and, in fact, elected those people to take care of their business. (Applause) That's why there is an Opposition. And that is why I continually insist that the Opposition is a part of the Government because it is. So you can block us out, shut us up, relegate us to the past. It's fine. But, when you do that, you disrespect the thousands of Belizeans, the almost 48% of Belizeans who voted in the last general election for representatives from the People's United Party. That's who you're disrespecting, not us.

As I say, Mr. President, I can take my licks. I can learn with my licks. But more is demanded of a Government. More is demanded in terms of setting up transparency and public access to information of which there is absolutely none in the parent Act and nothing whatsoever in the (Amendment) Act. There should be something like what is included in Part VI of the PUP Bill, where there is transparency and public access to information and a Petrocaribe Fund Public Information Office established. There needs to be offences creating for people who do not follow the spirit and the letter of the law, and there is already an S.I., Mr. President, but it's interesting that, according to how I read this parent Act, it doesn't matter because this Act apparently will still trump any other law. So all of a sudden there is coverage and backative for doing whatever it is you feel that you want to do because you have created the legislative clothing to cloak your nakedness of wrong.

I wish there was an investment policy place like there is in the First Schedule to the Petrocaribe Revenue Management Fund Bill, (Applause) an entire investment strategy retting out, setting out how we the people of Belize want these monies to be used because then we wouldn't be hearing about, "I don't care what you say. I'm going to Hopkins next year. We are going to have beer and tacos down there." Or I don't know, maybe by then it will be some other thing on the menu. Mr. President, we have to get serious and we have to get real. The people of Belize have no time for us and our foolishness and our arguments and our back biting and petty insults that we exchange. Second Schedule of the PUP Act, Mr. President, which I wish was in this (Amendment) Act, describes very carefully who participates and who should participate in having a say, in being part of both the investment committee and the independent oversight commission. But that is not included here. It's not a part of this Bill.

Mr. President, not only must we be entertained by listening to what we have to say but the Opposition, the churches, the unions, the Chamber, the NGO's, civil society, and the public sector demand that the Government serve the people. You shall serve the people. And I will tell you, Mr. President, when the Government is tired of being angry with us, we'll still be here with our hands out stretched, ready to work with you to create a better Belize for all of our children.

Mr. President, we are at a crossroad in our country's life. We were elected and nominated to do the people's business. Let's get on with it, Mr. President,

instead of this endless burlesque of legislative theatre because in 23 years, when this money has to be paid back, are your children going to thank you for the way that this money was spent? Or will they curse you for the fact that when you had a chance to amend the Petrocaribe Loans Act and make it better, instead all you did was a little cosmetic fix, change a few words and insist that you were still going to do it, as the Frank Sinatra song says, my way?

Mr. President, it's really sad that after this amount of time we still can't find ways for us to improve, repeal, replace the entire Petrocaribe Loans Act with an (Amendment) Act that makes sense for all of the generations to come because the lure of political patronage is still too attractive to allow this Administration to admit that the first attempt at the Loans Act was a failure and that this amendment also fails the people of Belize. Thank you, Mr. President. (Applause)

SENATOR J. THIMBRIEL: Mr. President, I ask your permission to refer to my notes from time to time. Mr. President, the Petrocaribe initiative will go down in history as the hallmark that defines effectiveness as opposed to not being effective. It will go down as a highlight to who is productive and who was unproductive. We will go down as a government who applied what belonged to the people to them as opposed to not telling the people not one single thing that was done with the Petrocaribe money prior to the United Democratic Party Government. (Applause) We have not heard one thing. We have not heard whether a street was built, whether a drain side was built, whether a classroom was built, and they had millions upon millions prior to us coming in as a government. Just give us a list. I thought the Opposition would have given us. I thought the Leader of the Opposition would have given us a list and said, "This is what we did when we were in Government".

SENATOR L. SHOMAN: On a point of order, Mr. President.

MR. PRESIDENT: What's your point of order, Senator?

SENATOR L. SHOMAN: There is no Petrocaribe money before you started spending it. (Applause) So, please, no Petrocaribe money. (Applause)

MR. PRESIDENT: Go ahead, Senator.

SENATOR J. THIMBRIEL: Mr. President, I think she needs to check with her leaders as there was Petrocaribe money. (Applause) She needs to go to the Ministry of Finance, and the reason she told us that there was no money was because they can't tell us what they did with the money. For them, this is not about any law, or the tweaking of any law, and that is what they are masquerading this to be, Mr. President. This is not about the law and the tweaking of any law. This is about bitterness and embarrassment about not being able to say what you did with the money. Everybody knows there was money before. You are the only person who does not know, Leader of the Opposition. Everybody knows that there was money before. How comes you don't know? You need to check with your leaders or maybe the second Senator that speaks for the PUP can make a call and find out what was done with the money.

This can be confirmed by the fact that we sat here and listened for a long period of time from the Leader of the Opposition referring to what was the PUP Act No. 6, the PUP Act this, the PUP Act that. Man, list off the things you all did before. I can list and I will list off what we are doing. I can and I will. If we would take every single change that was suggested by you, every single change that was suggested, you will still have a problem with the Petrocaribe Act. You will find and say, "Oh, you never do it in time. You all did not cross the 'T' and dot the 'I'" because that is not the problem. The problem is that we are

effectively using the money as opposed to a group that can't tell you what they did with the money. (Applause) Bitterness can never overcome effectiveness.

We are applying for the funds for the benefit of the people, and I can tell you that I don't know if you want us, Leader of the Opposition, to throw away 1% interest rate and pick up 22% interest rate like what was done under you all. I don't know if you want us to go and borrow money from Petrocaribe and not tell people what we were doing. I have a list here of borrowings that were done that we cannot tell the people what was done under your government. You guys went to commercial banks at 22%: for infrastructure finances of \$18.5 million; disaster management, it looks like you all liked that thing there, disaster management of US\$2.9 million; another disaster management project of US\$9.5 million; what was done under the disaster management project? Oh, you all liked that hurricane thing too, Hurricane Keith of \$5.9 million. What you all did with the money? You all can't list off nothing. Vocational and education, you all liked that word too because I see it repeated in all the loans that you guys have, \$3.8 million. Then, you all had another disaster management of \$1.9 million. It's embarrassing. We can't tell people what was done with the money. Another disaster management again was for \$3.1 million and another one of \$12 million. These are things that were borrowed, and we cannot say what was done with the money.

While on the other hand, as it relates to Petrocaribe, you can see, you drive out there, leave this National Assembly right now, and you can see visually what we are doing with the money. When you come into Belmopan, you can see all the men working. When you are taking the curve right there, they are all dressed in their hard hats and their suits, all of them are out there working, all in the drain. You come on the main street here, right where the police compound is, you see people dressed up and working. The vendors that are selling the food are happy. The people that you are buying the materials from, the different businesses, they are happy. The mothers that we are effectively paying to send their children to school through the Boost program, they are happy. The people that are collecting food pantry, they are happy. These are the things that we are doing, and that is what is upsetting you all because we can actually show what we are doing with the money. (Applause) This is not a secret, and this is not hearsay. This is what we are showing people what we do with the money. We are showing them.

We have a \$20-million bridge being built now for the people of San Ignacio. I believe the contract was just signed with Cisco, \$20 million for the bridge. When that bridge is finish, we will see. Right now you drive into Cayo and you can see everywhere where Petrocaribe has touched. We are not talking behind a lane or around a back or so. We are not saying that we did not get any money like what was being said by the Leader of the Opposition. We are doing with the money what needs to be done with the money.

On the other hand, we have a thing here where they borrowed US\$19.9 million from Provident Bank. Man, it was for vehicles. We don't see any vehicle. As a matter of fact, when we got into government...

SENATOR L. SHOMAN: On a point of order, Mr. President.

MR. PRESIDENT: Senator, what is the point of order?

SENATOR L. SHOMAN: The point of order is that we are debating the Bill, and, while I appreciate where she is going, I think she has been given enough latitude, Mr. President. We should be debating the Bill.

SENATOR J. THIMBRIEL: But it is the Bill we are debating. I am telling you what we are doing with the money. It is the Petrocaribe Bill. I am telling you what we are doing with the money as opposed to you all who stand here denying that you got money. We are accepting that we get money, and we are telling you all what we are doing with the money. It is being seen from the Rio Hondo to the Sarstoon. This is not hearsay or say-say-say.

Let me tell you some more things that we are doing with the money. Streets are being fixed in several villages: San Ignacio and Bullet Tree, Santa Elena, Cristo Rey, San Antonio, Lilly Street, San Pedro Street, and Chechem Street. In Succotz Village, we are concreting streets. The Crooked Tree causeway, it was Petrocaribe money we have spent. Ladyville, we have spent Petrocaribe money. Patchakan, San Pedro, Altamira, San Andres, Gravel Street, Xaibe, Chan Chen, San Joaquin, Caledonia, Progreso, Copper Bank, Ranchito, Calcutta, San Lorenzo, new sub-division in San Pablo, all of that were done from Petrocaribe. We are not saying like you all that we did not get any money. We are effectively applying the funds that we have received. And no problem if you say it's to mine, you know, but the people of Belize had a referendum on that when the Town Councils were elected, and they voted overwhelmingly against your argument that we are not spending the money right.

We have equity in the National Bank, \$30 million. Chetumal Street Bridge, it is clear to be seen. I don't know if you have driven on it but it is clear to be seen that Petrocaribe money is being spent. There were \$30 million on sporting complex throughout this country through BIL. We have put \$30 million throughout the country and \$30 million for the biggest sporting complex this country has ever seen which will be built on the Chetumal Street. That has already been assigned. We are not saying, "Do you know what has happened? We really did not get any money." We are saying that we got it and we are effectively applying it.

We have sugar roads. We have village councils that have received funds through Petrocaribe to improve their villages. There is also the back-to-school, mortgage relief, home improvement programs, Asus tablets, and the Jaguar Paw Reserve upgrading of the road. Do you remember that you guys did Jaguar Paw prior to us? Man, the place was broken up. It was embarrassing, shameful. We had to go and do Jaguar Paw road the proper way with the use of the Petrocaribe fund.

Whether you like it or not, Mr. President, whether they like it or not, we have effectively used the money. This is what can be referred to as true production. This is what the United Democratic Party is about: applying effectively what is for the people to the people. (Applause) This is what we, as a people in this country, are happy about. This is what is striking fear into the Opposition. You all are fearful because we are effectively using the money. That is the only time you all get fearful when you all realize, "Boy, we have a little problem here. Those people are using this money effectively. This will be a problem. They might get a third term. Oh, we will bawl, the law this, the law that." That is what is happening to them, man. This, Mr. President, is what defines productivity and effective use of money. This is how you spend and let the people receive the benefits. I am a proud United Democratic Party supporter, and I want to thank my Prime Minister for making us, as a country, proud for the development from the Rio Hondo to the Sarstoon. For the mothers that are receiving Boost, food pantry, I want to thank the Prime Minister. For the students who received their tablets, I want to thank the Prime Minister. For the villages that received roads that they have waited for over and over, forever, I want to thank the Prime Minister on behalf of the many cane farmers who have improved

and upgraded road. I want to thank you, Mr. President, for giving me an opportunity to let me tell the people how we are effectively applying the Petrocaribe funds. I support this amendment. (Applause)

SENATOR A. SYLVESTRE JR.: Thank you, Mr. President. Mr. President, before I go into my presentation, I would just like to respond a little to some of the things made mentioned to by Senator Thimbriel in her impassioned and very animated presentation.

Firstly, the Village Council, sorry, the Town Council election is no referendum, it was no mandate, no authority for a government to break the laws of the land. (Applause) In the first place, you know this Government passed a Referendum Act in 2008, and that Referendum Act provides that for the public opinion on any matter to be regarded as having any value 60% of the populace has to come out and vote. With 48% of the electors coming to vote in the last election, that by any stretch of your imagination could be regarded as having any mandate. (Applause) They even failed the test of their own Referendum Act that was passed by this Government.

Madam President, in June of 2006, in this National Assembly, the then Leader of the Opposition, Honourable Dean Barrow, said these words about the now deceased Hugo Chavez. He said, "President Chavez is, to put it mildly, a controversial fellow, and his foreign policy is, I believe, not the kind of foreign policy that our country practices. So we have to be careful, I think, in terms of our foreign policy, not to be playing footsy with these latter day socialists." These were the words the then Leader of the Opposition characterized and demonized Hugo Chavez as, the same Hugo Chavez who is the benefactor of this same Petrocaribe initiative that they're now embracing themselves as though it is an initiative that they supported. (Applause)

Madam President, this approach by the Government in which they now are embracing this Petrocaribe initiative and trying to take it on as it was an initiative of their own, it reminds me of a scenario in the movie "Coming to America". And I don't know if Senator Shoman, you remember in Coming to America, Eddie Murphy, this rich African prince, he played this part as though he was a poor pauper, and he was sweeping floors and you know he liked the daughter of this restaurateur. But the restaurant owner looked down and denigrated Eddie Murphy. He never want him for his daughter until he find out that he was rich and he could have provided a lot. (Applause) That is the hypocrisy of this Prime Minister and his Government. Back when the Petrocaribe initiative was being jolted by the PUP they spoke out against it and they were against it. Now all of a sudden it's their initiative, and they have seen the light, and now they want to take it on as their own. So it's hypocrisy on the part of this Government to pretend as though they were the ones who actually created this initiative. It's a People's United Party initiative, and the point has to be made therefore that this side of this National Chamber, the People's United Party, is never against initiative. We are the ones who started it. We embraced it, contrary to the position that was taken back in 2005-2006 by the then Opposition. (Applause)

You know, Madam President, there was mention about all types of projects purportedly being financed through Petrocaribe: Boost, food pantry, and all of these things. But you know that you can't have it both ways, you know. If you have these projects already appropriated in the national budget, how then you will also want to finance it out of Petrocaribe? (Applause) You are double dipping. And this is the point that has been made that there is this blanket just being thrown out, like this net just being thrown out, that Petrocaribe is doing everything.

