



JOINT SELECT COMMITTEE ON

# THE SHIPPING BILL, 2020

## INTERIM REPORT

THIRD SESSION (2022/2023) OF THE TWELFTH PARLIAMENT



## Committee Mandate

Pursuant to resolutions of the Senate on Tuesday November 8, 2022 and of the House of Representatives on Friday November 11, 2022, a Joint Select Committee was established to consider and report on the **Shipping Bill, 2020** by March 31, 2023.

## Committee Membership

Mr. Randall Mitchell	-	Chairman
Mrs. Penelope Beckles-Robinson, MP	-	Member
Mr. Marvin Gonzales, MP	-	Member
Mrs. Lisa Morris-Julian, MP	-	Member
Mr. Keith Scotland, MP	-	Member
Mr. Davendranath Tancoo, MP	-	Member
Mr. Dinesh Rambally, MP	-	Member
Ms. Paula Gopee-Scoon	-	Member
Mr. Rohan Sinanan	-	Member
Ms. Jearlean John	-	Member
Ms. Charrise Seepersad	-	Member
Mr. Deeroop Teemal	-	Member

## Secretariat Support

Ms. Angelique Massiah	-	Secretary
Ms. Sharla Elcock	-	Assistant Secretary
Ms. Temika Jackson	-	Research Support
Ms. Nicole Brown	-	Research Support
Mrs. Susannah Gittens	-	Administrative Support

## Contact

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Joint Select Committee on the Shipping Bill, 2020  
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**Date Laid in HOR:**

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## **CHAIRMANSHIP**

1. At its First Meeting of the Second Session held on Thursday February 3, 2022, your Committee elected Mr. Randall Mitchell to be its Chairman, in accordance with Senate Standing Order 100 (2) and House of Representatives Standing Order 110 (2).

## **MEETINGS**

2. Since its appointment, your Committee has held two (2) meetings on the following dates:
  1. Friday November 18, 2022, and
  2. Monday December 5, 2022.
3. The Attendance Record and the Minutes of the Meetings are attached at **Appendix I**.

## **WORK TO DATE**

4. Your Committee continued its clause by clause analysis of the Bill. The analysis commenced with a review of the stakeholder comments on clause 5 and concluded at clause 28.
5. Your Committee was assisted in its deliberations by the following technocrats:
  - Chief Parliamentary Counsel**
    - (1) Ms. Ida Eversley, Deputy Chief Parliamentary Counsel
    - (2) Mr. Aneil Joseph, Senior Parliamentary Counsel

### **Maritime Services Division**

- (1) Mr. Ronald Alfred, Director Maritime Services
- (2) Commodore Garnet Best, Safety and Security Advisor
- (3) Mr. Brent Williams, Senior Legal Officer
- (4) Commander Francis Weekes, Ship Surveyor
- (5) Mr. Richmond Basant, Maritime Administrator

## **REPORT**

6. Your Committee wishes to report that while some progress was made, it was unable to conclude its work and submit its final report by the deadline of March 31, 2023. As such, additional time is required by the Committee to review all submissions and to complete a thorough clause by clause analysis of the Bill.

## **RECOMMENDATION**

7. Your Committee humbly requests a further period of five (5) months to complete its work and to submit a final report to Parliament by September 8, 2023.

8. During the period of the extension, your Committee will conclude its clause by clause analysis of the Bill, with the support of officials from the Office of the Chief Parliamentary Counsel and the Maritime Services Division, Ministry of Works and Transport.

Respectfully Submitted,

**Sgd.**

**Mr. Randall Mitchell**

Chairman

*March 27, 2023*

APPENDIX I  
ATTENDANCE RECORD AND  
MINUTES OF MEETINGS

## ATTENDANCE RECORD

### JSC on the Shipping Bill, 2020 Third Session (2022/2023) Twelfth Parliament

Meetings	Mr. Randall Mitchell	Mrs. Penelope Beckles-Robinson	Mr. Marvin Gonzales	Mr. Keith Scotland	Mrs. Lisa Morris-Julian	Mr. Dinesh Rambally	Mr. Davendranath Tancoo	Ms. Paula Gopee-Scoon	Mr. Rohan Sinanan	Ms. Jearlean John	Ms. Charrise Seepersad	Mr. Deoroop Teemal
First Meeting 18.11.22	✓	EXCUSED	✓	✓	✓	✓	✓	EXCUSED	✓	✓	✓	✓
Second Meeting 5.12.22	✓	✓	✓	✓	✓	✓	✓	EXCUSED	EXCUSED	✓	✓	✓



