



JOINT SELECT COMMITTEE ON

THE SHIPPING BILL, 2020

REPORT

SECOND SESSION (2021/2022) OF THE TWELFTH PARLIAMENT



Committee Mandate

Pursuant to resolutions of the Senate on Friday September 10, 2021 and of the House of Representatives on Wednesday November 10, 2021, a Joint Select Committee was established to consider and report on the **Shipping Bill, 2020** by January 31, 2022.

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. Deoroop Teemal	-	Member

Secretariat Support

Mrs. Angelique Massiah	-	Secretary
Mr. Kaleem Hosein ¹	-	Assistant Secretary
Ms. Allisia Williams	-	Research Support
Ms. Nicole Brown	-	Research Support
Mr. Khaleem Ali	-	Research Support
Mrs. Susannah Gittens	-	Administrative Assistant
Ms. Chantal La Roche	-	Research Support

Contact

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Joint Select Committee Shipping Bill, 2020
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Date Laid in HOR:
HOR Paper No.:
PARL No.: 14/3/87 Vol. I

Date Laid in Senate:
Senate Paper No.:





¹ Jean-Marc Morris replaced as Assistant Secretary w.e.f. May 01, 2021

INTERIM REPORTS

1. The Committee's First Interim Report was presented in the Senate on Tuesday February 8, 2022 and in the House of Representatives on Friday February 11, 2022. Your Committee requested and was granted a five (5) month extension to June 30, 2022 in order to complete its work.

MEETINGS

2. Since the presentation of the First Interim Report, your Committee has held four (4) meetings on the following dates:

-  Monday February 21;
-  Monday March 7, 2022;
-  Monday March 21, 2022; and
-  Monday April 25, 2022.

3. The Minutes of the Meetings and Attendance Record are attached at **Appendix I**.

WORK TO DATE

4. During preliminary discussions, your Committee considered the work completed by the previous Committee during the First Session of the Twelfth (12th) Parliament. Based on this review, your Committee agreed to extend the deadline for the submission of written comments on the Bill to March 31, 2022.
5. Your Committee sent invitations to submit written comments on the Bill to one hundred and fifty-five (155) stakeholders. The List of Stakeholders is attached at **Appendix II**.
6. At March 31, 2022, your Committee received written submissions from the following thirty-six (36) stakeholders:
 1. *Agostini Insurance Brokers Ltd.*
 2. *Atlantic LNG*
 3. *Bankers Association of Trinidad and Tobago*
 4. *bp Trinidad and Tobago LLC*
 5. *Coastal and Offshore Maritime Training Institute*
 6. *Customs and Excise Division*
 7. *EOG Resources Trinidad and Tobago*
 8. *FEAT Safety and Marine Training Consultant*
 9. *Fishermen and Friends of the Sea*
 10. *Heritage Petroleum Company Limited*
 11. *Hydrographic Unit, Surveys and Mapping Division, Ministry of Agriculture Land and Fisheries*
 12. *Institute of Marine Affairs*
 13. *Institute of Surveyors of Trinidad and Tobago*
 14. *Justice Anthony A. Lucky (Retired)*
 15. *Marine Safety Training & Consultants Ltd.*

16. *Ministry of Energy and Energy Industries*
17. *Ministry of Finance*
18. *Ministry of Labour*
19. *Ministry of National Security*
20. *Ministry of Planning and Development*
21. *Ministry of Planning and Development (additional comments)*
22. *Ministry of Tourism, Culture and the Arts and Tourism Trinidad Ltd.*
23. *Ministry of Trade and Industry*
24. *National Energy Corporation of Trinidad and Tobago Limited (National Energy) La Brea Industrial Development Company Limited (LABIDCO) (in collaboration with the National Gas Company of Trinidad and Tobago)*
25. *National Gas Company of Trinidad and Tobago (in collaboration with National Energy and (LABIDCO)*
26. *PARIA Fuel Trading Company Limited*
27. *Point Lisas Industrial Port Development Corporation Limited (PLIPDECO)*
28. *Port Authority of Trinidad and Tobago*
29. *Shell Trinidad and Tobago Limited*
30. *Shipping Association of Trinidad and Tobago*
31. *TITAN Marine Engineering and Survey Company/Tobago SEA School*
32. *Trinidad and Tobago Bureau of Standards*
33. *Trinidad and Tobago Coast Guard*
34. *Trinidad and Tobago Pilot's Association hilarious*
35. *University of Trinidad and Tobago*
36. *Yacht Services Association of Trinidad and Tobago*

7. Your Committee commenced and completed a review of the general comments on the Bill using the Matrix of Consolidated Stakeholder Comments ('the Matrix') with the assistance of technocrats from the Office of the Chief Parliamentary Counsel (CPC) and the Maritime Services Division (MSD), Ministry of Works and Transport.
8. Your Committee also embarked on a clause by cause examination of the Bill together with the Matrix with the assistance of technocrats from the CPC and the MSD. However, your Committee was unable to reach very far given the complexity of the Bill.