You know, Senator Shoman, I was watching the commercial the other day about Petrocaribe, and even my little daughter said, “But, daddy, that roundabout had been built already. How Petrocaribe pay for that?” (Applause) The point of the matter is that they try to justify their wasteful, reckless spending and say that it is Petrocaribe doing it, Petrocaribe is doing it, with no accounting, and this is what this Petrocaribe Bill does. This Petrocaribe Bill seeks to give them this authority to continue to do that.

One of the important points that have been made is the fact that they were borrowing this money in secret. You know, that’s something very serious to think, from 2012, no Belizean knew about this that the Government of Belize was receiving these monies from Venezuela by virtue of this agreement with Venezuela where they would receive the fuel, pay half the monies, and keep half. So from 2012 it was in secret. The Government was just accumulating monies, and for what purpose? Nobody knows. Only they know. But in doing that they were acting illegally. They were acting contrary to the Finance and Audit (Reform) Act. And so the Prime Minister, being the eminent attorney he is, knows that the law was being broken, and that is why, when this first Petrocaribe Loans Act was passed, there was a provision which was set out in section 4, which says, “Without prejudice to the generality of the foregoing provisions and notwithstanding anything contained in the Finance and Audit (Reform) Act or any other law to the contrary, the following borrowings are hereby validated and confirmed retrospectively.”

What the Government sought to do then was to backdate their illegal spending from September 2012. Now this is a point that has been made by all the social partners and many Belizeans. So you would have thought that, well, in this (Amendment) Bill which is before the National Assembly now that they would have sought to try to take that out, to fix that. But do you know what? Nothing has been changed with respect to that. That section is what can be classified as the immunity section which seeks to protect all those who illegally and wrongfully engaged in this Petrocaribe fund before the matter was brought to light and before the matter came to the National Assembly. They, under the Finance and Audit (Reform) Act, committed an offence and are liable to prosecution and liable to a term of imprisonment for two years. (Applause)

So, knowing that, what they did is that they inserted this section which purports to provide this immunity from prosecution. And I know, Madam President, in your presentation, you were making reference to the fact that, “Oh, all kinds of money is missing or whatever.” Let me say this, and it has been said time and time again, if monies are missing, you need to arrest and prosecute whoever. (Applause) Stop telling the Belizean public these things as though, if there is evidence of wrongdoing, you need to arrest and charge and prosecute who need to be arrested, charged, and prosecuted. But do you know what? They know that it’s just political propaganda. (Applause) It’s a persuasive political propaganda, I must admit. But at some point, and I think it’s Martin Luther King who said it, you know. He said, “Truth crushed to the earth will one day rise again.” And what is happening right now is that you keep spewing this propaganda about monies missing, and in seven years I would have thought that, mien, so many people would have been prosecuted and sent to jail. But you well know that there is no evidence to support any of these things that have been said, and the Belizean public realizes that what you are trying to do is that you are trying to create a misdirection from what is the reality today. And what is the reality in Belize today? The reality in Belize today is that life is harder than what it was in 2003-2008. People are unable, and people live, not by paycheck to paycheck because not even that is sufficient to be able to allow people to pay for

the basic cost of living, to pay for the utilities, the water, the electricity, their house rent, and their food. People are unable to have three meals for the day. These are things which ordinary Belizeans are being confronted with on a day-to-day basis, and then in the face of that we see Government Ministers in these luxury vehicles just flying passed them, and then they expect people to believe, as though, things are as great as they say it is.

The point, Madam President, is that it is the prerogative of every citizen to be critical of a Government when they see that there is errant and reckless spending. (Applause) And that is what is being seen today in Belize. That has been confirmed in the two previous Appropriation Supplementary Bills that have been brought to this Chamber where there are figures that have been put in the Schedule and the figures they do not add up. The Leader of Government Business pointed out, and he sought to chastise us and said, “Oh, you all can’t be condemning people and suggesting that they are cooking the books.” Well, it’s not us. All we are doing is that we’ve examined the figures, and we’ve shown that the figures do not add up. (Applause)

And so, Madam President, in the face of these things we are not unreasonable. We understand that a Government must spend on capital projects. We understand that a Government must spend on improving the lives of Belizeans, but at the end of the day there has to be something to gauge that. And, in any country, that is to be gauged by unemployment, that is to be gauged by the standard of living of our people, and you ask any Belizean who does not have the connection, who does not have the ears of the government, whether their standard of living has increased or decreased post 2008, and you will have an overwhelming response that things have gotten worse. (Applause)

This Petrocaribe Bill, Madam President, it seeks in my respectful opinion to do two things: to immunize those who illegally were spending these monies without obtaining prior approval from the National Assembly in contravention of the Finance and Audit (Reform) Act; (Applause) and it seeks as well to continue to give this Government a cart blank check. And, as Senator Lizarraga will tell you, no business can be run like that. To provide a cart blank check, as this Bill seeks to do, allows for the wasteful, reckless spending to continue much to the detriment of our children and our children’s children who in 23 years will have to pay this debt. And for these reasons, Madam President, I do not support this Bill.

SENATOR J. GRANT (Minister of Energy, Science and Technology and Public Utilities): Thank you, Madam President. On September 11, 2012, Petrocaribe was reactivated in Belize under the United Democratic Party Government. Previously the PUP Government collected \$40 million under the program with no accountability. The program benefitted a few, a very small group of people. And we also have to put on record that they never came to the National Assembly to have this approved and they never reported back how this money was spent.

In essence there are four main benefits from the Petrocaribe initiative in Belize. One, we get fuel from Venezuela and pay 60% within 90 days, and the remaining 40% is a loan at 1% over 25 years. There is nowhere you can get funding at these rates and over such a long period of time. And we are thankful for it. Also, there is flexibility in the debt payments, and this is really important because there is something called the compensation mechanism whereby you can repay your debt by sending produce to Venezuela. Someone said earlier that we should have amended the Act to do that. We don’t need to amend the Act to do that. That is currently what exists today, and we have people in the Ministry of Agriculture who are working with stakeholders to decide how we are going to

take advantage of this mechanism, and we are hoping that this will be done within the next few months. This is again something that we are talking about sustainability, and we are talking about development. Well, this is both sustainability and development in that our farmers will be able to sell their produce knowing that there is a market and a guaranteed price. So we are very happy about that, and we cannot wait for this to become reality.

The UDP Government has continuously showed its willingness to listen to the people regarding the Petrocaribe Loans Act. The Prime Minister has gone on record multiple times explaining in detail that there is nothing sinister or clandestine about the Petrocaribe Loans Act. I know there are people who are confused about whether these people who say they are in support of the initiative really are because the last time I checked there was a lawsuit that is trying to get the courts to say that there can be no more expenditure on the Petrocaribe initiative. So saying one thing but having a lawsuit, trying to get the Government to stop spending, is really kind of confusing to me, and I really wonder, and based on what I've heard earlier, whether the aim is not to stop the funds from flowing to provide jobs and wages to the Belizean public.

Madam President, to demonstrate the most unequivocal term the administration committed to amend the Act to assuage the fears that we heard from the Belizean people. I want to be clear that we've never said that the Act was wrong. What we're saying is that we heard what Belizeans were saying that, oh, they really would like to know, before we spend the money, how much was going to be spent and that we should say that we will come back and explain how it's going to be spent. And in the amendment we have done exactly that.

This Act that we are discussing today has benefitted from consultations with all social partners, including the church, the union and the Chamber of Commerce. And the Prime Minister also met with the church and the union later on for them to tell him, as the leader of this country, the concerns that they have with the initiative so that we could rectify those. After hearing from the social partners, the Prime Minister committed to reporting to the House every three months on the spending by putting forward a Supplementary Appropriation Bill, like we saw here today. Madam President, every single dollar of Petrocaribe funds will be accounted for, and, as has been the practice on this Administration, we will put these figures out for the general public to see and to comment upon.

I also want to say that on the BIL, which is the Belize Infrastructure Limited initiative, \$60 million of the money coming from Petrocaribe, we do have on that Board someone from the union and someone from the Chamber of Commerce and Industry.

The (Amendment) Act like the parent Act is fully in conformity with section 84(1) of the Constitution of Belize insofar as it allows the Government to retroactively validate previous spending of Petrocaribe funds. I want it to be very clear because we've heard this said over and over again that the Constitution of the country expressly gives the National Assembly power to pass laws, Substantive Acts, as opposed to mere resolutions, retroactively. So let's be clear about that. We are doing what the Constitution says that we can do.

The Act does not exempt spending, and every cent that is spent will be subject to all the checks and balances that we do now under the Finance and Audit (Reform) Act as well as the Financial Orders and Regulations. And I know my colleague this morning said that the Central Bank Governor made a statement. Well, he didn't say that the Central Bank Governor made it very clear that he is very comfortable with the way that the funds are being lodged at the Central Bank

and that his bank can also be audited by the Auditor General. So from every angle the Belizean people should feel very comfortable that there is accountability and that under the Regulations that these funds can be audited at any time.

Madam President, I don't think any rational person can deny the transformation happening throughout our beautiful country that has resulted from the funds from the Petrocaribe initiative. It is not just the existence of the program that is of consequence, Madam President, because, as I have said, the PUP also had a chance to use these funds and they didn't. But it's the management and good stewardship of the program that is the difference here in how we go about spending the people's money. The infrastructure that you see is only a part of what is being spent. There are many social programs that are being rolled out for the benefit of the Belizean public because this is the vision of Comandante Chavez, and we have embraced this vision, and we are spending the funds in accordance with what he said were his priorities.

I also want to point out that in the Petrocaribe (Amendment) Act there are three major provisions. The first addresses the criticism that we have heard about the spending of the Petrocaribe funds and whether these funds comply with the Finance and Audit (Reform) Act. Madam President, this Act now makes it abundantly clear that Petrocaribe monies will be kept in a fund at the Central Bank of Belize and shall form part of the Consolidated Revenue Fund. And any spending of such monies will be in full measure subject to the Finance and Audit (Reform) Act and all other laws, regulations, and procedures applicable to the monies.

The second provision deals with the purpose for which Petrocaribe funds can be used: capital funds, social and community assistance to the poor, socially marginalized and other sectors of the community. We believe in this, and we feel very happy that the funds are reaching to people in every section of this country of ours.

Also, the third provision, Madam President, now requires the reporting on Petrocaribe spending every quarter. This is an entirely new feature of the Act. Madam President, it's a clear indication that this Administration is accountable for the use of public monies, and I will quote, "All money borrowed from APBEL shall be reported to the National Assembly quarterly and shall require the passage of a retrospective Supplementary Allocation for any spending done in the reporting quarter that was provided for in the annual Estimates of Revenue and Expenditure. At the time of quarterly reporting, a prospective Supplementary Allocation shall also be required for all spending proposed to be done in the following quarter, if such spending has not been provided for in the Annual Estimates of Revenue and Expenditure."

These amendments, Madam President, without a doubt, should address the difficulties of those segments of our society that had legitimate concerns regarding the Petrocaribe Loans Act. The amendments make it clear that this Administration has not and will not act in contravention of the Finance and Audit (Reform) Act and the financial regulations.

I also want to put on record because it was said by my colleague that the Bill deserves debate and comment, and I want to join with the thousands of Belizeans to express my dissatisfaction and complete disbelief that the constitutional Opposition, Her Majesty's Opposition, walked out of the last meeting and not debate this Bill which is of such importance. I cannot understand it, and, when I'm asked by people, I cannot give a response. I stand today fully in support of this Petrocaribe Loans (Amendment) Bill, 2015. (Applause)

SENATOR P. ANDREWS: Madam President, I rise to make my contribution to the Petrocaribe Loans (Amendment) Bill, 2015. On a point of clarification, Senator, I think that \$20 million was not a loan from Venezuela under the PUP. It was a grant given to the PUP for housing. It was a grant. (Applause) And I have heard the past Prime Minister also mentioned in this same House that whatever funds were there were clearly left in the Central Bank in the reserve and it was the UDP Government that used and misused all of the Petrocaribe money.

