

BELIZE

No. 12/1/13

SENATE

Monday, 30th January 2017

10:08 A.M.

Pursuant to the direction of Mr. President, in writing, dated 27th January 2017, the Senate met in the National Assembly Chamber in Belmopan on Monday, 30th January 2017, at 10:08 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 and Natural Resources
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 Rufino Lin – Temporary
Senator, the Honourable Rev. Ashley Rocke
Senator, the Honourable Elena Smith
Senator, the Honourable Osmany Salas

Member Absent:

Senator, the Honourable Markhelm Lizarraga

MR. PRESIDENT *in the Chair.*

PRAYERS *by Rev. Ashley Rocke.*

OATH OF ALLEGIANCE OF NEW SENATORS

The Clerk administered the Oath, in accordance with section 65 of the Belize Constitution, to the new Senator, the Honourable Osmany Salas, and to the temporary Senator, the Honourable Rufino Lin.

ANNOUNCEMENT BY THE PRESIDENT

Mr. President made the following announcement:-

“Honourable Members, by letter dated 27th January 2017, Cabinet’s recommendation has been signified to the following:

1. International Insurance (Amendment) Bill, 2017; and
2. Central Bank of Belize (International Immunities) Bill, 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. International Insurance (Amendment) Bill, 2017;
2. Forests (Amendment) Bill, 2017;
3. Central Bank of Belize (International Immunities) Bill, 2017;
and
4. Crown Proceedings (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.

Question put and agreed to.

PUBLIC BUSINESS

A. GOVERNMENT BUSINESS

I MOTION

1. **Re-Appointment of Ombudsman Motion, 2017.**

The Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration 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, MR. LIONEL ARZU was re-appointed as Ombudsman for a period of one (1) year with effect from 1st January 2016, pursuant to a Resolution adopted by this House on 22nd January 2016 and by the Senate on 27th January 2016;

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 2017, on his existing terms and conditions.

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

II BILLS FOR SECOND READING

1. International Insurance (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 International Insurance Act, Chapter 269 of the Substantive Laws of Belize, Revised Edition 2011; to provide for matters in respect of corporate governance and ownership of an insurer or insurance intermediary in accordance with international standards for insurance; 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.

2. **Forests (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 Forests Act, Chapter 213 of the Substantive Laws of Belize, Revised Edition 2011; to provide for the updating and restructuring of penalties to more realistically effective levels; and to provide for matters connected therewith and 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. **Central Bank of Belize (International Immunities) 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 restate for greater certainty the immunity of the Central Bank of Belize from legal proceedings in other States; and for purposes connected therewith or incidental thereto.

(Suspension of the debate on the Central Bank of Belize (International Immunities) Bill, 2017.)

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 Central Bank of Belize (International Immunities) Bill, 2017.)

After the debate thereon, the question was put, and a division was requested by Senator Michael Peyrefitte.

The Senators voted as follows:

Senator Godwin Hulse	-	Aye	Senator Dr. Carla Barnett
Senator Michael Peyrefitte	-	Aye	
Senator Macario Coy Sr.	-	Aye	Senator Stephen Duncan
	-	Aye	Senator Aldo Salazar
	-	Aye	Senator Eamon Courtenay
	-	Aye	

Senator Valerie Woods	-	Aye
Senator Paul Thompson	-	Aye
Senator Rufino Lin	-	Aye
Senator Rev. Ashley Roche	-	Aye
Senator Elena Smith	-	Aye
Senator Osmany Salas	-	Aye

Thereon, the result was that the thirteen (13) Senators voted “Aye”.

Question was agreed to.

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

4. **Crown Proceedings (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 Crown Proceedings Act, Chapter 167 of the Laws of Belize, Revised Edition 2011; to make provisions relating to enforcement of foreign judgments against the Crown; and to provide for matters connected therewith or incidental thereto.

After the debate thereon, the question was put, and a division was requested by Senator Michael Peyrefitte.

The Senators voted as follows:

Senator Godwin Hulse	-	Aye	Senator Dr. Carla Barnett	-	Aye
Senator Michael Peyrefitte	-	Aye			
Senator Macario Coy Sr.	-	Aye	Senator		
Stephen Duncan	-	Aye	Senator Aldo Salazar		
	-	Aye	Senator Eamon Courtenay		
	-	Aye			
Senator Valerie Woods	-	Aye			
Senator Paul Thompson	-	Aye			
Senator Rufino Lin	-	Aye			
Senator Rev. Ashley Roche	-	Aye			
Senator Elena Smith	-	Aye			
Senator Osmany Salas	-	Aye			

Thereon, the result was that the thirteen (13) Senators voted “Aye”.

Question was 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 MOTION 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 Motion 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. Re-Appointment of Ombudsman Motion, 2017.

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. International Insurance (Amendment) Bill, 2017.

Clauses 1 to 4 agreed to.

Bill to be reported back to the Senate without amendment.

2. Forests (Amendment) Bill, 2017.

Clauses 1 to 9 agreed to.

Bill to be reported back to the Senate without amendment.

3. Central Bank of Belize (International Immunities) Bill, 2017.

Clauses 1 to 6 agreed to.

Bill to be reported back to the Senate without amendment.

4. Crown Proceedings (Amendment) Bill, 2017.

Clauses 1 to 3 agreed to.

Bill to be reported back to the Senate without amendment.

PUBLIC BUSINESS

A. GOVERNMENT BUSINESS

IV MOTION

(Adoption of Motion)

1. Re-Appointment of Ombudsman Motion, 2017.

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

2. Forests (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.

3. Central Bank of Belize (International Immunities) 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.

4. **Crown Proceedings (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.

After a short intervention by Senator Valerie Woods and Senator Godwin Hulse, question was put and agreed to.

The Senate adjourned at 1:33 P.M. to a date to be fixed by the President.

PRESIDENT

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