REPORT

9. In accordance with Standing Orders 114(1) and 104(1) of the House of Representatives and the Senate respectively, your Committee wishes to report that due to the imminent prorogation of the Second Session of the Twelfth Parliament, it is unable to complete its work. However, your Committee has made good progress in advancing the Committee's work schedule.

RECOMMENDATION

10. Your Committee therefore recommends the resumption of proceedings on the **Shipping Bill, 2020** in the Third Session, Twelfth Parliament.
11. Your Committee also asks that the House takes note of the work achieved and the progress made by the Committee thus far and that a Committee be appointed in the Third Session to continue work on the Bill and adopt as part of its records, all work completed to date.

Respectfully Submitted,

Sgd.

Mr. Randall Mitchell

Chairman
July 6, 2022

ATTENDANCE RECORD AND
MINUTES OF MEETINGS

JSC on the Shipping Bill, 2020
Second Session (2021/2022) 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. Deeroop Teemal
First Meeting 03.02.22	✓	✓	✓	✓	✓	✓	✓	EXCUSED	✓	✓	✓	✓
Second Meeting 21.02.22	✓	✓	✓	✓	✓	✓	✓	EXCUSED	✓	✓	✓	✓
Third Meeting 07.03.22	✓	✓	✓	✓	✓	✓	EXCUSED	✓	✓	EXCUSED	✓	✓
Fourth Meeting 21.03.22	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
Fifth Meeting 25.04.22	✓	✓	✓	✓	✓	EXCUSED	✓	EXCUSED	✓	✓	EXCUSED	EXCUSED

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

**MINUTES OF THE SECOND MEETING OF THE SECOND SESSION (2021/2022)
HELD VIA ZOOM ON MONDAY FEBRUARY 21, 2022 AT 2:00 P.M.**

PRESENT

Committee Members

Mr. Randall Mitchell	-	Chairman
Mrs. Lisa Morris-Julian, MP	-	Member
Mr. Keith Scotland, MP	-	Member
Mr. Dinesh Rambally, MP	-	Member
Mr. Deeroop Teemal	-	Member
Mrs. Pernelope Beckles-Robinson, MP	-	Member
Ms. Charrise Seepersad	-	Member
Ms. Paula Gopee-Scoon	-	Member

Secretariat

Ms. Angelique Massiah	-	Secretary
Mr. Kaleem Hosein	-	Assistant Secretary
Ms. Rebecca Rafeek	-	Procedural Officer Intern
Ms. Nicole Brown	-	Graduate Research Assistant
Mr. Roger Hector	-	Legal Officer
Mr. Kaleem Ali	-	Legal Intern

ABSENT/EXCUSED

Mr. Marvin Gonzales, MP	-	Member [<i>Excused</i>]
Mr. Davendranath Tancoo, MP	-	Member [<i>Excused</i>]
Mr. Rohan Sinanan	-	Member
Ms. Jearlean John	-	Member

COMMENCEMENT

1.1 The meeting was called to order by the Chairman at **2:09 p.m.**

ANNOUNCEMENTS BY THE CHAIRMAN

2.1 The Chairman advised that the following Members asked to be excused from the meeting:

- Mr. Marvin Gonzales; and
- Mr. Davendranath Tancoo.

CONFIRMATION OF MINUTES OF THE FIRST MEETING

- 3.1 The Committee examined the Minutes of the First Meeting held on February 3, 2022.
- 3.2 The motion for the confirmation of the Minutes of the First Meeting was moved by Mrs. Lisa Morris-Julian and seconded by Mrs. Penelope Beckles-Robinson.

MATTERS ARISING FROM THE MINUTES

- 4.1 Per **Item 5.3**, the Chairman advised that the Office of the Chief Parliamentary Counsel (CPC) completed its analysis of submissions received to date using a Matrix of Consolidated Stakeholder Comments. This finalised document was submitted to the Secretariat on Friday February 18, 2022 and circulated to Members on the same date.
- 4.2 Per **Item 6.1 (i)**, the Chairman confirmed that the Committee's Interim Report was laid in the Senate on February 8, 2022 and in the House of Representatives on February 11, 2022, and that the Committee was granted an extension to June 30, 2022 to complete its work and submit a final report.
- 4.3 Per **Item 6.1 (ii)**, the Chairman advised that invitation letters were sent to stakeholders who did not previously submit written comments on the Bill, to do so by Thursday March 31, 2022. The Chairman directed the Secretariat to send out reminders to all such Stakeholders by March 15, 2022 reminding them of the deadline.
- 4.4 Per **Item 6.2**, the Chairman advised:
- (i) that a list of proposed experts comprising the names below, was circulated to Members by email dated Friday February 18, 2022:
 - ✚ Lt. Commander Curtis Roach - Former Regional Maritime Adviser to the IMO (Caribbean) and Former Director of the Maritime Services Division (MSD), Ministry of Works and Transport;
 - ✚ Mr. George Alexis - Former Assistant Harbour Master and Former Seafarer; and
 - ✚ Mr. Justice Anthony Lucky (Ret'd).
 - (ii) the Secretariat received the names of persons on the Technical Team who assisted with the drafting of the Bill and who remain committed to assisting the Committee. They are:
 - ✚ Mr. Ronald Alfred – Director, Maritime Services Division;
 - ✚ Mr. Garnet Best – Maritime Administrator (Safety and Security);
 - ✚ Commander Francis Weekes – Ship Surveyor;
 - ✚ Mr. Courtney Lange – Government appointed Surveyor under the Shipping Act; and
 - ✚ Mr. Richmond Bassant – Maritime Administrator (Pollution Prevention).
 - (iii) that the Secretariat would circulate the résumé of each member of the Technical Team.

