

*Leave of Absence*

*Wednesday, January, 17, 2007*

**HOUSE OF REPRESENTATIVES**

*Wednesday, January, 17, 2007*

The House met at 1.30 p.m.

**PRAYERS**

[MR. SPEAKER *in the Chair*]

**LEAVE OF ABSENCE**

**Mr. Speaker:** Hon. Members, I have received communication from the hon. Leader of the Opposition and Member of Parliament for Siparia, Mrs. Kamla Persad-Bissessar, as well as the hon. Leader of the Congress of the People and Member of Parliament for St. Augustine, Mr. Winston Dookeran; Member of Parliament for Caroni East, Mr. Ganga Singh and the Member of Parliament for Arouca South, hon. Camille Robinson-Regis. These Members have asked to be excused from today's sitting of the House. The leave which these Members request is granted.

**LAW REFORM COMMISSION (AMDT.) BILL**

Bill to amend the Law Reform Commission Act, Chap. 3:04; brought from the Senate [*The Minister of Legal Affairs*]; read the first time

**ORAL ANSWER TO QUESTION**

**Conditional Cash Transfer Cards**

- 37. Mr. Nizam Baksh** (*Naparima*) asked the hon. Minister of Social Development to indicate:
- (a) the number of Conditional Cash Transfer Cards that have been delivered to date;
  - (b) the number of Conditional Cash Transfer Cards undelivered to date;
  - (c) the number of Conditional Cash Transfer Cards proposed for distribution in 2007; and
  - (d) the cost of producing each card as well as the overall cost of implementing this programme to date?

**Mr. N. Baksh:** The Minister has just informed me that he needs some more time.

**Mr. Speaker:** By agreement, question No. 37 would be postponed for two weeks.

*Question, by leave, deferred.*

## FINANCE COMMITTEE

**The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley):** Mr. Speaker, I beg to move that the House do now resolve itself into Finance Committee.

*Question put and agreed to.*

**Mr. Speaker:** The House shall now go into Finance Committee. I ask all strangers to retire from the House for the duration of the meeting of the Finance Committee. At the end of this meeting strangers would be re-admitted.

**1.34 p.m.:** *House resolved itself into Finance Committee.*

**1.40 p.m.:** *House resumed after Finance Committee.*

**The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley):** Mr. Speaker, I beg to report that the Finance Committee has met and considered the Variation of Appropriation for 2006. The Report of the Finance Committee will be presented to the House on Friday January 19, 2007 at 1.30 p.m.

## HERITAGE AND STABILISATION FUND (NO. 2) BILL

[Seventh Day]

*Order read for resuming adjourned debate on question [November 10, 2006]:*

That the Bill be now read a second time.

*Question again proposed.*

**Mr. Speaker:** On the last occasion we met, the hon. Minister of Health was on his feet. He has 43 minutes of original time. I now call on the hon. Minister of Health. [*Desk thumping*]

**Hon. John Rahael:** Mr. Speaker, before I delve into the matter, much is being said about a very unfortunate incident that happened in September at the Eric Williams Medical Sciences Complex where a three-year-old died under surgery. Immediately upon the information that was provided by the media of this very sad and unfortunate death, the Ministry of Health through the Director of Quality initiated an enquiry as to what had transpired. Within 10 days the Director of Health reported.

**Mr. Speaker:** I am not sure about the relevance of what you are saying to what is before us.

**Hon. J. Rahael:** Mr. Ramsaran had referred to it.

**Mr. Speaker:** You had raised the matter on the last occasion?

**Mr. Ramsaran:** Yes.

**Mr. Speaker:** Okay. Please continue.

**Hon. J. Rahael:** The issue was raised by the Member for Chaguanas. He waved a report that was not really the report that was forwarded to the Medical Board. Nevertheless, as I was saying within 10 days the Director of Quality presented a report to the Chief Medical Officer that indicated that there was need for an enquiry and investigation. I also indicated to the media and the people of Trinidad and Tobago that this investigation would take place and the final outcome would be known to all.

First of all, we sympathize and empathize with the family of Faith Williams. When we began the investigation we realized that the equipment and the state of the equipment were brought into question. We immediately told the Medical Chief of Staff at the Eric Williams Medical Sciences Complex to secure the equipment and it was put under lock and key. In order to investigate the equipment we thought that it would have been prudent to get someone who is not involved in the entire operations at the Eric Williams Medical Sciences Complex and someone who would have been an expert in evaluating the equipment. We then sourced an expert out of the United Kingdom and brought him down. The expert came to Trinidad and Tobago and examined the machinery. He spent about three days, went back and then forwarded his report.

With that information the Chief Medical Officer continued his investigation. It was done in a very timely manner. The report was completed in a very timely manner, so that there was no delay or hiding of anything. After the report was completed within a couple of days seeking medical and legal advice, we forwarded the report to the Medical Board of Trinidad and Tobago. The Medical Board is the authority to discipline and register medical practitioners in Trinidad and Tobago. We sent the report to where it was supposed to go. We did that on a confidential note because we did not want to contaminate any outcome that may have arisen from the actions that may have been taken by the Medical Board and most likely, a court of law in Trinidad and Tobago.

I have a statement by the secretary of the Medical Board on the *Daily Express* dated Wednesday January 17, 2007. Let me quote the secretary to the board, Dr. Neil Singh.

“Secretary to the board, Dr. Neil Singh, said yesterday that the board was ‘a creature of statutes’ which is governed by the Medical Board Act of 1960 and

which allows the board to penalize a doctor in three ways including a reprimand or sanction, suspension for up to two years and removal from the register of medical practitioners.”

By law, the only authority and organization to sanction, suspend and take away the licences of doctors in Trinidad and Tobago is the Medical Board of Trinidad and Tobago. The Ministry of Health, the Minister of Health, the Government and the Cabinet cannot remove a doctor from practising and revoke his licence. What did we do? We made certain that we would send that report to where it was supposed to go. Now the Medical Board would do what it has to do.

He went on to say,

“...negligence can only be ascertained in a court of law, Singh said if there is evidence in this incident involving Faith Williams, the matter will be referred to the DPP.”

The most appropriate entity to refer the report to the DPP is the Medical Board of Trinidad and Tobago.

“The process of investigating complaints received includes the board appointing one member to investigate the complaint received...”

He went on to explain the procedure.

“If a doctor is found guilty of infamous and disgraceful conduct...he is free to appeal the board’s decision at the level of the Court of Appeal.”

We did not want to debate or contaminate anything which would have had an effect in a court of law. That is why we forwarded the report to the Medical Board. We are determined to do what is right and to follow the process and proper procedure so that we would get the right outcome at the end of the day. We are not looking for expediency where we can make the report public as has happened and now become a political football.

Today, the family of Faith Williams is saddened by all that is happening. I too, am saddened by the remarks of Members of the Opposition failing to understand the sensitivity of this situation. We will ensure that we follow the proper procedure to do what is required.

Much has been said about the state of affairs in the health sector as it relates to babies or neonates. I will provide you and this honourable House and the people of Trinidad and Tobago with facts as they relate to infant mortality in Trinidad and Tobago, since this administration came into power. Let us begin with infant

mortality at the Mount Hope Women's Hospital. I have a chart which clearly indicates drops in the infant mortality rate.

Year	Percentage
2003	3.1
2004	23.2
2005	14.4
2006	39.5

During the period 2002—2006 the statistics would bear out that there was a drop of 60.3 per cent from a high of 27 deaths per 1,000 live births to 10 deaths per 1,000 live births. That is the infant mortality.

In early neonatal death which is from birth to seven days, there was a drop from 2003—2004 of 34.5 per cent. In 2004—2005 there was a drop of 41.4 per cent and 2006, a further drop of 42.7 per cent. This is at Mount Hope.

Let us look at Port of Spain at early neonatal death which is from birth to seven days.

Year	No. of deaths
2003	79
2004	46
2005	40
2006	31

There is a drop in the mortality rate by 50 per cent over the period 2003—2006.

For neonatal deaths which are eight days to 28 days it is as follows:

Year	No. of deaths
2003	26
2004	17
2005	14
2006	4

Over the period 2003—2006, there has been a drop of 80 per cent.

In San Fernando, early neonatal, in 2003—2004, October to September, 34; October 2004 to September 2005, it dropped from 34 to seven.

Late neonatal, that is eight days to 28 days, in October 2003 to September 2004, 66; October 2004 to September 2005, 63; October 2005 to September 2006, 36. That is a drop of 35 per cent.

In all our institutions, whether in Mount Hope, Port of Spain General Hospital or San Fernando General Hospital, we have seen a drop in the mortality rate for infants whether early neonatal or neonatal between eight and 28 days. As I said, the overall number of infants showed a decline in all health institutions.

In 2004—2005, we provided both Mount Hope and Port of Spain with state of the art equipment to ensure that this result that we are seeing today—together with personnel and the additional training we have been able to accomplish this type of success with respect to infant mortality at Port of Spain, Mount Hope and San Fernando.

Mention was also made by the Member for Couva South when he referred to Dr. Petronella Manning-Alleyne. The period that Dr. Alleyne was referring to was prior to 2003. Today, the neonatal unit in Port of Spain is fully equipped and as I have indicated, we have seen a downward trend in neonatal deaths in Port of Spain. In 2003, it was 106; in 2006, it was 36; a drop of 70 per cent. These figures are provided by the neonatal units in Port of Spain, Mount Hope and San Fernando.

In San Fernando we saw a drop of 50 per cent. In all areas we are ensuring that the mortality rate of babies and infants at the hospitals continues to decline. This situation at Mount Hope with Faith Williams is very unfortunate and sad.

**2.00 p.m.**

Mr. Speaker, I have already said that as Minister of Health, I take full responsibility for everything that happens in the health sector, whether it is in the public sector or in the private sector, because the Ministry of Health is ultimately responsible.

Mr. Speaker, with respect to the Bill in front of us, the Heritage and Stabilisation Fund (No. 2) Bill, as I indicated on Friday, is really a Bill that one would find great pleasure in participating in; a Bill that talks about savings and investments. But, we are blessed in Trinidad and Tobago with oil and gas and when I reflect on oil and gas, it was always there, apparently, at least, 100 years or more. What we are enjoying today it is because of decisions that were made and that this Prime Minister, this hon. Patrick Manning had the vision for between 1991 and 1995. [*Desk thumping*] The Cabinet of Trinidad and Tobago between

1991 and 1995 put certain things in place that what they are seeing today it is because of the decisions that were made then. That was the start of the whole revolution of the energy sector and the economy of Trinidad and Tobago.

Let me remind you, Mr. Speaker, and hon. Members, that it was the PNM administration between 1991 and 1995 that ensured that we monetized our natural gas by bringing to Trinidad Atlantic LNG Train 1. It was the PNM government that did that. Today, there are four plants. Today, we are the world's largest exporter of methanol and ammonia. We are today the leading exporter to the United States with respect to imports of natural gas; small Trinidad and Tobago, because of the vision of the People's National Movement between 1991 and 1995. That is what it is. When they were there they did nothing, they just followed what we left. The only thing they did was put their hands deep in the kitty.

Mr. Speaker, the business community today is enjoying the fruits of those decisions between 1991 and 1995. I remember clearly, Mr. Speaker, when the Government indicated that it was going to liberalize trade and investment and decided that it was no longer going to be a closed economy that, in fact, it was now going to expose its manufacturers and have them compete internationally on the world stage, it did not just throw them to the wolves. It first opened the market and at the same time introduced a surcharge. It added an additional tariff and duty for goods entering Trinidad and Tobago. It did that and opened the market and told its manufacturers that it will give them three, four years in order to retool, to reinvest so that they can become competitive and over that period, it will reduce that additional tariff and eventually eliminate that tariff so that they will have that time, so that the manufacturers and the business community will be able now to compete.

Mr. Speaker, that created a lot of debate. I remember clearly the Trinidad and Tobago Manufacturers Association (TTMA), the Chamber of Commerce, the unions, all demonstrated against the move. They all demonstrated against the decision of the Government at that time, but because we had the vision, because we are leaders, because we know what is required to develop Trinidad and Tobago, we persisted. At that time, they said it was gloom and doom for the manufacturing sector. There were ads on television, in the press and radio by the same business community. I remember clearly there was a very frightening ad on television where they showed this gentleman walking up a ladder and a hand pulling him down indicating that the Government was bringing down the people. The headline: "40,000 jobs to be lost", in all the newspapers. All of these companies and all of the authors; Mr. Speaker, we persisted.

Today, Trinidad and Tobago is the leading exporter within the Caribbean and especially to countries within Caricom. Our manufacturers are doing more than they have ever done before. They cannot cope with the orders that they have, they cannot fulfill the orders that they have. *[Interruption]* Again, how did that come about? That is a fact. That came about because of the decisions of the PNM Government between 1991 and 1995. I give full credit to that Cabinet at that time under the chairmanship and the leadership of the hon. Patrick Manning, regardless of what anyone says today.

Mr. Speaker, that was not all. When we decided to remove foreign exchange—I remember clearly that was an Easter weekend. Actually, I was in Mayaro enjoying myself when I was summoned to come to the Senate. I think we met in the Senate on Gloria Saturday and I think the House sat on Easter Monday.

Mr. Speaker, we liberalized the currency. When we did that some said the dollar would fall 50 to 1, 60 to 1, look at what happened in Venezuela. And they started to make all sorts of comparisons.

Mr. Speaker, we held on steadfastly and today the people of Trinidad and Tobago are benefiting from the decisions of 1991—1995. And what we did then was the right thing because that is what we believe in doing; doing what is right, what is good, what is of benefit to the people of Trinidad and Tobago, and some of those decisions maybe, were responsible for the outcome of that election in 1995. It is very possible. But we did not mind that. We are not about office. We are about service, we are about doing what is in the interest of the people of Trinidad and Tobago, and again, all of our actions have pointed to that.

Mr. Speaker, to come back a bit on the health aspect of it: In 1994, we decentralized the health system by creating these regional health authorities. By the end of 1995 we were no longer in office. The dual system of employment in the health sector has created tremendous difficulties for the management of the Regional Health Authorities. They were in Government for seven years and they did nothing to address that.

This Government again, being a proactive government decided that what existed for the past 12 years cannot continue and, therefore, it has offered VSEP to all public officers working in the health sector, that is, in our health institutions.

Mr. Speaker, that will bring all employees under one umbrella and under one employer. I believe that that would certainly provide for better management of the Regional Health Authorities.

Mr. Speaker, we are in the year 2007. Today, we can talk about a Heritage and Stabilisation Fund and all credit to the People's National Movement for being in that position today. We hope, of course, that this Fund will continue to grow by leaps and bounds because we appreciate the fact that you need to save and invest wisely, and that is what we will do.

Mr. Speaker, I am very proud today to be a Member of Parliament, to be a member of the Cabinet and that we have put into law this question of a Heritage and Stabilisation Fund. Mr. Speaker, I do not intend to say much more other than again, to commend the 1991—1995 Cabinet of Trinidad and Tobago for providing us with the platform so that today we can debate this Bill.

Mr. Speaker, I thank you.

**Mr. Harry Partap** (*Nariva*): Mr. Speaker, I am grateful for the opportunity to make a brief intervention in this debate on this very important Bill, an Act to provide for the establishment and management of the Heritage and Stabilization Fund and for matters related thereto.

Mr. Speaker, I am a little disappointed this evening. I really thought that the hon. Minister of Health who spoke a few minutes ago would have taken the time allotted to him this evening and announce his resignation which would have been the logical step after accepting full responsibility for the blunder which claimed the life of three-year-old Faith Williams at the Eric Williams Medical Sciences Complex, Mount Hope.

What this Minister said this evening really is no comfort to the parents of little Faith Williams. I want to tell the Minister that when you accept responsibility for something you must go the logical step; you must go the full length to show that you have accepted responsibility and, that is, you will hand in your resignation to the Prime Minister and stand the consequences.

That was not done this evening and the Minister lost out on an important opportunity to show that he really cares about what happened, he is sorry and he feels that such a thing should never happen again. But the Minister, as usual in public relations, says he accepts responsibility but he is holding on to the job.

Mr. Speaker, it is my understanding—I have heard the Minister, but one does not have to believe everything the Minister says—and we are told that the Minister decided on a day to start this same-day surgery and he insisted that it must start on that day. When he was told that the equipment was not functioning properly he insisted that it must start. And this reminds me of the Minister of Education when

she wanted to bring all those junior secondary schools into full day schools and de-shifted the schools. She said by September last year all these schools, and she named the schools which must be de-shifted. But they had no structure in place. This is what happened with the Minister of Health. He was told that the equipment was not functioning properly—

**Mr. Rahael:** No, no. What the Member is saying is not accurate. I really would not like you to make statements in this honourable House that are not accurate. I was not told anything of the sort.

**Mr. H. Partap:** Mr. Speaker, when the Minister got the report of what happened on the incident, instead of passing the report on to the competent authority that could take action, the Minister passed it on to the Medical Board. What can the Medical Board do? The Medical Board can discipline doctors, but the Medical Board cannot deal with faulty equipment. Am I right former Minister of Health? Therefore, the Minister was not serious about dealing with this matter. And that is another thing. It is the length of time the Minister took to act on the report.

Mr. Speaker, as a responsible Opposition on this side, we submitted whatever information we had to the appropriate authority for action. That is what we have done and we on this side sympathize with Faith's parents and we register our hope that great care will be taken to ensure that no other child will suffer the same fate.

Mr. Speaker, we call on the Minister to recognize that he has failed Faith Williams and the citizens of Trinidad and Tobago and, therefore, we insist that he must do the honourable thing and tender his resignation.

Mr. Speaker, after that speech this evening, I do not think that the Prime Minister would accept it, but I think it is his duty to insist that he can no longer preside over a ministry where the health of our people cannot be assured. The moral of this unfortunate situation is that public relations are really no substitute for performance on the job. Public relations will not get you anywhere because after all is said and done, it is what you do on the job that will count.

As I understand it, this Bill before us today, provides the legal framework for the establishment and management of the Heritage and Stabilisation Fund, and to a layman like myself, the Heritage and Stabilisation Fund is really a mechanism for saving a part of the windfall oil and gas revenue available to this country and, basically, that is what I understand that fund is going to do. It is a prudent approach; there is no doubt about that. And it is an exercise in forward thinking but, contrary to what the Member for Port of Spain North/St. Ann's West said this

evening, this initiative was conceptualized by the United National Congress. Mr. Speaker, it is the UNC government led by the distinguished Basdeo Panday, which initiated and put this concept into play.

Mr. Speaker, the former Prime Minister, Basdeo Panday was not prepared to allow any future oil windfall to pass through this country as a dose of salts mentioned by the late Jamaican Prime Minister, Norman Manley. And that was the genesis of this Bill that is before us today. It has nothing to do with the PNM. The PNM does not have a culture of saving. They do not even have a culture of planning. You just look around and you will see the wastage that is taking place and it is being promoted as development in this country.

The UNC has cornered the PNM into accepting what we termed the Revenue Stabilization Fund. The forerunner to this Bill is the Revenue Stabilization Fund that we had established from the United National Congress and at this time, they know that they cannot demolish it and they have to accept it because the PNM had been on a crusade to taint, if not destroy every single project undertaken by the United National Congress government. They had been on a crusade. Like the Piarco International Airport; they have maligned that project; yet, it was voted the Caribbean's leading airport last November by the World Travel Awards held in the Turks and Caicos Islands. You do not accept when we do something good [*Interruption*] and this commendation about the airport came even though the airport—they are not maintaining the Piarco complex. If one goes now to the departure area on the ground floor and looks at the chairs that people have to sit on, one will see that they are ripped and torn and the Airports Authority will not maintain the chairs. Do you know what they did a couple years ago? They pulled down the roof tiles to make it appear as though the structure was falling apart.

Take the Biche High School, a \$30 million high school—that is the heritage aspect of the Biche High School and they had a vicious campaign against that school, a campaign of lies; they demonized that project, they made out as if it was done by the devil, yet they want to build a smelter in Chatham and Otaheite to kill people. I understand that surveyors have gone into Biche and they are now surveying a piece of land. No consultation with the people. I do not know what they want to build. I guess it is a school. The fact is, consult with the people, but you are arrogant. We consulted with the people. And right now they are promoting a vicious campaign against the desalination plant. They have dismantled the dollar for dollar tertiary education plan that we had put in place and now they are demolishing COSTAATT. So every single project that was done by the UNC they are finding fault and they want to shut it down, they want to destroy it. This

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Heritage and Stabilisation Fund, they cannot touch it. They have even tried to derail the Equal Opportunity Act. They had to review it and bring something new, if they say it is not good, but they have not. Five years in office and they have done absolutely nothing and they keep on fooling the people of this country.

Mr. Speaker, they must bring that legislation here. We are demanding equal opportunity and we are demanding equality of treatment because we are not getting that in this country today. I must tell you that the PNM is not alone in that. The PNM is not alone in that nasty conspiracy to undermine the UNC.

Has it occurred to you that in the *Express Business Weekly* publication they cannot find one solitary photograph taken between the six-year term of the UNC term in office to highlight on one of their feature pages called "The Way We Were"? I have been reading that magazine since it was first published and I have noted that the business editor found business-related photographs for publication of the PNM Government led by Dr. Eric Williams. They even found photographs during the one term of George Chambers, Patrick Manning and the NAR under ANR Robinson, but not one single photograph they can get while the UNC was in office for those six years.

Mr. Speaker, I will tell you something. We cannot tell them or anybody what to publish but the conspiracy is as clear as crystal to us. [*Desk thumping*] As I said, like the Revenue Stabilisation Fund that the UNC had put in place, the PNM may try to dismantle it; they cannot. And, therefore, they have to continue it. If they want to change the name they can change the name, but they cannot change the concept. They want to add heritage, fair enough, go right ahead. They have proposed Heritage and Stabilisation Fund and we have no problem with the name change. But, Mr. Speaker, even that they cannot do right. Even before the Bill is passed they have already brought five pages of amendments. What an incompetent lot on that side.

Mr. Speaker, I heard the Member for Port of Spain North/St. Ann's West praising the Prime Minister for initiating the Heritage and Stabilisation Fund Act. I know he has to sing for his supper, but he did not have to come here and expose his incompetence. He should not.

Mr. Speaker, clause 16 of the Heritage and Stabilisation Fund Bill for the establishment and management of the Stabilisation Fund says:

"The Fund is a public account for the purposes of section 116 of the Constitution and shall be audited annually by the Auditor General..."

**2.30 p.m.**

Mr. Speaker, the PNM has been tardy in providing statements for audit by the Auditor General, so that financial abuses of the system are not detected until long after the close of the financial year. We hope this will not happen with this fund. In fact, we are concerned and we suggest that the Government use clause 16(2) of this Bill as a template for its own accountability and transparency of funds. We wish that the Minister of Finance will follow that.

There are too many companies and agencies formed by this Government to manage large chunks of the financial resources of the country without the appropriate accountability and transparency. The Community-based Environmental Protection and Enhancement Programme (CEPEP) is one such example. The Auditor General's report that we received last week is a damning indictment on the PNM, but there is always some underlying order in the PNM madness.

CEPEP is not only a means to create employment for PNM party card holders; it is also a source of revenue for the PNM election war chest. Let me demonstrate this by looking at the Report of the Auditor General on a Special Audit of the Community-Based Environmental Protection and Enhancement Programme (CEPEP). We are looking at page xii, Chapter 4, under the title "Financial Management of the Programme". I will read about two or three paragraphs of that report.

Mr. Speaker, you will notice that in that report, CEPEP, in conjunction with SWMCOL, has opened a money market account in the name SWMCOL/CEPEP Investment Club. They are taking taxpayers' money and opening an account under the name of a club. They should be in jail; every one of them, if that is what they have been doing.

The Member for Caroni Central is correct. This is really a slush fund. The Auditor General said:

"24. A money market account in the name of SWMCOL/CEPEP Investment Club was opened on 2002 December 12. According to the letter dated 2002 December 10 in which the request for the account to be opened was made, it was stated, inter alia, that funds for deposit to this account represented a collaboration between the CEPEP contractors who contributed a certain sum and SWMCOL which matched their contribution, dollar for dollar."

That is their dollar for dollar plan. The Auditor General continued:

- “25. Statements in support of contractors’ contribution were provided. However, the statements seen, which were dated 2003 January 13 and 2003 February 14, were entitled ‘Contractors’ Contribution to Christmas Party 2002’ and ‘Contractors’ Flag Contribution for C.E.P.E.P Rally 2003’ respectively. Moreover, documented procedures for the collecting and processing of the contributions were not seen.”

It continues:

- “26. The goals and objectives of the SWMCOL/CEPEP Investment Club were not seen to have been specifically defined in any official document.”

\$378 million.

- “27. Evidence of board approval for the establishment of this money market account was not seen. Moreover, evidence of a memorandum of understanding between the CEPEP contractors and SWMCOL with respect to this arrangement was not seen.”

Mr. Speaker that is what the report says. Nobody can convince me that this SWMCOL/CEPEP Investment Club money market account is not a slush fund to finance PNM transport of CEPEP workers to PNM political rallies and to fund the PNM election campaign. We are talking about \$378 million.

Mr. Speaker, do you know what they pay the CEPEP worker? It is not in this report, but my own investigations reveal that there are three layers of contractors. The report did mention contractors, but it was a closed thing. No evidence was given. There are three levels of contractors. There is one level where the contractor gets \$.5 million in profit. There is another layer where another set of contractors get \$250,000 in profit and, at the lower end, contractors get \$150,000 in profit every quarter. That is what is taking place.

Mr. Speaker, do you know how much a CEPEP worker gets in a quarter? A CEPEP worker gets \$6,000 in a quarter, whereas the contractors carry home the bulk of the money. That is our concern about the system. We have no quarrel with the concept and the workers, but we are saying to give them decent work and allow them to get sick leave. Now, if they get sick, they have to stay home without pay, but the contractors carry home \$150,000, \$250,000 and \$500,000. Not everybody gets that. That is why it is not in the report. That is only for top-ranking PNM supporters.

We know exactly what they are doing, but I will tell them one thing. They can spend their millions of dollars in this election campaign, but the people will not

support them. Not even some of those CEPEP workers are satisfied. There are many of them who do not support what they are doing. When we get into office, we will ensure that these workers benefit under what the ILO calls decent work. Decent work involves decent wages.

Mr. Speaker, we want to know how much money is in this SWMCOL/CEPEP Investment Club money market account—and the interest too. We want to know if the money was used to finance the transport of CEPEP workers to PNM political rallies. Will that money be used to finance the PNM election campaign and its special convention? If so, the PNM is using taxpayers' money to finance its election campaign because CEPEP funding is a charge on the Consolidated Fund.

They talk about entrepreneurship. The contractors have a little company, but they have no risk. They are not entrepreneurs. Entrepreneurs take risks. They get money from the State. They are being paid from taxpayers' money so there is no risk. When they open a money market account, they are transferring taxpayers' money and that is tantamount to stealing from the public purse. That is a breach of the law. I hope the Auditor General will extend her investigation to include these things and perhaps we may have to send the documentation.

Already there is an argument, in some quarters, that the basic definitions of heritage and stabilization do not complement each other in the legislation. In fact, it is said that heritage and stabilization are mutually exclusive. I want to read just two paragraphs from an article in the *Trinidad and Tobago Review* that was published on December 04, 2006, at page 6. It says:

“The current Bill makes no provision to satisfy the Heritage objective. The rules of withdrawal permit the Minister to withdraw up to 25 percent of the balance of the entire Fund in order to make up a revenue shortfall.” [Interruption]

I know you have corrected it. I am telling you what the *Review* said. It is after the *Review* published the article that you changed it. The *Review* is also saying that there must be separate rules for the heritage aspect of the fund.

The financial experts say so. I have a pedestrian appreciation of finances, but from what was outlined in the *Trinidad and Tobago Review*, it makes a lot of sense. However, if the Minister says it has been corrected, I am glad that it has been corrected and, therefore, we will proceed.

When the Heritage and Stabilisation Fund Bill came up for discussion on the last occasion and several occasions before that, certain issues were raised by the hon. Prime Minister and the hon. Member for Diego Martin West. These have

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caught our attention and I intend to make a few comments about what they said during their various contributions.

From time to time, the hon. Prime Minister would rise in this House and, in an attitude of pious pretension, seek to take a high moral ground while chastising Members on this side. The Prime Minister, most times, acts as the proverbial village schoolmaster who lectures to his charges on morality and good conduct in a public display, but under the cover of darkness, he throws caution to the wind and takes on the role of a village ram. That has been his attitude. He takes on a holier-than-thou public show pointing fingers at Members on this side. He always does that, but he exonerates the indiscipline on that side. To me that is what I describe as an abominable style, where there is one law for the PNM and another for the UNC. There is one law for Mr. Basdeo Panday and Mr. Finbar Gangar, but there is another law for Mr. Louis Lee Sing, the distinguished Member for Diego Martin West and the equally distinguished Member for Point Fortin.

