

BELIZE

No. 26/1/12

SENATE

Friday, 4th September 2015

10:05 A.M.

Pursuant to the direction of Mr. President, in writing, dated 2nd September 2015, the Senate met in the National Assembly Chamber in Belmopan on Friday, 4th September 2015, at 10:05 A.M.

_

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 Ray Davis

Member Absent:

Senator, the Honourable Rev. Fr. Noel Leslie

MR. PRESIDENT *in the Chair*.

PRAYERS *read by Mr. President*.

ANNOUNCEMENTS BY THE PRESIDENT

Mr. President made the following announcements:-

“Honourable Members, by letter dated 2nd September, 2015, Cabinet’s recommendation has been signified to the following:

1. General Revenue Supplementary Appropriation (2015/2016) (No.2) Bill, 2015;
2. Electricity Acquisition (Settlement) Bill, 2015;

3. Caribbean Development Bank - Belize Education Sector Reform Programme II Loan Motion, 2015;
4. Inter-American Development Bank – George Price Highway Rehabilitation Loan Motion, 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. National Protected Areas System Bill, 2015;
2. Protected Areas Conservation Trust (Amendment) Bill, 2015;
3. General Revenue Supplementary Appropriation (2015/2016) (No.2) Bill, 2015;
4. Electricity Acquisition (Settlement) 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.

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 – Absent
 Senator Patrick Andrews – No
 Senator Markhelm Lizarraga – Abstain
 Senator Fr. Rev. Noel Leslie – Absent
 Senator Ray Davis – Abstain

Thereon, the result was that six (6) Senators voted “Aye”, two (2) Senators voted “No”, two (2) Senators were absent and two (2) Senators abstained.

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:-

167/1/12 - Development Finance Corporation – Annual Report 2014.

168/1/12 - Supplementary Appropriation (No. 2) Schedule for Fiscal Year 2015/2016.

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. Caribbean Development Bank - Belize Education Sector Reform Programme II Loan Motion, 2015.

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

WHEREAS, section 3(1) of the Loans (Caribbean Development Bank) Act, Chapter 74 of the Substantive Laws of Belize, Revised Edition 2003, provides that subject to such conditions as may be agreed between the Government and the Caribbean Development Bank (“the Bank”), the Government may borrow from the Bank from time to time such sums as may be required by the Government;

AND WHEREAS, section 3(2) of the said Act further provides that no agreement in respect of sums borrowed under the powers conferred by section 3(1) shall be executed unless the terms and conditions thereof have been first approved by a Resolution of the House of Representatives to that effect;

AND WHEREAS, the Board of Directors of the Bank has recently approved a Loan to the Government of Belize in the sum of US \$35,000,000;

AND WHEREAS, the purpose of the Loan is to continue the good efforts of the Belize Education Sector Reform Programme I to

enhance the learning outcomes across all levels of the education sector in Belize; – (together referred to as “the Programme”);

AND WHEREAS, the primary objectives of the Programme are to enhance the learning environment by constructing and equipping thirty-five (35) new schools at the pre-primary, primary and secondary levels; and to enhance the mechanisms and capacity for quality service delivery;

AND WHEREAS, the Bank has offered to lend to the Government the sum of US\$35,000,000 (“the Loan”) to finance the Programme on the following terms and conditions:

Ordinary Capital Resources Portion

- (a) US \$21,000,000 Ordinary Capital Resources (OCR) – to be repaid in sixty-eight (68) equal or approximately equal and consecutive quarterly installments commencing five (5) years after the date of the Loan Agreement;
- (b) Interest at the rate of 3.90% per annum (variable) to be paid quarterly on the outstanding OCR portion of the loan;
- (c) A Commitment Fee of 1% to be paid quarterly on the un-withdrawn portion of the loan from time to time, to accrue from the sixtieth (60th) day after the date of the Loan Agreement;

Special Funds Resources Portion

- (a) US \$14,000,000.00 Special Funds Resources (SFR) – to be repaid in eighty (80) equal or approximately equal and consecutive quarterly installments commencing five (5) years after the date of the Loan Agreement;
- (b) Interest at the rate of 2.5% per annum to be paid quarterly on the outstanding SFR portion of the loan;