DISCUSSION ON STAKEHOLDER ENGAGEMENT

Review of Stakeholder Comments on the Bill

- 5.1 In keeping with the Committee’s Work Plan, the Chairman advised that at its next meeting the Committee would commence a clause by clause review of the Bill together with the Matrix of Consolidated Stakeholder Comments (‘the Matrix’). He further advised that this exercise would be conducted with the assistance of technocrats from the CPC and the MSD.
- 5.2 The Chairman also advised that the experts would be engaged later on, if required.

Stakeholder Engagement

- 5.3 With regard to the identification of stakeholders that the Committee may invite for discussions on the Bill, the Chairman advised that:
- (i) prior to the next meeting, the Secretariat would circulate a list of stakeholders for consideration; and
 - (ii) Members may also recommend stakeholders.
- 5.4 Due to the size of the Bill, the Chairman also proposed that Members be arranged in groups to review specific parts of the Matrix and recommend stakeholders for engagement.

The Way Forward

- 5.5 The Chairman directed that a Plan of Action should be devised by February 28, 2022, for the review of the Bill and the Matrix at its next Meeting.
- 5.6 Following a brief discussion, the Committee agreed that it would meet on alternating Mondays from 2:00 p.m. to 5:00 p.m.

ADJOURNMENT

- 6.1 There being no other business, the Chairman adjourned the meeting to Monday March 7, 2022, at 2:00 p.m.
- 6.2 The adjournment was taken at 2:33 p.m.

I certify that these minutes are true and correct.

Chairman

Secretary

February 23, 2022

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

**MINUTES OF THE THIRD MEETING OF THE SECOND SESSION (2021/2022)
HELD VIA ZOOM ON MONDAY MARCH 07, 2022 AT 2:00 P.M.**

PRESENT

Committee Members

Mr. Randall Mitchell	-	Chairman
Mrs. Lisa Morris-Julian, MP	-	Member
Mr. Dinesh Rambally, MP	-	Member
Ms. Charrise Seepersad	-	Member
Ms. Paula Gopee-Scoon	-	Member
Mr. Marvin Gonzales	-	Member
Mr. Rohan Sinanan	-	Member

Secretariat

Ms. Angelique Massiah	-	Secretary
Mr. Kaleem Hosein	-	Assistant Secretary
Ms. Rebecca Rafeek	-	Procedural Officer Intern
Ms. Nicole Brown	-	Graduate Research Assistant
Mr. Roger Hector	-	Legal Officer
Mr. Khaleem Ali	-	Legal Intern

ABSENT/EXCUSED

Mr. Davendranath Tancoo, MP	-	Member
Ms. Jearlean John	-	Member
Mr. Deeroop Teemal	-	Member
Mrs. Pennelope Beckles-Robinson, MP	-	Member
Mr. Keith Scotland, MP	-	Member

COMMENCEMENT

- 1.1 The meeting was called to order by the Chairman at **2:03 p.m.**

CONFIRMATION OF MINUTES OF THE SECOND MEETING

- 2.1 The Committee examined the Minutes of the Second Meeting held on February 21, 2022.

2.2 The motion for the confirmation of the Minutes of the Second Meeting was moved by Ms. Charrise Seepersad and seconded by Mrs. Lisa Morris-Julian.

MATTERS ARISING FROM THE MINUTES

3.1 Per item **4.4 (iii)**, the Chairman informed that on Thursday March 3, 2022, the Secretariat circulated resumes for the following technocrats:

- Mr. Ronald Alfred
- Commodore Garnet Best
- Commander Francis Weekes
- Mr. Brent Williams
- Mr. Richmond Basant
- Mr. Courtney Lange.

3.2 Per item **5.3 (i)**, the Chairman informed that on Thursday March 3, 2022, the Secretariat circulated the list of Stakeholders that have submitted comments to date.

3.3 Per item **5.3 (ii)**, the Chairman further informed that the Secretariat did not receive any recommendations for Stakeholders that the Committee may invite for discussions on the Bill.

3.4 Per items **5.4 and 5.5**, the Chairman informed Members that on Monday February 28, 2022, the Secretariat circulated a Work Plan which proposed groups of Members responsible for reviewing specific parts of the Matrix of Consolidated Stakeholder Comments and to recommend stakeholders, if any, for future engagement by the Committee.

REVIEW OF GENERAL COMMENTS MADE BY STAKEHOLDERS

4.1 The Chairman reminded Members that the purpose of the day's meeting was to commence a review of the general stakeholder comments made on the Bill.

