

BELIZE

No.15/1/14

SENATE

Friday, 20th May 2022

9:00 A.M.

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ORDERS OF THE DAY

1. Prayers.

2. Oath of Allegiance of a new Senator.

3. Announcements by the President.

6. Papers.

No. 25/1/14 - Lotteries Control (Amendment) Regulations, 2022.

No. 26/1/14 - Civil Works Contract Agreements for the Caracol Road Upgrading Project – Lots 2A, 2B and 2C.

(Leader of Government Business and Minister of Foreign Affairs, Foreign Trade and Immigration)

13. Motions relating to the Business or Sitzings of the Senate.

14. Public Business.

A. GOVERNMENT BUSINESS

I MOTIONS *(For Text of Motions see Notice Papers attached)*

1. International Bank for Reconstruction and Development - Climate Resilient and Sustainable Agriculture Project – (US\$25 Million) Loan Motion, 2022.
2. Motion to Seek to Move the Belize Advisory Council to Advise Her Excellency the Governor-General to Exercise the Prerogative of Mercy, 2022.
3. Motion to Support Taiwan’s Participation in International Organizations, 2022.
4. Appointment of **Mrs. Andrea Mcsweaney Mckoy** as Chairperson of the Integrity Commission Motion, 2022.

5. Appointment of **Ms. Katherine Meighan** as a Member of The Integrity Commission Motion, 2022.
6. Appointment of **Ms. Zoe Roberson Zetina** as a Member of The Integrity Commission Motion, 2022.
7. Appointment of **Mr. Ricardo Moguel** as a Member of the Integrity Commission Motion, 2022.
8. Appointment of **Mr. George R. Swift** as a Member of the Integrity Commission Motion, 2022.
9. Appointment of **Ms. Payal Ghanwani** as a Member of the Integrity Commission Motion, 2022.
10. Appointment of **Mr. Jaraad Ysaguirre** as a Member of the Integrity Commission Motion, 2022.

(Leader of Government Business and Minister of Foreign Affairs, Foreign Trade and Immigration)

II COMMITTEE OF THE WHOLE SENATE ON MOTIONS

III BILLS FOR THIRD READING

BELIZE

No.15/1/14

SENATE

Friday, 20th May 2022

9:00 A.M.

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NOTICES OF QUESTIONS AND MOTIONS

MOTIONS

1. International Bank for Reconstruction and Development - Climate Resilient and Sustainable Agriculture Project – (US\$25 Million) Loan Motion, 2022.

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

AND WHEREAS, the Government of Belize has approached the Bank for financial assistance to implement a Climate Resilient and Sustainable Agriculture Project to be undertaken by the Ministry of Agriculture, with the assistance of the Belize Social Investment Fund;

AND WHEREAS, this Project will provide funding for support to agriculture producers, with an emphasis on individual small holder farmers who are transitioning to more commercial production, while also supporting more established commercial farmers and farmer associations that wish to adopt climate smart practices to improve the sustainability of their enterprises; thus, the project will entail (i) capacity building for key public agricultural institutions, so that these are equipped to support a transition to more resilient, productive, and green agricultural development; and (ii) financing (using matching grants) for the adoption of improved practices and know-how by agricultural producers, as well as for collective/shared technologies and assets;

AND WHEREAS, the Bank has offered financing of up to **US\$25,000,000** for the said purpose under the following terms and conditions:

Lender:	The International Bank for Reconstruction and Development;
Loan Principal Amount:	US\$25,000,000.00;
Disbursement Schedule:	Over a period of five years, from the date of signature of the Loan Contract, up to 31 st July 2027 (four (4) months after the closing date of 31 st March 2027);
Loan Term:	Eighteen (18) years inclusive of a forty-eight (48) month Grace Period on Principal Repayments;
Repayment Period:	To be repaid in 28 approximately equal, semi-annual, and consecutive installments of about US\$892,857.14,

on 15th April and 15th October of each year;

Purpose:	To increase agricultural productivity and the adoption of climate-smart agricultural approaches among project beneficiaries; and respond effectively to an eligible crisis or emergency event;
Rate of Interest:	Reference Rate based on the USD Secured Overnight Financing Rate (SOFR) plus the variable spread or such rate as may apply following a conversion; the Rate is currently at about 0.28% but will be fixed on date of signing;
Commitment Charge:	One quarter of one percent (0.25%) per annum on the unwithdrawn loan balance;
Front End Fee:	One quarter of one percent (0.25%) of the loan amount;