The PNM has a history of hounding its opponents out of office and perhaps that is a heritage problem. They did so to one of your predecessors and they had her living on coconut water and jelly. This afternoon, I refer to a late Member of this House, Lionel Frank Seukeran, the father of the hon. Member for San Fernando West, Ms. Diane Seukeran. He attested to the PNM history of hounding down its political opponents. I quote a short extract from his autobiography:

In this extract taken from page 269, Mr. Seukeran described how the PNM destroyed the late Albert Gomes. You may not know him; I myself did not know Mr. Gomes. Mr. Seukeran describes what took place:

“The PNM hounded Gomes out of the island. His home was stoned and his furniture vandalized. His family was menaced. They were mercilessly harassed. The most powerful man of yesterday fled to England where he took a comparatively lowly job with the London County Council.”

Is this description not familiar with what is now taking place in the case of Mr. Basdeo Panday and what may be the case of the Chief Justice? As night follows day, when the PNM believes that it has finished Mr. Basdeo Panday, it will come for the Member for San Fernando West and it will unceremoniously replace her with another lady Senator from San Fernando. I read it in the newspaper. I do not believe everything I read in the newspapers, but sometimes I believe some of it.

The lady is not here, but I am sure that her father is turning in her grave to know that she is in the bosom of this—[*Laughter*]

**Mr. Speaker:** I am not sure her father can turn in her grave. Her father is probably turning in his own grave.

**Mr. H. Partap:** I am sorry. It should be: I am sure that her father is turning in his grave. Thank you, Mr. Speaker; that means that you are really following—to know that she is in the bosom of this treacherous bunch called the PNM.

Somewhere in this book—I could not get the page—he described the PNM as infidels. I am not saying so. I cannot pass that kind of judgment, but sooner or later I may be able to. I believe that the late Mr. Seukeran knew what he was talking about.

It is said that a word to the wise is sufficient and I want to tell the PNM that Basdeo Panday is no Albert Gomes. He is a fighter. He has the resilience to rise above the chaos. I want them to remember that the lion is back and is there to stay, so let them put that in their pipes and smoke them.

Mr. Speaker, if we give the PNM a chance again, we will have no heritage to protect. This legislation that we have before us will really become an academic exercise. The PNM is heartless. They will circumvent the rules to siphon every penny from the fund if they have their way. I am glad that Members on this side and Members on the other side have met and agreed to strengthen the legislation and to make it difficult for them to siphon every penny from that fund. We know the beast with which we are dealing.

Mr. Speaker, I remember too well the Member for Diego Martin West and the Member for Diego Martin East coming to this House to broad-brush the United National Congress with corruption Friday after Friday. They stood on this side calling us thieves and raiders at the door of the Treasury, but when the mark really buss the raiders were really at the gates of the Scarborough Hospital construction site, pilfering cement by the truck loads and gravel by the barrowful and bricks by the thousand. [*Crosstalk*]

Let me remind them of what the commission of enquiry into the Landate matter stated on page 28:

“...there was an abundance of evidence that materials and machinery were removed from the Scarborough Hospital site to the Land Date Development from 1<sup>st</sup> October, 2003 to 16<sup>th</sup> October, 2004.”

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This is why I said if we allow the PNM to stay there we will be no heritage of which we can be proud. On page 30 of the same report, the Commissioners recommend:

“That from the testimony of the witnesses as above-mentioned and the exhibits, the appropriate authorities should visit the provisions of Sections 2, 3, 4, and 21 of the Larceny Act...”

Do you know what larceny is?

“with a view to addressing the illegal act (if so found by them) committed by NHIC by the removal of NIPDEC’s materials from the Scarborough Hospital site to the Land Date Development Project.”

They said we were raiders at the door of the Treasury. Today the raiders are at the gate of the Scarborough Hospital construction site.

Mr. Speaker, we do not want the Member for San Fernando East to lecture to us. We want equality of treatment. We do not want him to protect miscreants in his Government. The ruling that applies to Basdeo Panday, Finbar Gangar, the Chief Justice, Franklin Khan and Eric Williams must be the same law for other members of his Cabinet. He must not selectively protect people.

We want the PNM to stop its policy of lies and innuendoes, harassment of the UNC. Concentrate on running the country; concentrate on discrimination and delivery of goods and services to the people of Trinidad and Tobago.

**Mr. Speaker:** Hon. Members, the speaking time of the hon. Member has expired.

*Motion made,* That the hon. Member's speaking time be extended by 30 minutes. [*Dr. H. Rafeeq*]

*Question put and agreed to.*

**Mr. H. Partap:** Mr. Speaker, I thank you and I thank Members on both sides for supporting the extension.

I must try to get this in if only to correct the record and what the Member for Arouca North said at the last sitting. I cannot let him say those things and not respond. It would not be fair to him and to the people of the constituency of Nariva.

The distinguished Minister of Agriculture, Land and Marine Resources boasted of his stewardship in the Ministry of Agriculture, Land and Marine Resources. Again, the Minister, like his other colleagues, is making the mistake of equating money

with performance. That is a serious mistake. The taxpayers of this country will judge the success of the Minister of Agriculture, Land and Marine Resources on two things: one is what he has done to help farmers produce more food; and two, how will this keep down high food prices.

On both counts, Mr. Speaker, the hon. Minister of Agriculture, Land and Marine Resources has failed. The Minister spent close to \$10 million on the Plum Mitan section of the Nariva Swamp and nothing he has done there has benefited the farmers. After an expenditure of close to \$10 million, the gravelled access roads constructed have been washed away by flood waters.

### **3.00 p.m.**

Farmers are still losing thousands of dollars through floods. This is in Plum Mitan. The river channels that he promised to dredge have not been dredged. He had removed the dredger. There is still a perennial problem of the sluice gates and the bad water management system. *[Interruption]* The Member for Diego Martin East is trying to encourage me to tell him what he is doing in the constituency. It is not being done properly. The roads are still in a bad shape. The works that he did recently are unravelling. The only thing that is staying up is landslips, for which we thank you, but not the roads.

I am dealing with what the Minister of Agriculture, Land and Marine Resources is doing in Plum Mitan after spending \$10 million. There is only one maintenance gang for the Plum Mitan section. *[Interruption]* I am not giving way.

**Mr. Narine:** We have not spent \$10 million. That is propaganda.

**Mr. H. Partap:** The farmers there are still waiting for their leases. You went there for the local government election and told them that they would get their leases, but there were no leases.

The same thing took place in Tableland; the pine farmers are waiting for the juicer promised by the Member for Port of Spain North/St. Ann's West when he was Minister of Agriculture, Land and Marine Resources. He promised them a juicer so that they would vote for the PNM—no juicer. *[Interruption]* I will tell you where the juicer is just now. I have it here. It is here. All the wickedness they are doing in Nariva, I have them here. I will empty it one by one.

When the farmers from Plum Mitan go to Macoya, the Central Market or Debe, they are robbed by bandits on the compound of the wholesale market. Nothing is being done by the ministry.

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The Minister boasted about building access roads in the constituency of Nariva. Yes, he followed to the letter, those requests I made, for access roads. *[Interruption]* No, not two sides. I will tell you. When UNC was in office we did not have the money, so we could not fix the roads. You have the money, you must do it. The farmers expect you to do it because you are in government and you must do it. Every road that is fixed in Nariva is fixed because of the Member of Parliament for Nariva—good representation. The good Senator is nodding his head in agreement with me—good representation.

There is, and I cannot deny that, a heavy concentration of development of access roads in the Cumuto/Tamana area. One agricultural access road has been hot mixed—good work. One!

**Mr. Panday:** Tell them why.

**Mr. H. Partap:** You know why? It is because it leads straight to the estate of the treasurer of the PNM. They know. You were there for Christmas. Remember you came, you ate and drank and feasted on wild hog? Let me go back. They have hot mixed the agricultural access road leading to the treasure of the PNM. *[Continuous interruption and crosstalk]*

**Mr. Speaker:** Hon. Members, I do not know what I can do to save the Hansard reporter from the crosstalk. I have been thinking about it for the last three years. Please, until I come up with such a plan, let us just allow the Hansard reporter to record the Member, please.

**Mr. H. Partap:** Thank you. The treasurer of the PNM is also the PNM coordinator for the constituency of Cumuto/Manzanilla. *[Interruption]* No, we are not frightened. We are waiting on you.

You think that all the money you are spending there will cause those people to vote for the PNM, it is not so because they know. The Ministry of Agriculture, Land and Marine Resources did an access road off the Nariva Road in Manzanilla. You know where that road is leading to? It is leading to the estate owned by the brother of the Member for San Fernando East. *[Continuous interruption and crosstalk]* I am sorry. I withdraw that. It is the brother-in-law of the Member for San Fernando East. *[Continuous interruption and crosstalk]* Yes. I am glad. I am taking it to them.

They have an order in the stupidity that they are doing. The order is that the access roads are being done where his family has lands, where the Member for

San Fernando East family has lands and where the treasurer of the PNM has lands. That is what they are doing. They think the people in Nariva are so foolish that they do not understand that.

**Mr. Narine:** All farmers are my family.

**Mr. H. Partap:** I want to tell both Members for Arouca North and Diego Martin East that we want St. Isadore Road and Mapo Road in Manzanilla repaired. In case you do not know, two Members of the Government have lands there. I would not tell you the names. You know them. When these two Ministers bought lands there—*[Interruption]*

**Mr. Ramsaran:** Recently?

**Mr. H. Partap:** After the last election. The people were happy. They said: “MP, now we are sure we will get the roads fixed.” If you have forgotten, I am reminding you.

The Member for St. Ann’s East, when he was a Minister in Government, was able to negotiate to get a road built straight to the home of one of his girlfriends. I invited him to get more girlfriends in my constituency, so that we can get more roads fixed.

They are doing some agricultural access roads, but they are doing it because they have an interest; it is not because of the farmers. I want the farmers of Nariva to know that it is not because of the farmers, but because of a vested interest. *[Continuous interruption and crosstalk]*

**Mr. Speaker:** I am warning Members. I am appealing to all Members for the last time, to please observe the Standing Orders and have some respect for the Hansard reporter. She is having great difficulty taking down what the Member is saying simply because there is too much crosstalk. *[Continuous interruption and crosstalk]*

**Mr. Panday:** But she is enjoying it.

**Mr. H. Partap:** Mr. Speaker, when this debate began a couple of weeks ago, I regarded it as an exercise in education for me because during this debate I learnt a few things. For example, I learnt from the hon. Minister of Trade and Industry that inflation is a signal of success. I really did not know that. I learned from him that inflation is a signal of success. Somebody is misleading the world because if that is the case, then Haiti, Zimbabwe and Bangladesh must be very successful economies. As far as I know, it is not so. He said that inflation is a signal of success.

I have also learnt from the Prime Minister that the key indicators of economic performance can be used most effectively to cover up the lack of performance in the delivery of goods and services to the people of Trinidad and Tobago. I have learnt that from the Prime Minister. I did not realize that.

I have also learnt—*[Interruption]* When you spoke the last time you said so. I can go back to it. Anyway, I have a few minutes. I will talk to you afterwards.

I also learnt from the Prime Minister that the companies formed by the Government to carry out rural development projects were guarded against the politicization of these companies; even though these companies take direct instructions from the Minister of Planning and Development, who is a politician. What the hon. Prime Minister did not say is that these state companies were being made off limits to the Opposition, but they were formed to be at the behest of PNM councillors and Members of Parliament. The talk about safeguarding these companies, like the Rural Development Company from politicization, is a whole pile of stupidity. It is foolish talk.

I want to tell the Prime Minister that PNM councillors and MPs have direct access to these programmes, while we on this side cannot get anything done, even though we beg for it. That is not fair.

**Mr. Valley:** Come on the other side.

**Mr. H. Partap:** Remember I have things in this file that I have not opened yet. When the Prime Minister spoke on the last occasion on this Bill he sounded like an old sage. He was handing down advice left, right and centre but he was really dealing in statistical “conmanship”, as was said by the Leader of the Opposition.

When he used the key indicators of economic performance to talk about the gross domestic product and the increases, he spoke glowingly about the GDP and market prices moving from \$55 billion under the UNC to \$114 billion. *[Interruption]* I am not saying that you are wrong. He said that it more than doubled in less than five years. He kept saying that it was gone during our period of governance and our watch. I want to tell the Prime Minister this afternoon that he should not beat his chest and want kudos for that. You had nothing to do with the oil prices and the gas prices. Trinidad and Tobago does not set that.

**Mr. Manning:** Mr. Speaker, I agree entirely with the Member for Nariva that we had nothing to do with the gas prices. Would the Member agree that we certainly had something to do with the decision to export natural gas in the liquefied form, which put us in a position to capitalize on the oil and gas price? Would he agree?

**Mr. H. Partap:** I want to simply say that the PNM has nothing to do with the oil prices as they are at present. They have nothing to do with the gas prices. These were done for you by OPEC. You must be thankful to OPEC and do not claim kudos for that. The PNM has done nothing to help with the oil prices. That is my point.

There were two things that contributed to the high GDP. One was the oil prices and the other was mentioned by the Member for Diego Martin West when, I believe, he was trying to put the Prime Minister in his place. He was able to tell us—I would quote from the *Hansard* of November 17:

“I want to draw your attention to the fact that not too long ago we revised our GDP. This Government had to revise the basis on which our GDP was determined. Do you know why? We discovered that while the country was running fast on a revenue stream from gas, the formula for determining the GDP did not include gas, so when you got a report on the GDP of Trinidad and Tobago, and you reasonably assumed that was the size of the economy, it was the size minus the biggest part of the economy.”

The Member for Diego Martin West is right. He was trying to show the Prime Minister that he was misleading the country that the high GDP—no account, no reason and no help from the PNM. It was because of the way the GDP was now looked at. He is perfectly right.

“So we had to change the arrangement, bring gas into play and that then allowed us to report the GDP which obviously was shown to be larger in a more accurate way, or as I should say, as it actually exists.”

The two major developments in the energy sector that impacted on the rise in the GDP are right before your eyes. They had nothing to do with how the PNM controlled the country.

**Mr. Valley:** The two major factors “are”.

**Mr. H. Partap:** Thank you for your English lesson. With that, has the farmer in Plum Mitan benefited? The Minister is not here. Cyril Rogers of Arima, who is 60 years old and who suffers from a spinal problem was given an appointment to have it corrected on December 05 this year. He has to wait 12 months for corrective surgery. Does he benefit from this? Grace Rodellent of Sea Lots, who is 56 years old, protested on Christmas Day in front of the Hall of Justice because of high food prices. Does she benefit from all that the Minister is saying about this high GDP? Does she? No, she does not.

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We are not against the changing of the name of the Revenue Stabilization Fund to what is now under this Bill, the Heritage and Stabilization Fund. What we are concerned—I think it was adequately dealt with by the Member for St. Joseph, when he had discussions with you so that we will protect the heritage. You cannot come here any Monday morning and want change and withdraw money from the fund. That money would be there as a heritage fund and a stabilization fund. The stabilization part of it will be used only under the directions of the law, as we have it here before us.

On the heritage part, we agree with what was said in the Trinidad and Tobago Review, that you should have separate rules for it. I am not a finance man. I am ignorant about finances. In fact, I do not spend by own money. My wife does it. She looks after all the finances.

I have one thing to say. We were saying that as part of the heritage aspect of it, we had in our 2002 manifesto what we called “an egg nest”—

**Dr. Rafeeq:** A nest egg.

**Mr. H. Partap:**—for newborn babies. We said that we would put—*[Interruption]* You all have been changing everything. Maybe I got so carried away with the changes, this is why I changed it around. We were saying to put a certain amount of money in the Unit Trust Corporation, \$1,500 and raise it to \$2,000, so that it will grow with the child. At the age of 18, the child would be able to access it to do—

**Mr. Valley:** We have free tertiary education.

**Mr. H. Partap:** Not only tertiary education.

**Mr. Manning:** That was your proposal to educate the child.

**Mr. H. Partap:** We would change it around into a heritage component, so that it would stay with the child until the child could use it. It is still vital. It is a proposal that is worthy of consideration, if we are to consider carefully the heritage aspect of the Bill. You are changing everything.

Mr. Speaker, I thank you.

**Dr. Adesh Nanan** (*Tabaquite*): Thank you Mr. Speaker. I rise to contribute on the Bill before the House to provide for the establishment and management of the Heritage and Stabilisation Fund and for matters related thereto.

Mr. Speaker, in this particular Bill, there is an interpretation section that deals with the definitions of petroleum and natural gas. It also deals with the exploration aspect, with respect to petroleum and natural gas.

The Member for Port of Spain North/St. Ann's West, in his contribution today, said that the previous administration did nothing with respect to the Regional Health Authorities (RHAs). I would like to put on the record what was done by the UNC government, under the distinguished leadership of Mr. Basdeo Panday as Prime Minister. It was the UNC government that established the Regional Health Authorities Pension Fund. The RHA Pension Fund is a prerequisite for transferring employees from the public sector to the RHA. To date, the pension fund totals over \$300 million. Also, we secured the services of PricewaterhouseCoopers to provide a human resource manual for policies of transfer. Unfortunately, because of the situation at the time in 2001, it was not completed by the Minister of Health and we have heard nothing from the current Minister of Health, with respect to the particular human resource manual, which is a blueprint for the transfer.

In the RHAs today, not one doctor is employed on a permanent basis, it is on contract. If you are employed on contract, how can you get a loan for a car or a house? These are only a few items that I have mentioned, with respect to performance in the health sector. [*Interruption*]

That is true. I am reminded by the Member for Caroni Central that all daily-paid workers were transferred to the RHAs. We have heard in this Parliament on this particular debate, the Prime Minister's contribution. I read the *Hansard* with respect to the contribution of the Member for San Fernando East in the debate. It stems from the fact that his contribution was based on a reply to a statement made that the Government is in retreat.

A comprehensive debate on the issue was given by the Prime Minister. In his contribution he pointed to certain indices. In the *Hansard*, the Member for San Fernando East indicated whichever indicator for use. I want to point to two indicators to which the Prime Minister did not refer, which are important. The Prime Minister spoke—I am sure he was given the information by the Minister of Health—with respect to life expectancy and infant mortality rate. I do not know if the Prime Minister was aware, in his boasting, about the health indicators, in terms of the life expectancy of the infant. The infant mortality rate is not sufficiently better than the average for the Caribbean. I wanted to put that on the record. I am pointing that out to show that the Minister of Health probably misinformed the Prime Minister with respect to his contribution.

There was an oversight by the Prime Minister. There is another issue in the *Hansard* dealing with education, which deals with the teacher: pupil ratio. It is common knowledge, from the reports in the newspapers and television, of the overcrowding of many schools in the country and the dilapidated condition of

many schools in rural constituencies. They have come and boasted about the reduction in the teacher: pupil ratio at this particular point in time, where we are on the verge of the SEA Examination and many children are not in school. They are housed in annexes. There are no proper buildings and they are facing this examination that can make or break their future. To boast about a teacher: pupil ratio—

There are primary schools in the country where the classrooms are separated by blackboards. There is extreme noise and disturbances throughout the day. How can these children perform? We heard the Prime Minister boasting about a teacher/pupil ratio and that particular ratio is down. Hon. Prime Minister, what about the Transparency Index and the Corruption Perception Index? Is the Prime Minister aware that these indices have fallen?

The Minister of Trade and Industry is always boasting on the television in his addresses about the competitiveness of Trinidad and Tobago. We must face facts. Our ranking, with respect to this particular index, the Global Competitive Index, shows that we have dropped. We are now 31<sup>st</sup> with respect to our ranking.

Transparency International's perceived corruption index indicates that in 2001 we were at 5.3; in 2005, 3.8; and 2006, 3.2. It states that in 2006, we were 79<sup>th</sup> out of 153 countries; and in 2001, we were 31<sup>st</sup> out of 91. Is that a reflection of what was said by the Member for Nariva, when he spoke about the Auditor General on the CEPEP report? Is that part of the perceived corruption in Trinidad and Tobago and that is why we are falling, in terms of our ranking?

The Prime Minister also mentioned the unemployment figures. We are well aware, with respect to the employment sector, that there are many people being employed, but is employment short-lived?

I want to put to the House this afternoon, because I am not only making reference to it, that it has also been pointed out by the Deputy Director of the IMF in the Western Hemisphere, Caroline Atkinson who said that public spending should be contained because of the winding energy deficit. Do we have a situation where our rising energy reserves are improving the Government's balance sheet? There is more rapid spending in the public sector and that is worsening the underlying budgetary position. Is the Government spending too much in the public sector? Is there extreme wastage? These questions must be asked.

The Bill before the House talks about cushioning the impact of sustained public expenditure capacity during periods of revenue downturn; whether caused by a fall in prices of crude oil or natural gas. We have experienced three shocks so

far; 25 per cent, 50 per cent and 60 per cent, with respect to the fall in oil revenues over the years. The other compensatory factor of the fund is if there is a depletion of nonrenewable petroleum resources.

If you look at the economy today, you will see that in the manufacturing sector it is more or less stagnant. The Minister of Health has come to this House this afternoon to boast about the performance of the Government and the manufacturing sector.

You will recall that a certain PNM Minister was accused of bringing in false Reebok and selling them as genuine. You will, of course, remember that it was a manufacturer. We have to be careful. All of that builds on the perceived corruption index with respect to Transparency International. The manufacturing sector is more or less stagnant in this country because of our energy sector.

I want to quote a figure for you. There must be \$1 million investment for every job in the energy sector. In the manufacturing sector, it is approximately \$14,000 for one job. We are seeing where agriculture is contributing less than 1 per cent to the GDP.

We have the Minister of Agriculture, Land and Marine Resources, the Member for Arouca North, coming into this House and talking about the great achievements of the Ministry of Agriculture, Land and Marine Resources and the control of a pest in Cedros. We have to face facts. The Minister of Agriculture, Land and Marine Resources is a non-performer. I am not saying that because of bias and prejudice. I am looking at the figure. The data is showing. If you look at the document you will see that agriculture is contributing less than 1 per cent to GDP.

With respect to the manufacturing sector, the Minister of Trade and Industry is another non-performer. We are seeing another stagnant manufacturing sector—6 per cent. We are moving from a situation under the distinguished leadership of Mr. Basdeo Panday, of being called a Caribbean Tiger to now a Caribbean pussy cat. That is our position. That is what we are reduced to under the Patrick Manning administration.

**Mr. Valley:** What did he say?

**Dr. A. Nanan:** We have been moved from a position of a Caribbean Tiger to a Caribbean pussy cat under the distinguished Prime Minister, Patrick Manning. I am not saying that because of spite or malice; I am quoting the figures. We have been slipping in various areas. The Prime Minister used the economic indicators

as a signal to say that we are moving forward, but our manufacturing sector can be on the verge of collapse. I have warned the Member for Diego Martin Central on several occasions that he should not take it lightly. The energy sector is performing at a very advanced state and actually funding the large public expenditure under the Government today. We are hearing about billions of dollars in expenditure.

The Member for Nariva spoke about the airport, where there was over \$1 billion in expenditure. The Member for Diego Martin East was talking about \$7 billion in expenditure for trains. We are not against the improvement in the transport sector. What is happening in our rural constituencies? We are seeing nightly protests in Cucharan Trace.

The Prime Minister talks about the increase in water distribution from 58 per cent to 91 per cent. Where is that increase?

Trinidad and Tobago Electricity Commission talks about 80 per cent megawatt distribution, but they need 305 megawatts. Are we talking about, continuous blackouts, and increases in crime or break-ins in stores in Port of Spain? What are we facing with this impending Carnival season, looting in Port of Spain, because of a situation of nonperformance by the Minister of Energy and Energy Industries? Why must the taxpayer face that burden of having load-shedding in Port of Spain? Why should the businessmen suffer in Port of Spain? Why should businessmen anywhere suffer? Why should the children in Trinidad and Tobago suffer to get transport? In certain areas, they cannot get any transport.

The Ministry of Education is not providing transport to certain schools anymore, why is that happening? We are talking about a windfall from the oil revenue.

The Minister of Health, Hon. John Rahael, spoke in this House and said that nothing was done under the UNC administration from 1995—2001. The Prime Minister, when the statements were made about government in retreat, spoke for 75 minutes on that particular issue. I could deal with the Minister of Health for less than the 75 minutes, which I am allotted, and show him in every constituency in this country what was done by the UNC government. I will do so because it is part of the debate.

We are dealing with public spending, the Consolidated Fund, expenditure and money being utilized if the revenues are being backed up by this particular piece of legislation that we have before the House. Public spending will be affected.

The Minister of Health should be the last person to say that nothing was done under the UNC administration. I said before that the RHA's policies and merger

would have been completed. The Minister of Health is a non-performer in that sector. He should never mention the RHAs. The Minister of Health, when he came into office, met a number of health centres refurbished and rebuilt by the UNC government.

In terms of education, why do you think the Prime Minister can boast of a reduced teacher: pupil ratio in some schools? It is because of the UNC government. We built more secondary schools and refurbished more primary schools. In PNM constituencies, children are suffering to go to a proper school.

The UNC built early childhood care and education centres in Laventille East/Morvant, Rose Hill and the Beetham Gardens. We repaired the sewer system in Diego Martin Central and Diego Martin West. There is the school the Member for Diego Martin West boasted about. We built that primary school. I will say thanks to the Member for Laventille East/Morvant. I will go through because it is necessary. The Member for Diego Martin East said that we were building schools in rural constituencies for douens and parrots. Today there are no douens and parrots in those schools. There are children in those schools in Matura, Blanchisseuse, Toco and Sangre Grande. We have built them all. How many have they built? I was looking through the record and was trying to give them some credibility for the La Romaine High School and the Preysal High School. They were started under the UNC government. The 20 secondary schools were planned for by the UNC government and delivered by the UNC government.

The Biche High School of which there was a big song and dance was built, not with a situation of gas, because the need in Biche was recognized. Apparently the Minister cannot recognize a need anywhere in the country, from Toco to Sangre Grande to Princes Town. There are problems in the St. Stephen's Anglican Primary School. The children are overcrowded in the school.

Do not talk about the computer distribution. I have several questions on the Order Paper with respect to computer distribution in this country. The Minister of Education is also a total non-performer. The figures will reveal that.

The two sectors which the Prime Minister came to deal with: the education sector and the health sector, were totally out of context, in terms of performance. He should have never mentioned the Minister of Health or the Minister of Education in this debate.

The Minister of Trade and Industry should not have entered in this debate because of those figures. The manufacturing sector is on the verge of collapse. They can jump high and low; the facts will reveal that the manufacturing sector is

being crippled. *[Interruption]* Listen to me, the energy sector is taking up all the labour and the manufacturing sector will have to pay more for labour. You were not paying attention when I said that \$1 million in investment is required for one job in the energy sector and \$40,000 for one job in the manufacturing sector. You have lost 11,000 jobs in the agricultural sector. The Minister of Agriculture, Land and Marine Resources is not performing. The Minister of Trade and Industry—*[Interruption]*

**Mr. Manning:** I thank the Member for Tabaquite for giving way. How would the Member explain, in the face of the argument that he is advancing to this honourable House, a reduction in the unemployment rate to 5.9 per cent?

**Dr. A. Nanan:** I gave—again, the Prime Minister was not paying attention. I said earlier that the fall in unemployment is short-lived because of the construction sector.

**Mr. Manning:** I would give a whole debate on that.

**Dr. A. Nanan:** No, you did. You took 75 minutes. You used the wrong indicators. You should not have used those indicators. The construction jobs are short-lived. I have already dealt with that issue and I do not want to go back because I have many other things to say.

In the energy sector, which is important in terms of exploration, the exploration packages, under the UNC government is what is fueling the reserves for this particular legislation before the House. They have not, in the last five years, pointed out to any great discovery. They have failed. The Minister of Energy and Energy Industries failed. I am not here to point out those things because I do not want the country to get any revenue. I want them to improve their policies of exploration.

The Prime Minister spoke about a ratio with respect to exploration. I agree. I want to make sure when you go drilling and spend millions of dollars, which you could have used in the rural constituencies to fix Cucharan Trace—that money is being wasted.

