

BELIZE

No. 10/1/13

SENATE

Thursday, 15th December 2016

11:24 A.M.

Pursuant to the direction of Mr. President, in writing, dated 9th December 2016, the Senate met in the National Assembly Chamber in Belmopan on Thursday, 15th December 2016, at 11:24 A.M.

_

Members Present:

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

Member Absent:

Senator, the Honourable Markhelm Lizarraga

MR. PRESIDENT *in the Chair*.

PRAYERS *by Senator Rev. A. Rocke*.

Prior to the meeting of the Senate, the Senators met in the Committee Room of the National Assembly Building as the Constitution and Foreign Affairs Committee, a committee of the whole Senate, to further discuss the Resolution Authorizing Ratification by Belize to the Special Agreement between Belize and Guatemala to Submit Guatemala's Territorial, Insular and Maritime Claim to the International Court of Justice Motion, 2016 and the Resolution Authorizing

Ratification by Belize to the Protocol to the Special Agreement between Belize and Guatemala to Submit Guatemala's Territorial, Insular and Maritime Claim to the International Court of Justice Motion, 2016. The temporary Senator, the Honourable Rufino Lin, in accordance with section 65 of the Belize Constitution, took the Oath of Allegiance.

MR. PRESIDENT: Good morning, Senator Lin. Would you want to say a few words, just a welcome note today?

SENATOR R. LIN: Mr. President, thanks for a few minutes to address this Chamber. I would like to say that I am thankful, first of all, to God for this opportunity to participate in this governance process of this country. I hold the view that we are given privileged authority and power to help mankind, and, in as much as we are given that, we should at the end of the day rest with conscience clear that we have done everything we can do to help mankind. So thank you for the opportunity, and I hope I can live up to those values as well. Thank you.

ANNOUNCEMENT BY THE PRESIDENT

MR. PRESIDENT: Honourable Members, by letter dated 9th December 2016, Cabinet's recommendation has been signified to the following:

1. General Revenue Supplementary Appropriation (2016/2017) (No.2) Bill, 2016;
2. Moneylenders (Amendment) Bill, 2016;
3. National Payment System Bill, 2016;
4. Domestic Banks and Financial Institutions (Amendment) Bill, 2016;
5. Electronic Transactions (Amendment) Bill, 2016;
6. Treasury Bills (Amendment) (No.3) Bill, 2016;
7. Income and Business Tax (Amendment) Bill, 2016;
8. Central Bank of Belize (Amendment) Bill, 2016;
9. Treasury Bills (Amendment) (No.2) Bill, 2016;
10. Caribbean Development Bank Feasibility Study and Detailed Designs Crooked Tree Road and Causeway Upgrading Loan Motion, 2016;
11. Caribbean Development Bank Immediate Response Hurricane Earl Loan Motion, 2016; and
12. Caribbean Development Bank Youth Resilience and Inclusive Social Empowerment (Rise) Project Loan Motion, 2016.

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): Mr. President, may I welcome our new Senator, Senator Rufino Lin, to these Chambers.

Mr. President, I rise to take charge of the following Bills:

1. General Revenue Supplementary Appropriation (2016/2017) (No.2) Bill, 2016;
2. Moneylenders (Amendment) Bill, 2016;
3. National Payment System Bill, 2016;
4. Domestic Banks and Financial Institutions (Amendment) Bill, 2016;
5. Electronic Transactions (Amendment) Bill, 2016;
6. Food and Drugs (Amendment) Bill, 2016;
7. Belmopan City Council (Amendment) Bill, 2016;
8. Treasury Bills (Amendment) (No.3) Bill, 2016; and
9. Income and Business Tax (Amendment) Bill, 2016.

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.

PAPERS

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, I rise to lay on the Table Sessional Paper 25/1/13 - Supplementary Appropriation (No.2) Schedule for Fiscal Year 2016/2017.

MR. PRESIDENT: Honourable Members, that Paper is ordered to lie on the Table.

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.

PUBLIC BUSINESS

A. GOVERNMENT BUSINESS

I MOTIONS

1. **Resolution Authorizing the Accession by Belize to the Co-operation Agreement for the Promotion of Nuclear Science and Technology in Latin America and the Caribbean (ARCAL) Motion, 2016.**

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 Co-Operation Agreement for the Promotion of Nuclear Science and Technology in Latin America and the Caribbean (hereafter called “the Agreement”) entered into force on 5th September 2005;

AND WHEREAS, the objective of the Agreement is to commit State Parties to undertake to promote, foster, co-ordinate and implement co-operation activities for training, research, development and applications of nuclear science and technology in the Latin America and the Caribbean region through their competent national institutions;

AND WHEREAS, the Government of Belize is desirous of acceding to the Agreement pursuant to Article X(3) 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 accession to any agreement by the Government of Belize;

NOW, THEREFORE, BE IT RESOLVED that the Senate authorizes the Government of Belize to accede 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.

2. **Resolution Authorizing the Ratification by Belize to the Agreement Between the Government of the French Republic and the Government of Belize on the Mutual Exemption of Diplomatic Passport Holders from Short-Stay Visa Requirements Motion, 2016.**

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 the French Republic and the Government of Belize on the Mutual Exemption of Diplomatic Passport Holders from Short-Stay Visa Requirements (hereafter called “the Agreement”) was signed on 19th September 2016;

AND WHEREAS, the objective of the Agreement is to provide short-stay visa exemptions to Belizean nationals who hold diplomatic passports and are traveling to any French Territory, including France, for professional or private reasons, for a single stay or several stays not surpassing ninety (90) days;

AND WHEREAS, the Government of Belize is desirous of ratifying the Agreement pursuant to Article 9 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 agreement by the Government of Belize;

NOW, THEREFORE, BE IT RESOLVED that the Senate authorizes the Government of Belize to ratify 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.

3. Caribbean Development Bank Feasibility Study and Detailed Designs Crooked Tree Road and Causeway Upgrading Loan Motion, 2016.

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, Sustainable Environment 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 \$250,000;

AND WHEREAS, the purpose of the Loan is to provide funds to the Government of Belize to assist in financing consultancy services to undertake a feasibility study and the preparation of detailed designs for the upgrading of the Crooked Tree Road and Causeway – (referred to as “the Project”);

AND WHEREAS, the objective of the Project is to conduct: (a) a gender-sensitive feasibility study and prepare preliminary and detailed designs to upgrade the Crooked Tree Road and Causeway incorporating climate change considerations; and (b) prepare a preliminary gender-sensitive adaptation plan of action for the community of Crooked Tree;

AND WHEREAS, the Bank has offered to lend to the Government the sum of US\$250,000 (“the Loan”) in one Portion to finance the Project on the following terms and conditions:

Special Funds Resources

- (a) US\$ 250,000 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 balance of the Loan;

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 feasibility study and the preparation of detailed designs for the upgrading of the Crooked Tree Road and Causeway, 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.

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 feasibility study and the preparation of detailed designs for the upgrading of the Crooked Tree Road and Causeway, 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.

4. **Caribbean Development Bank Immediate Response Hurricane Earl Loan Motion, 2016.**

SENATOR G. HULSE (Leader of Government Business and Minister of Agriculture, Forestry, Fisheries, Sustainable Environment 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 to the 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 Bank has offered to lend to the Government the sum of US\$750,000. (“the Loan”) from the Bank’s Special Funds Resources;

AND WHEREAS, the purpose of the Loan is to provide funds, on a reimbursement basis, to the Government of Belize for the clearing and cleaning of affected areas and the emergency restoration of homes and services in affected areas of Belize following damage caused by the passage of Hurricane Earl between August 3 and 4, 2016 – (together referred to as “the Project”);

AND WHEREAS, the Loan is being offered on the following terms and conditions:

- (a) US\$750,000 from Special Funds 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 two decimal five percent (2.5%) per annum to be paid quarterly on the amount of the Loan withdrawn and outstanding from time to time;

The Loan shall be fully disbursed by March 31, 2017, 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 assist in the cleaning and clearing of affected areas and the emergency restoration of homes and services in such areas of the country in the aftermath of Hurricane Earl, 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.

MR. PRESIDENT: Honourable Members, the question is, **NOW, THEREFORE, BE IT RESOLVED** that this Honourable House, being satisfied that the Project will assist in the cleaning and clearing of affected areas and the emergency restoration of homes and services in such areas of the country in the aftermath of Hurricane Earl, 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.