Technocrats invited into the Meeting.

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

Maritime Services Division

Ronald Alfred	Director Maritime Services
Commodore Garnet Best	Marine Administrator (Safety and Security)
Brent Williams	Senior Legal Officer
Courtney Lange	Government Appointed Surveyor under the Shipping Act

Commander Francis Weekes Ship Surveyor
Mr. Richmond Basant Maritime Administrator

Chief

Parliamentary Council

Ida Mariana Eversley Deputy Chief Parliamentary Counsel

Aneil Joseph Senior Parliamentary Counsel (Ag)

- 4.3 The Committee reviewed the general comments submitted by the following stakeholders:
- i. Justice Anthony Lucky (Ret'd);
 - ii. Institute of Marine Affairs;
 - iii. Ministry of Planning and Development;
 - iv. Agostini Insurance Brokers;
 - v. Trinidad and Tobago Bureau of Standards;
 - vi. University of Trinidad and Tobago; and
 - vii. National Energy Corporation of Trinidad and Tobago and La Brea Industrial Development Company Limited.
- 4.4 During the deliberations, the Committee agreed that no action was required on the general comments received from the above listed stakeholders, save and except for those listed in the *Appendix*.
- 4.5 The Committee requested that the CPC provide:
- i. a detailed explanation of the differences between the National Maritime Policy and the Shipping Policy;
 - ii. advice on whether the contents of the National Maritime Policy are captured under the Shipping Bill;
 - iii. advice on whether the requirements of the Basel Charter are covered by the Environmental Management Act, Chapter 35:05 and are therefore not required to be included in the Shipping Bill;
 - iv. further comments for insertion in the matrix/report of the Committee to clarify whether vessels under the Trinidad and Tobago flag will have the same requirements for trade as foreign vessels; and
 - v. the provisions of the Jamaican Act that were utilised for drafting the penalties clauses, set out in the Bill.

OTHER BUSINESS

- 5.1 The Chairman reminded Members of the Work Plan and again requested that they propose a list of stakeholders that the Committee may invite for discussions on the Bill.
- 5.2 The Chairman reminded Members that the Committee will meet every other Monday as agreed.

ADJOURNMENT

- 6.1 There being no other business, the Chairman adjourned the meeting to Monday March 21, 2022, at 2:00 p.m.
- 6.2 The adjournment was taken at 4:00 p.m.

I certify that these minutes are true and correct.

Chairman

Secretary

March 09, 2022

Review of General Comments on the Shipping Bill, 2020
Monday March 7, 2022

Clause	Comments	CPC/MSD Comments	Committee Decision
53	<p><u>Institute of Marine Affairs</u></p> <p>1) The Institute of Marine Affairs is aware that the Maritime Services Division, Ministry of Works and Transport in conjunction with the Ministry of Trade has engaged consulting firms to develop a National Maritime Policy for Trinidad and Tobago. There must be synergy between the Maritime Policy and this legislation as the Shipping Bill could be a mechanism by which the policy can be implemented.</p> <p>2) Explanatory Notes</p> <p>Explanatory Note to clause 53 of the Bill introduces the concept of Bareboat Charter as well as other forms of leasehold or partnership agreements. Where feasible these terms should be broken down to explain what the terms mean. See for example UK Merchant Shipping Act 1995.</p>	<ul style="list-style-type: none"> ▪ Noted. ▪ It is agreed that a definition for bare boat charter be included in section 53 as the terms only occurs in that clause of the Bill as follows: ▪ “(2) For the purposes of subsection (1)(c) “bare boat charter” means the lease of a ship under an agreement whereby the lessor provides the ship and the charterer is responsible for the hire of the master and crew of the ship as well as the operations of the ship.”. 	<p>CPC must submit a comprehensive explanation of the difference between the National Maritime Policy and the Shipping Policy.</p> <p>CPC to confirm whether all aspects of the Shipping Policy are captured in the Shipping Bill.</p> <p>Clause 53 to be amended to include a definition of “bare boat”.</p>
	<p><u>Ministry of Planning and Development</u></p> <p>3) Reference should be made to the relevant provisions of the International Convention for the Prevention of Pollution from Ships (MARPOL) Convention and the Basel Convention to which Trinidad and Tobago is party to, to</p>	<ul style="list-style-type: none"> ▪ Basel Convention is not required to be implemented under this Bill but should find its place the EMA legislation. 	<p>CPC to advise conclusively whether the requirements of the Basel Convention would be dealt with</p>