Also, on a point of clarification, Mr. President, I'll continue with my presentation. On a point of clarification, if the municipal election was such a referendum which I agree with my colleague that it would be senseless to call the municipal election a referendum when we only had 48% of our voting population coming out. We would remember though that we came to this very House in March of this year, if I'm correct, Senator Anthony, we were asked to approve \$46 million in a Supplementary Bill that was spent between November of 2014 to February 2015, \$46 million. And now I say that to say that \$46 million brought out 48% of our voting population, and that was no referendum on what the masses or what the people of this country feel about this wasteful mismanagement as it relates to the Petrocaribe spending. (Applause) Today we are asked to approve another \$51 million. I could only assume that we might be having an early general election for that \$51 million. (Applause) But we are yet to see.

Mr. President, I was hopeful that the Senator on the next side would mention it, as she elaborated on all the grand day that the Petrocaribe had spent. She never did mention what her colleague, the ex-UDP Minister, mentioned on how the Prime Minister also used the Petrocaribe money, your colleague, former Minister Melvin Hulse, because you know that he mentioned in reference to the Petrocaribe, and since you felt the liberty to elaborate on that, how your Prime Minister used the same Petrocaribe money "to buy out by-elections in Cayo and in Dangriga". Again, those are the words of your colleague. (Applause)

Mr. President, it's historic that we are here at this House to amend this Bill and only few months ago we were here and it seems as if though the UDP Government would feel that the Belizean people are going to forget about this Petrocaribe Loan Bill. But at the end of the day what the people want is accountability and transparency on how their money is being spent. They want to know that the Government will come to this House and that the Government will ask approval for borrowing and also for how they spend the people's money. And that is at the core of what the people of this country are asking. And I am sad to maybe break the news to my colleagues on the other side that the Belizean people have no confidence in the management and the spending of the public money as it relates to this UDP Government. If they did, they would not be in such an uproar on every morning talk shows calling and asking for the repeal of this Petrocaribe Loan Act.

Senator Grant, I love you. You are a very kind person. But, if your Government did not listened to the Chamber, or to the business sector, or to all, even the churches that had asked for a repeal of this Bill, I don't think they would have listened to my Party Leader, Honourable Francis Fonseca. So to assume that, if they would have stayed here and put forth their point and to do so that the Government would have repealed this Bill, I don't take any comfort in that. (Applause)

Mr. President, these changes are cosmetic, as have been mentioned by my colleague. It is an attempt to insulate the Government from the fact that, during

the year 2012-2013, 2013-2014, and 2014-2015 financial period, it borrowed and spent millions of dollars of Petrocaribe Loans fund without parliamentary approval to borrow these funds and to expend them through the prescribed budget approval process, by not following, sorry, those prescribed process as laid out in the Finance and Audit (Reform) Act of 2005. And that is the issue that we're faced here, and even today we still see a violation of the Finance and Audit (Reform) Act of 2005. And I don't know why the Government refuse to give proper account of the expenditure of millions of dollars of Petrocaribe money that have been spent. Again, I have sat here, as I've said earlier, and we have asked over and over for a detailed account of the spending of the hundreds of millions of dollars of the Petrocaribe. What is it that this UDP Government is hiding? Maybe the ex-Minister was right on what is taking place.

I want to clarify, even before I continue, that I am proud of the PUP Government because it was the PUP Government that had the intellectual capacity to accept and to see such a good thing as the Petrocaribe initiative. (Applause) It was our former Prime Minister, the Right Honourable Said Musa, who saw that. What the PUP is against, Mr. President, it's the misuse, mismanagement, and abuse of the Petrocaribe funds and how it's distributed. (Applause) And so, to response also to the Senator, that, yes, the lawsuit, my party has an obligation to insist for transparency and accountability on how the Belizean money is being spent. (Applause) And we fully stand in agreement in the lawsuit, not against the program itself because the program is a great initiative. It's a wonderful gift from the good people of Venezuela who, by the way, are suffering today so that we could have this money to do something with it. (Applause)

I don't know if we have followed the news, Mr. President, but people in Venezuela are suffering. There is no food on their shelf, and then for us to have these millions of dollars to be wasting on tacos and beer and to come in this House to try and justify the waste of almost a million dollars just to be given at the discretion of these Ministers is unacceptable. And, yes, we will hold this Government accountable. If the Government does not repeal this Petrocaribe Loans Act, then, we will find other means to do so. And I hope that the good people of Belize will understand that on the day of Election Day that will be our day to repeal this thing and to give back power to the people so that they have a say in how their money is being spent and exactly how and where does it go.

Mr. President, the Senator also didn't mention about the streets in Maya Mopan, sorry, not Maya Mopan but here in Belmopan, the cement streets. If you would walk on Cemetery Road, you could count almost a hundred cracks in the cement street for maybe 200 feet. And I am not kidding you, Mr. President. I welcome any of the colleagues on the next side to take a drive two minutes away to the cement street in Salvapan on Cemetery Road and get out of your vehicle and walk for maybe five minutes and you will count over 100 cracks on a road that has been built through the Petrocaribe money, Mr. President. (Applause)

The Crooked Tree causeway, they spent hundreds of thousands of dollars, and that collapsed in only a matter of days. We didn't hear the Senator mentioned about that. We didn't hear the Senator mentioned about the road to Hopkins. I don't know, and I've only seen pictures on Facebook. I haven't seen it, Mr. President. But, again, the point is that there is no accountability, there is no transparency on how this Petrocaribe money is being fit because we have a Government that has passed a piece of legislation that say, "We will spend the money how we see fit to do so, and we will do so at our own discretion". And, again, I caution the UDP Government that this money is not their money. This is not their money. This is a loan that is being borrowed, that is incurring a tremendous debt upon the people of this country that we will have to repay, and

we insist for accountability, we insist that the Government comes and asks the people of Belize when they want to borrow and how they want to borrow to get approval from this National Assembly before they continue doing so.

The Government's refusal, Mr. President, to listen to the people of this country, it doesn't surprise me. It saddens me but it doesn't surprise me that we have a Prime Minister that refuses to listen to the people of this country. Maybe they feel by doing some cosmetic changes to this Petrocaribe Loans Act that the people of Belize will forget about it. But I am telling you that the people of this country they are smarter than what the Prime Minister or the UDP Government thinks they are. They are more smarter. In fact, to use the words of the ex-UDP Minister that says, "Listen, the worst thing that you could tell a Belizean person is to let them feel that they do not have a say in the outcome of the next general election", and I believe that the people of this country will hold this Government accountable for this same Petrocaribe Loans Act that takes away power from the people and consolidates it only within the Executive of this country. (Applause) That's exactly what this Petrocaribe Act does. It takes away the power from the people, and it consolidates it only in the Executive, not even in the legislative, because it totally takes away the say from the Opposition. Only the Cabinet then decides how these monies are being spent, and that is unacceptable for a democratic society, Mr. President.

People are becoming frustrated, Mr. President. We welcome the statement of concern by the Belize Chamber of Commerce and Industry and the National Trade Union Congress of Belize. But we also know that those concerns have fallen on deaf ears. But we say to the Belize Chamber of Commerce and to the National Trade Union, have hope, the PUP will listen to your cry, and we will bring the change necessary to make sure that we restore power back to the people of this country. (Applause) We will do so, Leader of Government Business.

We hope, Mr. President, and we've heard, and I've said that we have a Government that is using this said Petrocaribe money not for the development of this country, not for the development of addressing the poor. We would have seen a tremendous reduction in poverty after seven years and after a billion dollars that have been borrowed by this Government. We would have seen a tremendous reduction in poverty. But today we still have 43% of our people living in poverty in this country. (Applause) We still have tremendous, high unemployment in this country. Every day, Mr. President, well, not every day, but at least couple times a week I get an inbox message on my Facebook, "Mr. Andrews, I am so and so. I just came out of university. I have an associate degree. Do you know of any job opportunities?" And I have to sadly respond to those young people on a daily basis because our Government should have been using this Petrocaribe money to create opportunities of employment for our young people. But we see no drastic change in poverty or in unemployment in this country because the money is not being used to develop our country. It's being used to ensure that the Prime Minister and this UDP Government ensure "a third term victory for the UDP". (Applause) And, again, I am only quoting the words of your colleague there, Leader of Government Business. I don't think I need to mention his name.

I think, Mr. President, that we would hope that this Petrocaribe money funds would have been used to stimulate the economy in this country. I think the Leader of Government Business mentioned that it would have been wise for this Government to use this said Petrocaribe money in ways to stimulate our economy because this money will have to be paid back. This money will have to be paid back. We don't want to be like an irresponsible person that just goes and borrow and borrow and waste. If we are borrowing, then at least let's try to invest some of this Petrocaribe money so that it will grow our economy, so that it will grow

our revenues, and so that in the future we will have some means of paying back this money. But there is no consideration for the young people of this country by this Government. There is no futuristic thinking because I will borrow and I will spend now and you will figure out how you will have to pay it. And that's why, Mr. President, I call upon the young people of this country that make up the majority of our population that we must rise up and hold this Government accountable because they are saddling this generation of young people with tremendous burden, with no means of how to pay it back because they're not growing our economy. There's been no new industry that has been brought about because of this Petrocaribe money, millions of dollars. (Applause) And I challenge the Leader of Government Business to mention which new industry or what new economical gains have been brought about because of this Petrocaribe money. None! Why? It is because I hold to my statement, Mr. President, that the Government only uses this money for political expediency and to secure a third term in office. But they will have a rude awakening because the people of this country will reject such motion, and they demand accountability. They demand that the Government adhere to the Finance and Audit (Reform) Act of 2005. They demand that the Government is not above the law. No one in this country is above the law or above the Constitution. Now they might act and believe that they are. But come that day they will be humbled and they will be taught a lesson, Mr. President. (Applause)

Mr. President, we are here, and I am thankful to stick to our position that this law is a travesty and must be repealed and that my party has formulated a legal solution to the Government dilemma which it offers in the best interest of the people. My colleague, lead Senator Lisa Shoman, has mentioned the proposal that our party has given. But, again, it has fallen on deaf ears because this Government has no intention of listening to the majority. They have no intention of dialogue with the Opposition. They have no intention of listening to the unions. They have no intention of listening to the business chamber, not even to the church they have no intentions of listening to because they believe that they're supreme, above the Constitution. And, again, I call for the repeal. I join with my colleagues and I join with my party and the social partners who have registered their discontent, Mr. President. And I call for the repeal of this Petrocaribe law and that we restore power back to the people, that we restore democracy back in the way how our money is being spent, Mr. President. Thank you again for the opportunity to be able to speak and express my views and my opinion in this House freely, Mr. President. (Applause)

SENATOR FR. REV. N. LESLIE: Mr. President, I rise to address the Bill which is before us, the Petrocaribe Loans (Amendment) Act, 2015. Mr. President, at the last session of the Senate I opposed, this Act, because of words such as "may" and "unlimited" which were in it. I realized, Mr. President, that my rejection of the Act at that time was met with some consternation on the part of some people. But I must say that I am glad to see that the Prime Minister was ready to make some amendments to the Act. I must also mention that he also met with the Belize Council of Churches' Executive members to discuss the matter, and he was quite cordial.

Mr. President, even though all is not perfect, it is good that some efforts were made to make some necessary amendments. We must take note that it's a plus that we were made aware of projects which will be coming on stream in the very near future. That is quite notable. Mr. President, we want to see our country move forward in every way, socially, economically, etcetera. Indeed, we can see much transformation in the city, in the towns, and in the villages. Mr. President, our people must get the opportunities to become self-reliant. Sustainable development projects must be initiated as soon as possible so that when

Petrocaribe comes to an end we'll be able to see tangible results of the funds invested in the projects. In other words, Mr. President, our economy must receive a great stimulation as a result of the judicious investment of the funds. We should also want to be able to repay the loan in a reasonable time. These projects, Mr. President, could provide more jobs for our people and so reduce unemployment. Mr. President, more and new avenues for self-reliance must be made available to our people.

Mr. President, as the works progress, we desire to see proper reports be given to us. There must always be proper accountability and transparency. Mr. President, it is my hope that the Finance and Audit (Reform) Act which was introduced, debated, and passed several years ago will always be seen as a major victory to our country and that it will remain as the measuring rod for proper accountability and transparency. Mr. President, I look forward to better things in the very near future. Thank you very much. (Applause)

SENATOR G. SOSA: Thank you very much, Mr. President. As I rise in support of the Petrocaribe Loan (Amendment) Act, 2015, I am convinced that we're here because there was a heed to the call. There was someone listening in Parliament, someone taking into account the opinions of the rest, and the rest includes the Opposition, social partners and the public at large. But prior to coming with these amendments there had to have been an original Act, and prior to the original Act there had been, as is commonly known, a Petrocaribe initiative agreed upon by Government, the previous Government in 2005. Since the initiative came up, it came up undoubtedly in the form of a negotiation. It had to have been. It had to have been that the initiative discussed the concept of a loan and repayment. It had to have been discussed certain conditions, and those conditions, those terms, that negotiation roundtable had to have arrived at something that is beneficial or would be beneficial to the country at large. So from the onset we have had a clear picture of what Petrocaribe is all about and will be all about. So, because there is a National Assembly and it is expected, as prescribed by the supreme law, that all legislation be brought to the National Assembly, I cannot but presume that those legislator of that time had to have known that in some form or manner we had to have come up with a legislation in reference to Petrocaribe.

