

BELIZE

No. 15/1/13

SENATE

Thursday, 6th July 2017

10:13 A.M.

Pursuant to the direction of Mr. President, in writing, dated 30th June 2017, the Senate met in the National Assembly Chamber in Belmopan on Thursday, 6th July 2017, at 10:13 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 Michel Chebat (Temporary Senator)
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
Senator, the Honourable Osmany Salas

Member Absent:

Senator, the Honourable Eamon Courtenay

MR. PRESIDENT *in the Chair.*

PRAYERS *by Senator Rev. A. Rocke.*

ANNOUNCEMENT BY THE PRESIDENT

MR. PRESIDENT: Honourable Members, by letter dated 30th June 2017, Cabinet's recommendation has been signified to the following:

1. Customs and Excise Duties (Amendment) (No.2) Bill, 2017;
2. International Business Companies (Amendment) Bill, 2017;
3. General Sales Tax (Amendment) (No.2) Bill, 2017;

4. Stamp Duties (Amendment) (No. 2) Bill, 2017;
5. Economic Development Council Bill, 2017;
6. Money Laundering and Terrorism (Prevention) (Amendment) Bill, 2017; and
7. Caribbean Development Bank Placencia Peninsula Wastewater Management Project – Nutrient Fate and Transport Study – Loan Motion, 2017.

BILLS BROUGHT FROM THE HOUSE OF REPRESENTATIVES

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): A pleasant good morning, Mr. President, and Senators. Mr. President, I rise to take charge of the following Bills:

1. Customs and Excise Duties (Amendment) (No.2) Bill, 2017;
2. International Business Companies (Amendment) Bill, 2017;
3. General Sales Tax (Amendment) (No.2) Bill 2017;
4. Stamp Duties (Amendment) (No. 2) Bill, 2017;
5. Economic Development Council Bill, 2017;
6. Money Laundering and Terrorism (Prevention) (Amendment) Bill, 2017;
7. Belize Building (Amendment) Bill, 2017; and
8. National Cultural Heritage Preservation Bill, 2017.

Mr. President, in accordance with Standing Order No. 49 (1), I move that the Bills be taken through all their stages forthwith.

MR. PRESIDENT: Honourable Members, the question is that the Bills be taken through all their stages forthwith.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

MOTIONS RELATING TO THE BUSINESS OR SITTINGS OF THE SENATE

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, I move that at its rising today the Senate adjourn to a date to be fixed by the President.

MR. PRESIDENT: Honourable Members, the question is that, at its rising today, the Senate adjourn to a date to be fixed by the President.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

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PUBLIC BUSINESS

A. GOVERNMENT BUSINESS

I MOTION

1. Caribbean Development Bank Placencia Peninsula Wastewater Management Project – Nutrient Fate and Transport Study – Loan Motion, 2017.

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, I move that - **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 \$596,000**;

AND WHEREAS, the purpose of the Loan is to provide funds to the Government of Belize for consultancy services to undertake a nutrient fate and transport study to inform the design of a wastewater management system for the Placencia Peninsula;

AND WHEREAS, the Project consists of the following objectives:

- (a) Develop a comprehensive model to predict the transport and fate of nutrients and fecal bacteria in the Placencia Lagoon and surrounding coastal Caribbean Sea off the Placencia Peninsula; The consultants will assume diffuse (non-point) sources and selected point sources corresponding to potential sites for the proposed Placencia Wastewater Treatment System; The model will take account of potential climate change impacts; and
- (b) Recommend optimal locations for sewerage treatment facility and final effluent disposal;

AND WHEREAS, the Bank has offered to lend to the Government the sum of **US\$596,000** (“the Loan”) in one Portion to finance the Project on the following terms and conditions:

Special Funds Resources

(a) **US \$596,000 from the Bank’s Special Fund Resources (SFR)** – to be repaid in thirty-two (32) equal or approximately equal and consecutive quarterly installments on each Due Date commencing on the first Due Date, two (2) years after the Agreement Date;

(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 May 31, 2019, or such later date as the Bank may specify in writing;

NOW, THEREFORE, BE IT RESOLVED that this Honourable House, being satisfied that the Project will significantly contribute to the Government’s efforts to undertake a nutrient fate and transport study to inform the design of a wastewater management system for the Placencia Peninsula, approves and confirms that the Government may enter into a Loan Agreement with the Caribbean Development Bank on the terms and conditions set out above, and further authorizes the Minister of Finance to execute and deliver the said Agreement and all other documents associated therewith.

SENATOR P. THOMPSON: Last Friday the Area Representative for the Stann Creek West Division endorsed this study. And so I won’t say anything differently, but I would like to offer a suggestion. More often than not, these studies are done by international consulting firms. If that is so, the suggestion I make is that we try to attach somehow a local consulting firm so that they get the necessary expertise for future studies like this. We have examples of maybe North Caye Caulker, or North Ambergris Caye, that may need a water treatment system sometime in the future. And, if we do have local expertise, this will help. It will also help in keeping this \$1.2 million cost in Belize. Thank you.

SENATOR M. PEYREFITTE: No, indeed, Mr. President, I totally endorse the concept that Senator Thompson is trying to bring across. We just, you know, and the difficulty with that is that somehow, if we could have your commitment to the process that when local consultants are chosen, we are not accused of hiring people just for hiring sake, and they have some connection to one political party or the next. I totally understand the concept of attaching local people to these consultancies so that they can be delivered properly. But at the same time those local people have to be qualified. So I am sure such a work would be put out to tender. People can bid on it, and hopefully, indeed, you have a serious local element to the consultancy period. But we are in a catch-22 sometimes, as a government, because when you choose local people you are accused of corruption, and then when you don’t choose local people you are accused of leaving out local people. So, where do we stand? All we can ensure is that it will be a transparent process, and may the better, qualified people and organizations be chosen for the project. Thank you, Mr. President.

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, thank you very much. Just a few quick comments, one, this came out of the fact that about three to four years ago there

was an attempt to do a sewer project in Placencia, on the Peninsula, and, in fact, the assets and the powers of the then water board were handed over to BWSL. So BWSL now manages the water system on the Peninsula. But there was a lot of discussion and consultation with residents, particularly with respect to the location of the treatment plant. During those discussions, of course, the issue of the existing situation on the Peninsula came to the fore, where most people have septic tanks, and there is leaching through the very porous sand of Placencia. And, subsequent to that, there have been some issues with shrimp farmers who pump water from the lagoon for their shrimp ponds, and that discussion is going on even as we are speaking right now. And so this came about, as a result of that, to do two things: one, to determine the levels; and, two, to try to find a very suitable spot. So the BWSL would be an integral part of the whole of this because they will be the ones, if and when it is agreed, and I am sure it is when who will undertake the construction, etcetera, of the facility to dispose of the waste and the efforts. Thank you.

MR. PRESIDENT: Honourable Members, the question is **NOW, THEREFORE, BE IT RESOLVED** that this Honourable House, being satisfied that the Project will significantly contribute to the Government's efforts to undertake a nutrient fate and transport study to inform the design of a wastewater management system for the Placencia Peninsula, approves and confirms that the Government may enter into a Loan Agreement with the Caribbean Development Bank on the terms and conditions set out above, and further authorizes the Minister of Finance to execute and deliver the said Agreement and all other documents associated therewith.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

2. Resolution Authorizing the Ratification of the Protocol to Amend Article 83 of the Revised Treaty of Chaguaramas Establishing the Caribbean Community Including the CARICOM Single Market and Economy Motion, 2017.

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, I move that – **WHEREAS**, the Protocol to Amend Article 83 of the Revised Treaty of Chaguaramas Establishing the Caribbean Community Including the Caricom Single Market and Economy (hereinafter called “the Protocol”) was signed on 10th June 2015;

AND WHEREAS, in accordance with its Article III, the Protocol shall enter into force in accordance with Article 236(2) of the Revised Treaty of Chaguaramas Establishing the Caribbean Community Including the CARICOM Single Market and Economy;

AND WHEREAS, the Government of Belize is desirous of ratifying the Protocol pursuant to Article 3 of the Protocol;

AND WHEREAS, section 61(A)(2)(a) of the Belize Constitution as amended by the Belize Constitution (Sixth Amendment) Act (No. 13 of 2008) 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 Protocol, a full text of which is hereto annexed.

Mr. President, I had asked the Honourable Clerk, through my office, to try to get us a revised copy of the Protocol because the photocopying of this one seem to have left it a little short. I know that the Office of the Clerk has engaged Foreign Affairs to do it, but up until this point I don't think he was successful. Of course, the Protocol is on the website, I think, for those who would want to look it up. But it is basically to deal with the common external tariff and issues relating thereto.

SENATOR REV. A. ROCKE: Just a correction, I think the Leader of Government Business said the Sixth Amendment. Here in my paper it says the Fourth.

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): I think, Honourable Senator, is referring to the section in the Constitution which calls for the Senate to ratify. I think that is the one where I said the Sixth Amendment, and your paper says the Fourth. I think it might very well be the Sixth, but my memory fails me. But, nevertheless, the principle is that the Senate must ratify the treaty. It is something I can check.

MR. PRESIDENT: Honourable Members, that Motion is referred to the Constitution and Foreign Affairs Committee for examination, consideration and report.

3. **Resolution Authorizing the Ratification by Belize to the Agreement Between the Government of Belize and the Government of the United Arab Emirates for Air Services Between and Beyond their Respective Territories Motion, 2017.**

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, I move that – **WHEREAS**, the Agreement between the Government of Belize and the Government of the United Arab Emirates for Air Services Between and Beyond their Respective Territories (hereinafter called the “the Agreement”) was signed on 4th May 2017;

AND WHEREAS, the objective of the Agreement is to grant to the Government of the United Arab Emirates the rights specified in the Agreement for the purpose of operating international air services on the routes specified in the Annex to the Agreement;

AND WHEREAS, the Government of Belize is desirous of ratifying to the Agreement pursuant to Article 23 of the Agreement;

AND WHEREAS, section 61(A)(2)(a) of the Belize Constitution as amended by the Belize Constitution (Sixth Amendment) Act (No. 13 of 2008) 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 to the Agreement, a full text of which is hereto annexed.

MR. PRESIDENT: Honourable Members, that Motion is referred to the Constitution and Foreign Affairs Committee for examination, consideration and report.

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Thank you, Mr. President. Just for our colleagues whose paper may have the Fourth, it is the Sixth Amendment.

MR. PRESIDENT: Okay.

SENATOR M. PEYREFITTE: Am I wrong just to add to lessen the confusion, Senior Counsel, when you refer to an Act, you refer to it as amended in its different forms. So, whether it is a Fourth or a Sixth Amendment, it doesn't affect the passage of the Motion. From my knowledge of the way the Interpretation Act works, in relation to it, it's just a typographical error. So it doesn't kill the essence of the process that we are trying to accomplish.

SENATOR M. CHEBAT: I believe the Leader of Government Business, has indicated that it is the Sixth. And so I don't foresee any difficulties with that. He's clarified it.

MR. PRESIDENT: Thank you, Senator Chebat. Senator Hulse, please continue.

4. Resolution Authorizing the Ratification by Belize to the Air Services Agreement Between the Government of Belize and the Government of the State of Kuwait Motion, 2017.

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, I move that – **WHEREAS**, the Air Services Agreement Between the Government of Belize and the Government of the State of Kuwait (hereinafter called "the Agreement") was signed on the 2nd May 2017;

AND WHEREAS, the objective of the Agreement is to grant to the Government of the State of Kuwait the rights specified in the Agreement for the purpose of operating international air services on the routes specified in the Annex to the Agreement;

AND WHEREAS, the Government of Belize is desirous of ratifying to the Agreement pursuant to Article 23 of the Agreement;

AND WHEREAS, section 61(A)(2)(a) of the Belize Constitution as amended by the Belize Constitution (Sixth Amendment) Act (No. 13 of 2008) 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 to the Agreement, a full text of which is hereto annexed.

MR. PRESIDENT: Honourable Members, that Motion is referred to the Constitution and Foreign Affairs Committee for examination, consideration and report.

5. Resolution Authorizing the Ratification by Belize to the Air Services Agreement Between the Government of Belize and the Government of the Republic of Singapore Motion, 2017.

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, I move that – **WHEREAS**, the Air Services

Agreement Between the Government of Belize and the Government of the Republic of Singapore (hereinafter called “the Agreement”) was signed on 11th May 2017;

AND WHEREAS, the objective of the Agreement is to grant to the Government of the Republic of Singapore the rights specified in the Agreement for the purpose of operating international air services on the routes specified in the Annex to the Agreement;

AND WHEREAS, the Government of Belize is desirous of ratifying to the Agreement pursuant to Article 26 of the Agreement;

AND WHEREAS, section 61(A)(2)(a) of the Belize Constitution as amended by the Belize Constitution (Sixth Amendment) Act (No. 13 of 2008) 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 to the Agreement, a full text of which is hereto annexed.

SENATOR M. LIZARRAGA: Thank you, Mr. President. Mr. President, I rise just to call attention to one point. We certainly are in support of these Motions, but the Motions do not read properly because it says here, “**NOW, THEREFORE, BE IT RESOLVED** that the Senate authorizes the Government of Belize to ratify to the Agreement, a full text of which is hereto annexed.” I certainly did not receive a full text of these agreements. So this is just for the record.

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Thank you, Mr. President. Senator, I don’t know because I thought that it was sent out to most people.

SENATOR M. PEYREFITTE: We all. We all have.

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Did other Senators not receive the text of the agreement?

MR. PRESIDENT: Everybody received it? Is this the one you are referring to, Senator?

SENATOR V. WOODS: Mr. President, I think it is the actual document sent in packages, but I am understanding Senator Lizarraga to say his package was incomplete.

SENATOR M. PEYREFITTE: As I understand it, we have read two agreements before, the one for Kuwait and the one for United Arab Emirates, and the Senator didn’t say he didn’t receive those. So, did he received those? Or you just didn’t receive Singapore?

MR. PRESIDENT: We will just wait for the Clerk to check on it.

SENATOR M. LIZARRAGA: No, I didn’t receive all. That’s what I said that I didn’t receive all of it.

MR. PRESIDENT: Can you get him a copy? He could have my ones.

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, Senator, I am sorry you didn't get your copies.

MR. PRESIDENT: Honourable Members, that Motion is referred to the Constitution and Foreign Affairs Committee for examination, consideration and report.

6. Resolution Authorizing the Ratification by Belize to the Air Services Agreement Between the Government of Belize and the Government of Malaysia Motion, 2017.

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, I move that - **WHEREAS**, the Air Services Agreement Between the Government of Belize and the Government of Malaysia (hereinafter called "the Agreement") was signed on 8th May 2017;

AND WHEREAS, the objective of the Agreement is to grant to the Government of the Malaysia the rights specified in the Agreement for the purpose of operating international air services on the routes specified in the Annex to the Agreement;

AND WHEREAS, the Government of Belize is desirous of ratifying to the Agreement pursuant to Article 37 of the Agreement;

AND WHEREAS, section 61(A)(2)(a) of the Belize Constitution as amended by the Belize Constitution (Sixth Amendment) Act (No. 13 of 2008) 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 to the Agreement, a full text of which is hereto annexed.

MR. PRESIDENT: Honourable Members, that Motion is referred to the Constitution and Foreign Affairs Committee for examination, consideration and report.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

II BILLS FOR SECOND READING

1. Customs and Excise Duties (Amendment) (No.2) Bill, 2017.

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, I rise to move the second reading of a Bill for an Act to amend the Customs and Excise Duties Act, Chapter 48 of the Laws of Belize, Revised Edition 2011, to vary the rates of import duty on certain items; and to provide for matters connected therewith or incidental thereto.

SENATOR M. LIZARRAGA: Thank you, Mr. President. Mr. President,

I rise in support of this Bill. And, quite frankly, the business community has been lobbying for this type of reduction for a long time. Today we will be seeing several Bills that emanated through the EDC by the Chamber. This is one of them. And we certainly appreciate the fact that the Government has taken these into considerations.

SENATOR M. PEYREFITTE: The Government that works!

SENATOR M. LIZARRAGA: Yes. These, Mr. President, are mostly related to packaging materials and equipment, and most of the tariff headings attracted about 5% of the non-CARICOM imports, and MFN/EPA and Guatemala were affected. This Bill is designed, and our lobby was designed to help us to lower the cost in the productive sector that many of us rely on for packaging materials and packaging equipment. And, thus, we understand that this is but the first part of a series of moves to help to alleviate the costs in the productive sector. And overall we believe, Mr. President, that this is a right in the right direction, and, again, we thank and congratulate the Government on this move and look forward, as well, Mr. President, to the implementation of the second exercise that will only add more to making Belizean products produced and packaged more competitive and better presented, giving our consumers more choice and hopefully, certainly some reduced costs.

This is very important, Mr. President, as we attempt to grow our export capability, with the ultimate goal, of course, that will lead us to have a wider and a bigger export basket, earning more foreign exchange to the country and helpfully growing a larger economy. So we certainly thank, again, the Government, those members of the EDC, that pushed for this, lobbied for this. And we would like to add, Mr. President, that one of the things we didn't see, and hopefully we can see it in the next series of reliefs, is a move designed to encourage, in similar fashion, packaging materials that are biodegradable. As Belize has this reputation of being green, and everybody is talking about continuing to go green, we would like to see the next series of legislations that come along these lines, encourage and promote biodegradable packaging materials. Thank you, Mr. President.

SENATOR O. SALAS: Thank you, Mr. President. I rise to give a few comments on this Bill. From my reading of the Bill, I fully agree with my colleague, Senator Lizarraga, that this is designed to reduce the cost of production and packaging of Belize goods. That's a good thing for our producers, by extension, a good thing for our economy. But I would like to share a concern, an observation that I made. I would want to see the day, when in Belize we ban the use of styrofoam, we ban the use of single used non-biodegradable plastics. I know it's a process. I know it will take a while. But I refer you to the First Schedule, the heading - 39.23.90.90. Other, under this is where styrofoam come. So we are doing away with the import duty, and we understand where that is coming from. But I would like to see the day when we can accord the same treatment to non-biodegradable packaging materials. In particular, the articles for the conveyance of food items, beverages, utensils made of starch based bio-plastic and bio-based solids, 39.23. And there is another, is a heading – 39.23.00, that speaks to biodegradable disposables including plates, cups, the ubiquitous clam shells for take-out food items, burger trays, shopping bags, etcetera; under heading 481930 - articles for packaging made from starch based, bio-based solids; 4819.30 - shopping t-shirt, bags of several sizes; heading – 63.05, bio-degradable garbage bags; and, 630500 - bio-degradable compostable garbage bags.

So I am pleased to hear my colleague speak to the next steps, and, I think, it is important for us to do that because that will be indicating that we are already on the way to eventually doing away with styrofoam much like our sister nation,

Guyana, has done. I know it will take a process, but I would like to see the day when we can pass a Bill to give/accord the same treatment to these non-biodegradables. Thank you, Mr. President.

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, prior to moving the question, if I may, with your permission, just say to my colleagues about the issue raised by Senator Lizarraga of not having gotten his supporting documentation in his package. I have attempted, as Leader of Government Business, to give some space to the Senate Meeting after the House Meeting to accommodate Senators with respect to time to be able to review. The papers are sent out, as I understand it, after the House Meeting. They cannot be sent out before. The House Meeting was Friday. So they came out after that. But, in the summary, and I think this is where Senator Rocke got his Fourth Amendment, it says a text of which is attached. So, if Senators don't get that, I think, just give the Clerk a call, or his representatives, to say, "I didn't get my full package." And I am sure they will accommodate forthwith because there is a little space from Monday to Thursday to be able to do that. And then I move the question, please.

MR. PRESIDENT: Honourable Members, the question is that the Bill for an Act to amend the Customs and Excise Duties Act, Chapter 48 of the Laws of Belize, Revised Edition 2011, to vary the rates of import duty on certain items; and to provide for matters connected therewith or incidental thereto, be read a second time.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

Bill read a second time.

2. International Business Companies (Amendment) Bill, 2017.

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, I rise to move the second reading of a Bill for an Act to amend the International Business Companies Act, Chapter 270 of the Laws of Belize, Revised Edition 2011; to prohibit the issuance of bearer shares in an international business company; to provide for Register of Directors and Register of Beneficial Owners and for such Registers to be kept at the registered office in Belize; to provide for the Registers upon request by the competent authority to be produced within twenty-four hours; to repeal provisions relating to tax exemptions and provide for the optional payment of income and business tax by an international business company; and to provide for matters connected therewith or incidental thereto.

MR. PRESIDENT: Honourable Members, the question is that the Bill for an Act to amend the International Business Companies Act, Chapter 270 of the Laws of Belize, Revised Edition 2011; to prohibit the issuance of bearer shares in an international business company; to provide for Register of Directors and Register of Beneficial Owners and for such Registers to be kept at the registered office in Belize; to provide for the Registers upon request by the competent authority to be produced within twenty-four hours; to repeal provisions relating to tax exemptions and provide for the optional payment of income and business tax by an international business company; and to provide for matters connected therewith or incidental thereto, be read a second time.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

Bill read a second time.

3. General Sales Tax (Amendment) (No. 2) Bill, 2017.

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, I rise to move the second reading of a Bill for an Act to amend the Bill for an Act to amend the General Sales Tax Act, Chapter 63 of the Substantive Laws of Belize, Revised Edition 2011, to include an administrative fee for the replacement of a GST certificate of registration; to provide a time limit for claiming a refund; to give the Commissioner the power to temporarily close businesses for repeated violations; and to provide for matters connected therewith or incidental thereto.