Clause	Comments	CPC/MSD Comments	Committee Decision
	<p>ensure all applicable safety measures and precautions to protect the marine environment are taken and maintained. This is recognising that reference has been made to instruments of the IMO in Clause 17 which could include MARPOL and some items from the Annexes in MARPOL have also been captured in clauses 213 and 215.</p>		<p>under the Environmental Management Act, Chap. 30:05</p>
	<p><u>Trinidad and Tobago Bureau of Standards</u></p> <p>TTBS recommends an additional clause stating the following:</p> <p>The Authority shall collaborate with the Trinidad and Tobago Bureau of Standards on the development and application of standards, conformity assessment activities (including inspection, testing and certification) and metrology, as necessary, to strengthen the national quality infrastructure.</p> <p>A definition of quality infrastructure can also be included as:</p> <p>a) The totality of internationally recognized standards and technical regulations, metrology, accreditation, conformity assessment services and information, awareness and education programmes involved in strengthening the quality competitiveness of the goods and services produced or provided at the national levels, with the aim of: increasing and facilitating trade, boosting industrial and State efficiency and effectiveness, promoting consumer welfare and safety and contributing to other sustainable development goals.</p> <p>A definition of Good Regulatory Practices can also be included:</p> <p>b) Internationally recognised processes, systems, tools and methods for improving the quality of new and</p>	<ul style="list-style-type: none"> ▪ Agreed. This can go into the general regulation making power under section 501. ▪ Agreed. This can go into the general regulation making power under section 501. Agreed. This can go into the general regulation making power under section 501. 	<p>Issue to be addressed in Regulations.</p> <p>Issue to be addressed in Regulations.</p> <p>Issue to be addressed in Regulations.</p>

Clause	Comments	CPC/MSD Comments	Committee Decision
	<p>existing regulations. GRP systematically implements public consultation and stakeholder engagement as well as impact analysis of Government proposals, before they are implemented, to make sure they address important problems, and for purpose, and will deliver what they are set out to achieve.</p>		
	<p>National Energy Corporation of Trinidad and Tobago Limited (National Energy) La Brea Industrial Development Company Limited (LABIDCO)</p> <p>2) Provisions for vessels engaged in local trade (under T&T Flag) appear to be the same as the requirements for vessels engaged in international trade. There should be clear provisions for T&T flag trade and other activity in the local/territorial waters of Trinidad and Tobago. IMO treats with activity/shipping in international waters.</p> <p>5) Penalties</p> <p>Several clauses throughout the Bill relates to fines. Most of the fines are very excessive. Registering a ship under the Trinidad and Tobago flag will not be attractive to ship owners given the excessive application of fines and jail terms for non-compliance. An example of this is clause 354 which deals with load line marking. The penalty of \$150,000.00 for failing to keep the load line mark as required will be a detractor to owners to register vessels under the T&T Flag. This is so especially since there is little incentive to register vessels under the T&T Flag.</p>	<p><i>(No comment provided)</i></p>	<p>CPC required to submit comments for insertion in the matrix/Committee report.</p> <p>CPC to provide the Jamaican legislation containing administrative fines.</p>

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

**MINUTES OF THE FOURTH MEETING OF THE SECOND SESSION (2021/2022)
HELD VIA ZOOM ON MONDAY MARCH 21, 2022 AT 2:00 P.M.**

PRESENT

Committee Members

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

Secretariat

Ms. Chantal La Roche	-	Secretary (Ag.)
Mr. Kaleem Hosein	-	Assistant Secretary
Ms. Rebecca Rafeek	-	Procedural Officer Intern
Ms. Nicole Brown	-	Graduate Research Assistant
Ms. Allisia Williams	-	Legal Research Officer
Mr. Khaleem Ali	-	Legal Intern

COMMENCEMENT

1.1 The meeting was called to order by the Chairman at 2:12 p.m.

CONFIRMATION OF MINUTES OF THE THIRD MEETING

2.1 The Committee examined the Minutes of the Third Meeting held on March 07, 2022.

- 2.2 The motion for the confirmation of the Minutes of the Third Meeting was moved by Ms. Charrise Seepersad and seconded by Mrs. Paula Gopee-Scoon.

MATTERS ARISING FROM THE MINUTES

- 3.1 Per **item 4.5**, the Chairman informed the Committee that the Secretariat circulated the following information to Members by e-mails dated March 17 and 18, 2022:
- i. A document highlighting the differences between the Draft National Maritime Policy and the Shipping Policy;
 - ii. The Executive Summary of the Draft National Maritime Strategy;
 - iii. The Executive Summary for the Shipping Bill;
 - iv. A matrix prepared by the MSD and CPC Committee when the Shipping Bill, 2020 was under draft; and
 - v. The Jamaican Shipping Act, 2002.
- 3.2 The Chairman further informed that the Legislative Drafting Department requested comments from the Environmental Management Authority in respect of the Basel Convention and that such comments will be provided at a later date.
- 3.3 Per **item 5.1** the Chairman advised that to date, no proposals have been made by Members in respect of stakeholders that the Committee may invite for discussions on the Bill.

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

- 4.1 The Chairman advised Members that the purpose of the day's meeting was to continue a review of the General Stakeholder Comments and to commence the clause by clause analysis of the Bill.

The Chairman invited the technocrats into the Meeting.

