

BELIZE

No.33/1/13

SENATE

Wednesday, 9th October 2019

10:00 A.M.

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ORDERS OF THE DAY

- 1. Prayers.**
- 2. Oath of Allegiance or Affirmation.**
- 3. Announcements by the President.**
- 4. Bills brought from the House of Representatives.**

1. *Contractor-General (Amendment) Bill, 2019.*
2. *Economic Substance Bill, 2019.*
3. *International Business Companies (Amendment) (No.2) Bill, 2019.*
4. *International Financial Services Commission (Amendment) (No.2) Bill, 2019.*
5. *Stamp Duties (Amendment) Bill, 2019.*

(Leader of Government Business and Minister of Agriculture, Fisheries, Forestry, the Environment, Sustainable Development and Immigration Services and Refugees)

- 6. Paper.**

65/1/13 - Social Investment Fund of Belize – Letter of Recommendations For Year Ended March 31, 2019.

(Leader of Government Business and Minister of Agriculture, Fisheries, Forestry, the Environment, Sustainable Development and Immigration Services and Refugees)

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

- 14. Public Business.**

A. GOVERNMENT BUSINESS

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

1. Write-Off (No. 1) Motion, 2019.

2. Write-Off (No. 2) Motion, 2019.
3. Write-Off (No. 3) Motion, 2019.
4. Write-Off (No. 4) Motion, 2019.
5. Write-Off (No. 5) Motion, 2019.
6. Caribbean Development Bank Seventh Power Project – Belize Electricity Limited Loan (US\$6,840,000.00) Guarantee Motion, 2019.

(Leader of Government Business and Minister of Agriculture, Fisheries, Forestry, the Environment, Sustainable Development and Immigration Services and Refugees)

BILLS FOR SECOND READING

COMMITTEE OF THE WHOLE SENATE ON BILLS

BILLS FOR THIRD READING

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NOTICES OF QUESTIONS AND MOTIONS

MOTIONS

1. Write-Off (No. 1) Motion, 2019.

WHEREAS, on August 21, 2010, Sergeant Ismael Westby was driving vehicle BMP-B0029 attached to the Ministry of Home Affairs when the vehicle was involved in a traffic accident and it was extensively damaged;

AND WHEREAS, police investigation revealed that there was insufficient evidence to prove that he was negligent and as such no criminal charges was supported;

AND WHEREAS, in any event, the statute of limitation to bring civil action has passed;

AND WHEREAS, the Financial Secretary, the Commissioner of Police and the Accounting Officer are all supportive of the \$30,000.00 write-off;

NOW, THEREFORE, BE IT RESOLVED that this Honourable House approves the write-off of \$30,000.00 as a loss to the Government of Belize.

2. Write-Off (No. 2) Motion, 2019.

WHEREAS, Mr. Joshua Perdomo was approved 27 months study leave to pursue a Master's Degree in Forensic Genetics at the University of North Texas and was bonded 3 years totalling \$39,156.48 and was also overpaid \$1,318.40 totalling \$40,474.88 owed to the Government of Belize;

AND WHEREAS, at the expiration of the study leave, Mr. Perdomo failed to resume duties, and his service was terminated on September 1, 2011;

AND WHEREAS, the Solicitor General advised that Mr. Perdomo would do monthly payments of \$1,000.00 until payment was made in full but to date no payment has been made and efforts to locate him proved futile;

NOW, THEREFORE, BE IT RESOLVED that this Honourable House approves the write-off of \$40,474.88 as a loss to the Government of Belize.

3. Write-Off (No. 3) Motion, 2019.

WHEREAS, on November 11, 1999, Government of Belize Vehicle CYC-1133 was involved in 4a traffic accident and was damaged to the tune of \$15,000.00 in total;

AND WHEREAS, the Chief Magistrate verified that both officers in the vehicle were authorized to be there and that the accident was deemed genuine;

AND WHEREAS, no charges were levied at the time;

AND WHEREAS, the Chief Magistrate, the Attorney General and the Financial Secretary are all supportive of the \$15,000.00 write-off;

NOW, THEREFORE, BE IT RESOLVED that this Honourable House approves the write-off of \$15,000.00 as a loss to the Government of Belize.

4. Write-Off (No. 4) Motion, 2019.

WHEREAS, on May 5, 2000, Government of Belize Vehicle BZB-1183 attached to the Income Tax Department was involved in a traffic accident on said date;

AND WHEREAS, the Commissioner of Income Tax reported that the vehicle suffered no major structural damage and the engine was intact, and considering the lapse of time since the accident occurred the vehicle had long since been repaired;

AND WHEREAS, the Commissioner of Income Tax and the Financial Secretary are supportive of the \$14,160.68 write-off;

NOW, THEREFORE, BE IT RESOLVED that this Honourable House approves the write-off of \$14,160.68 as a loss to the Government of Belize.