**JOINT SELECT COMMITTEE ON  
THE SHIPPING BILL, 2020**

**MINUTES OF THE FIRST MEETING OF THE THIRD SESSION (2022/2023)  
HELD VIA ZOOM ON FRIDAY NOVEMBER 18, 2022 AT 10:00 A.M.**

**PRESENT**

Ms. Christine Kangaloo - President of the Senate

**Committee Members**

Mr. Randall Mitchell	-	Chairman
Mr. Marvin Gonzales, MP	-	Member
Mrs. Lisa Morris-Julian, MP	-	Member
Mr. Keith Scotland, MP	-	Member
Mr. Dinesh Rambally, MP	-	Member
Mr. Davendranath Tancoo, MP	-	Member
Mr. Rohan Sinanan	-	Member
Ms. Jearlean John	-	Member
Mr. Deeroop Teemal	-	Member
Ms. Charrise Seepersad	-	Member

**Secretariat**

Mrs. Angelique Massiah	-	Secretary
Ms. Sharla Elcock	-	Assistant Secretary
Ms. Temika Jackson	-	Legal Research Officer
Ms. Susannah Gittens	-	Business Operations Assistant II

**ABSENT/EXCUSED**

Ms. Paula Gopee-Scoon	-	Member
Mrs. Pennelope Beckles, MP	-	Member

**COMMENCEMENT**

- 1.1 The President of the Senate called the meeting to order at 10:00 a.m.
- 1.2 The President indicated that her role at the meeting was to facilitate the election of the Chairman. Members were informed that Mrs. Angelique Massiah has been assigned as Secretary and Ms. Sharla Elcock as Assistant Secretary.

## **ELECTION OF A CHAIRMAN**

- 2.1 The President informed Members that in accordance with Standing Order 112(7) of the House of Representatives and Standing Order 102(7) of the Senate, provision is made for a Joint Select Committee to elect a Chairman.
- 2.2 The President then invited nominations for the position of Chairman. Mr. Keith Scotland, MP, nominated Mr. Randall Mitchell and the nomination was seconded by Mr. Marvin Gonzales, MP.
- 2.3 There being no other nominations, the President declared Mr. Randall Mitchell the duly elected Chairman and invited him to take the Chair. The President then exited the meeting.
- 2.4 The Chairman took the chair at 10:02 a.m., thanked the President, and welcomed Members to the Committee.

## **DETERMINATION OF A QUORUM**

- 3.1 The Chairman advised that the Committee is required to establish a quorum in accordance with Standing Order 97(2) of the House of Representatives and 87(2) of the Senate.
- 3.2 The Committee agree to a quorum of three (3) Members, inclusive of the Chair and with representation from each House.

## **TERMS OF REFERENCE**

- 4.1 The Chairman advised that the Committee was mandated to adopt the work of the Committee in the Second Session and report to the Parliament by Friday March 31, 2023.
- 4.2 The Chairman further advised that, pursuant to Standing Order 66(1) of the House of Representatives and Standing Order 64(1) of the Senate, the Committee's terms of reference are to discuss the general merits and principles and to consider and report on the Bill.

## **WORK TO DATE**

- 5.1 Members were reminded that the following documents were circulated with the Notice of the First Meeting:
  - (i) The Shipping Bill, 2020;
  - (ii) The list of Members of the Committee; and
  - (iii) The Matrix of Consolidated Stakeholder Comments.
- 5.2 Members were reminded that in the First Session, the Committee:
  - (i) invited 155 stakeholders to submit written comments on the Bill;
  - (ii) considered all of the general comments and concluded a review of clauses 1-4 of the Bill; and
  - (iii) agreed to certain amendments as recorded in the Minutes of the Third and Fifth meetings held March 7, 2022 and April 25, 2022 respectively.



- 5.2 The Chairman informed Members that comments were received from thirty-six (36) stakeholders and that all submissions were forwarded to the Office of the Chief Parliamentary Counsel (CPC) for analysis.
- 5.3 The Committee was further informed that the CPC conducted an analysis of the submissions using the Matrix of Consolidated Comments that was prepared by the Secretariat.