**Mr. Manning:** Mr. Speaker, in listening to the Member for Tabaquite, it just confirms a view that has been expressed all around the world, that the State should never be involved in the energy sector. I could very well say that the day we end up with a major state enterprise in this country that is involved in the energy sector, expenditure on exploration would be argued in the way he is doing it, not understanding that unless you spend the money to explore for oil, you have no oil to discover. That is the nature of the business.

Therefore, it is a fallacious argument to come to the Parliament and say that you spent so much money in exploration when you should have taken that to develop rural communities. The fact of the matter is that rural communities are being developed, but at the same time, if you do not expend the money on exploration that is required to discover the oil and gas, then you have no basis for your sustainability of your development. You do not have it. What is this?

**Dr. A. Nanan:** Mr. Speaker, I do not think I will be giving way again. I have a few things to say and I am not hearing anything of substance from the Prime Minister. Apparently when the Prime Minister went into the hive it distorted his thinking because he needs to think again.

Mr. Speaker, the Prime Minister understands 3D technology because he keeps speaking about the hive. I spoke earlier about exploration. I want to ask the Prime Minister today, where did that data come from? Did it come from Maranatha, with respect to the drilling? Was Maranatha responsible for that inaccurate data where that particular well was being drilled in that area? Where was the geological information coming from? Those questions must be asked.

If you look at the record of the UNC government from 1995—2001, in terms of exploration, what was the difference? What was the difference, in terms of the policies? The staff of the Ministry of Energy and Energy Industries has not been changed considerably. Exploration policies are more or less constant. The packages that were negotiated under the UNC are fuelling the economy today. The Prime Minister spoke about what I have said, with respect to rural development; he is the one who is touring constituencies now. From 2002 to present, what have the Ministers been doing in the rural constituencies? He is touring. Everywhere he goes he is seeing bad roads, no community centres and poor recreation facilities. There is total dilapidation in the rural constituencies. Under the UNC government if you toured the constituencies, you would have seen work being done. To say that they cannot use the money for exploration, you are not using it in the rural constituencies. Nothing is happening in the rural constituencies.

In my constituency I wrote the Member for Arouca North about several agricultural roads and up to today not one has been paved; not even a response from the Ministry. What is happening? The Minister talks about helping farmers. Where is he helping the farmers, out of the country? He is talking about cocoa farmers in this debate, but the agricultural production is less than 1 per cent of GDP. You must wake up in that Ministry and do something that the Prime Minister will recognize, so that you will go back. Do something!

In the energy sector, the Prime Minister wants to have Manning's island off Otaheite to put down a smelter. Of course, it had to come to the House. There is a Motion before the House on the aluminium industry. It must come because they want to divide and try and pass the particular Motion. He is coming to the House to talk about the aluminium industry. That should have been here before, not after the fact. It is only after the big brouhaha and we showed all the possible causes. Now it is coming so that we could approve of the aluminium industry in Trinidad and Tobago. We have no question about that. We agree that we need an aluminium industry but do we need an aluminium smelter? Is it that you have a vision of an aluminium smelter?

Let me explain something to you. I spoke extensively on the dangers of aluminium smelting. Of course, the Prime Minister would jump up and say: No that cannot happen in the 21<sup>st</sup> Century. The technology is totally different. There are pictures of current smelters and the environment. What we are seeing on the television is totally different in certain areas. You need to take a tour and stop sending people to visit the smelters. You need to visit some of the smelters around the world. You can go on a whirlwind trip with your new jet to see the smelters.

**Mr. Valley:** You cannot travel.

**Dr. A. Nanan:** I am grounded for a while, but I would get back my plane legs just now. That is the fact. I do not want to see the Prime Minister in a few years with very little hair—he might have none in that particular area—and totally destroyed enamel with all those fallouts from smelting. I do not want to see the Prime Minister limping along with total loss of hair, with an ear missing. I do not want to see that.

**Mr. Manning:** I agree entirely with the Member for Tabaquite and that is why we are trying to prevent, as best we can, the return of the UNC to office. That will do it.

**Dr. A. Nanan:** It looks like the Prime Minister will lose all his hair.

Whether you put it in Chatham or out at sea, there is still something called current, wind and hydrogen chloride gas, which he says will be minimal. It will blow towards land at some point in time, whether it is a tropical storm, something in the Gulf or some particular volcano sending the current down our way. I urge you, in your haste, to build an aluminium smelter to please consider the future generations of the country. You may not be here but others will be here.

I brought that into the discussion, in terms of the manufacturing sector and revenues streaming. The aluminium industry would increase the revenue in the country. Of course, this is a non-renewable resource and we have to be guarded.

The Prime Minister, in his contribution never told us. We never got actual figures before in the Parliament. There is no energy plan before the Parliament and I do not think that we will ever see one. We need to know. Just how you brought the aluminium industry for the Parliament to agree, bring your energy plan so we can see what is going to happen. Tell us what the reserves are like. We have to be guessing. You accused Members on this side of giving figures and saying that they are inaccurate and you do not tell us what the figures are. We have to be guessing. When we guess, you come with a ratio and say that we are totally wrong on this side and you are right on that side, but we have nothing to benchmark, with respect to the oil and gas reserves. We are seeing very little exploration and no energy plans. What are we going to see in years to come, with respect to exploration? You said that the Government will spend money on exploration. Not only in that field, look at the United—*[Interruption]*

**Mr. Manning:** The oil companies.

**Dr. A. Nanan:** You have to encourage that. Of course, the newspapers reported that only one person bid on the deepwater blocks.

**Mr. Manning:** What does that mean?

**Dr. A. Nanan:** How do you mean what does that mean?

**Mr. Manning:** What does it mean?

**Dr. A. Nanan:** The Corruption Index is what is driving away the investments. If you get your corruption indices back up, you will be able to attract investments because part of the perceived corruption is bribery for national contracts. We have the Member for Diego Martin East already withdrawing a major contract for some reason like that. *[Interruption]* Reconsidering that particular—*[Interruption]* Get up and say so. When you are dealing with billions of dollars, you have a lot of—it is like a magnet. Of course, we are dealing with large size investments, not small allocations.

I also want to go a bit further as I am dealing with the energy sector and the local government bodies, because we have seen many chairmen responding when they are called upon to say that they do not have the money to do any work in the rural constituencies. The Prime Minister will still jump up in the House and say that we are working in rural constituencies. That is separate from exploration.

How can you improve the quality of life of the citizens if you are not going to give them basic shelter, proper roads on which to work and recreational facilities? You are not doing anything. The load-shedding in Port of Spain will spread to the rural constituencies in no time at all. We will end up in blackouts once more. We are going back to the dark ages. We have to buy kerosene for our lamps again and candles. Why should we go back to that particular situation in this day and age?

It is a good thing we ended up with the InnCogen plant. *[Interruption]* Of course, what would have happened to Point Lisas if they were relying on that particular mainstream distribution sector? We would lose everything in Point Lisas. The Prime Minister boasted of an 85 per cent and 91 per cent increase in water distribution. That was the desalination plant; again an idea conceived under the UNC. What has been conceived under the PNM from 2001—2005? I do not want to say that there has been non-performance and make a blanket statement like the Minister of Health and say that nothing was done under the PNM. We have seen roads being repaired, but at what standard? We have seen a massive re-sheeting of roads. We are very happy, but how long will it last? Will it last only for the election, or will it go further? We are seeing roads being paved on leaking waterlines in certain areas and money being spent. In a time of plenty, contracts are being given out free sheet. I am not saying that we are not grateful, but there is no planning.

What are we seeing? The Minister of Planning and Development is fighting with Digicel every day in the newspapers: We are breaking down the tower; we are not breaking down the tower. Now the Ministries of National Security and Works and Transport are involved. The Ministry of Works and Transport has decided to break down the tower.

**4.00 p.m.**

So, what is happening? The Ministry of National Security cannot even deal with the safety of citizens, but it is going to supervise the breaking down of a tower. What is happening in this country?

We have heard of the Prime Minister and his gunships. Have we seen any gunship? We heard of an airship that is apparently of no use. The Prime Minister said that he is going to buy helicopters with ammunition. *[Interruption]* This is in the *Hansard*.

I asked many questions on the Brasso Police Station, and the Member for Caroni Central also asked questions with respect to the Brasso Police Station, and we are hearing that it is still in the design stage. How can it be in the design stage?

The Member for Laventille East/Morvant, in reporting on a question in this House, mentioned the Gasparillo Police Station which was supposed to be completed in November last year. When I called the station to congratulate them because they were going to move to the new station, they said that the station is only 65 per cent complete, and they do not know what is going to happen, and if it would ever be finished.

Is there a manpower plan for the Gasparillo Police Station? Are they going to put more police officers there? The Gasparillo Police Station is far-reaching and all embracing in that particular part of the constituency. Are you going to have a manpower plan for the police station? Are you going to introduce more vehicles into the station? Are you just going to build a station and put back the same number of personnel with one vehicle for the entire area? I understand that in certain parts of the country there are no vehicles in police stations, because VMCOTT is not capable of handling any repairs to vehicles. That is the situation.

I have a newspaper clipping that I am going to make quick reference to, and it says: "Penal cops claim no vehicle for robbery response". There is another one: "Police probing Minister Rowley". Mr. Speaker, we have the DNA Bill languishing, and this legislation would revolutionize crime detection in terms of the police service and crime detection. This Bill was passed under the UNC government and it was never implemented by the PNM. Today, it would revolutionize crime detection in that arena, but there is nothing happening. What we are seeing is that the Ministry of National Security which is one of the key ministries in the administration—

**Mr. Hinds:** Mr. Speaker, I want to take this opportunity to remind the Member that we said several times in this House that the legislation of 2000 that we met was found to be wholly unworkable by experts in the DNA field, if only because it relied on the goodwill of the accused and the criminals to make it work. We sought to repeal that and that is what we are in the process of doing.

In addition to that, before you can cause that legislation to work effectively, you must have the technology and the capacity. In 2000, Trinidad and Tobago did not have the capacity to practise DNA. Those were the circumstances. Now, I can assure the Member that it is on the Order Paper and both elements are in place. In addition, there are trained personnel in the Forensic Science Centre. So, with the legislation, the technology and the personnel, we are now ready to go. [*Desk thumping*]

**Dr. A. Nanan:** I read the 2000 legislation, and I read the current legislation, and I could tell you that the 2000 legislation is more comprehensive than the current legislation. So, to make that excuse and to say that from 2000 to 2007— they have been in office for five years, and the legislation is now coming before this House. What message are we sending in terms of our crime fighting ability?

In the tourism sector, with respect to accommodation, we have heard time and time again how important that is. We are in the high season for tourists, and we are building large complexes on the waterfront. I want to inform the Prime Minister that if he takes a survey of the Caribbean Islands, in terms of their deepwater harbour and cruise ship ports, you do not have to build a big a cruise ship complex to accommodate a cruise ship. All you need is a deepwater harbour, and you can have moorings. In many Caribbean Islands like the Cayman Islands and even in Dominica—

**Mr. Speaker:** Hon. Members, the speaking time of the hon. Member has expired.

*Motion made,* That the hon. Member's speaking time be extended by 30 minutes. [*Hon. F. Hinds*]

*Question put and agreed to.*

**Dr. A. Nanan:** I thank all Members for extending my time, especially the Member for Laventille East/Morvant. Mr. Speaker, you do not need to have a windfall of money when you are developing your tourism industry. There could be a very simplified programme of development. With respect to cruise ships coming into the country, you need to have a good international image.

Recently I saw in the newspaper where tourists were walking around in Port of Spain and just looking around. Some are being moved out of Port of Spain, and they probably go to Maracas and some other areas. Mr. Speaker, I want to give you a situation in Dominica.

In Dominica, the cruise ship will come in to berth, and there is a simple mooring. There are just some pylons there where the ropes would be attached. [*Interruption*] All this is based on revenue. Once the cruise ship is docked, the passengers would walk along a jetty and go into an area of the town. In that particular area, there would be a number of persons selling handicraft in an open market. You also have hotels capitalizing, because they have duty-free items being sold. There is a constant stream of traffic taking tourists who want to go and see more of Dominica.

When you walk into the information booth in Dominica, there is a video there showing all the various attractions and where you can go. I agree that in terms of the Caribbean status, it is not a wealthy country, but tourism is a large part of their reduced GDP in comparison with our per capita income. I am looking at how they operate, in terms of their tourism thrust. They have shuttles that would take visitors to various places.

Mr. Speaker, in Dominica, you could drink the water in the rivers. *[Interruption]* I am just speaking from the information booth, because I went to the information booth. I did not have the luxury of going on any of those tours, but it is a beautiful country. It is no different from the Northern Range.

Our Northern Range does not have the volcanic activity, but we have eco-tourism potential there. There is a lot of eco-tourism on the Northern Range and also in Tobago. I do not know if we have so many tours from Scarborough to take visitors to the internal parts of Tobago. There is not that constant traffic, because they are more or less confined to certain parts of the country.

Mr. Speaker, I am showing that if you are ingenious—it is not to reinvent the wheel. If you look, for example, at the Caribbean, many countries are doing it. When these cruise ships are coming in from various other islands and they are seeing the same sun, sea and sand, you have to make it interesting for them.

In Dominica, they go to the volcanoes, they go to the volcanic lakes in Dominica and they go hiking on trails. In fact, many MPs are relating their constituencies to tourism. How many MPs have that kind of knowledge to utilize the tourism potential in their constituencies to boost the image? So, they work hand-in-hand with the tourism division. There are many agricultural estates in constituencies. So, I am putting this forward—with respect to working hand-in-hand with the Ministry of Tourism, or the new company which has been developed—to point out certain areas in our constituencies that have that potential. I have spoken time and time again of the constituency of Tabaquite and the picturesque areas in that constituency that can be utilized for tourism potential.

Earlier in my contribution, I talked about the regional corporations not being allocated sufficient funds to deal with rural constituencies. It is a fact that these corporations are starved for funds. In a time of plenty, with respect to their personnel—these corporations have many technical officers, and those technical officers can be utilized for those projects in our constituencies.

We have heard about the various companies that are being set up to upgrade the constituencies, but we have not had any developments with respect to these

companies. We cannot foresee any developments in the future. So, it is a question of bringing a Variation of Appropriation Bill here to give the corporations larger funding so that they can handle the requests coming in from the rural constituencies. That will improve the quality of life of the constituents.

Now, the Minister of Works and Transport is dealing with main roads and highways, but who is dealing with the improvement of the local roads in rural constituencies? We heard of a Road Authority that is going to take care of all our roads, but I urge the Minister of Finance, in his winding up, to give that idea some degree of merit, and bring a Variation of Appropriation Bill to give more money to the corporations and reduce the strain on the councillors and Members of Parliament. As Members of Parliament, we are being bombarded on a daily basis with requests.

It is unfortunate, as we are moving toward a 2020 vision—a country that is projecting itself to be developed soon—any visitor coming into the country and looking at the TV6 news will want to know where they are located. Is it in some rural part of Africa or some part in India? You have children holding placards saying: “We want a new school.” Even in the constituency of the Member for Diego Martin East, they want a new school. So, it is not only opposition Members, who are suffering, but also Members of the Government—we want a new school; we have no water. People are burning tyres. Why should people resort to burning tyres? Is that a measure of getting things done? That is the only resource now, in terms of attracting attention. There should be some kind of proper planning by the Government. This ad hoc approach cannot work.

The Minister of Planning and Development must take responsibility for the poor planning with respect to budgeting in this country. There is total chaos in planning. Today, roads are being resurfaced and tomorrow WASA will go and dig them up. WASA is digging up the road, and then they are not going to have any repaving for another year so, what is going to happen? The roads are going to deteriorate, and they are even going to be worse off than before. There is no streamlining.

Years ago, in Sacramento, California there was proper planning. If you go through that particular city, you will be surprised. You will say that it is a modern-day development, but that was about 10 years or 15 years ago, they designed that city. Why must we suffer here? Do we need somebody from Japan or China to come here and say, this is a plan for your country? Why can citizens not come together? Why can the Government not get the necessary resources for a

proper development plan? We have a document entitled Vision 2020 which is totally amorphous. Nothing is following that particular document; no development.

We heard the Minister of Sport and Youth Affairs talking about development for recreational facilities. What are we seeing? All we are seeing is \$53 million being handed out for Carnival. I am not against Carnival celebrations, but what are we seeing with respect to recreational facilities? How can we go from the youth competition to the advance competition? [*Crosstalk* ] A 16-year-old cricketer is on the national team. There is great potential, but what are we doing? We are not developing the youths in sport.

We are only hearing “ol’ talk”. Our youths are suffering because of the lack of recreational facilities. In almost every constituency there is a situation where there is a breakdown in recreational facilities, and we cannot wish for any improvements because, year after year, we come here and pass money for recreational facilities.

The Ministry of Local Government is responsible for recreational facilities. They got \$10,000 or \$20,000 to fix recreational grounds. The Minister of Sport and Youth Affairs came and said that they are going to add money to that and nothing is happening. We are in an election year, and we do not expect that to happen. What we are going to see is more money being distributed for other programmes to boost election potential, and our youths are suffering. What are we doing? Nothing! The Minister of Sport and Youth Affairs must give an account.

I asked a question in this House with respect to firefighting capabilities in the Ministry of Public Utilities and the Environment, Forestry Division, and the answer came from a technical officer saying that the fire will not go above the canopy, so you do not need a fire fighting plane to out any fires in the Northern Range, because we hardly had any fires.

Last year, around this time, in the dry season, the whole of the Northern Range was burning down, but the report said that very little burning is taking place in the Northern Range and other areas of the Northern Range, because of the destruction of the forest of the Northern Range. What message are we sending? I am not here fighting for a firefighting plane, but I am trying to save the Northern Range.

With respect to the afforestation programme, year after year, burning takes place, and a plant is being destroyed by fire. That is what is happening. Forestry lookouts are absent on the Northern Range. How could you even spot a fire? In the dry season, every time you drive into Port of Spain, you see smoke in St. Joseph. Is anybody there? No. It is just burning taking place. No forestry lookouts

are upgraded. That is the kind of situation we have in the Forestry Division in the Ministry of Public Utilities and the Environment.

Are they taking note of the illegal logging in this country? That is loss of revenue to the Government. That is the property of the State. The teak and pine plantation are being undermined. Is the ministry aware of that situation?

The ministry officers go home at 4.00 p.m.

Mr. Speaker, let me give you an account of what happened one day in the Forestry Division. A call came in where a forester found illegal logging—logs were being transported illegally—and he had to make that call for his life. He was calling to save himself, because he was going to be chopped up by the persons whom he accused. That is the situation there; after 4.00 p.m., there is nobody watching the transportation of logs across the country. I wonder if that matter is being rectified in the Ministry of Public Utilities and the Environment. The Minister must say so. We are seeing illegal logging.

The Minister of Agriculture, Land and Marine Resources said that he is going to upgrade our agricultural access roads, so more illegal logging is going to take place. People are going to use those roads for access. So, apart from repairing those roads, there should be some kind of mechanism in place in the Forestry Division. The officers there are suffering, because the Minister of Public Utilities and the Environment introduced a new programme and sidelined all the forestry division officers, and paid a higher salary to some of the officers. They were put in a new unit, the Project Implementation Unit. So, you have low morale in that ministry. We need to take account of these things.

**Mr. Speaker:** You know this debate has been widened by both sides, but may I suggest that in the remaining minutes that you have, you look at section 3(2).

**Dr. A. Nanan:** Of the Bill?

**Mr. Speaker:** Yes. [*Laughter*] [*Desk thumping*]

**Dr. A. Nanan:** Mr. Speaker, I am aware of the section, and I am going to show you the context in which I am speaking. We are dealing with the petroleum sector, natural gas and crude oil. Those are what you call non-renewable resources. What I am dealing with is renewable resources. The teak and pine plantations are renewable resources with revenue generation potential.

If you are dealing with the petroleum sector, at some point in time, the energy reserves will be depleted, so the teak and pine plantations will become more important. So, you have revenue being lost by illegal logging, and that money can

be used for public spending. If you have a situation where you have an oil shock and the revenue stream falls—it is stated in the Bill, with respect to buffering, the public spending capacity of the Government—then you have an opportunity there that is sitting with respect to the teak and pine plantations in this country that can generate revenue. You will not be tapping so much in this particular fund. So, that is the link, and that is why I went into the Forestry Division.

In fact, all these things are inextricably linked because everything deals with heritage. What are we going to inherit in this country? Are we going to inherit a dustbowl like Haiti? Are we heading there? If fire destroys the entire Northern Range, and all the forestry in this country is removed, we are going to end up like Haiti; a dustbowl. Is that what we are heading for in terms of our heritage? Do you want a dustbowl? This is what this Bill is dealing with.

Mr. Speaker, I could also deal with Nelson Island with respect to heritage, because they have been tardy in that area. Prof. Kenny has tried. That is why I went into the illegal logging at the Forestry Division, in terms of a revenue generation stream and the tourism sector. Anywhere there is an opportunity for the Government to have more revenue would reduce the drain on this fund. Now, if there is an increase in GDP by the agricultural sector, the manufacturing sector and even the tourism sector, which is about 1 per cent per GDP, once the GDP goes up with respect to manufacturing and tourism—even a software industry can come into this debate.

Mr. Speaker, a software industry will improve the GDP, and it will reduce any drawdown, if possible, on this Heritage and Stabilization Fund. So, once you can show revenue generation in this debate, it is relevant. Whether there is a software industry coming in, or even if you want to have an aluminium industry, all that is revenue generation.

The Prime Minister talked in this debate about ammonia, and all the other plants that they are going to put in the country. That is revenue generation in the petroleum sector. It is important when the Prime Minister comes to this House and talks about ammonia and says that we are No. 1, in terms of exporting ammonia, this started under the UNC government. The Prime Minister is boasting about our potential now in that particular market with respect to ammonia. It was the UNC government that saw the potential for exporting ammonia. That is why we are in that position today. The Prime Minister should say that.

The other plants that we are hearing about that are going to be coming on stream; where is the gas supply coming from for those plants? We need to know

that because that is going to tap into our limited energy reserves. Have we factored that into the level of gas that is required for those plants? We have not been told. The Prime Minister came and gave us all those plants, but he did not say how much gas is going to be used. [*Crosstalk*] I heard a mere 2 per cent figure, but I thought that was the contribution to GDP by the agricultural sector.

Mr. Speaker, in terms of the plants that are coming on stream and revenue generation, we must factor that into the pollution aspect. This is another important concept. If we are not dealing with pollution—we have a situation now where we are moving into an industrial-based country, and we are not dealing with pollution.

The Minister of Public Utilities and the Environment said in this House that we do not need laws; we are working without the laws. When I made the point that there was no legislation for air pollution and so forth, I am now seeing a Water Pollution Bill entering secretly. So, what is happening is that there are no laws, but we are working underhand and doing things in certain areas so that the pollution would be under control. I am dealing with pollution, in terms of the industrialized sector. As we bring all these plants on stream to gain more revenue, are we dealing with the pollution aspect?

**Mr. Speaker:** Hon. Members, the sitting of the House is suspended, and we will resume at 5.00 p.m.

**4.30 p.m.:** *Sitting suspended.*

**5.00 p.m.:** *Sitting resumed.*

**Dr. A. Nanan:** Thank you, Mr. Speaker. Before we took the tea break, I was making the point about the projection, with respect to the plants coming on stream in the energy sector. We have to ask the question, based on what is happening today with blackouts in Port of Spain and the shortfall in power generation from PowerGen. Is a new plant being constructed with respect to supplying the wattage that is necessary to run these new plants? If so, is the island being envisaged by the Prime Minister going to include a power generation facility? If it is, and this is speaking hypothetically, then you will need to have more reclamation of land, and more revenue will be required for the land reclamation process.

In the Prime Minister's response in the debate, the Prime Minister made reference to the University of Trinidad and Tobago and I would like to quote what he said:

“What is the basis? Creme de la crème, the University of Trinidad and Tobago. It did not exist in their time. At best, they made a half-hearted and dangerous attempt with the Trinidad and Tobago Institute of Technology (TTIT).”

The Member for Nariva said in his contribution that everything that the UNC conceived and constructed, the PNM is out to destroy. This shows quite clearly that this statement made by the Prime Minister is an attempt, again, to remove from the landscape the performance of the United National Congress Government under the distinguished leadership of the hon. Mr. Basdeo Panday when he was Prime Minister.

It is testimony that the Trinidad and Tobago Institute of Technology was a success under the UNC, and the number of graduates from that particular institute demonstrates this fact. It was a recognized institute, not only within the Caribbean, but internationally. The programmes were accredited with international bodies.

With respect to the Trinidad and Tobago University, questions have been raised in this House from time to time with respect to the John S. Donaldson Technical Institute. It has been said by Members on the Government side that it was the UNC government that ran down the John S. Donaldson Technical Institute. Once again, as I speak here in this Parliament, I want to put on the record that I was the Minister of Education at that time, and the John S. Donaldson Technical Institute and the San Fernando Technical Institute came under the Ministry of Education, and to say that there were budgetary allocations for these two institutes by the Minister of Planning and Development for improvements, not only with respect to infrastructure, but also with respect to programmes is a statement of total misrepresentation.

I recalled that there was a construction and building diploma programme which was introduced in the San Fernando Technical Institute and, I think, eventually it was utilized in the John S. Donaldson Technical Institute. This particular programme utilized the facilities of tutors who worked during the day, and who came on afternoons to give lessons. So, you had the classroom experience, as well as the industry experience being brought into the whole diploma programme. Both institutes, in terms of their success rate, were doing very well. The enrolment was very good. So, there is no question of a deliberate attempt to run-down these two institutes.

As I am on this particular topic with respect to education, the Prime Minister made reference to another area. Again, when I read what the Prime Minister talked about, he boasted about a Bachelor of Education Degree course at the University of Trinidad and Tobago, but the Prime Minister was not aware of a Bachelor of Education Programme which was introduced by the UNC government as part of the World Bank Programme. [*Desk thumping*] These are facts. I do not

know who prepared the brief for him, but I have shown quite clearly, in my contribution here, that a lot of falsehoods have been put forward by the Prime Minister.

I thank you. [*Desk thumping*]

**Mr. Hedwidge Bereaux** (*La Brea*): Mr. Speaker, I rise to make a brief contribution on this provision, an Act to provide for the establishment and management of the Heritage and Stabilization Fund and for matters related thereto.

Mr. Speaker, Trinidad and Tobago is going through a period of unprecedented fortune, as a result both the natural resources of the country and the wise move by the Government of Trinidad and Tobago. When I hear hon. Members on the other side talk about windfall, I try to remind them that the windfall that we are now dealing with has to do with the decision taken by the Government of Trinidad and Tobago between 1991 and 1995, and quite recently when the present Government renegotiated the tax regime with bpTT.

When people talk about gas and oil—what is the price of gas and everything else that you hear hon. Members opposite talking about—let me tell you, and they know very well that had it not been for the renegotiation by the Government of Trinidad and Tobago of the tax situation with bpTT, there would have been no gas for any additional development.

You always hear hon. Members opposite talking about when the gas end. Just for their edification, I would like to point out some things. Firstly, when you speak of gas, you speak of proved producing reserves; you speak of proved reserves and you speak of probable reserves. Every year, there are estimates of the reserves, and the reserves are dependent upon several things like present technology and present price. Moreover, any time a foreign company or any company seeks to do business or open an industry that requires gas or energy, the bankers themselves make sure that the reserves are in place before they fund the industry. [*Interruption*]

Mr. Speaker, I really do not want to engage the hon. Members opposite, in terms of them commenting while I speak. I can, but I hope I do not have to, so I would seek your guidance or your assistance later.

As I said earlier, whenever a company decides to make an investment, the bankers have to be satisfied that the reserves of gas to support the industry are there. Those of us who have dealt with corporate financing will know that. Maybe some of the persons on the other side have not dealt in that area, so I want to give them the benefit of my experience.

Here is a Government which is making an effort, not only to save money for future generations, but recognizing that the resources of the country, which are being used and which are coming into the country as a result of some additional revenues, are not only revenues for today, we are putting these revenues aside. In addition to that, we are not only putting revenues aside for future generations, but also to deal with a time when the prices might not be as buoyant.

Hon. Members, I know it is a bit difficult to be sitting across there at a time when so much largess is coming in to be taken care of on this side, and to be managed by the present Government. If you have anybody to blame, do not blame us. You must blame the behaviour of those persons to whom you gave charge, especially you gentlemen who were elected by the people, because those others who did not face the polls were given the control of all the money and, as a result of that, they misused it. [*Crosstalk*] I am not hitting the hon. Minister for two reasons: We have the hon. Prime Minister who is the Minister of Finance and we know that the Minister of Finance sitting in this House, at this time, will not misbehave. Since you are concerned, I just want to point out something to them.