SENATOR M. LIZARRAGA: Thank you, Mr. President. Mr. President, we rise in support of this Bill. And it's one of another of those Bills that I think that we are going to start seeing, hopefully, all related to tax reform. We hope to see more. We know that the EDC, again, is championing a lot in this area. And, while there are no real concerns with the Bill, we would like to highlight one section for consideration. And that is Section 3 of this Bill, that states, "Subject to subsection (3), input tax credit shall only be allowed for the tax period which gives rise to the input tax credit." And, while in principle we agree with this, it was highlighted to me that the law, as written, does not allow for errors in invoices. An accountant brought this to my attention and I thought that it was a valid concern, and it's something that we should raise and see if there is some way for us to address it because it makes illegal any correction of any invoices that you might not want to, for some reason, because of the correction, would not have entered in this period and in a subsequent period. But certainly, Mr. President, we are happy to see that there is this move to give the Commissioner more teeth in applying to the court, including temporary closing of businesses, for those that continue to sell, charge GST and not issue a tax receipt. We look forward to that. Certainly we need to see, and we are happy to see included that you now must have a programmable cash register. Certainly we are happy to see that businesses who commit repeated violations for improperly claiming tax refunds that they can be closed down by the Commissioner, after permission from the court, failure to file returns, failure to pay taxes when due, in relation to tax invoices, in relation to debit notes and credit notes, and certainly when obstructing authorized persons to come and inspect them. So we are, Mr. President, in full support of these measures and ask that, perhaps, we pay a little closer attention to that section that I highlighted in reference to the tax credits which must be done in the time period, on the specific tax period, which gives rise to the input tax credit. There may be some room there for correction or consideration. Thank you, Mr. President.

SENATOR M. PEYREFITTE: Mr. President, I take the Senator's point, but, when I spoke to GST on that same issue because it does seem very stringent, what GST is telling me is that there has to be a move towards making us more efficient and more responsible. Secure your invoices. If you're running a business, and, yes, from time to time, mistakes can be made, and the Commissioner of GST does have some discretions, similarly to income tax, and in cases like those the discretion can be used to relieve you of any sanctions that may come with this section 3. But the signal that has to be sent, Senator, as well as Mr. President, is that you must be responsible when you are running a business. And we do not want people to repeatedly be claiming to have misplaced invoices and misplaced

this. The way you run your business should be the way you secure your passport, you secure your Social Security card, and you secure your licensed firearm. Secure those invoices. Secure those things so that, when it's time for you to report to the GST Office, you can do so in a responsible manner because, if you repeatedly are misplacing invoices, what you need to submit to the authorities, then how can you run a business? So the signal, it is stringent, Senator. But the signal has to be sent that we need to clean up our act when it comes to taxes, especially with GST, and we want the business community to be put on notice to start to get your ship in order because we have to be more strict how we approach tax measures. Thank you, Mr. President.

SENATOR M. LIZARRAGA: Mr. President, just as a correction, I wasn't talking about misplacing invoices or lost invoices. I was talking where you had errors in the invoices. That was my highlight. That was my presentation.

SENATOR E. SMITH: Thank you, Mr. President. I must point out that my organization is pleased as it relates to 86 A (b), where it speaks of having a programmable cash register. We are aware, Mr. President, that a lot of time some of these businesses do collect tax, but they do not account for what they collect. However, I have been directed by my organization to share that we feel that this would have been a good source of revenue for the Government, if the Government would be able to provide these cash registers to these businesses. And when I say, provide, I don't mean give, but have them available that these business places can purchase from the government, so that we are sure that, wherever we go, we are being charged what we should be charged, as it relates to the tax. And so I am not sure how that would be carried out, and, if it's possible, how possible it is, but we thought that this would be a good area that the Government can work on. And so we are pleased that it is mentioned here. As my colleague said earlier, we too support this Bill, and we just want to ensure that there is proper monitoring. We know that at times we do not monitor these things properly, and so some businesses would get away with not paying what they should be paying.

We note where they have that, if you lose your certificate you will have to pay, but, in the first instance, these should be properly displayed in these business places. And so, if they would be displayed the way they should, then there might be a possibility that it wouldn't be lost because it would be somewhere where it is safe. And so, nonetheless, the consequence of not doing so, we hope that these are monitored closely so that those persons, who are in breach, will be fined properly and the government will get its proper taxes from these persons. Thank you, Mr. President.

SENATOR O. SALAS: Mr. President, thank you. I will be very brief, and it is just to say that I rise in support of this Bill. I refer to my presentation on the budget, a few months ago, where I referred to the importance of plugging the leaks, the millions upon millions of dollars of Government revenue that we don't collect. This is a step in the right direction. It should help to level the playing field and, along the lines of my colleagues, Senator Smith, I think it is important to note and to ask that this is monitored, and that this is regulated and handled fairly across the board. So monitoring is key and essential for this Bill and what it seeks to do, to have the impact it is supposed to have. Thank you.

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): I move the question, Mr. President.

MR. PRESIDENT: Honourable Members, the question is that the Bill for

an Act to amend the General Sales Tax Act, Chapter 63 of the Substantive Laws of Belize, Revised Edition 2011, to include an administrative fee for the replacement of a GST certificate of registration; to provide a time limit for claiming a refund; to give the Commissioner the power to temporarily close businesses for repeated violations; and to provide for matters connected therewith or incidental thereto, be read a second time.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

Bill read a second time.

4. Stamp Duties (Amendment) (No. 2) Bill, 2017.

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, I rise to move the second reading of a Bill for an Act to further amend the Stamp Duties Act, Chapter 64 of the Substantive Laws of Belize, Revised Edition 2011, to make new provision in relation to stamp duties chargeable on transfers of land; and to provide for matters connected therewith or incidental thereto.

SENATOR M. LIZARRAGA: Mr. President, thank you. Mr. President, I ask for permission to refer to my notes.

MR. PRESIDENT: Please continue.

SENATOR M. LIZARRAGA: Mr. President, in an environment when the Government of Belize is looking for ways to increase its revenue we can comprehend to a certain extent why this move to increase the stamp duties payable by foreigners, or non-resident buyers, is viewed as appropriate, as a solution, to the aforementioned problem, especially, as was highlighted by the Prime Minister, in last week's House Meeting. However, Mr. President, as we discuss this Bill, we would like to begin with a broad view and then narrow these concerns down to the more local view from practitioners that we have consulted, practitioners that operate in this sector. We refer to a document by the IMF that's called, Taxing Immovable Property. And in this document the IMF states, and I quote, Mr. President, "The use of property transfer taxes may importantly exacerbate other valuation problems with adverse implications that go beyond their efficiency costs. Transfer taxes, often in the form of stamp duties, are popular in many, including developing countries, for a variety of reasons." The article goes on to say, "But significant transactions, taxes on property, may lead to serious tax evasion, by providing a strong incentive for collusion between buyers and sellers to undervalue properties." The Prime Minister highlighted this in his presentation. These values are undervalued when they are sold, and, they also, by doing so, automatically undermine property transactions, as a key source of information to update market values from the cadastre, which is a register, Mr. President, of property that shows the size, the value, the owner of the land, for taxation purposes. The article goes on to say, by the IMF, "And reducing the overall volume of property transactions they reinforced valuation problems by thinning the market. High transaction costs may also adversely affect economic performance by discouraging labor mobility." Mr. President, the article goes on to give examples of Jamaica, Central African Republic, and even the UK. Mr. President, we can tell you that there are other bodies, including the World Bank, that have promulgated similar studies. And all of them speak to the need to lower transfer taxes and stamp duties.

Let us look at Jamaica, Mr. President, recently an article published by the Realtors Association of Jamaica, fixing to lobby their Government to reduce their stamp duties on land transfers. There were arguments made that, if you have a reduction of fees, it would create additional markets, more compliance, because when the taxes are high people will undervalue the price of the property to pay fewer taxes. Overall the lowering of these taxes is the better way to go. The Jamaican Association makes the argument that this move could spur economic growth. People in the real estate industry remind me that at one time we had these fees, the same fee, at 15%. And, when we lowered it to 5%, it spurred a boom in the real estate market.

In reviewing this Bill, Mr. President, both the BCCI and the BBB, agreed and consulted with representatives of this industry as how this tax would affect this sector, especially since a distinction is made between local buyers and foreign buyers and on the rate of stamp duty. And realtors across the country have echoed the caveats, and the warnings, and advice raised by the multilaterals and our brothers in Jamaica. They've said the same thing basically.

Let us look at the context now in which this law is being passed. The Belizean realtors remind us of the context within which this amendment finds itself. I won't list all of the points, but here are some of them that we believe are noteworthy. Real estate transactions in non-tourist-driven markets are already down. We are discussing an increased rate on a tax system that is already flawed, and, as people in the industry claim, with no sign of being rectified, a system that is adding a firm and official increase in costs on top of a system that has steadily been raising the level of risks in investing and purchasing property in Belize. The system has led to a lot of corruption, and there is even question. As we all know, when we talk about risk of investing and buying property in Belize, there is even question and doubt in many instances as to who actually owns the very land that you are purchasing. So we are already in a high-risk environment. We've had a host of issues with titles from the department. I am sure the Minister will be talking about that too.

In the end, Mr. President, the realtors of this country say that all we are really doing is bringing down the value of property in Belize, property not owned solely by foreigners but as well Belizeans. All properties are affected when these taxes go up. They claim that this change in the law is, as well, discriminatory. And they question, and it's a question that I have to ask because we are still unclear, and perhaps one of the Ministers can clear it for us, whether this increase in change would go against the Treaty of Chaguaramas. That is a question we have. We are not sure.

One of the other points that the realtors raised was that real estate investments lead to more taxable inputs besides stamp duties. For example, it is claimed that if you discourage people from investing in land, by having the tax rates too high, you stop them right at the gate. You've not allowed this person to, in fact, develop the land, when, in fact, we know that the value of the land is not the final investment. If that person is allowed to develop the land, the person is going to spend three or four times more in that development. So, in that way, government would capture GST. It would capture income tax, business tax on construction, maintenance, and services. Any future investment on that land would attract tax. So, is this tax short-sighted? Why kill it at the gate? Why discourage people from investing in a market that is already highly taxed? When we looked at the tax impact, or the fees impact, let me correct that. First of all, this tax is a 60% increase. Second of all, when someone is coming to buy property in Belize, certainly in a new development, for example, it will attract a real estate

tax that could be as high as 10%. It is going to attract a 12½% GST, if it's in a developed area, or if it is part of a development. It's going to attract a 2% legal fee. It's going to attract now an 8% stamp duty. All total sum 32½% on top of what the property is costing. Are we killing the goose? Are we further killing the goose?

The real estate people cautioned that, with this increase, all we are doing is bringing down the value of property in Belize, as this does not simply refer to properties owned by foreigners, again, only, as many may believe, but it affects all properties across the board. Mr. President, this is the similar point that the IMF paper, the World Bank paper, the Jamaican people, made. "Significant transaction taxes on property may lead to serious tax evasion," again, from the article, "by providing a strong incentive for collusion between buyers and sellers to undervalue properties when they are sold." The Prime Minister highlighted this, and we agree. So the way most countries deal with it is lowering taxes and taxing in other areas, catching the tax down the road, not by raising taxes in an area that people are already evading because you create what you call a perverse incentive for people to avoid more. And you don't have a sophisticated enough system to catch it, especially in light of the fact that there is very little, if any, appeal process in here. But let me continue.

The second point they made was, they spoke to one of many administrative hurdles that the government seems to be facing when it comes to this market. Our Belizean realtors are not blind to the following, and they have said the following, "We are discussing an increased rate on a tax system that is already flawed, and for what we can see there are no signs of the flaw in the system being rectified. The flawed system and this tax increase are establishing an increase in the costs on top of a system that has steadily been raising the level of risk on investing and purchasing property in Belize."

Let's talk first about the revenue needs, and then we talk about how we fix it, and the realtors raised the following point. And, again, Mr. President, I am informed by those people that work in this sector, those peoples whose livelihood depends on this line of business, and, of course, collaborated by other regions that we've looked at in the reports I mentioned and in Jamaica. They claim that currently the Government has approximately as much as 9 figures outstanding in uncollected property taxes of which a substantial amount of these properties are owned by foreigners. Some say as much as \$400 million. Hopefully the Minister will be able to enlighten us. And the realtors are saying, if this tax is to capture revenue from the foreigners, then the question has to be asked, why not go after those monies that are already due to the government? People cannot take the land. You can't move land. Land is the only thing that is truly fixed. So, if someone owes taxes on land, why can't you collect it? You move against the land. But I am informed, and I may stand corrected, if some changes to this effect is already underway, and I am hoping that changes may already be underway, and we can be corrected, Minister. I am informed that one reason why millions of dollars, hundreds of millions of dollars, are uncollected is because there are no easy mechanisms for non-resident property owners to pay their property taxes. And we are talking now about a mechanism to pay online or with credit cards or stuff like that, because we have heard stories where people actually come to the department to pay their taxes, and, because of whatever bureaucratic bungling, they don't have the time, or they run out of time and they have to go back, and they cannot pay their taxes because no one can facilitate them. I mean, I was given examples of people actually coming to pay their taxes and could not pay it.

Now, to be fair, Mr. President, this issue is not unique to Belize. And, if I may refer again to the multilaterals, the IMF studies have shown where collection

for property tax is weak in many jurisdictions. It is so prevalent that recommendations are quite abundant, easily found. So we don't need to reinvent the wheel. We just need to follow these recommendations to move away from that type of tax and to remove this perverse incentive for people to continue to do what the Prime Minister has already identified. In all of these recommendations though, again, we repeat that what we've never seen is a recommendation to raise property tax or other taxes such as stamp duties. The remedy is to fix the administration problem, and, if we can read from the IMF words earlier, Mr. President, I quote, "The administrative complexities must be addressed in any property tax reform, if the immovable property tax is to produce a higher yield. Also upgrading the administrative infrastructure necessary for an effective property tax often requires an upfront investment, establishing registration procedures, a cadastre introduction of IT systems and training programmes."

Speaking of the cadastre system, Mr. Speaker, again, this register showing property, that is, what the extent of the property is, the value and the ownership of the land for taxation...

SENATOR M. PEYREFITTE: It sounds like you want to run for the House. You called him Mr. Speaker.

SENATOR M. LIZARRAGA: Sorry, Mr. President, my apologies.

MR. PRESIDENT: Don't worry, Senator Lizarraga. Please continue.

SENATOR M. LIZARRAGA: Thank you. So they identified that there are several problems with the stamp duty system that we currently have in place, Mr. President. One of which, of course, is the value of the property being transferred, and in turn the stamp duty being charged is done by a valuator in Belmopan. This is all done regardless of what has been paid, or written down as the consideration, or that can be proven by the parties, Mr. President, involved. So you see this affects not only the dishonest few, but it affects especially and even more so those who seek and can justify their valuation, this tax, because the people that the Prime Minister spoke about that are avoiding taxes they are going to continue to do that. So what you are doing is that you are giving this incentive for them to do that more, and to those people who pay you are taxing them more. Again, raising the taxes goes against everything we've read and heard.

They continue that the system in place is totally subjective and arbitrary and one that does not share its justification on how the valuer arrived at a value and with no clear process for appeal. This system, they claim, is the cause of much of the corruption that the Prime Minister alluded to. It is the lack of a property register of land values, or this cadastre, that necessitates the need for clauses as such found in the amendment to section 72, which reads, "Subject to subsection (3), there shall be paid a duty at the following rates on the value of the land or of the amount of the consideration, whichever is the greater, in respect of a transfer of land."

So, Mr. President, this is what alarms those in the real estate sector in Belize. Not only does this stamp duty increase threatens by itself to reduce sales in this market, but potentially we run the risk of losing these sales to competitor's markets who are very aggressive. We've already seen a lot of people and a lot of countries being very aggressive, Honduras, Panama, Mexico, just to name a few in our region, and maybe even Jamaica where there is a clamor, by the way, to reduce even further the very tax that we are seeking to increase today.

So, Mr. President, we need to put it into context at what happens here today in our country. There is no clear valuation system. A valuer may declare a

value for a property that is well above what was agreed to between the buyer and seller even though it can be proved. And, when this happens, the stamp duty, which would have already been paid on the initial consideration or value of the transaction, will once again be charged on the difference between these two values. What created this problem, Mr. President, is the lack of a clear establishment of a methodology for valuation. Therefore one has to ask, what's the status of moving towards establishing some of these administrative changes to improve the efficiency of the system in place? And what do we have plan to change, as the world is moving away from these? What system are we going to put in place? Why is the remedy simply to raise the stamp duty on foreigners under the apparent assumption that it will not have an effect on the domestic property market?

They emphasized, the local realtors again, that there is no clear and official path for anyone wanting to question why they are being requested to pay, by the Government of Belize, additional monies many times in the thousands of dollars, or risk not getting their title to the property they purchased, in some instance, months and months and months ago. Because of lack of transparency, lack of an apparent methodology, especially, the realtors are saying this now, Mr. President, they have seen similar lots in the same area being assessed with different values. And that one can never accurately calculate what the true cost will be when making an investment. You think you should buy it, and you borrow money to buy the thing, and to pay the taxes whatever, and then months down the road, when you finally get your paper work in front of who it should go, they could come and tell you, "No, no, no. You owe more." This, again, creates uncertainty and puts us in the high-risk category. And so, when people in the high-risk environment, they offer less. They are very conservative with their investment. So the fact is, Belizean property, the value of Belizean property then goes down because the more risk you have the more returns you want. Who suffers? It is the Belizean person that's trying to sell land eventually, or the market becomes saturated, and prices go down across the board. If you have a weakening even from foreigner to foreigner, it affects the local. That's the point the reports are making. It all has an effect on land value across the board.

Mr. President, again, these are not my words. These are the words of the realtors that live it, work it, eat it, sleep it, and try to deal with it. And they continue to ask, why are we not fixing the administrative breakdown? Now in that context, Mr. President, let's not even discuss really the reported difficulties faced by foreigners as it pertains to obtaining foreign exchange when they sell their property, not to another foreigner, but to a Belizean. That's a whole other matter. But all these things add more costs, and risk level rises when buying property in Belize and when investing in our country. These things, all of them put together, discourage investment and the inflow of foreign exchange.

Mr. President, let me close with a few more from those people in the real estate sector. With this amendment to the rate, we are adding something, and I quote, "that will have an exponentially negative effect by adding cost to an already high-risk market," okay, "where there is question, and where we have questionable sanctity of titles, questionable sanctity, the process that determines the value," and in effect what they claim is that we are creating an environment that is a recipe for disaster. These added troubles will diminish demand and only prove to drive investments that could come to Belize to other territories, to other countries in the region, our neighbors. We are already seeing, they claim, a devaluation of properties throughout the country as the added cost-and-risk has to be paid by somebody in a buyer's market. And the justification, they claim, for this buyer's market is look at the countless amount of properties in the newspapers every week that are being sold. That, of course, only drives down

prices.

They have made some suggestions, Mr. President, and they are saying, if the issue is one of enforcement, then address the enforcement issue directly. Don't raise the taxes. Address the enforcement issue and start by collecting that outstanding \$400 million, or whatever it is. The Belizean realtors have also reminded that they have offered to share information before, in the past, and are willing to do so now on values of properties, transaction details and so on. They stand ready to work with the department. They inform us that the door for them to help in this process is still open, and they ask to be included in coming up with viable, practical solutions for all based on best practices. They also call for work to be done on a standardized system with set rates per registration section and property tax. They underscore the following: "Regarding this, it is not impossible or difficult to do, you see, we already have that kind of system in place because we have public rates and assessed values that are used throughout the world and even here as our based rate for collecting land taxes."

Now the Prime Minister was concerned about speculations, and I raised the point when, previously, not too long ago, in this very House, we lowered the rate on undeveloped property. And I know I am going off a little bit here, Mr. President, but that type of mechanism is the mechanism that you can use. If you think people are speculating on land, or speculating in our country, right, when what we want to do is encourage them to develop it, why did we lower the rate on undeveloped land in this country? That's one mechanism we could use. There are villages and there are towns in this area, in our country, for example, Placencia, we are spending a lot of money in Placencia today. They just got a brand new highway. But yet I understand that a lot of them are paying \$30.00 and \$40.00 for their lots in taxes. That's what we are being told by the realtors. So there are other ways to get the tax on a recurring basis, and you don't kill the goose before it starts to develop.

Certainly, Mr. President, I think it behooves us to listen to the professionals' recommendations in these areas. These are not our words. These are not my words, or the Chamber's words. These are the words of those people that consulted with us, that our members came to us with this valid, urgent concern, that we run the risk of potentially hurting a major source of foreign direct investment in this country, a major source for investment and creation of jobs, the construction industry, just to name a few, and all that flows from those sorts of incomes and investments. So, Mr. President, we've tried to show you where our words today, and the words of our realtors, are not far from the words of the IMF study and earlier studies that we pointed to.

While administrative obstacles may appear daunting, it is important to realize, Mr. President, that a rich arsenal of different options and ways to value property is available to us. We need to find a system that is flexible but effective that we can adapt and a system that its administration is open, transparent, and predictable so that people know. When you come to Belize and you buy a piece of land in this area, this is what you expect to pay in transfer taxes, and this is what you are expected to pay in land taxes, and the whole thing is predicable and not subject to some arbitrary system of valuation.

So to conclude, Mr. President, if the intent is to capture revenue from foreigners, then instead of raising the stamp duty which could discourage business' activity, modify the system of pre-payments where foreigners and non-resident Belizeans can pay their property taxes and the government can collect the reported hundreds of millions that are currently uncollected. Make it easy for people to pay their taxes online, through a credit card, through some system, non personal system. I understand, and maybe the Minister will report to us, that there

has been a lot of move towards going electronic. And, if that is the case and we are going to get there soon, we welcome it. The realtors really welcome it.