5. Caribbean Development Bank Youth Resilience and Inclusive Social Empowerment (Rise) Project Loan Motion, 2016.

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\$984,000 (“the Loan”) from the Bank’s Special Funds Resources;

AND WHEREAS, the purpose of the Loan is to pilot a preventative crime reduction initiative in Dangriga and San Ignacio/Santa Elena, that will target children, youth and their families;

AND WHEREAS, the primary objective of the Project is to provide at-risk children and youth with literacy and life skills that increase self esteem, confidence and a sense of control over their lives. It will enhance access to community sports, arts and cultural activities and provide opportunities to re-channel their energies into positive learning and creative outlets that will reduce their vulnerability to crime and violence. It will also provide at-risk youth with skills to improve their capability for employment and opportunities for income generation;

AND WHEREAS, the Loan is being offered on the following terms and conditions:

- (a) US \$984,000.00 from Special Funds Resources (SFR) – to be repaid in eighty (80) equal or approximately equal and consecutive quarterly installments commencing five (5) years after the date of the Loan Agreement;
- (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 December 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 continued, dedicated efforts to reduce crime and violence and anti-social behavior among the youths in Dangriga and San Ignacio/ Santa Elena by increasing access to social services and offering positive opportunities for our youth, 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 REV. A. ROCKE: Mr. President, after the meeting with the churches yesterday, we feel that, while this is a very good initiative, the church is wondering if there is room in the government side to include us in the projects that they are getting involved, particularly for social projects. We feel that we have good track record as it relates to working with social issues. The YWCA, the YMCA, the Salvation Army, these kids that do farming. We have done a great job in relating to our young people in a social way, and we feel that we need to present to the House today this particularly yearning of the church to be involved, or to be inclusive in the social efforts that government attempts, by including us in some of those, and that some kind of dialogue can be established where it will create the kind of support that the church can offer the government in this relation. And so I just wanted to raise that issue today as it relates to the social issues. We are asking, from the standpoint of the church, that we be included in this. And so we want to make that presentation this morning to this Honourable House.

SENATOR DR. C. BARNETT: Thank you very much, Mr. President. I just wanted to say to Senator Rocke that it is normally the case, particularly with these kinds of projects, that the funds are used in collaboration with community organizations that are already working in the areas that the project focuses on. And, therefore, since we are focusing on youth and families to the extent that the church groups/ the community based organizations already exist and are functioning and have the capacity to deliver some of the services that are going to be provided, it is normally the case that this is done through and in collaboration with those organizations. So we should look forward to some significant working together in ensuring that this project reaches its objectives. Thank you, Mr. President.

SENATOR R. LIN: Mr. President, I just want to say a few comments on the fact that the supportive documentation for these three Motions just presented were received and provided with additional information for us to be able to review completely. I take it from the Honourable Senator Lizarraga that in the past these supporting documentations were not always received, but this time we got the three of them. So I want to commend the Office of the Senate or the Secretariat for having done that for us.

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

MR. PRESIDENT: Honourable Members, the question is, **NOW, THEREFORE, BE IT** that this Honourable House, being satisfied that the Project will significantly contribute to the Government's continued, dedicated efforts to reduce crime and violence and anti-social behavior among the youths in Dangriga and San Ignacio/ Santa Elena by increasing access to social services and offering positive opportunities for our youth, 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.

II BILLS FOR SECOND READING

1. General Revenue Supplementary Appropriation (2016/2017) (No.2) Bill, 2016.

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 appropriate further sums of money for the use of the Public Service of Belize for the financial year ending on the thirty-first day of March, two thousand and seventeen.

Mr. President, a paper was laid on the Table which explains this expenditure under the Ministry of Finance and Home Affairs. Those are funds that have been allocated to the Senate Special Select Committee. Under the emergency management repair, those are funds to do repair following Hurricane Earl. And under Capital III, the funds that you will see for Belize Infrastructure Limited is ongoing of the Civic Center, the Dangriga football field and the San Ignacio stadium. And, under the Ministry of Works, the sums that you see there are for road rehabilitation, namely the San Antonio/Cristo Rey Road and the Bermudian Landing/Lemonal, a very beautiful piece of road that has been done in that area in the Belize River Valley.

SENATOR E. COURTENAY: Thank you very much, Mr. President. Mr. President, I rise to make two very short points on this Bill. The first is to, once again, insofar as this side of the Senate is concern, deprecate the practice of bringing these Supplementary Appropriation Bills without sufficient explanation for monies that are already spent and monies that are going to be spent. We reiterate that in order for there to be transparency and accountability full details of these expenditures should be laid before the National Assembly.

The second point that I wish to make, and I am compelled to make it, Mr. President, because, as always, mischief is afoot. There is a line item called Senate Special Select Committee Inquiry, October to December 2016, \$160,000. The toilet paper called the Guardian newspaper printed an article that was libelous, that was inaccurate and that sought to give the public the impression that one of the Honourable Members of this Senate acted in an improper way in the private deliberations of the Senate Select Committee. And I feel, Mr. President and Members of the Senate, that the public record should be corrected. The toilet paper called the Guardian said that Senator Lizarraga requested that he be paid to attend meetings of the Senate Special Select Committee. That is a lie. The public should know that Senator Lizarraga made no such request. The toilet paper called the Guardian said that Senator Lizarraga sought to have his brother's company benefit from televising the proceedings. That also is a lie, and the public record should know that Senator Lizarraga made no such request.

The point of the matter, Mr. President and Members, is that the

deliberations of what took place in the Senate Special Committee are not to be disclosed. They are subject to confidence of the Committee until the Report of the Senate is laid on the Table on this Honourable Senate, and we on this side condemn that that information reached the public, what was being discussed, and we condemn that it was inaccurate. Therefore, I say that, when the people see that a \$160,000 is going to be spent between October and December 2016, it is not, as was suggested, that Senator Lizarraga wanted to be paid. We are not being paid any extra money, and it is not that his brother has been contracted to provide any service. The \$160,000 is to meet the expenses that are being incurred by the Senate Select Committee. Thank you, Mr. President.

SENATOR V. RETREAGE: Mr. President, I only rise to respond briefly to the remarks by Senator Courtenay because there has been the imputation that Members within that Select Committee have leaked information, if I have understood your intervention correctly.

Mr. PRESIDENT: Your point of order, Senator Courtenay?

SENATOR E. COURTENAY: Absolutely, I said and I repeat, we condemn the fact that the information reached the toilet paper called the Guardian, I have not yet said who gave that information.

MR. PRESIDENT: Go ahead, Senator Retreage.

SENATOR V. RETREAGE: Thank you for that clarification, but it doesn't change the point that I was going to make. The point that I was going to make is that Senator Courtenay indicated that information reached the Guardian but also said that what the Guardian has stated is not true. So if the Guardian publishes an article that obviously, according to Senator Courtenay, is not factual then there is no question of information from the Senate Select Committee reaching the Guardian, in my opinion. So I will only make that brief intervention.

SENATOR M. COY SR.: I want to say a pleasant good morning to all our colleagues here in this Honourable Chamber and to the new Senator. Mr. President, I also want to say this and contribute this. It seems that some of us woke up on the other side of the bed this morning. When I listen to the Honourable Senator Courtenay there, calling a local media house a toilet paper or whatever he wants to call them, I believe that that is a total disrespect to any of our media houses out there. For me, whatever is published in any article and if there is no fact to it and if there is no proof to it, then why worry about it. That is personal for me, but if it is the truth then, of course, you feel the truth. Thank you, Mr. President.

SENATOR R. LIN: Mr. President, I rise to make a contribution in respect to the Bill that was just read, and I would like to ask your indulgence and leave to refer to my notes.

MR. PRESIDENT: Continue.

SENATOR R. LIN: From a private sector perspective, I think it is always good practice to support each budget approval request with specifics, with details, so that the person or the entity approving or reviewing such request is able to do a very good decision on it. I share the concern raised by Senator Courtenay in respect to, that we don't have enough details and specifics in relation to how these monies have been spent or are planned to be spent. We do recognize that from a planning perspective we should look into any fiscal year and try to anticipate the expenses that we will be incurring to avoid coming back with variations and

supplementary requests. Clearly the \$160,000 for the Senate Select Committee was unanticipated. It was something that came up upon us, and so I have no issue with that.

The point with respect to the \$4.4 million that is going to be used to address the needs of the country arising from the impact of Hurricane Earl, also I think we could not anticipate Hurricane Earl. So I have no issue with respect to the fact that we could not anticipate that line item. However, the point stands that we need to have details of how these monies are spent, and where they are spent, who is benefiting from these house constructions and repairs.

With respect to line items funded by Petrocaribe, in respect to planning, from the private sector perspective, we hold the view that these projects should be already in the pipeline and should have been part of the original budget process rather than come in a supplementary request subsequent to the approval of the budget. Again, I think we would like to instill that the process of budgeting be given careful attention to prevent or to avoid having to come back to this House for any supplementary approvals.