The Loan shall be fully disbursed by April 30, 2021, or such later date as the Bank may specify in writing;

NOW, THEREFORE, BE IT RESOLVED that this Honourable House, being satisfied that the Programme will significantly contribute to the Government’s continued, dedicated efforts to improve the educational sector in Belize which will ultimately enhance human capital and reduce poverty in the country, approve and confirm that the Government may enter into a Loan Agreement with the Caribbean Development Bank on the terms and conditions set out above, and further authorize the Minister of Finance to execute and deliver the said Agreement and all other documents associated therewith.

After debate thereon, question put and agreed to.

2. **Inter-American Development Bank – George Price Highway Rehabilitation Loan Motion, 2015.**

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

WHEREAS, Belize being a member of the Inter-American Development Bank (the “Bank”), is eligible for development assistance in the form of loans, grants, and technical assistance from the Bank on such terms and conditions as may be agreed between Belize and the Bank from time to time;

AND WHEREAS, the Government of Belize has approached the Bank for financial assistance in the execution of George Price Highway Rehabilitation Project;

AND WHEREAS, it is the intention of the Government to apply such financial assistance to substantially improve the road connectivity within Belize’s main districts and with Central America by rehabilitating the George Price Highway (hereinafter referred to as the “GPH”) road infrastructure between miles 47.9 in Belmopan and 67.3 in Santa Elena to national standards, decreasing travel time and costs, reducing road fatalities and injuries, and ensuring road accessibility by improving the climate change resilience of the corridor;

AND WHEREAS, such project consists of civil works for the rehabilitation of the GPH from mile 47.9 (Belmopan) to 67.3 (Santa Elena Bypass); replacement of the Roaring Creek Bridge (mile 48); supervision of the civil works; two years of maintenance of the civil works; and land acquisition, compensation and utilities relocation. The project will also finance activities to support the administration of the project and to strengthen the Ministry of Works and Transport, and particularly the Project Execution Unit and the Road Maintenance Unit;

AND WHEREAS, it is intended that the execution of the project shall be carried out on behalf of the Government by the Ministry of Works, acting as Executing Agency;

AND WHEREAS, the Bank has offered the Government financing of up to US\$27,000,000 from its Ordinary Capital Resources in

support of the Rehabilitation of the George Price Highway under the following terms and conditions:

Lender:	The Inter-American Development Bank;
Loan Principal Amount:	US\$27,000,000.00 Single Currency Facility Loan;
Disbursement Schedule:	Over a period of sixty (60) months from the date of signature of Loan Contract;
Loan Term:	Twenty five (25) Years inclusive of a sixty-six (66) month Grace Period on Principal Repayments;
Repayment Period:	To be repaid in 39 approximately equal, semi-annual, and consecutive installments of about US\$692,307.69;
Purpose:	To execute George Price Highway Rehabilitation;
Rate of Interest:	Lending Rate is based on the Single Currency Facility Loan with a LIBOR-Based Interest Rate plus the applicable lending spread for the Bank's ordinary capital loans, to be paid semi-annually beginning six months from date of

signature of Loan
Contract;

Credit Fee:

A Credit Fee will be at a
percentage to be
established by the Bank
on a periodic basis, not
exceeding 0.75% per
annum;

AND WHEREAS, under the provisions of section 7 (2) of the Finance and Audit (Reform) Act, 2005, the Government of Belize is required to obtain the prior authorization of the National Assembly, by way of a Resolution, for such a borrowing;

NOW, THEREFORE, BE IT RESOLVED that this Honourable House, being satisfied that the Loan proceeds would significantly assist the Government of Belize in its endeavor to rehabilitating the GPH road infrastructure between miles 47.9 in Belmopan and 67.3 in Santa Elena to national standards, decreasing travel time and costs, reducing road fatalities and injuries, and ensuring road accessibility by improving the climate change resilience of the corridor, approve and confirm that the Government may enter into a Loan Contract with the Inter-American Development Bank on the terms and conditions set out above for financing the said Project, and further authorize the Minister of Finance to execute and deliver the said Loan Contract and all other documents associated therewith.

