

BELIZE

No. HR3/1/12

HOUSE OF REPRESENTATIVES

Friday, 22nd January 2016

10:12 A.M.

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Pursuant to the directions of Mr. Speaker on the 15th January 2016, the House met on Friday, 22nd January 2016, in the National Assembly Chamber, Belmopan, at 10:12 A.M.

Members Present:

The Hon. Michael Peyrefitte, Speaker
The Hon. Dean O. Barrow (Queen's Square) Prime Minister, Minister of Finance, Public Service, Energy and Public Utilities
The Hon. Gaspar Vega (Orange Walk North), Deputy Prime Minister, Minister of Agriculture, Fisheries, Forestry, the Environment and Sustainable Development
The Hon. Patrick J. Faber (Collet), Minister of Education, Culture, Youth and Sports
The Hon. John Saldivar (Belmopan), Minister of National Security
The Hon. Michael Finnegan (Mesopotamia), Minister of Housing and Urban Development
The Hon. Anthony Martinez (Port Loyola), Minister of Human Development, Social Transformation and Poverty Alleviation
The Hon. Wilfred P. Elrington (Pickstock), Minister of Foreign Affairs
The Hon. Pablo S. Marin (Corozal Bay), Minister of Health
The Hon. Hugo Patt (Corozal North), Minister of Labour, Local Government and Rural Development
The Hon. Edmond G. Castro (Belize Rural North), Minister of State in the Ministry of Transport and NEMO
The Hon. Dr. Omar Figueroa (Cayo North), Minister of State in the Ministry of the Environment and Sustainable Development
The Hon. Frank Mena (Dangriga), Minister of State in the Ministry of Public Service, Energy and Public Utilities
The Hon. Beverly Castillo (Belize Rural Central), Minister of State in the Ministry of Immigration
The Hon. Tracy Taegar-Panton (Albert), Minister of State in the Ministry of Investment, Trade and Commerce
The Hon. Dr. Angel Campos (Corozal South West), Minister of State in the Ministry of Health
The Hon. Francis Fonseca (Freetown), Leader of the Opposition
The Rt. Hon. Said Musa (Fort George)
The Hon. Florencio Marin Jr. (Corozal South East)
The Hon. Michael Espat (Toledo East)
The Hon. Julius Espat (Cayo South)
The Hon. Cordel Hyde (Lake Independence)
The Hon. Oscar Requena (Toledo West)

The Hon. Kareem Musa (Caribbean Shores)
The Hon. Orlando Habet (Cayo North East)

Members Absent:

The Hon. Erwin R. Contreras (Cayo West), Minister of Economic Development,
Petroleum, Investment, Trade and Commerce
The Hon. Manuel Heredia Jr. (Belize Rural South), Minister of Tourism and Civil
Aviation
The Hon. Rene Montero (Cayo Central), Minister of Works, Transport and
NEMO
The Hon. Elodio Aragon Jr. (Orange Walk East), Minister of State in the Ministry
of Culture, Youth and Sports
The Hon. John Briceño (Orange Walk Central)
The Hon. Rodwell Ferguson (Stann Creek West)
The Hon. Jose Mai (Orange Walk South)

MR. SPEAKER in the Chair.

PRAYERS by Pastor Alvan Gentle Jr.

PAPER

**The Honourable Prime Minister and Minister of Finance, Public Service,
Energy and Public Utilities moved:**

No. HR4/1/12 - Financial Statements for Years Ended
December 31, 2014 and 2013; Actuarial
Review of the Social Security Scheme as at
December 2014.

Paper was ordered to lie on the Table.

PRESENTATION OF REPORTS FROM SELECT COMMITTEES

**The Honourable Chairman of the Finance and Economic Development
Committee:**

No. HR5/1/12 - Report from the Finance and Economic
Development Committee on the Private
Pensions Bill, 2015.

No. HR6/1/12 - Report from the Finance and Economic
Development Committee on the Treasury
Bills (Amendment) Bill, 2015.

