

BELIZE

No. 27/1/12

SENATE

Wednesday, 16th September 2015

10:09 A.M.

Pursuant to the direction of Mr. President, in writing, dated 11th September 2015, the Senate met in the National Assembly Chamber in Belmopan on Wednesday, 16th September 2015, at 10:09 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 Ray Davis

Member Absent:

Senator, the Honourable Rev. Fr. Noel Leslie

MR. PRESIDENT *in the Chair*.

PRAYERS *read by Mr. President*.

ANNOUNCEMENT BY THE PRESIDENT

Mr. President made the following announcement:-

“Honourable Members, by letter dated 11th September, 2015, Cabinet’s recommendation has been signified to the following:

1. Bank Undertaking (FirstCaribbean International Bank (Barbados) Limited Belize Branch) Vesting Bill, 2015;

2. Customs and Excise Duties (Amendment) Bill, 2015;
3. General Revenue Supplementary Appropriation (2015/2016) (No.3) Bill, 2015;
4. Telecommunications Acquisition (Settlement) Bill, 2015;
5. Write-off (No.3) Motion, 2015;
6. Write-off (No.4) Motion, 2015;
7. Write-off (No.5) Motion, 2015;
8. Write-off (No.6) Motion, 2015;
9. Write-off (No.7) Motion, 2015;
10. Write-off (No.8) Motion, 2015;
11. Write-off (No.9) Motion, 2015;
12. Write-off (No.10) 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. Bank Undertaking (FirstCaribbean International Bank (Barbados) Limited Belize Branch) Vesting Bill, 2015;
2. Customs and Excise Duties (Amendment) Bill, 2015;
3. General Revenue Supplementary Appropriation (2015/2016) (No.3) Bill, 2015;
4. Telecommunications 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.

Question put and agreed to.

PAPER

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

- 169/1/12 - Supplementary Appropriation (No. 3) Schedule for Fiscal Year 2015/2016.

Paper was 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. Write-off (No.3) Motion, 2015.

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

WHEREAS, on June 25, 2008, a security guard drove Government of Belize vehicle BMP B-0027 attached to the Ministry of Health without permission and overturned on the George Price Highway;

AND WHEREAS, the security guard was arrested, charged and imprisoned; the damage done to BMP B-0027 totaled \$60,000.00;

AND WHEREAS, recovery from employee was considered but the Solicitor General advised against it citing that “the matter is a litigation risk and may be categorized as a loss”;

NOW, THEREFORE, BE IT RESOLVED that the House approve the write-off of \$60,000.00 as a loss to the Government of Belize.

After the debate thereon, question put and agreed to.

2. Write-off (No.4) Motion, 2015.

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

WHEREAS, on August 7, 2012, Government of Belize vehicle CYB-1778 was enroute to Belmopan City when the driver lost control causing the vehicle to slide and overturned off the road;

AND WHEREAS, the vehicle was extensively damaged to the tune of \$25,000.00; the Police had informed that “at the time of the accident the road surface was wet due to rain”;

AND WHEREAS, the Accounting Officer did not make any recommendation for disciplinary action or surcharge;

NOW, THEREFORE, BE IT RESOLVED that the House approve the write-off of \$25,000.00 as a loss to the Government of Belize.

After the debate thereon, question put and agreed to.

3. Write-off (No.5) Motion, 2015.

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

WHEREAS, on March 17, 2014, whilst traveling from Bacalar Chico Reserve, the Reserve Manager was caught in a storm causing the vessel BCMRI to capsize;

AND WHEREAS, a number of items on board were lost at sea with major damage to the vessel and engine;

AND WHEREAS, the total loss and damages amounted to \$29,977.16; there was no recommendation for disciplinary action or surcharge;

AND WHEREAS, all relevant parties are supportive of the recommendation for the write-off of the loss of \$29,977.16;

NOW, THEREFORE, BE IT RESOLVED that the House approve the write-off of \$29,977.16 as a loss to the Government of Belize.

Question put and agreed to.

4. Write-off (No.6) Motion, 2015.

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

WHEREAS, sometime between February 26 and 27, 2010, the Southern Region's Regional Health Manager's Office was burglarized and a number of items totaling \$5,771.00 were stolen;

AND WHEREAS, the Accounting Officer did not make any recommendation for surcharge or disciplinary action; the Police has informed that the investigation has been closed and the matter undetected;

NOW, THEREFORE, BE IT RESOLVED that this House approve the write-off of \$5,771.00 as a loss to the Government of Belize.

Question put and agreed to.

