

BELIZE

No. 11/1/13

SENATE

Thursday, 19th January 2017

10:05 A.M.

Pursuant to the direction of Mr. President, in writing, dated 13th January 2017, the Senate met in the National Assembly Chamber in Belmopan on Thursday, 19th January 2017, at 10:05 A.M.

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Members Present:

Senator, the Honourable Lee Mark Chang – President
Senator, the Honourable Godwin Hulse – Leader of Government Business
and Minister of Agriculture, Forestry, Fisheries, the
Environment, Sustainable Development and Immigration
Senator, the Honourable Dr. Carla Barnett – Vice-President and Minister
of State in the Ministry of Finance
Senator, the Honourable Michael Peyrefitte – Attorney General
Senator, the Honourable Macario Coy Sr.
Senator, the Honourable Stephen Duncan
Senator, the Honourable Aldo Salazar
Senator, the Honourable Eamon Courtenay
Senator, the Honourable Valerie Woods
Senator, the Honourable Paul Thompson
Senator, the Honourable Markhelm Lizarraga
Senator, the Honourable Rev. Ashley Rocke
Senator, the Honourable Elena Smith

MR. PRESIDENT *in the Chair.*

PRAYERS *by Rev. Ashley Rocke.*

OATH OF ALLEGIANCE OF A NEW SENATOR

The Clerk administered the Oath, in accordance with section 65 of the Belize Constitution, to the new Senator, the Honourable Michael Peyrefitte.

ANNOUNCEMENT BY THE PRESIDENT

Mr. President made the following announcement:-

“Honourable Members, by letter dated 13th January 2017, Cabinet’s recommendation has been signified to the following:

1. Mutual Administrative Assistance in Tax Matters (Amendment) Bill, 2016;

2. Private Pensions (Amendment) Bill, 2016; and
3. Government of the Republic of China (Taiwan) US\$25,000,000 Loan Motion, 2017.”

BILLS BROUGHT FROM THE HOUSE OF REPRESENTATIVES

The Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration signified his willingness to take charge of the following Bills:

1. Mutual Administrative Assistance in Tax Matters (Amendment) Bill, 2016.
2. Private Pensions (Amendment) Bill, 2016.
3. Referendum (Amendment) Bill, 2016.
4. Non-Governmental Organisations (Amendment) Bill, 2016.
5. Land Tax (Amendment) Bill, 2017.
6. National Lands (Amendment) Bill, 2017.
7. Mines and Minerals (Amendment) Bill, 2017.
8. Registered Land (Amendment) Bill, 2017.

The Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration moved that the Bills be taken through all their stages forthwith.

Question put and agreed to.

MOTIONS RELATING TO THE BUSINESS OR SITTINGS OF THE SENATE

The Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration moved that, at its rising, the Senate adjourn to a date to be fixed by the President.

In accordance with Standing Order 25, Senator Eamon Courtenay moved a motion for the amendment of the motion moved by the Leader of Government Business that, “at its rising, the Senate adjourn to a date to be fixed by the President.”

The motion of Senator Eamon Courtenay was for the motion to be amended and to read as follows: “at its rising now, the Senate do stand adjourn now until after the 20th January 2017, in order for the Senator representing the NGO community to attend and take part in the matters on the Order Paper.”

The Motion was seconded by Senator Elena Smith.

After the debate thereon, the Sitting was suspended at 10:37 A.M.

The Sitting was resumed at 10:43 A.M.

In accordance with Standing Orders 9(2) and 9(5), the Honourable President did not allow for the motion of the Honourable Leader of Government Business to be amended.

PUBLIC BUSINESS

A. GOVERNMENT BUSINESS

I MOTION

1. Government of the Republic of China (Taiwan) US\$25,000,000 Loan Motion, 2017.

The Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration moved:-

WHEREAS, the Government of Belize, through its bi-lateral program of economic cooperation and development with the Government of the Republic of China (Taiwan), has received an offer of further financial support from the Government of that country;

AND WHEREAS, the offer of financial support is in the form of a long-term, concessionary Loan in the principal amount of US\$25.0 million;

AND WHEREAS, the purpose of the Loan is to provide for general budgetary support;

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

Lender:	M e g a I n t e r n a t i o n a l Commercial Bank Co. Ltd. of the Republic of China (Taiwan);
Loan Principal Amount:	US\$25,000,000.00;
Disbursement Schedule:	To be disbursed in Advances, within one calendar year from the signing of the Agreement;
Loan Term:	20 years;
Grace Period:	3 years;

Repayment: In thirty-five (35) consecutive, almost equal semi-annual principal installments commencing 36 months after the signing date of the Agreement;

Purpose: General budgetary support;

Rate of Interest: Six-month Libor + 2.5%;

AND WHEREAS, under the provisions of section 7 (1) 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 borrowing;

NOW, THEREFORE, BE IT RESOLVED that this Honorable House, being satisfied that the Loan proceeds would be utilized for the purpose stated above, approves and confirms that the Government of Belize may enter into a Loan Agreement with the Mega International Commercial Bank Co. Ltd. of the Republic of China (Taiwan) on the terms and conditions set out above, and further authorizes the Minister of Finance to execute and deliver the said Loan Agreement and all other documents and agreements connected therewith.

After the debate thereon, question put and agreed to.