No. HR7/1/12 - Report from the Finance and Economic
Development Committee on the Belize
Island Holdings Facility Development Bill,
2015.

Reports were ordered to lie on the Table.

The Honourable Minister of Education, Culture, Youth and Sports on behalf

of the Chairman of the National Security and Immigration Committee:

No. HR8/1/12 - Report from the National Security and Immigration Committee on the Belize National Coast Guard Service (Amendment) Bill, 2015.

Report was ordered to lie on the Table.

INTRODUCTION OF BILL

1. Extradition (Amendment) Bill, 2016.

The Honourable Minister of Foreign Affairs introduced the above-mentioned Bill:-

Bill for an Act to amend the Extradition Act, Chapter 112 of the Substantive Laws of Belize, Revised Edition 2011; to make provision for the extradition of fugitive criminals between Belize and the United Mexican States; and to provide for matters connected therewith or incidental thereto.

Cabinet's recommendation signified by the Minister.

Bill read a first time and ordered to be printed, and pursuant to Standing Orders, referred to the Constitution and Foreign Affairs Committee for examination, consideration and report.

MOTIONS RELATING TO THE BUSINESS OR SITTINGS OF THE HOUSE

The Honourable Prime Minister and Minister of Finance, Public Service, Energy and Public Utilities moved that at its rising today, the House adjourn to a date to be fixed by the Speaker.

Question put and agreed to.

PUBLIC BUSINESS

A. Government Business

I MOTIONS

1. European Investment Bank – Eight Million Euro Line of Credit to the Development Finance Corporation Loan and Guarantee Motion, 2016.

The Honourable Prime Minister and Minister of Finance, Public Service, Energy and Public Utilities moved:-

WHEREAS, section 15(1) of the Development Finance Corporation Act, 2009 (No. 1 of 2009), provides that the Development Finance Corporation (DFC) may, with the approval of the Minister, borrow sums domestically

or internationally for meeting any of its obligations or discharging any of its functions;

AND WHEREAS, subsection (4) of the said section 15 further provides that an aggregate domestic debt in excess of BZ\$5.0 million shall be subject to the prior approval of the National Assembly;

AND WHEREAS, the European Investment Bank (EIB) has offered a Loan equivalent to Euro 8 Million (to be disbursed and repaid in United States of America Dollars) to the DFC for on-lending to eligible small and medium sized commercially run enterprises and micro investments in Belize;

AND WHEREAS, the key financial terms and conditions of the Loan are as follows:

- (a) Loan Amount: equivalent to Euro 8 Million;
- (b) Loan Tenor: up to 10 years inclusive of grace period not exceeding 4 years;
- (c) Repayment: is due semi-annually on each disbursement tranche, which will have separate repayment schedules based on the term and interest rate selected by the DFC;
- (d) Interest: is due semi-annually on each disbursement tranche and may be either fixed or floating rate, as follows:
 - (i) Fixed rate: not exceeding 3.49%;
 - (ii) Floating rate: Six months LIBOR plus one hundred and twenty (120) basis points (1.2%);

AND WHEREAS, in addition to the above financial terms, another key condition is that the Loan shall be guaranteed by the Government of Belize;

AND WHEREAS, section 7(6) of the Finance and Audit (Reform) Act (No. 12 of 2005) provides that before the Government offers any guarantee or some other form of security in support of any loan made directly to a private sector entity or statutory body by any public or private bank, financial institution or capital market in or outside Belize, the Government shall seek the approval of the National Assembly;

NOW, THEREFORE, BE IT RESOLVED that this Honourable House, being satisfied that the Loan would contribute to the social and economic development of Belize by improving the capacity of DFC to provide funding on an economically sustainable and environmentally acceptable basis:

- (i) approves that the DFC may borrow the said sum of Euro 8 Million from the EIB on the terms and conditions set out above and further authorizes the Board of Directors of the

DFC to execute and deliver the Loan Agreement and all other documents associated therewith; and

- (ii) further approves and confirms that the Government may enter into a Guarantee Agreement with the EIB on the terms and conditions set out above, and further authorizes the Minister of Finance to execute and deliver the said Guarantee Agreement and all other documents associated therewith.