## **THE WAY FORWARD**

- 6.1 The Committee agreed to:
- (i) continue its clause-by-clause analysis of the Bill by reviewing the stakeholder comments on **clause 5** which starts on **page 52** of the Matrix;
  - (ii) invite the technocrats from the Maritime Services Division of the Ministry of Works and Transport, and the Office of the Chief Parliamentary Counsel to continue to support the Committee in its deliberations; and
  - (iii) meet on alternate Mondays at 1:30 p.m. commencing Monday December 5, 2022.
- 6.2 The Chairman advised that a submission was received from Mr. David Stanley McLeod, President of the Trinidad and Tobago Seamen Education Employment Contractors (TTSEEC), a group of retired seamen seeking the interest of local seafarers in Trinidad and Tobago.
- 6.3 The Secretary was directed to forward the submission from TTSEEC to Members and to the technocrats for analysis.

## **ADJOURNMENT**

- 7.1 There being no other business, the Chairman adjourned the meeting to Monday December 5, 2022 at 1:30 p.m.
- 7.2 The adjournment was taken at 10:17 a.m.

*I certify that these minutes are true and correct.*

*Chairman*

*Secretary*

November 18, 2022



**JOINT SELECT COMMITTEE ON  
THE SHIPPING BILL, 2020**

**MINUTES OF THE SECOND MEETING OF THE THIRD SESSION  
(2022/2023)**

**HELD VIA ZOOM ON MONDAY DECEMBER 5, 2022 AT 1:32 P.M.**

**PRESENT**

**Committee Members**

Mr. Randall Mitchell	-	Chairman
Mr. Keith Scotland, MP	-	Member
Mr. Marvin Gonzales, MP	-	Member
Mrs. Penelope Beckles, MP	-	Member
Mrs. Lisa Morris-Julian, MP	-	Member
Mr. Dinesh Rambally, MP	-	Member
Mr. Davendranath Tancoo, MP	-	Member
Ms. Charrise Seepersad	-	Member
Ms. Jearlean John	-	Member
Mr. Deorooop Teemal	-	Member

**Secretariat**

Ms. Angelique Massiah	-	Secretary
Ms. Sharla Elcock	-	Assistant Secretary
Ms. Temika Jackson	-	Legal Research Officer
Ms. Nicole Brown	-	Graduate Research Assistant

**ABSENT/EXCUSED**

Ms. Paula Gopee-Scoon	-	Member
Mr. Rohan Sinanan	-	Member

**COMMENCEMENT**

1.1 The meeting was called to order by the Chairman at **1:32 p.m.**

**ANNOUNCEMENTS BY THE CHAIRMAN**

2.1 The Chairman advised that Mrs. Paula Gopee-Scoon had asked to be excused from the day's meeting.

## **CONFIRMATION OF MINUTES OF THE FIRST MEETING**

- 3.1 The Committee examined the Minutes of the First Meeting held on November 18, 2022.
- 3.2 The motion for the confirmation of the Minutes of the First Meeting was moved by Mr. Marvin Gonzales and seconded by Mrs Lisa Morris-Julian.

## **MATTERS ARISING FROM THE MINUTES**

- 4.1 Per **item 6.1(ii)**, the Chairman informed the Committee that technocrats from the Maritime Services Division of the Ministry of Works and Transport, and the Office of the Chief Parliamentary Counsel were invited to attend the meeting and were present in the virtual waiting room.
- 4.2 Per **item 6.2**, the Chairman informed that the submission from the Trinidad and Tobago Seamen Education Employment Contractors (TTSEEC) was circulated on November 18, 2022. He further informed, that the TTSEEC sent a revised submission which was circulated by the Secretariat on November 30, 2022, and that both documents were submitted to the CPC for analysis.

## **CONTINUATION OF REVIEW OF GENERAL COMMENTS MADE BY STAKEHOLDERS AND CLAUSE BY CLAUSE ANALYSIS OF THE BILL**

- 5.1 The Committee continued its clause by clause analysis of the stakeholders' comments made on the Bill, commencing with clause 5 on page 52 of the stakeholders' matrix.