Nonetheless, since 2005 to 2008, as has now the question been brought up and seems to be a debatable one, monies of Petrocaribe had been received between the period of 2005 and 2008. They were received under what terms and conditions? So the mighty institution that is now calling for a repeal appears to have had no idea that they should have proposed to Legislature some form of Bill to eventually become the mechanism of control for the revenues derived from Petrocaribe. So, if we stand by that concept, we must not assume but certainly declare that there was no intention to come up with any form of legislation for control of the loan.

Furthermore, monies derived within the period of time, 2005 to 2008, have no evidence of proof of any project, of any initiative, of any form of social conscience. So the word "repealing" now is senseless and baseless. Change of government clearly cut the hands of the mighty Opposition from the Petro funds. Maybe they did not understand the magnitude that the Petrocaribe funds could provide in a transformed Belize, or maybe, should I not say, the traditions and customs that led them out were just a strategy not to present anything.

So now the new Government was elected, and, in 2011, when it was renewed, nothing had been said of Petrocaribe, no Bill had been proposed, and monies had been spent. When someone in the media said or cautioned that

Petrocaribe doesn't sound too correct, Prime Minister heed the call, and to state here that the Government of the day has never agreed that something may have been wrong is completely an understatement because the Petrocaribe Loans Act is a clear indicator that this Government believed, agreed, that we had to come to Legislature with a proper mechanism for the control of these Petro funds. And so there came the birth of the Petrocaribe Loan Act. So don't come and mislead the people that we have had no intentions of being transparent, no intentions to recognize that we should do right what could have been not flowing in the right direction. So, even at the time that Petrocaribe Loans Bill then was being discussed, there was no genuine attempt of Her Majesty's Opposition to propose to Legislature an alternative to the Petrocaribe Loans Act thereafter. So what does it say about Her Majesty's loyal Opposition?

In dismay, they still didn't realize they have or they should have proposed something. They decided to take legal action but not legal action in proposition to something different than the Petrocaribe Loans Act. It was a legal action to stop Government from spending Petrocaribe funds. So, "You stop spending," but they didn't say the other part, "Give us our turn. Give us our turn because we know what to do with it." That has never been said but we can read between the lines because, as had been stated here, or at least implied, there is a fear that because the Government of the day is being effective in the expenditures of the fund and in the execution of the projects that are benefitting a large sector of the country that we must now believe that they are right. But, Mr. President, they never bring any proposal.

So now they even presented themselves to debate at the time the Petrocaribe Loans Bill, and they did debate. And during the debate they did not bring an alternative proposal. They said, and they complained, "Look, why is it that the funds are not going into the Consolidated Revenue Fund?" The Petrocaribe Loans Bill at the time had a clause different than this. So, because the call was clear, a decision has been made to repeal and replace that specific section of the Petrocaribe Loans Act with this. And it further now clarifies that "The monies borrowed from APBEL shall be kept in a fund at the Central Bank of Belize, which fund shall form part of the Consolidated Revenue Fund of Belize." But, Mr. President, they are still not happy because we look to repeal and replace certain sections that they disagreed with. Now we need to repeal everything. That doesn't make sense.

Then they disagreed with how the Bill at the time had proposed to have money spent. Again, the Prime Minister heard the call, heard the complaint, and it came now with a different, with an approved, with a clarification of what they did not understand. Yet, there are some questions about the last section of the proposed amendment "and for any other similar, legitimate purposes". And the question that arises out of that concern is "legitimate purpose", one that leads to what they call Petro tacos. Well, let me speak about that a little bit.

Development or social development has several components, and one of the components has to be within social conscience, those social events, or activities, or special moments during the year where people expect something. And Petrocaribe funds can be looked at, as what the Opposition says, as an opinion. But, before the Opposition decided not or to completely reject any funds from Petrocaribe, they had been receiving monies for those kinds of activities. They had been receiving Mother's Day grants. They had been receiving Christmas cheer funds, and they had been accepting, and unbelievable they cannot stand, well, at least, they did not allow themselves to stand because the Members on the Government side would have questioned, how did you spend those funds allotted to you when you did accept for Mother's Day and Christmas? I clearly

remember someone saying, “I need \$25,000.00 to pay for my toys, and I need it in cash”, for toys, Mr. President. And those that got monies for those specific activities bought ham and had Christmas parties on the next side too out of government fund. Now you’re going to question a legitimately approved funds for Mother’s Day that an Honourable gentleman has decided with his committee, with his constituency to spend it this way. Maybe, maybe we took the righteous example from Her Majesty’s loyal Opposition.

So, furthermore, because there was this question about, we don’t agree that they are being transparent and they are not outlining clearly, we repealed and replaced, and this clarification seeks to strengthen the Petrocaribe Loans Act, Mr. President. So now the query is about, but you are covering your back, you guys are doing something wrong, and you have recognized it, and so you guys are going retrospectively with the Act. The supreme law of the land, the Constitution of Belize, provides for legislation in retrospectively, and that is legal. If it was not legal, it would not be included in the supreme law of the land. How dare you’re going to say and query the legitimacy of Belize’s Constitution?

Now the Prime Minister at the time promised that quarterly the Executive would have come to the Legislature with Supplementary Appropriations to clearly indicate to the National Assembly what were the needs of the funds for which they were appropriated, and now we are seeking for your approval, and this is not the first time that we’re doing it. So this last amendment seeks to clarify and make it legal now, exercise under legal grounds, that Government would now come every quarterly with a retrospective Supplementary Appropriations Bill seeking the consent of the House. It goes further. It sets out a prospective expenditure for the next quarter incoming or thereafter. So now we’re not just telling the Legislature and the country at large that this is what we have had to spend, this is the monies that we are sourcing out of Petrocaribe, and we did it for the last quarter, but now we project to spend for the next quarter these specific amounts of funds, of which, in line with the proposed amendment, there has to be a clear understanding that at the end of the next quarter the Legislature must expect a Supplementary Appropriation declaring it, should any of the projected item lines have been exceeded of what was projected, legally. Now to hear Her Majesty’s loyal Opposition saying, “You’re not transparent”, I dare to disagree.

I believe that the underlined statement about not being transparent is “cut it from them and give it to us. It’s our turn now.” I believe that’s the underlined statement, and that is my opinion.

MR. PRESIDENT: What is the point of order, Senator?

SENATOR L. SHOMANS: The point of order is, Mr. President, I’m not going to sit here and have the Member ascribed, whether it’s his opinion or not, ascribed motives to the Opposition that are completely and totally a fabrication or a figment of his imagination. Please, Mr. President, we try to be really respectful to each other here. I don’t address myself to him in that manner.

MR. PRESIDENT: Go ahead, Senator.

SENATOR G. SOSA: Mr. President, I have nonetheless to be very clear that up to the debate of the Petrocaribe Loans Act that the Opposition, nor the social partners, had proposed any alternative legislation, or any alternative Bill, or any alternative proposal because they felt we’re doing it wrong and we believe that we have the genuine privilege to table it for debate and discussion. You could have tried. You’re privy to try. You didn’t.

However, when the amendments were aired through the media, there comes the bigger statement, repeal it.

SENATOR A. SYLVESTRE JR.: Sorry, Mr. President, I have just one point of order. Senator Sosa should know that money Bills cannot be introduced by Members of the Opposition. It could only be introduced by the Government. So I just need that to be clarified. So, when he makes that categorical statement in the fashion that the Senator has just done, that is misleading. I just referred to the Constitution, the supreme law, which the Senator was speaking about just a while ago.

MR. PRESIDENT: Thanks Senator. You can go ahead.

SENARO G. SOSA: Mr. President, it's good to hear that. Nonetheless, didn't they have an attempt to come to Legislature in the last sitting to speak out of their proposal? Didn't they choose not to be? Didn't they choose not to make their contribution because they could have aired their proposal here? They could have made it known to the public here. This is the right place. This is the right place to discuss and propose. This is the right place to tell the nation face to face, "I don't like what you are doing. I know I cannot propose legally this. But, if I were to be in your place, this is what I would have done." But they denied themselves that opportunity.

So ten years now, ten years of Petrocaribe, we celebrate the projects that are out of Petrocaribe funds. All of us celebrate. I don't know that in other instances we have not said, "Now we will ride a good Chetumal Street or Boulevard." Something has been said to that, and someone has said, "Now we walk on the streets of Belmopan", Mr. President, even if he claims that they are cracked. When he's walking on it, he's enjoying it. I believe so. At least he is walking over it. So that has to be a form of use.

So now we come to the Honourable Chambers to debate and discuss these proposed amendments because we believe that we owe it to the Belizean people. We believe that we owe these amendments to the social partners that have cried and have called for a different, for a clarification, for a strengthening of the Petrocaribe Loans Act. And we also owe it to Her Majesty's Opposition because you have made the call as well, and these amendments seek to repeal and replace those that you thought were not to your satisfaction. I will come back and state the only thing that I can agree to disagree is when they step up and question Government's priorities of expenditure because, as I said earlier, the social components are many, and limited are the funds that are available now to make 100% transformation. God did not create the earth in one day. So you don't expect human beings to make a change of the whole of Belize in one day. So there are several components of development that at this moment have not yet been addressed, and I'm saying, not yet. There has to be priorities, and priorities will be debatable because you have priorities, because you think it could have been done this way or that way, but legitimately the Government was given the ultimate authority or the Government was entrusted to prioritize development, to prioritize expenditure, and I must have to agree to disagree with them, and I hope it's also the opposite and you share it with me.

Mr. President, I believe I have made my points. I am very sure that the amendments proposed clearly serve to clarify and strengthen the Petrocaribe Loans Act, 2015, and I'm here supporting it. Thank you very much. (Applause)

SENATOR A. GUERRA: Thank you, Mr. President. I ask your permission, if I could read from my notes.

MR. PRESIDENT: You can go ahead, Senator, to refer to your notes.

SENATOR A. GUERRA: Thank you. And, before I start with the presentation of this Petrocaribe Loans Act, I just want to retrospectively thank the Senators who welcomed me this morning. (Applause) Thanks very much and, for Senator Grant, I am just a temporary Senator. I am not replacing the National Trade Union Congress Senator, not as yet, and I don't know if I will, okay, just for clarification. (Applause)

The Petrocaribe Loans Act 2015 came into law on April 1, and April 1, as you all know, is All Fools Day. So maybe we were fooled into that. I don't know. Prior to the enactment, nothing was known that such law was being proposed, and those amendments, when it came to the public's attention, it was on a Thursday, and by Monday it was voted on and made law. (Applause) It is yet another one of the laws in Belize which has unfortunately seen Parliament abusing its power and pushing through legislation without any consultation or debate. (Applause) I want to point out here that what I am presenting here, as the National Trade Union Congress' Senator today, is based on consultation made throughout and with our membership, and proper consultation/debate also was made among our members. (Applause)

In the first instance, consultation is not only necessary but very important, especially given the fact that the Petrocaribe Loans Bill went against the tenets of good governance and violated all principles on which the union joined forces with the Opposition, the civil society, in 2005, to protest the poor governance of our finances and the abuse of the laws and finance systems as they then were. Sadly it was not until the unions and later NTUCB denounced said Petrocaribe Loans Act, 2015, that the Government, realizing the concerns were legitimate and well-founded, decided to propose some amendments and ask the NTUCB for a meeting. But was that consultation? Not so much to consult, of course, not but to just justify the passing of the law and to explain how it could proceed with it.

While comments and recommendations have been invited and we have made them, we are not sure if they will be taken into account. However, NTUCB in its role as civil society is obligated to put on record its concerns and recommendations. And if you may, Mr. President, I will continue by highlighting some of the salient issues that we have, the unions and civil society have with the Petrocaribe Loans Act, even with its amended form. One, it made special provisions for borrowing by the Government to the exclusion and in violation of the Finance and Audit (Reform) Act of 2005, amended in 2010, and section 7.

Section 7(2), "Any agreement, contract or other instrument effecting any such borrowing or loan to the Government of or above the equivalent of \$10 million shall not only be validly entered into pursuant to a resolution of the National Assembly authorizing the Government to raise the loan or to borrow the money." The loan was made since 2012, and it was not until March 2015 that Government decided to get a resolution. (Applause) But to pass this law they went to amend, legalize and validate their violation of the Finance and Audit (Reform) Act, as I mentioned before. Today, my people, that law has stated that we have borrowed since February over \$300 million or approximately \$300 million, far above the \$10 million required by law. Is this good governance, accountability and transparency, my people? (Applause)

Two, the Petrocaribe Loans Act was made retroactive, and this serves two purposes: (i) to legitimize the violation of the Constitution and the Finance and Audit (Reform) Act; and (ii) to elevate the offenders above the law and free them

from any sanction under the section 24 of the Finance and Audit (Reform) Act. (Applause) These are sanctions for violation of the Constitution and criminal sanction for the violation of the Finance and Audit (Reform) Act, which, if found guilty in the magistrate court, could be fined \$10,000.00 or two years imprisonment or both. (Applause) But why such law which was passed by this Government? If they can easily make a law to go around it and make themselves above the law, is that the purpose?