On today's *Daily Express* there is a heading: "Swift Justice for 3 Piarco fraudsters". [*Crosstalk*]

**Mr. Sharma:** Talk about Steven Bereaux.

**Mr. Speaker:** Order!

**Mr. H. Bereaux:** I am going to talk about that too.

"...Eduardo Hillman-Waller, Rene Diaz de Villegas and Armando Paz—will know their fate next week."

These are three persons who have confessed to committing fraud in the Piarco Airport scandal. Now, if you want anything else, I am going to answer you. Do not worry, I am going to answer you, but I just wanted to read that and to point out that these persons, together with Brian Kuei Tung, Steve Ferguson and Ish Galbaransingh were involved in a fraud; a large fraud on the Government of Trinidad and Tobago, emanating from activities and contracts in the construction of the Piarco Airport.

What is happening is that anybody who is charged with a crime is presumed to be innocent until proven guilty, but some persons know very well that they are guilty and they rush forward and they confess. These three men from Miami and elsewhere have confessed and, therefore, they are ready to give evidence in support of the charges against Kuei Tung, Ish Galbaransingh and Steve Ferguson. [*Interruption*]

**Mr. Speaker:** Hon. Member, I think you are coming close. Perhaps you need—

**Mr. H. Bereaux:** Well, I am dangerously close, because I am being interfered with by the hon. Member for Fyzabad. I am being annoyed by the Member for Fyzabad, and if at a moment's notice I twist a little, I would pray that you excuse me. As I was saying, these persons have confessed to fraudulent behaviour, and this has cost the Trinidad and Tobago Government and people hundreds of millions of dollars.

Mr. Speaker, when I hear them talk about the Piarco Airport and I hear them talk about the cost—for instance, the hon. Member for Nariva came in here and purported to read from the Commission of Enquiry in respect of the Scarborough Hospital in Tobago. Although what he read stated clearly that the investigation should be in respect of NH International, still, they purported to try to link it to the hon. Member for Diego Martin West, and that has characterized their behaviour throughout the debate on this Bill. [*Crosstalk*]

**Mr. Speaker:** Hon Member for Fyzabad, you cannot carry on a running commentary. You had your time and it is now the time for the Hon. Member for La Brea. So let us listen to him.

**Hon. H. Bereaux:** As I was saying, although the quotation which came from the report clearly stated NH International, they extended it to include the hon. Member for Diego Martin West, and this has been characteristic of their behaviour all along.

It appears that they cannot speak here unless they mention the smelter. They know very well that the gas from the smelter would not have even been around if it were not for this Government's clever negotiations to get this additional tax, but they are talking about the smelter. This is a dastardly plot that they have to prevent the Government of Trinidad and Tobago from developing any areas where we have support.

I recalled in this very House when the hon. Member for Oropouche, whom I am certain will never return to this House, indicated when they removed the Farmlands MissChem plant from La Brea, after they drilled 94 bore holes, on the 95th hole, they encouraged Farmlands MissChem to move from La Brea and go to Point Lisas. When they went to Point Lisas, there was no problem, except to say that Trinidad and Tobago had to give a lower gas price to all the other plants in Point Lisas. Those plants got that because there was an arrangement that said that if one plant is given a certain gas price then all the others are entitled to the same gas price.

Now, although in 1998 and 1999 they agreed to a smelter in Point Lisas, yet when it came to La Brea—they understood that ALUTRINT was going to put a smelter down in La Brea, and then all the opposition started. This is the type of behaviour that we see going around. They are not the only persons doing it. There are a number of other persons doing it.

I sat in my living room looking at television, and I was assaulted, I would say, by statements being made by one, or should I say the very fact that I saw an Independent Senator, Sen. Mary King on a platform with the leader of the Congress of the People and some others—*[Interruption]* I saw them there. I kept wondering how it is this Independent Senator suddenly came on the COP platform. My friend, the hon. Member for Chaguanas told me that he did not think that was so but, nonetheless, through here, I am calling on the President of the Republic of Trinidad and Tobago to determine—

**Mr. Speaker:** Hon. Member, I do not think that you should bring the President into this. I would ask you to stay clear of that.

**Mr. H. Bereaux:** I am going to put it in a different way. I am saying that Sen. Mary King is no longer independent. *[Desk thumping]* *[Interruption]* What did you say? I am saying that Sen. Mary King is no longer independent. Moreover, I also saw her in my living on the *Big Story* and I heard her say that 60 per cent of Alutrint's production would be exported and she alluded to the fact—

**Mr. Sharma:** Who is she?

**Mr. H. Bereaux:** The hon. Senator, a Member from the other House. *[Interruption]*

**Mr. Speaker:** Let me just remind you of Standing Order 36(10) which says that you cannot bring the conduct of a Member of either Chamber into a debate unless you do it by a substantive Motion. I am just reminding you of that so in your contribution please bear that in mind.

**Mr. H. Bereaux:** I thank you very much. All I am saying is that I was at home and I heard a Senator state that when ALUTRINT appeared before the joint select committee, ALUTRINT indicated that 60 per cent of its production would be exported.

When I read the report of that joint select committee, I realized that no such thing was said. I was there. I am a Member of that joint select committee. All that I am saying is a number of persons are coming forward, and because they do not like the Government, they are attacking and using a number of spurious motives.

Now, take for instance, a number of others have come out. The Environmental Management Authority went to La Brea and talked to persons in the area, and what you found was there were a number of persons from Westmoorings and elsewhere—Prof. Vine and some others—were misbehaving and shouting down persons from La Brea when they tried to make their contributions. These are the very persons who behave as though they are the paragons of virtue. I want to say that all of this is a plot.

Mr. Speaker, when we were going to have the smelter on the industrial estate in Cap-de-Ville and Chatham, the persons down there were saying: “Oh, they want to kill us.” The hon. Prime Minister in his wisdom decided, okay, if they do not want the smelter, we would remove it. When it was removed, immediately, they changed their talk. They are now saying that they are coming into Otaheite to prevent the smelter from going there. They are the same persons. Now, what does it tell you? It tells you that they are using anti-smelter sentiments to mask anti-government sentiments.

We had several meetings in all the villages in La Brea and its environs, and the people there were in unison in wanting an aluminium industry in La Brea—125,000 tonnes, 800 jobs and three plants. That is what they were looking for. The reason why they want it is simple. They want to have a better opportunity—the same way Point Lisas was given and continues to give to California and its surrounding areas—and a better standard of living. All those who come and say that they do not want any smelter there, I want to remind them and I want to remind the people of La Brea that they are not their friends; they are their enemies. [*Crosstalk*] I know you admire me, but fortunately I do not go that way.

So, as I was saying, they are moving to deny the people of La Brea an opportunity. I just want to let you know that the people of La Brea want ALUTRINT. Do you know why they want ALUTRINT? They want ALUTRINT because ALUTRINT is looking at participating in the entire development of La Brea.

**Mr. Sharma:** How many jobs?

**Mr. H. Beraux:** Jobs are not all. They do not start with jobs, but they first start with training. If you go to the old Vessigny High School, you will see a training facility there where they are training persons from all around. There are even some persons from Fyzabad. I do not control the training. The persons who are involved in doing the training are doing that.

**5.30 p.m.**

If you go to the community centre, you will also see YTEPP doing a very good job there and doing it to the extent that they have placed outside of the centre certain containers that do computer literacy and a number of other things. What we are concerned with in La Brea is the development of the people and the industry that comes around there. If you wanted to do anything for your own constituency you would come and take a look at what is going on, rather than trying to shoot down what is happening.

I want to tell the hon. Member for Tabaquite, when he spoke about the hydrogen fluorides emissions and so on. I recall Dr. McIntosh, of the EMA, he came here during a Joint Select Committee meeting and he said in public: “One part per million; that is my standard and it is good anywhere, for any smelter prebake or soderberg. He said so. Mind you, Dr. McIntosh—

**Dr. Nanan:** Who could believe him?

**Mr. H. Breaux:** What did you say?

**Dr. Nanan:** How could you guarantee that?

**Mr. H. Breaux:** Well, I understand now why you stumbled somewhere in Dominica, because you are not listening.

**Dr. Nanan:** We have a next debate.

**Mr. H. Breaux:** No, it is not a next debate; you brought in the kitchen sink and I am dealing with what in the particular debate upset me. This is the whole attitude they take, Mr. Speaker. Anytime you bring anything for La Brea or any PNM area they cause problems; they oppose it purely for opposing. Take for instance, they said here: “We brought dollar for dollar and you stop it”. We stopped the dollar for dollar in tertiary education and gave it free. We allowed persons who might not have been able to provide the extra dollar to have an opportunity.

**Hon. Member:** Not for everybody.

**Mr. H. Breaux:** Well, you will deal with that when your time comes to make a statement. As of now, I am saying that the dollar for dollar—

**Mr. Sharma:** I think you should come back to the Bill.

**Mr. H. Breaux:** Yes, I just said quite clearly; I am following you. You all went all over the place and I only came to deal in particular with their references to the smelter and I will have more to say on the smelter at another time.

So, we have a situation here in Trinidad and Tobago where persons are opposing just for the sake of opposition. Then I hear them speak about “the honourable leader”. He cannot be honourable. I would like him to become honourable again because I will like him to win his case. As of now, he is a convicted felon. When he wins he is no longer that.

I just took this opportunity to make these few words to indicate that they must not interfere with La Brea. Thank you Sir, for your information—

**Mr. Sharma:** What time Saturday?

**Mr. H. Bereaux:** Anytime; either of you could come Saturday, anytime. I want to say something else to you and that is, Hedwige Steven Kensilton Bereaux, Jr., LLB honours; Attorney-at-law, is top class, also four As in A levels; that is the man; that is my son; he is better than me.

**Mr. Nizam Baksh** (*Naparima*): Thank you very much, Mr. Speaker, to be granted this opportunity to speak on the Act to provide for the establishment and management of the Heritage and Stabilisation Fund and for matters related thereto. Maybe I should take the opportunity to bring a little sobriety to the discussions here this evening. My colleagues on this side of the House have contributed at length on the various aspects of this Bill. I would like to pursue the Bill, raise certain issues, and make some precise recommendations.

In my humble opinion, this Bill is very significant for our country. It embodies investment provisions which are important for the future generations of this country. Some might say it delves into the patrimony of our nation, which if not properly regulated and monitored, could well see us immersed in an inflationary abyss from which we may not recover.

Mr. Speaker, I have reviewed this Bill in some detail. I have found a number of loopholes which I believe have been deliberately caged into the provisions to enable this PNM Government to keep their hands in the cookie jar. I propose therefore to look at these areas and to make suggestions to avoid the recurrence of PNM financial extravagance.

I make bold this statement of PNM financial extravagance because the PNM has been known best for its inability to regulate its own taste and culture for conspicuous consumption. There are areas in this Bill which are rather loose and silent and if allowed to remain unchecked, the spending spree will continue.

This reminds me of the PNM government in 2002 when they were placed in power. They spent billions of dollars without any form of accountability. As far as

I know there is no financial accountability for the spending for the year 2002. If we allow them to have their way in this Bill, they will continue their spending spree.

In the present form this Bill embodies three major weaknesses. One, it is loose in many areas which will allow them free access to money. Two, the provisions are designed to accommodate minimum investment; it leaves maximum investment to the dictates of the Ministry of Finance. Three, it is rather silent on critical monetary areas. These I will identify and explore the body of the Bill. Clause 3(2) (a), (b) and (c):

“The purpose of the Fund is to save and invest surplus petroleum revenues derived from production business in order to—

- (a) cushion the impact on or sustain public expenditure capacity during periods of revenue downturn whether caused by a fall in prices of crude oil or natural gas;
- (b) generate an alternate stream of income so as to support public expenditure capacity as a result of revenue downturn caused by the depletion of non-renewable petroleum resources; and
- (c) provide savings for future generations.”

My humble interpretation of these sections is that the proceeds of the fund will be utilized to cushion, sustain and support public expenditure only when there is a downturn of revenue from petroleum resources. In Trinidad and Tobago, we earn revenue from a host of other sources of which are as follows: manufacturing industries, example iron and steel, methanol, chemicals and ammonia, et cetera; agricultural industries, coffee and sugar cane; state enterprises, National Flour Mills, Caribbean Airlines, et cetera.

Mr. Speaker, do we not budget to receive certain sums of revenue from the State enterprises and private manufacturing industries on an annual basis? When there is an increase in the international pricing system, as for example steel and methanol, do we not, as a Government, collect more revenue than the amount budgeted? Should we not therefore include provisions in this Bill for excess revenue from other sources as well? This to my mind will increase the scope and operation of this Bill. I am sure on an annual basis we collect more revenue from the National Lotteries Control Board and National Flour Mills than budgeted. The excess must not be used by Government to waste for entertainment; it should be placed in the Heritage and Stabilisation Fund.

Clause 4(2):

"(2) The Board shall comprise of five members, to be selected from among persons of proven competence in matters of finance, investment, economics, business management or law..."

Mr. Speaker, members of the board must include an attorney-at-law. The "or" should be replaced by "and" and I further recommend that the attorney-at-law must possess specialized training in commercial law and banking because these areas are very relevant to the investment portfolio.

Clause 4(6):

"The members of the Board shall be paid such remuneration and allowances as may be determined by the Minister."

I do not agree with this provision. I do not think that the Minister of Finance should be vested with the authority to decide on the remuneration of board members, and I will tell you why. As far as I recall, for the purposes of remuneration State board are placed in categories according to financial position and areas of operation in the country. In other words, the boards with high financial responsibilities are placed in the highest categories and those with lower responsibilities are placed in lower categories. For the purpose of remuneration, those in the higher categories receive higher stipends than those in the lower categories or grades.

I recommend that this Board be placed in one of the existing categories and that the Minister should not be afforded this authority. I strongly believe that if he is given the authority there will be an abuse with resultant excesses and payback time for PNM cronies.

Clause 5(4):

"A meeting shall not be held without at least one member appointed in accordance with section 4(2)(a) or (b) being present."

A meeting must not be held without either of the representatives nominated by the Minister of Finance or the Governor of the Central Bank.

**Mr. Speaker:** I do not necessarily want to interrupt you but I think you are a little ahead of your time, in that what we are doing; the second reading is talking about the general merits and principles of the Bill. I get the impression that what you have come to so far, really, should be in the committee stage. That is the impression I have, so if you could just come back to the Bill about merits and principles. What you are saying so far, I think is really for the committee.

**Mr. N. Baksh:** Mr. Speaker, I am looking at some of the policies that need to be changed and addressed and I am raising it at this point. I am sure that when we reach to the committee stage there would not be much debate, but we could appreciate some of that at this point in time. I hope you share my view there on this.

**Mr. Speaker:** I do not necessarily share your view but I will allow you to continue. I have given you permission to read; I must tell you that you must take good example from the hon. Member for Nariva; he has perfected the art of—

**Mr. Panday:** Pretending to read. [*Desk thumping*]

**Mr. Speaker:** Yes, so please continue.

**Mr. N. Baksh:** I was making the point where you must have the representative from the Ministry of Finance and the representative of the Central Bank board present and my argument here is, I feel that this should not be so, because in time of critical discussions you find that Members could be given instructions to stay away from meetings, thus cause a failure in some of the critical issues that might be raised. I know this as a perfect example in some of the parliamentary committees where Members stay away from it and as a result the meeting has to be cancelled and because of this I feel very strongly that you should not have this part of the rule in it; that you must have one of those present before a meeting could be carried on.

I move to clause 5(8):

"The Board may, subject to the approval of the Minister, make rules to regulate its own procedure for the conduct of its business."

The board is authorized to formulate rules to regulate its own procedures subject to the approval of the Minister of Finance. I do not agree with this provision as well. I recommend that the rules of procedure be subjected to the approval of this Parliament. Let us scrutinize the rules that offer parliamentary approval. The country's savings and investment is at stake. We should not entrust this in the authority of an individual Minister.

Clauses 9 and 10 deal with the various functions of the board; most of which will be delegated to the Central Bank. It says that the board shall determine by resolution the governing structure and the operational and investment guidelines for the Fund, based on prudential standards used by the Central Bank of similar nature.

We know that the operation of Members will be part-time since they would be required to meet bimonthly. In an effort to make informed decisions, the board needs to be equipped with expertise and skills that will enable Members to evaluate the recommendations of the Central Bank, even if the board itself will be equipped with some of the expertise. Their part-time function will militate against the in-depth review. In other words, the board must be provided with the adequate and relevant support services. The board must be supported by a cadre of expertise that will enable it to review the work which will be outsourced to the Central Bank. The board must not appear to be a stamp pad only to blindly consent with the recommendations of the Central Bank.

The Bill is rather silent about its support structure with relevant skills and expertise to enhance the work of the board. This support structure must not be left to the Minister of Finance to employ incompetent persons to the positions; this provision must be included in the Bill. Moreover, the recruitment for such a structure must be brought under the provision of the Statutory Authorities Service Commission in order to avoid political interference in the employment of these persons.

Clause 13(1), Deposits to the Fund. It says here:

"Where the petroleum revenues collected in each quarter of any financial year—

- (a) exceed the estimated petroleum revenues for that quarter of the financial year by more than ten per cent, the currency of the United States of America equivalent of the excess revenue shall be withdrawn from the Consolidated Fund and deposited to the Fund in accordance with section 14(1) or that; or
- (b) exceed the estimated petroleum revenues for the quarter of a financial year but not exceed such estimated revenues by at least ten per cent, the Minister may direct that the currency of the United States of America equivalent of all or part of the excess revenue shall be withdrawn from the Consolidated Fund and...in accordance with section 14(1)."

Deposits must exceed 10 per cent of petroleum revenue or if less, the Minister of Finance may give direction for all or parts of the excess.

I do not agree with this provision. Why the Minister of Finance must give direction? I recommend that this provision be changed to read:

that all revenue in excess of the budgeted amount should be withdrawn from the Consolidated Fund and deposited into the Heritage and Stabilisation Fund.

So long as excesses are allowed to remain in the Consolidated Fund, the PNM will continue with its current spending spree trend and use it as a feeding trough. The PNM have demonstrated over the years, especially the last boom years and more so now, that they are endowed culturally as spendthrifts. Their track record is convincingly replete with examples. They just cannot save for rainy days, far less for future generations.

We have, only recently, the Auditor General's report on the CEPEP programme and you have the URP programme and money that is spent in so many other areas like the steel pan movement and Carnival. You have \$2.5 million and the Carnival committee getting \$25 million for Carnival and so on. Then you have Anaconda, the community concerts that move from village to village. All these are ways that moneys are being spent to hold and to keep the people for political gains and political support. And I believe that the primary objective in some of these expenditure is really to hold a vote bank. This is an election year.

Clause 15(1), "Withdrawals from the Fund":

"Subject to subsections (2) and (3), where the petroleum revenues collected in any financial year fall below the estimated petroleum revenues for that financial year by at least ten per cent, withdrawals may be made from the Fund as follows, whichever is the lesser amount:

- (a) either sixty per cent of the amount of the shortfall of petroleum revenues for that year; or
- (b) twenty-five per cent of the balance standing to the credit of the Fund at the beginning of that year."

This Bill is rather silent on the office or the office holder with ultimate responsibility for the withdrawals and deposits from the Fund. I am of the view that this is a critical area of responsibility for the purpose of accountability. Hence I am recommending that the office that would be assigned this responsibility should be clearly identified and delineated in the Bill.

Clause 15(3):

"Notwithstanding subsection (1)..."

**Mr. Speaker:** Again, it is not necessary to read each clause. You can probably just refer to it and make your comments. There is no need to read each clause.

**Mr. N. Baksh:** Okay. Clause 15(3); I know that in this particular clause that the Fund should not fall below an investment portfolio of US \$1 billion. We are

aware that this Fund has the potential for rapid growth from profits of the energy sector and investment proceeds from the Fund itself.

I am of the view, therefore, that the reserve of \$1 billion should be revised progressively on an annual basis. This policy will ensure that the Heritage and Stabilisation Fund will be substantial and held for future generations.

Clause 16(1); I agree that the accounts must be audited annually. I am also aware that the work of the auditor is rather heavy and cumbersome and hence the need for outsourcing at times. I recommend that these provisions be amended to read: "Auditor General or an independent auditor recommended by the board and approved by the Auditor General."

This provision will ensure that the audited financial statements are prepared on a timely basis and reach Parliament on a timely basis.

Clause 18 confidentiality; "Except where required by a written law" should be amended to read "except where required by the Freedom of Information Act". I would recommend that this be included because certain public sector organizations have sought different legal measures to avoid the umbrella of the Freedom of Information Act. We need therefore, to spell out that the board must come under the scrutiny of the Freedom of Information Act.

Clause 19(1), Disclosure of Interest. I do not believe in disclosure of interest after appointment as a board member. I believe that before perspective citizens are considered for board membership they should disclose all membership in business organizations and pecuniary interest. In this way, persons appointed to serve on the board would not be subject to embarrassment and undue scrutiny.

It is not good enough to reuse oneself from meetings when prior collaboration could well be made. For example, we have the ADB with the Clico investment and UTT with Prof. Ken Julian and all his associate companies which have benefited from sole selective hefty contracts.

Mr. Speaker, I looked at the Schedule, section B, Liability of the Central Bank, this section is contrary to the principles of professional management. A tremendous amount of responsibility and authority for investment of the Fund is placed within the domain of the Central Bank and the process of accountability has been completely removed. I do not see how any sober thinking administration could place so much trust in an organization and accountability would be reduced to gross negligence or unlawful misconduct, which is always very difficult to prove.

The Bill is rather silent on investment policies, which must guide the operations of the Central Bank as custodian of the fund. What instruments are in place to guide the operations of the Central Bank? What type of investment must they engage in? What levels of risk should they undertake? What percentage of the fund should be placed in investment portfolios? The Bill is rather silent in these areas. Are we going to leave the critical areas for the Central Bank or are we going to provide policy guidelines which the citizens of the nation could check and monitor?

In my research I have noted one country example, Norway with a petroleum fund and which have provided guidelines to the bank and which have invested with the investment responsibility. I read little excerpts from the Economic and Monetary Policy of Norwegian Government. I quote:

- All petroleum revenues are directed into the State Petroleum Fund. The capital in the Fund is invested abroad to avoid strong effects on the mainland economy and on the exchange rate.
- The use of petroleum revenues, which is the transfer from the Petroleum Fund to the State Budget, is set at an estimated 4 pct. real return on the capital of the Petroleum Fund. This is to ensure a gradual and sustainable phasing in of petroleum revenues of the economy.

The Petroleum Fund has the twofold purpose of smoothing out spending of oil revenues and at the same time acting as a long-term savings vehicle to let the Norwegian Government accumulate financial assets to help cope with expenditures associated with the ageing of the population. The Petroleum Fund serves as a fiscal management tool to ensure transparency in the use of petroleum revenues.

Norges Bank is responsible for the management of the Petroleum Fund, on behalf of the Ministry of Finance. The fund is invested in financial instruments abroad, where 60 pct. of the portfolio is allocated to fixed income instruments and 40 pct. to equities. The fund is well diversified.

The equity portfolio has a geographical split of 50 pct. in Europe and 50 per cent in America and Asia/Oceania. For the fixed income portfolio, 55 pct. is invested in Europe, 35 pct. in America and 10 pct. in Asia/Oceania. Within the regions, the portfolio is distributed between countries according to market capitalization weights.”

They have also prepared a list of ethical guidelines for the Government Petroleum Fund, which I think we should observe as well. I quote:

“The ethical guidelines comprise three elements:

- Exercise of ownership rights;
- Negative screening to exclude companies that produce chemical and biological weapons, anti-personnel mines...”

and other related nuclear weapons. And thirdly:

- Exclusion of companies in which there is deemed to exist an unacceptable risk of contributing to violations of fundamental humanitarian principles, gross violations of human rights, gross corruption or severe environmental degradation.”

It says:

“The manager of the Fund, Norges Bank will be responsible for the implementation of the corporate governance policy, while the Ministry of Finance will be responsible for decisions regarding ethical constraints on the Fund’s investment universe.”

These are some of the guidelines; I think they are very helpful if we need to take note of how we should manage this Fund and to ensure that we have a sustainable investment in this Heritage and Stabilisation Fund.

The Bill is also very silent on liability of board members. It must be noted that the ultimate responsibility for investment of revenue rests with the approval of the board. The Central Bank recommends and the board approves. It also means that the board has the authority to refuse the recommendations of the Central Bank. I believe that the Bill should include a provision that would cause members of the board to be responsible and answerable for bad decisions.

#### **6.00 p.m.**

Not a single thing was mentioned about their negligence on misconduct. They should be held accountable for bad decisions. Under the schedule there is a section “C. Fees” I have observed that the provision in this schedule allows for fees to the Central Bank for services rendered being determined in percentage. I want to emphasize that a percentage of this Stabilization Fund which will be millions of dollars if not carefully regulated and monitored could amount to billions of dollars. I am strongly recommending, therefore, that the percentage be

in conformity with international standards or rates for such services. This word of caution and advice is necessary because if not properly regulated this percentage could be easily exploited for graft, corruption and kickbacks.

Mr. Speaker, I want to raise one or two other issues that I am sure if not addressed properly then we could see our investment going haywire with regard to the Stabilization Fund, and some of my colleagues have raised some of the issues here. The MP for La Brea spoke about unprecedented fortune and I want to add that; we also have unprecedented misfortune and I will raise some of those misfortunes now. It has to do with the lawlessness of the society at this point in time. I want to point out that perhaps it is as a result of the PNM's association with criminals in this country, and as a result of that, they are finding it very difficult to address some of these issues and to reduce the crime rates.

Today you have the police intelligence which has reached its lowest ebb in this country; it is the worst in the history of our country and this is something that we need to address. I make this reference. When you listened quite recently where the Acting Commissioner of Police was on the national television begging and beseeching the kidnappers to release Vindra Naipaul-Coolman, it seems that the people who are in charge of this authority of ensuring that we have control with regard to kidnapping and crime, are helpless just like the Government. So we are wondering what will be our next stage. How far will we go down in this country today because of this lawlessness that I am speaking about? If you look at it in other areas as well; today you have robberies, drugs and crimes commonplace. If you look at the education system as well, the extent of indiscipline among teachers and students, and we want to know of the next generation what standards we are going to have. And here we are talking about saving funds for the next generation.

When you look at the drivers on our road; talking about lawlessness again, you see people on the shoulders of the road travelling at 50 and 60 miles to get ahead of traffic—those who are stuck in traffic jams. The blood crawls when you think that people are doing these things and you are in line observing the rules and so, and then five/10 minutes down the road you see an accident there. Years ago you used to see police on the highways with vehicles and these road traps, speed traps, today you no longer see these things. I am sure that today we have more police and more police vehicles than we had 10 years ago. You are wondering what is really responsible for all this lawlessness in the country and it is happening in every aspect of our lives today, Mr. Speaker.

It appears to me that the Government and the police have surrendered to the criminals, surrendered our country to the criminals and we are being very frightened here. Only over the weekend we heard that the Prime Minister was talking, more like boasting, that we have 5 per cent unemployment in this country and that is the lowest we have been in the history of the country. But when you look at that and the high percentage under the poverty level—I think it is 37 per cent right now—it tells me that the math is not correct somewhere. If you have 5 per cent unemployment and you have 37 per cent under the poverty level, it tells you something is wrong there. I want to believe that the social programmes that we have in this country are not really doing anything, or are doing very little to get these people out of poverty. In fact, what we are doing is creating a generation of new poor in this country and the numbers will continue to grow as long as this PNM Government continues with its present trend of social programmes.

Last year in 2006 they spent \$4.1 billion and in 2007 the budgeted estimate is \$4.4 billion and this could increase as we have now started and this is an election year as well. In fact, I see some of these programmes—and it is happening in the Ministry of Sport and Youth Affairs and it is happening in the social programmes—they appear to me like cash vouchers for votes and this is what we are experiencing in this country in this year of election.

I want to touch on some of the neglect on the roads and while we have, as you say, so much money in this country and we are not seeing—people are crying out what the health system; they talked about the transportation system and some of the roads; my colleague mentioned rural communities being neglected. On Monday morning we saw this road blockade and problems at Cucharan Trace which is Debe, and in my own constituency you have roads like the St. Croix Road on which some repairs have started—rehabilitation work on phase one—and it is going to be done in two phases.

