



ORDER OF BUSINESS
OF THE
SENATE OF JAMAICA

FRIDAY, JANUARY 23, 2015

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(For answer on the 2nd day of January, 2015 – Question No. 9)

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PUBLIC BUSINESS

**PRESENTATION OF BILLS
WITHOUT LEAVE OF THE SENATE FIRST OBTAINED**

GOVERNMENT BUSINESS

- 1.** The Senate to continue debate on the motion that a Bill entitled “*AN ACT to Amend the Evidence Act*” be now read a second time.

Notice of second reading given on 03.10.2014.
- 2.** The Minister of Justice to move that a Bill entitled “*AN ACT to Amend the Administrator-General’s Act and retain other Acts to effect reform of the law relating to the administration of estates; and for connected matters*” be now read a second time.

Notice of second reading given on 19.12.2014.

PRIVATE MEMBERS' MOTIONS

NOTICE GIVEN ON FRIDAY, 29TH JUNE, 2012

1. Senator Knight – To move –

[No. 1]

BE IT RESOLVED that the Report of the Standing Orders Committee of the Senate on its deliberations on a Private Members' Motion regarding lunch break during sittings of the Senate, which was laid on the Table of the Senate on the 29th day of June, 2012, be approved;

BE IT FURTHER RESOLVED that the recommendations contained in the draft report be adopted and the draft amendments, having been accepted by the Standing Orders Committee, be approved, notwithstanding Standing Order 84:

AND BE IT FURTHER RESOLVED that the amendments be incorporated in the Standing Orders.

NOTICE GIVEN ON FRIDAY, 22ND FEBRUARY, 2013

2. Senator Johnson Smith – To move –

[No. 4]

WHEREAS it is indisputable that education is most often necessary for personal economic mobility, and an educated population is fundamental to our nation's development;

AND WHEREAS the number of unemployed women in Jamaica is almost twice the number of unemployed men and this has been the case for many years;

AND WHEREAS for more than 10 years, almost 20% of live births in Jamaica have been to adolescents between the ages of 10 and 19;

AND WHEREAS empirical data show that, without intervention, girls who get pregnant are less likely to fulfil their academic and economic potential and that of their children, and this inures to their individual detriment as well as to the overall detriment of national development;

AND WHEREAS section 31 of the regulations to the *Education Act* compels the expulsion from school of adolescents girls who become pregnant, but does not mandate their re-admission to the formal education system;

AND WHEREAS the *Education Act* provides for no consequence for the male involved in the pregnancy, which is in itself discriminatory on the basis of gender and accordingly contravenes the principles of non-discrimination set out in section 13 of the *Constitution of Jamaica*:

BE IT RESOLVED that this Honourable Senate call upon the Government to amend section 31 of the regulations to the *Education Act* in such terms as will ensure that every Jamaican girl, regardless of circumstances, is entitled to completion of her formal education at the secondary level.

NOTICE GIVEN ON FRIDAY, 8TH MARCH, 2013

3. Senator Montague - To move -

[No. 8]

WHEREAS Parish Councils have responsibility for the provision and maintenance of municipal and rural markets, as well as infirmaries and golden age homes;

AND WHEREAS over the years these markets, infirmaries and homes have become very costly to operate, as a result of many factors;

AND WHEREAS one of the largest costs in their operations has been the cost of energy, which is estimated to be some 40 percent of the cost of operations;

AND WHEREAS these markets, infirmaries and homes are vital to communities across the country, but, due to the economic challenges facing the nation at this time, it is feared that their operations might be adversely affected:

BE IT RESOLVED that this Honourable Senate recommend to the Government that it use the Equalization Fund in the Ministry of Local Government and Community Development to continue the programme of installing alternate energy systems in markets and infirmaries;

BE IT FURTHER RESOLVED that the Infirmary and Golden Age Homes Farming Programme be continued;

AND BE IT FURTHER RESOLVED that the successful Trelawny energy system and the St. Thomas and St. Mary Farm Programmes, the latter of which was undertaken jointly with the Food and Agriculture Organisation (FAO), to be used as models in carrying out these initiatives.