Cabinet's recommendation was signified by the Minister.

Pursuant to Standing Orders, Motion was referred to the Finance and Economic Development Committee for examination, consideration and report.

The Honourable Prime Minister and Minister of Finance, Public Service, Energy and Public Utilities sought the indulgence of the Honourable House to have the Motion be taken through all its stages forthwith.

Question put and agreed to.

2. **Re-Appointment of Ombudsman Motion 2016.**

The Honourable Prime Minister and Minister of Finance, Public Service, Energy and Public Utilities moved:-

WHEREAS, section 3(2) of the Ombudsman Act, Chapter 5 of the Substantive Laws of Belize, Revised Edition 2011, provides that the Ombudsman shall be appointed by the Governor-General, acting on the recommendations of both Houses of the National Assembly contained in resolutions passed in that behalf;

AND WHEREAS, MR. LIONEL ARZU was appointed as Ombudsman for a period of three (3) years with effect from 1st January 2013, pursuant to a Resolution adopted by this House on 14th December 2012 and by the Senate on 19th December 2012;

AND WHEREAS, under section 4(1) of the Ombudsman Act, a person appointed as Ombudsman is, subject to the provisions of the said section 4, eligible for re-appointment at the expiry of his initial term of office;

AND WHEREAS, MR. LIONEL ARZU continues to possess the relevant qualifications and fulfils the requirements for appointment to the office of Ombudsman, as contained in the Ombudsman Act;

NOW, THEREFORE, BE IT RESOLVED that this Honourable House, being satisfied that **MR. LIONEL ARZU** is a fit and proper

person to be re-appointed as Ombudsman, recommends to the Governor-General that **MR. LIONEL ARZU** be re-appointed as Ombudsman for a further period of one (1) year with effect from 1st January 2016, on his existing terms and conditions.

Cabinet's recommendation was signified by the Minister.

After debate thereon, and Pursuant to Standing Orders, Motion was referred to the Constitution and Foreign Affairs Committee for examination, consideration and report.

The Honourable Prime Minister and Minister of Finance, Public Service, Energy and Public Utilities sought the indulgence of the Honourable House to have the Motion be taken through all its stages forthwith.

Question put and agreed to.

3. Re-Appointment of Contractor-General Motion, 2016.

The Honourable Prime Minister and Minister of Finance, Public Service, Energy and Public Utilities moved:

WHEREAS, section 3(2) of the Contractor-General Act, Chapter 6 of the Substantive Laws of Belize, Revised Edition 2011, provides that the Contractor-General shall be appointed by the Governor-General, acting on the recommendations of both Houses of the National Assembly contained in resolutions passed in that behalf;

AND WHEREAS, **MR. GODWIN ARZU** was appointed as Contractor-General for a period of three (3) years with effect from 1st January 2009, pursuant to a Resolution adopted by this House on 11th December 2008 and by the Senate on 16th December 2008;

AND WHEREAS, under section 5(1) of the Contractor-General Act, a person appointed as Contractor-General is eligible for re-appointment at the expiry of his initial term of office;

AND WHEREAS, **MR. GODWIN ARZU** was re-appointed as Contractor-General for a period of two (2) years with effect from 1st January 2012, which term expired on 31st December 2013, and was again re-appointed for a further period of two years with effect from 1st January 2014, which term expired on 31st December 2015; and on each occasion the re-appointment was pursuant to a Resolution adopted respectively by this House and the Senate;

AND WHEREAS, **MR. GODWIN ARZU** continues to possess the relevant qualifications and fulfils the requirements for appointment to the office of Contractor-General, as contained in the Contractor-General Act;

NOW, THEREFORE, BE IT RESOLVED that this Honourable House, being satisfied that **MR. GODWIN ARZU** is a fit and proper person to be re-appointed as Contractor-General, recommends to the Governor-General that **MR. GODWIN ARZU** be re-appointed as

Contractor-General for a further period of two (2) years with effect from 1st January 2016, on his immediately pre-existing terms and conditions.