Three, it was passed under the mistaken assumption that the finance portion of money lent to Government by APBEL could not be ascertained beforehand. This is misleading, Mr. President, since the portion is tied to the shipment bought, price for which is ascertained when the bill of lading is prepared. (Applause) When that bill is made, Government then has to create 23 promissory notes, and so they know the value of each of those notes. (Applause) It is not a blank check.

Four, the rationale for this special law is to be expedient and not to be transparent and accountable. (Applause) And, as mentioned before, it goes against everything the Finance and Audit (Reform) Act sought to establish, giving priority to the need to give effect to the bilateral agreement between Belize and Venezuela, instead of making way for compliance with our laws.

Now let us look at the amendment, the actual amendments. One, in section 3(1), they enforced the violation of the Finance and Audit (Reform) Act and made it clear that Government can borrow from APBEL any amount without prior authorization of the National Assembly. Has this been amended? No, it has not.

Two, section 3(2) allows for a special account at the Central Bank of Belize to be withdrawn from time to time as the need arises with no mention of the mechanism and process to be accountable and to get approval for the spending for specific purposes. This has been clarified, and we believe that section 9(1) of the Finance and Audit (Reform) Act, however, provides a better mechanism which we should recommend it use. (Applause)

Section 3(3) places no limitation to the use of the money borrowed from APBEL and gives some discretionary purposes for which it may be used. This has been changed to make the purposes strictly discretionary. (Applause) Maybe that is why we have all the different monies being used for different purposes which I will highlight later on. It expands the list of purposes but still leaving it opened, enough to include “any other similar, legitimate purposes”. (Applause) It is too opened and, thus, opened for abuse. (Applause)

Section 4 makes the law retrospective to validate and confirm the illegal loan agreement entered into 18th September 2012, the borrowing of \$140 million between September 2012 to August 2014, sorry, U.S. dollars, and the borrowing of US\$28 million borrowed between September 2014 to February 2015. Both were done under the illegal loan agreement of 2012, and this remains the same in the amendment. (Applause)

Section 5 ensures that the Petrocaribe Loans Act trumps all other laws but these would seem improper since it is a secondary law and cannot trump the Constitution of Belize, which is already violated. (Applause) But this remains the same in the amendment. Section 5 provides the date to which the Petrocaribe Loans Act become retrospective which also remains the same.

There is a new section 3(4) which is a new addition being proposed, and it reads, if I may, Mr. President, as follows: "It is hereby provided that all money borrowed from APBEL shall be reported to the National Assembly quarterly and shall require the passage of a retrospectively Supplementary Allocation for any spending done in the reporting quarter that was not provided for under the Annual Estimates of Revenues and Expenditures. At the time of quarterly reporting, a prospective Supplementary Allocation shall also be required for all spending proposed to be done in the following quarter, if such spending has not been provided for in the Annual Estimates of Revenues and Expenditures." This is a new addition but this still does not cure the violations. Instead it puts in law what the Prime Minister had been saying that he will later tell us how the money will be spent. (Applause) It is still against or defeats the Finance and Audit (Reform) Act where the public must know before any borrowing is made over \$10 million.

For these reasons, we the union and civil society, after proper consultation, cannot support this Act, not even in its amended form. (Applause) But, Mr. President, if I may, we are a responsible organization, and, if I may, I would like to highlight some of the recommendations that we've made and we have sent in as recommendations, and I want to bring them up today also in this Honourable House, with your permission.

MR. PRESIDENT: Go ahead, Senator.

SENATOR A. GUERRA: Thank you. One of the recommendations is to place a cap on the amount of money that can be borrowed before going back to the National Assembly to get approval for further borrowing. (Applause) If it is decided that it would be \$1 billion, let us put a cap on it before it goes to the Assembly.

With the first payment becoming due September 1, 2015, provide us with a schedule of payments and indicate if full payment will be made within the 90-day period, keeping in mind that the first 30 days is interest free and, if not, all money due then is paid then, the remaining payments done within the 60 day attract a 2% interest. And remember it's a loan. So we need to pay. We have to pay.

Government is also to report our payment status of each loan, if not, at National Assembly, by publication so that we can be kept abreast of the repayment efforts and success. Let us not leave it by chance. Let us know exactly, let the public know, that our unions, our National Trade Union Congress, all the stakeholders know how this loan will be paid.

Also we will propose that, and keeping in mind that the nature of the social program is very critical in our society today. So instead of spending thousands or maybe millions on Mother's Day cheer, are those mothers better off today than they were on that day? Are they? (Applause) Why not provide daycare for single mothers? (Applause) It is very important. Our society today has so many single mothers, and, with a proper daycare system, I am sure they will benefit more than on one day Mother's Day cheer.

Also, why not invest in preventative care, care for cancer patients? Invest in the Cancer Treatment Centre in Dangriga. (Applause) Of course, they will make good use of that money. How about dialysis? (Applause) How many of our people today are in need of dialysis, dying every day because they are not able to afford? Even we the workers who are working many times we are not able to afford. There are so many teachers who are in need of dialysis, and it pains my heart whenever they come around with a paper seeking assistance. (Applause)

Do teachers have to be begging? Do we have to be doing that? And how long does it take for us to be able to accumulate the finance to be able to get our dialysis? By then, who knows, we are dead. So I propose that we invest some of this Petrocaribe money, if it has to be used, in dialysis.

Also, soft loans for businesses will need to expand. (Applause) Yes, it's for small businesses, right, the small businesses. It's true that at this present time with the Petrocaribe being rolled in every district, north, south, east and west, there are many people who are employed. But for how long are they going to be employed? (Applause) What will happen after? Is there anything put in place that will help to keep them employed after the Petrocaribe stops rolling? (Applause) So let us provide soft loans for those businesses, small businesses who want to expand and also, for sure, will employ Belizeans. (Applause)

Another point in mind is, how about proper housing projects? (Applause) The National Bank, we are going to say, "Oh, we can go to the National Bank". How many of us are able to go to the National Bank in reality and have access to that National Bank? (Applause) As it was being said before, yes, some people have made use of the National Bank, but there are so many others, teachers in particular, who need housing projects. (Applause) I can't recall when was the last time that a housing project was established for teachers, nowhere in this country in the recent times.

I would also like to propose for all schools to have a feeding program, a feeding program that would be sustainable. Many times, as it works today, it might be some organization that is providing help so that that feeding program could take place in our different schools, and sometimes the teachers have to take out money to be able to buy lunch for their children because, as we know, an empty crocus bag can't stand up. (Applause) And if they are not able to stand, they are not able to learn. So we need to facilitate that. But it comes at the expense of the churches. It might come at the expense of an organization that is providing, and teachers who are providing in our schools. So let us use some of the Petrocaribe to have all schools have a feeding program which should be sustainable. (Applause)

And the other thing that I would want to recommend, Mr. President, is that Government, we're asking Government to put in place systems to report how the monies used in Christmas cheers, Mother's Day cheers, capital projects, etcetera, be reported to the public so that it can be known how said monies were spent. (Applause) Government is the majority shareholder in BTL and BEL, and the profits from their shares should be set aside to contribute to the compensation of those entities. Why do I say that? It is because we have heard how some of these monies will be used in the compensation of those companies. Should that be the case? So some money should be set aside from those profits.

So, Mr. President, as I mentioned before, we know how this Honourable House operates. We know that this will be passed. But, as I mentioned before, the National Trade Union Congress, after proper consultation, cannot accept this Act, not even with the amended form. Thank you very much. (Applause)

SENATOR C. GIBSON (Minister of Public Service and Elections and Boundaries): Good afternoon, Mr. President, I would like to, with your permission, refer to my notes, and I rise to make my remarks reference the Petrocaribe Loans (Amendment) Bill. But, Mr. President, before I do, I would just like to make some clarifications. I think my colleague, Senator Andrews, had made a statement that it was about 48% of the persons who voted for the municipal election. Is that what you had said, Senator? It is because I got in

touch with the Chief Elections Officer and she confirmed that the overall figure was 57.32% for the municipal elections, and, if I made a mistake in not understanding that it was that but it was the by-elections, then it was 61.58%. (Applause)

Mr. President, quite a lot of discussion has gone on this afternoon reference this particular Bill, and I will not take up much time because I think much has been said. But I want to say that the Petrocaribe funds certainly has made and continues to make a very huge contribution to the development of this country, and, as has been said earlier, we just have to look around this country, from north to south, east to west, and we will see a large amount of infrastructural work that is going on.

But let's look back for a quick minute. Perhaps one of the major complaints is that, at the restart of the program in 2012, Government did not seek prior authorization for the borrowing in excess of \$10 million. The Government, being a democratic Government, as it is, and listening to the concerns of its people, definitely felt that what had to be done was to address these concerns. So the view that the program at the time by the Government, the Petrocaribe program, simply did not fit into the Finance and Audit (Reform) Act, and those were concerns that were expressed. So to address these concerns that the Petrocaribe was, indeed, a form of a loan the House of Representatives subsequently passed the Petrocaribe Loans Act in 2015. This Act retrospectively validates monies spent and allows for the ongoing of the program and how Petrocaribe funds could be utilized. With the passage of this Act, it was thought that that would have been the end of those complaints and concerns but apparently that was not the case. So today we are here to address some of these concerns by means of the passage of the Petrocaribe Loans (Amendment) Bill.

The amendment, as it actually says at the top of the Bill, is an Act to amend the Petrocaribe Loans Act No. 4 of 2015, to clarify certain provisions of the Act. So it really is to clarify certain provisions of the Act so that the use of the funds can be continued without much misunderstanding. It also addresses that funds shall be kept in the Central Bank and shall be part of the Consolidated Revenue Fund and that withdrawal and spending shall be in full measure subject to the Finance and Audit (Reform) Act and other laws, regulations, and procedures. I just want to reemphasize that particular point.

The Act also amends or serves to legislate the promise of the Prime Minister that every quarter, every three months, the Minister of Finance will bring a Supplementary to the House for approval of the spending of the Petrocaribe monies. As I said before, quite a lot of discussions have gone on with respect to this Bill. I know that time is against us, and I know that we have other important Bills that we need to discuss. But, as has been said earlier, I just want to say that with consultations of my own colleagues, I want to say that I lend support, my full support to this Petrocaribe Loans (Amendment) Bill. Thank you, Mr. President. (Applause)

SENATOR G. HULSE (Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality): Thank you, Mr. President. Mr. President, it has been thoroughly ventilated, I'm sure. But there are a few points here. Yesterday I think it was that they celebrated 10 years of Petrocaribe, 10 years. The agreement known as the Energy Cooperation Agreement Petrocaribe between the Bolivarian Republic of Venezuela and Caribbean countries was signed on June 29 of 2005. Let me stop there because by that time, just around that time, the unions, as my Honourable colleague said, the business

community, at that time I was involved, and to a lesser extent the churches, known as the social partners were involved in getting the Finance and Audit Act redrafted. There was already one but we wanted to redraft it, and we spearheaded that movement with the Government. It stemmed out of the fact that millions of dollars had been borrowed through the Central Bank and the DFC, etcetera, with Government guarantees, etcetera, that never came to the National Assembly. And, while that was deemed at the time that it was not necessary to come to the National Assembly, the social partners weighed in on Government to ensure that any monies borrowed would be done with the approval of the National Assembly. And those monies, it stipulated that any monies that were borrowed, any monies borrowed or raised, or loans which were done from any public or private bank or financial institution, or capital market, even and outside Belize, upon such terms and conditions, in an amount not exceeding in the aggregate the sum specified in that behalf, in a resolution, to meet current or capital requirements, that that would come to the National Assembly. And so a slew of loans that had already been borrowed came. They came as part of what was known as a super bond. I think there were about 12 of them, all amalgamated together. So the approval was really retrospective for US\$565 million. That's close to a billion Belize dollars. But anyway that aside it was deemed that nothing went wrong. Government had done nothing wrong, except that the law didn't required them to come with those extraneous.

And then it said that Government should not use the money borrowed under this section to meet its recurrent expenditure, as defined in the financial regulations. That's your day-to-day bills. Or it should not use it to refinance existing public debt, and it should not use it to amortize and service principal payments to existing public debt, and it goes on.

So after the Government of that day passed the Finance and Audit (Reform) Act with those conditions and said to the people of Belize, "*Mi culpa, mi culpa, mi maxima culpa*, sorry", the Government entered into this Petrocaribe Agreement, whereby Government of Venezuela said, "We will give you fuel", and it says that they agree to supply the Government of Belize with crude oil, refined products and LPG, up to 4,000 barrels per day on an annual basis, subject to the terms and the conditions contemplated. Those terms and conditions in a nutshell was, "You will pay half, and the other half you pay later, over 25 years, at 1%". Basically that was the agreement.