In terms of valuation, this can and should be addressed to bring an add, a degree of certainty to this industry. Such certainty can only help to improve the quantities of transactions and the amount of people that want to do business in our country. This pretext that raising stamp duties only on foreigners will not affect the domestic market needs to be checked. It is false. We've elaborated before, Mr. President. Realtors and research from outside this country both point to the potential for undervaluation and devaluation of property. And that's all properties, whether owned by foreigners or Belizeans, resident or non-resident, if we seek to go along this path. Thank you very much. Mr. President.

SENATOR M. PEYREFITTE: Thank you, Mr. President. I won't be reading a speech. So my presentation may be disjointed, but that's the nature of a true debate. Let me just answer very quickly something I heard from Senator Lizarraga as to whether or not this amendment affects the Treaty of Chaguaramas. If you look at the Act, the amendment, section 72 (1) (c), there is no distinction between a Belizean and a CARICOM national. So it does not affect in any way the Treaty of Chaguaramas. We insisted that the 5% applies not just to Belizeans but to CARICOM nationals. So that remains unaffected. The Minister will get into more detail on this, I am sure, but I have to say this. There is a concern from Senator Lizarraga that somehow the value of Belizean land will go down, and there will be a reduction in the demand for Belizean property. Senator Lizarraga, I can tell you, there is no such thing as a lack of demand for Belizean property. Belizean property is demanded heavily by both Belizeans and non-Belizeans. That will not be affected. As a matter of fact, the Minister informs me that the demand has increased steadily since she has taken over the Ministry.

Now, indeed, there is, and, Senator Lizarraga, you started off your presentation talking about the stamp duty really only on the consideration for the property. You buy a piece of land, and its \$100,000.00, and, as we know, you pay 5% on the \$80,000.00 as the transfer stamp duty. But that's not the only mechanism for charging the tax. There is the backstop of the Valuation Department within the Ministry of Lands. So people can try to cheat as much as they want to try to cheat. There is the backstop of the Government Department that says whether or not that value would be accepted or not. If you look at section 72, again, 72 (1), it says, "Subject to subsection (3), there shall be paid a duty at the following rate on the value of the land or of the amount of the consideration, whichever is the greater." So you can bring in a piece of land for transfer, right on the beachfront in San Pedro Town, and you can say that you sold it for \$5,000. That will not fly. There is a Valuation Department within the Ministry of Lands that would go out there, look at the land, where it's located, look at the value of land being sold around that area, and a true value can be put on the property. There is a backstop. So there is no room for any great leakages in the tax system. There is a Valuation Department. And, if you put in a value, and the valuation is greater than that value, then you have to pay that value. That is how the system corrects itself.

And Senator Lizarraga spoke a lot about, and let me point out very clearly, Mr. President, what the Act talks about. It's only transferees you know, people who are buying the land. Now it is not necessarily the position of the government, but it is my position. If you are a foreigner, you should pay a little bit more on that transfer fee to own Belizean land, man, especially if it's nice Belizean land, because, if that turns out to be an incentive for less foreigners to want good Belizean land and an incentive for more Belizeans to want Belizean land, that is a good result of this piece of legislation. So I don't see the difficulty or the concern

there at all.

Another point I want to make from the submission of Senator Lizarraga is the whole concept of discrimination, he said, in terms of land and what the real estate agents are talking about in Belize. Many people don't realize, Mr. President, that the only thing the government collects is a transfer, a stamp duty, when property is transferred. What most countries have, especially the so-called developed countries, they have what is called a capital gains tax, which Belize does not have. So, when the non-Belizean nationals look at that and see 8%, they are still smiling all the way to the bank. Mr. President, if you were to own a piece of property in Miami, Florida, and you bought it for \$100,000.00, and then you sold it for \$1 million, the Government of the United States will take 15% of that \$900,000.00 that you made from that property. In Belize, we have no such requirement to pay capital gains tax. In Belize, if you buy a piece of property for \$50,000.00 and you sell it for \$1 million, the laws of Belize do not treat that \$950,000.00 as income. So if you ask me, Mr. President, I disagree with the Bill too. I think it should be 15%, not 8%. And so 8% is a good start. And let me tell you about discrimination. When you own a piece of property in the United States, it is deemed by the United States as an investment you know. There is a foreign investment in Real Property Tax Act that applies to Belizeans, for example, who may own property in one of the United States. It's a federal system. You buy a piece of property in Miami for \$100,000.00, and you sell it for \$1 million. They want that 15%. But the people who bought the land from you, and you are a Belizean, they have to withhold that 15% from the money that is transferred to you to ensure that you pay that capital gains tax. It is not withheld when it's American to American, but it's withheld when the transferor is a non-US citizen. In this case, that does not apply to a non-Belizean national who acquires a piece of land and then turns around and sells it.

There is still room in the laws for more taxes to be paid. So this 8%, in my view, Mr. President, is still a joke. It's still a joke. It will not hurt anybody. It will not deter anybody from buying property in Belize because for the most part a lot of foreigners buy property in Belize and then, what you call, flip it. They flip the property. They sell it to other people, or maybe even other Belizeans, and when they make that money from that flipping of the property, like I told you, they don't pay any tax. They pay nothing from that income that they've made in the increase in value of that property. So when you look at 8%, and the real estate people, if, indeed, they are telling Senator Lizarraga what he says they are telling him, they need to do their homework. They need to do their homework and realize that, when it comes to the taxes on property, when it comes to taxes on property even after you have already owned the property, it is a joke. The foreigners, the real foreigners, will look at me and say, "What, I cannot believe the amount of taxes I am paying for a piece of land that's on the sea in Placencia. There is no way this amount of taxes I would be paying, if I lived down south, beach or wherever." So you would have to show me where the overall transferring of land and the taxes that apply to land are better than they are in Belize.

So, with that, Mr. President, I just thought I would say it like that to indicate to you that 8%, you are coming into the country, you are not a Belizean citizen, you are not a CARICOM national, you are a foreigner, and you are coming to Belize to buy land, there is nothing wrong with you paying more than what a national of that territory, of that region, is required to pay to own that property in that land. What's wrong with that? It is still much less than what they would pay in their country. So I don't see what the cry is all about. I don't see what all the noise is about because this at the end of the day is still a very good deal for people who are non-nationals of CARICOM to own property in Belize.

And, Mr. President, and I will truly close when I say I will close. Senator Lizarraga tried to give the impression that, with this in place now, there will be cheating and corruption and all kinds of things. It has been happening from time in memorial. People try to cheat. How many people do you know, Mr. President, who would honestly put the true consideration when they are transferring title? Many people cheat. Many people put it at the \$20,000.00, or below, to ensure that they don't pay the taxes. But what you don't have to worry about, "Oh, if you increase it, people will cheat more." No, because the Lands Department does not rely solely on that transfer consideration. There is a Valuation Department within the Lands Department to ensure that that value is a true value for the transfer. Thanks, Mr. President.

SENATOR A. SALAZAR: Thank you, Mr. President. I would like to start out by saying, that I feel that, Mr. President, being Belizean is, indeed, a privilege. Owning a piece of Belize for Belizeans, I would say, is a right. And I don't think it is xenophobic to say that, for non-Belizeans, owning a piece of Belize is also a privilege. And I really do not see anything wrong with paying a little bit more to own a piece of Belize, more than, say, the Belizeans do and the CARICOM nationals do. Mr. President, in Mexico, a foreigner cannot own land within 50 km of the beach. You have to have a trust which the Mexican Bank, a Mexican Bank has to be a trustee, and it can only be for a certain amount of years, and when that expires you have to do another thing. But yet that hasn't stopped any foreigner from investing in Mexico, which is much more difficult than owning land here in Belize. Here, in Belize, if you are a foreigner and you want to own land, you come, and you buy it, and you own it. Fee simple absolute, it is yours in perpetuity, forever.

So the article which Senator Lizarraga cited, it think, is premised on an extravagant increase. Of course, if we increase something extravagant, if you increase something by a lot, then you are going to dissuade people from buying. But I don't, in my opinion, I have been working in the real estate industry as a professional, not as a realtor but as an attorney. I really do not see how this is going to turn away anybody from buying land in Belize. And I really, and I don't want to pick on the realtors, but, Mr. President, this rate is going up to 8%. Real estate commission starts at 8%. So the realtors are making commission which is more than what the government is taking at the moment at 5%. I don't know of a realtor's commission which is 5%. Realtor's commissions range between 8% to 12%. So we need to consider that. Of course, you are going to complain because, and we can understand the complaints coming from the real estate sector, but we cannot allow those complaints from a small segment of society to affect the general good which this is going to create.

Secondly, Mr. President, I really do not understand the connection between the values of property, that the value of property is going to go down. I don't understand that argument because I think this government has implemented something which has existed for a long time within the same stamp duty legislation, which is to appoint a Commissioner of Stamps. So now the point of the Ministry of Natural Resources, the Lands Department, when you submit an evaluation, when you submit a transfer of land to the Lands Department, they have to perform some sort of valuation exercise in order for them to determine. Yes, they sit in Belmopan, but this is where the Ministry is. This is where the experts are. They have to produce a valuation for that property to ensure that what you are saying is, in fact, the actual value. And, if you are unhappy with that, you can complain to the Commissioner of Stamps. This is something that never existed before, although it was in legislation. It has been in legislation. We have been operating without it from time in memorial for me. I've never known that the Commissioner of Stamps has been operational. So now, to compliment this,

the government has put in place the teeth of the legislation. The Commissioner of Stamps, if you are unhappy with your valuation, then you go, you take it to the Commissioner, and then he listens to you and decides what the value is of the property because what people misconstrue as a re-evaluation of the property it really isn't a re-evaluation by the Lands Department. The Lands Department is really saying, in its view, the property is worth more than what you are saying. It is not saying that you are dishonest you know because the tax has to be paid on the real value of the land.

So, and that is why, even if I am giving a parcel of land to my child as a gift, and that child is not paying any tax, any consideration, there is still a tax payable on the value of that land, what is the actual value of that land. So I really don't see how that connection can be made with devaluing the property in Belize. And I can say with confidence that it is unfair to compare Belize with Jamaica because the values of land in Jamaica are very, very high. Belize is still such an attractive place to come because our values for land are still low compared to them. What you can get a piece of prime beachfront property here in Belize for at the market values, I can say are more attractive, are better than anywhere else in the Caribbean, because these are small islands. So whereas they may be selling a smaller portion of land, but for huge consideration, then they are getting more taxes. So whereas our values are lower we need to ensure that we are actually getting an appropriate value from the tax system as well. So I don't feel that this is going to halt any person from coming to Belize to buy real estate because we have an excellent market, excellent product, and our prices are more competitive than anywhere else in the Caribbean. And, if realtors can get 8% to 12% on commission of sale of land, why can't the Government of Belize be entitled to 8% as well? Thank you.

SENATOR REV. A. ROCKE: So I understand how a tax increase like this can affect us in the particular realm that I operate, the church. Churches were known to enjoy no taxation on their land. Recently that has changed. I don't know if the law was changed, or what has happened, but now churches are told, "You need to pay tax." For the bigger churches, that is okay because I suppose they are able to maneuver, but, for many of the smaller churches who find themselves having to find a place or a ministry, they are left to depend on their, or a lot of them depend on their northern brothers for support. So that what we feel is that the hiking of this tax is going to put pressure certainly on the financing that we may get from support to purchase the land that we would want. And these lands that I am talking about are lands that would be acquired from time to time to perform the ministry that we do. And we were wondering what could be done, well, particularly for the church because this is a collective environment we are talking about. It is not a place where one would live. But it's a collective environment where people would come together and enjoy the benefit of ministry. So our concern relates around that.

The issue as well is that, because we cannot afford to purchase land many times, and this support comes from our international brothers, we feel that it is kind of discriminatory to increase the land. We already were receiving the lands at the grace and the mercy of the government. They allowed us to use the land, but now a taxation on the land will make it even a little more stringent for our churches. And we are asking if there's any way that this could be reconsidered, as it relates to ministry. And the ministry is referring to church works. Thank you, Mr. President.

SENATOR O. SALAS: Yes, Mr. President, thank you. I have a few comments on this Bill. I will not pretend that I am as conversant on the matters as my colleague, Senator Lizarraga, who also represented concerns from our

community of realtors, and I will not dare compare Belize to the United States of America, different circumstances, different needs, different aspirations, and different opportunities. So I wouldn't even try to go there. But I believe a little recent history might be instructive to a point. If my memory serves me right, about 10 years or 11 years ago, I believe there was a distinction between what citizens needed to pay, and I think it was 5% at the time, and what foreigners were expected to pay, and I believe it was 10% at the time. The IMF at the time recommended that the stamp duties on foreigners be raised to 15%, almost double what is being proposed in this Bill here for non-CARICOM foreigners. But my understanding is that the government at the time passed legislation to increase it to 15% to ostensibly get the IMF off our backs, and that created an outcry amongst the realtors and other stakeholders, you know, similar to some comments that have been said already, that it looked so discriminatory. So the increase at the time, from what I understand, greatly impacted land sales and impacted foreign investments. So, as a result of this outcry, it was brought down to 5%. However, it was under the agreement that developers would be subject to GST on land transactions involving developed property, not on any resale. So that latter was the compromise, from my understanding, and I stand to be corrected.

So a couple major issue that I have with this Bill that have been very well-articulated by my colleague, Senator Lizarraga, is that we essentially have two sets of rules, where foreigners that are not from CARICOM nations would need to pay 8%. So this moves us away from the unified stamp duties structured to a, well, it moves us away from the unified to a distinction again. The concern is, and I reiterate the concern from my colleague, that that may serve to reduce investor confidence. It could also lead again to increase pressure for undervaluation and therefore corruption, as has been noted. I think of as much concern to me, and maybe even a little more, is that I believe it is fair to say that the system to a great extent is broken. If you look at section 72 (1) where it refers to paying "a duty at the following rates on the value of land or of the amount of the consideration," as I understand it at this time, that's very subjective. If land is sold for a certain amount and pays 5% stamp duty on that, the Lands Department can then come later and assess or reassess the property for a higher amount. That is the purpose of that. Since the buyers pay the stamp duty, they will therefore want to negotiate a better price. That is a concern.

I want to use an example, a real life example, a teacher I know from the Corozal District, who with her life savings was able to purchase a piece of land, over \$20,000 in value. So you know, there was the agreement. She paid her amount. She paid the stamp duty on it. Of course, you cannot get your title until the Lands has approved that sale. So, upon reassessment, the Lands Department noted that the stamp duty should have been higher, the value should have been higher. Therefore the stamp duty should have been higher. I think it amounted to about \$500.00 or \$700.00 more that this teacher needed to pay. For a hardworking teacher, \$500.00 or \$700.00 is a lot of money. It's a whole lot of money. But it was a take it or leave it situation. Take it or leave it. You see, what I think hurts is that when the values are reassessed, and it is reassessed for higher amount, the Lands Department presents no justification, no explanation, as to why. It is only, "This is what it will be. You take it or you leave it." And, I think, that borders unethical and immoral, Mr. President.

So, how do we move forward? One way that I have heard could possibly work is to set the amounts of stamp duty per registration section, or we leave it the way it is at a unified structure of the consideration. The assessor, of course, looks for undervaluation, and considers comparable values, but it needs to be based on something. There needs to be a system that removes the subjectivity. So those are the comments that I share on that Bill, Mr. President.

MR. CHAIRMAN: One second, Senator Chebat.

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): In accordance with Standing Order 10(8), I move that the proceedings on the Order Paper may be entered upon and proceeded with at this day's Sitting at any hour though opposed.

MR. CHAIRMAN: Honourable Members, the question is that the proceedings on the Order Paper may be entered upon and proceeded with at this day's Sitting at any hour though opposed.

All those in favour, kindly say aye; all those against, kindly say no. I think the ayes have it. Senator Chebat, please continue.

SENATOR M. CHEBAT: Thank you, Mr. President. Mr. President, I rise to make my contributions to this debate on this Bill. Mr. President, I am of the view that to compare the rate that we pay, as Belizeans, to the rate being paid by foreigners is to take a very narrow view of the issue. I believe, Mr. President, that we are to look at the overall impact, the rise in the tax, because that is what it is, it is a rise in the tax, will have on the economy, particularly at this juncture in time when we have an already ailing economy. Mr. President, the issue doesn't stop only at the increase in tax. After your document is lodged for registration, Mr. President, you find that inevitably your transfer documents are reassessed for increased payment of stamp duties. The problem with that, as many of my colleagues have indicated, is, one, when you are investing, you must clearly know what the goalpost is. You must know what the totality of that investment is. Two, Mr. President, if the value is going to be increased, then you must know the basis on which that value is being increased.

And part of the difficulty we have, Mr. President, I can tell you of an instance where I have a client who has been reassessed twice. Her documents are still in the Lands Department for almost a year, and she still cannot get her title. It cannot be fair. It cannot be correct, Mr. President. And so, if you are raising taxes, then there must be some additional or consequential benefits. You must have a clear, transparent system of valuation. You must have a clear, transparent system to challenge that valuation, Mr. President.

This problem that we face today with these transfers, Mr. President, is not only being compounded by having to pay additional taxes, but the length of time it takes for your documents to go through the Lands Department and to obtain a title is excessive, and it hurts investments. It is hurting the economy of this country, and we cannot turn a blind eye to it. We cannot turn a blind eye to it. It cannot be that it would take you almost a year to obtain title for a land, and in many instances these are not foreigners. These are our own Belizean people who are suffering, who are waiting, languishing to know whether or not they are going to get their title. We must do better, Mr. President. We must do better for our country, for our economy and for our people.

I am also concerned, Mr. President, that, although I know, or I hope that I know, that money Bills, revenue Bills, are not retroactive, I would hope that my colleague on the other side would guarantee us that those transfers that are already in process will not be affected when this new legislation comes to pass. Mr. President, I heard my colleague, Senator Peyrefitte, speak about flipping property, and I can't help but wonder if he is alluding to the Andre Vega flipping, Mr. President, or perhaps not. That is perhaps a bonanza.

Mr. President, I would want to close my presentation by asking, what has become of the Auditor General's Report on the land compensation issue? As I understand it, that should have been ready from last December, and perhaps my colleagues on the other side could indicate when that report would become available. Thank you, Mr. President.

SENATOR S. DUNCAN: Thank you, Mr. President. I accept that there are weaknesses within the system that we need to address. And I accept that it is equally important that we make every effort to address it. What I don't accept is why those should have any bearing on collecting taxes and revenue going forward. There are a couple things that happen to us, and, in some quarters, it seems to me that, in fact, this is actually about an attempt and a desire to be able to continue to sell land by the real estate sector to foreigners. Now we do know that when they sell land to foreigners, you do get a premium and by extension a higher commission because the price is higher. But I think it should not be lost on us that we also in that process import inflation because those values that the foreigners are prepared to pay influence the price they want to charge you and me, when we want to buy land and, in some cases, make it absolutely prohibitive for Belizeans. And, within that context, I am not satisfied that I should be setting out to make any major concessions to try to make it that more readily, or easily, for the foreigner to be able to buy the land. In fact, we all accept that we are living in a poor country, and I think we will also accept that land is actually one of the things that we can put down to the wealth of the nation. And, in that context, it ought not to be something that we give away. I think we should try to exalt our proper value for it and get what we can from it.

In addition to the inflation, most foreigners who buy land, or quite a few who buy land, I think, would do so for some form of investment as has been alluded to already. And that is a good thing. So it is not the intention to stop it. We want that, and for that reason I suspect the government has tried to keep it at a reasonable increase of, say, 3% to take it to 8%. Some people want it to go higher. We heard Senator Peyrefitte earlier. But, when you put it in context of the concessions that they get on the investments so the foreigner who does an investment seeks other concessions. It is not just the land. And you get other benefits that go with it. I support the view of the other Senators, who feel that, in fact, this is still a steal to come to Belize and invest because you cannot just look at the land in itself, but the totality of their investment and what they get from it. As we give up these concessions, government still has to run. While we fix the weaknesses in the system, government still has to run. The country still has to run. We cannot wait until we fix everything. I am not sure we will get it perfect ever. But we cannot wait until we fix everything in order to try to collect our revenues and to increase the taxes if we feel that that is what we ought to do.

I don't know how the churches purchase land. I listened to Senator Roche, but it seems from the legislation that, in fact, there is a way, to my mind, to not have to pay the increase, if that is what is being referred to by Senator Roche, and subsequently I think by Senator Salas, in a more general sense, because the legislation seems to suggest that, if it is a Belizean-owned company, if it is a company here, that they would be treated like a Belizean. And so, yes, if a foreign entity were to purchase it, I agree you would pay the 8%. But, if it is a local company controlled by Belizeans, you would pay just like if you are a Belizean person, the same 5%. So there is a way that you can address that and deal with it so that it does not become. But, at the end of the day, going from 5% to 8%, as Senator Salas pointed out, it had actually gone up to 15%, and I thank you, Senator Salas, because I didn't recall that until you mentioned it. At this juncture, it is clear that the government, probably being conscious of what happened then,

has decided, “Well, listen, let’s just simply put it at 8% rather than take it back up, because I do know that in certain quarters there was a call for it to be higher. And it is therefore in that good context that government use some restraint and keep it at, what I would call a reasonable level, 3% difference.

