

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 Senator

Member Absent:

Senator, the Honourable Ray Davis

MR. PRESIDENT *in the Chair.*

PRAYERS *read by Mr. President.*

OATH OF ALLEGIANCE OF A NEW SENATOR

The Clerk administered the Oath, in accordance with section 65 of the Belize Constitution, to temporary Senator Adelaida Guerra.

ANNOUNCEMENT BY THE PRESIDENT

Mr. President made the following announcement:-

“Honourable Members, by letter dated 26th June 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

The Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality signified his willingness 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.

The Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality moved that the Bills be taken through all their stages forthwith.

Question put and agreed to.

PAPERS

The Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality:-

- 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.

166/1/12 - The Fourteenth Annual Report of the Ombudsman of Belize for the year 2014.

Papers were ordered to lie on the Table.

MOTIONS RELATING TO THE BUSINESS OR SITTINGS OF THE SENATE

The Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality moved that, at its rising, the Senate adjourn to a date to be fixed by the President.

Question put and agreed to.

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.**

The Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality moved:-

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.

After debate thereon, Motion was referred to the Constitution and Foreign Affairs Committee for 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.**

The Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality moved:-

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.

After debate thereon, Motion was referred 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.

The Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality moved:-

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.

After debate thereon, Motion was referred 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.

The Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality moved:-

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.

Motion was referred 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.

The Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality moved:-

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.

Motion was referred 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.

The Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality moved that the above-mentioned Bill be read a second time:

Bill for an Act to appropriate further sums of money for the use of the Public Service of Belize for the financial year ending thirty-first day of March, two thousand and fifteen.

After the debate, a division was requested by Senator Lisa Shoman. 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. Rev.
Noel Leslie	-	Aye	
Senator Adelaida Guerra	-	No	

Thereon, the result was seven (7) Ayes and five (5) Noes.

Question put and agreed to.

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

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

The Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality moved that the above-mentioned Bill be read a second time:

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 sixteen.

After the debate, a division was requested by Senator Lisa Shoman. 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. Rev.
Noel Leslie	-	Aye
Senator Adelaida Guerra	-	No

Thereon, the result was seven (7) Ayes and five (5) Noes.

Question put and agreed to.

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

3. Petrocaribe Loans (Amendment) Bill, 2015.

The Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality moved that the above-mentioned Bill be read a second time:

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.

After the debate, a division was requested by Senator Lisa Shoman. 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. Rev.
Noel Leslie	-	Aye
Senator Adelaida Guerra	-	No

Thereon, the result was seven (7) Ayes and five (5) Noes.

Question put and agreed to.

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

4. Cruise Ship Passenger Tax Bill, 2015.

The Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality moved that the above-mentioned Bill be read a second time:

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.

After debate thereon, question put and agreed to.

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

5. Caribbean Community Climate Change Centre Bill, 2015.

The Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality moved that the above-mentioned Bill be read a second time:

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.

Question put and agreed to.

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

III COMMITTEE OF THE WHOLE SENATE ON MOTIONS AND BILLS

In accordance with Standing Order 68A, the Senate, without question put, resolved 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 examine and consider the Bills that were read a second time.

(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.

MR. PRESIDENT in the Chair.

THE SENATE RESUMES.

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.**

The Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality reported that the Constitution and Foreign Affairs Committee met and considered the above captioned motion and has agreed for it to be adopted without amendment.

Question put and agreed to.

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.**

The Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality reported that the Constitution and Foreign Affairs Committee met and considered the above captioned motion and has agreed for it to be adopted without amendment.

Question put and agreed to.

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

The Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality reported that the Constitution and Foreign Affairs Committee met and considered the above captioned motion and has agreed for it to be adopted without amendment.

Question put and agreed to.

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

The Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality reported that the Constitution and Foreign Affairs Committee met and considered the above captioned motion and has agreed for it to be adopted without amendment.

Question put and agreed to.

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

The Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality reported that the Constitution and Foreign Affairs Committee met and considered the above captioned motion and has agreed for it to be adopted without amendment.

Question put and agreed to.

V REPORTING AND THIRD READING OF BILLS

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

The Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality reported that the Committee of the whole Senate has considered the abovementioned Bill, clause by clause, and has agreed upon it without amendment.

Whereupon the Senator moved that the Bill be read a third time.

Question put and agreed to.

Bill read a third time.

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

Bill, 2015.

The Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality reported that the Committee of the whole Senate has considered the abovementioned Bill, clause by clause, and has agreed upon it without amendment.

Whereupon the Senator moved that the Bill be read a third time.

Question put and agreed to.

Bill read a third time.

3. Petrocaribe Loans (Amendment) Bill, 2015.

The Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality reported that the Committee of the whole Senate has considered the abovementioned Bill, clause by clause, and has agreed upon it without amendment.

Whereupon the Senator moved that the Bill be read a third time.

Question put and agreed to.

Bill read a third time.

4. Cruise Ship Passenger Tax Bill, 2015.

The Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality reported that the Committee of the whole Senate has considered the abovementioned Bill, clause by clause, and has agreed upon it without amendment.

Whereupon the Senator moved that the Bill be read a third time.

Question put and agreed to.

Bill read a third time.

5. Caribbean Community Climate Change Centre Bill, 2015.

The Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality reported that the Committee of the whole Senate has considered the abovementioned Bill, clause by clause, and has agreed upon it without amendment.

Whereupon the Senator moved that the Bill be read a third time.

Question put and agreed to.

Bill read a third time.

ADJOURNMENT

After debate thereon Senate adjourn.

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

PRESIDENT

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