I ask the question, why then, if that was borrowing by the Government of Belize of the day under the Petrocaribe Agreement when we had a Finance and Audit (Reform) Act that we had just passed, that people were just on the streets, and we were insisting on all this transparency, why did they not come to the National Assembly with a Bill to say that we are going to borrow these Petrocaribe monies and this is how we're going to spend it? My colleague, Senator Shoman, was part of the Government of the day, part of the Cabinet, I think. But why did they not come? Why did they not come? Was it because the Government wanted to be sneaky or deceptive, after all the noise and royal uproar by the social partners? I think not. That's not why they didn't come. Had they come we would not be talking about this at all. It would have been history. Ten years history was just celebrated. They did not come because they understood it thoroughly and knew that it fell outside the mandate of the Finance and Audit (Reform) Act. They knew that, and they knew that the funds derived there from flowed into the Consolidated Revenue Fund. They knew that those funds would then be audited. They knew that those funds formed part of Government's revenue together with business tax, GST, etcetera. And I dare think that, if they didn't know that and if they knew to the contrary what they're arguing right now,

then they must have been in continued deception against the people of Belize. But I think not. I give the Honourable gentlemen of the day all the credit.

This brings us to today. This Government inherited this program and found itself with a windfall, if you'd call it. Monies at 1% over 25 years have got to be the best development fund ever. (Applause) It got to be. And the Government then, because the Government of Venezuela was not comfortable with how the arrangement was managed together with the Government of Belize, formed this company called APBEL. What does APBEL do? APBEL is not any of these things. It is not a public or private bank. It's not a financial institution. It's not a capital market. It's not any of those. It cannot, and it doesn't analyze loans. It doesn't do studies like IDB, CDB, etcetera. All it is is a vehicle that, when the oil comes to Belize that Venezuela sells and Venezuela gives us this half credit that we are to pay later, APBEL then pays Venezuela it's half, and the rest of the money goes into the Central Bank, into an account for the Government of Belize, and then flows into the Consolidated Revenue Fund. That's what it is. So we could spend the rest of the century arguing about the Finance and Audit (Reform) Act, but what we cannot argue about is the following: that we all agree with the credit from Venezuela. We all agree. It was negotiated by the Opposition. There is no doubt about that. We all agree with that. We all agree that we should have taken it, pay the 50%, and keep the rest and pay it over 25 years. Nobody is quarrelling about that. Mine you that they didn't go through the process of the Finance and Audit (Reform) Act at the time to enact that. We all agree that the Finance and Audit (Reform) Act then does not fully apply. That is why even now, even today, I heard on the radio and I heard today from three of my colleagues that the Opposition is proposing some better mechanism through legislation. That would not have been proposed if we didn't agree that the Finance and Audit (Reform) Act doesn't cover the thing fully. They proposed that because from 2005 they knew that.

SENATOR L. SHOMAN: On a point of order and clarification, I'm not going to take that I'm sorry. You can have your own opinion but you cannot replace fact with your opinion. And the fact is that you cannot stand here and say and impute motives to the Government at the time that you know full well because you were here in the Senate fulminating, standing in the same spot that Senator Lizarraga is, and said that that is the way it was. I'm sorry, Mr. President.

MR. PRESIDENT: Go ahead, Senator.

SENATOR G. HULSE (Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality): Thank you, Mr. President. I don't understand that at all because I still say that no Bill was brought because they knew it didn't fit. There was nothing wrong with it. There was nothing wrong with it. Let's go on, Mr. President. That is why they are proposing a Bill. The fact is that the spending that is being undertaken now is brought to this House, to the House where it rightly belongs for the elected Representatives to debate and to argue about and to pass, and it is brought to the Senate, even though we don't have the money jurisdiction. It's brought retrospectively, I agree, but it is now also being brought prospectively which we have agreed to do and which this Bill covers.

The fact is that, while you may not agree with the use, such use is passed by the majority of the elected Representatives of the people in the House. (Applause) It's a fact. You may criticize and say that the Government this, but the majority of the elected people in the House pass the spending. And, yes, I agree that the way the system works is that, if the people are dissatisfied with the

way the majority of their Representatives have spent their money, the people will sing that loud to those Representatives when the time comes. That is the system. The fact is that on Friday last, 18 of those Representatives, I think, said, "Yes", and, if we use the old adage that silence is consent, then we must also say the others passed. (Applause)

SENATOR L. SHOMAN: On a point of order, come on! Please try not to rewrite history. Revision is history, on a point of order, is not the order of the day, one. Two, Mr. President, the Senate does have the right to vote on money Bills and vote "no". (Applause) It's simply can't delayed them for more than six months. So let's get it right.

SENATOR G. HULSE (Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality): Mr. President, we'll not argue that point but 1911, and that has passed through all the Parliaments, the upper Houses, no power to amend, you cannot amend, you cannot delay, and the House of Lord's power was taken away and the final stroke was delved in 1949, and you know that Senator. Indeed, the way the nation was made aware of that was my very standing here when the whole nation went berserk, and I issued that point. It is the same way we have other points that have been made by these activities.

But nevertheless, Mr. President, that the funds go into the Consolidated Revenue Fund, as per section 114 of the Constitution, is a fact. That the Consolidated Revenue Fund is audited by the Auditor General is a fact. That the Contractor General has seen and approved all contracts is a fact. That the Public Accounts Committee can summon anyone to answer for spending anytime is a fact. That 1% of money over 25 years is good for the development of the country. (Applause) That the development is happening all over this country in at an unprecedented rate, and you may argue about 3.56% which went into social programs but it leaves a full 96.44% that has gone into clear development, infrastructure, and other development that you can see and touch every day. You cannot argue with the fact that the inflation rate in this country is down. The Statistical Institute has said so. You cannot argue with the fact that the growth from the Statistical Institute was 7%. You cannot argue with the fact that the child labour activity survey says that the rate of children involved in child labour has reduced by half. (Applause) And there is a good reason for that, Mr. President. You can't argue, man. If you want to argue with those institutions, you might as well disband them. They are very independent, and they do their studies. You cannot argue that the unemployment rate has fallen down to 11%. You can't argue with that, man. You can't argue with the fact that, as the Minister said, the teachers and the public servants in this country have enjoyed an unprecedented 18% increase. (Applause) It cannot be argued. So while we could stand here and we could argue, and I will be the first to defend your right to speak, I may not agree with you but I will give my life for your right to speak, as was quoted by a famous gentleman sometime ago. I will say, again, that the use of these funds are being debated today because the Government has brought the Bill and showed you the figures and given the opportunity for all to speak on them. Thank you very much, Mr. President, and I move that the question be put. (Applause)

SENATOR L. SHOMAN: I claim a division.

MR. PRESIDENT: Clerk, you can go ahead.

CLERK: There is a division on the Petrocaribe Loans (Amendment) Bill, 2015.

The Senators voted as follows:

Senator Godwin Hulse	-	Aye
Senator Juliet Thimbriel	-	Aye
Senator Joy Grant	-	Aye
Senator Charles Gibson	-	Aye
Senator Lisel Alamilla	-	Aye
Senator Gerardo Sosa	-	Aye
Senator Lisa Shoman	-	No
Senator Anthony Sylvestre Jr.	-	No
Senator Patrick Andrews	-	No
Senator Markhelm Lizarraga	-	No
Senator Fr. Reverend Noel Leslie	-	Aye
Senator Adelaida Guerra	-	No

MR. PRESIDENT: Thank you. Senators, here is the outcome of the division: (7) seven in favour and (5) five against. So I think the ayes have it.

Bill read a second time.

4. Cruise Ship Passenger Tax Bill, 2015.

SENATOR G. HULSE (Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality): Mr. President, I rise to move the second reading of a Bill for an Act to levy, charge and collect a tax on each manifested cruise passenger on a cruise ship entering and leaving Belize and tendering its passengers to the Fort Street Tourism Village; to validate the purported imposition, collection and distribution of a tax on each manifested cruise ship passenger on a cruise ship entering and leaving Belize and tendering its passengers to the Fort Street Tourism Village; and to provide for matters connected therewith or incidental thereto.

SENATOR M. LIZARRAGA: Thank you, Mr. President. I'll be brief. Briefly, Mr. President, we are alarmed by the fact that there is this increasing tendency and preference, it seems, to place and keep hundreds of millions of dollars of taxpayers' money outside the scrutiny of the Auditor General, the Public Accounts Committee, or any Senate investigation.

Mr. President, if this Bill was given a proper ventilation period, these inconsistencies with fiscal best practices could have been debated and addressed. We believe that this practice that this law sets of setting up systems for collections of revenue that skirts the law that was created in this situation calls for this retroactive fix or this make-right Bill to be presented. We recommend, Mr. President, that for all these collections of revenues, what should be revenues, monies that should go into the Consolidated Revenue Fund, we believe that this practice and this preference must stop, and we should look at revising these situations. Thank you, Mr. President.

SENATOR L. SHOMAN: Mr. President, this is another Bill which is being brought through the House and now through this Honourable Chamber to address a problem, and the problem here is a lawsuit. The problem here is a lawsuit. Mr. President, I note very carefully that the Government is starting to bring legislation with their favourite word in it, validate, for us to make right what they know is a wrong, validate.

I want fellow Senators to note very carefully that this is not a law to simply collect cruise ship passenger taxes. The name is very smooth. It is very

anodyne. It is almost deceptive because, if you only saw the name, Cruise Ship Passenger Tax Act, 2015, you would think that any cruise ship passenger coming to Belize would be subject to this no matter the port of entry.

Specifically, however, Mr. President, this is about the Fort Street Tourism Village and about what is happening currently in court. This has to do more, Mr. President, with providing the Government with coverage for something that it has been doing for a long time, which is now being challenged in court.

Mr. President, I don't know what explanation the Leader of Government Business can give us when we are on the cusp of creating another port of entry for cruise ship passengers in Belize, specifically, I mean, the Harvest Caye Port of Entry that will be used by Norwegian Cruise Lines. Are we then going to come with an (Amendment) Act to amend this? We might because, as I was reminded by a colleague Senator, and I have to thank him for it, that life moves on and we always have to look to keep up with happenings in our country and to legislate accordingly. I have no problems with that, you know. I have no problems if we're going to amend this as we have more ports of entry. But there can be no good explanation for clause 6, the side note of which reads, "validation of the imposition, collection, and distribution of cruise ship passenger tax". This is what my friend, Senator Sylvestre, called a while ago the immunity section in the previous Bill that we debated.

Likewise, this Bill has an immunity section, and it says, "Without prejudice to the generality of the foregoing provisions," and here comes their favourite language, "or any other law to the contrary, the purported imposition and collection in good faith and the absence of statutory position therefore of a cruise ship passenger tax during the period commencing on 20th December 2000 and immediately preceding the commencement of this Act and the distribution of that tax between Fort Street Tourism Village or its predecessor or the Government of Belize are hereby validated, and all such taxes levied, collected or purported to have been levied or collected are hereby declared to have been validly, properly and lawfully levied or collected and distributed as if done lawfully and in accordance with this law." This is another of those laws.

We would have appreciated if the Government had admitted that, yes, there wasn't a law in place and, yes, it was collecting this tax and this was an oversight or a mistake and, therefore, now this law has to be passed because the Government is being sued for collecting this amount of tax without having made a law. But we didn't hear that explanation, and I know what you will tell me, you know. I know that you will tell me that you weren't the Government from 2000 to 2008. I hear you. Unlike you, however, I will accept that that was an error and that that is something that should have been rectified, and, no, we didn't rectify it. However, don't let my sin try to ex-out your sin in not doing what was right because you have become very successful, and, Mr. President, I will address myself to you because I need to be proper about this. There is no excuse or justification that any Administration can point to in the lack of a previous Administration to try and excuse itself from its own wrong.

My mother, Mr. President, used to beat my behind the same way when I confessed to breaking something, even if I had told her that my sister had broken a bigger something. It wasn't going to get me off the hook. And so I will preempt my colleagues on the other side of not having to scold me and point out the lack in the previous Administration, if they will agree to own up to the fact, Mr. President, that they have govern this country since 2008 and continue to do so, and continue to do wrong, and continue to want to cite instead the wrongs of the past. It has to end, or you, your Administration, that Administration, Mr.

President, will inevitably at some point pay the political price just like the previous Administration.

I am not happy about it, Mr. President, and colleague Senator, because while you are talking about being happy my country is suffering. I can't be happy about that. (Applause) I cannot be happy, Mr. President, about any Act that is going to hurt my country, even if my political opposition is doing it. I can't, and the day I ever take satisfaction in the wrong that is done by my country, Mr. President, that's the day I will step down from this spot that I occupy and tell my Leader that I can no longer in good conscience serve the people of Belize. (Applause) It doesn't give me any pleasure to see that my political opposition is continuing to perpetrate a wrong that was done in the past. If for no other reason than we have to break the cycle and we have to learn, I appeal to us, Mr. President, stop bringing this kind of legislation and pretending as though it is progress. Let's acknowledge it for what it is, a fig leaf which is now trying to get us out of a liability situation. That's what it is. Thank you, Mr. President.

SENATOR G. HULSE (Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality): Thank you, Mr. President. I don't know, Honourable Senator, Government has never said that this situation should have continued when it was brought to light, very well, by the very facts that the Senator highlighted. And that's why the Bill is coming because we cannot afford to destroy the country, damage the tourism industry, stop the cruise ship industry that has been coming and the revenues had been coming. So we come to the National Assembly with a Bill to correct that. Yes, it went from 2000 to now, through both Administrations. I'm not throwing any blame. We're simply saying that, look, we're correcting it now. We either want to correct it or not because, if we don't, the damage to be done to that industry which will affect thousands of Belizeans, thousands of Belizeans who work in the tourism industry, is unimaginable. I move that the question be put.