But when you put it into that context the foreign buyers are actually pushing up the value of land outside the reach of Belizeans as they purchase. And we do have to be careful with it, and we do have to try to protect the little patrimony that we have. And I don’t think we should be rushing to sell off our properties to foreigners. So, if people say to me that the sales to foreigners have dropped, unless it stops altogether, I would have to understand the degree of reduction before I become alarm because, as they purchased, there’s less for my children and grandchildren, and, as they purchase, they push up the cost to a level where the average Belizean would not be able to afford it. And, Senator Salas is correct, \$500.00 and \$600.00 to a teacher is a lot of money. But those values will get higher and higher as we allow more and more foreigners to play in the real estate market, and the real estate sector seek out the foreigners to buy the properties because they can command a higher price from them, twice, or three times, what they can probably get from me. So it is in their interest to sell to the foreigner because they will make a greater commission on a greater sale price. And so, within that context, I feel that it is a reasonable increase, and government, indeed, ought to monitor the effects of this law, but not to roll it back, to see if the high rate of sale to foreigners continue and probably increase it further. And so there ought to be monitoring, indeed, because we cannot allow the foreign element to totally buy out the little we have and not have anything for future generations of Belizeans. Thank you, Mr. President.

SENATOR DR. C. BARNETT: Thank you very much, Mr. President. I want to try and answer some of the questions that have been raised by my colleagues. And, if I miss anything, my apologies ahead of time, but there have been a lot of points raised so far. I want to begin by referring to some of the issues raised by Senator Lizarraga. He referenced and premised a lot of what he said on a paper produced by the IMF. This is a paper that was done about 4 years ago. But it’s not the official view of the IMF, let me say that, taxing immovable property, revenue potential and implementation challenges. It’s a working paper. It’s a work in progress. And it is explicit that it should not be, and I am quoting from the front page here, “It should not be reported as representing the views of the IMF.” It’s a healthy discussion that’s being undertaken by economists working with the IMF and with other colleagues, but it’s not the official view of the fund, as far as I am aware, as yet. And, because it’s a healthy discussion, I want to just read from the front part of it because it’s instructive in the tone that it is setting. It says that “the tax on immovable property has been characterized as probably the most unpopular among tax instruments, and this is by the taxpayers, not by the tax collectors, “in part because it is salient and hard to avoid. But economists continue to emphasize the virtues of the property tax owing to,” and I want to emphasize this because we’ve talked in this Chamber of having a negative impact on economic growth, economic activity. “But economists continue to emphasize,” and I am quoting here, “the virtues of the property tax owing to its relatively low efficiency cost.” It means it’s relatively easy to implement. “It’s not a costly tax to administer. It has a benign impact on growth, and it scores high on fairness. It is therefore generally considered to be underutilized in most countries.” And I leave the rest of it there. There is a lot that we need to do in Belize to sort out our immovable tax, processes, laws and structures.

And I can tell you that, being in the Ministry of Natural Resources since the beginning of this year, there is an understanding of the complexity of the situation that we face. But it’s going to take a lot of work for us to sort it out, and

we've begun to do that work. With particular reference to the way the Stamp Duty Act works, as has been identified by my colleagues, there is a process that takes place that I will call out, and, as I have done within the Ministry and outside, I will call it out as being a process that needs to be reviewed, revised, and we are doing that because when you purchase land, say land one to the other, there is a process in the Ministry where the valuation needs to be looked at for determination of the appropriateness of the stamp duty that is to be paid. And it's a process that right now takes a long time, that leads to a lot of discussion back and forth, leads to a lot of request for reconsideration, and, as some of my colleagues have said, it also opens the door for some amount of corruption in the system. And we are trying to address that on various levels.

We've actually met with the real estate sector already, and a lot of what you said, Sir, had been conveyed to us directly, and we have agreed in principle that we will want to share information. They did offer to share information and prices, and we've accepted that offer, but we have to work out how that actually comes into effect. We've also set out to review, revise, our valuation roles. Those have not been revised for many years. So we need to look at that for the assessment of land tax, which is not what we are talking about today, but it's relevant. And we are also seeking to revise our valuation protocols within the Valuation Unit. We know there are issues, but the issues with valuation are not limited to what takes place within the Lands Department. There is a general issue in Belize with the valuation of properties. You can have two different valuers look at a property in Belize, and they come up with wildly different. So it is not limited to the work of the Valuation Unit in the Lands Department. There is a general issue, and we've reached out to the valuers, and we want to have a conversation with them to see if we can improve that because we agree, very much so, that what happens with the land, the sale of land, the development of land, the security of tenure over land, really is a fundamental premise of our economic activity. And, therefore, we are on board with that. But that's a work in progress, and we are hoping that, within the next 12 months, we can see significant difference in the way the whole valuation process is determined and executed.

One of the important things that you've heard mentioned here, and it was mentioned in the House debate last week, is the establishment of the role of the Commissioner of Stamps. That person is expected to be in place within a very short period of time. I don't want to call names because we haven't signed contracts, and that always leave the space open. But we are in the process of ensuring that there is a person in place who can execute that role with the degree of knowledge and integrity that we would expect to be in a position like that. So we are moving towards that, and it is really important for us to do that, and we've heard some of the discussions here this morning about people selling land, declaring their consideration, and then we have the re-valuation. Well, I will tell you some of the things that bother us, and we can find many instances, particularly in the more active real estate markets like San Pedro, like Placencia, where a declared consideration that comes in to the Lands Department is vastly different from the advertized prices that anybody can find on the internet. They are vastly different. And we just know that we have to be very much more careful about the way we approach, how we are dealing with these matters, and we are setting out to do that. We also know that we have to speed up our processes within the Ministry. That's like a song we sing every day. It is not acceptable for transfers to take a year, two years. We want to bring that down as much as we can, and we are looking at what it is that we are doing. The fact is that the valuation process does delay, but, if it's a transaction that can be done very quickly within three, four weeks, we would like to be able to turn titles around as quickly as possible. And so that's one of the objectives that we have, to make sure that we can do that,

to bring greater certainty to transactions, and particularly the time it takes for transactions to be finalized and new owners receive their titles.

I was, and I know a question was asked. My colleague asked about the Auditor General's Report. I don't know about the Auditor General's Report. I know that there is a report that was being done, but until the Auditor General completes her work and sends that on, and I have no idea how far along that is, or when we can expect that to be completed and submitted. I am waiting for it because clearly, if there are recommendations that are going to be made in that report, since we are in the process of reform within the Ministry of Lands, I would have wanted those recommendations to factor in, but we will take them when they come. That's the system we have. That's the process we have, and we will do the best we can along the way.

My colleague, Senator Rocke, asked about the churches and the payment of stamp duty. Stamp duty is one of the few taxes that allows no ministerial discretion. All transactions, I believe, with the exception of inheritance, attract stamp duty. And what I would encourage is if, as my colleague recommended, when donors from abroad want to support that they do it through the local church entity so that it remains in the ownership of the local church entity, rather than foreign church entity, because it would not allow for discretion in terms of reduction or waiver. There is no provision for waiver of stamp duty at all.

And, Mr. President, I think those are the main points that I wanted to make. I want to re-emphasize, as I close, that we are very much cognizant of the importance of ensuring that land transactions are clear, transparent, completed within a reasonable time, and we are working to improve that. We are, and I am collecting the data on what is outstanding. There is a lot of outstanding transactions that need to be processed, and it will require us to work differently, to work more effectively, more efficiently within the Ministry, and I believe that in the course of the last several months we have brought staff together around the importance of doing things differently. And, based on what I am hearing, people are beginning to see some of the impact of working differently and working more efficiently. And I am hoping that we can build on that and can really see improvements in the way we process land transactions, separate and apart from what we are talking about today, which is the issue of the stamp duty on the transactions that occur between private owners. Okay, Mr. President, thank you very much for that.

SENATOR V. WOODS: I know we thought it was over. I'll be brief, Mr. President, just to underscore so much of what I think all Senators seem to be agreeable on, and that is the need for a standard valuation system. And I do concur with Senator Barnett that this is really not just about foreigners, but we need it desperately, also, clearly for Belizeans. It's one of those rare moments that we seem to have agreement on something, and I certainly welcome that. I think it is going to go a long way, Mr. President, in improving the administration of governance in perhaps getting back some credibility into that Ministry, which has been so deteriorated over decades and perhaps, just perhaps, starting to make a dent and impact on what we so eagerly signed on to when we decided to become a signatory to UNCAC. So I am very particularly pleased on that. I just wanted to also reiterate the welcomed news of the Commissioner of Stamps being in place, whoever that person turns out to be, but that subjectivity can also still be present if there is not an Appeals Board, or an appeals process. It is nothing new. This is, and you find this system fairly documented in many other legislation that deals with when there is a dispute of any kind. And so that would be certainly welcomed news.

And I also wanted to just underscore, Mr. President, that I think we can all agree with Senator Barnett that the complexities involved in the matter of land and improving the land system in Belize are certainly nothing short. It is complex. It is going to take a long time to correct what has been broken for so long. The stamp duty tax is just one of so many aspects of it, and so we do hope that sooner, rather than later, that report that Senator Barnett and my colleague referred to on land compensation will certainly be laid before the Table of this Senate, perhaps before the 12-month deadline that Senator Barnett mentioned in hoping to get some of these protocols through. Thank you.

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Thank you, Mr. President. I just have a few quick comments. I just wanted to make the point though that the increase is 3%. It's not 8%. It's 3% because it was already 5%. So we go up 3%. And the second point I wanted to make, in my short tenure in the Ministry of Natural Resources where we begun this aggressive reform, if you like, particularly on valuations, etcetera, I found out that, well, the tax, the duty, it's a stamp duty, and it's on the transaction and not on the transactors. In other words, there's been a lot of negotiation between buyer and seller. And in many cases the buyer is having a win, I mean, the seller is having a windfall, and the buyer will say to him, "Well, you pay half of the tax," or sometimes in cases the whole, because there is no capital gains tax. So that point I wanted to make, and, for the most part, I don't think it will affect the churches at all.

The other point I wanted to make, however, is that I agree that we have to have some standard valuation system, and we begun to work at it back then. I know when Minister Retreage assumed the responsibility after me and now Senator Barnett, Minister Barnett, she is continuing this as well very aggressively because there is a wide, and she said wide, but this is one of the times when you can actually, as the Germans would say, *betoner* it. You can stretch it really wide. I have seen valuations come in by professionals, professional colleagues, that have a million dollars difference. And I am saying, wow, this is amazing. When I worked at the DFC in the 70's, as a member then, not anymore, because I never renewed my registration as a member of the American Institute of Real Estate of Appraisals back then, there is some standard for appraising property. There are standards that we use. So we really do need to get back to that.

But, Madam President, if you may, in terms of this investment confidence, just allow me to read quickly from the Investment Climate Statements of 2017 from the Bureau of Economic and Business Affairs of the United States State Department. I will just read two little sections from the Executive Summary. And while they don't give us a very flowing and glowing review, which is expected, it's not bad. It says, "In the late 2016, according to the President of the Belize Realtors Association, stakeholders in real estate transactions began to complain that the Lands Department started stricter enforcement of existing Central Bank regulations regarding appraising property and acquiring permits to use foreign currency, which they consider effectively delays the processing of land transfers and added to another layer of bureaucracy." I said that because that was during my tenure, and they were very upset that, in fact, we were beginning to enforce these laws that were there forever, especially the banking regulations with respect to buying. So I am not surprised that people will complain when you try to make the things that should have been laws. That law has been here from 1997, or some such time. But, however, notwithstanding all of that, they went on to say, "Generally, Belize has no restrictions on foreigner ownership or control of companies and," blah, blah. And it says, "Despite the challenges, Belize remains attractive to investors because of the beauty of its natural resources, the relative

affordability of land, proximity to United States, and the cultural diversity and want of its people. Investors benefit from various incentive programs as there is no capital gains tax, no inheritance tax. And over the past years investments continued primarily in tourism and tourism-related sectors, agriculture and agro-processing.” You can find the report on the website. So I just wanted to point that out.

Madam President, with those few words, I ask that the question be put.

MADAM PRESIDENT: Honourable Members, the question is that the Bill for an Act to further amend the Stamp Duties Act, Chapter 64 of the Substantive Laws of Belize, Revised Edition 2011, to make new provision in relation to stamp duties chargeable on transfers of land; and to provide for matters connected therewith or incidental thereto, be read a second time.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

Bill read a second time.

5. Economic Development Council Bill, 2017.

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Madam President, I rise to move the second reading of a Bill for an Act to facilitate economic growth in, and the business competitiveness of, Belize by establishing a body to be known as the Economic Development Council to promote partnership and collaboration between the public sector and private sector; and to provide for matters connected therewith or incidental thereto.

SENATOR M. LIZARRAGA: Thank you, Madam President. Madam President, today the business community is pleased that after many years we have finally gotten a piece of legislation, although not perfect, don’t get too happy. Sorry, Madam President. Madam President, as you know, Economic Councils, or Competitiveness Councils and such, have been promoted in these societies when we talk about reforms. This is nothing new. It started back from when the Honourable Godwin Hulse was with the Chamber. I think at the time they made a try for a National Business Council, for TIPS. Anyhow, over the years it evolved finally to where we are today, an Economic Development Council. But I would like to say and think that this is the baby of the Chamber. Let us call it what it is. This is the Chamber’s baby. It’s something, and it is Godwin’s baby. I really have to give him that. I mean it was birthed in the Chamber. And it started really, and I want to make mention, with the Honourable Godwin Hulse. So, Godwin, Honourable Leader of Government Business, I am sorry, and I am not being disrespectful when I call him by his first name. We have a lot of history in this together.

So I would like to begin by commending this Government for formally instituting the EDC. This measure is something, as we said, that we’ve attempted before, and it didn’t survive for many reasons. But we are so happy today to see that we are formalizing it in law. The institutionalizing, Madam President, of this body places the existence on such a, or the existence, sorry, of such a Competitiveness Council beyond the whims of any one Prime Minister. So we can’t have, as was in the past, one Prime Minister wanting the council, or not wanting it. One wants TIPS. One wants National Business Council, and one wants whatever. We now have a formal mechanism set in law that is going to be the

primary mechanism for dialogue with the business sector. The objectives are clearly stated there where it says to “foster and promote an atmosphere of ever increasing confidence, understanding, partnership and collaboration between the public sector and the private sector of Belize, on macroeconomic issues that are important in increasing Belize’s competitiveness.” As well, 3 (a) says, it is to “establish the Economic Development Council as the primary forum in Belize for dialogue between the public sector and the private sector, by enshrining in law the existing mechanism bearing that name.” And (c) says, “create a more efficient business climate, which, by extension, is expected to increase employment and encourage the economic growth and development of Belize.” So now I think it’s fair to say thank you, to the Belize Chamber of Commerce and Industry, which has worked, the Chamber and its members, diligently and closely with the government, and especially this government, over the last five years, although recognition was given all the way back to the Honourable Leader of Government Business and President subsequently have tried. This is something again that was called for, and so here we are today.

Now, while we support this Bill and the formal institutionalization of this body, a few concerns, Madam President, must be raised. And these concerns are largely found in section 4 (2) (b), that describes how the private sector members are to be chosen. Section (b) says, Madam President, that “five representatives from the private sector, namely, persons who have experience, individually, in one or more of, and collectively in all of, the following areas, (which persons may be members of and nominated by organizations that are validly operating under the laws of Belize and appear to the Minister to collectively be representative of the following areas). And then it goes to list the areas. Madam President, we recognize that in other jurisdictions that have similar competitiveness councils that have laws governing these councils, that presidential decree governing the Constitution of these councils, specific organizations may not be named. So this council is not, and this, the suggestion here that specific entities should be named, is not new. But, given the history, given the Belizean context in which we operate, we truly don’t see, and we may be biased, and I am hoping the Leader of Government Business will be too. We really don’t see why the private sector, including the BTIA and the BCCI, should not have permanent seats on this council, permanent seats. And in this matter, surprisingly, the Chamber, the BCCI and the BBB, agrees because they know the work we’ve put in to formalizing this legislated dialogue/advisory mechanism. Remember this is just an advisory mechanism. So, Madam President, the wording of this Bill, once again, leaves so much to the discretion of the Prime Minister, any Prime Minister. And we have to remember that this piece of legislation we are passing today, we are not only passing for today. We are passing for tomorrow, for down the road. When it’s possible, we may have a Prime Minister, whose views and possessions are completely against the well-functioning of this body, a body that this Prime Minister supports.

Madam President, we strongly urge, we strongly recommend, that today, in Committee, and I am making the appeal now, that we name the Belize Chamber of Commerce and Industry, the mother that conceived this baby, and the BTIA, as permanent members of this important advisory council. As the law currently reads, Madam President, the fact that the private sector representatives shall be members nominated by organizations that are validly registered is a step above the original wording that was proposed, we agree, because the original wording was even more ambiguous than the language we see before us today. So we acknowledge that there was a movement upwards, not far enough. But choosing to be recognized organizations still can only nominate. The absence of a clause regarding the organization’s appointment, Madam President, therefore, suggest that nominations need not be accepted, even from organizations like the BCCI, or

the BTIA whose membership already features, by the way, prominently on the council. Senator Duncan, I am sure will remind us of this fact because he sits on the council. He is a member of the BCCI. I think we have 4 members of the BCCI, Senator Duncan, is already on the council. Yes, so, why? Why, Senator Duncan, not mention the mother of the child in the birth certificate, the mother of the child? Instead, Madam President, this Bill falls subject to the approval of the Prime Minister who may reject nominees, until one such nominee is made that appears to him to be valid and representative.

Remember, Senator, that this piece of legislation is not only for this Prime Minister who supports the council. It's for Prime Ministers to come. And we don't want to see some Prime Minister to come, manipulating and using this council, putting aside all the good work that started way back in, is it 1997, or 1998, Honourable Godwin? It was way back then, when the father of this thing, and see the father here, right. He is the daddy, okay, of this piece of legislation. It took him so long to bring this baby today to where it's going to be independent, and now it's going to be in law. We are formalizing it. We are putting a structure to it where it will live forever in the laws of this country because it is something good. We see several pieces of legislation today that were birthed in this very EDC. I believe, I need some help here, but there are several pieces of legislation today and other pieces of legislation that, and here it is. Sorry, Madam President. I found my papers. I have so much, but we know that this EDC has been working on the e-Government. They proposed it, right. It is something good that you agree the country needs. This EDC has been working on the transportation master plan. All of these things were birthed in the Chamber you know, all of these suggestions that I am about to mention. The Building Act, which we will discuss, birthed in the Chamber. I brought the two big books here to show you all, right. Again, back to Honourable Godwin, he was the one that commissioned these about the Building Act. Today we have an Act before us. So this is not a road that we are just starting. We are grateful that this is a milestone that we reached, finally.

We have matters that deal with trade license that the EDC is dealing with, very important, for competitiveness. They have a lot of tax reforms that they are dealing with. And I am grateful, we are, the Chamber is grateful, that we have this mechanism that has listened basically to the concerns, at least, that we have raised in these matters. Do you agree, Minister? So we don't want it to fall subject to the approval of any one Prime Minister who may reject nominees from these very organizations, from the mother. Consequently, the organizations, or the criteria governing what could be deemed a truly representative organization, should be more clearly spelt out, as the current wording leaves the door open to less than truly representative bodies, my friend, okay.

So, we want to have a seat at the table. We deserve to have a seat at the table where we will be advising, okay, because, failing this, you could have a Prime Minister electing a not so representative body who could possibly give the Prime Minister advice that could hurt many to the benefit of a few, potentially. And this, of course, would affect the majority of businesses by disenfranchising them, that they are members of these two huge organizations. As we said before, Senators, this is a step in the right direction. And we are very grateful for it, and, on that ground, we will support this. We will support this Act before us. But we ask, we advise that these areas that we have expressed concern be addressed.

We will ask in Committee that the Bill be amended to include the organizations. We are ready to continue to work with any government in providing sound economic advice, sound advice, that the nation and the government in power will benefit from. It is our duty. It is why we were set up. And we look forward to continue to work. We are a partner that this government

has had on the EDC. We look forward to continue to work along these lines. But today, if this law is passed the way it is worded, potentially this very organization that gave birth to it, seeds planted back way from Senator Hulse' days, okay, could be boxed out. It could be boxed out based on how open the door has been left. Albeit in an improved wording to the legislation, the door has still been left wide open that at some stage in the future some other Prime Minister could box the BCCI out completely because they don't agree with the advice. The Prime Minister doesn't have to do anything that we say you know, or that we advise, nothing. It's just to give him the best advice from two recognized organizations with solid membership, with years and years and years of history, fighting for the good and the competitiveness of our country. Colleagues, I appeal to you to consider the additions that I will be requesting and to keep in mind that this is but an advisory council.

On a more personal note, I would like to publicly thank all those presidents of the Chamber, including the Honourable Godwin, but especially past president, Kay Menzies, for all the valuable work she has done and contributed to this council over the last few years, and to bringing us to where we are today. Thank you very much, Madam President.

SENATOR M. PEYREFITTE: Madam President, Senator Lizarraga is making the BCCI look like they have a Donald Trump syndrome. They want their names plastered over things. Madam President, the way this law is written is the only way it can be written. Madam President, if you look at the BCCI, the so-called mother of this piece of legislation, as they want to put it, aren't people in banking and finance in the Chamber of Commerce? Aren't people in the tourism business in the Chamber of Commerce? Aren't people in distribution services, agriculture exports, aren't those people in the Chamber of Commerce? So why do you need a special Chamber of Commerce category? I mean, come on, man. It's covered within the spirit of the legislation, but, Senator Lizarraga, not all is lost for him and the Chamber. There is a provision here in section 4 (4), where it says, "Notwithstanding the composition of Council membership under subsection (2), the Prime Minister, in his discretion, may choose additional representatives from the public and private sector." So, if they believe that the Chamber has some special place in the heart of this piece of legislation, they can appeal to the Prime Minister, and the Prime Minister, in his discretion, can add them to that list and gazette it, if it is so that they want so desperately to have their name in a piece of legislation.