NOTICE GIVEN ON FRIDAY, 17TH MAY, 2013

4. Senator Grant - To move -

[No. 9]

WHEREAS the modernization and strengthening of the agricultural sector could contribute significantly to accelerated rural development and more sustainable national economic growth;

AND WHEREAS the cooperative structure provides the institutional framework for legal incorporation of large and small farmers in the leading agricultural economies of the world and is more suitable than registration as private or public joint-stock companies for the incorporation of small and medium farms;

AND WHEREAS the existing Jamaican legislation regulating cooperatives is outdated and cannot provide the stimulus and the supportive framework required by small- and medium-sized farm enterprises;

AND WHEREAS these laws, in fact, erect constraints and create disincentives to the capitalization of cooperatives, thereby placing barriers in the path to viability of our small and medium farm operations;

BE IT RESOLVED that this Honourable Senate recommend that the Government urgently undertakes a comprehensive review of the *Cooperative Societies Act*, similar to that recently done for

the *Companies Act*, in order to replace it with modern, practical and effective legislation which can help to advance the country's development needs;

BE IT FURTHER RESOLVED that such revised legislation be designed to remove the restriction on legal entities becoming members of cooperatives and provide scope for capitalization for all types of cooperatives.

NOTICE GIVEN ON FRIDAY, 19TH JULY, 2013

5. Senator Johnson Smith – To move –

[No. 10]

WHEREAS the public health goal of reducing exposure to tobacco smoke in public places is commendable, in the interests of Jamaicans as a whole, and has had support across administrations;

AND WHEREAS on July 15, 2013, the Public Health (Tobacco Control) Regulations, 2013, ("the regulations") were brought into effect by the Minister of Health;

AND WHEREAS these regulations have introduced a radically new regime affecting the personal lives and businesses of many Jamaican citizens;

AND WHEREAS, if the policy goals of the regulations are to be achieved, it is important that the new regime be reasonable, enforceable and enforced rather than honoured in the breach;

AND WHEREAS despite the powers granted to the Minister by the *Public Health Act*, the enactment of these important regulations without parliamentary debate was ill-advised given the scope and extent of the potential impact of the regulations;

AND WHEREAS the transition period of six months granted under regulation 20 applies to business operations, but not to ordinary Jamaicans:

BE IT RESOLVED that this Honourable Senate call upon the Minister of Health:

- (a) To immediately Table the regulations in the Parliament for debate and review, notwithstanding any Ministerial powers exercised by him under the *Public Health Act*; and
- (b) To immediately suspend, for no less than six months, enforcement of the regulations against individuals, and in particular regulations 3(3), 8 and 12.

NOTICE GIVEN ON FRIDAY, 17TH JANUARY, 2014

6. Senator Williams – To move –

[No. 13]

WHEREAS the Economic and Social Survey of Jamaica 2012 showed that the backlog of cases in the Supreme Court and Resident Magistrates' Courts has not decreased with the implementation of the court management system;

AND WHEREAS there is public disquiet because of the continuing unsatisfactory service and experience felt by members of the public and legal practitioners who come into contact with the court systems:

BE IT RESOLVED that this Honourable Senate request that a joint select committee be established to review the structure and operation of the court management system, and thereafter make recommendations for the improvement in the effectiveness of the administrative management of our courts, including the physical structures, human resource requirements and procedures.

NOTICE GIVEN ON FRIDAY, 3RD OCTOBER, 2014

7. The Senate to continue debate on the motion:

[No. 18]

BE IT RESOLVED that the Senate thank His Excellency the Governor-General for his gracious speech delivered to both Houses of Parliament on the 3rd day of April, 2014, approve the plans and programmes outlined in his gracious speech, and place on record its appreciation of the performance of the Government during the Financial Year 2013/2014.

NOTICE GIVEN ON FRIDAY, 7TH NOVEMBER, 2014

8. Senator Grant – To move –

[No. 19]

WHEREAS, for the past 110 years, 4H Youth Education Movement, a social education movement for youths, has played its role as a driving force of national and social development, including the areas of agriculture and rural development in about 70 countries, including Jamaica, with the formation of the Jamaica 4H Clubs in April 1940 by the Jamaica Agricultural Society;

AND WHEREAS, in order to respond to the imminent global crisis and evolve into the global movement that generates the value of agriculture and environmental life, 4H representatives from each country gathered in the 1st Global 4H Network Summit 2014 in Seoul, South Korea, between October 27 and November 2 and unanimously set November 1 as Global 4H Day, which will intensify the global 4H movement's contribution for a better future to the global community;

AND WHEREAS we will make every effort to nurture youths to become positive individuals based on the vision and value stated in the charter of the Global 4H Network;

AND WHEREAS we earnestly co-operate and share our knowledge and experiences to expand Global 4H Movement;