MR. PRESIDENT: Honourable Members, the question is that the Bill for an Act to levy, charge and collect a tax on each manifested cruise ship passenger on a cruise ship entering and leaving Belize and tendering its passengers to the Fort Street Tourism Village; to validate the purported imposition, collection and distribution of a tax on each manifested cruise ship passenger on a cruise ship entering and leaving Belize and tendering its passengers to the Fort Street Tourism Village; and to provide for matter connected therewith or incidental thereto, be read a second time.

All those in favour, kindly say aye; those against, kindly say, no. I think the ayes have it.

Bill read a second time.

5. Caribbean Community Climate Change Centre Bill, 2015.

SENATOR G. HULSE (Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality): Mr. President, I rise to move the second reading of a Bill for an Act to give effect to the Agreement Establishing the Caribbean Community Climate Change Centre, the objectives of which are, to protect the climate system of territories that are members of the Centre for the benefit of present and future generations of their people, to enhance

regional institutional capabilities for the coordination of national responses to the negative effects of climate change, to provide comprehensive policy and technical support in the area of climate change and related issues and spearheading regional initiative in those areas, to perform the role of executing agency for regional environmental projects relating to climate change; and to provide for matters connected therewith or incidental thereto.

MR. PRESIDENT: Honourable Members, the question is, that the Bill for an Act to give effect to the Agreement Establishing the Caribbean Community Climate Change Centre, the objectives of which are, to protect the climate system of territories that are members of the Centre for the benefit of present and future generations of their people, to enhance regional institutional capabilities for the coordination of national responses to the negative effects of climate change, to provide comprehensive policy and technical support in the area of climate change and related issues and spearheading regional initiative in those areas, to perform the role of executing agency for regional environmental projects relating to climate change; and to provide for matters connected therewith or incidental thereto, be read a second time.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

Bill read a second time.

III COMMITTEE OF THE WHOLE SENATE ON MOTIONS AND BILLS

MR. PRESIDENT: Honourable Members, in accordance with Standing Order 68A, the Senate will now resolve itself into the Constitution and Foreign Affairs Committee, a Committee of the whole Senate, to consider the Motions referred to it and, thereafter, in accordance with Standing Order 54, into the Committee of the whole Senate to consider the Bills that were read a second time.

Honourable Members, I will now take the chair as the Chairman of the Constitution and Foreign Affairs Committee and then as the Chairman of the Committee of the whole Senate.

SENATOR L. SHOMAN: Mr. President, if I may be indulged, I did ask for some time to speak. Would it be possible for me to be accommodated now rather than later?

MR. PRESIDENT: At the adjournment?

SENATOR L. SHOMAN: Rather than on the adjournment? I know I'm asking for an accommodation, Mr. President.

MR. PRESIDENT: We had agreed on the adjournment.

SENATOR L. SHOMAN: Very well, Mr. President, on the adjournment I will speak. Thank you.

MR. PRESIDENT: At this time I would call visitors at the gallery to please leave. Thank you.

(In the Constitution and Foreign Affairs Committee)

MR. PRESIDENT in the Chair.

1. Resolution Authorizing the Acceptance by Belize to the Protocol

Amending the Marrakesh Agreement Establishing the World Trade Organization Motion, 2015.

Motion in its entirety agreed to.

Motion to be reported back to the Senate for adoption without amendment.

2. **Resolution Authorizing the Ratification by Belize to the Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment Motion, 2015.**

Motion in its entirety agreed to.

Motion to be reported back to the Senate for adoption without amendment.

3. **Resolution Authorizing the Accession by Belize to the 1961 International Convention for the Reduction of Statelessness Motion, 2015.**

Motion in its entirety agreed to.

Motion to be reported back to the Senate for adoption without amendment.

4. **Resolution Authorizing the Accession by Belize to the International Convention for the Protection of All Persons from Enforced Disappearance Motion, 2015.**

Motion in its entirety agreed to.

Motion to be reported back to the Senate for adoption without amendment.

5. **Resolution Authorizing the Ratification by Belize of the Framework Cooperation Agreement between Belize and the Republic of Costa Rica Motion, 2015.**

Motion in its entirety agreed to.

Motion to be reported back to the Senate for adoption without amendment.

(In the Committee of the whole Senate)

MR. PRESIDENT in the Chair.

1. **General Revenue Supplementary Appropriation (No.2) (2014/2015) Bill, 2015.**

Clauses 1 and 2 agreed to.

Schedule agreed to.

Bill to be reported back to the Senate without amendment.

2. **General Revenue Supplementary Appropriation (2015/2016) Bill, 2015.**

Clauses 1 and 2 agreed to.

Schedule agreed to.

Bill to be reported back to the Senate without amendment.

3. Petrocaribe Loans (Amendment) Bill, 2015.

Clauses 1 to 3 agreed to.

Bill to be reported back to the Senate without amendment.

4. Cruise Ship Passenger Tax Bill, 2015.

Clauses 1 to 7 agreed to.

Bill to be reported back to the Senate without amendment.

5. Caribbean Community Climate Change Centre Bill, 2015.

Clauses 1 to 9 agreed to.

First and Second Schedules agreed to.

Bill to be reported back to the Senate without amendment.

Senate resumed.

MR. PRESIDENT in the Chair.

PUBLIC BUSINESS

A. GOVERNMENT BUSINESS

IV MOTIONS

(Adoption of Motions)

1. Resolution Authorizing the Acceptance by Belize to the Protocol Amending the Marrakesh Agreement Establishing the World Trade Organization Motion, 2015.

SENATOR G. HULSE (Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality): Mr. President, the Constitution and Foreign Affairs Committee has met and considered the Resolution Authorising the Acceptance by Belize to the Protocol Amending the Marrakesh Agreement Establishing the World Trade Organization Motion, 2015, and has agreed that it be returned back to the Senate for adoption.

I therefore move that the question be put.

MR. PRESIDENT: Honourable Members, the question is NOW, THEREFORE, BE IT RESOLVED that the Senate authorizes the Government of Belize to accept the Protocol.

All those in favour, kindly say aye; those against, kindly say, no. I think that ayes have it.

2. **Resolution Authorizing the Ratification by Belize to the Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment Motion, 2015.**

SENATOR G. HULSE (Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality): Mr. President, the Constitution and Foreign Affairs Committee has met and considered the Resolution Authorizing the Ratification by Belize to the Optional Protocol to the Convention Against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment Motion, 2015, and has agreed that it be returned back to the Senate for adoption.

I therefore move that the question be put.

MR. PRESIDENT: Honourable Members, the question is NOW, THEREFORE, BE IT RESOLVED that the Senate authorizes the Government of Belize to accede to the Protocol.

All those in favour, kindly say aye; those against, kindly say, no. I think the ayes have it.

3. **Resolution Authorizing the Accession by Belize to the 1961 International Convention for the Reduction of Statelessness Motion, 2015.**

SENATOR G. HULSE (Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality): Mr. President, the Constitution and Foreign Affairs Committee has met and considered the Resolution Authorizing the Accession by Belize to the 1961 International Convention for the Reduction of Statelessness Motion, 2015 and has agreed that it be returned back to the Senate for adoption.

I therefore move that the question be put.

MR. PRESIDENT: Honourable Members, the question is NOW, THEREFORE, BE IT RESOLVED that the Senate authorizes the Government of Belize to accede to the Covenant.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

4. **Resolution Authorizing the Accession by Belize to the International Convention for the Protection of All Persons from Enforced Disappearance Motion, 2015.**

SENATOR G. HULSE (Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality): Mr. President, the Constitution and Foreign Affairs Committee has met and considered the Resolution Authorizing the Accession by Belize to the International Convention for the Protection of All Persons from Enforced Disappearance Motion, 2015 and has agreed that it be returned back to the Senate for adoption.

I therefore move that the question be put.

MR. PRESIDENT: Honourable Members, the question is NOW, THEREFORE, BE IT RESOLVED that the Senate authorizes the Government of Belize to accede to the Covenant.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

5. **Resolution Authorizing the Ratification by Belize of the Framework Cooperation Agreement between Belize and the Republic of Costa Rica Motion, 2015.**

SENATOR G. HULSE (Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality): Mr. President, the Constitution and Foreign Affairs Committee has met and considered the Resolution Authorizing the Ratification by Belize of the Framework Cooperation Agreement between Belize and the Republic of Costa Rica Motion, 2015 and has agreed that it be returned back to the Senate for adoption.

I therefore move that the question be put.

MR. PRESIDENT: Honourable Members, the question is NOW, THEREFORE, BE IT RESOLVED that the Senate authorizes the Government of Belize to ratify the Agreement.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

V REPORTING AND THIRD READING OF BILLS

1. **General Revenue Supplementary Appropriation (No.2) (2014/2015) Bill, 2015.**

SENATOR G. HULSE (Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality): Mr. President, I rise to report that the Committee of the whole Senate has considered the General Revenue Supplementary Appropriation (No.2) (2014/2015) Bill, 2015 and passed it without amendment.

I now move that the Bill be read a third time.

MR. PRESIDENT: Honourable Members, the question is that the Bill for an Act to appropriate further sums of money for the use of the Public Service of Belize for the financial year ending on the thirty-first day of March, two thousand and fifteen, be read a third time.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

Bill read a third time.

2. General Revenue Supplementary Appropriation (2015/2016) Bill, 2015.

SENATOR G. HULSE (Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality): Mr. President, I rise to report that the Committee of whole Senate has considered the General Revenue Supplementary Appropriation (2015/2016) Bill, 2015 and passed it without amendment.

I now move that the Bill be read a third time.

MR. PRESIDENT: Honourable Members, the question is that the Bill for Act to appropriate further sums of money for the use of the Public Service of Belize for the financial year ending on the thirty-first day of March, two thousand and sixteen, be read a third time.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

Bill read a third time.

3. Petrocaribe Loans (Amendment) Bill, 2015.

SENATOR G. HULSE (Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality): Mr. President, I rise to report that the Committee of whole Senate has considered the Petrocaribe Loans (Amendment) Bill, 2015 and passed it without amendment.

I now move that that Bill be read a third time.

MR. PRESIDENT: Honourable Members, the question is that the Bill for an Act to amend the Petrocaribe Loans Act (No.4 of 2015); to clarify certain provisions of the Act; and to provide for matters connected therewith or incidental thereto, be read a third time.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

Bill read a third time.

4. Cruise Ship Passenger Tax Bill, 2015.

SENATOR G. HULSE (Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality): Mr. President, I rise to report that the Committee of the whole Senate has considered the Cruise Ship Passenger Tax Bill, 2015 and passed it without amendment.

I now move that that Bill be read a third time.

MR. PRESIDENT: Honourable Members, the question is that a Bill for an Act to levy, charge and collect a tax on each manifested cruise ship passenger on a cruise ship entering and leaving Belize and tendering its passengers to the Fort Street Tourism Village; to validate the purported imposition, collection and distribution of a tax on each manifested cruise ship passenger on a cruise ship entering and leaving Belize and tendering its passengers to the Fort Street

Tourism Village; and to provide for matters connected therewith or incidental thereto, be read a third time.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

Bill read a third time.

5. Caribbean Community Climate Change Centre Bill, 2015.

SENATOR G. HULSE (Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality): Mr. President, I rise to report that the Committee of the whole Senate has considered the Caribbean Community Climate Change Centre Bill, 2015 and passed it without amendment.

I now move that that Bill be read a third time.

MR. PRESIDENT: Honourable Members, the question is that the Bill for an Act to give effect to the Agreement Establishing the Caribbean Community Climate Change Centre, the objectives of which are, to protect the climate system of territories that are members of the Centre for the benefit of present and future generations of their people, to enhance regional institutional capabilities for the coordination of national responses to the negative effects of climate change, to provide comprehensive policy and technical support in the area of climate change and related issues and spearheading regional initiatives in those areas, to perform the role of executing agency for regional environmental projects relating to climate change; and to provide for matters connected therewith or incidental thereto, be read a third time.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

Bill read a third time.

ADJOURNMENT

SENATOR G. HULSE (Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality): Mr. President, I move that the Senate do now adjourn.

SENATOR L. SHOMAN: Mr. President.

MR. PRESIDENT: Okay, on your request, Senator, you can go ahead.

SENATOR L. SHOMAN: Thank you, Mr. President. Mr. President, I know we've had a long day and I promise not to be too loud or too long. Mr. President, thank you for the opportunity to make remarks on a matter of definite public importance. Mr. President, to be elected by the people of Belize as an Area Representative is a sacred trust. To be nominated, to be a member of this Chamber, as we listened to the Oath that our friend and colleague, Senator Guerra, took today, is a sacred trust. To be chosen as the Prime Minister of this nation by your peers means that you owe a duty of care to all Belizeans, regardless of race, creed, colour, gender, ethnicity, sexual orientation or political affiliation.