And I think Senator Lizarraga is seriously mistaken. No, I know he is seriously mistaken when he says that, if you put it in the piece of legislation here, somehow it will be protected until thy kingdom come. No, subsequent governments and subsequent Prime Ministers can amend the Act to remove them. So even if you put Godwin Hulse at number (b), if you put Godwin Hulse, another Prime Minister can change the Act, or table for the Act to be changed. And the reason why it is left so open-ended, and not too specific, is because policies and economic directions change from time to time. And they even change from Prime Minister to Prime Minister.

And listen the Prime Minister, Madam President, is not some alien, big bad wolf, that's thrown upon us from the sky. The Prime Minister is the people. When you are in an election, and the people are voting, they know very well who will be the Prime Minister, if the party who they are voting for win. They know. So the Prime Minister should be a person who is entrusted with this broad discretion to appoint who he or she wants to advising him or her in such a council. So you cannot be specific, and even if you are specific there is nothing that prevents any government, any House, any Senate, from changing what's in the

piece of legislation. So I think by leaving it wide, and what clearly the piece of legislation is trying to do is to cover what it deems to be the major sectors of the economy, tourism, banking, distribution, agriculture and exports. You are trying to cover everything. And the representatives must come from there, but it is not an exhaustive list. People can be added to the list. The list can be adjusted. So then it gives whichever Prime Minister is the Prime Minister the discretion to decide who he or she will allow to advise him or her.

So with that, Madam President, I think it's an excellent piece of legislation. I was hoping that Senator Lizarraga would say thank you, but there is always a "but". But I just want to say, Madam President, that I fully support this Bill, and I think it will a step in the right direction for the private sector to be in direct communication with the public sector when it comes to the major policies in the major sectors of our economy. Thank you, Madam President.

SENATOR REV. A. ROCKE: Madam President, I also rise to support the intent of the government to bring together the public and private sectors. However, when I read the document, I noticed that there was an intentional absence of partisanship. It caught my attention, but I also consoled myself to the fact that there is nothing that can happen in Belize that is not partisan. The Minister from Cayo South raised an issue though that I thought I wanted to understand as well. There were some documents. I am sure that a Committee of this nature will have a Term of Reference, but there was a document that was raised, and I want to know as it relates to that particular Committee. Those documents that were written before that relate to the economy of our country, will those documents be utilized by this Committee? Or are they, or will they be looking at those documents to set some parameters for operation? Thank you, Madam Speaker.

SENATOR P. THOMPSON: Madam President, I rise to make a short remark regarding this Economic Development Council Bill. Last Friday in the House Meeting, the Prime Minister said that the IFIs all applaud this step that is being taken. It is our belief that a primary reason for doing this is to appease those IFIs and bondholders. This is being done to signal to those IFIs and bondholders that this government is serious about meeting those targets that were set when there was a restructuring of this bond.

While we don't have an issue with the establishment of this Council and enshrining it into the laws, we believe that doing this is a little bit too late. The horses have already left the gates. In fact, the race is finished. You see, Mr. President, this should have been done when \$400 million of Petrocaribe money was in the horizon and another \$600 million from the revenues from BNE was before us. But after this administration has recklessly squandered millions of dollars now they pretend as if they are serious about moving this economy, an economy that some refer to as an after-market economy, an economy that has nothing new, that just recycles everything. And I want to give you an example about what I mean when I say that this government has spent recklessly. In San Pedro, a few weeks ago, the government opened up a football field for the cost of \$5 million, a high-price tag, especially when you compare it to the football field in Belmopan, which was a little bit over \$3 million. And you can argue that the cost in San Pedro of construction will be higher than the cost of construction in Belmopan. So we will give you that. But, if you go a few years ago and you check, you will see that in San Pedro this government borrowed millions of dollars to rehabilitate a football field by the name of the SacaChispa Football Field.

SENATOR M. PEYREFITTE: Point of order, Mr. President.

SENATOR A. SALAZAR: Point of order, Mr. President.

MR. PRESIDENT: Excuse me. One second there, Senator Thompson. Who is first? Senator Salazar, what is your point of order?

SENATOR A. SALAZAR: This line of debate, I think, comes more from political motive and rhetoric rather than the Bill which is before us, and we know we must confine our debate to the Bill. I would ask that we please follow the Standing Orders.

MR. PRESIDENT: Senator Peyrefitte, what's your point of order?

SENATOR M. PEYREFITTE: Mr. President, I will ask one more time. We are supposed to be here to debate. Debating means you have done your research, and you are ready to deliver on your feet. Anybody can say anything in here, if they are reading what somebody else writes for them. I am not saying that anybody has written for this Senator what he is reading, but that is why you have in the Standing Orders that you are not to read because the people want to hear your views and be confident in your views. The Senator is reading, Mr. President, and he has not even ask for permission to refer to any notes.

MR. PRESIDENT: Thank you, Senator Peyrefitte. Senator Thompson, one second, you can refer to your notes, if it's not reading the entire thing, alright, just letting you know one time. Also, yes, and please let's stick to the Economic Development Council Bill, okay. Thank you.

SENATOR P. THOMPSON: Mr. President, I was highlighting the fact that there was wastage in government and there was reckless spending in government, and that has to do with the economy. If you are spending the money wildly, you could have used this money to do something else that would have built the economy.

Mr. President, I will conclude right here. This type of behavior from this administration is symptomatic of this, you know, of this administration. And what this Bill amounts to is no more than more talking and more optics. There is nothing about this Bill that is about economics and building the economy. Thank you.

SENATOR A. SALAZAR: Mr. President, the Bill, and what Senator Thompson has said, and I say this with respect, I feel is an insult to what Senator Lizarraga has said. He has said that this is the culmination of years upon years, upon years, of consultation with the private sector. Now, in the interest of politics, we are going to say that this is only something to appease the IFIs, or to put on rose-colored glasses. No. Senator Lizarraga can never be accused of supporting the government blindly. Certainly when he, well, Senator Lizarraga cannot be accused of supporting government policy on every occasion that we come here. Certainly today the Chamber, and it is clear, it is obvious, that the Chamber is in support of this Bill. It cannot be too little, too late. And we must be reminded that this is the formalization of a process. I mean, although this is a formal enactment, this Prime Minister, this government, it is the culmination of what has been a policy for quite some time now, which I am aware of. There is somebody in the Office of the Prime Minister with the specific responsibility of liaising with the private sector. That is something that we didn't know about before. And this council has been operating informally, and now it is a formalization of that. So I really think it is an insult to say that it is only a mechanism to appease the IFIs and too little, too late. I really think that is an improper characterization of this. Thanks.

SENATOR DR. C. BARNETT: Mr. President, thanks. I think that my colleague is a little bit confused about the timing. There was a time when we had established a National Economic Council, that followed years and years, of wasteful spending, that was established primarily to discuss how we were going to get ourselves out of that deep trouble that we were in, and I know this because I was the person who was tasked with organizing that National Economic Council. And I was just pulling from my system that I have here the releases and all the studies that we did about why we had established that council, which was exactly what he is saying. That it was established because we needed to deal with a very difficult situation that we were in, in 2004. That's when we established it. This is a totally different thing that we are talking about here. This is about what Senator Lizarraga is saying. It is about charting the way for the private sector and the public sector to work together and come up with policies that make sense all the time, not only when we are in a difficult situation like 2000, because that Economic Council didn't last until we came out of that hole.

This National Economic Council, or this Economic Development Council that we are talking about now is giving legal standing to a process that has been working very well for a number of years. And my colleague mentioned several of the legislations that are on the table before us that come out of that very positive process. So let us not confuse what we are talking about doing now, what we have been doing to what we had to do in 2004/2005, precisely to convince the IFIs that, in fact, we were including the social partners in the discussion. That was a different time. This is a different undertaking, and it's been working, and all we are doing at this stage is giving legal effect to a process that works. Thank you, Mr. President.

SENATOR O. SALAS: Mr. President, thank you. I must admit, and I must be honest when I say that, at first, I was uncertain, unsure, as to the need to legislate a dialogue mechanism for the public and private sector, when, in the absence of such legislation, it has been happening. But I must say that after talking to key colleagues, respected colleagues in our sister business community, I'm sold on the idea. I am convinced. I can see why it is important, and, therefore, I support it. I realize that at the onset dialogue should come from sincerity based on mutual respect, shared interest, shared optimism, etcetera, and etcetera. But I understand and I accept that it is not meant to be a political party mechanism, hence why we need to enshrine it into law. I understand that. I accept that, and I support that. It affords a certain level, a certain degree of credibility, consistency, permanency.

I have to disagree with my colleague, Senator Peyrefitte. It's not about listing names on a piece of legislation. It's not about that at all. It's about starting, and we have the opportunity to do it right now. So we have the opportunity to list the principal associations that represent the various sectors. We have an opportunity for that. So I concur with, and I support, what my colleague, Senator Lizarraga, has said. We've heard about birthing and babies, and the community I represent wants to be a part of this family too you know. You know, so I support this, and I think, since the Chamber has worked so hard on this and they are such an important association, it's not a matter about deserving, but it's because they represent the sector in such an important way that I believe they need a permanent seat in this association.

And thank you for the words you said in relation to the BTIA, which is the largest private sector, tourism organization in this country. And I must mention that our sister NGO, BHA, has a seat on the BTIA Board. So we have associations to choose from that will represent the distribution services, agriculture, exports,

banking and finance and etcetera. So I think that we should be able to include these in the legislation. I want to point out what I see as a gap though. And whereas in section 4, subsection 4, as my colleague said earlier, the Prime Minister would, in his discretion, be able to choose additional reps from the public and private sector. I think, since we have the opportunity, we should start now with a couple that I believe should be representatives from the get-go. And that includes, and in a sense representatives of what we have here in the Senate, our trade unions and the NGOs that play a vital role in the National Economic Development process of this country. So I believe that therefore they should be included in this first iteration of this piece of legislation. Thank you, Mr. President.

SENATOR E. SMITH: Thank you, Mr. President. If we note, Mr. President, this Bill refers to fostering private and public sector dialogue and engagement. It says specifically to promote partnership and collaboration between the public sector and private sector. Now I was asked earlier if labour drives the economy. But labour is a key factor in economic development, Mr. President. And if we want that question answered, remove labour, and we will see what will happen to the economy. So, for me, that question is null and void. While labour might not be the entity or the organization that provides jobs and those kinds of things, we are a key factor in this economy. Now we are aware that we have had tripartite representation in several forms, in several, and through several avenues, where we've had government, we've had business and, of course, we had labour working together. That has been a good practice because it shows that together we can work for the betterment of our nation. It's not about a government, or it's not about the business, or just the unions, but it is about our country. And so that practice that we have been using has been working, and I see no reason why we should not continue in that practice.

Now the input of labour, Mr. President, in matters of development of our nation is quite essential. And I am sure that some persons might not agree with me, but if we really look at the contributions of labour, we will note that we have made some very good contributions to this nation. It is no less essential in matters of economic development. As I said earlier, not because we do not own businesses, or because we do not provide employment, it means that we are less important than these other groups. And so, Mr. President, I think it's very imperative that in today's day and age that groups such as labour are included. That we have a level of respect and a level of participation in such matters as economic development of our nation. And so, for that reason, Mr. President, I cannot see why, or the reasons why, we would want to exclude labor from such an important council. We have much to offer. We have persons within our organizations who have expertise in the areas that have been mentioned. And so we can add a lot to it.

Instead of promoting being adversaries, we want to promote unity. That we are working together, all of us together to make something better. And so I must, at this time, Mr. President, say that my organization is asking, or is recommending, is proposing, that there be an amendment to this Bill, to include Labour and Civil Society as members. And I know that I have heard my colleague over here spoke about that the major player or the major stakeholders are included in this council. We are a major player, Mr. President, in this nation, in building and growing this nation, in this economy. And, because we are a major player, a major stakeholder, then it is important for us to be included. So we seek and we ask that it be considered, that an amendment be considered to include Labour and Civil Society as members of this council. If we are able to agree to that, Mr. President, as I said earlier, we understand the purpose of this, and we know what it can do. But if we can be a part of this, Mr. President, it would be much easier

for us to completely support this Bill. Thank you.

SENATOR M. CHEBAT: Mr. President, I have just a few brief words on this Bill. Mr. President, the concept of a partnership between the private sector and the public sector is not a novel one. And it is a model that we see throughout the world. However, Mr. President, I must agree that hindsight is 20/20. And this Bill comes a little bit too late. You see, Mr. President, as my friend and colleague, Dr. Barnett, has said, in 2004, things were different than they are today. In 2004, our national debt was not \$2 billion. And, in 2004, it did not amount to 98% of our GDP, as it stands today. And so, yes, times are different today. And, yes, this Bill is late. Thank you, Sir.

SENATOR S. DUNCAN: Thank you, Mr. President, just two points really. I do appreciate the fact that the Senators, especially from the business sector has expounded the benefit of this Bill. And he is absolutely correct that a lot of work has gone into it, and quite a lot has been done. In fact, today we do have a couple Bills on the table that have emanated from the work in the council. I will just make the point though that not everybody, unfortunately, can be in everything. And, while I understand and appreciate the request, I don't think the absence of the organizations imply, or suggest, or mean, the absence of the requisite skills that we will need on the council, meaning that, within these sectors that are named, you do have people and organizations and entities that are part of the Chamber. And you also do have labour. You may not have it in the collective sense, but every business that will be represented on the council actually has its labour force.

I say that, therefore, that I think the council is trying to reach those where the skills exist, rather than the organizations who will then call on their members to represent them. Effectively, they are going direct to the source of the production to the source of the economic activity, rather than going through an organization who then needs to call on its members where the economic activity takes place to represent them. So I think, while I understand the call, I also recognize that the Bill is of itself not trying to lock out anybody, but it's trying to go direct to those areas where the economic activity takes place. In that sense, I will also say, and in recognition of the work that the Chamber has put into it, that we do have a difference between the king and the king makers. And this is one of those times when I see the Chamber as the king maker, but not necessarily the king. And, on that score, we have to give them a lot of credit and applaud them, but we cannot always be the king. So I really don't see the aspect.

Now what is very interesting and what is very appreciative is that, under section 5(b) of the Bill, it allows for direct dialogue and discussion with the wider private sector. And, to me, that is very good because we have actually seen that happen. It has been practiced where for the last, oh, boy, I don't remember how many years now, but at least three years I think it is, there has been public forum. I remember attending at least two of them at the Biltmore, where the council held these public forums and the wider business community attended along with the private sector to discuss things that were affecting the private sector and the economy of the country. And, under 5(b) it is clear that the Bill is not intended to try to either stifle, or to try to limit, the extent of the conversation, but rather everybody can't be on the council, and the Bill has to make certain choices, and it did in this case, albeit it was the brainchild of probably the Chamber. I think it has used Chamber members wisely, as I see the various industry sectors that will be represented. It has used the Chamber members wisely, and, to that extent, I think, indirectly the Chamber will still be represented.

So, to my mind, Mr. President, coming out of the thing, those two points, I

feel that I can fully support the Bill at this stage, recognizing that the Prime Minister does have the latitude to make changes at a later date, if the members of the Chamber, and the NGO organization so convince, and labour, sorry, and wait, I haven't heard the church's call for a seat. You are actually the odd man out. Everyone else is calling for a seat, and so if the Prime Minister is so influenced to make a change. Thank you, Mr. President.

SENATOR V. WOODS: Thank you, Mr. President. Mr. President, I rise to contribute to a rather interesting debate on a Bill that one would instinctively feel should share the support of all without major concerns because it is talking about public and private sector partnership, dialogue, and consultation. But, Mr. President, it's the history of such public sector/private sector consultations, and within current context, of course, that perhaps have given rise to some of the concerns in terms of composition. And, while I share some of those concerns, I do want to raise the attention of the Senate on some other, I consider, perspectives on this Bill that I did not necessarily hear before, which is why I stand and which I think are pertinent, especially if we are dealing with enshrining something in law to survive Prime Ministers, and not to be based on the personality of the existing one. Having said that, I note from Senator Peyrefitte who is also the country's Attorney General, that, indeed, even this very Bill at the whim of another Prime Minister could be done away with, and we hope that was done in jest because, indeed, if there is serious attempt at private and public sector dialogue, one wouldn't want to do away with it, but one would prefer to enhance it. And that's what I am getting from the deliberations so far.

When I read the Bill, Mr. President, it struck me, and I say it in context really because of what the first time occurred at today's meeting where one of our colleagues didn't receive a complete package. But this Bill is also incomplete. Let me rephrase that, the copy I got is incomplete. On section 11(1), it says, "The Executive Director shall," and it continues, "work of the Council, and in particular on matters that could affect the priorities to be set by the Council. I am not sure what that is meant to be. It's not a complete sentence. It doesn't tell you anything. And so perhaps the Leader of Government Business will correct what was intended to be there. It certainly should be raised in Committee. It's minor, but speaks to attention to detail when asking this Senate to look at legislation. On 11 (1)(b), it refers to "prepare and submit to the Prime prior to March 31." To the Prime Minister, I am assuming that's intended. Then on 11 (2), it reads, "The Prime Minister is required lay or cause to be laid a copy of every annual report on the table of both Houses of the National Assembly." I am assuming some description was intended, or more definite description was intended, in 11 (1) for us to understand if annual reports are as similar in all other legislation that requires such reports to be tabled before the House, hoping that it's not just the financial report, but actual report on recommendations made by the input of those who sat on the council. Again, it is my copy. I do not know if other copies have this, including those who are appointed by the government. If so, then in Committee perhaps those corrections, or clarifications, can be made.

The purpose of the Bill, indeed, it is a Bill that is in effect legislating dialogue/consultation between the government and private sector. Let me repeat that. We are looking at a Bill that is legislating dialogue between the government and the private sector. I would hope that we would not have to do that. I would hope that political will, the sincerity behind private sector and public sector partnership, would be there, not just within the purview of the Prime Minister, but within the purview of all those who sit in Cabinet. There has to be, because this is an advisory council, as has been stated, there has to be the political will then to adhere to the recommendations. Why do we say that? It is because we cannot escape the fact, as Senators, that, indeed, politics should not enter here.

But it does. It was on some display. And it's always on display from time to time. It creeps itself in. But when you have any piece of legislation that puts the composition of any technical body or advisory body in the sole subjectivity of a Minister, whether it's the Prime Minister of the land or otherwise, it then lends itself to being questioned if we are just not enshrining a Prime Ministerial Political Club. Why do I say this, Mr. President? I say it with much respect and regard for private sector. I am a member of the private sector. I say it with much regard and respect for good governance. I say it because, as Senator Duncan said not too long ago, and he directed us to a section of the Bill that suggested that there is room to add additional players, voices and so forth to this council. And he said, and I believe even Senator Peyrefitte started that line of debate, where all the members, or the areas of professionalism and the sectors identified in the composition, are, indeed, coming from the Belize Chamber of Commerce. But I disagree. One would hope that they are coming from the established national umbrella organization. And I say that because both sides of the House of Representatives, in many years gone by, and in current situations, refer to the BCCI as such. But nowhere, and I looked, nowhere in the Bill does it say a member with expertise in agriculture, export and so forth provided that they are members or preferably, even giving some compromise there to the Prime Minister, coming from that organization.

If it is, and I gathered from the debate thus far, if it is that the Economic Development Council was given birth out of the Belize Chamber of Commerce, an organization that have stayed the course with the government, regardless of which government, in trying to improve and foster private sector and public sector dialogue, then, yes, I would have to agree. Why would you not? Why would you not invite them? I'll go one step further though, not just to be a member, but, if you are going to name the Co-Chair, then why not let the very entity that helped you got here sit right there and Co-Chair with you?

Over the last three years or so, Senator Duncan refers to, and rightly so, I believe they were called Business Forums, and Annual Business Forums, and they were held, I guess, between October and November, and maybe often on the time of the year they were held and appropriately so, knowing that government annual budget is due on or by April 1st. But every time you look in the archives to go back and check, how is this public/private sector thing working out? You will see Chamber of Commerce representatives as Chamber of Commerce right there along the government, supporting and promoting such dialogue. So I can appreciate the concern coming out of the Belize Chamber of Commerce.

On the point made by Senator Smith, I can appreciate that concern. In effect, the Bill is referring to competitiveness, investment, and one cannot discuss it without the impacts of labour and the impacts to labour. And, in Belize context, we have seen the impact, positive impact, by the National Trade Union Congress on how to effect positive change. So I can appreciate that point. I hear very loud and clearly Senator Duncan's point that not everybody can sit on a council, and that's not the intention. But, where a country as small as ours with limited resources has a small pool of recognized organizations and institutions that have stayed the course with any government, why not enshrine those? So, instead of individual ten, you have three such names, BTIA, for example, Trade Union, for example, and Chamber. But the question is, what would it hurt to put it in? What would it hurt? For the same arguments made, if you are saying at a later point in time the Prime Minister may decide to add additional persons, then you can add individual persons as well. I am not a fan of very large committees and councils. Let me say that because often times you get bogged down in the size of it. So I can appreciate the point, but I must also underscore that we are not doing this in a

vacuum. We are doing it out of a history, Mr. President, a history of private sector and public sector dialogue, led by the Chamber of Commerce. And so I think it would be rather admirable of the Prime Minister to have enshrine that and recognize that the very partnership evolved, the very legislation evolved from such partnership.

The effectiveness of advisory councils without political will, something which I don't think one can legislate, you either have the will, or you don't. One cannot be instructed to listen, or heed to advice. A cursory look at the laws of Belize will indicate we've had previous advisory councils. We've had the Belize National Tourism Council enshrined in law. It was the Belize National Tourism Council Act, Chapter 278. It has been defunct for years. It had far more comprehensive structure, if you will, to it. Yet, it went defunct. It was advisory.