5. Write-off (No.7) Motion, 2015.

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

WHEREAS, on October 2, 2012, the Dangriga PCP Administrator reported that he parked the Ministry of Health's BMPB-0206 at his residence overnight and woke up to find the vehicle on fire;

AND WHEREAS, while the fire was promptly extinguished the entire cab and engine were destroyed to the tune of \$19,687.50;

AND WHEREAS, the Police and the Fire personnel have stated that the cause of the fire was unknown thus no recommendation for disciplinary action or surcharge was made;

NOW, THEREFORE, BE IT RESOLVED that this House approve the write-off of \$19,687.50 as a loss to the Government of Belize.

Question put and agreed to.

6. Write-off (No.8) Motion, 2015.

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

WHEREAS, on December 28, 2012, the Magistrate's court cashier on her way and under police escort to deposit government revenue at the bank was robbed at gun point;

AND WHEREAS, the total amount stolen was \$7,634.90; no recommendation was made for disciplinary action or surcharge against the officer or the cashier;

NOW, THEREFORE, BE IT RESOLVED that this House approve the write-off of \$7,634.90 as a loss to the Government of Belize.

Question put and agreed to.

7. Write-off (No.9) Motion, 2015.

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

WHEREAS, between September 23 and 24, 2014, Fisheries Department, Punta Gorda, was burglarized and assorted items were stolen;

AND WHEREAS, the total loss to Government amounted to \$9,465.00 and the Police has declared the case undetected and the investigation has been closed;

AND WHEREAS, the Ministry of Fisheries found no evidence of negligence and no recommendation for disciplinary action or surcharge was made, especially since now additional security measures are in place;

NOW, THEREFORE, BE IT RESOLVED that this House approve the write-off of \$9,465.00 as a loss to the Government of Belize.

After the debate thereon, question put and agreed to.

8. Write-off (No.10) Motion, 2015.

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

WHEREAS, on March 7, 2015, Government of Belize vehicle BMPB-0175 attached to the Immigration Department was extensively damaged when it ran off the road in order to avoid a collision with an oncoming vehicle;

AND WHEREAS, the Police visited the scene but no charge was levied on anyone and no recommendation for disciplinary action or surcharge was taken since it was deemed an accident and not an act of negligence;

AND WHEREAS, the total cost of repairs done to said vehicle amounted to \$9,300.00 and borne by the Government of Belize;

NOW, THEREFORE, BE IT RESOLVED that this House approve the write-off of \$9,300.00 as a loss to the Government of Belize.

Question put and agreed to.

II BILLS FOR SECOND READING

1. Bank Undertaking (FirstCaribbean International Bank (Barbados) Limited Belize Branch) Vesting 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 vesting in Heritage Bank Ltd. of the business in Belize of FirstCaribbean International Bank (Barbados) Limited; and for matters connected therewith or incidental thereto.

After the 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. Customs and Excise Duties (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 Customs and Excise Duties Act, Chapter 48 of the Laws of Belize, Revised Edition 2000-2003, to introduce the third stage of reduction of customs duties in regards to the Economic Partnership Agreement between CARIFORUM and the European Union; and to provide for matters connected therewith or incidental thereto.

After the 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.3) 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 Markhelm Lizarraga. 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 – No
 Senator Fr. Rev. Noel Leslie – Absent
 Senator Ray Davis – Absent

Thereon, the result was that six (6) Senators voted “Aye”, four (4) 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.

4. **Telecommunications 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, Dunkeld

International Investment Ltd, British Caribbean Bank Limited and The Trustees of the BTL Employees Trust arising from the acquisition by the Government, in the public interest, of shares in Belize Telemedia Limited and rights under certain loans and security arrangements made by The British Caribbean Bank Limited; and to provide for matters connected therewith or incidental thereto.

(Suspension of the debate on the Telecommunications Acquisition (Settlement) Bill, 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 and continuation of the debate on the Telecommunications Acquisition (Settlement) Bill, 2015.)

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 – No
 Senator Fr. Rev. Noel Leslie – Absent
 Senator Ray Davis – Absent

Thereon, the result was that six (6) Senators voted “Aye”, four (4) 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. **Bank Undertaking (FirstCaribbean International Bank (Barbados) Limited Belize Branch) Vesting Bill, 2015.**

Clauses 1 to 6 agreed to.

Schedule agreed to.

Bill to be reported back to the Senate without amendment.

2. **Customs and Excise Duties (Amendment) Bill, 2015.**

Clauses 1 to 3 agreed to.

Bill to be reported back to the Senate without amendment.

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

Clauses 1 and 2 agreed to.

Schedule agreed to.

Bill to be reported back to the Senate without amendment.

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

Clauses 1 to 8 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. **Bank Undertaking (FirstCaribbean International Bank (Barbados) Limited Belize Branch) Vesting 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. **Customs and Excise Duties (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.3) 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. **Telecommunications 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 2:06 P.M. to a date to be fixed by the President.

PRESIDENT

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