I remember holding discussions with representatives in the Ministry of Works last year February and they told me that phase two of the St. Croix Road was going to start immediately after Carnival in the first week of March 2006. To date, nothing has started on that phase two except that the contractor has just put up a board saying that he is the contractor but and nothing has started. [*Interruption*] I had also suggested to the then Minister, the present Minister and the representatives of the works department that there is an alternate route on the Inverness Road which takes you out to Lothians Road and to Princes Town, and while all that rehabilitation and construction work is going on at phase one of the St. Croix Road, [*Interruption*] this is an adequate road.

Mr. Speaker, this road is only 1.5 kilometres long with good foundation but it has been neglected over the years, and I am saying that if we had developed that road, paved it and so, this would have been a good alternative route to get to Princes Town or even for those who want to bypass Princes Town to use that route as well. It is taking you into Lothians Road, into Hope Road, as well, Manahambre. So that I still feel we could do this quickly to assist in that road problem situation along the St. Croix Road.

There are also other roads; the Realize Road, the Cunjal Road and the Jaipaulsingh Road; [*Interruption*] they have the entire route there which has been earmarked for rehabilitation, but has stalled. [*Interruption*] There are several landslips in those areas that you cannot pass; vehicular traffic cannot use it any longer, you have to go through the Jaipaulsingh Road and it is not being addressed any longer by the Ministry of Works because they are saying that contracts have been given out and they are not going to spend money on those roads. You had recently, some road blockades in the Naparima constituency; the Papoorie Road, the New Colonial Road, the Rochard Douglas Road. Work has been done and I want to thank the Minister for the work—he is not here but I want to thank him publicly in this Parliament—that he has done on the Papoorie Road.

In November the contractor was given instructions to start the New Colonial Road and just before he was able to mobilize he got instructions to hold his hand. [*Interruption*] Every time I enquired from the Director of Highways he said that they are waiting on word to go ahead from the Minister of Works. The latest information I have, is that they do not want the Opposition Members to look good so they are holding back on the roadworks. [*Interruption*] We are not suffering as Members of Parliament; it is the national community suffering.

**Mr. Panday:** Where is he; he has gone home?

**Mr. N. Baksh:** I pointed out that that is a route that takes the service providers for Galeota in Guayaguayare who come from San Fernando, La Romaine and so on. You have most of the service providers in those areas; they pass through that area, Rochard Douglas going to St. Marys, [*Interruption*] Trinity and Edward Trace taking you directly into Galeota. If you stay there on mornings and evenings you can see those heavy vehicles passing through there and I am saying that this is a route that you could develop. It is there and people are using it; the NGC contractors have used it. All you need is to probably, put some proper drainage, pave the roads and this will take off the heavy traffic that uses the Naparima/Mayaro Road. Those of you who travel that route could speak about the traffic jams and the problems they have because roadworks are also being undertaken in that area.

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I want to raise these issues because while we are talking about saving money for the future—which I support and I think it is a good idea there—we have to address the current issues as well, because those who are surviving today need the facilities. If we could address those issues of crime, the education system, the health sector and the other related areas, I am sure that we could do something to improve this country for those who are here now. We do not know what will happen with the next generations.

So in conclusion, Mr. Speaker, given the track record of the PNM in respect of extravagance and excesses, I am very worried. Billions of dollars have passed through the PNM before like a dose of salt and they hardly have any sustained economic development to show that they can be trusted. [*Interruption*] Recently a report from the Auditor General has shown how they are able to manoeuvre the financial system to engage in financial excesses. More than a billion dollars have been spent in CEPEP; tendering instruments have not yet been formulated and approved and we know that this is a requirement before you engage people in contracted work. A few weeks ago we were informed by the print media of millions of dollars, unauthorized expense at the University of Trinidad and Tobago. We also note similar persons have been connected with over \$300 million dollars of the failed LABIDCO project at Vessigny in La Brea. I could go on because the history of the PNM is replete with extravagance and excesses.

We need a Heritage Fund; we need a Stabilisation Fund but we also need prudent management which the PNM has never displayed. I am strongly suggesting, therefore, that my observations and recommendations be instituted to prevent another vehicle for accesses. Perhaps we need to change the Government to get the right things in place.

Thank you. [*Desk thumping*]

**The Minister in the Ministry of Finance (Sen. The Hon. Conrad Enill):** Mr. Speaker, we started this journey on November 10, 2006 [*Interruption*] and I want to thank all those who contributed to the debate because it was indeed a very interesting experience. During the course of the debate it occurred to me that democracy is in fact at work and that those of us who continue to hold office strive, on an ongoing basis, to ensure that everybody has a view and they have a say, but, Mr. Speaker, those of us who are in fact elected to lead must do so.

The Member for Naparima, in making his contribution, talked a lot about the perception that he has about the Government, the policies of the Government and

his view, or a view that is held about the Government's lack of fiscal discipline; its inability to save its spending patterns and he suggested that that was a bad thing.

Mr. Speaker, all the moneys that are being spent today by this Government is being spent to ensure that the people of Trinidad and Tobago have access to goods and services that they were not able to have access to at times when the revenue that we have today did not allow us to so do.

**Mr. Sharma:** CEPEP too?

**Sen. The Hon. C. Enill:** In CEPEP too. [*Interruption*] Mr. Speaker, sometimes you get the impression from those on the other side, that because a particular level of people are involved in a particular programme that that is a sin. These are individuals who are citizens of Trinidad and Tobago and one has to look at the benefit that is being derived in spite of the challenges that we face. Let me explain something to you, the Auditor General—[*Interruption*] Let me deal with CEPEP for example. There are, in this society, some individuals who did not eat on a ongoing basis. They did not eat because in the private sector and in the operations that we had we did not have a place for them and therefore we felt that an intervention should be to deal with those individuals.

I have heard Members on that side talking about the work that these group of citizens do. I have heard Members on that side talking about—

**Hon. Member:** What about the money?

**Sen. The Hon. C. Enill:** Hold on—the work that they do and the way in which the society and the country look as a consequence of the work that they do. And yes, we have issues with governance.

**Hon. Member:** That is what we are talking about. [*Crosstalk*]

**Sen. The Hon. C. Enill:** But we have issues with governance everywhere—hang on a minute—and the issues with government have to do with what the leaders decide on. [*Interruption*] We have no difficulties spending billions of dollars on the people of Trinidad and Tobago. What we have a difficulty with is taking the money and enriching oneself as a consequence of it. [*Desk thumping*] I want you to understand that. [*Interruption*]

Mr. Speaker, let me deal with something that happened yesterday. [*Interruption*]

**Mr. Speaker:** Order!

**Sen. The Hon. C. Enill:** I am not going there. Mr. Speaker, [*Interruption*] in the *Wall Street Journal* of yesterday, in an article that was published on the Index of Economic Freedom 2007 highlighted or headlined “The poor gets richer”, it indicates that a new Index of Economic Freedom has been established by the Wall Street group, and in 157 countries surveyed, one of which, being Trinidad and Tobago,—and a ranking was applied to those countries—the number one country in this index was Hong Kong; the last country was Korea, and Trinidad and Tobago, in this index, ranked 23. [*Interruption*] And it said that the annual survey grades countries on a combination of factors including property rights protection, tax rates, government intervention in the economy and monetary, fiscal and trade policy. This year we have renamed the regulation factor “Business Freedom” in order to reflect our emphasis on liberty.

Mr. Speaker, I just wanted to make the point before I go into dealing with some of the issues that I must treat with, that internationally, while we beat up on one another about issues that certainly, we are dealing with, there is a view by those who are looking at us that we have done well and it is something that we should not forget. [*Desk thumping*] Mr. Speaker, the Member for Nariva wanted to say something.

**Mr. Partap:** Thank you, hon. Minister. I simply wanted to make the point that we are not against—and I refer to CEPEP—the workers getting employment. What we are against is the absence of decent work under the ILO. That is what I am saying.

**Sen. The Hon. C. Enill:** I thank the Member for making that clarification and just so he knows, Mr. Speaker, we are also of that view, and notwithstanding the fact that we have not gotten there as yet, we intend to do something to deal with that because we also care about our citizens.

Mr. Speaker, the reason that this Bill was before the House was a recognition by Government that in economies such as the one that we have in Trinidad and Tobago, which is particularly an oil-based economy, a gas-based economy or an energy-based economy, that there are certain challenges over the long term. One of the mechanisms that we have seen used successfully by countries with our profile is that when you are dealing with this kind of commodity you have to look long term at what happens when this particular resource is exhausted. There are two issues that arise as a result of the economy as we have it: one is the uncertainty as it relates to prices, and the other one, of course, is what happens when it runs out. The Bill before us seeks to accomplish both. It seeks, first of all, to deal with the stabilization effect, which is basically to deal with uncertainty in

prices, but it also deals with accumulating financial assets, the returns from which will be used to replace revenues that in the long term will be exhausted.

Mr. Speaker, a lot of Members spoke about the models of funds that we have around the world. I want to remind the Parliament that the Government of Trinidad and Tobago, before coming to the Parliament with this particular Bill, engaged in an exercise where we brought to Trinidad and Tobago a number of countries and shared with a number of individuals—*[Interruption]*

**Mr. Speaker:** Order!

**Sen. The Hon. C. Enill:**—the models that were available for the oilfields. The stabilization funds that we looked at had countries like, Oman, Norway, Kuwait, Alberta, Alaska, Abu Dhabi, Azerbaijan, Kazakstan. These are all funds that we looked at, and in the final analysis we believed that the Norway fund is the model that we modelled part of the legislation around. In that fund—and I just want to deal with the division of responsibility so we get a sense as to how our Bill fits with that. According to the Act of the Government Petroleum Fund which is our Heritage and Stabilisation Fund, “the Ministry of Finance is the Manager of the Fund”. What we sought to do in our situation was to have the Ministry of Finance as part of the governance structure and to put in place a board that will have some responsibilities.

The Ministry of Finance has delegated operational management to the Norges Bank, which is the Central Bank of Norway and we have done that in the construct. The mandate is set out in a regulation guidelines and a management agreement between the Ministry of Finance and the Norges Bank; we have said that is what will happen in the Bill before us. Insofar as the divisions of responsibilities are concerned in that model the Ministry of Finance decides the strategic asset allocation; it defines the benchmark portfolio; it sets limits for deviation from the benchmark and it reports to the Parliament. We are doing that through the board, through the Minister.

The Central Bank is responsible for the cost effective transactions; transitions and market exposure; active management to achieve the excess return; risk control and reporting and providing professional advice on the investment strategy. So the fund governance structure is the legislator or the Parliament has enacted the Petroleum Fund Act, it follows the model of any parliamentary institution, which basically says that the office of the Auditor General will do what we said it was going to do. The “Principal” is the “Ministry of Finance” in this case; it will be through the board, and the “Manager”: is, of course, the “Central Bank”.

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Mr. Speaker, in a sense the Bill that is before us today, really, has a lot of commonalities between what that model seeks to do and what we are attempting to do. There is, however, one difference in that the way they define or the way they deal with the non-oil budget deficit, is that, they basically fund it from petroleum revenues. We have an argument here that talks about the growing non-oil deficit, the growing non-energy deficit and what happens in this model in this country is that they basically determine what that is and they actually determine it and take the resources from the Petroleum Fund to fund it. So it is a little different to what we are doing.

Mr. Speaker, during the course of the debate there was a discussion about the Revenue Stabilization Fund Act, 2002 which was the piece of legislation that the party that came before us was considering; there was discussion that it was the same as we are debating today. That is not so. That Bill was simply a Revenue Stabilization Fund Bill and there are elements of the Bill that we have used. But let me just highlight two issues: one is that the Bill, basically, was to deal with a repository for petroleum taxation revenues which were in excess of budgeted amounts, and that it was intended simply to deal with stabilization issues. That is really what it was intended to do and we understood that and we continued with that, but as we started to understand a little more about what we were attempting to do we felt that we should add the heritage piece to it. Now there is a lot of discussion about whether or not we should have had two funds, or we should have had three funds, five funds or 10 funds.

The Member for St. Joseph in his contribution—and I wish to place on record that he did meet with us and it clarified our own thinking in that we had not communicated as well as we had hoped our intention. In that dialogue you would note that the Government agreed to a number of amendments seeking to clarify that which we thought were not clarified before and in some instances trying to put into place some of the safeguards that we thought were there for which we sought to improve on change, or in some instances, provide clarity on. I will go through them in some detail a little later on but I just wanted to make the point that most of the weaknesses of the Bill and most of the criticisms of the Bill, I think, we have taken on board.

Today, I want to thank all the Members for their contributions because I do feel at the end of it all we have something that is superior to what came before us.  
[*Interruption*]

**6.30 p.m.**

I thought that I should make a small comment on the contribution made by the Member for St. Augustine because in his contribution he made two statements that I have issue with. Mr. Speaker, he said, when the Government could not account to the population, they blamed sectors of the community. Today, we are seeing that underlying thinking on the part of the Government as they tell the people that the middlemen are the causes of the problem of inflation. Well, insofar as this particular statement is concerned, the information was available to us in the newspaper, *Newsday*, Tuesday December 05, a document entitled, "Live Poultry Prices Collected by Regions". What this basic table states is that the differential in prices throughout the community was between \$4 and \$12 and one has to ask the question as we did: How is it possible that the same product can have that kind of price differential? Part of the reason for that of course, is the whole question of mark-up and prices that the market can bear and we have no difficulty with that. We were simply saying that it occurs, and therefore, if it occurs, it means that once the population is aware of it, then the population will take action.

Side by side with that, Mr. Speaker, the view was expressed that the inflation rate which reached 10 per cent at the time would have escalated unabated, because the measures that the Government was in fact using were useless. One month later, the information that is available to us suggests that it has declined from its 10 per cent down to 9 per cent, and we expect that it will continue trending downwards based on some of the measures we are dealing with.

But how we do we report? We report through the Parliament to the population. During the budget debate, we provided to the Parliament and to the population, a document that basically said, "Government at your Service" and in that document it indicated where every single cent that the Government had put into its various budgets was being spent. But I just want to deal with one element of it because I keep hearing it all the time.

A number of commentators, including in the debate, continue to ask the question, the Government has a lot resources, where have the resources gone? In this particular document, "Government at your Service 2007, Vision 2020", one of the major areas in which the expenditure has gone is in what we call current transfers. What are current transfers? Current transfers are educational institutions, households and other transfers. The Government has spent a lot of its resources in educating its people, in taking care of its aged and also in infrastructure development

and savings. That is where a lot of the resources have gone and it has gone to the people of Trinidad and Tobago at a time when we can in fact, afford it.

The other point that the Member for St. Augustine made is that the Government is behind the curve. Mr. Speaker, the curve that the Member is talking about, we do not operate on it. What we have done is we have created a new curve. The curve that we have created is a curve called “Vision 2020” and what that seeks to do is to ensure that by the year 2020, every citizen in this country will have a country—and we will survive, do not worry—that can be considered among the best in the world.

Mr. Speaker, what else is a population to expect from a government? A government has to ensure that it creates the circumstances by which its citizens continue to enjoy a very high standard of living and this Government has put in place the required planning—I heard a lot of discussions about planning—that will allow us to achieve the objective. But in doing so, there are some changes that need to be made in the relationships that we have for implementation. It cannot continue where a government does not have the ability to deal with those who must be responsible for delivery and it really does not matter which government is in place. All governments have to face that particular reality and it may very well be that as legislators, we address that issue and deal with it at a time when the resources allow us to so do.

Mr. Speaker, one other issue that I want to deal with is the question that the Member for Barataria/San Juan raised, in which he said the revenue stabilisation became a cash cow. He said:

“The Revenue Stabilisation Fund became a cash cow for the Government that was installed by ANR Robinson with less votes and given the mandate to govern without movement of the Constitution.”

The Interim Revenue Stabilisation Fund is really something that the Government has decided to support out of its own intention to have fiscal discipline in what it does. There is no obligation for the Government or there was no obligation because there was not any law in place. Yet, notwithstanding the fact, and notwithstanding those who say that the government is spend, spend, spend, that the Government did not have to; they still continued to put moneys in the Interim Revenue Stabilisation Fund because we believed that it was the right thing to do. The fact that we are here today debating a heritage and stabilisation fund is because we believe that it is an appropriate mechanism to deal with the future of our country.

Mr. Speaker, there were a number of amendments and I just want to briefly introduce them for consideration.

**Hon. Member:** We will do that in committee stage.

**Sen. The Hon. C. Enill:** You will do that in committee stage? Okay. Mr. Speaker, in this debate there was a significant amount of discussion about spending and the way the fund works. Let me just spend a few moments talking about how this thing works. Each year, the Parliament approves expenditure. Revenue issues are dealt with, it is collected, it is deposited to the Consolidated Fund and then revenue is extracted on the basis of parliamentary approval. The Government operates on a cash basis, and therefore, if at the end of the period it is not spent, then it flows to the Consolidated Fund and the Government has a budget for the next period; comes back to the Parliament and the Parliament so approves.

Mr. Speaker, the question therefore, about spending an allocation is more a function of the effectiveness of the system rather than the lack of resources, because any organization or any Ministry that basically needs resources and makes the case for resources can in fact get it, and will in fact get it. But in looking at those resources, what usually happens is that you take what they have done in the past, you look at their track record and you make a determination on the basis of that.

Mr. Speaker, the two other comments that I want to deal with have to do with the Central Bank and the question of a comment made sometime ago about the Central Bank's ability to manage this fund. In designing the construct of this Bill, we tried to make sure that we put in place everything that we thought was required to move the process forward. But there are going to be instances in which we have to review this process and within the Bill, there is a period of review. We believe for example, that the Bill as it is, and the fund as it, is should be given an opportunity to operate and on the basis of that, we will make further amendments.

The fund has \$8.6 million in it as the end of 2006. We believe that the time has come for us to put into the legislation rules by which deposits must be made, withdrawals must be made and we think that the Bill as amended, meets the requirement for that. And on that basis, I commend the amended Bill for the consideration of the Parliament and I beg to move. [*Desk thumping*]

*Question put and agreed to.*

*Bill accordingly read a second time.*

*Bill committed to a committee of the whole House.*

*House in committee.*

**Mr. Yetming:** Mr. Speaker, before we start, I want to make sure we are dealing with the same documents. We have a Bill that was circulated to us and I have the list of amendments. Attached to the list of amendments is an attempt at a revised Bill with the amendments incorporated. There are four instances in the Bill with the amendments where it differs from the original Bill and differs from the amendments. In other words, the amended Bill to which is attached the amendments; there are four instances where the clauses were amended that did not reflect itself in the amendments and varies from this Bill. So if we could deal with the list of amendments and this Bill, we would be fine, but once you begin to touch the amended version—are you with me?

**Mr. Valley:** Yes.

**Mr. Yetming:** And at the end of the committee, I can point out the four cases because the people working on the Bill might want to know where those additional things are.

*Clause 1 ordered to stand part of the Bill.*

*Clause 2.*

*Question proposed,* That clause 2 stand part of the Bill.

**Sen. Enill:** Mr. Chairman, I beg to move that clause 2 be amended as follows:

In the definition, “petroleum taxation revenues”, delete the word “taxation”.

*Question put and agreed to.*

*Clause 2, as amended, ordered to stand part of the Bill.*

*Clause 3.*

*Question proposed,* That clause 3 stand part of the Bill.

**Sen. Enill:** Mr. Chairman, I beg to move that clause 3 be amended as follows:

Delete and substitute the following:

"(c)provide a heritage for future generations, from savings and investment income derived from the excess petroleum revenues."

**Miss Lucky:** Mr. Chairman, might I just ask the hon. Minister, I think that it is very important that we really brand this. It is clear in our mind; I know we know it already but I am just asking for it to be reflected, “citizens of Trinidad and Tobago”, so in the amendment where we have “provide a heritage for future generations of citizens of Trinidad and Tobago”. I am just asking everybody else's

heritage fund specifically endorses in that part that deals with what the fund is about. Just endorses or reconfirms. So I am just asking if those words could be included.

**Mr. Valley:** Rather than future generations?

**Miss Lucky:** No, I am saying you include future generations. I am saying it would read “provide a heritage for future generations of citizens of Trinidad and Tobago”. It is an embellishment. It does not change the legal effect, but I think it just means that we give an endorsement that is good.

**Mr. Valley:** No difficulty, Mr. Chairman.

**Miss Lucky:** I am much obliged.

**Mr. Chairman:** Hon. Members, the question is that clause 3 be amended as circulated and further amended in clause 3(2)(c) by inserting after "generations" the words “of citizens of Trinidad and Tobago”.

*Question put and agreed to.*

*Clause 3, as amended, ordered to stand part of the Bill.*

*Clause 4.*

*Question proposed, That clause 4 stand part of the Bill.*

**Sen. Enill:** Mr. Chairman, I beg to move that clause 4 be amended as follows:

- A. Delete the words “to manage” and substitute the word “for”;
- B. Delete all the words occurring after the word "law" and substitute the following—

“including an officer of—

- (a) the Central Bank; and
- (b) the Ministry.”;
- C. Delete subclause (5) and substitute the following:

"Second Schedule Act No. 18 of 1993 (5) In addition to the competencies mentioned in subsection (2), each member shall be required to satisfy the criteria detailed in paragraphs (2) and (3) of the Second Schedule of the Financial Institutions Act, 1993."

**Mr. Baksh:** Mr. Chairman, a suggestion here, where it says that the composition of the Members of the board for matters of finance, investment, economics, business management or law, I ask that we change "or" to "and".

**Mr. Chairman:** Where are you, clause 4?

**Mr. Baksh:** Yes, clause 4(2).

**Mr. Chairman:** Please, could you offer your amendment?

**Mr. Baksh:** I am saying where it says towards the end "business management or law" delete the word "or" and substitute the word "and". It can become any one of those categories.

**Miss Lucky:** Mr. Chairman, if I might just indicate. During my contribution, I was making the point that the present wording speaks about "each member shall be required to satisfy the criteria detailed in paragraphs (2) and (3)", but when you look at paragraphs (2) and (3) of the second schedule of the Financial Institutions Act, 1993, there are no stated criteria. What is really contained in paragraphs (2) and (3) are issues or matters and even the phraseology used, they talked about having regard to; there are no criteria. Criteria would mean certain characteristics or certain benchmarks that are set. I am respectfully suggesting that, we therefore get the phrasing right, bearing in mind paragraphs (2) and (3) do not give any criteria and instead let it read so that there is not much change to the words "in addition to the competencies mentioned in subsection (2), each member shall be required to be a fit and proper person as contemplated—" and then it continues. Because paragraphs (2) and (3) really contemplate what you should have regard to, to be that fit and proper person.

**Mr. Valley:** We have some words here for you, after criteria we are suggesting that we add "for a fit and proper person contemplated in paragraph (2)". Right, okay?

**Miss Lucky:** Yes, paragraphs (2) and (3).

**Mr. Valley:** (2) and (3) of the second schedule.

**Miss Lucky:** I would go with the better language of the CPC. Thank you.

**Mr. Chairman:** Hon. Members, the question is that clause 4 be amended as circulated and be further amended after the word "criteria" to insert the words "for a fit and proper person contemplated in..."

**Mr. Valley:** I am sorry, but then you have to delete "detailed".

**Mr. Chairman:** Yes. Hon. Members, the question is that clause 4 be amended as circulated and be further amended after the word "criteria" to insert the words "for a fit and proper person contemplated in paragraphs" and by deleting the word "detailed".

*Question put and agreed to.*

*Clause 4, as amended, ordered to stand part of the Bill.*

*Clause 5.*

*Question proposed, That clause 5 stand part of the Bill.*

**Sen. Enill:** Mr. Chairman, I beg to move that clause 5 be amended as follows:

- A. At subclause (3) delete the words “of his alternative”;
- B. Delete subclause (4) and substitute the following:  
 “(4) A meeting shall not be held without at least one member appointed in accordance with section 4(2)(a) or (b) being present”;
- C. At subclause (5) delete the words “or their alternative”;
- D. In subclause (6) after the word “present” insert the words “and in the event of an equality of votes, the Chairman or in his absence the member presiding, shall have a second or casting vote.”;
- E. Delete subclause (7) and renumber subclause (8) as subclause (7).

**Mr. Baksh:** Mr. Chairman, I was raising the point that 5(4) where it says, “a meeting must not be held without either of the representatives nominated by the Minister of Finance or the Governor of the Central Bank”. It states lower down that any three members of the five members shall form the quorum. I am saying that we should leave it open for three and those representatives must make sure that they are present, rather than confine it to stating them. You may find that for some reasons the meetings could be stymied if they are not present. So, leave it open and they must ensure that they are present because they are key people there.

**Sen. Enill:** The thinking here, hon. Senator, is that this is a fund that is a public fund and the Ministry of Finance representative will more than likely be a Ministry of Finance employee; and the Central Bank representative will be a representative of the Central Bank. The question that arises is, these two individuals will have knowledge of Government and Central Bank operations that should rightfully be part of any deliberations. Therefore, to contemplate having for example, three individuals who are not either as part of the public service dealing with public funds is really something that we were trying to avoid because this fund reports to the Parliament through the Minister. Therefore, we felt that in looking at it because of what is involved, the Ministry of Finance and the Central

Bank who are agencies charged with monetary policy and fiscal policy should always be present at any meeting, in order to ensure that the things that we have put in place are carried on. That really was the thinking.

You would recall in the amendments as well, we took out "alternates" because the view was expressed that you could have had other individuals if you went the alternate route, making decisions about these things that may not be informed by policy. So it is really a safeguard to ensure that public policy positions are in fact sustained through those representations. That was the thinking.

**Mr. Baksh:** Mr. Chairman, 5(7) where it says that the board is authorized to formulate rules to regulate its own procedures on the approval of the Minister of Finance. I want to suggest that the rules of procedure be subjected to the approval of the Parliament and since we are dealing with funds, first, it is going to be a huge amount, and second, it is going to be for years in the future so that it should come to Parliament and get that approval. Yes, they will prepare the rules, but it should come to Parliament for a final approval. It is just a safeguard to involve the Parliament in the discussion as well.

**Sen. Enill:** What is contemplated here is that the board has to operate within a particular framework and what this provision is doing, it is saying that that procedure should be approved by the Minister. Now, this is how many board meetings; whether you have a secretariat; how many Members of—that kind of thing.

**Mr. Valley:** If you want to see it, I will give you.

**Mr. Chairman:** Members, bear in mind this is the Bill that we are dealing with.

**Mr. Baksh:** Yes.

**Mr. Chairman:** Not the amended one that is attached to the amendments.

**Mr. Baksh:** I still feel as a final safeguard and involvement of the Parliament that it could come here. It is just a one-off situation; it is not something that has to come up every month or something like this.

**Sen. Enill:** I am in your hands. I simply see it as the board wanting to regulate how it will do its business, getting the Minister to approve it. I have no difficulty if you want to bring it back to the Parliament, so that the Parliament knows that they will have four board meetings and they will want two secretaries and they will want this.

**Mr. Baksh:** You see part of it will be—*[Interruption]*

**Sen. Enill:** I do see it, but to me—*[Interruption]*

**Mr. Baksh:**—remuneration and all these aspects. If it is just a one-off approval by Parliament.

**Sen. Enill:** I think it will change from time to time based on a number of things.

**Mr. Valley:** *[Inaudible]* negative resolution. I do not have a problem with that. Look, we say this fund is important; it is intergenerational and so on. You want to see it; I do not have a problem. Negative resolution, done with that.

**Mr. Baksh:** What I am suggesting here is that it comes to Parliament for approval.

**Mr. Valley:** It comes to Parliament. It will be laid in the Parliament, negative resolution. All right, if you want to have it debated, you can ask that it be debated and these rules will be subject to negative resolution.

*Question put.*

**7.00 p.m.**

**Mr. Chairman:** Hon. Members, clause 5 be amended as circulated and further amended in subclause (8)—*[Interruption]*

**Mr. Valley:** Now subclause (7).

**Mr. Chairman:** Yes, subclause (7) by inserting the following words:

“and these rules shall be subject to a negative resolution of Parliament.”  
*[Interruption]*

We are really dealing with clause 5(8). It is only when it is accepted that it becomes subclause (7). *[Interruption]*

*Question agreed to.*

*Clause 5, as amended, ordered to stand part of the Bill.*

*Clause 6.*

*Question proposed, That clause 6 stand part of the Bill.*

**Sen. Enill:** Mr. Chairman, I beg to move that clause 6 be amended as follows:

New clause 6 Insert the following new clause:

<p>“Resignation of Members</p>	<p>6. The Chairman may resign his office by letter addressed to the President and a member may resign his office by letter addressed to the President through the Chairman.”</p>
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**Mr. Sharma:** Mr. Chairman, how is 6(c) going to be established?