Then there is the land subdivision and utilization authority that is captured as part of Chapter 188 of the Laws of Belize, I believe, which comes under the Ministry of Lands. Again, another advisory body laying out composition, not so effective, if one looks at some of the discussions we've had just earlier today. Then there's the National Council for Education, and it comes under the Education and Training Act of the Laws of Belize. And that is, I believe, Chapter 36. I am referring to my notes on some of these chapters, Mr. President, just because they are quite numerous. And that, again, is an advisory body enshrined under the portfolio of the respective Ministry to drive change and enhance policy effectiveness of our education system. So it comes under a Ministry. It comes under a Ministry and lays out the composition, but not necessarily by individuals, which is a difference again.

So I say this to suggest that it is not the view, for example, and let me rephrase that, Mr. President. I cannot associate myself with the views of Senator Peyrefitte that wants to suggest that the Chamber of Commerce wants to see its name in lights, I guess, or see its name on everything, or that it's the king maker, but it's not the king. I did not view the input of the Chamber, of the representative of the business sector, of which the Chamber does represent a very large composition of that, I did not see that. I genuinely appreciate the need for having put the organization there, but because we've had precedent of advisory councils that has that plan.

But then I look at the objectives of this legislation so clearly laid out. It refers to all the words, the buzzwords, we want to hear: public and private sector partnership, checked; improve competitiveness, checked; improved investment, checked; making sure that there is space for that dialogue to continue where it is enshrined in some measure of permanency, checked. But then it cause me to go and look at another piece of legislation, and I will refer to my notes on that one as well. And that is the legislation of BELTRAIDE. The function of BELTRAIDE, as outlined in Chapter 282 of the Laws of Belize, and there are several, but I will just paraphrase for the purpose of the debate: develop, promote, and facilitate the promotion of local and foreign investment. And why? It is because that lends itself to making sure that this country is competitive and that it is welcoming investment because of that competitiveness. The proposed legislation that we have before us speaks to investment climate and business competitiveness in Belize. It is somewhat of a duplication of sort as if it is to the advisory, the advisory aspect, the input that can go into it.

So, Mr. President, it begs the question, if it is that the Prime Minister, is it that he is not satisfied with the efforts by BELTRAIDE to foster the necessary private and public sector partnership that is required to stimulate and improve the investment climate and competitiveness? Or is it that the Prime Minister would

prefer to have a separate mechanism, and the reasons for that, although not outlined as to why that would work better than what is already intended in existing legislation? So I say that to say that nothing would have prevented the government to amend, for example, the BELTRAIDE Act, to ensure that there is this specified advisory council. That's one example. I am sure perhaps there will be rationale as to, oh, no, why you can't, there is a specific Act for investment and so forth. But just as an example.

I appreciate that the Prime Minister, in his remarks in the House, stated that there should be no concern that this would come at any addition cost because there is, there has been, this existing dialogue between private sector and public sector. He referred to a private and public sector desk that is housed in the Office of the Prime Minister. So that is welcomed news. Again, there has to be a reason why one wants to enshrine it the way it's done, recognizing that there is a private/public sector desk already that could have certainly facilitated the dialogue and to help to make sure that at every Cabinet meeting it is not lost, the recommendations that have been discussed, presented and so forth, some of which the Chamber has already admitted and confirmed that a lot of these legislations have come out of that. Certainly I think it will be refreshing, perhaps moving forward, as testament to the work of an EDC when legislation is presented, that it actually refers that it came from such consultation. The people of Belize would certainly welcome knowing that an advisory council is actually working to effect change. So I definitely would look forward to seeing some of that reference in future deliberations.

Mr. President, my perspective is that all Cabinet Ministers, all Cabinet Members, should be fostering private sector dialogue and partnership. And I say that because I notice in the legislation, under section 10, it says, "Each Government Ministry, agency, or other public sector organization represented on the council, is required to provide support and advice to the Council, when requested by the Council to do so, to better enable the Council to perform its functions under this Act." I would hope this is being done regardless if there is a council or not. Ministries should be working together. It's one goal. So I would hope the inter-ministerial dialogue, even at that level, is occurring, which should then come from consultations that they have done with the respected expertise in their respected areas that they are responsible for. That would be the respective private sector expertise. So I found it curious that that was a specific point when I assumed, and I am sure most Belizeans do, that that is occurring on a regular basis with those who sit in the Cabinet because, if it were, and if it is, then the deliberations that those Ministers have, and the consultations that they are expected to have with private sector, whether it be agriculture, export, banking and financial institutions, tourism, and what have you, then those, you would see it coming to the Cabinet to effect necessary legislation. So it begs the question again, what we are doing? It's admirable. You want things to survive the personalities of the Prime Ministers of Government. But let's not, and let it not be lost that in essence for any advisory council to be functional, to really worth the effort that has been put into it, it requires political will. And that, Mr. President, you cannot legislate.

We've heard today contributions by several other Senators, making suggestions of some changes and amendments, and it almost suggest as if it's a poor-gone conclusion. It probably won't occur. But that's political will. The sincerity to listen to those institutions that have survived decades of existence, that have sometimes sided with governments and sometimes went against them. That is such an indication of sincere political will. So I can understand, Mr. President, that in the current construct of this legislation, notwithstanding some of the incompleteness of the areas that I referred to, but I can appreciate and

understand why there is some hesitation, or perhaps not as much fanfare, for the legislation of what has been asked of for some years to occur when it finally occurs, because it falls just a tad bit short of the intention of those who sat around the tables, who attended the forum and who really wanted to have something enshrined to survive the subjectivity of any one Prime Minister because that is what the call is for. This should be of no surprise, Mr. President, if we are to be honest to ourselves or with ourselves. It really should not be of any surprise to anyone of us why we would not want subjectivity. Those of us who were not Ministers at one time and sat as private sector Senators made those very calls to not have subjectivity, to do away with it. It undermines the essence of genuine private/public sector dialogue. So I do not think it is much to ask when it will not take away at all from the very dominance, if you will, and the decision-making by the Prime Minister, whose portfolio this falls under, if, indeed, some recognition, some inclusion, of these organizations that have stood that course be so recognized. So that you give meaning, genuine meaning, to private/public sector dialogue in the most sincerest of ways possible given the type of government system we have.

So, Mr. President, I do share the concerns of all the Senators who have cited the construct and how it could be improved. I would hope that in future sessions that we have, where perhaps composition may come up again, depending on the type of legislation, that we do not have to entertain remarks that suggest any one organization is being somewhat opportunistic, just having to recognize that the role they play in this experiment we call Belize, in this thing, good governance, is a significant one, and we should all welcome it, whether it comes with praises most of the time, some of the time, whether it comes with not so good remarks. But we should welcome it, and, if that is what would be enshrined, perhaps there would not have been as much concern raised today. It cannot be that I have walked this course with you all these years. It cannot be that we sat around the table for all these years saying that this is what we would like, this is what we would want. You have seen the impact and the effort of our input, and when it comes to the one time to demonstrate that you stand by that input, that you welcome it, you prefer not to recognize it by name.

And so with that, Mr. President, those are my concerns. I do sincerely request that, for future legislation that we must review, some attention to detail be given so that we are looking at complete legislation. Thank you.

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Thank you very much, Mr. President, and colleagues. Much has been said about the Bill, the Economic Development Council Act. Mr. President, I thank the Senator for the business community, my colleague, Senator Lizarraga, for his comments and his historical review. I must say, starting with some of the comments that were made, that I have to take objection to comments by my Senator colleague, that, in fact, this represented some sort of attempt by the government in one way or another, which perhaps would be meaningless. This is a long haul Bill. In 1992 to 1993, it really began, when we had, and, in 1994, when we launched the first NITEF Conference, that gave rise to what is now BELTRAIDE, which prior to that was TIPS, which I chaired. It gave rise to the Corozal Free Zone, gave rise to the whole Fiscal Incentive Act that changed and the changes in the EPZ legislation. That is where it began. Do the math? From 1992 to 2002, 2012, it's 20 odd years. So, Senator Thompson, it's a long time in the making, Senator, long, long time. I lived the process throughout.

The Chamber of Commerce was very, very instrumental in this. We fought, and we fought, and we fought, and we fought, on all fronts to get a simple

forum for public/private sector exchange of views. That's really what this was about, nothing more, nothing less, not to direct the government because we know we cannot direct the government but to have our voice at the table on matters that were important. Sometime in 2004, I think around October, if my memory serves me well, was when the first national, the first council, really kind of formalized. And that was when we really had a lot of difficulty in the economy. That is what my colleague, Senator Barnett, alluded to.

But, nevertheless, I will start by saying and addressing some of the fears I hear. And I hear a fear, a little bit of trepidation coming from some Senators about what future governments or future Prime Ministers could do and couldn't do. And, therefore, we wanted to ensure in law. The truth of the matter is, every single time when I chaired the Investment Committee of the Cabinet, and now that I am on the Committee, even though I don't chair, every time we get an investor who's given certain assurances he wants, or is asking to enshrine in law a long-term of something, and we have to say to him, "Under the way we are governed, under the way we are governed, no parliament can bind a future parliament." That is not how we are governed. As a consequence, any government is free to repeal any Act. In fact, we see this, if we follow the United States' debate, repeal and replace Obamacare. That is taking up an inordinate amount of the world's time. You cannot turn on any station, Al Jazeera, BBC, CNN, any station, and President Trump's debate is not dominating it. Even in my favourite Tour de France, which I have never missed, I couldn't get this morning between 5 and 6 because they were giving President Trump's speech in Poland. So I missed half of the race. You see how dominant that is, repeal and replace. Every government can do that.

Certainty, we talked about certainty. But certainty has to reside in the conscience of man. And I have confidence, maximum confidence, in the institution of the Chamber and in the institution of the Trade Union because they have demonstrated that over and over, their authority to rein governments in. That is what makes our democracy safe. That's what makes our democracy safe. Now if we were having a Bill to repeal those organizations and their legislations that would be another matter. But the Chamber of Commerce legislation was promoted by us. We were the ones who got BCCI and legislation in the books. I did half of its drafting. And so that institution is solid. BTIA is solid. Trade Union Congress is solid. And you are there to remain solid.

Let's go to some specifics. I will start with some of the specifics that Senator Woods raised, and, yes, we have to correct those in Committee. I hope, and I will ask my colleague, the Attorney General, to ask the draftsman to fill in the words in 11(1), which was missing, "The Executive Director shall," blank, "work of the Council." That's a typo. And also in (b), it should be Prime Minister, and not "Prime" something. So we can fix that. That doesn't alter the Bill. But I want to, and, yes, I agree that we have to make an effort, I also spotted that at Section 3, or Section 4(b)(vi), it says, "secion". It's just a spelling error. So those things we need to try to improve, but they don't affect the Bill as such.

But I want to get to the more meat of the Bill, where it says, "The Council is to consist of ten members appointed by the Prime Minister, including two Co-Chairs, being, subject to subsection (4)," five, will be public sector, and 5 will be private sector. That's what it says. The operative word, Senators, is sectors. We are looking at sectors of the economy, sectors being banking and finance, tourism, distributive trades, agriculture and exports. Those are the sectors that drive the economy. And, as a consequence, the Ministries listed, or Ministries that will match those sectors, are the Financial Secretary for finance, the CEO in the Office of the Prime Minister that overlooks generally at policies, the CEO in the Ministry of Economic Planning because it is the economic sector, the CEO in the Ministry

of Agriculture because agriculture is a major sector, and the CEO responsible for Trade and Commerce, which would match for the most part the Belize Chamber of Commerce and Industry. That's the kind of composition. But it is the sectors that we are looking at. But the difficulty is, and respectfully, the request by Senator Lizarraga to have the Chamber featured prominently, I think, unless I am misreading at my age and stage and too involved in this for so many years, the Chamber is represented by virtue of the fact that it says, "the five members from the private sector, namely, the persons who have experience, individually, in one or more of, and collectively, in all of, the following areas, which persons shall be," one, members of, and, two, nominated by organizations that are validly operating under the laws of Belize and appear to the Minister to collectively be representative of the areas.

Now let's do them, banking and finance-Bankers Association; tourism-BTIA. So, where else are you going to get the nominee for tourism? It's the BTIA. You go to distribution services, where will you go? It's the BCCI. Which other organization represents them? Agriculture, now agriculture you would have a little difficulty because you don't have an umbrella organization as such. You have banana growers, citrus growers, shrimp growers, rice association, and grain growers, and we will have confusion. So where will we go? It is because they are all members of the Chamber. Exports, which organization represents exports? It's the Chamber, and you have to go to that organization because it says that the people have to be members of the organization. When I was in the Chamber, we tried to have Vice-Presidents for commerce, for industry, for agriculture and for other sectors. We stopped in the legislation because we didn't want to get it confusing. So the Chamber, to me, and BTIA are the prominent organizations. And then to satisfy Senator Elena it says, "any other sector which by Gazette." So we don't necessarily have to amend the Bill. All we have to do is say, "Okay, let's put labour in there, and the Prime Minister *gazettes* it." And that gets you in there because it makes provision in the parent legislation for that.

Finally now, and this is the part that I will concede. If you put in brackets the two big sections that we are dealing with, we are dealing with public sector, and we are dealing with private sector. Now I will concede and I will request of the Honourable Prime Minister, with respect to the Co-Chairs, since one of the Co-Chairs is coming from the public sector, and the public sector will not quarrel who is the Co-Chair. The Co-Chair from the private sector could be a little issue because of the quarrel between who is leading that private sector. We could amend. We could make an amendment to have a Co-Chair from the BCCI. And I say that because in the past Jose Alpuche, who happens now to be my CEO, was the Co-Chair for the public sector, and this Minister, Godwin Hulse, as the BCCI, was the Co-Chair for the private sector back in those good old days. I would make that concession because it makes sense. It makes sense. We don't have to change our legislation to appoint. We just simply have to say to the Prime Minister who to appoint. And this is the way I would propose it be.

And, with respect to Senator Elena, I would say under (vi), because it says 5, you know. But there is "such other services as the Minister published in the Gazette." So they will publish in the Gazette, or could publish in the gazette, Labour, the umbrella organization which is the NTUCB, that makes that representation. Bam! The Prime Minister *gazettes* it, and, to keep the balance, he will put the CEO of the Ministry of Labour on it, and the thing is done.

So, Senators, I really have much more to add, but that is my reading of it. I trust we can get the support of everyone. Thank you.

MR. PRESIDENT: Honourable Members, the question is that the Bill for

an Act to facilitate economic growth in, and the business competitiveness of, Belize by establishing a body to be known as the Economic Development Council to promote partnership and collaboration between the public sector and private sector; and to provide for matters connected therewith or incidental thereto, be read a second time.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

Bill read a second time.

6. Money Laundering and Terrorism (Prevention) (Amendment) Bill, 2017.

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, I rise to move the second reading of a Bill for an Act to amend the Money Laundering and Terrorism (Prevention) Act, Chapter 104 of the Substantive Laws of Belize, Revised Edition 2011, in furtherance of Belize's Financial Action Task Force obligations to conduct a Money Laundering and Terrorist Financing National Risk Assessment, to give the Financial Intelligence Unit, the competent authority for Anti Money Laundering in Belize, the specific power to conduct a money laundering and countering of terrorism risk assessment; and to provide for matters connected therewith or incidental thereto.

MR. PRESIDENT: Honourable Members, the question is that the Bill for an Act to amend the Money Laundering and Terrorism (Prevention) Act, Chapter 104 of the Substantive Laws of Belize, Revised Edition 2011, in furtherance of Belize's Financial Action Task Force obligations to conduct a Money Laundering and Terrorist Financing National Risk Assessment, to give the Financial Intelligence Unit, the competent authority for Anti Money Laundering in Belize, the specific power to conduct a money laundering and countering of terrorism risk assessment; and to provide for matters connected therewith or incidental thereto, be read a second time.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

Bill read a second time.

7. Belize Building (Amendment) Bill, 2017.

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, I rise to move the second reading of a Bill for an Act to amend the Belize Building Act, Chapter 231 of the Substantive Laws of Belize, Revised Edition 2011; to strengthen and clarify the relationship between the Central Building Authority, local authorities and Local Building Authorities; and to provide for matters connected therewith or incidental thereto.

SENATOR M. LIZARRAGA: Thank you, Mr. President. Mr. President, this Bill, as well, came from the EDC and the work of the EDC. And I would like to thank, especially here, Ambassador Gutierrez, who made contributions to this Bill as well as calling a meeting recently where he invited the Chamber, he invited Minister Hulse, I was invited, and there were other Ministry persons that were invited, to put our input into this Bill before us because, again, we have a Ministry

that has lots and lots of issues that need to be addressed.

MR. PRESIDENT: Once second there, Senator Lizarraga. Please continue, Senator Lizarraga.

SENATOR M. LIZARRAGA: Thank you, Mr. President. Mr. President, as far back as, or probably before 1999, I was told by my colleague, Senator Hulse, that he was the one that commissioned. We again! Do you see the amount of work we do when we work together, Minister? The Chamber of Commerce, our good leader, again at the time, Honourable Godwin Hulse, commissioned these pieces of works. He is going to correct me. He is the better historian than I am. But I am going to give him recognition; recognizing and realising that we needed to put some effort into building standards, building codes, residential standards, and residential codes. This has been an issue, as I said, from way back.

I would like to share with you, Mr. President, and, if I may, I would like to be allowed to read from an article that was recently published by none other than Mike Singh. I think he is familiar to all of us. And I quote, Mr. President, he is speaking about the renaissance in construction that has changed our landscape over the last eight to ten years in Belize. And he alludes, and he says, “Perhaps it is the new blood of immigrant business owners that have contributed to this Renaissance.” But he says, and I quote, “Missing in all this though seems to be a true sense of standards and norms that builders should adhere to. While there is a process for building permitting, even this process is warped in that the Central Building Authority is often either in conflict with or duplicates the work of the Local Building Authorities. Many of these structures, for example, the prominent new Golden Tree nine-store structure,” he says, “is lacking, it seems to be missing, many of the requirements in structural soundness, aesthetics, amenities such as parking or common areas. Yet, construction continues unabated. This seems to be true for a number of commercial buildings,” he claims, “built by immigrant merchants, leading one to wonder how it is that this demographic is able to thwart the rules with hardly a glance from those that regulate construction, or issue trade licenses. He ends his article by saying, and I quote, “To the poor designers and shady builders and the facilitators that allow them to disrespect us, I condemn you. To the deserving Belizeans, I say congratulations. It’s about time.” I would like to congratulate Mike Singh for speaking the truth, for highlighting some of the issues that we have seen in this department and for not being afraid to call it like it is.

Mr. President, the EDC, and it was a matter that, again, the Chamber called attention to, recognized that we needed to do a lot of work in this area. So today the amendments to this law that we see, they were designed to strengthen and clarify the relationship between the Central Building Authority and the Local Authorities and the Local Building Authorities. By creating the building units in this legislation, and other relevant structures at the local authority level, the move towards decentralizing the functions of the Central Building Authority is addressed. In terms of the stated objectives of this Bill and in response to the many concerns raised by the relevant stakeholders after the first reading of this Bill, this Bill now meets most of its stated objectives, and it’s worthy of our support. We are really pleased, Mr. President, I must say that. When we had that Committee meeting, when we had that meeting called by the EDC and Ambassador Gonzales, where Senator Hulse was present and other Ministries were present, we did very good work. And I will be honest with you, they accepted almost all of the recommendations. It was a team effort. Everybody contributed. And it’s beautiful, Mr. Attorney General, when we work together before we come to the Honourable House with pieces of legislation. And I congratulate the initiative taken by Ambassador Gonzales and the Leader of

Government Business and hope to see that being duplicated by all other Ministries. (Sorry? Ambassador Gutierrez, that's what I said. No, Gutierrez. My apologies, I meant Ambassador Gutierrez. Yes, thank you. That's right, and if you are the one that brought about these changes, Attorney General, I am so happy, and I need to tell you thanks.) So our concerns, the majority of our concerns, quite frankly, were met. There are a lot of areas that we still know and recognize, as does the EDC, that need work. And I am going to highlight some of those because the work is not done. It's just commenced.

We heard in the House debate quite rightly so, and I must admit here that many of us that have held leadership positions in the Chamber, perhaps not the Honourable Godwin because he claimed that he did raise, after he had commissioned these, he did raise the matter with the then Minister of Housing, my good friend, the Honourable Dickie Bradley. And Dickie didn't take him up on it. I'll have to have that conversation with Dickie. But obviously the Chamber invested a lot of time in producing these documents, and I would hope, as the Honourable Julius brought to the attention of the House, that maybe they might be a little outdated. Maybe they might need a little refining and a little fine-tuning. But, having invested so much time and effort in these pieces of work, I suggest that we try to use them. I know that Senator Carla Barnett has said that we have accepted the Caribbean Standards, or the Caribbean Code. It's a work in progress, fine. Well, I hope that we can add these documents. I hope we can resurface these documents and throw them into the mix because we really need building codes and standards for this whole reform in that Ministry, in that department, to take proper hold. So, again, this law before us makes reference to a building code. So we need to come up with a building code.

Some of the work, Mr. President, that needs to be continued and has been identified necessary for the implementation of the Belize Building Act, the reform before us, is that we need to seek funding. We have seen the budget of that department, and the Office of the Prime Minister has been identified as the source that's going to be securing those funds. There needs to be the development of certification guidelines for the building unit, and the Central Building Authority is tasked with developing these guidelines. They are going to be working with consultants and technical working groups. There needs to be the development of operating procedures for the building unit and revise the CBA's operating procedures. We need to develop a National Building Code. We need to develop terms of reference for the creation of an online system because it was identified as one of the things that is really needed in that department, because, as it is, a lot of the work falls under, I am told, and I stand to be corrected, on five inspectors that certainly cannot service the whole country. And, as well, in many cases it is because there is a lack of clearly established code because I understand that we can use IBC, the International Building Codes, or we can use Cubic, the Caribbean codes, or some people, some professionals, use the Latin American and California Code, which are more towards seismic. So we need to have our own code. Even if we borrow it from somewhere else, it needs to be legislated in law that this is the code.