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

Maritime Services Division

Ronald Alfred	Director Maritime Services
Commodore Garnet Best	Marine Administrator (Safety and Security)
Brent Williams	Senior Legal Officer
Courtney Lange	Government Appointed Surveyor under the Shipping Act
Commander Francis Weekes	Ship Surveyor
Mr. Richmond Basant	Maritime Administrator

Chief Parliamentary Council

Ida Mariana Eversley

Deputy Chief Parliamentary Counsel

Aneil Joseph

Senior Parliamentary Counsel (Ag)

- 4.3 The Committee reviewed the General Comments submitted by the following Stakeholders:
- i. Shipping Association of Trinidad and Tobago;
 - ii. Ministry of Labour;
 - iii. Marine Safety Training & Consultations Ltd;
 - iv. FEAT Safety and Maritime Training Consultant;
 - v. Yacht Services Association of Trinidad and Tobago;
 - vi. Titan Marine Engineering and Survey Company/ Tobago SEA School
 - vii. Atlantic LNG;
 - viii. BP Trinidad and Tobago LLC;
 - ix. Customs and Excise Division; and
 - x. Ministry of Finance.

- 4.4 The Committee agreed that no additional action was required based on the General Comments received from the listed stakeholders.

OTHER BUSINESS

- 5.1 The Chairman reminded Members of the Work Plan and again requested that they propose a list of stakeholders that the Committee may invite for discussions on the Bill.

ADJOURNMENT

- 6.1 There being no other business, the Chairman adjourned the meeting to Monday April 4, 2022 at 2:00 p.m.
- 6.2 The adjournment was taken at 4:50 p.m.

I certify that these minutes are true and correct.

Chairman

Secretary

April 26, 2022



Office of the Parliament
Parliamentary Complex
Cabildo Building
St. Vincent Street, Port of Spain, Republic of Trinidad and Tobago

JOINT SELECT COMMITTEE ON THE SHIPPING BILL, 2020

**MINUTES OF THE FIFTH MEETING OF THE SECOND SESSION (2021/2022)
HELD VIA ZOOM ON MONDAY APRIL 25, 2022 AT 2:13 P.M.**

PRESENT

Committee Members

Mr. Randall Mitchell	-	Chairman
Mr. Keith Scotland, MP	-	Member
Mr. Davendranath Tancoo, MP	-	Member
Mrs. Penelope Beckles	-	Member
Mrs. Lisa Morris-Julian, MP	-	Member
Ms. Jearlean John	-	Member
Mr. Rohan Sinanan	-	Member
Mr. Marvin Gonzales	-	Member

Secretariat

Ms. Angelique Massiah	-	Secretary
Ms. Rebecca Rafeek	-	Procedural Officer Intern
Ms. Allisia Williams	-	Legal Research Officer
Mr. Khaleem Ali	-	Legal Intern
Ms. Nicole Brown	-	Graduate Research Assistant

ABSENT/EXCUSED

Ms. Paula Gopee-Scoon	-	Member
Mr. Deeroop Teemal	-	Member
Mr. Dinesh Rambally, MP	-	Member
Ms. Charrise Seepersad	-	Member

COMMENCEMENT

1.1 The meeting was called to order by the Chairman at **2:13 p.m.**

CONFIRMATION OF MINUTES OF THE FOURTH MEETING

- 2.1 The Committee examined the unconfirmed Minutes of the Fourth Meeting held on March 21, 2022, and agreed that it be amended to include that Mr. Rohan Sinanan as present.
- 2.2 The motion for the confirmation of the Minutes of the Fourth Meeting, as amended, was moved by Mrs. Penelope Beckles and seconded by Mr. Davendranath Tancoo.

MATTERS ARISING FROM THE MINUTES

- 3.1 Per **item 3.2**, the Chairman informed the Committee that the Legislative Drafting Unit had not submitted any comments from the Environmental Management Authority (EMA) and that the Deputy Chief Parliamentary Counsel would be asked for an update.

RECEIPT OF ADDITIONAL STAKEHOLDER SUBMISSIONS

- 4.1 The Chairman informed the Committee that, at the close of the Committee's extended deadline for comments on the Bill on March 31, 2022, submissions were received from the following stakeholders:
 - i. EOG Resources Trinidad and Tobago;
 - ii. Port Authority of Trinidad and Tobago;
 - iii. Bankers Association of Trinidad and Tobago; and
 - iv. The Ministry of Trade and Industry (additional comments).
- 4.2 The Chairman informed Members that the submissions were circulated via email on April 5, 2022 to the Members and to the technocrats for analysis.

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

- 5.1 The Chairman advised Members that the purpose of the day's meeting was to continue a review of the general comments and to commence the clause by clause analysis of the stakeholders' comments made on the Bill.