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

NOW, THEREFORE, BE IT RESOLVED that this Honourable House, being satisfied that the Loan proceeds would significantly assist the Government of Belize in its efforts to create a more productive and resilient agricultural system via capacity building and investments that can sustain rural transformation towards climate smart agriculture, approves and confirms that the Government may enter into a Loan Contract with the International Bank for Reconstruction and Development on the terms and conditions set out above, and further authorizes the Minister of Finance to execute and deliver the said Loan Contract and all other documents associated therewith.

2. Motion to Seek to Move the Belize Advisory Council to Advise Her Excellency the Governor-General to Exercise the Prerogative of Mercy, 2022.

WHEREAS, the Belize Constitution empowers Her Excellency the Governor-General to exercise the prerogative of mercy;

AND WHEREAS, section 52(1) of the Belize Constitution provides that the Governor-General may grant a pardon, either free or subject to lawful conditions, to any person convicted of any offence;

AND WHEREAS, sub-section (2) of the said section 52 further provides that the powers of the Governor-General to grant a pardon under sub-section (1) shall be exercised in accordance with the advice of the Belize Advisory Council;

AND WHEREAS, while the Belize Constitution does not explicitly state that such power may be extended to post humous pardons or exonerations, it may be interpreted that the Governor-General has the power to issue a post humous pardon within the jurisdiction of her governance;

AND WHEREAS, Nora Parham was executed by British authorities under British law in a British colony, which subsequently was granted independence as the state of Belize;

AND WHEREAS, Belize chose to retain the British judicial system in which the exercise of the prerogative of mercy can be extended to persons posthumously as a way of redeeming or righting an injustice that was done in another generation;

AND WHEREAS, it is the desire of the present Government to correct the miscarriage of justice that resulted in the death by hanging of Nora Parham and bring closure to that “stain on our history”;

NOW, THEREFORE, BE IT RESOLVED that:

1. Nora Parham be granted a posthumous pardon;
2. The sentence of death by hanging imposed on Nora Parham and executed on June 5, 1963, be revoked.

3. **Motion to Support Taiwan’s Participation in International Organizations Motion, 2022.**

WHEREAS, the year of 2022, marks the 33rd Anniversary of the establishment of the diplomatic ties between Belize and the Republic of China (Taiwan);

AND WHEREAS, for these 33 years of friendship, Belize and Taiwan have continuously supported and helped each other and closely cooperated in numerous areas, ranging from infrastructure, medical and public health, agriculture, sustainable environment, information and communication technology to culture and education;

AND WHEREAS, all bilateral cooperation projects between Belize and Taiwan, including road construction, motor vehicle registration and license system, breeding sheep and goat production, urban resilience and disaster prevention, medical imaging system, women empowerment, mandarin teaching and talent cultivation are currently proceeding smoothly;

AND WHEREAS, Honourable John Briceño, Prime Minister of Belize, visited Taiwan and was welcomed by H.E. Dr. Tsai Ing-wen, President of the Republic of China (Taiwan) on 9th March 2022, and the Government of Taiwan has committed to work with the Government of Belize to construct a new hospital with state-of-the-art medical facilities in San Pedro, Ambergris Caye, for the health and wellness of Belizean people;

AND WHEREAS, to assist Belize in its fight against COVID-19 pandemic, Taiwan has donated large quantities of medical supplies and Personal Protective Equipment to Belize and shared its successful experiences containing the pandemic with Belize, demonstrating Taiwan’s commitments to helping its allies and international partners in need;

AND WHEREAS, Taiwan is a faithful ally and development partner to Belize, and the generosity and contribution Taiwan made to other countries have shown Taiwan is an indispensable part of the global community, and Taiwan can play and has played a critical role in the world;

NOW, THEREFORE, BE IT RESOLVED that this Honourable House expresses its full support to Taiwan’s participation in ALL related international organizations, including the United Nations, the World Health Assembly (WHA), the International Criminal Police Organization (INTERPOL), the International Civil Aviation Organization (ICAO), and the United Nations Framework Convention on Climate Change (UNFCCC);

AND BE IT FURTHER RESOLVED that a copy of this resolution be transmitted to President Tsai Ing-wen through the Embassy of the Republic of China (Taiwan) and to the Office of the Prime Minister as a tangible token of the friendship expressed herein.