II BILLS FOR SECOND READING

1. **Mutual Administrative Assistance in Tax Matters (Amendment) Bill, 2016.**

The Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration moved that the above-mentioned Bill be read a second time:

Bill for an Act to amend the Mutual Administrative Assistance in Tax Matters Act, 2014 (Act No. 15 of 2014), to provide for the implementation of the obligations of Belize arising under the Convention with respect to the standard of automatic exchange of financial account information in tax matters; to give effect to the Multilateral Competent Authority Agreement; to give effect to the Common Reporting Standard; and to provide for matters connected therewith or incidental thereto.

(Suspension of the debate on the Mutual Administrative Assistance in Tax Matters (Amendment) Bill, 2016.)

In accordance with Standing Order 10 (8), the Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration 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 Mutual Administrative Assistance in Tax Matters (Amendment) Bill, 2016.)

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. **Private Pensions (Amendment) Bill, 2016.**

The Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration moved that the above-mentioned Bill be read a second time:

Bill for an Act to amend the Private Pension Act, (Act No.4 of 2016); to clarify terminology and obligations under the Act; 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.

3. **Referendum (Amendment) Bill, 2016.**

The Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration moved that the above-mentioned Bill be read a second time:

Bill for an Act to amend the Referendum Act, Chapter 10 of the Substantive Laws of Belize, Revised Edition 2011, to make provision, in accordance with international best practice, for the holding of a referendum to be validated only by the satisfaction of voting thereon by a simple majority of votes cast and without regard to the number of registered electors casting votes; 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.

4. **Non-Governmental Organisations (Amendment) Bill, 2016.**

The Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration moved that the above-mentioned Bill be read a second time:

Bill for an Act to amend the Non-Governmental Organisations Act, Chapter 315 of the Substantive Laws of Belize, Revised Edition 2011, to make further provision for the recognition of the status of

registered Non-Governmental Organisations; 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.

5. **Land Tax (Amendment) Bill, 2017.**

The Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration moved that the above-mentioned Bill be read a second time:

Bill for an Act to amend the Land Tax Act, Chapter 58 of the Substantive Laws of Belize, Revised Edition 2011; to make provision, in the interest of administrative and operational efficiency, for the responsible Minister to delegate certain functions to any Minister of State appointed to assist the Minister; 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.

6. **National Lands (Amendment) Bill, 2017.**

The Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration moved that the above-mentioned Bill be read a second time:

Bill for an Act to amend the National Lands Act, Chapter 191 of the Substantive Laws of Belize, Revised Edition 2011; to make provision, in the interest of administrative and operational efficiency, for the responsible Minister to delegate certain functions to any Minister of State appointed to assist the Minister or to the Commissioner or any other senior officer of the Ministry responsible for lands; 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.

7. **Mines and Minerals (Amendment) Bill, 2017.**

The Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration moved that the above-mentioned Bill be read a second time:

Bill for an Act to amend the Mines and Minerals Act, Chapter 226 of the Substantive Laws of Belize, Revised Edition 2011; to make provision, in the interest of administrative and operational

efficiency, for the responsible Minister to delegate certain functions to any Minister of State appointed to assist the Minister; 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.

8. **Registered Land (Amendment) Bill, 2017.**

The Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration moved that the above-mentioned Bill be read a second time:

Bill for an Act to amend the Registered Land Act, Chapter 194 of the Substantive Laws of Belize, Revised Edition 2011; to make provision, in the interest of administrative and operational efficiency, for the responsible Minister to delegate certain functions to any Minister of State appointed to assist the Minister; 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 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. **Private Pensions (Amendment) Bill, 2016.**

Clauses 1 to 13 agreed to.

Bill to be reported back to the Senate without amendment.

2. **Referendum (Amendment) Bill, 2016.**

Clauses 1 and 2 agreed to.

Bill to be reported back to the Senate without amendment.

3. **Non-Governmental Organisations (Amendment) Bill, 2016.**

Clauses 1 and 2 agreed to.

Bill to be reported back to the Senate without amendment.

4. Land Tax (Amendment) Bill, 2017.

Clauses 1 and 2 agreed to.

Bill to be reported back to the Senate without amendment.

5. National Lands (Amendment) Bill, 2017.

Clauses 1 and 2 agreed to.

Bill to be reported back to the Senate without amendment.

6. Mines and Minerals (Amendment) Bill, 2017.

Clauses 1 and 2 agreed to.

Bill to be reported back to the Senate without amendment.

7. Registered Land (Amendment) Bill, 2017.

Clauses 1 and 2 agreed to.

Bill to be reported back to the Senate without amendment.

8. Mutual Administrative Assistance in Tax Matters (Amendment) Bill, 2016.

Clauses 1 to 8 agreed to.

Bill to be reported back to the Senate without amendment.

IV REPORTING AND THIRD READING OF BILLS

1. Mutual Administrative Assistance in Tax Matters (Amendment) Bill, 2016.

The Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration 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. Private Pensions (Amendment) Bill, 2016.

The Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration 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. **Referendum (Amendment) Bill, 2016.**

The Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration 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. **Non-Governmental Organisations (Amendment) Bill, 2016.**

The Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration 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.

5. **Land Tax (Amendment) Bill, 2017.**

The Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration 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.

6. **National Lands (Amendment) Bill, 2017.**

The Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration 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.

7. **Mines and Minerals (Amendment) Bill, 2017.**

The Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration 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.

8. **Registered Land (Amendment) Bill, 2017.**

The Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration 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 Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration moved that the Senate be adjourned.

The Senate adjourned at 2:10 P.M. to a date to be fixed by the President.

PRESIDENT

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