*The Chairman invited the technocrats into the Meeting.*

- 5.2 The following technocrats from the Maritime Services Division, Ministry of Works and Transport (MSD) and the Chief Parliamentary Counsel (CPC) were present:

### **Chief Parliamentary Counsel**

- (1) Ms. Ida Eversley, Deputy Chief Parliamentary Counsel
- (2) Mr. Aneil Joseph, Senior Parliamentary Counsel

### **Maritime Services Division**

- (3) Mr. Ronald Alfred, Director Maritime Services
- (4) Commodore Garnet Best, Safety and Security Advisor
- (5) Mr. Brent Williams, Senior Legal Officer
- (6) Commander Francis Weekes, Ship Surveyor
- (7) Mr. Richmond Basant, Maritime Administrator

- 5.3 The Committee completed its review of the comments with regard to clauses 5-28. The issues identified and decisions taken with regard to clauses 5 - 28 are outlined in the **Appendix** to these Minutes.

5.4 The Chairman thanked the technocrats for their attendance and advised that their support will be required at further meetings.

## **WAY FORWARD**

6.1 Following a brief discussion, the Committee agreed that:

- i. The technocrats will conduct further research on the following clauses:
  - a. in relation to clause 5, CPC and Maritime Division will conduct research on the operational processes involved in the exercise of the powers in clause 5(1) by Fisheries Officers,
  - b. in relation to clause 13 and 14, CPC to conduct research on whether the offences, forgery of documents and false declarations, should be indictable in nature to attract heavier penalties and imprisonment;
  - c. in relation to clause 20(2), CPC to provide other occasions where the President can select persons at her own discretion, and the Ministry of Works to provide justification for the President's discretion to appointment of Members of the Board; and
  - d. in relation to clause 25(5), CPC to provide a wider definition of relative.
- ii. CPC will make the amendments outlined in the Appendix; and
- iii. The Committee will discuss inviting stakeholders at its next meeting.

## **ADJOURNMENT**

7.1 There being no other business, the Chairman adjourned the meeting to Monday January 09, 2022, at 1:30 p.m.

7.2 The adjournment was taken at 4:19 p.m.

*I certify that these minutes are true and correct.*

*Chairman*

*Secretary*

*December 5, 2022*

The Shipping Bill, 2020

## Consideration of the Matrix of Stakeholders' Comments

at 2<sup>nd</sup> Meeting held on December 5, 2022

<i>Clauses</i>	<i>Issue</i>	<i>Decisions</i>
5	Clarity was sought on the powers granted to Fisheries Officers under clause 5(1) and how those powers were to be exercised.	CPC and Maritime Division will conduct research on the operational processes involved in the exercise of the powers in clause 5(1) by Fisheries Officers.
6-12	No issues	No action required
13 and 14	Whether the offence should be indictable in nature to attract heavier penalties and imprisonment.	Decisions deferred: <ul style="list-style-type: none"> <li>• CPC to review and advise</li> </ul>
15 - 16	No issues	No action required
17(1)(f)	The functions of the Authority should include the provision of data management arrangements to support hydrographic information dissemination.	Delete 17(1)(f) and substitute the following: <p><b>“(f) to provide data management arrangements to support hydrographic information dissemination; and”</b></p>
17(2)(g)	The paragraph should include the word “regulate”	The paragraph to be amended as follows: <p>In the chapeau, insert the word “<b>regulate</b>” after the word “to”.</p>
18 - 19	No issues	No action required
20 (2)	Whether appointments to the Board should be made by the President in his own discretion.	Decision deferred: <p>(i) The Ministry of Works and Transport to provide justification for the appointment of Members “by the President in his own discretion”.</p> <p>(ii) CPC to provide other occasions where the President can select persons at her own discretion.</p>
21 -24	No issues	No action required
25 (1)	The manner in which the Board member is to disclose the fact that his actual or pecuniary interest is likely to be affected by a decision of the Board should be specified.	CPC to draft the amendment

<i><b>Clauses</b></i>	<i><b>Issue</b></i>	<i><b>Decisions</b></i>
25(5)	Whether the term 'relative' should have a wider meaning	Decision deferred: CPC to review whether there is a wider definition of relative.
26	No issues	No action required
27(3)	The proposed employment period of three years is insufficient for the Director General	The subclause to be amended as follows:  Delete the word "three" and substitute the word " <b>five</b> ".
28	No issues	No action required

*December 5, 2022*