4. Appointment of Mrs. Andrea McSweaney-Mckoy as Chairperson of the Integrity Commission Motion, 2022.

WHEREAS, section 3 (1) of the Prevention of Corruption Act, Chapter 105 of the Substantive Laws of Belize, Revised Edition 2020, provides for the establishment of a body to be known as the Integrity Commission which shall consist of a Chairperson, who shall be an attorney-at-law with not less than five years standing, and six other members who shall be persons of integrity and high national standing;

AND WHEREAS, it is further provided by subsection (2) of that section that two members of the Integrity Commission shall be appointed by the Governor-General, acting in accordance with the advice of the Prime Minister given with the concurrence of the Leader of the Opposition, and the other members of the Integrity Commission, including the Chairperson shall be appointed by the Governor-General, acting in accordance with the advice of the Prime Minister given after consultation with the Leader of the Opposition;

AND WHEREAS, section, 3 (2) of the Act further provides that in the process of consultation with the Leader of the Opposition for the appointment of the Chairperson, the Prime Minister shall use his best endeavours to secure the agreement of the Leader of the Opposition;

AND WHEREAS, after consultation with the Leader of the Opposition, the Honourable Prime Minister intends to advise the Governor-General to appoint **MRS. ANDREA MCSWEANEY-MCKOY**, Attorney-At-Law, as the Chairperson of the Integrity Commission;

AND WHEREAS, **MRS. ANDREA MCSWEANEY-MCKOY** is a person of integrity and high national standing and is duly qualified to be appointed as the Chairperson of the Integrity Commission;

AND WHEREAS, subsections (2) (c) and (3) of section 61A of the Constitution of Belize provide that a member of the Integrity Commission can only be validly appointed with the prior approval of the Senate;

NOW, THEREFORE, BE IT RESOLVED that this Honourable Senate, having perused the curriculum vitae of **MRS. ANDREA MCSWEANEY-MCKOY**, and being satisfied that she is a fit and proper person to be appointed as Chairperson of the Integrity Commission, hereby approves the said appointment for a period of two (2) years with effect from 1st April 2022.

5. Appointment of Ms. Katherine Meighan as a Member of the Integrity Commission Motion, 2022.

WHEREAS, section 3 (1) of the Prevention of Corruption Act, Chapter 105 of the Substantive Laws of Belize, Revised Edition 2020, provides for the establishment of a body to be known as the Integrity Commission which shall consist of a Chairperson, who shall be an attorney-at-law with not less than five years standing, and six other members who shall be persons of integrity and high national standing;

AND WHEREAS, it is further provided by subsection (2) of that section that two members of the Integrity Commission shall be appointed by the Governor-General, acting in accordance with the advice of the Prime Minister given with the concurrence of the Leader of the Opposition, and the other members of the Integrity Commission, including the Chairperson, shall be appointed by the Governor-General, acting in accordance with the advice of the Prime Minister given after consultation with the Leader of the Opposition;

AND WHEREAS, after **consultation** with the Leader of the Opposition, the Honourable Prime Minister intends to advise the Governor-General to appoint **MS. KATHERINE MEIGHAN** as a member of the Integrity Commission;

AND WHEREAS, **MS. KATHERINE MEIGHAN** is a person of integrity and high national standing;

AND WHEREAS, subsections (2) (c) and (3) of section 61A of the Constitution of Belize provide that a member of the Integrity Commission can only be validly appointed with the prior approval of the Senate;

NOW, THEREFORE, BE IT RESOLVED that this Honourable Senate, having perused the curriculum vitae of **MS. KATHERINE MEIGHAN**, and being satisfied that she is a fit and proper person to be appointed as a member of the Integrity Commission, hereby approves the said appointment for a period of two (2) years with effect from 1st April 2022.