Mr. President, the events of the past two weekends and last week in Santa Cruz have caused all righteous Belizeans to reflect deeply on the nature of our relations, as human beings, with each other and with the rights of each of us, as individuals, with human rights. In fact, the very foundation document of our nation, the Constitution, proclaims that we “shall be founded on principles which acknowledge the supremacy of God, faith in human rights and fundamental freedoms, the position of the family in a society of free men and free institutions, the dignity of the human person and the equal and inalienable rights with which all members of the human family are endowed by their Creator”. The words are meant not just to uplift us but to ensure that we, as a society, shall reflect and enjoy those principles, beliefs, and needs and that, therefore, our Constitution shall enshrined and make provisions for ensuring the achievement of the same in Belize. That is the work we are called to do as members of the National Assembly, as the Cabinet, as Prime Minister, as leaders of our people. Leadership brings responsibility, and no leader can allow the petty satisfaction of tit for tat, butter for fat to be the guiding reaction. Duty to the nation calls for more.

Since the early 1990’s, the Mayans of southern Belize have been engaged in a struggle for the recognition of their indigenous rights to communal land and against decisions of the Administration of 1993 to 1998 to issue logging licenses to Malaysian companies. Mayans in Belize were able by patient and persistent advocacy to obtain considerably legal victories at the national as well as the international level. In 2000, our then Government along with Maya leaders signed the 10-Points of Agreement which acknowledges Maya indigenous land rights. We did so because it was the right thing to do, and, as a party, the People’s United Party supports and endorses the existence of those rights. (Applause)

In 2004, the Inter-American Commission on Human Rights recognized in a landmark decision communal property rights for the Maya of southern Belize and recommended the demarcation and issuance of communal title to traditional Maya lands, and, in so doing, the Commission set a precedent for indigenous people in our regions. Regrettably, their recommendations were not carried out.

In October of 2007, the Supreme Court of Belize issued a historic decision which recognized the rights of Conejo and Santa Cruz to their traditional lands and resources. And in June of 2010, our inimitable and unforgettable Chief Justice Abdulai Conteh historically recognized and expanded those same rights for the remaining 36 Maya communities in southern Belize.

Since assuming office in 2008, this Administration in Government has been determined, legally, to deny the rights of Maya Belizeans going so far as to appoint special counsel to argue against indigenous land rights and to conduct appeals to overturn the decisions of the Supreme Court. Why? The Government went so far as to have its experts assert that the Mayas living in Toledo were not indigenous to Belize because they are supposedly and purportedly not historically linked to the Maya who had occupied the area centuries ago and that many are, quote, “recent immigrants from Guatemala”. The Government, in fact, through its lawyers and its experts, tried to deny its own citizens background, culture, history, and rights.

Vindication finally came for the Maya of southern Belize before the CCJ in April of this year, when after almost a decade of denial the Government finally conceded that the Maya, “based on their occupation of certain Toledo villages, since 1870, should be accorded, as a matter of human rights, protection of property”, but here is the kicker, here is the qualifier, “in a manner similar to people who would have had protection after 30 years of adverse possession of Government lands”. That is to say that the Government preferred to think of its

own Maya people as squatters rather than as first peoples of this nation. Mr. Barrow, that is, Mr. Denys Barrow, special counsel for the Government, was reported to have said, by one of the media houses, that “rights based on a long period of occupation are not the same as native or indigenous title.”

Mr. President, why do I recite this history? In the wake of that feeble but historic concession, the Government has to date done little to reserve and to deal with the burning issues of grappling with communal land rights, save, of course, for passing the problem on to the broad shoulders of the Minister of Forestry and Fisheries, our colleague Senator, Senator Lisel Alamilla, who has been appointed to chair a new secretariat to lead the way forward. It is going to be her perhaps unenviable task to try to deal with some of the pain, discomfort, sorrow, wrongs and problems that have existed for the Maya of southern Belize for at least the last 20 years, if not before. (Applause)

Mr. President, but other than that, and I appreciate that it will take time, and it does take time to form such a secretariat, and I wish our colleague Senator the very best in that work. But in effect, however, nothing else has really been done to implement the consent order. And so predictably the evidence shows that the events not only of the past two weekends but of the past months, when certain people have been trying to push and assert their way unto Maya communal lands, boiled over into a mess of confusion, fuelled by Government inaction, over the continuing and persistent encroachment of Maya communal lands and culminating in the unfortunate confrontation between Rupert Myles and the villagers of Santa Cruz who hold their title under communal land since at least, legally, the decision of 2008, by Justice Conteh, the first in the series of Maya land rights.

Mr. President, instead of trying to understand, mediate, and resolve the situation, the Prime Minister inserted his immediate opinion into the already volatile circumstances and on Monday last delivered a response referring to the citizens of Santa Cruz as “these people” and saying that he wanted to make it clear “that, again, consent judgment merely recognizes that they are entitled to certain rights. The nature of the rights is not spelled out. We have agreed we will set up some sort of a commission. We will hear from everybody, all parties in Toledo and elsewhere, before we can come to a decision as to what those rights ought to be.” Why was this necessary? Why was there a need to rebuke an entire ethnic group of citizens and castigate them publicly for the actions of a few? Why insist and say that the Mayas have, in his view, “lost whatever moral high ground they had”? Why say, “I want to look carefully at it to see if any of them might not perhaps”, and I’m quoting directly, “might not perhaps be criminally liable from what they did to that gentleman”? With all due respect to our Prime Minister, and I give him always all due respect, who is a self-proclaimed constitutional lawyer, that is not his role as Head of the Executive and as the Leader of Government in the Legislature. The Prime Minister’s role is to serve all Belizeans, even the ones who don’t agree with him. The role is to protect and defend the rights of all, without fear or favour, malice or ill will. Let the DPP and the police do their job.

We need, Mr. President, as a nation, and the Prime Minister’s role is to find the best possible way to deal with the issue of communal land in Toledo in the most fair manner possible and in such a way that upholds the spirit as well as the letter of the law and the consent order that his Government agreed to before the CCJ. Anything less is indefensible. In a time of crisis in our nation, in a time of turmoil, in a time of when not only are Maya people concerned and uncertain about their communal lands but where teenagers, black teenagers in this country are being killed on their way home, 16 years old, 17 years old, the young man up in Mahogany Heights, at a time of crisis, the last thing that our nation needs is

when the flames of racial tension are being lit and fanned, is any fuel that permits a conflagration of ethnic divide. (Applause)

We are one nation. We are one people, and we all matter. Our lives all matter, whether it is the young men on Southside Belize City who are murdered at 16 and 17, or whether it is the villagers of Santa Cruz, or whether it is Mr. Myles. Our lives all matter. We cannot tolerate, in response to any wrong done to any citizen, the tyranny of aggressive or unwarranted state action, whether it is against Belizeans of a different political party or belief, creed or ethnic group. And, when they descend or disagree with the Government, oppression must cease. We are all Belizeans equal in dignity and in rights. We're not ruled by high majesties or pharaohs. We are served by a duly elected Government which must behave and act in a democratic manner to all. What we need is leadership that unifies, instead of divides, that is deliberate, clear, fair, and attends to the rights of all citizens, not one, not a few, but all. (Applause)

Mr. President, I want to recommend, in particular, an article that was written in the *Amandala* of the past weekend, appearing on page 12, for Sunday, 28th January written by Jeremy Enriquez, otherwise known as Jerry to a lot of us, and it's a very thoughtful piece called "Fanning racial divisions will distract Belizeans from bigger national issues". I don't propose to read it. But I want to single out one excerpt. "We cannot continue to fan discrimination against each other as Belizeans. Rather we need strategies and actions for bridging gaps, for healing, and for appreciating one another." (Applause) That, Mr. President, are words that we have to find a way to live by, whether Maya, Creole, Garifuna, Mennonite, East Indian, *Cruffy*, call it, or identify it, anyway you want. (Applause)

Mr. President, the pressing problems that face us, the stagnant economy, inflation, and I have to mention the beef, you know. Where is the beef? Where is it going? There is the dire poverty affecting Belizeans, 40% or more of which live below the poverty line, and many of whom, in fact, are Maya and Creole, demands no less attention, no less outrage, no less ire from our leaders. Serious issues face and will continue to face the Mayas and our nation.

I'd like to commend an article written by Dr. Filberto Penados which is very thoughtful and thought-provoking on those challenges. Those must be addressed and addressed quickly.

We have to put aside the anger and the division. We have to put aside the vexation at being thwarted into a CCJ consent judgment. We have to stop comparing the rights of the Maya as the rights that are conceded to squatters. We have to start making laws that deal with communal land rights as a species of private property rights recognized under the Constitution, and we have to pass the draft 2011 Alcalde Bill, which has been sitting at the Ministry of the Attorney General, since that long. The Mayas were consulted. It took almost five years to promulgate that law, to get it into a shape. It has to be passed because, if there is one thing we can all agree on, it is not always easy for us who are not living among the Maya to understand the Alcalde system, or their rights, or their powers, or their privileges, or their responsibilities. And, if that is the problem, we have a law sitting right there at the AG's Office that can deal with this, and we should deal with it. (Applause) We have to stop spouting the political red herring that the Maya people are asking for sovereignty or a state within a state and special rights. Stop making Belizeans feel as though they are less, less important, less right, less worthy of attention, care, and concern.

Mr. President, and if we want to express outrage, if we want to express anger, let's save that outrage and anger for the problems that are caused in this

nation when 16 and 17 year old Belizeans, whether they be afro Belizeans, or whether they be elsewhere, are killed. Let's express our ire when Belizeans die in police detention centres. Let's express our outrage when Belizean children are going to school without a meal and already impoverished teachers have to reach into their pockets and pay for that meal for that child. But, Mr. President, what we cannot continue to do is to be angry at each other, is to call each other by names, is to treat each other with disrespect, and is to use the power of the state to squash a group of people. Thank you, Mr. President. (Applause)

MR. PRESIDENT: Thank you, Senator. You can go ahead now, Senator.

SENATOR L. ALAMILLA (Minister of Forestry, Fisheries and Sustainable Development): Mr. President, I am compelled to respond to this because, I think, Senator Lisa Shoman really has an obligation to speak to the other people of the other Mayas who live in Toledo. She's clearly only hearing one side of the story. She is only hearing from the MLA and the TAA and her friends within those institutions.

It is every time I go back home to my home district that I hear that they are systematically going into each village and hosting meetings in each village. It is important that you know because it has a lot to do with what is going on in those village. It has a lot to do with what is going on in those villages. And this exercise is going to be epic in scope. And it can only be done if people are transparent and if people are willing to cooperate and willing to find solutions and, in fact, not be undermining the consent order. So don't pretend that you want to find a solution because they do not want to find a solution. They are undermining the CCJ consent order.

SENATOR L. SHOMAN: And you are heading the commission?

SENATOR L. ALAMILLA (Minister of Forestry, Fisheries and Sustainable Development): I am helping the commission, alright.

SENATOR L. SHOMAN: Shame!

SENATOR L. ALAMILLA (Minister of Forestry, Fisheries and Sustainable Development): I am not ashamed because I know the truth. They were just in the village of Indian Creek, and do you know what they told the people? Do you know what Mr. Alfonso Cal who is the President of the Toledo Alcalde Association told the people? He told them, Mr. President, he told the villagers they had every right to go into any protected area, including any private protected area, and take claim because all those lands belong to them. That is not what the consent order gave them. They told the village of San Pablo the same thing that they can go into Maya Mountain North Forest Reserve and do the same thing. And do you know what is worse? It is that they are putting their people against their other people. That is what is worrying me because we are trying to retract what has transpired in the past, and let us move forward.

MR. PRESIDENT: Excuse me, Senator. Visitors in the gallery, please, as I've mentioned before, you can participate just by listening, okay. You can go ahead, Senator.

SENATOR L. ALAMILLA (Minister of Forestry, Fisheries and Sustainable Development): Let us move forward, okay. Let us move forward and not pretend and point fingers. But let us talk about what is happening in Santa Cruz which is what was happening in Pueblo Viejo, and it was that they

were pulling pegs out of land that was already leased, and people had leasehold papers for land. Pueblo Viejo is a long established village. People have documents. That is not what the consent order stated. That is not what people were granted. It is not to marginalize people who have titles or leaseholds. That is not what they are going to get. That is not what they got. It is to say that we have a new paradigm, a new framework, we have to create that is going to recognize communal land and that is going to recognize the customary land practices of the Mayan people. That we have to respect their customary land uses and that we have to create the legal framework for that. But it doesn't throw away what already exists. So let us be truthful.

What happened to Mr. Myles is illegal detention, and that is unlawful. That is what happened in Santa Cruz. And no one is fanning anything. That is what happened. So let us be truthful. If we want to move forward as a country, if we want to deal with the Mayan issues in Toledo which is going to be epic, we must be truthful, we must deal with the issues, and not systematically undermine the CCJ consent order. Thank you, Mr. President. (Applause)

MR. PRESIDENT: Honourable Members, the question is that the Senate do now adjourned.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

The Senate now stands adjourned.

The Senate adjourned at 5:40 P.M. to a date to be fixed by the President.

PRESIDENT.

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