(Suspension of the debate on the Inter-American Development Bank- George Price Highway Rehabilitation Loan Motion, 2015.)

In accordance with standing Order 10 (8) the Leader of Government Business and Minister of Labour, Local Government, Rural Development, National Emergency Management and Immigration and Nationality moved that the proceeding of 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 of the debate on the Inter-American Development Bank- George Price Rehabilitation Loan Motion, 2015.)

After debate thereon, question put and agreed to.

II BILLS FOR SECOND READING

1. National Protected Areas System 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 provide for the maintenance of a coordinated management of a system of protected areas that is representative of internationally agreed categories, effectively managed, ecologically based, consistent with international law, and based on best available scientific information and the principles of sustainable development for the economic, social and environmental benefit of present and future generations of Belize; to repeal the National Parks System Act, Chapter 215 of the Substantive Laws of Belize, Revised Edition 2000; to amend the Fisheries Act, Chapter 210 and the Forests Act, Chapter 213 of the Substantive Laws of Belize, Revised Edition 2000; 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.

2. Protected Areas Conservation Trust (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 Protected Areas Conservation Trust Act, Chapter 218 of the Substantive Laws of Belize, Revised Edition 2000 – 2003, to provide for a new definition of “protected area” and a new composition of the Board of Directors; to expand the functions of the Trust; to provide for the appointment of a Finance and Audit Committee, Technical Committee on Protected Areas and other Committees by the Board of Directors; to further strengthen the provisions of the Act in order to enhance the operations of the Trust in achieving its mission of promoting the sustainable management of Belize’s protected areas; to make better provisions relating to the exemption from payment of the conservation fee; 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.

3. General Revenue Supplementary Appropriation (2015/2016) (No.2) 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 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.

4. **Electricity Acquisition (Settlement) 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 facilitate the implementation of the terms of a deed of settlement and compromise between the Government and the Fortis Companies arising from the acquisition by the Government, in the public interest, of shares in Belize Electricity Limited held by the Fortis Companies, and to provide for matters connected therewith or incidental thereto.

After 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 – No
 Senator Patrick Andrews – No
 Senator Markhelm Lizarraga – Absent
 Senator Fr. Rev. Noel Leslie – Absent
 Senator Ray Davis – Aye

Thereon, the result was that seven (7) Senators voted “Aye”, three (3) Senators voted “No” and two (2) Senators were absent.

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 BILLS

In accordance with Standing Order 54, the Senate, without question put, resolved itself into the Committee of the whole Senate to examine and consider the Bills that were read a second time.

(In the Committee of the whole Senate)

MR. PRESIDENT in the Chair.

1. **National Protected Areas System Bill, 2015.**

Clauses 1 to 55 agreed to.

Schedule agreed to.

Bill to be reported back to the Senate without amendment.

2. **Protected Areas Conservation Trust (Amendment) Bill, 2015.**

Clauses 1 to 23 agreed to.

Schedule agreed to.

Bill to be reported back to the Senate without amendment.

3. **General Revenue Supplementary Appropriation (2015/2016) (No.2) Bill, 2015.**

Clauses 1 and 2 agreed to.

Schedule agreed to.

Bill to be reported back to the Senate without amendment.

4. **Electricity Acquisition (Settlement) Bill, 2015.**

Clauses 1 to 7 agreed to.

First and Second Schedules agreed to.

Bill to be reported back to the Senate without amendment.

MR. PRESIDENT in the Chair.

IV REPORTING AND THIRD READING OF BILLS

1. **National Protected Areas System 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 above mentioned 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. Protected Areas Conservation Trust (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 above mentioned 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. General Revenue Supplementary Appropriation (2015/2016) (No.2) 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 above mentioned 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. Electricity Acquisition (Settlement) 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 above mentioned 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

The Senate adjourned at 3:36 P.M. to a date to be fixed by the President.

PRESIDENT

____***