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 Council (CPC) were present:

Maritime Services Division

- i. Mr. Ronald Alfred, Director Maritime Services
- ii. Commodore Garnet Best, Maritime Administrator (Safety and Security)
- iii. Mr. Brent Williams, Senior Legal Officer
- iv. Mr. Courtney Lange, Government Appointed Surveyor under the Shipping Act
- v. Commander Frances Weekes, Ship Surveyor
- vi. Mr. Richmond Basant, Maritime Administrator

Chief Parliamentary Council

- i. Ms. Ida Eversley, Deputy Chief Parliamentary Counsel
- ii. Mr. Aneil Joseph, Senior Parliamentary Counsel

- 5.3 The Deputy Chief Parliamentary Counsel advised that the comments from the EMA as well as the revised matrix were being reviewed and that the Committee would be in receipt of them before the next meeting.
- 5.4 The Committee continued and completed the review of the general comments submitted by the following stakeholders and determined that no additional action was required:
- i. Heritage Petroleum Company Limited;
 - ii. Ministry of National Security; and
 - iii. the Ministry of Tourism, Culture and the Arts.
- 5.5 The Committee then completed its review of the comments made on:
- i. Clause 3, by the Trinidad and Tobago Coast Guard and Justice Anthony A. Lucky (retired); and
 - ii. Clause 4, by the Institute of Marine Affairs, the University of Trinidad and Tobago and the Coastal & Offshore Maritime Training Institute.
- 5.6 The issues identified and decisions taken with regard to the stakeholder comments on clauses 3 and 4 are outlined in the **Appendix** to these Minutes.

OTHER BUSINESS

- 6.1 The Chairman reminded Members that the Committee will meet every other Monday as agreed.

ADJOURNMENT

- 7.1 There being no other business, the Chairman adjourned the meeting to Monday May 09, 2022, at 2:00 p.m.
- 7.2 The adjournment was taken at 3:04 p.m.

I certify that these minutes are true and correct.

Chairman

Secretary

April 25, 2022

The Shipping Bill, 2020

**Consideration of the Matrix of Stakeholders' Comments
Clauses considered at 5th Meeting held on April 25, 2022**

<i>Clauses</i>	<i>Issues Identified</i>	<i>Decisions Taken</i>
1. Short title	None	None
2. Act inconsistent with the Constitution	None	None
3. Commencement	None	None
4. Interpretation	A. A definition of “ warship ” should be included.	CPC to include a definition of “warship”
	B. A definition of “ Flag State ” should be included.	CPC to include a definition of “Flag State”
	C. A definition of “ Unattended ” should be included.	CPC to include a definition of “Unattended” for the purposes of wrecks and salvage.
	D. A definition of “ Stevedore ” should be included.	CPC to include a definition of “Stevedore”

April 25, 2022



Parliament
Republic of Trinidad and Tobago

JSC -The Shipping Bill, 2020

JSC- Shipping Bill, 2020

List of Stakeholders invited to submit comments on the Bill

	<u>INSURANCE COMPANIES</u>
1.	Agostini Insurance Brokers Ltd.
2.	Bankers Insurance Company of Trinidad and Tobago
3.	COLFIRE
4.	Cuna Caribbean
5.	Demerara Life Assurance
6.	Furness Group of Companies
7.	Guardian Life of the Caribbean
8.	Gulf Insurance Limited Trinidad
9.	Maibrol Insurance Brokers
10.	Sagicor Live Insurance
11.	TATIL Insurance Services
12.	The Association of Trinidad and Tobago Insurance Companies
13.	The Beacon Insurance Company Limited
14.	The Maritime Financial Group
15.	TRINRE Insurance Limited

	<u>TRAINING INSTITUTES</u>
16.	Caribbean Fisheries Training & Development Institute
17.	Coastal & Offshore Maritime Training Institute
18.	FEAT Safety & Marine Training Consultants
19.	Institute of Marine Affairs
20.	Marine Safety (Training & Consultants Limited)
21.	Relyon Nutec Trinidad Limited
22.	Titan Marine Engineering & Surveying Company
23.	University of Trinidad and Tobago (Maritime Campus)
	<u>ASSOCIATIONS</u>
24.	Institute of Surveyors of Trinidad and Tobago
25.	International Maritime Organization
26.	Seamen and Waterfront Workers Trade Union
27.	The Bankers Association of Trinidad and Tobago
28.	Trinidad and Tobago Seamen Education Employment Association Contractor
29.	Trinidad and Tobago Pilots' Association
30.	Trinidad and Tobago Sailing Association
31.	Trinidad and Tobago Manufacturers Association (TTMA)
32.	Yachting Services Association of Trinidad and Tobago (YSATT)
	<u>GOVERNMENT AGENCIES</u>
33.	Industrial Court

34.	Ministry of Works and Transport
35.	Ministry of Tourism
36.	Ministry of Energy and Energy Industries
37.	Ministry of Planning and Development
38.	Ministry of Finance
39.	Ministry of Foreign and CARICOM Affairs
40.	Ministry of Labour
41.	Ministry of Agriculture Land and Fisheries
42.	Ministry of Trade and Industry
43.	Trinidad and Tobago Coast Guard
44.	Tobago House of Assembly <ul style="list-style-type: none"> • Division of Food, Production, Forestry and Fisheries • Division of Tourism, Culture and Transportation
<u>CHAMBERS</u>	
45.	American Chamber of Commerce of Trinidad and Tobago
46.	Caribbean Association of Industry and Commerce
47.	Confederation of Regional Business Chambers
48.	Energy Chamber of Trinidad and Tobago
49.	The British- Caribbean Chamber of Commerce
50.	Trinidad and Tobago Bureau of Standards
51.	Trinidad and Tobago Coalition of Services Industries
52.	Trinidad and Tobago Chamber of Industry and Commerce

