



**ORDER OF BUSINESS
OF THE
SENATE OF JAMAICA**

FRIDAY, MARCH 7, 2014

PRAYERS

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(For answer on the 28th day of June, 2013 - Questions No. 4 and 5)

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MOTIONS THAT MAY BE MADE AT THE COMMENCEMENT OF PUBLIC
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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 Make provision for the disruption and suppression of criminal organizations; and for related matters*" be now read a second time.

Notice of
second
reading
given on
21.02.2014

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. 10]

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. 14]

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, 13TH SEPTEMBER, 2013

6. 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 4th day of April, 2013, 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 2012/2013.

NOTICE GIVEN ON FRIDAY, 1ST NOVEMBER, 2013

7. Senator Duncan Price - To move -

[No. 19]

WHEREAS evidence conclusively shows that gender inequality contributes to community insecurity, losses in economic efficiency and affects the effectiveness of relationships between both men and women adversely;

AND WHEREAS measures which support gender equality in all spheres lead to inclusive growth, development, poverty reduction and security;

AND WHEREAS, over the past fifty years of Independence, women in this country have made progress, particularly in the public sector and education, and a number of legal and other social reforms now address some of the specific gender interests of women and their families;

AND WHEREAS women's participation in leadership and decision-making in the political parties and political process, the Houses of Parliament and in the local authorities lagged significantly over the year, despite the election of the first female Prime Minister;

AND WHEREAS, historically, women have been the foundation on which political parties have organized and won elections, although at no time since 1944 have women held more than 13% of seats in the House of Representatives, except in 1997 when it was 15%, albeit women constitute 51% of the population;

AND WHEREAS there is the recognition of the persistence of the cultural, social, economic and politically entrenched barriers to women's leadership, including barriers within the political parties themselves;

AND WHEREAS there is recognition of the stated commitment to *Vision 2030* and the *National Policy on Gender Equality* by governments of the two major political parties:

BE IT RESOLVED that a joint select committee be convened to consider and make recommendations that would:

- (a) Seek to identify, address and correct the systemic gender inequalities which result in women's under-representation in the Parliament, in local authorities, in the organs of political parties and on public boards, including through the use of "temporary special measures", as recommended under the *Convention on the Elimination of all Forms of Discrimination Against Women*;
- (b) Seek to ensure that the legislative process affords meaningful opportunities for dialogue between Parliamentarians and those they represent about proposed laws and how they will affect their families, livelihoods and community, recognising that women and men will have different needs, interests and responsibilities which are relevant to effective and responsive legislative policies.

8. Senator Duncan Price - To move -

[No. 20]

WHEREAS Jamaica has achieved universal access to education for its children up to age 14, with the majority enrolled up to age 16, and the *Economic and Social Survey of Jamaica, 2012*, indicates

that there is gender equity in school enrolment, with boys accounting for 50.5% of the total amount at the early childhood and primary education level;

AND WHEREAS the results from the Grade Six Achievement Test in 2012 show that, as with previous years, girls out-performed boys in all subject areas, while performance by gender continued to show females receiving higher grades than their male counterparts, indicating that boys continue to under-achieve when compared to girls;

AND WHEREAS the practice of streaming and exclusion of some students from activities acts as a barrier to effective performance, exacerbating the situation whereas the boys fall behind, they become over-represented in the lower streams, resulting in a negative effect on attitudes to and interest in schoolwork, contributing to a general decline in male participation in formal schooling from the secondary to the tertiary levels of the education system;

AND WHEREAS secondary departments in all-age and junior high schools, which account for nearly 16% of secondary-school enrolment, do not currently go beyond grade nine, which contributes to the high drop-out rates;

AND WHEREAS research indicates that many boys leaving school at grade nine that have no qualifications are prime targets for “dons” and negative influences in their communities, becoming purveyors of the crime and violence that beset our society;

AND WHEREAS the gender disparity is most evident at the tertiary level, where of the 74,601 students enrolled in tertiary level institutions in 2012, 62% are female and 38% are male, having a deleterious impact on the effectiveness of a balanced Jamaican workforce and a society of strong family values with positive role models:

BE IT RESOLVED that this Honourable Senate call upon the government authorities to:

- (a) Mandate that the *Education System Transformation Programme* address socio-cultural and economic factors that negatively impact boys’ participation and academic achievement in the formal education system;
- (b) Seek to ensure that the *National Parenting Support Commission* include in their programme development, a comprehensive strategy to eliminate the negative stereotypes and adverse traditional beliefs of male and female behaviour, as the socialisation practices and social skills learnt at home through assigned tasks contribute to boys being less prepared for the demands and routines of school, and, therefore, impact on how they learn academically;

BE IT FURTHER RESOLVED that this Honourable Senate call upon the Government to implement a national public education campaign, targeting parents, i.e. fathers and mothers, teachers, education practitioners, political and community leaders and government officials, to address the negative gender stereotypes that limit the possibilities for boys and girls.

9. Senator Grant - To move -

[No. 21]

WHEREAS the Jamaica Agricultural Society (JAS), on November 25, 2003, under the patronage of the then Governor General, His Excellency, the Most Honourable Sir Howard Cooke, launched the *Eat Jamaican Campaign* under the theme *Grow What We Eat, Eat What We Grow*, in

collaboration with the Ministry of Agriculture and Fisheries (MOAF), aimed at sensitizing the nation on the important role of agriculture to rural, national and economic development;

AND WHEREAS the JAS, the MOAF and over 23,000 farmers of Jamaica are of the view that this campaign has served as a direct means of contributing to the nation's cuisine culture and rich heritage, increased food production, reduction of imports, import substitution, job creation, reduction of poverty and consequently the growth in Jamaica's economy;

AND WHEREAS this November 25th, celebrated under the patronage of the Governor-General, His Excellency, the Most Honourable Sir Patrick Allen, represents the tenth anniversary of this campaign;

AND WHEREAS this campaign has resulted in the reduction in the weighted imports of goods from US\$100M per annum from 2000 to 2002 to US\$60M per annum from 2003 to 2012, and the increase in domestic crop production from 491,473 metric tonnes in 2003 to 610,138 metric tonnes in 2012;

AND WHEREAS the MOAF, in collaboration with the JAS, has declared November 2013 *Eat Jamaica Month* and the JAS will launch a zero hunger programme for Jamaica, in keeping with the FAO framework;

AND WHEREAS the MOAF has Tabled in our Parliament a *Food Security and Nutrition Policy for the country*;

AND WHEREAS the preferences of the Jamaican population need to be influenced during childhood toward our Jamaican foods; the JAS, in collaboration with the Jamaica 4H Clubs, will launch the *Farm to School Programme*;

BE IT RESOLVED that the Senate commend and support the MOAF, the JAS, the farmers and related agencies and stakeholders for this effort to grow what we eat.

NOTICE GIVEN ON FRIDAY, 17TH JANUARY, 2014

10. Senator Williams - To move -

[No. 24]

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.

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 Baptist Mid-Missions in Jamaica (Incorporated) Act so as to change the name of the Act; and for connected matters.*"

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 to Amend the Pentecostal Assemblies of the World of Jamaica (Incorporation and Vesting) Law.*"

4. 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

5. 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.

28.06.2013

6. 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 Power of Faith Ministries International and the vesting of property in the body so incorporated.*"

04.10.2013

7. 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.

17.01.2014

8. 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 Bankruptcy and Insolvency Act, 2013.*"