However, having said that, would you believe that investment in infrastructure is something that is good for the country? A large portion of the society benefits from infrastructure projects, and these projects underpin development, economic growth and social transformation. The point still lies though that we need specifics as to how the money is going to be spent, how or who gets these contracts, and how do we ensure that we do get value for our money. In the private sector, we need to keep account of the things we do, our revenues, our expenses, and on the basis of those detailed records that we keep we then have to pay taxes to the government. I think the responsibility is also shared. The private sector needs to keep records, and so does the public sector needs to ensure that we have detailed records of how monies are spent and that the people are given a proper account of how that money was spent and that we actually got value for our money.

MR. PRESIDENT: Senator Lin, can you have a seat, one second, please? Let's deal with the procedures.

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, 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. PRESIDENT: 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; those against, kindly say no. I think the ayes have it.

Senator Lin, I apologize, you may continue.

SENATOR R. LIN: The last point I want to make is that I believe the issue of requesting or asking for specifics to budget request has been before this House in the past, and I would like to propose that it be established, as a requirement, that any supplementary budget request be accompanied by such details. It is only when we have such details that the person or entity that is reviewing and providing its approval can do a good job, and I believe that it is

that practice that will bring transparency to the process of reviewing the supplementary budget approvals. Thank you.

SENATOR V. WOODS: Mr. President, I rise just to contribute a few comments on the matter of the General Revenue Supplementary Appropriation Bill. First, on the matter regarding the Senate Special inquiry, I am glad to see that there is a budget because I do know that that was an item of discussion for the Committee to do its work, and so I am very pleased to see that there has been some line item there for the October-to-November period.

But I also rise to just register the concern brought by my colleague, Senator Courtenay, because the very rules of that inquiry and, indeed, the integrity of the Senate and any of its Special Select Committees must be adhered to at all times. So not only the Senators involved in such Committees but also the very Office of the Clerk of the National Assembly, in light of this revelation, I think, must be very vigilant to ensure that there is no leakage, if you will, of information for the integrity of this House. The last thing we would want to see is that this House suddenly starts to become looking like that other House.

And then on the matter of BIL my very brief comment is that we were here not so long ago on a Supplementary Bill for BIL, Belize Infrastructure Limited, and I join all my colleagues on both sides of this Chamber who are asking for more information. Yes, we know that we cannot stop money Bills, but we should not, especially in a week following the signing of UNCAC, just accept these types of Bills where the overruns are grossly increased. We have absolutely no knowledge of where these expenses are. To suggest that, "Look at the field there, or look at another field down south," is simply not enough when we are in the millions of dollars of overruns from one appropriation that we were asked to approve not too long ago and now to another. We have absolutely no clue to the extent of where these monies are going. Thank you, Mr. President.

SENATOR P. THOMPSON: Mr. President, I would like to make a short comment as well about this General Revenue Supplementary Appropriation (2016/2017) (No.2) Bill, 2016. I'd like to welcome Senator Rufino Lin as well.

Mr. President, I will repeat some of the things that my colleagues have said on this side as well as on that side. This Bill, Mr. President, is asking for this Chamber to approve \$14,356,508 in supplementary spending. As Senator Lin mentioned just now, this has been ventilated quite a number of times in the past. Mr. President, it is quite understandable that the government would come and ask for the \$160,000 for the Senate inquiry. That is something that couldn't be planned. We didn't know about it, and it is for a worthy cause. As well as, Mr. President, the \$4 million for the hurricane relief for Belizeans affected by Hurricane Earl is also understandable. While it is understandable, we would ask for some assurance that the people that need it the most are getting it, despite or regardless of their political stripe.

But what we have an issue with, Mr. President, is the \$7 million, as my colleagues said, for the Belize Infrastructure Limited. We have heard the Prime Minister say that the Petrocaribe monies are difficult to know, the accumulation of that fund, and it has to come through a supplementary budget. What we can't understand is why there are no details for monies that have been spent already, \$7 million. That is my understanding that this \$7 million has been spent. Now I must laud the government, as my colleague, Mr. Lin, regarding the Motion about the loan for youth resilience and inclusive social empowerment project. We received an email, and the information was quite good. We know where the money is being proposed to be spent, which schools, which districts, what age group, and who it

is targeted too. Why is it that the same kind of details cannot be provided for this \$7 million? Mr. President, as a champion for good governance and transparency all his life, I would like to direct to the Senator for Government Business, is this not a departure from what he has been promoting all his life?

Now the Belize Infrastructure Limited, Mr. President, is well-staffed and well equipped, and, in fact, for those who don't know, the office of the Belize Infrastructure Limited has just moved from an office here in Belmopan to an office in Belize City, and that office is on the sixth floor of the Matalon Building. Yes, Mr. President, the owners of that building are the same persons who won the contract to build the \$35 million or \$32 million contract of the City Center. Now I don't know what is going on there, but it doesn't look good. It looks bad. Mr. President, what the Government has created at the BIL office is what I call a super architect or maybe in German it might be an uber-architect. This person is now a sports guru. She doesn't need to listen to the sport experts or the end users. All of a sudden now this person, you know, she knows everything, but we know that nobody knows everything, Mr. President. You can just ask the people of San Ignacio about the Falcon Field. So, please, Mr. President, please tell those people from BIL that we need the detailed breakdown of how this money was spent. Which projects are included in this \$7 million? Who are the contractors? If you want us to assess if we are getting value for money and we don't know how it is spent, that is impossible. So, Mr. President, to ask for this supplementary without those requisite details is unacceptable. Thank you.

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, I have just a brief reply. Normally the Sessional Paper, which is handed out as a Schedule to the Bill, is always prepared in standard form, the same way the annual budget is prepared, which is the standard form. In terms of the contracts, the Contractor General, of course, approves those, and that piece of information is available. I hear this cry, but I am wondering what is it that it is requested in terms of your \$7 million. I have said it already. It is the ongoing construction of the Civic Center. It is the San Ignacio and the Dangriga stadiums, contracts which are clearly available from the Contractor General and other areas. I move that the question be put.

MR. PRESIDENT: Honourable Members, the question is that the Bill for an Act to appropriate further sums of money for the use of the Public Service of Belize for the financial year ending on the thirty-first day of March, two thousand and seventeen, 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. Moneylenders (Amendment) Bill, 2016.

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 Moneylenders Act, Chapter 260 of the Substantive Laws of Belize, Revised Edition 2011; to make provision for enhanced supervisory powers, for greater transparency in relation to an applicant for a moneylenders license and ensuring that persons connected with moneylending business are fit and proper; and to provide for matters connected therewith or incidental thereto.

SENATOR A. SALAZAR: I'd like to make a few comments in relation to the Bill. I would always defer to my colleague here in matters of banking, but I do have a little bit of experience in banking. I think this is a law that is necessary. It has been necessary for a while. I think it is aimed at a certain sector of society that would normally have a problem accessing the banking sector. It is aimed at small financing, and I think for a long time in Belize people accessing this sector have really been taken advantage of high fees and no control over the sector. I know for a fact that some moneylending organizations would kidnap your bank debit card, take it to the bank after every end of the month and take out the amount that is due to them. So you would have somebody who goes in with a hundred debit cards. I know that these things happen. There really has been no oversight in relation to this sector, and so I feel that this is necessary. This is a good law. It will help hardworking, blue colored Belizeans, and it will add oversight to the moneylending industry.

When we say money lending, it is not just moneylenders we are talking about, but we are also looking at pawnshops who in my experience have been operating in, and I don't want to pick on anybody, but my experience is that there has been a high-handed approach to some of these moneylenders and pawnshops. So, as you can see, there is a dire need in Belize for this type of financing because pawnshops keep popping up. We've seen a lot of them over the last five years. So they are addressing a need within society. The time has come for us to be able to regulate them.

Just as a matter of summary, it adds oversight over the industry. It provides for licensing and supervision of moneylenders and pawnshops. It imposes rigid AML and safety requirements. So as we know, that sector would be prone to weaknesses if we didn't include anti-money laundering measures in legislation. It also stiffens the penalties for violations of the Act. It also provides compliance and inspection. The key is that it empowers the Central Bank then which is the regulatory organization for institutions like the banks. It empowers the Central Bank to carry out compliance and inspection measures on moneylenders, and it also allows them to carry out enforcement action. The Central Bank is now going to be the Registrar. It is going to have oversight over moneylenders and pawnshops. So, in summary, I feel that it is, as I said, necessary, and it is timely. Thank you.