<u>SHIPPING AGENTS & PORT FACILITIES</u>	
53.	Abraham Shipping Company Limited
54.	Alstons Shipping Limited
55.	AmerTrin Marine & Logistics Services Limited
56.	A&R Shipping Limited
57.	Caribbean Dockyard and Engineering Services Limited
58.	Caribbean Shipping Agencies Limited
59.	Central Navigation Limited
60.	Crews Inn Hotel and Yachting Services
61.	CMA CGM Trinidad Limited
62.	D. Hill Shipping Services Limited
63.	GAC Energy and Marine Services Limited
64.	Gulf Shipping Limited
65.	Gordon Grant and Company Limited
66.	Huggins Shipping and Customs Brokerage Limited
67.	Inchcape Shipping Services
68.	Intercontinental Shipping Limited
69.	Lazzari and Sampson Limited
70.	Lee Chong's Custom Brokerage Limited
71.	Lloyd's West Indies Limited
72.	Maritime Preservation Limited
73.	Maritime Management Services
74.	Mariad Shipping Services Limited

75.	Melville Shipping Limited
76.	Norton Lily Trinidad and Tobago Limited
77.	Oceanfreight Agencies Limited
78.	Perez y Cia
79.	Port Authority of Trinidad and Tobago
80.	Port of Spain Infrastructure Company (POSINCO)
81.	Point Lisas Industrial Development Corporation Limited (PLIPDECO)
82.	Seaport Agencies Trinidad limited
83.	Shipping Association of Trinidad and Tobago
84.	Shipbuilding and Repair Development Company of Trinidad and Tobago Limited
85.	Twin Island Shipping Agencies
86.	Trinidad Contractors
87.	Trinidad and Tobago Yacht Club
88.	Tropical Shipping Limited
89.	Ultra Shipping
90.	United Shipping Agencies
91.	World Trade Shipping
	<u>FISHER FOLK ASSOCIATIONS</u>
92.	Alcan Bay Fishing Association
93.	All Tobago Fisherfolk Association
94.	Almoorings Fishing Cooperative Society Limited
95.	Blachisseuse Fisherfolk and Marine Association
96.	Blue River/Bamboo/Cunupia Fishing Association

97.	Brickfield Fishing Association
98.	Carli Bay Fishing Association
99.	Carenage Fisher Folk Association
100.	Carvalho's Cruise Services
101.	Cedros Fishing Cooperative
102.	Charlieville/Felicity Fishing Association
103.	Claxton Bay Fishing Association
104.	Cocorite Fishing Association
105.	Cumana Fishing Association
106.	Dow Village/South Oropouche Fishing Association
107.	Erin Fishing Co- operative Society Limited
108.	Fishermen and Friends of the Sea
109.	Future Fishers (NGO)
110.	Fullerton Fishing Association
111.	Grand Chemin Fishing Association
112.	Grand Rivere Fisherman's Association
113.	Guayaguayare, Ortoire and Mayaro Fisherfolk Association (GOMFA)
114.	Icacos Fisherfolk United
115.	Icacos Fisherfolk Limited
116.	Icacos Fishing Association
117.	Icacos United Fishermen
118.	La Brea Fishing Association
119.	Las Cuevas Fishing Association

120.	Maracas Bay Fishing Association
121.	Marabella Fishing Association
122.	Matelot Kingfisher's Association
123.	Mayaro Fishing Crew Association
124.	Morne Diablo Fishing Association
125.	Morne Diablo Fishing Community
126.	Moruga/La Ruffin Fishing Association
127.	Orange Valley Fishing Association Limited
128.	Orange Valley Pirogue Association
129.	Orange Valley Fish Vendors Association
130.	Otaheite Vendors Association
131.	South East Fishing Association
132.	Sunset Beach Fishing Association
133.	Trinidad and Tobago Industrial Fishing Association
134.	Trinidad and Tobago United Fishers
135.	Trinidad and Tobago Game Fishing Association
136.	The Boat Owners and Fishermen's Association
137.	Toco Fishing Association
138.	Trinidad and Tobago Long Liner's Association
139.	Women in Fishing Association
	<u>OIL AND GAS COMPANIES</u>
140.	Atlantic LNG

141.	BHP Billiton Trinidad and Tobago
142.	British Petroleum Company of Trinidad and Tobago (BpTT)
143.	DeNovo Energy
144.	EOG Resources Trinidad Ltd.
145.	Guaracara Refining Company Limited
146.	Heritage Petroleum Company Limited
147.	National Gas Company of Trinidad and Tobago
148.	National Energy Corporation
149.	Paria Fuel Trading Company
150.	Primera Oil and Gas Limited
151.	Repsol E&P Trinidad and Tobago
152.	Shell Trinidad and Tobago Limited
153.	The Trinidad and Tobago National Petroleum Marketing Company Limited
154.	Trinidad Petroleum Holdings Limited
155.	Trinity Exploration and Production (Trinidad and Tobago) Limited