Cabinet's recommendation was signified by the Minister.

Pursuant to Standing Orders, Motion was referred to the Constitution and Foreign Affairs Committee for examination, consideration and report.

The Honourable Prime Minister and Minister of Finance, Public Service, Energy and Public Utilities sought the indulgence of the Honourable House to have the Motion be taken through all its stages forthwith.

Question put and agreed to.

ANNOUNCEMENT BY THE SPEAKER

Mr. Speaker made the following announcement:

“Honourable Members, it has been agreed that the following Motions passed this day:

1. European Investment Bank – Eight Million Euro Line of Credit to the Development Finance Corporation Loan and Guarantee Motion, 2016;
2. Re-Appointment of the Ombudsman Motion, 2016; and
3. Re-Appointment of the Contractor- General Motion, 2016.

As you are well aware, under Standing Order No. 74, all proposed Legislation, Messages, Petitions, Motions and other matters relating to the subject mentioned under the title of each Standing Committee shall be referred by the House to such Committee for examination, consideration and report to the House.

The only logical way for this to be done, other than by suspension of Standing Orders, is for me to suspend the Sitting to enable the Finance and Economic Development Committee and the Constitution and Foreign Affairs Committee to examine, consider and report to the House on the Motions.”

Question put and agreed to.

The Sitting was therefore suspended until the Finance and Economic Development Committee and the Constitution and Foreign Affairs Committee have concluded their business.

The Meeting suspended at 10:30 A.M.

The Meeting resumed at 10:55 A.M.

PRESENTATION OF REPORTS FROM SELECT COMMITTEES

The Honourable Chairman of the Finance and Economic Development Committee:-

- No. HR9/1/12 - Report from the Finance and Economic Development Committee on the European Investment Bank – Eight Million Euro Line of Credit to the Development Finance Corporation Loan and Guarantee Motion, 2016.

Report was ordered to lie on the Table.

The Honourable Chairman of the Constitution and Foreign Affairs Committee:-

- No. HR10/1/12 - Report from the Constitution and Foreign Affairs Committee on the Re-Appointment of the Ombudsman Motion, 2016.

- No. HR11/1/12 - Report from the Constitution and Foreign Affairs Committee on the Re-Appointment of the Contractor General Motion, 2016.

Reports were ordered to lie on the Table.

PUBLIC BUSINESS

A. GOVERNMENT BUSINESS

II MOTIONS

1. **European Investment Bank – Eight Million Euro Line of Credit to the Development Finance Corporation Loan and Guarantee Motion, 2016.**

The Honourable Prime Minister and Minister of Finance, Public Service, Energy and Public Utilities, with the permission of the Speaker not to repeat the recitals, moved:

NOW, THEREFORE, BE IT RESOLVED that this Honourable House, being satisfied that the Loan would contribute to the social and economic development of Belize by improving the capacity of DFC to provide funding on an economically sustainable and environmentally acceptable basis:

- (i) approves that the DFC may borrow the said sum of Euro 8 Million from the EIB on the terms and conditions set out above and further authorizes the Board of Directors of the DFC to execute and deliver the Loan Agreement and all other documents associated therewith; and
- (ii) further approves and confirms that the Government may enter into a Guarantee Agreement with the EIB

on the terms and conditions set out above, and further authorizes the Minister of Finance to execute and deliver the said Guarantee Agreement and all other documents associated therewith.

Question put and agreed to.

2. Re-Appointment of the Ombudsman Motion, 2016.

The Honourable Prime Minister and Minister of Finance, Public Service, Energy and Public Utilities, with the permission of the Speaker not to repeat the recitals, moved:

NOW, THEREFORE, BE IT RESOLVED that this Honourable House, being satisfied that **MR. LIONEL ARZU** is a fit and proper person to be re-appointed as Ombudsman, recommends to the Governor-General that **MR. LIONEL ARZU** be re-appointed as Ombudsman for a further period of one (1) year with effect from 1st January 2016, on his existing terms and conditions.