SENATOR R. LIN: Mr. President, thank you. With respect to the Moneylenders (Amendment) Bill, 2016, I kindly ask for your indulgence for me to refer to my notes. Really we see no reason why we ought not to support this Bill. We believe that it strengthens the principal Moneylenders Act and provides additional safeguards and oversight to an area of deep concern, especially with regards the fight against money laundering and the financing of terrorism.

We have been through a financial storm in the shape of the loss of correspondent bank relationships. Our Prime Minister at some point in the past aptly referred to this storm as an existential threat, and I think it could not have been more aptly described. We were simply not prepared for that storm although the signs of its blowing could have been seen from afar. Today we are still wiggling from that impact, and we are still trying to recover the financial currents and channels to facilitate trade and remittances. We have had some success, but it has come at a premium. Transaction costs/financial remittances now are most costly and the reputation of some of the firms have been tarnished. The CBR storm, the correspondent bank relationship storm, came in part because our legislative framework and that of other countries too delayed in the implementation of AML Recommendations made by the Financial Action Task

Force as far back as 1990. The late enactment of the legislative framework was not the only issue, so was the weak implementation and the weak enforcement. We live in a small subsection of the global village. Technology has facilitated the integration of markets and economies at an unprecedented scale. The global financial system, is one huge integrated system and it is under threat by such activities as AML and financing terrorism.

In as much as this amendment strengthens the fight against corruption and against money laundering, it is worthy of support. We must, however, be mindful of some of the challenges that it may present. But I do believe that the benefit of this amendment Bill far surpasses the small issues we may have in relation to some of its provisions. One such provision is in respect to the Registrar who is given such a wide latitude in coming up with a criteria in relation to the reputation of a person seeking license. We believe that it is important for licenses and the criteria to grant a license are not to be based on objective criteria, things that can be predicted and not simply left to the subjective judgment of the Registrar. Thanks, Mr. President.

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

MR. PRESIDENT: Honourable Members, the question is that the Bill for an Act to amend the Moneylenders Act, Chapter 260 of the Substantive Laws of Belize, Revised Edition 2011; to make provision for enhanced supervisory powers, for greater transparency in relation to an applicant for a moneylenders license and ensuring that persons connected with moneylending business are fit and proper; 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. National Payment System Bill, 2016.

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 provide for the establishment of a National Payment System and for its regulation and oversight; and to provide for matters connected therewith or incidental thereto.

SENATOR S. DUNCAN: Thank you, Mr. President. I have just a few comments on this Bill, as I rise to support it. I think this is a Bill that is very much timely and very needed within the society as we see the increase in terms of financial transactions and the types of financial transactions within our country. It is very important that the payment system is safeguarded and it is secured. Clearly you want to be able to have the public being confident that the transactions are secured. This Bill provides greater oversight to the Central Bank in a very structured and responsible way, and I think it is actually a good Bill that requires full support. The talk of the payment system has been around for some time, and I must applaud the Central Bank for taking this initiative and for making sure that there is something tangible to show for it rather than just the talk that we have been doing for some time.

There are three basic components to the payment system. There is, in fact, the aspect that I think most Belizeans will feel and see as we go about our daily business, that aspect dealing with the automated clearing house, the small valued items. There are the large valued items that need to be cleared, and there is the central securities depository. Now, because of the various components, it is important that someone, and in this case the Central Bank, looks after it all to make sure that we pull it together and to make sure that it functions properly. We are at this moment, Mr. President, going through, and it has started to work. There are clearly some teething problems, but it is very evident to those of us within the practition and within the sector to recognize that it is certainly a benefit and it is certainly going to add and enhance the landscape. So this is something we certainly want to see move forward.

There are two sets of institutions that will automatically be part of this Bill, and, under clause 11 of the Bill, it talks about the banks and the credit unions. The banks shall be a direct participant to this transaction, so that, in fact, the transactions, as we know them today, ought to become seamless as we iron out the kinks and the teething problems because the institutions will continue to do what they are doing today. I am aware that there were some challenges as it relates to the acceptance of cheques within the system, and I just want to take the opportunity to say that, in fact, all banks are accepting cheques. There was talk of maybe some cheques not going through and that type of thing, but all banks are required to continue to accept cheques. The Central Bank is not, through this Bill, trying to outlaw the use of cheques, and I just wanted to make that clear for the public.

There is a second module dealing with the exchange of cheques that was not launched at the same time as the rest of the system because the Central Bank quite rightly felt that the impact could have been probably too great, and we wanted to make sure that the system works first. That part is coming either in January or February, and that is going to complete the system to make sure that it goes through smoothly. But, by all accounts, we within the sector already recognize that it is, indeed, going to enhance what is happening, and we are hoping that it lives up to what it is intended to do, to promote stability, safety, efficiency and competitiveness within the National Payment System of Belize. So I certainly support this Bill, Mr. President. Thank you.

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

MR. PRESIDENT: Honourable Members, the question is that the Bill for an Act to provide for the establishment of a National Payment System and for its regulation and oversight; 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. Domestic Banks and Financial Institutions (Amendment) Bill, 2016.

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 Domestic Banks and Financial Institutions Act, No. 11 of 2012; to extend the role of the Domestic Banks and Financial Institutions Appeal Board; 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 Domestic Banks and Financial Institutions Act, No. 11 of 2012; to extend the role of the Domestic Banks and Financial Institutions Appeal Board; 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. Electronic Transactions (Amendment) Bill, 2016.

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 Electronic Transactions Act, Chapter 229:03 of the Substantive Laws of Belize, Revised Edition 2011; to extend the application of the Act to certain negotiable instruments; 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 Electronic Transactions Act, Chapter 229:03 of the Substantive Laws of Belize, Revised Edition 2011; to extend the application of the Act to certain negotiable instruments; 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. Food and Drugs (Amendment) Bill, 2016.

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 Food and Drugs Act, Chapter 291 of the Substantive Laws of Belize, Revised Edition 2011, to make provision empowering the making of regulations to empower the establishment of a drug registry as well as generally to give effect to the provisions of the Act, to make further provisions regarding the labeling of food or drug products, 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 Food and Drugs Act, Chapter 291 of the Substantive Laws of Belize, Revised Edition 2011, to make provision empowering the making of regulations to empower the establishment of a drug registry as well as generally to

give effect to the provisions of the Act, to make further provisions regarding the labeling of food or drug products, 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. Belmopan City Council (Amendment) Bill, 2016.

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 Belmopan City Council Act, Chapter 86 of the Substantive Laws of Belize, Revised Edition 2011 to provide for the use of management and repayment of monies raised by the Belmopan City Council from an issue of bonds; for the related establishment of a Belmopan City Infrastructure Fund and a Belmopan City Municipal Sinking Fund; and to provide for matters connected therewith and incidental thereto.

MR. PRESIDENT: Honourable Members, the question is that the Bill for an Act to amend the Belmopan City Council Act, Chapter 86 of the Substantive Laws of Belize, Revised Edition 2011 to provide for the use of management and repayment of monies raised by the Belmopan City Council from an issue of bonds; for the related establishment of a Belmopan City Infrastructure Fund and a Belmopan City Municipal Sinking Fund; and to provide for matters connected therewith and 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. Treasury Bills (Amendment) (No.3) Bill, 2016.

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 Treasury Bills Act, Chapter 83 of the Laws of Belize, Revised Edition 2011, to raise the limit of principal sums represented by Treasury Bills and Treasury Notes outstanding at any one time; and to provide for matters connected therewith or incidental thereto.

SENATOR R. LIN: Mr. President, thank you. With respect to the Treasury Bills Amendment (No.3) Bill, 2016, I just want to get some clarification at this point. This is labeled (Amendment No.3), suggesting that the previous one is (Amendment No.2). I made some research on the (Amendment No. 2), and I think the words being replaced with this amendment are not consistent. So I just wanted to get clarification as to whether this is really (Amendment No.3) or (Amendment No. 4).

At any rate, the fact is that this amendment is really increasing the

capacity of government to increase its local borrowing to \$1.4 billion. That means that we have been increasing our local borrowing in the course of this year, and this level of borrowing allowance is really unprecedented in our country. I believe that we must have a limit to borrowing. Private and sovereign borrowings must be capped beyond which red flags must be raised. I think borrowing in the private sector is not achieved simply by the stroke of a pen, but rather it is achieved after careful, candid and meticulous review of the borrower's repayment capacity. There are key financial ratios that guide a banker as he or she reviews and evaluates a customer's financing requirements. So both borrower and lender have a financial and social responsibility to be honest with each other. This Bill really opens the opportunity for a level of borrowing that, in my view, places us in a dangerous path. In fact, we have worked ourselves into some very financial difficulties, Mr. President. The IMF Article for Consultation makes a very, I would say, grim summary of the situation we are in as a country. It makes reference to the multiple challenges that this country is faced with. GDP growth has slowed down versus 2015. In fact, we expect to see this year a contraction in the economy by 1.5%.