**Miss Lucky:** Mr. Chairman, is clause 6(c), which the Member is referring to, the one which says, “is guilty of misconduct”? I am seeing that is being deleted and substituted by a new (c) which says:

“(c) discloses information contrary to section 18, or fails to disclose an interest under section 19;”

**Mr. Chairman:** That is right. That answers the Member for Fyzabad’s question.

**Mr. Valley:** Does it?

**Mr. Sharma:** You have to answer it.

**Mr. Valley:** I cannot answer for you.

**Mr. Partap:** We do not have the amendment here.

**Mr. Valley:** Do you not have the list of amendments? [*Crosstalk*]

**Miss Lucky:** In any event, we are looking at clause 6 which talks about the powers of the President to terminate the appointment of a member. If I understand it correctly, as I just pointed out, the (c) that presently says “is guilty of misconduct in relation to his duties;” is being replaced with a new (c) which says, “discloses information contrary to section 18...”

**Mr. Valley:** Right.

**Miss Lucky:** There are two issues I wish to raise. We should include a paragraph (e), because if you look at (a), (b), the new (c) as proposed and (d), I still think they are restrictive.

**Mr. Yetming:** Are we dealing with a new clause 6?

**Mr. Valley:** We are not dealing with that until the end.

**Mr. Yetming:** Are we not dealing with a new clause 6?

**Mr. Valley:** The new clause is dealt with at the end.

**Mr. Chairman:** New clauses are dealt with at the end.

**Mr. Valley:** You are really looking at the old clause 6, which is now clause 7.

**Mr. Yetming:** So we are not going according to this schedule then?

**Mr. Valley:** Yes.

**Miss Lucky:** Two issues—we would have four paragraphs: (a), (b), (c) and (d). I am proposing that we include a paragraph (e) so it would read:

“The President may terminate the appointment of a member where the member (a), (b), (c), (d)...”

I am suggesting an (e):

“for some other reason becomes unfit or improper to serve.”

The reason I am making that suggestion is that (a), (b), (c) and (d) are very specific and there may be some other things that arise, especially since in the previous clause, as approved, we have spoken about criteria contemplated within paragraphs 2 and 3 of financial institutions. Mr. Chairman, (a), (b), (c) and (d) are specific provisions. I think you need that (e). For the wording, we have the Chief Parliamentary Counsel here, but I suggest, “for some other reason becomes unfit or improper to serve” as an (e).

The other issue is that the paragraph (c) which is being removed: “is guilty of misconduct in relation to his duties”, I felt was wider than what is being proposed. I understand the proposed (c), “discloses information...”; I think that is important, but I am just wondering, hon. Minister, if we are taking out the words, “is guilty of misconduct in relation to his duties”, that is something different to what is being suggested in the new paragraph (c) and, if only then, we can use that point to buttress why we need a subclause (e), which would give us that level of latitude needed.

**Mr. Valley:** Do you not think the (e) that is there is all-inclusive?

D. “(e) no longer meets the criteria for a fit and proper person within the context of section 4(5).”

**Miss Lucky:** I am sorry; I am not with you, Member for Diego Martin Central.

**Mr. Valley:** In paragraph D it says:

D. Insert a new paragraph (e) as follows:

“(e) no longer meets the criteria for a fit  
and proper person within the context of section 4(5).”

**Miss Lucky:** That is fine then if (e) is like that. Then again, the wording, “no longer meets the criteria for a fit and proper person”, just to be consistent; remember we had used the phraseology “as contemplated”; could we just use that same phraseology? The one we had used before that the CPC had suggested, “as contemplated within the paragraphs”. We had used it earlier in one of the clauses.

**Mr. Valley:** I hear you, but we used it there in a different context. There we were referring to a different Act. Here we are referring to this piece of legislation, section 4(5) of this.

**Miss Lucky:** I take your point.

*Question put and agreed to.*

*Clause 6, as amended, ordered to stand part of the Bill.*

*Clause 7.*

*Question proposed,* That clause 7 stand part of the bill.

**Sen. Enill:**

A. Paragraph (c) is deleted and the following is substituted:

“(c) discloses information contrary to section 18, or fails to disclose an interest under section 19;”

B. At the end of paragraph (d) delete the full stop and substitute the words “; or”;

C. New paragraph (e) is inserted as follows:

Mrs. Chairman, I beg to move the following amendments:

“(e) no longer meets the criteria for a fit and proper person within the context of section 4(5).”

*Question put and agreed to.*

*Clause 7, as amended, ordered to stand part of the Bill.*

*Clause 8.*

*Question proposed, That clause 8 stand part of the Bill.*

**Sen. Enill:** Mr. Chairman, I beg to move that clause 8 be amended as follows:

- A. Delete the word ““thereafter”; and
- B. Insert after the word “membership” the words “or the termination thereof whether by death, resignation or effluxion of time or for any other reason”.

**Mr. Sharma:** Concerning 8(a), I want to suggest an amendment. After the word “Fund” put either “in consultation with the Central Bank” or “in supervision with the Central Bank”.

**Mr. Chairman:** It is in the amendments.

**Mr. Valley:** It is there; it is included. Do you have the amendments?

“A. At paragraph (a) insert after the word ‘Fund’ the words based on prudential standards used by the Central Bank for investments of a similar nature.”

**Miss Lucky:** But that is in clause 9.

**Mr. Valley:** That is clause 8, because we have not renumbered them.

*Question put and agreed to.*

*Clause 8, as amended, ordered to stand part of the Bill.*

*Clause 9.*

*Question proposed, That clause 9 stand part of the Bill.*

**Sen. Enill:** Mr. Chairman, I beg to move that clause 9 be amended as follows:

- A. At paragraph (a) insert after the word “Fund” the words “based on prudential standards used by the Central Bank for investments of a similar nature.”
- B. Delete the words “day to day” from paragraph (b).
- C. At paragraph (d) insert after the word “necessary” the words “to carry out the purposes of the Fund.”

**Mr. Yetming:** Where you have under clause 9(1):

“The Board may delegate its responsibilities...”

I would want to suggest that the word “may” be changed to “shall”. [*Interruption*]

**Mr. Sharma:** Out of an abundance of caution I want to suggest an amendment; in clause 9(1) could we not say “an investment entity in good standing”? [*Crosstalk*] You could have peddling of influence to any entity.

**Mr. Yetming:** But that clause is being replaced.

**Mr. Sharma:** The recommended entity, how would it be arrived at?

**Mr. Yetming:** There is no recommended entity. [*Interruption*]

**Mr. Chairman:** It is catered for, is it not? I think you have answered the Member.

**Mr. Yetming:** Well, I think so. I am going according to the schedule of the amendments and in the left hand corner it talks about 9(1)—I mean 10(1), which is really 9(1). It says:

“Delete and substitute...”

We are deleting all of 9, not just 9(1)?

**Mr. Valley:** It says:

“Delete and substitute the following:”

**Mr. Yetming:** So you are deleting all of clause 9 and not just 9(1)?

**Mr. Valley:** Yes.

**Mr. Yetming:** Because you have what will be 9(1) and 9(2) being substituted. The point I really want to lead to is that 9(3) comes out of the whole Bill.

**Mr. Valley:** Yes.

**Mr. Yetming:** So all of clause 9 must come out?

**Mr. Valley:** All of clause 9.

**Mr. Chairman:** So it should really be 10?

**Mr. Yetming:** Yes, the (1) should be out. It was just for clarification. [*Crosstalk*] Are you changing the word “may” to “shall”?

**Mr. Chairman:** Yes. It would be further amended as follows:

(1) delete the word “may” and substitute the word “shall”.

*Question put and agreed to.*

*Clause 9, as amended, ordered to stand part of the Bill.*

*Clause 10.*

*Question proposed,* That clause 10 stand part of the Bill.

**Sen. Enill:** Mr. Chairman, I beg to move that clause 10 be amended as follows:

A. Delete and substitute the following:

- |                                                                       |                                                                                                                                                                                                                                                                                                                                                                                                                 |
|-----------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| <p>“Delegation to<br/>the Central Bank as<br/>Manager of the Fund</p> | <p>10(1) The Board shall delegate its<br/>responsibility for the management<br/>of the Fund to the Central Bank.</p> <p>(2) The terms and conditions of the<br/>delegation of responsibility referred<br/>to in subsection (1), shall include the<br/>matters set out in the Schedule and<br/>shall be published in the <i>Trinidad<br/>and Tobago Gazette</i> by Notification<br/>issued by the Minister.”</p> |
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**Mr. Sharma:** Mr. Chairman, while the Minister is considering, where it appears “in the currency of the United States”, in keeping with the idea of the Caricom Single Market and Economy and that dollar in the future, do you not want to provide for that? [*Crosstalk*]

**Mr. Valley:** I do not understand what you are saying.

**Mr. Sharma:** It says now, “in currency of the United States of America”; would you not want to safeguard and not have to come back, if you have to change this? If you have to change the currency, you will have to come back here.

**Mr. Valley:** Yes, we will have to.

**Mr. Sharma:** If you say, “any other currency that may be determined by the Board”; it would save you having to come back.

**Mr. Valley:** I think we should leave it as is for the time being. [*Crosstalk*]

**Mr. Sharma:** You have no future in yourself; and you talk about the Caricom single dollar.

**Mr. Valley:** I do not think we all want to go with that, in any case. [*Laughter*]

*Question put and agreed to.*

*Clause 10, as amended, ordered to stand part of the Bill.*

*Clause 11.*

*Question proposed, That clause 11 stand part of the Bill.*

**Sen. Enill:** Mr. Chairman, I beg to move that clause 11 be amended as follows:

A. Insert after the word “interim” wherever it occurs, the word “Revenue”.

*Question put and agreed to.*

*Clause 12, as amended, ordered to stand part of the Bill.*

*Clause 12.*

*Question proposed, That clause 12 stand part of the Bill.*

**Sen. Enill:** Mr. Chairman, I beg to move that clause 12 be amended as follows:

A. Delete paragraph (b) and substitute the following:

“(b) petroleum revenues deposited into the Fund in accordance with section 13; and”

**Mr. Sharma:** Minister, why in one account? It says:

“The cash resources of the Fund shall be held in one account...”

What does that mean? All your eggs in one basket?

**Mr. Valley:** Clause 12 is now 13, as renumbered, right? Clause 12 is deleted.

**Mr. Sharma:** It does not change the funds. Where are the funds going to be held and in how many accounts?

**Hon. Member:** Balisier House. [*Laughter*]

**Mr. Sharma:** The funds of the account will be held where? [*Crosstalk*]

**Sen. Enill:** The resources of the Fund, is that where you are at?

**Mr. Sharma:** Where are the funds going to be held?

**Sen. Enill:** The resources of the Fund shall be invested.

**Mr. Sharma:** Where?

**Sen. Enill:** In a wide spectrum of high-quality international investment instruments. Where will it be held? It will be held by the Central Bank in as many accounts as they have to use to accomplish this particular objective. If by “account” you mean whether it is a fund account or—

**Mr. Sharma:** You are not specifying that?

**Sen. Enill:** The account would be in the Central Bank. I cannot determine right now what they will recommend in order to meet the return.

**Mr. Sharma:** Well then legislate.

**Sen. Enill:** How are you going to legislate the return objectives? We are trying to get a rate of return and it would be based on how you have managed the portfolio; how many funds you need at that particular point in time. That would be based on recommendations from the Central Bank.

*Question put and agreed to.*

*Clause 12 deleted.*

*Clause 13.*

*Question proposed, That clause 13 stand part of the Bill.*

**Sen. Enill:** Mr. Chairman, I beg to move that clause 13 be amended as follows:

At subclause (1):

- A. in paragraph (a) delete the words “deposited to the Fund” and substitute the words “withdrawn from the Consolidated Fund and deposited to the Fund in accordance with section 14(1)”;
- B. in paragraph (b):
  - (i) Delete the word “them” and substitute the words “such” estimated revenues”; and
  - (ii) Delete all the words appearing after the words “excess revenue” and substitute the words “shall be withdrawn from the Consolidated Fund and deposited to the Fund in accordance with section 14(1)”;
- C. At subclause (4) delete the words “and section 15”.

**Mr. Sharma:** In 13(a) where it says:

“exceed the estimated petroleum revenues for that quarter...by more than ten per cent...”

Petroleum revenues refer here to oil and gas, right? Is this 10 per cent of each or combined?

**Sen. Enill:** Combined.

**Mr. Sharma:** It is not saying that here.

**Sen. Enill:** If you go back to the definition, it will tell you. [*Crosstalk*] It means the aggregate of SPT, PPT and royalties. Look at the definition.

**Mr. Valley:** Petroleum revenue is a defined term; it is X and if it exceeds X by 10 per cent that is what it is.

*Question put and agreed to.*

*Clause 13, as amended, ordered to stand part of the Bill.*

*Clause 14.*

*Question proposed, That clause 14 stand part of the Bill.*

**Sen. Enill:** Mr. Chairman, I beg to move that clause 14 be amended as follows:

A. In subclause (1):

- (i) In the marginal note delete the word “annual”;
- (ii) Delete the words “surplus petroleum revenues” and substitute the words “excess revenues shall be” and delete the words “shall be credited to the Financial Investment account”.

B. At subclause (2) insert after the word “revenues” the words “to be”.

*Question put and agreed to.*

*Clause 14, as amended, ordered to stand part of the Bill.*

*Clause 15.*

*Question proposed, That clause 15 stand part of the Bill.*

**Sen. Enill:** Mr. Chairman, I beg to move that clause 15 be amended as follows:

- A. Delete the word “Where” and substitute the words “(1) Subject to subsections (2) and (3) where the” at the commencement thereof;
- B. in paragraph (a) delete the word “quarter” and substitute the word “year”;
- C. in paragraph (b) delete the word “quarter”;
- D. Insert the following new subsections (2) and (3):

“(2) The amount withdrawn from the Fund in accordance with subsection (1), shall be deposited into the Consolidated Fund within forty-eight hours of such withdrawal.

- (3) Notwithstanding subsection (1), no withdrawal may be made from the Fund in any financial year, where the balance standing to the credit of the Fund would fall below one billion dollars in the currency of the United States of America, if such withdrawal were to be made.”

*Question put and agreed to.*

*Clause 15, as amended, ordered to stand part of the Bill.*

*Clause 16.*

*Question proposed, That clause 16 stand part of the Bill.*

**Mr. Baksh:** For my own clarification which one of the office holders will have the ultimate responsibility for withdrawal and deposit from the Fund?

**Sen. Enill:** Ultimately, it will be the Minister of Finance through the warrant for withdrawals and the Chairman of the Board of Inland Revenue, as collector of revenue.

**Mr. Baksh:** Both for withdrawals and deposits?

**Mr. Valley:** The Minister of Finance will authorize deposits; it is automatic. As long as it exceeds or it has to go in to come out, there is a warrant to take it out.

**Sen. Enill:** And the officer that will make the determination will be the Minister of Finance. The persons that will make the recommendation will be those in the Budget Division of the Ministry of Finance; they have the responsibility for calculating those things.

**Dr. Nanan:** I want to ask a question with respect to that warrant. When that Finance Bill comes to Parliament, will that warrant be appearing on it? When the documents come for budgetary allocations, that particular warrant will come on that?

**Sen. Enill:** No. The warrant is the authority to withdraw.

*Question put and agreed to.*

*Clause 16 ordered to stand part of the Bill.*

*Clause 17 ordered to stand part of the Bill.*

*Clause 18.*

*Question proposed, That clause 18 stand part of the Bill.*

**Sen. Enill:** Mr. Chairman, I beg to move that clause 18 be amended as follows:

- A. Delete the words “18(1)” and substitute the word “18”; and
- B. Delete subsection (2).

**Mr. Baksh:** I was going to raise the point here that it says:

“Except where required by a written law...”

I want to recommend that it should read:

“Except where required by the Freedom of Information Act”.

**Mr. Valley:** But that is a written law. Written law is much wider; I think you would prefer that.

**Mr. Sharma:** Does that include Members appearing before a parliamentary committee?

**Sen. Enill:** The amendment says:

“with the approval of the Board where required by written law...”

**Mr. Sharma:** You have had cases where Members said that they were not obliged to give information and this may protect them, when it is not intended to. Soon you all will be chairmen of committees. [*Interruption*] [*Crosstalk*]

**Mr. Valley:** I do not know where you are, that is my problem.

**Mr. Sharma:** Why do you not follow?

**Mr. Speaker:** Please.

**Mr. Valley:** Clause 18(2) is deleted. All it says is that:

“Except where required by written law or in the course of proceedings in the High Court or the Magistrates' Court, no member of the Board or any person acting on behalf of the Board shall disclose any document or information pertaining to the operation or management of the Fund.”

**Dr. Rafeeq:** The question is whether written law includes a joint select committee. [*Crosstalk*]

**Mr. Imbert:** That is law.

**Miss Lucky:** Can I make a suggestion for clause 18? [*Crosstalk*]

**Mr. Sharma:** Presently there are witnesses who appear and they say they are protected; you might be giving them a way out when you do not intend to.

**Mr. Imbert:** Mr. Chairman, the laws governing the operations of the joint select committee are clear; there are requirements; persons have obligations. The committees have powers. If a person appears before a committee and says that he is not required to give any information, provide documents or answer anything, he may be in breach of the very law that sets up the joint select committees of Parliament. [*Crosstalk*]

**Mr. Sharma:** I agree with you, but you are saying, “Except by High Court or the Magistrates' Court”.

**Mr. Imbert:** The one before that. The committees are established by law, so their powers are enshrined in the law.

**Mr. Sharma:** Then you do not need to put High Court and so on, because it is the same law.

**Mr. Imbert:** That is the administration of the law. The High Court and the Magistrates' Court may interpret the law and issue an order.

**Miss Lucky:** Mr. Chair, might I make a suggestion please? With respect to this clause, could it read:

“Except where required by law...”

I really do not see the need to have written law and there is common law. I do not understand why we have just limited “in the course of proceedings in the High Court or the Magistrates' Court”. I do not understand why our higher courts were left out, because in the Court of Appeal, for example, if the matter reaches there, there is the power to call for fresh evidence. That may include the production of these documents. I want to suggest an amendment:

“Except where required by law or in the course of proceedings in a court of law...”

Or however; the CPC will know the correct phraseology; that widens it and it means we are confined by law.

**Mr. Imbert:** It sounds good to me.

**Mr. Chairman:** Can I get the second part of your suggestion?

**Miss Lucky:** It says:

“or in the course of proceedings...”

I was depending on the CPC. Normally we would say “in a court of law”, but I know sometimes there is a specific phraseology that would be used to make sure we include all courts, all the way up to the Privy Council.

**Sen. Enill:** I have a form of words; I do not know if this helps:

“A member of the Board or any person acting on behalf of the Board shall not disclose any document or information pertaining to the operation or management of the Fund except—

- (a) with the approval of the Board;
- (b) where required by law; and
- (c) in the course of proceedings in any court.”

**Mr. Valley:** You have to use written law there. [*Interruption*]

**Mr. Chairman:** I think what the Member for Pointe-a-Pierre says covers it.

**Mr. Valley:** I feel that we want to keep “written” law.

**Miss Lucky:** The reason I think you need to just say “law” is that “written law” would leave out common law. Common law has a lot of doctrine in it that deals with the issues such as disclosure and so on. When you say “written law”, we have to be cautious. We should leave it as law.

**Sen. Enill:** If you add “with the approval of the Board” and then you leave “written law”, would that help you?

**Miss Lucky:** My only concern was that written law confined what law was. Law does not have to be in writing and “the High Court or the Magistrates' Court”—I just think the phraseology could be changed right there. Hon. Minister, what you have said in your suggestion is no different to what would be changed here, but I think it would be better if phrased in this way, rather than breaking it down to (a), (b), (c).

**Mr. Chairman:** Let us get back the second part of it.

**Miss Lucky:** “...in the course of proceedings in any court of law...”

**Mr. Valley:** I feel more comfortable with the term “written law”. [*Crosstalk*]

**Miss Lucky:** My concern is that when you say “written law”, how are you contemplating the inclusion of, for example, the rules and so on that come from common law?

**Mr. Valley:** We are not contemplating it. In other words, you cannot use that. We are saying that if you are disclosing it is because there is written law or because it is as a result of proceedings in a court of law or you got the approval of the Board.

**Miss Lucky:** With the greatest respect, even proceedings in a court of law are bound by rules of law coming from written law or common law. [*Crosstalk*] Member for Diego Martin Central, I am just making a point; if it does not meet with approval— In other words, proceedings in a court of law would be bound by rules of law; so if you confine law to written law, it would mean that “course of proceedings” would not be able to override the written law to include the common law. If maybe somebody could explain to me why you wanted to. I am suggesting that you should omit the word “written”, because it is confining law.

**Mr. Enill** “with the approval of the Board”, as an inclusion, will that cover oral law?

**Miss Lucky:** With the greatest respect, hon. Minister, that puts a fetter now, because what it is saying is that even if the law says that you could produce, if the Board as a whole says no—to me that is not something we would want.

**Mr. Valley:** You will have three defences; either the Board gives you approval or you are acting in accordance with the written law or it is in the course of proceedings.

**Miss Lucky:** Therefore, if it is like that, I am saying yes, because then the Board gave approval, but you still refer to written law.

**Mr. Valley:** I want to leave written law; you have that defence; it is a written law or it is in the course of proceedings in a court of law.

**Miss Lucky:** Written law confines the law. Why hold on to the word “written”? I am trying to understand why. [*Crosstalk*]

**Mr. Breaux:** The difficulty is to determine the common law where the common law changes from time to time—[*Interruption*]—Why do you not shut up and allow me to speak?

**Mr. Chairman:** Order, please!

**Mr. Breaux:** I am speaking. You do not get this by being elected, you know.

**Mr. Chairman:** Hon. Members!

**Mr. Breaux:** The point I am making, Member for Pointe-a-Pierre, is that remember that the common law changes and can change from time to time, as a result of decisions in the court. Then these decisions can further be changed as a result of other decisions. If you keep it to written law, it circumscribes it considerably.

**Miss Lucky:** I take your point; I am agreeing. It is for that reason exactly that I am saying we should leave it as law, because you might have a court, for example, giving an interpretation of written law and that would become very live in terms of determining whether the defence would be applicable or not; law includes all the law, including the written law. So give the person a defence. Your point was well taken, Member for La Brea; it supports the suggestion being made to remove the word “written”.

**Mr. Sharma:** Mr. Chairman, I think we ought to be guided by senior counsel from La Brea. [*Crosstalk*]

**Mr. Panday:** The law includes written law. Why circumscribe it to “written law”?

**Dr. Rafeeq:** While common law can change, written law also changes from time to time. [*Crosstalk*]

**Miss Lucky:** Can I ask a question? [*Interruption*] I would like to use a live example. If you use the word “written law”, if you could show me in this proposed clause where it is going to include, as the Member for Princes Town said, what we call precedent; the Privy Council, Court of Appeal or a High Court has given a decision in which they have interpreted a written law to mean something or they have said, “These are things that ought to be disclosed”, it will not be included, because a decision of the court is not written law.

**Mr. Valley:** Understand the intent of this clause. It is saying, “Listen, friend, you are not supposed to disclose information.”

**Miss Lucky:** Correct.

**Mr. Valley:** “We are giving you three defences: either it was approved by the Board, you were acting in the proceedings or in accordance with some written law; otherwise is jail for you.”

**Miss Lucky:** No; “in accordance with law”. You cannot just say “written law”, because the defence that you want to give is, “I was acting in accordance with the law.” If you put “written “law”, you are constraining the meaning of the word “law”.

**Mr. Valley:** What law would that be?

**Miss Lucky:** We have just said; for example, precedent, case law, which is not considered statute law.

**Mr. Valley:** That would have to be in court proceedings.

**Miss Lucky:** No; I do not mean to lecture, but in sources of law there is statute law, common law, case law and precedent. You cannot say that written law does not include case law.

**Mr. Valley:** If you get to that point, then you get to the question of judgment, because if an individual can simply say, “I am acting on the basis of some precedent, therefore, I can disclose that information,” then you are moving the burden of proof to—

**Miss Lucky:** Then it would be for the person who disclosed to say, “Excuse me; I acted in accordance with the law.” It would then be a matter whether he acted in accordance with the law or not.

**Mr. Valley:** Then I have to take him to court; whereas I will just jail him if he does not act in accordance with the written law.

**Miss Lucky:** Would it be better that a person was in law given a protection, because some case said that it would not be wrong for him to do it and because of a statute which did not include it? [*Interruption*] I can only say what the law is and what it is meant to be. Written law is confining and restrictive. It is unfortunate that persons are not appreciating that point. [*Crosstalk*] I am sure the Member for Oropouche, who has done so well in obtaining his LLB, would remember the Common Law Reasoning and Institutions. [*Crosstalk*]

**Mr. Chairman:** Order, please!

**Sen. Enill:** Given where we are, can I undertake to revisit this, but for the time being for us to go with what was recommended?

**Miss Lucky:** If you are prepared to revisit; I will go with what we have.

**Sen. Enill:** We will revisit it, in the context of what you are saying. [*Crosstalk*] This is going to the Senate in two weeks.

**Dr. Rafeeq:** Would written law include the Freedom of Information Act?

**Sen. Enill:** That is a written law.

*Question put and agreed to.*

*Clause 18, as amended, ordered to stand part of the Bill.*

*Clause 19.*

*Question proposed, That clause 19 stand part of the Bill.*

**Sen. Enill:** Mr. Chairman, I beg to move that clause 19 be amended as follows:

A. Delete and substitute the following subclause (1)—

“19(1) Every member of the Board shall give in writing notice to the Board of all direct or indirect pecuniary interests that they have or acquired in any business or in any body corporate carrying on any business involving the Fund.”;

B. At subclause (3)

(i) delete the words “subsection (1)” and substitute the words “this section”; and

(ii) delete the word “meeting” and substitute the word “meetings”.

Insert the following new subclause (4):

“(4) A member or person referred to in this section and section 18 who—

(a) fails to do anything required by this section ; or

(b) unlawfully discloses any document or information pertaining to the operation or management of the Fund or uses any such document or information for his personal benefit or advantage,

(c) commits an offence, and is liable on summary conviction to a fine of five hundred thousand dollars and to two years imprisonment.”

**Mr. Sharma:** Clause 19(1)(a), why is this required when the Board member has to declare to the Integrity Commission?

**Mr. Valley:** There is no longer a 19(1)(a), because 19(1) is deleted.

**Mr. Sharma:** But there would be no provision, because sometimes you move it from one to another. Will that be required at all for the member to declare elsewhere? You may delete it here, but add it somewhere else, so I want some clarity on that. So you are saying that the member would not be required?

**Mr. Valley:** What it says right now is:

“Every member of the Board shall give in writing—

(a) notice to the Board of all direct or indirect pecuniary interests that they have or acquired in any business or in any body corporate carrying on any business involving the Fund;”

**Mr. Sharma:** So the answer to the question is that no Board member would be required to provide?

**Mr. Valley:** Provide what?

**Mr. Imbert:** What you are asking is whether they would be considered to be persons in public life?

**Mr. Sharma:** Yes.

**Mr. Imbert:** For the purposes of the Integrity in Public Life Act?

**Mr. Valley:** Yes.

**Mr. Imbert:** Where is that in the legislation?

**Mr. Valley:** You do not have to put that in legislation. It is a public board.

*[Crosstalk]*

**Mr. Imbert:** I have the Integrity in Public Life Act here by coincidence. It says:

“Members of the House of Representatives, Ministers of Government, Parliamentary Secretaries, Tobago House of Assembly, municipalities, Local Government Authorities, members of the Boards of Statutory Bodies and State Enterprises as prescribed in accordance with...”

And this would be a statutory body.

**Mr. Valley:** Falls squarely.

*Question put and agreed to.*

*Clause 19, as amended, ordered to stand part of the Bill.*

*Clause 20.*

*Question proposed, That clause 20 stand part of the Bill.*

**Mr. Sharma:** Clause 20(c), what is the purpose of that? What does that serve? If you ask for it in the second month, it comes in the quarterly report. What are you trying to achieve?

**Mr. Chairman:** Do you want to reopen it? It was already put to the vote.

**Mr. Sharma:** I raised my hand. You rushed me. *[Laughter]* I shall be guided. If the Minister wishes to just indicate; because we could remove 20(c); it serves no purpose.

**Mr. Valley:** No. For example, if you come in the House and “buss a mark” that somebody is stealing from the Fund, would you not want the Minister to investigate?