Question put and agreed to.

3. Re-Appointment of the Contractor -General Motion, 2016.

The Honourable Prime Minister and Minister of Finance, Public Service, Energy and Public Utilities, with the permission of the Speaker not to repeat the recitals, moved:

NOW, THEREFORE, BE IT RESOLVED that this Honourable House, being satisfied that **MR. GODWIN ARZU** is a fit and proper person to be re-appointed as Contractor-General, recommends to the Governor-General that **MR. GODWIN ARZU** be re-appointed as Contractor-General for a further period of two (2) years with effect from 1st January 2016, on his immediately pre-existing terms and conditions.

Question put and agreed to.

III BILLS FOR SECOND READING

1. Private Pensions Bill, 2015.

The Honourable Prime Minister and Minister of Finance, Public Service, Energy and Public Utilities moved that the above-mentioned Bill be read a second time:-

Bill for an Act to make provision for the registration of Private Pensions; the supervision of private pensions; to offer better protection to private pensioners; and to provide for matters connected therewith and incidental thereto.

Question put and agreed to.

Bill accordingly, read a second time and, pursuant to Standing Orders, committed to a Committee of the whole House.

2. Treasury Bills (Amendment) Bill, 2015.

The Honourable Prime Minister and Minister of Finance, Public Service, Energy and Public Utilities moved that the above-mentioned Bill be read a second time:-

Bill for an Act to amend the Treasury Bills Act, Chapter 83 of the Laws of Belize, Revised Edition 2000-2003; to raise the principal sums represented by Treasury Bills and Treasury Notes outstanding at any one time; and to provide for matters connected therewith or incidental thereto.

Question put and agreed to.

Bill accordingly, read a second time and, pursuant to Standing Orders, committed to a Committee of the whole House.

3. Belize Island Holdings Facility Development Bill, 2015.

The Honourable Deputy Prime Minister and Minister of Agriculture, Fisheries, Forestry, the Environment and Sustainable Development on behalf of the Honourable Minister of Economic Development, Petroleum, Investment, Trade and Commerce, moved that the above-mentioned Bill be read a second time:-

Bill for an Act to provide for certain exemptions from taxes and duties proposed to be granted to the Developer by the Agreement; to provide for the effective implementation of the Facility; and to provide for matters connected therewith or incidental thereto.

Question put and agreed to.

Bill accordingly, read a second time and, pursuant to Standing Orders, committed to a Committee of the whole House.

4. Belize National Coast Guard Service (Amendment) Bill, 2015.

The Honourable Minister of National Security moved that the above-mentioned Bill be read a second time:-

Bill for an Act to amend the Belize National Coast Guard Service Act, Chapter 131.01 of the Substantive Laws of Belize, Revised Edition 2011; to provide for the change of name of the Belize National Coast Guard Service to the Belize Coast Guard, and the clarification of the duties and functions of the Coast Guard; to bring the Act into conformity with the Constitution of Belize by providing that powers of appointment and otherwise in relation to members of the Coast Guard are exercisable by the Security Services Commission; and to provide for matters connected therewith or incidental thereto.

Question put and agreed to.

Bill accordingly, read a second time and, pursuant to Standing Orders, committed to a Committee of the whole House.

IV COMMITTEE OF THE WHOLE HOUSE ON BILLS

Pursuant to Standing Orders, the House, without question put, resolved itself into a Committee of the whole House to consider the Bills that were read a second time and Mr. Speaker left the chair.

[In the Committee]

The Deputy Speaker in the Chair.

1. Private Pensions Bill, 2015.

Clauses 1 and 2 agreed to.

Clause 3 agreed to with the following amendments:

In Clause 3 (1)

Delete the full stop appearing at the end of paragraph (d) and substitute therefor a semi-colon.