The other challenge that the IMF makes reference to is the weak fiscal position that we have because we have been pushing the public debt higher and higher, and that public debt takes the shape of both foreign borrowing and local borrowing. The banking system is also in a weak position although it is recovering from having passed through the correspondent bank relationship situation. However, we are in a position that is at risk in allowing ourselves to go deeper into debt. The IMF Report makes a recommendation, and the recommendation is that we should arrest the debt path that we are engaged in. It is that we need to bring our expenses down rather than to be borrowing and borrowing more to cover expenses that may not be necessary for the efficient running of government.

Mr. President, we believe that borrowing and spending must be capped immediately. We cannot support local borrowing in the sense that it exposes the country and for that matter even the viability of the private sector to access those funds that government's local borrowing is going to access. The other point in relation to local borrowing and the release of that money into the local economy is that our trade balance is already negative and our exports have reduced significantly in relation to prior years. The exchange rate that we have in respect to the US dollar, and there is more pressure on that exchange rate as we release local currency into the market, that then chases imports which then puts a pressure on the exchange rate. So this Bill, without any sort of limit, just allows the borrowing of more and more money. I think it is one that we do not really support, and we think it raises some red flags in relation to the real situation that this country is financially. So we cannot support this Bill. Thank you.

SENATOR V. WOODS: Again, it is a money Bill, and we've been reminded time and time again that we really can't stop money Bills. But, like my colleague, Senator Lin, I cannot support this level of unprecedented spending by a government that has clearly been reckless in its fiscal discipline. And, as a Member of this Honourable Chamber, appreciating and recognizing what the people of Belize have been feeling for some time with the cost of living going up, one can't really just sit here and have this \$1.4 billion capacity for government to borrow, to just be ignored and just be approved by "the ayes have it" without saying something.

It speaks quite frankly, Mr. President, of the debt in sustainability that we find ourselves in as a small country. Some months ago, when those of us on this side of the House were suggesting that we are either in a recession or headed

towards a recession, we were told that we were so wrong about it, but thankfully the Prime Minister of Belize validated what we said in his remarks at last year's Independence Speech that he gave.

It is hard to comprehend what 2017 will look like even after the restructuring of the bond, whenever that mess is cleared up. And let me be clear before anyone on the other side jumps up and say that it is this side that created that mess because we always go through this political football on who did the bigger mess. But it is a mess, and it has been worsen and proven as such under this government, and it is going to get a lot worse every time we agree to pay liabilities for things that are not worth it such as the BTL and that we are paying in US dollars. So we are in for a rough ride in 2017.

I recognize, Mr. President, that the Bill cannot be stopped and will not be stopped, but it should give us all a moment to pause. We are approaching the end of a calendar year. It should be a happy month. Even the government has had to cut down significantly on its Christmas cheer, and several things have had to be scaled down, and more too more than likely in 2017.

The IMF Report, while the government has not agreed nor has indicated that it would take on its recommendation of IMF measures, the fact is the content of the report is valid. This country is in an extremely weak fiscal position, and for us to just have these types of Bills passed by without even commenting and accepting that reality, not that we are on the other side of the world, we are on this world, and it is a real one, and this country is in significant debt. As Senators, and I believe the other Senators on this side of the House will join me, we urge the government, moving forward, to start to exercise some strict fiscal discipline and stop the reckless spending. Thank you.

SENATOR REV. A. ROCKE: Mr. President, in our deliberations as well, we felt that the monies proposed to be borrowed or to be used for the coming year does seem a little exorbitant, but we understand that the government must do what it has to do. However, we do offer caution in our borrowing and in our spending, knowing that our society is in a serious situation when it comes to what we owe internationally and certainly as it applies to our foreign exchange. And so the church offers it caution to the government and say that we are not in any position to stop you from doing what you are doing, but we beg prudence and good management.

SENATOR E. SMITH: Thank you, Mr. President. I will not take much time to repeat what some of my colleagues have already said. When they were speaking, I was checking to see what they said that I have here, and so I don't need to say anymore. But I just need to reiterate the point that we need to seriously limit ourselves. We realize that there is a big burden, a heavy burden already on our people, and I don't think that we want to make that burden any heavier. I don't need to comment on the IMF Report, as my colleague from the other side already did that. But I want to somehow echo the words that our Prime Minister had said some time ago, and he made an earnest plea to his Cabinet Members when he said, "For God's sake, stop it!" And, as a Christian, I know that I should not be using the name in vain, but I would like to echo those same words, and I want to say that for God's sake let us stop borrowing, no fun intended, Mr. President. Thank you.

SENATOR DR. C. BARNETT: Mr. President, I rise to make a couple of clarifications on what we are seeking to do here. This Bill effectively reduces the ceiling on the Treasury Bills by \$250 million, and then it increases the ceiling on Treasury Notes by \$500 million. So that the net increase that we are talking about

in the capacity to borrow, not the actual borrowing, it is the capacity to borrow, the net increase is \$250 million. The intention is to create the headroom that will be necessary to pay the second installment of the Dunkeld/BTL Employees Trust Arbitration Award which is expected to be somewhere around \$180 million. As I said, this is not borrowing that is being approved today. It is the raising of the ceiling so that when government needs to it can in the future. So that is the way the Treasury Bill and the Treasury Note process works.

Some of our colleagues have talked about the need to streamline, the need to correct our expenditures, the need to essentially implement a fiscal consolidation program. And I want to say for the record that, in fact, we are in the process of developing and implementing that self-same fiscal consolidation process. It is clear that the government is in a position where it needs to bring the deficit down. Borrowing happens when governments spend more than they take in as revenue. That is essentially what happens.

In the preparation of the upcoming budget, we are looking to effectively reduce the outlay, meaning what we plan to spend. So, in the budget call that has gone out, we have asked Ministries to reduce their expenditure plans for next year, and the reason why we are attacking the expenditures first is because it is always tempting to make the revenue changes because you know you come into the National Assembly, and you increase a tax here and there, and you get the revenue to meet the expenditure. But it is clear that we are at a stage in our fiscal policy where we need to bring expenditures down, and that is generally agreed. Nobody is countering that. So we will see in the upcoming budget a moderate reduction in our expenditure outlays. And I am saying it is moderate. I am not putting a number to it because even as we do that we are in a process of consultations internally in government. We've also committed to consultations with the social partners, the unions and the Chamber of Commerce in which we will discuss not only the expenditure reductions that are necessary but also any revenue options that may be necessary once we determine what the fiscal gap is after we've streamlined our expenditure. So it is a process.

I keep reminding people that this is something that our governments have had to do roughly every ten years. That seems to be the cycle for fiscal consolidation in Belize, beginning in 1983/1984. It just seems to be a ten year cycle in which we have to sit back and consolidate where we are in the fiscal affairs of our country. And so I am putting my support behind this Bill. As I said, it is not approving borrowing. It is enhancing the scope for government to borrow when it needs to make these specific payments. And I am signaling at the same time that we are in a process of reviewing, revising, and consolidating our fiscal affairs led by the Ministry of Finance but also including all of the other Ministries. Thank you very much, Mr. President.

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

MR. PRESIDENT: Honourable Members, the question is that the Bill for an Act to further amend the Treasury Bills Act, Chapter 83 of the Laws of Belize, Revised Edition 2011, to raise the limit of principal sums represented by Treasury Bills and Treasury Notes outstanding at any one time; 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.

9. Income and Business Tax (Amendment) Bill, 2016.

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 Income and Business Tax Act, Chapter 55 of the Laws of Belize, Revised Edition 2011, to include Excise Duty on fuel products as a receipt for Business Tax purposes; and to provide for matters connected therewith or incidental thereto.

SENATOR R. LIN: Thank you, Mr. President, I also ask your leave for me to refer to my notes.

MR. PRESIDENT: Please go ahead, Senator.

SENATOR R. LIN: Mr. President, I am not sure if this is destiny or shared luck of the draw for me to be present here in lieu of Senator Markhelm Lizarraga because this Bill in particular really is one that is of extreme importance to the industry that I am involved in. I've been involved in the fuel industry since 1989, when I joined Esso Standard Oil Limited and worked there for 21 years until it transitioned into Puma Energy Bahamas Limited in 2012. I am very much aware of the challenges the fuel industry faces today, and this amendment, in my view, is one that is onerous and burdensome on the fuel industry. I am tempted to say that the amendment, as it stands, is unfair, is unjust and insensitive, but I will not say that. I am tempted to say that the amendment, as it stands, is short sighted, one sided and bias, but also I will not say that. I would rather say for the record that this amendment is lacking an important component, and that component is one that will make it balance, fair, equitable, just and, in fact, sustainable. What is missing from this amendment is an accompanying S.I. or policy statement, providing and granting the fuel industry, that is affected by this tax, a margin relief.