5. Write-Off (No. 5) Motion, 2019.

WHEREAS, on August 23, 1997, Belize Defence Force Truck 16 BDF 06 was involved in a traffic accident on the Northern Highway and as a result sustained damages to the tune of \$15,000.00;

AND WHEREAS, the Police investigation revealed that the civilian driver was at fault, who was a 16-year-old teenager, and who unfortunately died when he collided into the rear of the 16 BDF 06;

AND WHEREAS, the Financial Secretary, the Commissioner of Police and the Accounting Officer are all supportive of the \$15,000.00 write-off;

NOW, THEREFORE, BE IT RESOLVED that this Honourable House approves the write-off of \$15,000.00 as a loss to the Government of Belize.

6. Caribbean Development Bank Seventh Power Project – Belize Electricity Limited Loan (US\$6,840,000.00) Guarantee Motion, 2019.

WHEREAS, section 12(1) of the Loans (Caribbean Development Bank) Act, Chapter 74 of the Substantive Laws of Belize, Revised Edition 2011, provides, *inter alia*, that the Government may in such manner, and on such terms and subject to such conditions as may be agreed by it and the Caribbean Development Bank (the “Bank”), guarantee the discharge by a company of the company’s obligations under any agreement for borrowing from the Bank;

AND WHEREAS, subsection (5) of the said section 12 provides that no guarantee above the sum of BZ\$5.0 million shall be given by the Government without the approval of the National Assembly;

AND WHEREAS, section 7(6) of the Finance and Audit (Reform) Act (No. 12 of 2005) provides that before the Government offers any guarantee or some other form of security in support of any loan made directly to a private sector entity or statutory body by any

public or private bank, financial institution or capital market in or outside Belize, the Government shall seek the approval of the National Assembly;

AND WHEREAS, the Bank has offered a Loan of **US\$6,840,000.00** to Belize Electricity Limited (BEL), on the condition, among others, that the Loan shall be guaranteed by the Government of Belize;

AND WHEREAS, BEL is presently majority owned by the Government of Belize, and the main purpose of the acquisition was to provide and maintain a reliable supply of electricity to the public;

AND WHEREAS, the main purpose of the Loan is to assist BEL to reduce GHG emissions and improve reliability of the supply of electricity to Caye Caulker, with increased capability to meet projected increase in peak demand;

AND WHEREAS, the Project consists of the following components: (i) Submarine cable feasibility study; (ii) Land Acquisition for the cable landing, reclosers, distribution lines as well as temporary relocation diesel generators during construction of the sub-station; (iii) Infrastructure works including: (a) the design and build of 10.4 km of a 46 kV submarine connection to interconnect Caye Caulker to Ambergris Caye; (b) environmental rehabilitation and preparation of the proposed substation site; and (c) the decommissioning and removal of the diesel engines on Caye Caulker; (iv) Engineering and construction-related services including independent certification of works and supervision of the implementation of environmental impact mitigation and public safety measures and a Climate Risk Vulnerability Assessment (CRVA) to identify and evaluate the potential effects of climate change on the project area; and (v) Project Management;

AND WHEREAS, the Bank has offered to lend to BEL the sum of **US\$6,840,000.00** (“the Loan”) from the Bank’s **Ordinary Capital Resources (OCR)** to finance the Project on the following terms and conditions:

EIB - Climate Action Line of Credit II (CALC II) Resources

- (a) **US\$3,117,000.00 EIB-CALC II Resources** – to be repaid in forty-eight (48) 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 3.02% per annum to be paid quarterly on the outstanding EIB-CALC II portion of the loan;
- (c) **Commitment Fee** at a rate of 1% per annum to be paid quarterly on the amount of the Loan withdrawn from time to time;

Equity and Market (E&M) Resources

- (a) **US\$3,723,000.00 E&M Resources** – to be repaid in forty-eight (48) 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 4.8% per annum to be paid quarterly on the outstanding E&M portion of the loan;
- (c) **Commitment Fee** at a rate of 1% per annum to be paid quarterly on the amount of the Loan withdrawn from time to time;

The Loan shall be fully disbursed by July 31, 2022, or such later date as the Bank may specify in writing;

NOW, THEREFORE, BE IT RESOLVED that this Honourable House, being satisfied that the Loan would contribute to the social and economic development of Belize by improving the capacity of BEL to supply reliable electricity to the public, approves and confirms that the Government may enter into a Guarantee Agreement with the Bank on the terms and conditions set out above, and further authorizes the Minister of Finance to execute and deliver the said Guarantee Agreement and all other documents associated therewith.

(Leader of Government Business and Minister of Agriculture, Fisheries, Forestry, the Environment, Sustainable Development and Immigration Services and Refugees)

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