6. Appointment of Ms. Zoe Roberson - Zetina as a Member of the Integrity Commission Motion, 2022.

WHEREAS, section 3 (1) of the Prevention of Corruption Act, Chapter 105 of the Substantive Laws of Belize, Revised Edition 2020, provides for the establishment of a body to be known as the Integrity Commission which shall consist of a Chairperson, who shall be an attorney-at-law with not less than five years standing, and six other members who shall be persons of integrity and high national standing;

AND WHEREAS, it is further provided by subsection (2) of that section that two members of the Integrity Commission shall be appointed by the Governor-General, acting in accordance with the advice of the Prime Minister given with the concurrence of the Leader of the Opposition, and the other members of the Integrity Commission, including the Chairperson, shall be appointed by the Governor-General, acting in accordance with the advice of the Prime Minister given after consultation with the Leader of the Opposition;

AND WHEREAS, after **consultation** with the Leader of the Opposition, the Honourable Prime Minister intends to advise the Governor-General to appoint **MS. ZOE ROBERSON – ZETINA**, as a member of the Integrity Commission;

AND WHEREAS, MS. ZOE ROBERSON - ZETINA is a person of integrity and high national standing;

AND WHEREAS, subsections (2) (c) and (3) of section 61A of the Constitution of Belize provide that a member of the Integrity Commission can only be validly appointed with the prior approval of the Senate;

NOW, THEREFORE, BE IT RESOLVED that this Honourable Senate, having perused the curriculum vitae of **MS. ZOE ROBERSON - ZETINA**, and being satisfied that she is a fit and proper person to be appointed as a member of the Integrity Commission, hereby approves the said appointment for a period of two (2) years with effect from 1st April 2022.

7. Appointment of Mr. Ricardo Moguel as a Member of the Integrity Commission Motion, 2022.

WHEREAS, section 3 (1) of the Prevention of Corruption Act, Chapter 105 of the Substantive Laws of Belize, Revised Edition 2020, provides for the establishment of a body to be known as the Integrity Commission which shall consist of a Chairperson, who shall be an attorney-at-law with not less than five years standing, and six other members who shall be persons of integrity and high national standing;

AND WHEREAS, it is further provided by subsection (2) of that section that two members of the Integrity Commission shall be appointed by the Governor-General, acting in accordance with the advice of the Prime Minister given with the concurrence of the Leader of the Opposition, and the other members of the Integrity Commission, including the Chairperson, shall be appointed by the Governor-General, acting in accordance with the advice of the Prime Minister given after consultation with the Leader of the Opposition;

AND WHEREAS, after **consultation** with the Leader of the Opposition, the Honourable Prime Minister intends to advise the Governor-General to appoint **MR. RICARDO MOGUEL**, as a member of the Integrity Commission;

AND WHEREAS, **MR. RICARDO MOGUEL** is a person of integrity and high national standing;

AND WHEREAS, subsections (2) (c) and (3) of section 61A of the Constitution of Belize provide that a member of the Integrity Commission can only be validly appointed with the prior approval of the Senate;

NOW, THEREFORE, BE IT RESOLVED that this Honourable Senate, having perused the curriculum vitae of **MR. RICARDO MOGUEL**, and being satisfied that he is a fit and proper person to be appointed as a member of the Integrity Commission, hereby approves the said appointment for a period of two (2) years with effect from 1st April 2022.

8. Appointment of Mr. George R. Swift as a Member of the Integrity Commission Motion, 2022.

WHEREAS, section 3 (1) of the Prevention of Corruption Act, Chapter 105 of the Substantive Laws of Belize, Revised Edition 2020, provides for the establishment of a body to be known as the Integrity Commission which shall consist of a Chairperson, who shall be an attorney-at-law with not less than five years standing, and six other members who shall be persons of integrity and high national standing;

AND WHEREAS, it is further provided by subsection (2) of that section that two members of the Integrity Commission shall be appointed by the Governor-General, acting in accordance with the advice of the Prime Minister given with the concurrence of the Leader of the Opposition, and the other members of the Integrity Commission, including the Chairperson, shall be appointed by the Governor-General, acting in accordance with the advice of the Prime Minister given after consultation with the Leader of the Opposition;