The fuel industry is one that is regulated by government. Our margins were set and established in 1998, coincidentally when the Income and Business Tax Act was introduced. At the time that the Income and Business Tax Act was implemented, we made representations to the appropriate Committees to make them aware of how the fuel industry works and to ensure that we are not taxed on taxes. As a result of that representation, there were some allowances provided. Revenue Replacement Duty (RRD) that was the biggest portion of the tax on fuel was in that Schedule that listed those items to be excluded from the revenue base. Along with revenue replacement duty was excise duties. Now at that time the revenue replacement duty was the only tax applicable to fuel. So RRD was about close to 40% or 45% of the pump price at the time, and it was excluded from the revenue base on which we calculate the business tax.

We moved on to 2008. When we reached 2008, we have added into the taxation Schedule's environmental tax which is 17 cents per gallon, and we've added well, the transitioned taxation VAT to GST. But what happened in 2008, is that to comply with CARICOM rules or treaties we had to eliminate RRD, and RRD on fuel was effectively eliminated in name because the value of the RRD was incorporated into import duty. Now import duty, at the time of 1998, for

gasoline was 44 cents, and in the case of diesel it was about 26 cents. That value is not as onerous in terms of taxation. We were forced to pay taxes on those duties, regardless the fact that we cannot generate any further profit or revenue earnings from those taxes. Now in 2008, when RRD is incorporated into import duty, automatically we are forced to pay additional taxes, mind you the fixed margin was not adjusted upwards. So in effect we ended up paying an effective tax rate close to 50%. Now the corporate tax rate is about 25%. So in effect we, the fuel industry, have been taxed close to 50% or thereabouts since 2008. We have tried to get margin relief with no success.

Now, April 2016, again, to comply with CARICOM rules in taxation, we changed the name of the tax from import duty to excise duty. We were happy because in the list of exemptions there is RRD and there is excise duty. But our joy was short lived because now what this Bill is saying, “You know what? We cannot exclude excise duty. We need to bring it back in as your revenue base to pay taxes on.” That is why I say that, while we cannot stop this, but I would expect that consideration be given to the margin relief because we have additional taxes being put into the tax base, and our margin since 1998 has been affected by this additional taxation and, also, has been affected by the cumulative inflation of 18 years which is close to 30%. So in real terms our 1998 margins are 30% less valuable, and we have had to pay now about two or three times the tax we used to pay in 1998. So for that reason I believe that this Bill is incomplete. I think it should come also with an allowance for additional margins for the fuel industry. Thank you.

SENATOR A. SALAZAR: Madam President, thank you. I rise to address this Bill and some of the issues raised by Senator Lin. I think that what he is talking about is more of seeking a comprehensive approach or look at the entire issue of taxation in relation to fuels. But this Bill does not seek to do that. My understanding is that it is only a simple exercise to meet the requirements of CARICOM and the CT whereby certain changes were made, whereby the import duty was removed and an excise tax was imposed. But there was an unintended consequence of this whereby they placed the receipts of all excise duty outside of that tax system. So that what this is seeking to do is simply to correct the situation because the revenue replacement duty was already there on fuel. So there was an unintended consequence by shifting to an excise duty. And my understanding is that what this Bill is proposing to do is simply to correct that situation, and in order to do so we need to amend this section so as to say, “Excise duty except when applied to fuel.”

So it means, therefore, that it is not that the government is seeking to impose additional taxation, but it is seeking to put back the position as it then was because what had arisen was an unintended consequence of having to meet the requirements imposed by CARICOM. So I don't think that there is any aim to increase what had already existed, but it is seeking to put back that which was the status quo previous to the modifications required by CARICOM.

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

MADAM PRESIDENT: Honourable Members, the question is that the Bill for an Act to amend the Income and Business Tax Act, Chapter 55 of the Laws of Belize, Revised Edition 2011, to include Excise Duty on fuel products as a receipt for Business Tax purposes; 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.

(In the Constitution and Foreign Affairs Committee)

MR. PRESIDENT in the Chair.

1. **Resolution Authorizing the Accession by Belize to the Co-Operation Agreement for the Promotion of Nuclear Science and Technology in Latin America and the Caribbean (ARCAL) Motion, 2016.**

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 the French Republic and the Government of Belize on the Mutual Exemption of Diplomatic Passport Holders from Short-Stay Visa Requirements Motion, 2016.**

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. **General Revenue Supplementary Appropriation (2016/2017) (No.2) Bill, 2016.**

Clauses 1 and 2 agreed to.

Schedule agreed to.

Bill to be reported back to the Senate without amendment.

2. Moneylenders (Amendment) Bill, 2016.

Clauses 1 to 22 agreed to.

Schedule agreed to.

Bill to be reported back to the Senate without amendment.

3. National Payment System Bill, 2016.

Clauses 1 to 54 agreed to.

Bill to be reported back to the Senate without amendment.

4. Domestic Banks and Financial Institutions (Amendment) Bill, 2016.

Clauses 1 to 3 agreed to.

Bill to be reported back to the Senate without amendment.

5. Electronic Transactions (Amendment) Bill, 2016.

Clauses 1 and 2 agreed to.

Bill to be reported back to the Senate without amendment.

6. Food and Drugs (Amendment) Bill, 2016.

Clauses 1 to 3 agreed to.

Bill to be reported back to the Senate without amendment..

7. Belmopan City Council (Amendment) Bill, 2016.

Clauses 1 to 4 agreed to.

Bill to be reported back to the Senate without amendment.

8. Treasury Bills (Amendment) (No.3) Bill, 2016.

Clauses 1 and 2 agreed to.

Bill to be reported back to the Senate without amendment.

9. Income and Business Tax (Amendment) Bill, 2016.

Clauses 1 to 3 agreed to.

Bill to be reported back to the Senate without amendment.

PUBLIC BUSINESS

A. GOVERNMENT BUSINESS

I MOTIONS

(Adoption of Motions)

1. Resolution Authorizing the Accession by Belize to the Co-Operation Agreement for the Promotion of Nuclear Science and Technology in Latin America and the Caribbean (ARCAL) Motion, 2016.

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 Accession by Belize to the Co-Operation Agreement for the Promotion of Nuclear Science and Technology in Latin America and the Caribbean (ARCAL) Motion, 2016, 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 accede the Agreement.

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 the French Republic and the Government of Belize on the Mutual Exemption of Diplomatic Passport Holders from Short-Stay Visa Requirements Motion, 2016.

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 Agreement Between the Government of the French Republic and the Government of Belize on the Mutual Exemption of Diplomatic Passport Holders from Short-Stay Visa Requirements Motion, 2016, 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 Agreement.

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

the ayes have it.

3. **Resolution Authorizing Ratification by Belize to the Special Agreement between Belize and Guatemala to Submit Guatemala's Territorial, Insular and Maritime Claim to the International Court of Justice Motion, 2016.**

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 Ratification by Belize to the Special Agreement between Belize and Guatemala to Submit Guatemala's Territorial, Insular and Maritime Claim to the International Court of Justice Motion, 2016, 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 Agreement.

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

4. **Resolution Authorizing Ratification by Belize to the Protocol to the Special Agreement between Belize and Guatemala to Submit Guatemala's Territorial, Insular and Maritime Claim to the International Court of Justice Motion, 2016.**

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 Ratification by Belize to the Protocol to the Special Agreement between Belize and Guatemala to Submit Guatemala's Territorial, Insular and Maritime Claim to the International Court of Justice Motion, 2016, 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.

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

SENATOR V. WOODS: Mr. President, I call for a division of votes.

MR. PRESIDENT: Excuse me?

SENATOR V. WOODS: I call for a division of votes.

MR. PRESIDENT: We've already done it. You should have said it earlier. Then we could have done it.

SENATOR V. WOODS: On that one?

MR. PRESIDENT: Excuse me?

SENATOR V. WOODS: We've just had a vote.

MR. PRESIDENT: Yes, we've just had a vote

SENATOR V. WOODS: It is clear in Standing Order 46(2), "The result shall be declared by the President or Chairman stating, "I think the Ayes have it" or "I think the Noes have it" as the case may be, but any Senator may challenge the opinion of the Chair by claiming a division." I so claim.

MR. PRESIDENT: Very well! Clerk, can you please take a division? For future reference, Senator, just let us know in advance so we could get it done. Having a division is not a problem.

CLERK: Motion No. 4, Resolution Authorizing Ratification by Belize to the Protocol to the Special Agreement between Belize and Guatemala to Submit Guatemala's Territorial, Insular and Maritime Claim to the International Court of Justice Motion, 2016, there is a division called for that Motion.