So we need to develop a terms of reference for the technical managers and the building inspectors, and we need to develop regulations as well for the Building Act. There needs to be developed a training manual for the Central Building Authority and the building units now that will be in the respective towns. Training needs to be done, and we need to develop the communication and awareness plan for the public, public awareness. The people need to know what it is that we are trying to do, and at the end of the day what we are trying to do is to make safe and affordable housing available to all Belizeans. So what we've done today and what we see before us today is certainly but a first step, Mr. President,

and we are glad to have been a part of that step, the Chamber through the work of the EDC. We are happy that they've taken it up. We are happy that it's now before us, that first step. But a lot more work needs to be done, and we stand ready to continue to work, Mr. President, along those lines in strengthening those areas that we see that are still deficient and that I have mentioned. So I thank you, Mr. President, and this Bill enjoys our support. Thank you.

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, I am very happy to get the full support of the Senate on this one. It's been long in the making, and, as Senator Lizarraga pointed out, there are additional things which must come, but the main concern here for Belizeans, I in particular, is that they, that the contractors in this country, the designers in this country, begin to make sure that every structure that goes up is safe, is well-built, not only from the investor, whether it be a homeowner or other point of view, but from the general public point of view. I see a lot of structures go up that give me cause for pause. Some of them I don't want to pass. Or, if I pass, I pass quickly. That is the level of concern I have with many of the structures that are going up. I move that the question be put.

MR. PRESIDENT: Honourable Members, the question is that the Bill for an Act to amend the Belize Building Act, Chapter 231 of the Substantive Laws of Belize, Revised Edition 2011; to strengthen and clarify the relationship between the Central Building Authority, local authorities and Local Building Authorities; and to provide for matters connected therewith or incidental thereto, be read a second time.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

Bill read a second time.

8. National Cultural Heritage Preservation Bill, 2017.

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Thank you, Madam President. Madam President, I rise to move the second reading of a Bill for an Act to make provisions for the designation, protection and conservation of heritage assets under the leadership of the National Institute of Culture and History (NICH); to establish a Council to assist the NICH in discharging its functions under this Act; to establish a fund exclusively for matters connected with heritage assets and to provide for a National Heritage Protection Plan for the proper implementation of the provisions of this Act; to provide for an inventory of heritage assets; and to provide for matters connected therewith or incidental thereto.

SENATOR O. SALAS: Madam President, thank you. I want to share a few comments on this Bill, and, if you bear with me, I want to refer to several sections of this Bill. I ask that we pay particular attention to the sections I will point out. You know, before I do so, I want to mention that, when we talk about heritage, I see an entire Bill here being dedicated at physical heritage. And, when we talk about heritage, it goes way beyond that, not only pre-history, not only you know, a hundred years and before that, but it talks about living cultures as well. And this particular Bill has, and it focuses entirely on man-made physical structures. You know, culture, if I can remind everyone, and heritage have to do with the property, intellectual property, training, and use of technology, and I am referring to sections of the National Cultural Policy that I think did a good job to

define what culture and heritage means, you know, historic sites and landmarks, festival developments, culturally-based-environmental-protection initiative, etcetera, and etcetera.

Having said that, I need to point out that, in my opinion, after looking at this Bill, looking through this Bill, I feel it needs major improvement. It's not ready. It needs major work. And I will refer to why I believe that. But it begs the question, if it needs so much improvement, why the rush? Why the rush? And from listening to the news, from listening to different people talk, I kind of get the sense why, and it seems to be tied to an IDB loan, a Taiwanese funding, Belize City Rejuvenation Project, very important, and I don't want to be misconstrued that I am saying that is not an important initiative. But we need to get it right. And we need to recognize that NICH, the National Institute for Culture and History, a very important institute, or important agency, is very stretched as it is right now. You know, it's very stretched with the sites, the monuments, the temples, our pre-history that they are responsible and everything older than 100 years. And, yet, under this Bill, we are placing tremendous responsibilities on top of all of that. So it begs the question, why didn't we consider, or why can't we consider engaging, or creating, or trying, to put in place a historic society, as has happened in other countries, to run these heritage objects, heritage places, heritage buildings, etcetera and etcetera?

So I will refer to some of the sections that I have a concern with. If you look at page 2, the definition of "assets" or "heritage assets", it is, in my mind, arbitrarily defined and classified. The definition paints with a very broad brush, and I think it should have been more specific. It really covers a lot. And, if we refer to the last page, which is the Second Schedule, which the criteria for designation. In determining the criteria for designation and inclusion of a heritage asset in the Register, the following shall be considered." And, when you look at that, you have to ask yourselves, what cannot be eligible? Or what cannot be considered? There is artistic excellence, design and aesthetics. And I will go back to that, but I ask myself, if I construct a house of an exceptional architecture and technology, it seems to me, by my read of this Bill, that it could be eligible to be listed in the Register. And that at first glance may not sound like something to be concerned about, but I will refer to a section that should give us pause. There is scientific attributes, potential to educate, historicity and other relevant consideration, which is really open-ended.

So we could refer to pages 4 to 9, which is section 3, the Functions of NICH, and section 68, which talks about guardianship. So we are essentially putting on NICH's lap a tremendous responsibility, as I mentioned, on top of everything that they have. If you look at the functions of NICH, it's about 3 or 4 pages of functions, in addition to providing leadership and recommendation, and liaison, and consulting and draw attention. It talks about permanently preserving any heritage assets of interest, preserving in planning and suggests investment. For the most part, a lot of money is involved for sure, preserve, restore, reconstruct, rehabilitate, maintain, repair, etcetera and etcetera. And, if we look at section 68, which talks about guardianship, it says that "NICH may, with the authority of the Minister in writing, enter by public deed, into a guardianship contract with any local or foreign organization or any other related entity whereby," so and so. But guardianship requires, necessitates, a lot of attention, a lot of effort, a lot of work. It is on page 36, section 68, Senator Lizarraga.

Now, as I mentioned, it falls under NICH which is already very busy and stretched with what falls under the Institute under pre-history and what is older than 100 years. I refer us to page 31, section 55, which talks about acquisition of land. Subsection 3 of that section says that "An Acquisition for the purpose of this Act shall be deemed to be a public purpose within the meaning of that term in the

Land Acquisition (Public Purpose) Act.” So my observation there is that it seems that we are expanding the definition of public purpose. And I have to ask myself, how will we be able to argue and defend that this, in fact, the acquisition of such, what I refer to as heritage assets, would be for the public purpose entirely? So this piece of legislation would empower NICH via the Government to compulsory acquire such buildings and other structures referred to as heritage assets.

I refer us to page 18, sections 22 to 24, that speaks to the decision to designate and register. The section essentially would allow the Minister to register any object of interest to him or her as a heritage asset. So, again, I say, because the definition is so broad, so open-ended, by my read of this Bill, essentially anything that falls under this broad definition can be registered as a heritage asset.

Let’s refer to page 29, sections 49, 50 and 53, Repairs Notice. This one in particular was of concern to me because it actually puts the onus on the owner, if the owner is informed that the asset, the property, needs repairs to take the full load, the full burden, of the expense. I have visited several countries, Madam President, that focus a lot and support culture to a great extent. Our neighbours to the north, Mexico, for example, even Guatemala in the old city of Antigua, cities like Campeche and Merida, where they put a lot of attention into the preservation of old buildings, colonial buildings, ensuring that the facade is well-kept, aesthetic, pleasing to the eye. But, from my research, the property owners are not left on their own to shoulder that expense entirely. The government actually provides incentives, be it property tax breaks, or discounts, or whatever, and financial support for them to do that. If we read this Bill carefully, this is not being contemplated for individuals, private owners, that could even include a church building, or other buildings that have historical value, but that needs significant repair.

So the Bill also says, yes. Thank you.

MR. PRESIDENT: Please continue, Senator.

SENATOR O. SALAS: Yes, thank you, President. Page 39, section 49, Honourable Colleague, if you look at the following page on section 50, it says, “purpose of repair notice.” It says, “A repairs notice shall only be intended to secure work for the long term preservation of a designated building and there shall be no requirement under this Act to consider the financial means of an owner when specifying the works under a repairers notice.” To me, that is almost draconian to leave it entirely on the shoulders of somebody who might be in financial straits, that has financial difficulties. And it doesn’t end there. If the owner does not have the means to repair and does not repair, then this can be compulsory acquired, right. And, if you look at the functions of NICH, one of them is that, and I will have to find that in a little while. Where is that? But it talks about how NICH gets its resources to finance all the work that will go into this. One of them is to acquire properties, right. So that is of major concern. And not only that hardworking individuals who might be living in a structure, not even very ancient, but that has historical asset value, as defined by this Act, could stand to lose their properties if they do not have the money to repair their properties, if they are told by the authorities that, based on their assessment, the property, the structure, the building, needs to be repaired.

If you look at section 53, it says, “Where after not less than three months of serving a repairs notice, it appears that reasonable steps are not being taken,” so and so, “NICH may after obtaining a resolution of the Council to this effect, initiate the process of acquisition of the building from the owner.” That,

colleagues, should be a matter of grave concern to all of us.

If you look at section 36, on page 22, I hope I have the page right, page 22, sorry. Its pages 22 and 23, section 36. It talks about appeal, right. If a person is aggrieved by the listing of any property or designation of any asset, they can appeal in writing to the Minister against the decision setting out the grounds of the Minister's appeal. Now the Minister has a lot of power here. If you look at the next subsection, "Where an appeal is made to the Minister under this section, the Minister shall consider the appeal," etcetera, etcetera. The following subsection says, when the Minister dismisses an appeal, the person, of course, can go to the courts. Now somebody who never in their wildest dreams have thought about their property being a heritage asset, all of a sudden now, might be faced with a situation where they now need to seek redress of the courts and have to come up with the resources when, one, they might not have the resources to repair the building, and, two, worst now to come up with the monies to pay for the legal fees. And this, again, Mr. President, I say that it is tantamount to being draconian, or, I might grant it, not carefully and fully considered. So, again, I repeat, if the repairs are not done to NICH's satisfaction, the building may be acquired.

If we look at section 57 on page 31, exception from acquisition. Now let's pay keen attention to what is or what creates the exception. "A historical building that is privately owned and kept in a good state of repair and maintenance and to which access to the public," access to the public, and this could be your personal home, you know, "and to which access to the public, whether or not against payment or otherwise, is granted on a regular basis," etcetera, "shall not be acquired as a historical building under this Act." So now, again, my read of the Act is, of this Bill is, I may have a building that fits the description. I never intended this to be open to the public for touristic purposes, and I have it well-maintained, well-kept, but, if I do not allow access to the public, I stand, there's a risk that it shall be acquired as a historical building under this Act. And, again, according to my read of the definition, I stand to be corrected, historical, in relation to this Act, does not refer to ancient monument. It does not refer to a building 100 years or older. So it makes you wonder about individual freedoms, to an extent, to live in your home and have it for your private use and enjoyment. Again, if this is passed the way it is, if I don't open my historical home to the public, I stand to lose it.

And, I referred earlier, and, to move towards concluding, I will refer again to the Second Schedule on the last page. The definition, the criteria for designation and inclusion of a heritage asset in the Register really is too open-ended. More specificity is needed in this Bill. And I could understand if it is, indeed, the IDB loan that is so important. I could understand that the funding agency would want to ensure that the government has control over what is being improved, and not have the loan directly support or benefit private individuals.

You know, clearly a lot of work went into writing and preparing this Heritage Bill. Also, clearly more work and thought needs to go into it before, I feel, we can pass it. But, with all the effort that has gone into this Heritage Bill, I have to remind this Upper Chamber, as I started off earlier, that heritage is not only physical. Heritage is also natural. And I would like to see as much effort as you are putting on this put into our World Heritage Site that has been in the danger list for over 8 years, for us, for our government, to do what it takes to get our World Heritage Site, natural heritage, out of that danger list that has given Belize a black eye in the world community. The Ivory Coast, earlier this week, after decades of conflict, one of their principal World Heritage Sites were in the danger list, and they managed to put what needed to be put in place to remove their site out of the danger list earlier this week. It was announced, and it was a

tremendous victory in many ways. And there are just a few things that Belize needs to do to get our Belize Barrier Reef World Heritage Site out of that danger list. And I encourage our government to do what it takes. So, with that, Mr. President, it's my presentation.

SENATOR M. PEYREFITTE: Very quickly, I am, and maybe I am not understanding Senator Salas very well. He mentioned section 57 (1) of the Act, and he points that, worrying, a person's private home could be taken away from them. That's not what that section is saying. That section is saying exactly the opposite. It says, "A historical building that is privately owned and kept in a good state of repair and maintenance and to which access to the public, whether or not against payment or otherwise, is granted on a regular basis by its owner or administrator for educational, cultural, or touristic purposes, shall not be acquired as a historical building under this Act." If you own a building privately, and it is designated a historical building, and the public generally goes there anyway, then what this Act is saying is that you don't have to be on the list. You don't have to be designated because you, as a private citizen, are already serving the purposes of this Act. So you don't have to be on the list, not be acquired, shall not be acquired as a historical building, shall not be acquired. So it will remain in the hands of that private person.

SENATOR O. SALAS: I hope I am doing this right.

MR. PRESIDENT: Yes, one second.

SENATOR O. SALAS: Mr. President, on a point of order.

MR. PRESIDENT: Yes, what's your point of order?

SENATOR O. SALAS: Standing Order 35, if I could elucidate to clarify it?

SENATOR M. PEYREFITTE: Senator, that's not a point of order.

MR. PRESIDENT: Let me hear what he has to say, Senator Peyrefitte.

SENATOR M. PEYREFITTE: But, Mr. President, he has to wait until I am finished, or I yield for him to correct. He has to apply to you when I am finished if he believes...

MR. PRESIDENT: And that's why I am asking you to hold on and for you to have a seat, and let me hear what he has to say.

SENATOR M. PEYREFITTE: But I have to finish first.

MR. PRESIDENT: Senator Salas, what is your point of order?

SENATOR O. SALAS: Standing Order 35, brief clarification, that's exactly....

SENATOR M. PEYREFITTE: You cannot clarify on a point of order, Mr. President. A clarification and a point of order are two different things.

SENATOR A. SALAZAR: I rise on real point of order.

MR. PRESIDENT: Yes, Senator Salazar.

SENATOR A. SALAZAR: I would like to say this on a real point of

order. I have said it over and over again that you cannot interrupt a speaker. It is in the Standing Orders under interruptions. In order to interrupt a speaker, it must be on a point of order, and it is not to correct. When the speaker is finished, then you may correct anything that he has said, in which he has mentioned your address. But you cannot interrupt a speaker. If you are to interrupt a speaker, he must cede, he must get off his feet. The Honourable Attorney General has indicated that he has not ceded. So he cannot be interrupted.

SENATOR M. PEYREFITTE: I will go by your decision, Mr. President.

MR. PRESIDENT: Senator Peyrefitte, continue, and then I will let you clarify what you need to clarify, Senator Salas.

SENATOR M. PEYREFITTE: As I understand it, the reason why you have section 55 is that generally, when you acquire for a public purpose, we do not have in the common law generally, or in our statutes, that you can acquire for historical purposes. It is generally accepted that the government can acquire property for public purposes that would include something in the national practical interest. This is the best place for an airport to go, the best place for a hospital to go, the best place for a playground to go. It is not accepted in law generally for historical purposes. So it has to be *gazetted*. If you want to give the government the authority to acquire for a public purpose, you have to put in the legislation that you are now considering historical sentiment as a public purpose, for it to not violate land acquisition. It has to be in there. That's why it's in there.

Repairs, I believe, there was a concern about repairs and that if the person is not repairing the building that it can be acquired by the government. But you have to understand that there already exists laws that allow any local authority to demolish a building or remove a building if it is in an unsafe state of disrepair. That already exists. And, indeed, if you have a building that you cannot afford to maintain, or you cannot afford to keep in a state of good repair, why would you be so selfish as to just allow it to disintegrate into nothing when the people have said that they want that designated as a historical site? And remember, you know, if you have a piece of property upon which sits a historical building and the government acquires it, it will acquire it, according to this piece of legislation, similarly as it would acquire any land under the Land Acquisition Act, which means that you will be compensated. You have to be compensated. So then, when you think about it that way, this law doesn't take away any private rights that you may have. This law doesn't take away anything that you previously had that you hold sacred.

Now, indeed, the reason why there is a process for you to go to the Minister and for you to go to a Supreme Court judge, if your site has been listed as an official historical site, that's when you make your argument and your appeals. If you own a property that you live in, and that's the only place that you have where you can live, and for some reason you can't move from that property, then a judge will hear you and state very clearly that it cannot be made a historical site. But, if, like with all land acquisition, you hold a piece of property and you claim you don't want to move, but the government decides to acquire that piece of property for a historical reason, then the government would have to compensate you properly for you to move to another place where you can reside. The essence of this Act is not to change fundamentally what we already have in place in principle.

The purpose of this Act is to say now that the government can acquire, but the government is giving you an opportunity to sell to the government or gift to the government something you may not be using anyway. That's all its saying, or

for you to allow access to the public to that piece of property. So I don't think that the fears, that this is big brother coming to take away your land and give you nothing, or to unreasonably acquire your property. That's not the essence of this piece of legislation. And it's worth repeating, before I sit down, Mr. President, that, if you are in a property that is in a dangerous state of disrepair, the government already has the right to demolish that property. So then it doesn't create any new inconvenience than would have been caused before the implementation of this Act. So I think the Act, as it states, Mr. President, is adequate and addresses properly what is trying to be accomplished by NICH, and I support this Bill, Mr. President.

MR. PRESIDENT: Just of note, Senators, "A Senator shall not interrupt another Senator, except –(a) by rising to a point of order, whereupon the Senator speaking shall resume his seat and the Senator interrupting shall simply direct attention to the point which he desires to bring to notice and submit it to the President or Chairman for decision; (b) to elucidate some matter raised by the Senator in the course of his speech, provided that the Senator speaking is willing to give way and resumes his seat and that the Senator wishing to interrupt is called by the Chair." Senator Salas, yes, what is your matter, please?

SENATOR O. SALAS: Yes, Mr. President, thank you. I am certainly not an attorney, but my read of section 57 is different than my colleagues, and Senator Peyrefitte. It says exactly what was read. And my read of it is that, if anyone of us in this Upper Chamber has a building with aesthetics, designs, artistic excellence, rarity and uniqueness, for example, that makes it eligible to be a historical asset, it is privately owned and kept in a good state of repair and maintenance and to which access to the public is granted on a regular basis shall not be acquired. So then, if the owner decides that he or she does not want to grant access to the public for whatever reasons, what does that suggest? What does that suggest? My read of it is that it suggests that it could potentially be acquired.

MR. PRESIDENT: Your response, Senator Peyrefitte.

SENATOR M. PEYREFITTE: Mr. President, Senator Salas said that what if you have that and you don't want to access, you don't want the public to access it. Well, then you are not covered by that section because that section says that, if access to the public is granted on a regular basis, if you own, if I happen to live in the Anglican Church towards the end of Albert Street, and I live there, and it is a historical building, but it's my building, and I already allow people to come in there on a regular basis from the public, then what this Act is saying is that they will not disturb my ownership of it because I am already allowing access to the public there. Now, indeed, if I live in a historical building and I don't want anybody there, then that's when I make an appeal to the Minister, and, if I am not satisfied with that, I go to the court. But this section is contemplating a person who is already allowing people to come and visit the place. That's all it is.

MR. PRESIDENT: Okay, thank you, Senator Peyrefitte. Senator Woods, go ahead.

SENATOR V. WOODS: Thank you, Mr. President. Mr. President, before I comment, I would like to ask, and I guess it would be a clarification. When the Senate goes to the Committee of the Whole, is it there that Senators can request the assistance of the Solicitor General's Office for legal counsel, for clarification from the draftsman of the legislation? I just want to know. I recall that being done before, and I want to make sure. That is so, Clerk. Thank you. Alright, I asked that question because, well, let's be frank here. There are only two legal counsels currently sitting in this Senate, none of whom drafted this Bill. I would think it

would serve, I am sorry did you count three? Who is the other legal person? He is not here. He is currently not here. As I said, there are only two Members of this Senate currently sitting who are legal persons who did not draft this Bill. And there is a procedure that allows the Senate, the Committee of the Whole, to at least clarify so that we understand. The draftsman for the government must be able to put clarity on what appears to be a matter that has concern. And I use the word “concern”, Mr. President, because it’s that. When we use the terminology of fear, it suggests something otherwise. Words have meaning. And I do think that one has to be careful when we are suggesting otherwise.

Why do I say that? We are talking about our cultural heritage assets. I don’t think any Senator, or any person in Belize, be it Senator or otherwise, would not want to preserve Belize’s cultural and national heritage assets, physical as well as living assets. I don’t see any Belizean not wanting that. It speaks to the essence of identity. So, if it requires just a little bit more time to get clarity on this new approach because it is a new approach, we know this because the Deputy Prime Minister said as much in May of 2017, in the House of Representatives, when he clearly stated, “The reason why this Bill finds itself on the Table of the House is because the current Act of the National Institute of Cultural and Heritage does not contemplate heritage assets, physical structures, that are under 100 years old.” Those of us who recall, we used to refer to that as the Ancient Antiquities and Monuments Act. So we can surely appreciate why some clarity would be needed. It’s not out of fear, but it’s a new designation that we are looking at. And I have to agree from the layman’s perspective, which is why I am asking, or making sure that there will be that opportunity for clarity, because those who are in the legal field, as the Attorney General, Senator Peyrefitte, rightly said, he does say that this section, section 57(1), does not apply to those who have open access, public access, be it for fee or otherwise. Absolutely right, the concern is what if you don’t. Yes, it can be declared a heritage asset, and it’s up to you now, the onus is on you, the owner, to try and go fight your case in the court.