AND WHEREAS we endeavour to appreciate the seriousness of the global food shortage, famine and environmental issues and dedicate our best efforts to improve the situation. To this end, we strive to form a close partnership with like-minded individuals, organisations and the government;

AND WHEREAS we closely co-operate to actively perform Global 4H Network's activities in order to increase the 7.2 million members to 25 million 4H members worldwide by 2025 (including Jamaica) to increase membership from 89,000 to 275,000 by 2025;

AND WHEREAS we urge the government of each country around the world for more attention and support for youth development businesses in order to actively carry out Global 4H Movement;

BE IT RESOLVED that the Senate commend and support the Jamaica 4H Movement and the Global 4H Network for this important initiative and for the Jamaica 4H Clubs' 75 years of contribution in youth development in Jamaica.

NOTICE GIVEN ON FRIDAY, 19TH DECEMBER, 2014

9. Senator Navel Clarke – To move –

[No. 20]

BE IT RESOLVED that the Special Report of the Regulations Committee of the Senate on its deliberations on the Office of Utilities Regulation (Amendment of First Schedule to the Act) Order, 2014, which was laid on the Table of the Senate on the 19th day of December, 2014, be approved.

10. Senator Navel Clarke – To move –

[No. 21]

BE IT RESOLVED that the Special Report of the Regulations Committee of the Senate on its deliberations on the Deposit Insurance (Joint, Trust and Nominee Accounts) Regulations, 2014, which was laid on the Table of the Senate on the 19th day of December, 2014, be approved.

11. Senator Navel Clarke – To move –

[No. 22]

BE IT RESOLVED that the Special Report of the Regulations Committee of the Senate on its deliberations on the Foreign Nationals and Commonwealth Citizens (Employment)(Work Permit Fees)(Amendment) Regulations, 2014, which was laid on the Table of the Senate on the 19th day of December, 2014, be approved.

12. Senator Navel Clarke – To move –

[No. 23]

BE IT RESOLVED that the Report of the Regulations Committee of the Senate on its deliberations on the National Housing Trust Act (Housing Benefits)(Special Selection)(Hellshire Development, Phase IV) Order, 2014, which was laid on the Table of the Senate on the 19th day of December, 2014, be approved.

REFERRED TO COMMITTEE

08.06.2012

1. Standing Orders Committee to consider and report on Private Members' Motion No. 4 of 2012, as amended, regarding a comprehensive review of the Standing Orders, brought by Senator Arthur Williams.

14.12.2012

2. Special Select Committee to sit jointly with a similar committee appointed by the House of Representatives to consider and report on a Private Bill entitled "*AN ACT to Amend the Pentecostal Assemblies of the World of Jamaica (Incorporation and Vesting) Law.*"

3. Special Select Committee to sit jointly with a similar committee appointed by the House of Representatives to consider and report on a Private Bill entitled "*AN ACT for the incorporation of The International Missionary Society Seventh-Day Adventist Church Reform Movement Jamaican Field and the vesting of property in the body so incorporated.*"

18.01.2013

4. Special Select Committee to sit jointly with a similar committee appointed by the House of Representatives to consider and report on the operations of the *Independent Commission of Investigations Act*, relative to the review of the legislation in accordance with the provisions of the Act.

04.10.2013

5. Special Select Committee to sit jointly with a similar committee appointed by the House of Representatives to consider and report on Private Members' Motion No. 11 of 2012, as amended, brought by Dr. Horace Chang, MP, regarding the need for a comprehensive review of the climate change projections, and approved by the House of Representatives on the 10th day of September, 2013.

21.03.2014

6. Special Select Committee to sit jointly with a similar committee to be appointed by the House of Representatives to consider and report on a Bill shortly entitled "*The Integrity Commission Act, 2014.*"

06.06.2014

7. Special Select Committee to sit jointly with a similar committee to be appointed by the House of Representatives to consider and report on the operations of the *Sexual Offences Act*, relative to the review of the legislation in accordance with the provisions of the Act and incorporating the review of existing legislation, being the *Offences against the Person Act*, the *Domestic Violence Act* and the *Child Care and Protection Act*, in relation to issues raised in Private Members' Motion No. 3 of 2013, brought by Senator Kamina Johnson Smith.

27.06.2014

8. Special Select Committee to sit jointly with a similar committee appointed by the House to consider and report on a Bill shortly entitled "*The Road Traffic Act, 2014*".

03.10.2014

9. Special Select Committee to sit jointly with a similar committee appointed by the House of Representatives to consider and report on a Bill shortly entitled "*The Public Procurement Act, 2014*".