The Senators voted as follows:

Senator Godwin Hulse	-	Aye	Senator Dr. Carla
Barnett	-	Aye	
Senator Vanessa Retreage	-	Aye	
Senator Macario Coy Sr.	-	Yes	Senator
Stephen Duncan	-	Yes	Senator Aldo Salazar
	-	Yes	Senator Eamon Courtenay
	-	No	
Senator Valerie Woods	-	No	
Senator Paul Thompson	-	No	
Senator Rufino Lin	-	Aye	
Senator Rev. Ashley Rocke	-	Aye	
Senator Elena Smith	-	No	

MR. PRESIDENT: Based on the division, eight (8) yes, and four (4) noes. The ayes have it.

V REPORTING AND THIRD READING OF BILLS

1. **General Revenue Supplementary Appropriation (2016/2017) (No.2) Bill, 2016.**

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 Revenue Supplementary Appropriation (2016/2017) (No.2) Bill, 2016 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 appropriate further sums of money for the use of the Public Service of Belize for the financial year ending on the thirty-first day of March, two thousand and seventeen, 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. **Moneylenders (Amendment) Bill, 2016.**

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 Moneylenders (Amendment) Bill, 2016 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 Moneylenders Act, Chapter 260 of the Substantive Laws of Belize, Revised Edition 2011; to make provision for enhanced supervisory powers, for greater transparency in relation to an applicant for a moneylenders license and ensuring that persons connected with moneylending business are fit and proper; 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. **National Payment System Bill, 2016.**

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 Payment System Bill, 2016 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 provide for the establishment of a National Payment System and for

its regulation and oversight; 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. Domestic Banks and Financial Institutions (Amendment) Bill, 2016.

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 Domestic Banks and Financial Institutions (Amendment) Bill, 2016 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 Domestic Banks and Financial Institutions Act, No. 11 of 2012; to extend the role of the Domestic Banks and Financial Institutions Appeal Board; 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. Electronic Transactions (Amendment) Bill, 2016.

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 Electronic Transactions (Amendment) Bill, 2016 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 Electronic Transactions Act, Chapter 229:03 of the Substantive Laws of Belize, Revised Edition 2011; to extend the application of the Act to certain negotiable instruments; 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. Food and Drugs (Amendment) Bill, 2016.

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 Food and Drugs (Amendment) Bill, 2016 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 Food and Drugs Act, Chapter 291 of the Substantive Laws of Belize, Revised Edition 2011, to make provision empowering the making of regulations to empower the establishment of a drug registry as well as generally to give effect to the provisions of the Act, to make further provisions regarding the labeling of food or drug products, 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. Belmopan City Council (Amendment) Bill, 2016.

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 Belmopan City Council (Amendment) Bill, 2016 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 Belmopan City Council Act, Chapter 86 of the Substantive Laws of Belize, Revised Edition 2011, to provide for the use of management and repayment of monies raised by the Belmopan City Council from an issue of bonds; for the related establishment of a Belmopan City Infrastructure Fund and a Belmopan City Municipal Sinking Fund; and to provide for matters connected therewith and 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. Treasury Bills (Amendment) (No.3) Bill, 2016.

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 Treasury Bills (Amendment) (No.3) Bill, 2016 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 Treasury Bills Act, Chapter 83 of the Laws of Belize, Revised Edition 2011, to raise the limit of principal sums represented by Treasury Bills and Treasury Notes outstanding at any one time; 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.

9. Income and Business Tax (Amendment) Bill, 2016.

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 Income and Business Tax (Amendment) Bill, 2016 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 Income and Business Tax Act, Chapter 55 of the Laws of Belize, Revised Edition 2011, to include Excise Duty on fuel products as a receipt for Business Tax purposes; 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.

ADJOURNMENT

SENATOR G. HULSE (Leader of Government Business and Minister Agriculture, Forestry, Fisheries, the Environment, Sustainable Development and Immigration): Mr. President, before I move may I ask your permission just to wish you and all my colleagues in this Honourable Chamber, the media, and, in fact, all our beautiful Belizean brothers and sisters, a very Merry Christmas and a very Happy New Year. We are still a very beautiful country. We enjoy peace, and we enjoy a tremendous level of tranquility, and, despite our differences we may have, we come together during this season to wish each other all the best for the New Year. I now move that the Senate do now adjourn.

PRESIDENT: Thank you, Senator. Yes, Senator Courtenay, do you have something on the adjournment?

SENATOR E. COURTENAY: Yes. Thank you very much, Mr. President. First, may I associate myself with the sentiments expressed by the Leader of Government Business with respect to the Christmas season, and, on behalf of my colleagues on this side, I offer to my colleagues on the other side and members of the NGO community, the business community, the labour community and Belizeans generally, our best wishes for a very happy and safe Christmas season and a Happy New Year.

Mr. President, I wish to rise as I have given notice of a matter of public importance, which is the question to the accession by Belize to the United Nations Convention against Corruption which was acceded to by Belize on the 9th of December 2016. It was a very important step, Mr. President. It was a very bold step by the government, a step that was long overdue. We on this side had supported the move, and I believe that the Belize National Teachers Union should be credited with pushing as hard as they did to have the United Nations Convention signed by a time certain as well as the Belize Chamber of Commerce and Industry in their efforts in that regard.

We debated it at length on the last occasion, and Senator Barnett gave us her perspective on how she saw the process going forward and which, I think, was very enlightening, and we thank the Senator for that. One of the things, Mr. President, that is important, and I heard a radio show in which Senator Barnett and Senator Lin were on, on Krem Radio. And one of the points that we try to emphasize is that not only will the Convention not be a panacea but more importantly it is a tool that is to add on to existing institutions and existing laws, and there is going to be a need for new things to be done. But the important point is that we do not have to wait until the end of this very long process before we tackle issues of corruption in our country.

Mr. President, it is important to put a context, and the Convention in its Foreword says, a Foreword written by the former Secretary General, Dr. Kofi Annan, and he says, "The Convention introduces a comprehensive set of standards, measures and rules that all countries can apply in order to strengthen their legal and regulatory regimes to fight corruption. It calls for preventive measures and the criminalization of the most prevalent forms of corruption in both public and private sectors. And it makes a major breakthrough by requiring Member States to return assets obtained through corruption to the country from which they were stolen.

These provisions, the first of their kind, introduce a new fundamental principle as well as a framework for stronger cooperation between States to prevent and detect corruption and to return the proceeds. Corrupt officials will in the future find fewer ways to hide their illicit gains. This is a particularly important issue for many developing countries where corrupt high officials have plundered the national wealth and where new Governments badly need resources to reconstruct and rehabilitate their societies".

I had telegraphed, Mr. President, our concerns on this side with respect to the Integrity Commission and the composition of the Integrity Commission and in particular the appointment of Mr. Nestor Vasquez. I introduced a Motion seeking to correct the situation, and the President has ruled that the Motion will not be entertained, and we accept that.

MR. PRESIDENT: And the reason being, Senator, Standing Order 36(3), the six-month period. Point taken right, but that's why it says here in the Standing Orders that it cannot be brought back or discussed. Thank you, Sir.

SENATOR E. COURTENAY: I understand, and I was about to elaborate that the reason for the refusal was that the topic cannot be brought back unless the passage of six months. The point I make, Mr. President, at this stage is that the Government is proceeding with the appointment of Mr. Nestor Vasquez, notwithstanding the issue that has been raised, and that is the Government's right. All I am saying is this. It calls into question the composition of a very important mechanism that we will all use in the fight against corruption. Senator Rock in

private discussions, has indicated to us the concern of the church, of the commission, and I won't go into that. That's a matter for the church.

The point I wish to make is this, Mr. President and Members. There is an urgent need for us, as a country, to tackle this issue of corruption, and the United Nations Convention against Corruption is very clear in what it expects us to do. At the last sitting of the House of Representatives, the Honourable Member for the Lake Independence Division, Honourable Cordel Hyde, revealed to the Honourable House of Representatives what I would call "the Vega two-step". He revealed the sordid, scandalous land transactions done whilst the previous Minister of Natural Resources was the Minister of Natural Resources with specific responsibility for Lands. And I have here, Mr. President and colleagues, the titles, 50 titles issued and flipped, 1,600 acres in the village of Carmelita. Fifty titles were issued and flipped. It begs the question, Mr. President and Members, what, if anything, we, as a country, are going to do about this? What, if anything? We signed a Convention that commits us to fighting corruption. We have institutions that are available to fight corruption, and here is something that requires attention.