AND WHEREAS, after **consultation** with the Leader of the Opposition, the Honourable Prime Minister intends to advise the Governor-General to appoint **MR. GEORGE R. SWIFT**, as a member of the Integrity Commission;

AND WHEREAS, **MR. GEORGE R. SWIFT** is a person of integrity and high national standing and is a member of the Institute of Chartered Accountants of Belize;

AND WHEREAS, subsections (2) (c) and (3) of section 61A of the Constitution of Belize provide that a member of the Integrity Commission can only be validly appointed with the prior approval of the Senate;

NOW, THEREFORE, BE IT RESOLVED that this Honourable Senate, having perused the curriculum vitae of **MR. GEORGE R. SWIFT**, and being satisfied that he is a fit and proper person to be appointed as a member of the Integrity Commission, hereby approves the said appointment for a period of two (2) years with effect from 1st April 2022.

9. Appointment of Ms. Payal Ghanwani as a Member of the Integrity Commission Motion, 2022.

WHEREAS, section 3 (1) of the Prevention of Corruption Act, Chapter 105 of the Substantive Laws of Belize, Revised Edition 2020, provides for the establishment of a body to be known as the Integrity Commission which shall consist of a Chairperson, who shall be an attorney-at-law with not less than five years standing, and six other members who shall be persons of integrity and high national standing;

AND WHEREAS, it is further provided by subsection (2) of that section that two members of the Integrity Commission shall be appointed by the Governor-General, acting in accordance with the advice of the Prime Minister given with the concurrence of the Leader of the Opposition, and the other members of the Integrity Commission, including

the Chairperson, shall be appointed by the Governor-General, acting in accordance with the advice of the Prime Minister given after consultation with the Leader of the Opposition;

AND WHEREAS, with the **concurrence** of the Leader of the Opposition, the Honourable Prime Minister intends to advise the Governor-General to appoint **MS. PAYAL GHANWANI**, as a member of the Integrity Commission;

AND WHEREAS, MS. PAYAL GHANWANI is a person of integrity and high national standing;

AND WHEREAS, subsections (2) (c) and (3) of section 61A of the Constitution of Belize provide that a member of the Integrity Commission can only be validly appointed with the prior approval of the Senate;

NOW, THEREFORE, BE IT RESOLVED that this Honourable Senate, having perused the curriculum vitae of **MS. PAYAL GHANWANI**, and being satisfied that she is a fit and proper person to be appointed as a member of the Integrity Commission, hereby approves the said appointment for a period of two (2) years with effect from 1st April 2022.

10. Appointment of Mr. Jaraad Ysaguirre as a Member of the Integrity Commission Motion, 2022.

WHEREAS, section 3 (1) of the Prevention of Corruption Act, Chapter 105 of the Substantive Laws of Belize, Revised Edition 2020, provides for the establishment of a body to be known as the Integrity Commission which shall consist of a Chairperson, who shall be an attorney-at-law with not less than five years standing, and six other members who shall be persons of integrity and high national standing;

AND WHEREAS, it is further provided by subsection (2) of that section that two members of the Integrity Commission shall be appointed by the Governor-General, acting in accordance with the advice of the Prime Minister given with the concurrence of the Leader of the Opposition, and the other members of the Integrity Commission, including the Chairperson, shall be appointed by the Governor-General, acting in accordance with the advice of the Prime Minister given after consultation with the Leader of the Opposition;

AND WHEREAS, with the **concurrence** of the Leader of the Opposition, the Honourable Prime Minister intends to advise the Governor-General to appoint **MR. JARAAD YSAGUIRRE**, as a member of the Integrity Commission;

AND WHEREAS, MR. JARAAD YSAGUIRRE is a person of integrity and high national standing;

AND WHEREAS, subsections (2) (c) and (3) of section 61A of the Constitution of Belize provide that a member of the Integrity Commission can only be validly appointed with the prior approval of the Senate;

NOW, THEREFORE, BE IT RESOLVED that this Honourable Senate, having perused the curriculum vitae of **MR. JARAAD YSAGUIRRE**, and being satisfied that she is a fit and proper person to be appointed as a member of the Integrity Commission, hereby approves the said appointment for a period of two (2) years with effect from 1st April 2022.

(Leader of Government Business and Minister of Foreign Affairs, Foreign Trade and Immigration)