**Mr. Sharma:** But if you “buss a mark” in February, in March the report is due. What is the purpose of it?

**Mr. Valley:** What about if you “buss” it in April?

**Mr. Sharma:** It is due in June.

**Mr. Valley:** But there are two months. You would wait two months for it?

**Mr. Sharma:** That is exactly the point, because you are getting a quarterly investment report.

**Mr. Valley:** That is an investment report.

**Mr. Sharma:** The other day the Attorney General asked the Commissioner of Police for a report in 48 hours. Why are you putting a month? It should just be to submit a report at the request of the Minister and the Minister will determine whether he wants it in 48 hours or one month.

**Mr. Valley:** Within one month, to give him sufficient time to do it.

**Mr. Sharma:** Why did you not tell the Attorney General that the other day?

**Mr. Valley:** I will tell him. [*Laughter*] [*Crosstalk*]

*Question put and agreed to.*

*Clause 20 ordered to stand part of the Bill.*

*Clause 21.*

*Question proposed, That clause 21 stand part of the Bill.*

**Sen. Enill:** Mr. Chairman, I beg to move that clause 21 be amended as follows:

Sub-clause (2) is amended by deleting the word “principles” and substituting the words “practices and international accounting standards adopted by the Institute of Chartered Accountants of Trinidad and Tobago.”

*Question put and agreed to.*

*Clause 21, as amended, ordered to stand part of the Bill.*

*Clause 22.*

*Question proposed, That clause 22 stand part of the Bill.*

**Sen. Enill:** Mr. Chairman, I beg to move that clause 22 be amended as follows:

Delete the word “a” and insert after the word “review” the words “by the Minister who shall submit a report to the Parliament”.

**Dr. Rafeeq:** This is just for a layman’s clarification. If the Act is not reviewed in five years, does it cease to have the force of law or does it still have the force of law?

**Miss Beckles:** You will have to actually specify that to have the force of law?

**Dr. Rafeeq:** In case the Government lapses and does not bring it in five years, I am just asking whether or not it still has the force of law?

**Sen. Enill:** It simply says “review”. It does not say expire.

**Dr. Rafeeq:** So it still has the force of law?

**Sen. Enill:** Yes. [*Crosstalk*] The Act does not lapse.

**Mr. Valley:** It is an administrative provision.

**Mr. Panday:** So if the Government refuses to bring a review before the Parliament, what happens?

**Mr. Valley:** It does not say that it has to come to the Parliament. It is reviewed administratively, found to be okay and you continue along the way.

**Mr. Panday:** But if they fail to review it, what happens?

**Mr. Valley:** You will not even know.

**Sen. Enill:** The reason this provision was put in was because there is discussion now about whether or not there should be a different fund for heritage and one for stabilisation. This allows us in five-year periods to determine if that argument at the time makes sense. What we sought to do was put a provision in that forces us to look at it to determine whether or not the arguments that are now before us, which we have not accepted, are relevant.

**Mr. Panday:** Why do you not reduce it to three years, if that is the case?  
[*Crosstalk*]

**Dr. Moonilal:** If there is no review, what happens; that is just there to remind you.

**Mr. Valley:** It continues as is.

**Miss Lucky:** I thought that we wanted something with a little greater force. Somehow I got the impression when it said:

“The provisions of this Act shall be subject to a review...”

Let us face it, the review could totally exclude Parliament completely and it could be an internal review, a one-man review. It could be no review at all and we would have to presume regularity, that it was reviewed. I really thought that the reason for saying this period of five years was to sort of mandate that it would have to come back for public scrutiny, which, of course, is best dealt with in the Parliament.

I was hoping that we would see in this section, as most other funds have, something mandating that we bring this back. It could still maintain the force of law, but, at least, we would be able to call into question, account and have that transparency and accountability. I am respectfully suggesting if we can ask the CPC to help us with the phraseology needed to get that as our objective. [*Crosstalk*]

**Mr. Panday:** After the word “review” insert the words “by Parliament”.

**Mr. Chairman:** How would the Parliament review it?

**Mr. Panday:** They would bring back the Act before the Parliament.

**Mr. Chairman:** That means every five years you would have to bring back the Bill. [*Crosstalk*]

**Sen. Enill:** In a sense, the Parliament is, in fact, looking at this quarterly, which is subject to all the provisions we now have. The real issue was that as we entered into discussion, there were still views about the size of the funds and also the issue of whether the Heritage and Stabilisation Fund continues to be in the way that we have done it. We have said that five years will give us some time; that was really the reason. [*Crosstalk*]

**Miss Lucky:** In other words, have the review by the Minister and then have the Parliament look at the findings of the review, so we would know what the determination is?

**Mr. Panday:** We could live with that.

**Mr. Valley:** What are the words now?

**Mr. Imbert:** “who shall report to the Parliament every five years”.

**Mr. Valley:** Or “report to the Parliament within six months.”

**Hon. Members:** Every five years. [*Crosstalk*]

**Miss Lucky:** I would like a little language change there:

“The provisions of this Act shall be subject to...”

I do not think “a review”; I would have said “review” and take out “a”:

“by the Minister every five years.”

Instead of saying, “who shall report to the Parliament”, we do not just want a report. That review must be in some kind of report in writing and we want access to that.

**Mr. Valley:** “submit a report”.

**Miss Lucky:** Yes; that is correct. That solves the problem.

**Mr. Chairman:** The amendment shall read as follows:

“The provisions of this Act shall be subject to review by the Minister who shall submit a report to the Parliament every five years.”

Is that it?

*Question put and agreed to.*

*Clause 22, as amended, ordered to stand part of the Bill. [Interruption]*

**Mr. Chairman:** Hon. Members, there is need for the House to resume to consider a procedural motion.

*House resumed.*

#### PROCEDURAL MOTION

**The Minister in the Ministry of Finance (Sen. The Hon. Conrad Enill):** Mr. Speaker, I beg to report that the Heritage and Stabilisation Fund (No. 2) Bill is being considered in committee and we will continue to sit until the determination of the said Bill.

**The Minister of Trade and Industry and Minister in the Ministry of Finance (Mr. Kenneth Valley):** Mr. Speaker, may I please add, and the other matters that the House is scheduled to do tonight, which are the Senate Amendments to the Home Mortgage Bill, as well as the Airports Authority (Amdt.) Bill.

*Question put and agreed to.*

**HERITAGE AND STABILISATION FUND (NO. 2) BILL***Committee resumed.**New Clause 6.*

**Sen. Enill:** Mr. Chairman, I beg to move that New Clause 6 be amended as follows:

New clause 6	Insert the following new clause:
“Resignation of Members	6. The Chairman may resign his office by letter addressed to the President and a member may resign his office by letter addressed to the President through the Chairman.”

*New clause 6 read the first time.**Question proposed, That the new clause be read a second time.**Question put and agreed to.**Question proposed, That the new clause be added to the Bill.**Question put and agreed to.**New Clause 6 added to the Bill.**Clauses 6 to 12 recommitted**Question again proposed, That clauses 6 to 12 stand part of the Bill.*

**Sen. Enill:** Mr. Chairman, I beg to move that clauses 6 to 12 be renumbered to clauses 7 to 13 accordingly

*Question put and agreed to.***8.00 p.m.***Clauses 6 to 12, renumbered 7 to 13, ordered to stand part of the Bill.**Schedule**Question proposed, That the Schedule stand part of the Bill.*

**Mr. Valley:** Mr. Chairman, I beg to move that the Schedule be amended as follows:

Delete the words “section 9” and substitute the words “section 10(2).”

Paragraph A is amended as follows:

- (i) In the heading, delete the words “Investment Entity” and substitute the words “the Central Bank.”
- (ii) In the opening words delete the words “Investment Entity” and substitute the words “Central Bank as Manager of the Fund.”

The subparagraphs are amended as follows:

- (i) In sub-paragraphs (a) and (b), insert after the word “assets”, the words “and other resources”
- (ii) Delete the word “person” in sub-paragraph (a) and substitute the word “investor”.
- (iii) In subparagraph (c) delete the word “eg” and substitute the words “such as”.
- (iv) In subparagraph (d) delete the word “appointment” and substitute the word “selection” and delete the words “, such custodian to be approved by the Board”.

Paragraph B is amended as follows:

- (i) In the heading delete the words “Investment Entity” and substitute the words “of Central Bank”.
- (ii) In the first sub-paragraph delete the words “Investment Entity” and substitute the words “Central Bank as Manager of the Fund” and
- (iii) In the second sub-paragraph delete the words “Investment Entity” wherever they occur and substitute the words “Central Bank”.

Paragraph C is amended as follows:

Delete the words “Investment Entity” where they first occur and substitute the words “Central Bank as Manager of the Fund” and in the second place where they occur delete and substitute the words “Central Bank”.

*Question put and agreed to.*

*Schedule, as amended, ordered to stand part of the Bill.*

*Question put and agreed to, That the Bill, as amended, be reported to the House.*

*House resumed.*

*Bill reported, with amendment, read the third time and passed.*

**HOME MORTGAGE BANK (AMDT.) BILL****Senate Amendments**

**The Minister in the Ministry of Finance (Sen. The Hon. Conrad Enill):**  
Mr. Speaker, I beg to move,

That the Senate amendments to the Home Mortgage Bank (Amdt.) Bill listed at Appendix II to the Order Paper be now considered.

*Question proposed.*

*Question put and agreed to.*

*Clause 8*

*Senate amendment read as follows:*

- A. Delete the proposed new section 29B and renumber the proposed new sections 29C to 29F as 29B to 29E respectively.
- B. In the renumbered new section 29D, delete the words “section 29C or imprisonment for twenty” appearing in lines six and seven and substitute the words “section 29B and imprisonment for ten”.

**Sen. Enill:** Mr. Speaker, I beg to move that the House of Representatives doth agree with the Senate in the said amendment.

*Question proposed.*

**Mr. Sharma:** Mr. Speaker, I have a problem with clause 8 B.

**Sen. Enill:** Mr. Speaker, the purpose of the amendment was that the original clause 29B which states: “A person who perpetrates a fraud is liable...” was in fact part of clause 29E and the Senate recommended that clause 29E covered those issues raised in 29B and, therefore, there was really no requirement for it being there.

**Mr. Sharma:** I think what the Minister just said was rather confusing because 8 B—maybe the Minister is not quite certain what took place in the other place. Having said that, could the Minister indicate how is this consistent with the other legislation of similar kind where you now moved from 20 to 10? Is there a fine imposed and does it reflect that as well?

*Question put and agreed to.*

*Clause 13.*

*Senate amendment read as follows:*

- A. Delete the words “7” and “9” appearing in line one and substitute the words “8” and “10”.
- B. Delete the words “25<sup>th</sup>” appearing in line two and substitute the words “29<sup>th</sup>”.

**Sen. Enill:** Mr. Speaker, I beg to move that the House of Representatives doth agree with the Senate in the said amendment.

*Question proposed.*

*Question put and agreed to.*

*New clause 5.*

*Senate amendment read as follows:*

Insert a new clause 5 as follows:

- “5. Section 5 of the Act is amended by deleting paragraph (a) and substituting the following:
  - (a) may borrow and advance money and mortgage or charge its undertaking or property or any part thereof and issue bonds, debentures, debenture stock and other securities whether as security for any debt, liability or obligation of the bank or of any third party or otherwise;”

Clauses 5 to 13 Renumber as clauses 6 to 14.

**Sen. Enill:** Mr. Speaker, I beg to move that the House of Representatives doth agree with the Senate in the said amendment.

*Question proposed.*

**Mr. Sharma:** Thank you, Mr. Speaker. Mr. Speaker, I was making the point on B, which was something that was debated on a previous occasion and it seems as if—

**Mr. Valley:** Which B are you talking about?

**Mr. Sharma:** Are you with me? The one the Minister just moved.

**Mr. Valley:** The new clause 5 does not have a B, it has an (a).

**Mr. Sharma:** I am saying we are dealing with this and it was treated with on a previous occasion and it has come back here. How does the bank measure other securities, what is considered other securities, and how do people advance those securities? That is the first part.

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The second part, here it talks about security: “whether as security for any debt, liability or obligation of the bank or of any third party or otherwise.” I want to know, third party or otherwise means who in this context?

We have made the point on numerous occasions that they do not seem to have a level playing field. Can the Minister assure us that this is really adding value? Is it in the interest of all the people especially low income earners? For instance, recently we saw workers in a particular place earning very little money, would they be benefiting from this, and could they benefit? What are the purpose and the intention here?

**Sen. Enill:** Mr. Speaker, on the last occasion this Bill came here, the Parliament approved an amendment to this clause which procedurally was not done so the effect of not doing it procedurally was that the Bill in its original form stayed and the change was not placed in law. The Senate simply procedurally dealt with it which is actually to delete paragraph (a) and substitute the following.

So what the first amendment did was simply substitute this amendment without deleting the first one. What this really was intended to do was clean that up to give effect to what we had agreed to there. With respect to the question you have raised, the answer is yes, the institution is in fact under the statute basically dealing in these activities and they are in fact doing it in accordance with what was originally intended. I think the only addition we had to it was to advance money which we felt was required as a consequence of the business, and of changing one of the charges that they got, which was developing a mortgage market and that is consistent with this. So that is really seeking to fix that which we did not do correctly on the last occasion.

*Question put and agreed to.*

#### **AIRPORTS AUTHORITY (AMDT.) BILL**

*Order for second reading read.*

**The Minister of Works and Transport (Hon. Colm Imbert):** Mr. Speaker, I beg to move,

That a Bill to amend the Airports Authority Act, Chap. 49:02, be now read a second time.

Mr. Speaker, the amendments that are before the House are simple, I will not fall into the trap of saying that it is a simple Bill, although I think it is, but the amendments are simple.

So let me deal with the actual amendments and explain the rationale behind them and in order to do that—*[Interruption]* I would not be talking for very long because they are simple, and if the hon. Member for Oropouche has an engagement which requires his presence outside of this Parliament, I suggest he talk to the Members on his side because it is my understanding that the Members on his side intend to carry us into the wee hours of the morning. So if you want to leave early, you can talk to your colleagues.

Mr. Speaker, the Bill before us seeks to amend sections 3, 7 and 10 of the parent Act. It essentially has a dual purpose; the first purpose is to change what is an archaic form of legislation, where in the parent Act, Chap. 49:02 the composition of the Airports Authority at this time is as follows and I am reading from section 3(1) of the Airports Authority legislation.

“3.(1) There is hereby established a body corporate to be known as the Airports Authority consisting of the following members appointed by the President:”

In this case President means Cabinet.

- “(a) a Chairman;
- (b) not less than two and not more than three persons appointed on the advice of the Minister;”

Who is the Minister responsible for aviation.

- “(c) a person appointed on the advice of the member of the Cabinet responsible for National Security;
- (d) the Commissioner of Police;
- (e) the Director of Civil Aviation;
- (f) the Comptroller of Customs and Excise;
- (g) the Chief Immigration Officer; and
- (h) a Medical Officer appointed by the Minister of Health.”

Mr. Speaker, over the years, successive governments have found this form of drafting very cumbersome. You will realize that a number of these persons are very busy; the Commissioner of Police, the Director of Civil Aviation, the Comptroller of Customs and Excise and the Chief Immigration Officer are all very important personalities and officers within the State of Trinidad and Tobago.

Successive governments have found over the years that it is very difficult for these people to attend meetings and there is no provision in the legislation for an alternate or delegate. All governments have found over the years that the board is not comprised in a manner that allows it to draw on the technical resources that an authority of this nature requires.

If we go to another piece of legislation—very similar in its intent—the Port Authority Act, Chap. 51:01 and look at Part II, it says:

- “3.(1) There is hereby established for the purpose of this Act a body to be called the Port Authority of Trinidad and Tobago.
- (2) The Authority shall consist of no fewer than five nor more than nine persons to be designated Commissioners, appointed by the President. Of these persons, five shall be appointed from amongst persons who have special qualifications in, and have had experience of, matters relating to engineering, accountancy, law, economics or business management.”

That is the Port Authority Act which has been in existence since 1961, and that Act, although 46 years old, was very far-reaching in the way the drafters contemplated the technical and professional demands that would be placed on the commissioners of the Port Authority in its development and management.

The Airports Authority I would assume was comprised in this way because it was felt that there were security issues and others that required the attendance of the Commissioner of Police, the Comptroller of Customs and the Chief Immigration Officer on the board.

I would draw Members’ attention to section 4 of the parent Act which states as follows:

- “4. There is hereby established a Security Committee which shall consist of the following members:
- (a) a Chairman to be appointed by the Chairman of the National Security Council;
- (b) the Chairman of the Authority;
- (c) the Chief of Defence Staff;
- (d) the Commanding Officer of the Regiment;
- (e) the Commissioner of Police;

- (f) the Chief Fire Officer; and
- (g) a senior officer appointed by the Chairman of the National Security Council.

5.(1) The Security Committee is responsible for the maintenance of security at all airports.”

It is not our intention to change that committee. So the responsibility for security at our airport would remain with the security committee which is comprised of persons coming from the National Security Council, Chief of Defence Staff, Commissioner of Police, Regiment, Chief Fire Officer and other persons from the National Security Council.

If you look at this amendment Bill carefully, it seeks to delete the existing section 3, remove the requirement for the Commissioner of Police, Comptroller of Customs and Excise, and the Chief Immigration Office, et cetera, for them to be on the board and replace it with the following:

“...the Board of which shall consist of not more than ten and no fewer than six members.”

The Port Authority is five and 10, as far as I can recall.

“(1A) The members of the Board shall be appointed by the Minister from among persons who are suitably qualified in the following disciplines:

- (a) engineering;
- (b) aviation;
- (c) law;
- (d) accounting and finance;
- (e) economics and business management; and
- (f) security.”

What we are seeking to do with respect to the Airports Authority Act, is to modernize and make it a more professional authority in terms of its composition by merely prescribing the disciplines.

So we say that we think that a board of this nature should comprise of persons—

**Dr. Rafeeq:** Mr. Minister, did the previous composition of the board include a doctor? If it did, then what was really his role, and if he had a role on the board, then what are you replacing this with?

**Hon. C. Imbert:** The medical officer appointed by the Minister of Health served on the board just as an ordinary member of the board and one has to presume that person was put on the board at the time because of the risk of infectious diseases like SARS and so forth, and because of matters like plant quarantine, but that person does not need to be on the board.

Whether there is a medical person on the board or not, the legislation that governs health in the country will have the force of law with respect to the Airports Authority. This person being on the board will not empower the Ministry of Health to take action with respect to health matters at the airport; that is enshrined in other legislation.

The thinking when the Airports Authority Act was enacted in 1979 was that it was a good idea to have a doctor on the board in the same way the view that it was a good idea to have the Commissioner of Police, Comptroller of Customs and Excise and the Chief Immigration Officer.

We see the function of the board as being management and if you look at the Port Authority as having equal issues with respect to health, it may not, because a cruise ship will be coming with 3,000 passengers, any of whom could be carrying an infectious disease, but there is no requirement on the Port Authority Board for a doctor. What it indicates is that the persons on that board should have qualifications or experience in engineering, accountancy, law, economics or business management, so it was a management-oriented board.

**Dr. Rafeeq:** In the case of the port I think there is a doctor who is attached to the port so that takes care of that. I am saying if there is in fact a threat of people coming with diseases, the function of the doctor on the board will be to alert the board that something is happening and they should consider it seriously.

**Hon. C. Imbert:** In the case of the port, the example you have given, there is no requirement in the legislation for a port doctor. There is no requirement along the lines that you are thinking that you have to have a doctor on the port who is in charge of health. That is not so. It is the Minister of Health who has the overriding authority under the various pieces of legislation dealing with public health to intervene in health matters in the Port Authority.

I see no requirement for a doctor on a board of management of the Airports Authority, none whatsoever, and it is not on the Port Authority and there have been no issues in terms of the power of the Ministry of Health and public health doctors to intervene with respect to health matters on the port. I do not know if that answers your question.

**Dr. Rafeeq:** What I am saying is that there is a port doctor. As far as I know, there is no airport doctor but there is a port doctor, and if that can be done administratively, fine.

**Hon. C. Imbert:** I will certainly take your point on board and if it cannot be done by statute, I will ensure that administratively there is an airport doctor, and there are doctors attached to the airport whom I am sure you very well know. I remember when I was the Minister of Health I had to make arrangements for an airport doctor.

I will give you that undertaking that I will instruct the Airports Authority to ensure that there is a specific doctor attached to the airport and responsible for public health at the airport.

The purpose of this legislation is in keeping with Vision 2020—*[Interruption]* I know, Member for Oropouche, that that would cause you to wake up—the Government believes that the Board of the Airports Authority should be changed to have a greater emphasis on management. That is all I have to say on Vision 2020, that the Board of the Airports Authority should be changed so that its composition would reflect persons who are focused on management because we see it as a purely management function, and I want to repeat, there is already a security committee.

Mr. Speaker, there are some tidying up matters in this amendment Bill for example. We have made it crystal clear now that the Minister shall appoint the Chairman and the Deputy Chairman of the board, and that is simply tidying it up administratively.

We have deleted the concept of ex officio member wherever it appears because there are no longer any ex officio members. The Commissioner of Police and all these people are gone. In other words, persons who can attend meetings but would not have a vote have gone. All these persons who are qualified in accounting, law, et cetera, would be of equal rank now.

We are also making the quorum to be at least half of the members appointed to the board, so if there are six, the quorum will be three and if there are 10 the quorum will be five.

The last amendment we are making is to reverse something that was done by me in 1993 when I tabled an amendment to the Airports Authority Act in my last incarnation, when at that time there was a view that the airport would be divested, and there would be a joint venture arrangement with an investor with respect to the management of the airport. It was felt at that time that if a private investor

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would be investing its funds into the development and management of the airport, then a Minister should not be allowed to give a private investor specific and general instructions. So at that time—and this was actually in response to a request from potential investors where they felt that the Minister's power at the time should be diluted to the following:

“(4) In the performance of its functions and in the exercise of its powers, the Authority shall act in accordance with any...general directions given by the Minister.”

**Hon. Member:** [*Inaudible*]

**Hon. C. Imbert:** Yes, this is something that I did at that time, the intention was to allow private investors to invest in the airport and allow private sector management of the airport, and it was felt that in such a situation Ministers should not be allowed to give specific instructions to the Authority because it would be comprised primarily of private sector persons.

So I came to this Parliament in 1993, amended the Act, and removed the general power which is actually contained in the Port Authority Act and was contained in the Airports Authority Act previously. I removed the provision which I am now putting back in. The Government is now seeking the approval of the Parliament to put back in what was there before as follows:

**8.30 p.m.**

This is in section 10(4):

“In the performance of its functions and in the exercise of its powers, the Authority shall act in accordance with any special or general directions given by the Minister.”

That is what was there before and that is standard for statutory authorities. If you look at the vast majority of statutory authorities you will see that the Minister who has the responsibility for those statutory authorities is given the power to give the boards special and general direction. It is actually contained in the Port Authority Act and other Acts of that nature.

So those are essentially the two things that we are seeking to do. We are getting rid of this ambiguity. You will have seen that authorities have taken Governments, not just this PNM administration, but the UNC administration and the NAR administration, to court over the interpretation of the role of a Minister vis-à-vis a board. In other words, what can a Minister tell a board; what can a Minister not tell a board; what is the authority of a Minister in terms of his

portfolio responsibility for a statutory authority and a board. The wording that we introduced here—and it is repeated in other bits of legislation—has created quite a lot of mischief. It did not only happen to this administration; it happened to the government before us and the government before that, where boards of statutory authorities who had that kind of wording that the Minister could only give general policy directions, interpreted that to mean that the Minister could not give them specific instructions. In other words, the Minister could only give them broad policy guidelines.

So you had situations where Ministers, over 20 years, gave specific instructions to a board; the board goes and gets an opinion from a senior counsel to determine whether the Minister can, in fact, give them that kind of instruction.

**Mr. Ramsaran:** You fire them.

**Hon. C. Imbert:** No, I am just saying. And the senior counsel—because there are as many opinions as there are senior counsels—you go by five senior counsels you might get five different opinions. [*Interruption*] I agree with you. It does depend on what you pay. I most certainly agree. Therefore, there have been many occasions where boards of statutory authorities and other bodies have told Ministers that they cannot give them instructions because of the way the legislation is worded—and there are many, many examples—they can only give broad policy guidelines.

That is why we have reverted to what was there prior to the 1993 amendment which, as I said, was piloted by me, and put it back so that the Authority shall act in accordance with any special or general directions given by the Minister. So that is the second amendment that we are making, essentially, to the Act. The first one is to change the composition of the board, remove these constraints where you have to put these persons who are specific personalities in the country: the Chief Immigration Officer; Comptroller of Customs; Commissioner of Police, who are all very busy people and therefore can hardly attend board meetings on a monthly basis and so on—they have many other meetings to attend—take out those constraints and put in the flexibility where you are dealing with professions and disciplines from which you would draw the members of your board.

Basically, that is it. If the Members opposite want me to give a long dissertation on the airport, I would be happy to do that.

**Dr. Moonilal:** We will be equally brief.

**Hon. C. Imbert:** Mr. Speaker, through you, I do not think the Member for Oropouche can speak for his Members. Is that an undertaking that you are giving us?

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So what I will do at this point in time is, having explained the purpose and intent behind the amendments, I will take my seat and if Members opposite raise any matters relating to the functioning, the operations and the development of the airport, I will address those matters in my winding up and in my reply.

I beg to move.

*Question proposed.*

**Mr. Chandresh Sharma (Fyzabad):** Mr. Speaker, we must give credit where credit is due. This is one of the Minister's better presentations; very sober, no use of ignorance, no arrogance today. It seems that when the Ministers are hungry they perform better.

The Minister raised some very important issues and it is always a challenge for any Minister, I suspect, to stay within the matter at hand and not run the risk of opening up the debate. The Minister came very close to doing that, because he swam from the seaport to the airport, talking about the Port Authority; making comparisons there and then going into a dangerous area of 2020 and identified so many people, so that if we attempt to deal with this it will take us all evening. But I do not intend to go there, really.

Having talked about the Airports Authority—you see, you bring legislation because you have failed to manage, because it is a poor excuse to say that the Commissioner is busy. He is busy doing PNM work. Because the Commissioner could send five police officers to harass the former Prime Minister of this country and he “ain’t” busy doing that. [*Desk thumping*] And in the process, assault a former Prime Minister and he “ain’t” busy doing that, but he is busy to come to a meeting. But the PNM has a way of playing games, and foolish games.

You would have recalled only recently that the airport was voted the best airport in the Caribbean and that airport was built by the United National Congress.

“Piarco voted top Caribbean airport.”

**Mr. Valley:** You “ain’t” read today’s papers or what? “Yuh ain’t” see how much people getting jail for that airport?

**Mr. C. Sharma:** “Doh worry what Bereaux say, nuh; Bereaux defending he son.”

“Piarco International Airport has been voted the Caribbean's leading airport for customer satisfaction and operation.”

That is a very important statement. Mr. Speaker, you have to look at what comprises the Piarco International Airport; how did it come about, and the failure of the present administration—

**Mr. Valley:** I sure you “ain’t” get \$5.00 out of that. [*Laughter*]

**Mr. C. Sharma:** The last time when I tell you, you make money in BWIA, you blow me up. [*Laughter*] I cannot afford another suspension, so I withdraw. “Doh lead meh there nuh.” [*Laughter*]

When the UNC came into government in 1995, in keeping with what the hon. Minister has talked about—Vision 2020—you did not need Vision 2020; you needed to make sure that there was an airport that could attract international investors. You would recall that we came into office very late in 1995 and very soon we started that airport. What did we deliver for \$1.6 billion? Now, you see in another place \$1.6 billion was thrown away by this PNM administration—CEPEP—with hundreds of millions of dollars in the pockets of PNM friends and family. The Member for Tobago East said very little of it comes to Tobago, but let us look at what we delivered:

“A new passenger terminal with upper floor to provide extra space for users.”

So when you go to the Piarco International Airport it is a very comfortable place, in keeping with all the international airports. In fact, cost per square foot is the cheapest of all airports built in the last 20 years; in Europe, London, the United States, Hong Kong and elsewhere:

“A new cargo handling complex; an aircraft maintenance centre.”

You want to say something, my dear?

**Mrs. Job-Davis:** Yes.

**Mr. C. Sharma:** Is it going to be nice?

**Mrs. Job-Davis:** Very nice. Thank you, hon. Member, for giving way. I just want to find out if you know that the Tobago terminal at the airport does not include bathroom facilities in the departure lounge. Do you know that?

**Mr. C. Sharma:** I am glad the Member raised that, because during our administration we gave so much money to the THA and the present administration also. We gave billions of dollars and the guys just cannot manage anything there. I know you raised that many times and they do not take you on.