Insert next after paragraph (d) the following –

“(e) a pension plan, established prior to the commencement date, for employees of any of the following entities:

- (i) Belize Electricity Limited;**
- (ii) Belize Telemedia Limited;**
- (iii) Belize Water Services Limited.”**

Clauses 4 and 5 agreed to.

Clause 6 agreed to with the following amendments:

In clause 6 (1)

Delete paragraph (e) and substitute therefor the following –

“(e) a financial institution licensed in the prescribed manner as an administrator under this Act;”.

Insert in the closing words immediately after the word “Belize” the words “, being a person that

the Supervisor is satisfied is fit and proper to administer the pension plan”.

Clauses 7 to 68 agreed to.

Bill to be reported back to the House with amendments.

2. Treasury Bills (Amendment) Bill, 2015.

Long Title agreed to with the following amendments:

Insert before the words “Laws of” the word “Substantive”.

Delete the numerals “2000-2003” and substitute therefor the numerals “2011”.

Insert immediately after the words “raise the” the words “limit of”.

Clause 1 agreed to.

Clause 2 agreed to with the following amendments:

Delete from paragraph (a) the words “in paragraph (i)”, and substitute therefor the words “by renumbering paragraph (i) as paragraph (a), and in paragraph (a), as renumbered”.

Delete from paragraph (b) the words “in paragraph (ii)”, and substitute therefor the words “by renumbering paragraph (ii) as paragraph (b), and in paragraph (b), as renumbered”.

Bill to be reported back to the House with amendments.

3. Belize Island Holdings Facility Development Bill, 2015.

Clauses 1 to 8 agreed to.

Bill to be reported back to the House without amendment.

4. Belize National Coast Guard Service (Amendment) Bill, 2015.

Clauses 1 to 7 agreed to.

Bill to be reported back to the House without amendment.

MR. SPEAKER in the Chair.

IV BILLS FOR THIRD READING

1. Private Pensions Bill, 2015.

The Honourable Prime Minister and Minister of Finance, Public Service, Energy and Public Utilities reported that the Committee of the whole House has gone through the Bill, clause by clause, and directed him to report same with amendments.

Whereupon the Honourable Prime Minister moved that the Bill be read a third time.

Question put and agreed to.

Bill read a third time.

2. Treasury Bills (Amendment) Bill, 2015.

The Honourable Prime Minister and Minister of Finance, Public Service, Energy, and Public Utilities reported that the Committee of the whole House has gone through the Bill, clause by clause, and directed him to report same with amendments.

Whereupon the Honourable Prime Minister moved that the Bill be read a third time.

Question put and agreed to.

Bill read a third time.

3. Belize Island Holdings Facility Development Bill, 2015.

The Honourable Deputy Prime Minister and Minister of Agriculture, Fisheries, Forestry, the Environment and Sustainable Development, on behalf of the Honourable Minister of Economic Development, Petroleum, Investment, Trade and Commerce, reported that the Committee of the whole House has gone through the Bill, clause by clause, and directed him to report same without amendment.

Whereupon the Honourable Prime Minister moved that the Bill be read a third time.

Question put and agreed to.

Bill read a third time.

4. Belize National Coast Guard Service (Amendment) Bill, 2015.

The Honourable Minister of National Security reported that the Committee of the

whole House has gone through the Bill, clause by clause, and directed him to report same without amendment.

Whereupon the Honourable Prime Minister moved that the Bill be read a third time.

Question put and agreed to.

Bill read a third time.

ADJOURNMENT

The Honourable Prime Minister and Minister of Finance, Public Service, Energy and Public Utilities moved that the House be adjourned.

(Suspension of the debate on the adjournment)

In accordance with Standing Order 12 (8), the Honourable Prime Minister and Minister of Finance, Public Service, Energy and Public Utilities moved that the proceedings on the matter on the Order Paper be entered upon and proceeded with at the Sitting at any hour though opposed.

Question put and agreed to.

(Resumption and continuation of the debate on the adjournment)

After the debate thereon, question put and agreed to.

The House adjourned at 12:06 P.M. to a date to be fixed by the Speaker.

Speaker.

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