But, when you look at the definition of what has been placed on heritage assets, it does include personal property, personal building. So, as a Belizean out there, those living, for example, on Racecourse Street, that has a lot, it certainly used to when I grew up in the neighbourhood, had a lot of colonial structures, wooden, with all the arches and so forth within the home, within the corridors, all the x ventilations. There are some of them in Stann Creek, a lot of them. There are some of them on the islands. One would want to give assurance that that’s not intended, and, if it’s not, then just be clear about it. Why do I say that? It is because it is a fact that in countries across the world there is an ongoing campaign to preserve heritage buildings, to preserve, if you will, your past. But it is done in tandem with the owners by way of tax incentives, if you will, by way of assistance. Then there became that campaign to develop heritage trusts for the same reason, to assist with the necessary financing that will be required for the upkeep, maintenance and repairs, for that. This isn’t speaking to that though.

And, Mr. President, if it is that the genesis of this is the Belize City Rejuvenation Project, which is tied to a loan, again, the Deputy Prime Minister did, in his presentation in May, when this first presented itself, referred specifically to that and that the time limit on those funds, loan funds, from the Taiwanese Government were quickly coming to an end. I believe it’s 2018. We can all appreciate that to rejuvenate downtown Belize City is going to take the \$10 million plus, if not more than what is intended. It doesn’t refer to that loan here. But all of the justification that has been done on this Bill, in its first reading and the second one, it does refer to that. And so I think it would not be unreasonable, and 2018 is right on us. I do believe that there would be, and I would anticipate that there’s going to be a couple more Senate Meetings before

we enter 2018, just to make sure that we get this right because we are now going to designate an entirely new category of national heritage assets. And, if the genesis of it is, indeed, the Belize City Rejuvenation Project, then I would have to concede that NICH is being stretched, particularly too thin when the focus here is because of something happening in one municipality, or the intention to something happening in one municipality.

Having said that, Mr. President, the concept and the idea of having a National Heritage Preservation Bill is something that should be seriously considered, but provided that it is actually that. When we look at heritage, it is not just buildings. It would make fantastic, fantastic economic boom downtown. There is no doubt about it. It's being done, and the world is over. It's being done with bilateral help. It's being done with financing from some local banks. I believe Heritage is assisting, separate and apart from this, in the effort to rebuild a City Hall. That's going to make Belize City look fantastic. This is not what this is saying though. This is speaking to an entirely new level of category that has impact for the everyday Belizean who may not have considered his dwelling as a heritage asset.

And what happens, as is the case, with so many Belizeans who find themselves in a dwelling, and this refers to that, where it's not being upkeep? This does speak, under section 59, that it can become compulsory acquired. And it does refer, "Notwithstanding the provisions of the Land Acquisition (Public Purposes) Act," the very reference that Senator Peyrefitte is saying that, well, you can't. Well, it does say it, "Notwithstanding that Act." So I do think because there are perhaps some grey areas, Mr. President, because of the legality and the meaning behind the language of it, it certainly would want hope, for clarity to be had by the draftsperson to ensure that those, or to assure those of us that the concerns we have should not be as such because of A, B, and C.

Mr. President, it refers to funding. The National Heritage Fund will be or will have monies appropriated to it by the National Assembly. It can also get monies by way of loans or what has been decreased to it and so forth. Another clarity, I guess that would need to be had, not by any Senator, but by the legal draftsperson, how does that reconcile with the recent legislation passed for 10% of statutory authorities, revenues to be reverted back to the Consolidated Revenue Fund? Again, just for clarity, this is not separate and apart from NICH. It comes under NICH.

It also refers to the need that there would be a, and I believe it's called the National Heritage Advisory Council. NICH already has an advisory council. It is in its Act. It's referred to as the general assembly. So now we are going to create two advisory councils to guide the Board of Directors of NICH. It also refers to, in one of the criteria, about the scientific value. I too have to accept that, when I saw that, I automatically thought of the Belize Barrier Reef. Not only is it a heritage asset for this country, but it is a world designated heritage asset. So how does that reconcile with the Register of national heritage assets?

Mr. President, my contribution is brief, but it's only to say that any effort seriously, genuinely, sincerely, attempted at preserving Belize's National Heritage, both living and physical, should be welcomed. It speaks to the essence of our *Belizeanness*, not just in Belize City, but throughout the country. Any effort to have funding, Mr. President, for that is definitely welcomed. Why do we say that? Artistic excellence is not just on buildings. It's on the creativity of many Belizeans who desperately need some assistance in getting that out, that creativity, whether it be in music, art, whether it be in literature, whether it be in research, and how appropriate it should be that it should be housed under the National

Institute of Culture and History. It should be there because they have the requisite units already to help with such registering of heritage living and otherwise assets. So, Mr. President, that's my contribution. I am particularly interested in the Bill. I am interested in the discussion that will occur in the Committee of the Whole. It should be a comprehensive Bill. It ought to be a comprehensive Bill, but we should have clarity, if we are going to vote on this today. Thank you.

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, I move the question.

MR. PRESIDENT: Honourable Members, the question is that the Bill for an Act to make provisions for the designation, protection and conservation of heritage assets under the leadership of the National Institute of Culture and History (NICH); to establish a Council to assist the NICH in discharging its functions under this Act; to establish a fund exclusively for matters connected with heritage assets and to provide for a National Heritage Protection Plan for the proper implementation of the provisions of this Act; to provide for an inventory of heritage assets; and to provide for matters connected therewith or incidental thereto, be read a second time.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

Bill read a second time.

III COMMITTEE OF THE WHOLE SENATE ON MOTIONS AND BILLS

MR. PRESIDENT: Honourable Members, in accordance with Standing Order 68A, the Senate will now resolve 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, the Committee of the whole Senate to consider the Bills that were read a second time.

Honourable Members, I will now take the Chair as the Chairman of the Constitution and Foreign Affairs Committee and then as the Chairman of the Committee of the whole Senate.

Members in the gallery, can you please excuse us for the Committee meeting? Thank you.

(In the Constitution and Foreign Affairs Committee)

MR. PRESIDENT in the Chair.

1. **Resolution Authorizing the Ratification of the Protocol to Amend Article 83 of the Revised Treaty of Chaguaramas Establishing the Caribbean Community Including the CARICOM Single Market and Economy Motion, 2017.**

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 Agreement Between the Government of Belize and the Government of the United Arab Emirates for Air Services Between and Beyond their Respective Territories Motion, 2017.**

Motion in its entirety agreed to.

Motion to be reported back to the Senate for adoption without amendment.

3. **Resolution Authorizing the Ratification by Belize to the Air Services Agreement Between the Government of Belize and the Government of the State of Kuwait Motion, 2017.**

Motion in its entirety agreed to.

Motion to be reported back to the Senate for adoption without amendment.

4. **Resolution Authorizing the Ratification by Belize to the Air Services Agreement Between the Government of Belize and the Government of the Republic of Singapore Motion, 2017.**

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 to the Air Services Agreement Between the Government of Belize and the Government of Malaysia 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. **Customs and Excise Duties (Amendment) (No. 2) Bill, 2017.**

Clauses 1 and 2 agreed to.

Schedule agreed to.

2. **International Business Companies (Amendment) Bill, 2017.**

Clauses 1 to 26 agreed to.

3. **General Sales Tax (Amendment) (No. 2) Bill, 2017.**

Clauses 1 to 4 agreed to.

4. **Stamp Duties (Amendment) (No. 2) Bill, 2017.**

Clauses 1 to 5 agreed to.

5. Money Laundering and Terrorism (Prevention) (Amendment) Bill, 2017.

Clauses 1 and 2 agreed to.

6. Belize Building (Amendment) Bill, 2017.

Clauses 1 to 26 agreed to.

7. Economic Development Council Bill, 2017.

Clauses 1 to 16 agreed to.

Schedule agreed to.

8. National Cultural Heritage Preservation Bill, 2017.

Clauses 1 to 77 agreed to.

First Schedule and Second Schedule agreed to.

PUBLIC BUSINESS

A. GOVERNMENT BUSINESS

IV MOTIONS

(Adoption of Motions)

1. Resolution Authorizing the Ratification of the Protocol to Amend Article 83 of the Revised Treaty of Chaguaramas Establishing the Caribbean Community Including the CARICOM Single Market and Economy Motion, 2017.

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, the Constitution and Foreign Affairs Committee has met and considered the Resolution Authorizing the Ratification of the Protocol to Amend Article 83 of the Revised Treaty of Chaguaramas Establishing the Caribbean Community Including the CARICOM Single Market and Economy Motion, 2017, and has agreed that it be returned back to the Senate for adoption.

I therefore move that the question be put.

MR. PRESIDENT: Honourable Members, the question is, **NOW, THEREFORE, BE IT RESOLVED** that the Senate authorizes the Government of Belize to ratify the Protocol, a full text of which is hereto annexed.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

2. Resolution Authorizing the Ratification by Belize to the Agreement Between the Government of Belize and the Government of the United

Arab Emirates for Air Services Between and Beyond their Respective Territories Motion, 2017.

(Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, the Constitution and Foreign Affairs Committee has met and considered the Resolution Authorizing the Ratification by Belize to the Agreement Between the Government of Belize and the Government of the United Arab Emirates for Air Services Between and Beyond their Respective Territories Motion, 2017 and has agreed that it be returned back to the Senate for adoption.

I therefore move that the question be put.

MR. PRESIDENT: Honourable Members, the question is, **NOW, THEREFORE, BE IT RESOLVED** that the Senate authorizes the Government of Belize to ratify to the Agreement, a full text of which is hereto annexed.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

3. Resolution Authorizing the Ratification by Belize to the Air Services Agreement Between the Government of Belize and the Government of the State of Kuwait Motion, 2017.

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, the Constitution and Foreign Affairs Committee has met and considered the Resolution Authorizing the Ratification by Belize to the Air Services Agreement Between the Government of Belize and the Government of the State of Kuwait Motion, 2017_and has agreed that it be returned back to the Senate for adoption.

I therefore move that the question be put.

MR. PRESIDENT: Honourable Members, the question is, **NOW, THEREFORE, BE IT RESOLVED** that the Senate authorizes the Government of Belize to ratify to the Agreement, a full text of which is hereto annexed.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

4. Resolution Authorizing the Ratification by Belize to the Air Services Agreement Between the Government of Belize and the Government of the Republic of Singapore Motion, 2017.

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, the Constitution and Foreign Affairs Committee has met and considered the Resolution Authorizing the Ratification by Belize to the Air Services Agreement Between the Government of Belize and the Government of the Republic of Singapore Motion, 2017 and has agreed that it be returned back to the Senate for adoption.

I therefore move that the question be put.

MR. PRESIDENT: Honourable Members, the question is, **NOW, THEREFORE, BE IT RESOLVED** that the Senate authorizes the Government

of Belize to ratify to the Agreement, a full text of which is hereto annexed.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

5. Resolution Authorizing the Ratification by Belize to the Air Services Agreement Between the Government of Belize and the Government of Malaysia Motion, 2017.

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, the Constitution and Foreign Affairs Committee has met and considered the Resolution Authorizing the Ratification by Belize to the Air Services Agreement Between the Government of Belize and the Government of Malaysia Motion, 2017 and has agreed that it be returned back to the Senate for adoption.

I therefore move that the question be put.

MR. PRESIDENT: Honourable Members, the question is, **NOW, THEREFORE, BE IT RESOLVED** that the Senate authorizes the Government of Belize to ratify to the Agreement, a full text of which is hereto annexed.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

V REPORTING AND THIRD READING OF BILLS

1. Customs and Excise Duties (Amendment) (No.2) Bill, 2017.

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, I rise to report that the Committee of the whole Senate has considered the Customs and Excise Duties (Amendment) (No.2) Bill, 2017 and passed it without amendment.

I now move that the Bill be read a third time.

MR. PRESIDENT: Honourable Members, the question is that the Bill for an Act to amend the Customs and Excise Duties Act, Chapter 48 of the Laws of Belize, Revised Edition 2011, to vary the rates of import duty on certain items; and to provide for matters connected therewith or incidental thereto, be read a third time.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

Bill read a third time.

2. International Business Companies (Amendment) Bill, 2017.

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, I rise to report that the Committee of the whole Senate has considered the International Business Companies (Amendment) Bill, 2017 and passed it without amendment.

I now move that the Bill be read a third time.

MR. PRESIDENT: Honourable Members, the question is that the Bill for an Act to amend the International Business Companies Act, Chapter 270 of the Laws of Belize, Revised Edition 2011; to prohibit the issuance of bearer shares in an international business company; to provide for Register of Directors and Register of Beneficial Owners and for such Registers to be kept at the registered office in Belize; to provide for the Registers upon request by the competent authority to be produced within twenty-four hours; to repeal provisions relating to tax exemptions and provide for the optional payment of income and business tax by an international business company; and to provide for matters connected therewith or incidental thereto, be read a third time.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

Bill read a third time.

3. General Sales Tax (Amendment) (No.2) Bill 2017.

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, I rise to report that the Committee of the whole Senate has considered the General Sales Tax (Amendment) (No.2) Bill 2017 and passed it without amendment.

I now move that the Bill be read a third time.

MR. PRESIDENT: Honourable Members, the question is that the Bill for an Act to amend the General Sales Tax Act, Chapter 63 of the Substantive Laws of Belize, Revised Edition 2011, to include an administrative fee for the replacement of a GST certificate of registration; to provide a time limit for claiming a refund; to give the Commissioner the power to temporarily close businesses for repeated violations; and to provide for matters connected therewith or incidental thereto, be read a third time.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

Bill read a third time.

4. Stamp Duties (Amendment) (No. 2) Bill, 2017.

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, I rise to report that the Committee of the whole Senate has considered the Stamp Duties (Amendment) (No. 2) Bill, 2017 and passed it without amendment.

I now move that the Bill be read a third time.

MR. PRESIDENT: Honourable Members, the question is that the Bill for an Act to further amend the Stamp Duties Act, Chapter 64 of the Substantive Laws of Belize, Revised Edition 2011, to make new provision in relation to stamp duties chargeable on transfers of land; and to provide for matters connected therewith or incidental thereto, be read a third time.

All those in favour, kindly say aye; those against, kindly say no. I think

the ayes have it.

Bill read a third time.

5. Economic Development Council Bill, 2017.

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, I rise to report that the Committee of the whole Senate has considered the Economic Development Council Bill, 2017 and passed it without amendment.

I now move that the Bill be read a third time.

MR. PRESIDENT: Honourable Members, the question is that the Bill for an Act to facilitate economic growth in, and the business competitiveness of, Belize by establishing a body to be known as the Economic Development Council to promote partnership and collaboration between the public sector and private sector; and to provide for matters connected therewith or incidental thereto, be read a third time.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

Bill read a third time.

6. Money Laundering and Terrorism (Prevention) (Amendment) Bill, 2017.

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, I rise to report that the Committee of the whole Senate has considered the Money Laundering and Terrorism (Prevention) (Amendment) Bill, 2017 and passed it without amendment.

I now move that the Bill be read a third time.

MR. PRESIDENT: Honourable Members, the question is that the Bill for an Act to amend the Money Laundering and Terrorism (Prevention) Act, Chapter 104 of the Substantive Laws of Belize, Revised Edition 2011, in furtherance of Belize's Financial Action Task Force obligations to conduct a Money Laundering and Terrorist Financing National Risk Assessment, to give the Financial Intelligence Unit, the competent authority for Anti Money Laundering in Belize, the specific power to conduct a money laundering and countering of terrorism risk assessment; and to provide for matters connected therewith or incidental thereto, be read a third time.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

Bill read a third time.

7. Belize Building (Amendment) Bill, 2017.

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, I rise to report that the Committee of the whole

Senate has considered the Belize Building (Amendment) Bill, 2017 and passed it without amendment.

I now move that the Bill be read a third time.

MR. PRESIDENT: Honourable Members, the question is that the Bill for an Act to amend the Belize Building Act, Chapter 231 of the Substantive Laws of Belize, Revised Edition 2011; to strengthen and clarify the relationship between the Central Building Authority, local authorities and Local Building Authorities; and to provide for matters connected therewith or incidental thereto, be read a third time.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

Bill read a third time.

8. National Cultural Heritage Preservation Bill, 2017.

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, I rise to report that the Committee of the whole Senate has considered the National Cultural Heritage Preservation Bill, 2017 and passed it without amendment.

I now move that the Bill be read a third time.

MR. PRESIDENT: Honourable Members, the question is that the Bill for an Act to make provisions for the designation, protection and conservation of heritage assets under the leadership of the National Institute of Culture and History (NICH); to establish a Council to assist the NICH in discharging its functions under this Act; to establish a fund exclusively for matters connected with heritage assets and to provide for a National Heritage Protection Plan for the proper implementation of the provisions of this Act; to provide for an inventory of heritage assets; and to provide for matters connected therewith or incidental thereto, be read a third time.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

Bill read a third time.

MR. PRESIDENT: Yes, Senator Chebat?

SENATOR M. CHEBAT: Could we have a division?

MR. PRESIDENT: Excuse me, a division for?

SENATOR M. CHEBAT: Could we have a division, please?

MR. PRESIDENT: Have a division, I think we are in the third reading already. The division was supposed to be in the second reading.

A D J O U R N M E N T

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, I move that the Senate do now adjourn.

SENATOR V. WOODS: Thank you, Mr. President. Mr. President, I will be brief, as I am sure all the Senators would appreciate that, given the time of the day. But I have to acknowledge, Mr. President, that we certainly on this side of the House appreciate the level of debate that occurred today. I think all Belizeans listening to this debate today could concur that perhaps it was more of a debate here in this Chamber than it was in the lower House on some very important Bills. And so that's always welcome.

Mr. President, it would be remiss of me knowing that, based on history, we probably will not be meeting again prior to September, or perhaps late in August, and we find ourselves exiting one major fishery season that would be the conch and entering another one, that being the lobster, much of which are very significant to Belize. And I have to admit, and I was a bit surprised that, I believe, it was early June that our country, by accounts of those who attended, both government as well as, I believe, a couple private sector persons, namely, fisher folks and one or two NGOs attended the UNs, United Nations Oceans Conference. And it appeared that Belize was welcomed, applauded, appreciated, for what it's doing, particularly in small fishery. That's good news. I wish it had gotten, quite frankly, more coverage. It's not often that we are getting that these days in Belize, but that is significant. It's significant because fishery is still very much a major livelihood to so many Belizeans, north and southeast. And it will only remain sustainable if we are committed to the health of the marine resources.

And so I rise today for it not to be lost and perhaps only because of the timing that we find, or that this Senate Meeting has presented itself, exiting one important season, entering another, and having had a very good performance, if you will, or showing, on the world stage regarding the efforts that we are trying to do in fishery. Kudos and much applause to the hard work of the public officers involved over at the Belize Fisheries Department. It's a lot of the public sector/private sector dialogue that's been going on with the fisher folk for that to occur. That's not to say it's not without the challenges, Mr. President, because there are still so many. But, when a small country like ours plagued with negative publicity more than times than none, it's important that you take timeout to recognize when things are going the way they should, when people are doing what they should. And I was looking for some of that in the last month anyway because the marine resources are absolutely critical to the economic development of this country. We are not industrial. We depend a lot on the environment, on the health of our environment. And we need to start, as a country, as a people, to understand that that requires as much debate, as much education, as much awareness, as any other issue out there. It brings a significant value to who we are as Belizeans. But it brings a significant financial value to this country and to so many who depend on it.

Obviously, like many Belizeans, I too am disappointed that we still are not getting that scorecard that we would like from those who monitor the health of our, or of the way we manage coastal developments, the barrier reef system, which still remains, unfortunately for the past eight years, on the endangered list. And there does not appear to be any serious effort to get it out of that designation. But, in light of what we had been given such praise for, I do hope, entering another year, meaning from June when one season ended right through to the next

full year, that some effort be placed this year to focus on that designation. It's so important. We had a very rigorous debate on the Heritage Bill, and the idea of heritage clearly is one that drums up a lot of emotion, yes, but one that I think all Belizean take pride in and none more than the Belize Barrier Reef and its system.

So I am hoping, Mr. President, as a matter of national importance, that this would be the year that we can get the debate going on the matter of offshore oil, on the matter of the moratorium, and on the status of the commitment made a couple years ago to introduce legislation to that effect. Thank you, Mr. President.

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Thank you, Senator Woods, and, of course, thanks to the hard work of the fisheries people. We were, however, very much recognized, as you said, in that UN Conference, but I just wanted to quickly say, there's a lot of work being done, and the Ministry is committed. There was a Fisheries Bill sometime in 2010, that has not reached parliament yet. It's gone through several revisions, but the Ministry is committed to bring that forward very shortly as well as a comprehensive review of the legislation on mangroves and also to finalize the Bill dealing with sites, recognition, etcetera. So I can assure you, Senator, and the rest of Senators that there is a feverish pitch now to move all of those comprehensively because we recognize the very much great importance of that sector. It has contributed significantly to the economy, and we hope that it continues in that vein. So thank you very much.

MR. PRESIDENT: Honourable Members, the question is that the Senate do now adjourn.

All those in favour, kindly say aye; those against, kindly say no. I think the ayes have it.

The Senate now stands adjourned. Thank you, Senators.

The Senate adjourned at 4:20 P.M. to a date to be fixed by the President.

PRESIDENT