It is interesting, Mr. President and Members of the Senate, that two days ago, I believe it was or a day ago, the Prime Minister was asked about this, and he was very clear, and I want to quote him. He said, "There is no need for an investigation if the facts are as you say. We are prepared to accept what is wrong, and we are prepared to ensure that consequences attach to the wrongdoer." History, Mr. President and Members of the Senate, has a way of teaching us and perhaps repeating itself.

I want to remind this Honourable Senate that five years ago the Caribbean Court of Justice handed down a decision in the case of Florencio Marin and Joe Coye. That was a case in which the Attorney General of Belize brought a claim for misfeasance in public office, where the Attorney General alleged that, whilst they were Ministers, Mr. Coye and Mr. Marin had sold land at an undervalue of just under a million dollars, nine hundred and odd thousand dollars, to the detriment of the interest of the Government and people of Belize. And the question that arose, Mr. President, was whether or not the Attorney General could maintain that claim. The Caribbean Court of Justice said that, yes, the Attorney General can maintain that claim, and the claim continued, and both gentlemen were vindicated by the Supreme Court of Belize, the Chief Justice Kenneth Benjamin.

So what do we do today? With your permission, Mr. President, I want to read just two brief paragraphs from that decision. The first is paragraph 44 because it is instructive. It says, "Public wrongs should normally attract public sanctions. Corrupt acts ought to be dealt with by punishing the perpetrator. When allegations are made that a Minister has misbehaved in office and the misbehavior occasions significant and foreseen economic loss to the State and corresponding personal gain to the Minister and/or his company, it is in the public interest that criminal proceedings be instituted. The failure to detect, investigate, prosecute and punish corruption has a corrosive impact on democracy and the rule of law. We underestimate at our peril the degree to which such failure affords encouragement to the criminal element in society and contributes to the burgeoning crime rates." That is from paragraph 44 of the CCJ decision.

And finally paragraph 107, this paragraph, Mr. President and colleagues, was addressing the role of the Honourable Attorney General in bringing such a claim. "I do not think that there is anything improper in entrusting to the Attorney General with seeking compensation for damages caused by allegedly corrupt or

abusive public officers, current or former. The alternative would be to do nothing. In my view, that is not an alternative at all. What the ruling in fact “offers”, if one wants to use that word, is an extra tool for the State to fight corruption, to be used not instead of but in addition to other available tools. That that “will serve to erode rather than promote integrity in public life” is to me, I modestly confess, a rather perplexing conclusion.” The point is this, Mr. President. This Government has set a precedent in the Caribbean Court of Justice that in circumstances where there is a loss to the government from potentially, allegedly misbehavior, misfeasance by Ministers, current or past, there is an obligation on the government to do something about it.

I have done a little bit of consultation, and I am told that the estimate of an acre of land in the Carmelita Village is roughly, someone said \$800 an acre, and someone said \$1,000 an acre. Suffice it to say, Mr. President and Members of the Senate, that there is a question here. These 1,600 acres were sold at a pittance and flipped to members of the Minister’s family at a loss to the Government and people of Belize. And the question I pose this afternoon, in light of what the Prime Minister has said that they are prepared to ensure that consequences attach to the wrongdoer, what is going to be done? Something needs to be done. Something needs to be done now, and, Madam Attorney General, the two weeks left on your term is sufficient time for you to do right by the Belizean people, and I encourage you and I urge you in the strongest possible terms to take the steps that are necessary. Thank you very much, Mr. President.

MR. PRESIDENT: Thank you, Senator Courtenay. One second, Senator Thompson, I am reading here, and it says that not more than one motion for the adjournment of the Senate on the Standing Orders may be allowed at any one sitting, but, please proceed. I already told you to go ahead. So continue, please.

SENATOR P. THOMPSON: Thank you, Mr. President. I rise to speak on a matter of urgent national importance. Mr. President, on December 7, 2016, the Forestry Department reported that officers found and confiscated 30,000 board feet of rosewood. Those rosewoods were not marked, and so they were deemed as illegally harvested. According to the Amandala of December 10, 2016, the value of that rosewood was somewhere between BZ\$600,000 and BZ\$840,000. Now, Mr. President, according to the Private Forests (Conservation) Act, Chapter 217, Revised Edition 2000, section 6, it says, “The Chief Forest Officer or a forest officer or a police officer who finds any tree which he reasonably suspects to have been felled without a permit, or in contravention of any condition of a permit granted under this Act, may seize such tree and it shall be forfeited to the Crown.” Section 7 says, “Any tree forfeited under this Act shall be sold or otherwise disposed of as the Minister may direct.” Now my understanding of that is that the Minister has discretionary powers.

Mr. President, almost four years ago, on January 11, 2013, \$400,000 worth of rosewood was burnt by the then Forestry Minister. She said that she was trying to send a message, and I want to quote her. She said, “What we are doing today is burning the rosewood that we confiscated on Wednesday night. My Ministry has had enough. Enough is enough. We have been battling this rosewood business for the last 9 months since I assumed office, and we have not been able to put a dent into the rosewood illegal logging, and so we want a clear message be sent to everyone who is involved in this rosewood business that their moratorium stands.” I won’t be critical of the then Minister because obviously she was overwhelmed, and, as she said, she was trying to send a message to the illegal loggers. Mr. President, three months later more confiscated rosewood was found, and I believe, because of the outcry of a large sector of the Belizean public, she sold it to rosewood exporters, and then they sold it to China. Mr. President,

according to a Channel 7 report, rosewood exports up until 2013 had amounted to an estimated \$12 million in sales as compared to \$200,000 that the government received in royalties. Now I think that that is not enough for natural resources for the people of Belize. I think the people of Belize deserve much more, Mr. President.

So allow me to say this, Mr. President, and I move to another topic. Generations of basketball players and volleyball players in this country have had their careers sidelined.

MR. PRESIDENT: Senator Thompson, let us stick to the point, man. It is the adjournment that we are dealing with, and we are dealing with rosewood and not basketball players.

SENATOR P. THOMPSON: But it is connected.

MR. PRESIDENT: It is not connected. Basketball and rosewood are two different things. The only thing that you make out of rosewood is the basketball courts.

SENATOR P. THOMPSON: If you would allow me?

MR. PRESIDENT: Please.

SENATOR P. THOMPSON: When athletes play on concrete courts for an extended period of time, they become injured and they have ankle problems, knee problems, and hip problems. And I can give you an example. There is this young man called Selwyn McDonald, better known as Macadoo. You know all through his primary school years and all through his high school years he would score 40 points, 30 points, but at age 20 he had to take a surgery on his left knee, and so his smooth style of playing basketball could not be seen on the Civic Center when the semi-pro basketball was at its peak. Now, Mr. President, it is 30 years later after Macadoo played basketball, and thousands of Belizeans and athletes everywhere, they still don't have the luxury of playing on a wooden floor. Right here in Belmopan at the University of Belize gymnasium there is a facility that would do well with a wooden floor. That facility would serve not only the 4,000 students that attend that university but the general athletes and public at large. In San Ignacio,...

MR. PRESIDENT: We get your point, Senator Thompson, that you could use the wood for the floor and everything. I know Macadoo too you know, from back in the old days. But let's stick to the rosewood issue, about the illegal part of the rosewood issue and not contemplating the other stuff. You said it is of national importance. So let's deal with the illegal rosewood.

SENATOR P. THOMPSON: Okay, well, let me brief then. We have facilities all across this country, in San Ignacio, the Sacred Heart stadium/auditorium. We have one in Orange Walk. We have in Belize City. We have the Belize Elementary auditorium. St. Catherine's Academy just built one. We have the SJC gymnasium that would do good with a wooden floor, Mr. President. So we ask, and this is what we are asking. Senator Hulse, I am sorry he is not here. He is the Senator and Minister for Forestry, and we ask that before this confiscated rosewood disappears or is stolen or some rapacious capitalist decides that they will make a killing from this rosewood, I ask him, and I am very serious about this, why can't we take this rosewood that has been confiscated and build wooden basketball floors across this country? And, if it is that this rosewood is

not adequate for a basketball court, we can exchange this rosewood and get wood that is adequate to build courts. Now, Mr. President, I will wrap up here. I believe that this idea is worth exploring, and, instead of making two or three rosewood exporters happy, how about enabling thousands of athletes fulfill their God-given potential? And I'll stop there. Thank you.

MR. PRESIDENT: Thank you, Senator Thompson. But just a note, Senator, maybe these same exporters might come and buy the rosewood and exchange it for wood and still export the rosewood. But that is not even here or there. But bring it in a motion, and we can discuss it in depth next time.

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.

The Senate adjourned at 1:50 P.M. to a date to be fixed by the President.

PRESIDENT