**Mrs. Job-Davis:** I think you misconstrued what I am saying. I am saying at the Piarco Airport, the same one you are just boasting about, in the departure lounge there are no bathroom facilities for Tobagonians who sit there. If you have to use the bathroom you have to go outside security, back into the public area.

**Mr. C. Sharma:** I am so glad my colleague from Tobago East raised that. You know, she is a recent MBA graduate and you could see the level of intelligence increasing. Five years the PNM administration is there and they cannot build an airport toilet in the airport. That is what the PNM has reduced this country to—five years. We thought when you go in the departure lounge you would go in the aircraft; you would not go there to use the toilet. Coming back to what obtains:

“An aircraft maintenance center.”

This was a revenue-generating facility of all the airports in the Caribbean. In fact, we had many international “aircrafts” landing here for maintenance—

**Mr. Imbert:** It is “aircraft”. There is no plural word called “aircrafts”.

**Mr. C. Sharma:** I want you to say it on television.

It was earning income in US dollars as well. So we had British Airways at one time servicing “aircrafts” here; PanAm—

**Mr. Imbert:** I just corrected him.

**Mr. C. Sharma:** I will just say “airlines” now.

**Mr. Imbert:** There is no such thing as “aircrafts”.

**Mr. C. Sharma:** Aircraft catering facilities. We had international airlines coming here and taking up the catering requirements as well. So we have delivered a very good first-class airport long before you came up with 2020. [*Desk thumping*]

“A parallel runway; a new four-lane highway from Trinicity.”

We did not just think of the airport as a structure alone, we made sure that the traffic flow back and forth was important. I will come to a very important point the Minister raised about security in a minute:

“Floor area of almost 40,000 square metres; 81 ticket counters.”

So when you are thinking 2020, we were way ahead of you.

**Mr. Rahael:** I am going to check that for you.

**Mr. C. Sharma:** You cannot check medication, you will check that?

“14 loading gates for international flight.”

**Mr. Rahael:** You do not know my background—

**Mr. C. Sharma:** Your fate is in the hands of Faith.

This is for Tobago:

“Two jumbo jets; nine wide-bodied aircraft; three narrow-bodied aircraft; two commuter aircraft.”

We took into consideration maybe the jet—

**Mrs. Job-Davis:** Which Tobago are you talking about?

**Mr. C. Sharma:** I have to come to Tobago and show you:

“Tunnel to improve baggage handling.”

In keeping with the international standards within minutes of arrival at Piarco you can get your luggage. You come through duty-free; you pick up your items—I understand a number of you buy beyond your allotment, but that is all right:

“Landscaping project.”

You see, an airport is an important place. I think you got a contract there?

**Mrs. Job-Davis:** Landscaping at the airport?

**Mr. C. Sharma:** Between 30 to 50 acres and car park facilities.

So you got a very good airport and you cannot manage it. With the same existing manpower we were able to move the airport to the top airport in the Caribbean. What does the PNM come and do? It says: “We cannot manage it because the people we have on the board are not effective. So what are we going to do? We are going to change.” That is how you tend to do things. The Minister talked about something he did in 1993 to accommodate Project Pride. When we on this side talk about discrimination and geo-political discrimination, here is a good example. When it is Project Pride to accommodate your friends in the PNM to make them multi-millionaires, you can make the amendments, but when it comes to Caroni (1975) Limited you cannot allow private investment. In BWIA, you could not encourage private investment, but in 1993, 13 years later, you come to change it, exposing your hand.

**Mrs. Job-Davis:** That is being dishonest. You know about that.

**Mr. C. Sharma:** The Member for Tobago East is in agreement with me. [Laughter]

“The terminal layout: The new north terminal is a 35,964 square metres building with 14 second level aircraft gates.”

You said we are having dinner at 9.00 p.m.?

**Mr. Valley:** Yes, 9.30 p.m.

**Mr. C. Sharma:** Well, I am waiting. I will talk until 9.00 p.m. to earn my dinner.

The Minister spoke about security. Why the emphasis on security? You would remember when that Minister sat here—and he is coming back here soon; he might be in this same chair. He is an Internet Minister. Everything is: “I just went on the Internet and got it.” This is the first debate the Minister participated in that he did not go on the Internet.

**Mr. Imbert:** The Internet is down.

**Mr. C. Sharma:** I see you have a Blackberry.

**Mr. Imbert:** Yes. Let me check it.

**Mr. C. Sharma:** You should be aware of the risk coming to Trinidad.

“There were five separate bombings in Port of Spain between July and October 2005 in which a number of people were injured. Police are continuing their investigations into what looks to have been a series of domestically motivated actions.”

So now the Minister is releasing the Commissioner of Police to go and do those investigations. You should be aware that there are increasing levels of violent crimes, especially shootings and kidnapping. Great is the PNM. This is what prevails and obtains under the PNM.

“British nationals have been victims of recent violent attacks, particularly in Tobago where law enforcement is weak.”

And the Member for Tobago East is worried about a toilet in the airport. [Laughter] You see where the governance of this country is? On a toilet seat:

“Extreme caution is advised if renting villas in the southwest and villas throughout the island. You should ensure that adequate security measures are in place.”

How can a tourist do that?

**Mr. Hinds:** That could have been said about any country anywhere.

**Mr. C. Sharma:** You do not speak in this Parliament. You must email me or call *Shakti*:

“If you are travelling to Trinidad and Tobago for the ICC Cricket World Cup, which runs from March 11 to April 20, with warm-up games in the region beginning at (so and so date), you need to know certain things. We strongly recommend that you obtain comprehensive travel and medical insurances before travelling.”

Imagine that:

“You should check any exclusion, and that your policy covers you for the activities you want to undertake.

The threat from terrorism obtains:

“You should be aware of this risk.

Theft can be a problem in downtown Port of Spain and in other urban areas.”

This is what the PNM has brought this country to. So you want to bring thousands of people into the Piarco International Airport and you want to relieve the Commissioner of Police and others from their functions:

“Cruise-ship passengers should take particular care when walking around the docks and downtown...”

Imagine this.

“There has also been a worrying increase in robberies...”

Not just PNM robberies, you know, but robberies. It is not only the PNM robbing.

“and break-ins in all areas and an increase in attacks, some involving the use of firearms at tourist sites, including Fort George, the Pitch Lake...”

And the Member for La Brea wants 800 jobs from the smelter plant.

**Mr. Bereaux:** You do not want to give them—

**Mr. C. Sharma:** It continues:

“and also at car parks, at supermarkets, shopping malls, nightclubs, restaurants and business premises.”

Where will the tourist go? Where will we go?

**Mrs. Job-Davis:** Fyzabad.

**Mr. C. Sharma:** You come to Fyzabad too:

“In some rare cases foreign nationals have been shot, including a German national who was shot dead at his home on the 18<sup>th</sup> of January, and a British national who was shot during a robbery at his home. The build-up to Christmas and Carnival often brings an increase in robberies and violent assault.”

So you see, I always make the point that legislation at 9.50 p.m. must add value. What has the Minister said in his presentation that attends to these matters that are being raised and is in the global marketplace?

**Mrs. Job-Davis:** What part of the Bill says “shoot them in the airport”?

**Mr. C. Sharma:** I go on:

“You should not carry large amounts of cash or wear eye-catching jewelry.”

Imagine this. So you want the tourist to come and spend money but you cannot offer him or her security. You cannot offer local citizens security.

**Mrs. Job-Davis:** I hope they are not televising this anywhere else here. I hope this is not going outside.

**Mr. C. Sharma:** Do not feel ashamed. This is the reality of the situation. This is the PNM approach. The Member for Tobago East is hoping that the national community is not seeing this because she is not interested in them knowing the truth and the reality.

**Mrs. Job-Davis:** It is garbage that he is spouting there. You are sending out false information.

**Mr. C. Sharma:** I continue:

“Use hotel safety boxes to store valuables.”

You know, Mr. Speaker, there are many small guesthouses that do not have safety boxes to secure your valuables, money and passports:

“Do not walk alone in areas at nighttime.”

Where will the tourist come and stay? Is he coming here to go to prison?

**Mrs. Job-Davis:** You “does” walk alone in the nighttime?

**Mr. C. Sharma:** I will walk with you anywhere. I continue:

“Do not resist robbers or muggers.

There was a spate of kidnappings for ransom in Trinidad. The activity continues and does not only target foreign nationals but locals.”

In Tobago, since the Member for Tobago East was asking about Tobago, it states:

“Crime against tourists in Tobago and the inability of the Tobago authorities to apprehend and prosecute is a serious concern.”

So it is not just Trinidad.

**Mr. Callendar:** That was when?

**Mr. C. Sharma:** Up to today. I am very surprised you would ask such a question.

“There have been a number of serious robberies against tourists. Some of these incidents were accompanied by violence, including rape.”

**Mrs. Job-Davis:** That is historic evidence. Things have changed. You do not know that?

**Mr. C. Sharma:** The date of my print here is 16.01.2007.

**Mrs. Job-Davis:** You just print that or what?

**Mr. C. Sharma:** You see how prepared I am for this debate?

**Mrs. Job-Davis:** That is not debate.

**Mr. C. Sharma:** It states:

“Some of these incidents were accompanied by violence, including rape. An elderly British resident in the central village was violently sexually assaulted in February 2006...”

**Mrs. Job-Davis:** You understand? It is historic information. We have solved those problems.

**Mr. C. Sharma:** What you did?

**Mrs. Job-Davis:** I will tell you after; it is late.

**Mr. C. Sharma:** Okay.

“and a British tourist was stabbed near Lambeau.”

I am speeding up because I do not intend to be very long:

“There have been armed robberies and sexual offences against British nationals visiting beaches.”

**Mr. Hinds:** You are frumpy and stale.

**Mr. C. Sharma:** It goes on:

“The latest attacks occurred in English Bay, King’s Bay. You should exercise extreme caution when visiting remote beach areas.”

We on this side have always said to the Government that this country belongs to all of us. This is not PNM country and when tourists come they do not come as friends of the PNM; they come as guests of all of us. We are all concerned. We have relatives who visit; we have friends and as a result, there must be a collective effort.

We have shown the PNM Government ways of reducing crime. When we identified CEPEP on a previous occasion, the PNM was quick to jump up and play the race card, because most of the CEPEP contractors are PNM supporters, because that is how they are selected. In fact, it is very clear that the \$378 million that cannot be accounted for in CEPEP has gone to PNM Ministers and others. [*Desk thumping*] It is the CEPEP contractors who fund all the PNM activities. Oftentimes when the PNM is hosting a function—for instance on Saturday this week in La Brea at the Vessigny High School, the PNM is hosting a smelter conference and all the CEPEP contractors have been already instructed to sponsor workers to go down there, even with T-shirts, and the Member for La Brea knows of this. CEPEP contractors are required to print T-shirts. I am making the connection because the Minister begs the question: How is this related?

This is contributing to the crime that is affecting the tourists coming in, because there must be a cause of the crime, and I thank you for agreeing with me. You know what obtains in Laventille East/Morvant. When you start the political discrimination and the geo-political racism, this is what happens, because crime has to have an origin; crime has to have a sponsor and when the Government of the day becomes the sponsor of crime, this is what you have. Ministers cannot walk in any part of this country without security.

**Mrs. Job-Davis:** That is donkey—

**Mr. C. Sharma:** We always said that the PNM was about donkey politics! You are correct; this is donkey politics.

**Mr. Speaker:** Hon. Member, take your seat. Do not let us get to this stage. It is a little late so let us keep it a little calm. Hon. Member for Fyzabad, please come back to the Bill.

**Mr. C. Sharma:** Mr. Speaker, this far I have kept on the security measures the hon. Minister raised and I am only developing that point to make the point that if you want to correct the security concerns at the airport—and I will come to the management issue in a few minutes—we have to look at how the security is affected, and the security is affected simply because of the policies of the Government. I have identified one, the CEPEP.

You see, they always jump on the race card and say, CEPEP workers. We have said on thousands of occasions that we are for the workers, but you cannot be using the workers and fattening your own selves. The workers are getting \$65 and \$75 a day and you have spent \$1.6 billion. Where did this money go?

**Mr. Speaker:** Please, again, if you want to talk about security, talk about security in relation to the airport, not about CEPEP, unless you can prove that there is CEPEP cleaning the airport. Please, keep your security argument to the airport.

**Dr. Moonilal:** That is a good point there, Mr. Speaker. CEPEP does work in the airport.

**Mr. C. Sharma:** Thank you very much, Mr. Speaker. You would recall when I started I indicated a landscaping project featuring 30,000 shrubs on areas of between 30 to 50 acres of land to be planted. We have indicated that if you were using the CEPEP workers and paying them properly across the board, including the airport, both in Trinidad and in Tobago, you would reduce the crime situation. Because one of the difficulties you have is that when you engage people and you underpay them, you destroy their morale and their will power.

In Trinidad the tourists who come through the Piarco International Airport are told about security. He or she is told: “Do not carry large amounts of cash; to use the hotel security. With local travel, again, we had many instances where passengers, tourists and locals, leaving Piarco International Airport were followed to their homes and interfered with: kidnapped, assaulted, et cetera. In fact, the advisory goes on to say:

“The standard of driving in Trinidad and Tobago is poor. Road accidents are many. Some of the roads are narrow and winding and the surface of a low standard.”

We see this happening on the highway now. They are paving over and over because we spoke about the quality of work on the highways.

In addition to that, I want to touch on airport security. Airport security the world over is a major concern. What obtains at Piarco International Airport? The

Minister said that he was concerned about security. That is very important. The time has come for a new model of security.

**Mr. Speaker:** Before you go on, if your cellphone is on vibrate, may I suggest that you take it off? It is interfering with the communication system. So any Member who has a cellphone that is on vibrate, could you please take it off?

**Mr. C. Sharma:** We are talking about airport security and it has to do with total security. Airport security will also mean aviation security. As we touch on that, I want to raise an issue that was made public recently. Passengers travelling out of Trinidad now have to pay thousands of dollars because of the PNM's shortsightedness. For instance, a passport previously lasted for 10 years and cost \$100. The PNM has now reduced the life of the passport to five years and increased the cost to \$250. So in time of plenty, what does the PNM do? Punish people. [*Desk thumping*]

Not only that. A family of four now has to put out about \$10,000 because previously you would have obtained Canadian or American visas for 10 years—the life of the passport—but because of the PNM shortsightedness the visa would only be there for five years. They give it for the life of the passport, not beyond the passport.

The point is, every five years now you have to go and pay whatever the money is—I think it is US \$100. So a family of four—husband, wife and two children—if they want to travel every five years, have to purchase passports twice; they have to go to the Canadian immigration, American immigration and pay.

### **9.00 p.m.**

Why are they punishing the passengers? More than that, a student who leaves Trinidad and Tobago on PNM scholarship to do medicine in Grenada—on the last two occasions only PNM supporters got the PNM scholarships. There were no public advertisements. There were 25 on one occasion and on the last occasion 23 next. The duration of study for medicine is seven years. While the students are there studying medicine they have to be concerned about travelling back home to renew their passports. Why are you punishing people? [*Interruption*] The passport is not on scholarship and it is for five years. If they go to the United Kingdom to study medicine it would still be for five years.

We have to find a way and I want to make a suggestion. I will take you to Puerto Rico that has branded itself as a no passport destination and it is working very well. [*Interruption*] I have US citizenship or visa.

**Mr. Valley:** US visa.

**Mr. C. Sharma:** Both. You cannot qualify for any except Grenada.

**Mr. Valley:** That is my mother's home, boy.

**Mr. C. Sharma:** I know that.

We have to agree to what the Government wants to achieve and the Opposition is prepared to lend support. We have to treat with the question of security, to, from and within the airport. Recently, we saw cases where motor cars were stolen from the airport compound. The Airports Authority said that they were not responsible for that. What security measures has the Government introduced? It is a simple question of patrolling. You do not need rocket science to protect the cars that are there. Maybe, there can be an exit at some point so that the owners can verify that they are driving their cars. You can reduce theft of motorcars at the airport in easy ways.

In addition to that it would give you an opportunity to identify anybody who might be following someone. You may see a pattern. The guys who follow the tourists and rob them, it might be a gang that is operating. In 2007, the Government does not have that level of intelligence. When we brought the former commissioner of New York they quarrelled with us. We were giving you that for free. You do not appreciate good things. One of the difficulties we have to face is that you mean well, I am certain, but you simply do not have the intelligence to run government.

**Dr. Moonilal:** That is correct.

**Mr. C. Sharma:** How are passengers treated? In one place they have established a preferred manner of travel for some passengers. That means that a passenger—it is now operating in the United States—pays \$100 a year and obtains a security pass. What does that do? You could identify passengers in advance. For instance, you are a VIP citizen of this country in and out of that Chair. When you cease to be the Speaker and you have to travel you should not have to hassle. They must speed it up. You would be saving dollars in the process. It would not be treating you differently from anyone else.

When Mr. Valley is no longer a minister of government and he is travelling for medical and other purposes, he would not have to stand in long lines. He would be a preferred passenger. A small card would identify a former minister of government. Do not have him waiting in line for one and two hours. Speed up the process. It would save money and lead to comfort in the airport.

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I was looking for that particular document. Mr. Speaker, I hate to make this request during my contribution, but if you can see from where you are, you would notice that there is much paper in front of me. It takes much effort to do research and the research staff is grossly under paid; \$5,000 cannot produce this kind of thing. It is difficult. We need the Parliament to look at the facilities of MPs' offices so that they can serve. When you are here, you are here to serve whether at the airport or elsewhere.

I was making the point that a long delayed programme aimed at speeding up trusted travellers through airport security. I was introduced at JFK Kennedy International Airport. The passenger pays \$100 a year for a pass which has a background check registered on it. I suggest to the hon. Minister to consider that. It would reduce the demand for security officers and place them elsewhere. Many airlines give first class and other preferred passengers their own line leading to security check points. The registered traveller opens such privileges to all. That is a good idea. People have been asking for this for years in the United States. The time has come for us to introduce it in Trinidad and Tobago in keeping with your 2020 story.

They have a machine—I suspect a similar kind of machine that you intend to introduce to read the passports—to read the card and say who you are. It would help to identify dangerous passengers because you can store that information there as well. When you become a dangerous man, Mr. Valley, it would say Ken Valley, former PNM minister, convict now, or whatever, flight risk.

I want to touch on the management. The Minister made emphasis on the management. What obtains at Piarco International Airport? It is a can of worms, a free for all. Very soon you will see it looking like CEPEP. There is no check and balance; employment there is through PNM contacts. You do not see advertisements for employment there. It would be interesting to know how people are employed across the board and how contracts are given out. You do not see invitation to tender for contracts. The maintenance is very low-keyed. Often times you go to the washrooms and in many instances they are non functional. Simple toilet paper is absent. It begs the question: What is the PNM doing in this country? In another place you say you are going through a “grah”. It looks like this whole country is going through this grah, a bad spell. Anywhere you turn, poverty, rape, murder, criminal activity; you cannot get medication and the courts are overburdened with cases. What is happening?

There must be something. The Member for St. Ann's East, do you know what is your response? Give out hampers to PNM's supporters and keep them quiet.

[*Interruption*] Hear the Minister. Give out Smart card. That would solve the problem. Everything is “gimme, gimme, gimme”. It is not working. You have to treat people fair and square, as equals.

Here we have a very good first class airport. Unfortunately—we have the Asycuda system which is the ICU and IATA standard. It is interesting that we were to introduce this so many years ago for \$1.6 billion. Here the PNM in one project in CEPEP threw away \$1.6 billion. At that time we installed the flight information display system. Now, when you go to the airport families are left alone because the flight display system is not working oftentimes or not updated. The flight could be delayed and nobody would know. Families are left at home waiting.

**Mrs. Job-Davis:** The speaker is very kind to you.

**Mr. C. Sharma:** The Speaker is very kind to me. You do not speak he cannot be kind to you.

Piarco International Airport has the largest assembly point in all the airports in the Caribbean. I made that point already. Airport security has always been of paramount importance. Scan machines are positioned at various points around the airport to detect narcotics and explosive devices. When we built the airport we took all those things into consideration. With the same Commissioner of Police, Chief of Defence Force and Chief Immigration Officer, all were working very nicely. It seems as if the PNM wants to remove these officers and put their friends to allow narcotics to come in. I will come to that just now. How was it working all the time? Best airport in the Caribbean.

Let me tell you why it has happened. There comes a time when the truth comes out one way or the other. Trinidad and Tobago has been named as a heroin hot spot.

Six kilos of narcotics were seized at Piarco International Airport while there have been heroin related arrests at Crown Point in Tobago and Pier 1 Chaguanas.

There is a picture of Patrick Manning. It does not mean that he was arrested with six kilos but if you look at the photograph and read it, it seems to suggest that. There is certainly a link with the Government wanting to remove the Commissioner of Police and the Chief of Defence. Trinidad is known as a hot drug spot; much of it is coming through the airport. It is said by many and many believe that the Government is involved in drugs.

**Mrs. Job-Davis:** They said that about you too. You believe that?

**Mr. C. Sharma:** Okay. The Member for Tobago East is saying that it has been said about others. That does not change the fact that it is public perception that the Government is involved in drugs and the removal of the systems that have been working to facilitate this—where are the drugs coming from? They said at Piarco International Airport and this is not the first time. We know who is involved at Chaguaramas and Crown Point Tobago. They said:

Trinidad and Tobago has been identified by the Drug Enforcement Agency (DEA) as the major transshipment point for the North American drugs. This was in the wake of criticism by the Prime Minister, Patrick Manning that the United States is not doing enough to help this country and the region fight the drug war.

During a recent British Gas luncheon Manning said that the US was initially concerned about drugs.

We are concerned about drugs as well and the whole country is.

The drug cartels in South America are no less active today than they were two or three or five years ago.

Who is encouraging their activity? Who is helping them to be active? Is it the Government? Is it the Opposition?

The US has publicly said that they have withdrawn military aid to this country including assistance for the war on drugs because of Trinidad and Tobago's support for the International Criminal Court.

In June, the United States broke up an international drug smuggling ring with the arrest of 22 people, one of them from Trinidad.

I think that the person's name is Gabriel Hernandez.

When you talk about security, one has to ask: What if any, is the Government's involvement in this matter? We beg if the answer could be done. That does not seem to be it. In every country, especially our size, when drugs surface in the quantum we see here, there is some degree of government involvement directly or indirectly. Six kilos of the narcotics were seized at Piarco International Airport while there have been related arrests at Crown Point. The local street value is \$600,000 a kilo. Why could the United States identify all these people and we cannot do it?

**Mrs. Job-Davis:** At least we are catching them.

**Mr. C. Sharma:** Up to last year, they reported that 18 kilos valued at \$10.8 million were seized. How much of it is not seized? How much of it is getting to our young children? Too much.

**Mrs. Job-Davis:** Tell us. How much you distributed?

**Mr. C. Sharma:** We must get very serious about this matter. We cannot talk about security at the airport and maintenance. Is the maintenance related? In many instances when you see poor maintenance, it is a front for something. When you go to the airport and see particular activities it has to be related to something. The Government has to demonstrate more serious action. It is time that it starts to level with Trinidad and Tobago; it cannot keep pretending.

Out of Australia there have been international advisories. Look how many international advisories there are on Trinidad and Tobago. They are telling their people that if they go to Trinidad and Tobago they are going on their risks. Are we proud of this? We cannot be. The Opposition on both Benches is very concerned. We are your partners in governance of the country. This country belongs to all of us. When it is convenient to you, you know how to engage us. We want you to come clean. This is an election year. You will not be voted back into office. You cannot be voted back with this kind of track record.

We raised the question about security and safety. The fire station at the airport has not yet been built after three and a half years. What is the keep back in building the fire station? The police station, a very foolish answer was advanced on the last occasion by the junior Minister of National Security. If you have a problem at Piarco you could go to Tunapuna or Penal because there is no police station at Piarco. That police station was burnt down three or four years ago. What takes you so long for simple little things?

The difficulty we have on this side is that we are in touch with our constituents and all over the world. Because of the technology we receive emails all the time. When people are visiting this country they email us to tell us to look out for their friends and family. They ask us what we are doing and if we talk with the Government about the police station, the fire station and the security measures at the airport. The answer is yes, but the Government does not do a single thing. It only does things that it could benefit financially and otherwise from. The \$378 million in CEPEP is a very example of it and contracts across the board. I cannot see how you could pave the road today; it collapses two days later; you go back and award another contract and feel that you are doing the country a favour. When the national community raises these concerns with you, you write a letter to the Editor of the *Daily Express* or whichever newspaper. That is not how you govern a country. You cannot obtain support if you continue that way.

I make the point out of Australia. Australians considering travel to this region are advised. Then out of Canada you see the same thing.

**Mr. Speaker:** Before you continue, hon. Members, the speaking time of the hon. Member for Fyzabad has expired.

*Motion made,* That the hon. Member's speaking time be extended by 30 minutes. [*Dr. H. Rafeeq*]

*Question put and agreed to.*

**Mr. C. Sharma:** This is a very good sign, a level of maturity to see that we are on common ground.

**Mr. Imbert:** We say no.

**Mr. C. Sharma:** Mr. Speaker, I did not intend to be this long. I think I would start winding up.

On the question of maintenance we do not need to legislate to obtain it. You give contracts. For years we were able to maintain the airport and there was absolutely no difficulty. Since you mentioned Project Pride, you said that in 1993, you came here in another manifestation to encourage private investments in relation to Project Pride. [*Interruption*] Are you denying Project Pride? Project Pride cost this country close to \$250 million. [*Interruption*] How much? Whatever sum of money. The Minister says he thinks that it was about \$200 million. Now when you look at the dollar value from 1993, it would certainly be \$250 million. There is one rule for the PNM Members and everybody else is different and that should not be. Hundreds of millions of dollars in La Brea and nothing comes out of it. Project Pride, hundreds of millions of dollars.

How does the country see this? Who were the people involved in Project Pride? Where did the money go? The former Director of Public Prosecutions, now His Worship Mark Mohammed, said that the police should be investigating La Brea on Labidco. Nothing has come out of it because PNM supporters are involved. You go after everybody else. You go into their homes and offices. This is not to suggest that the law must not take its course. It must be across the board because your time would come. The country is really getting fed up of it.

I was at the home of the former prime minister Mr. Basdeo Panday when five officers—talking about that, five police officers came to the former prime minister's residence in plain clothes. Each of them had a huge bag normally what they take laptops in. Anything could have been in those bags. When they go to search a

house, what do they do? They spread themselves. If you are with one police in room A, they could go in room B and do something. You are going to fall in that same trap. What you do today would come back to haunt you down the road. That is a very frightening thing. We have seen citizens many times both in the print and electronic press.

Somebody following the passenger out of Piarco International Airport and reaches his or her destination and the police shows up there. My colleague from Chaguanas could be coming back from somewhere because we saw they arrested him and the Member of Caroni Central at an earlier time and roughed them up. When you read some of those eyewitness reports how they treated Members of Parliament, it was very disgusting. I want to give you a case to consider. Assuming that the Member for Chaguanas is coming from a foreign destination; he is followed home and when he gets there, there are five police officers waiting with a search warrant. Five of them have five bags. One ounce of any of these drugs and the Member of Parliament's life would be destroyed. That is the reality of the situation. We have to be very careful. We can hope that it does not happen to any of us but it must not happen to any citizen of this country. Too many times citizens tell us—this is adding to the frustration and security of the country. You are causing a hate to develop between the law enforcement officers and the citizens of the country. You want to take that into consideration.

The Minister indicated that when he came in 1993 to put back that because it did not work for the PNM then, it is not in their favour today and they could come back with it another time. You do not discuss it in Parliament or give your reasons and you introduce it. What happens? Years later the country loses money, no one is held responsible for it and you come and say that what you introduced in 1993, you want to withdraw it today. This cannot be so. I do not know why we do not sit and discuss the legislation.

The last matter I want to raise has to do with the many advisories that seem to come from everywhere. We are approaching two very busy periods that would attract many visitors to this country, Carnival and ICC Cricket. I suggest that the Government indicate to the national community and these advisories what would be in place to guarantee the safety of tourists and others to encourage them to come. People in Australia and elsewhere are cancelling, some because they cannot get their visas for one reason or the other. A number are cancelling because of safety concerns.

American citizens travelling to Trinidad and Tobago should avoid large crowds and demonstrations. It is interesting that this advisory talks about demonstrations.

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It is the first time they have used demonstrations. Why? Because they are beginning to observe a number of demonstrations in all parts of the country against the Government. It is not only in the UNC areas but also in Belmont, Laventille, La Brea and Point Fortin.

Non violent demonstrations occur on occasions but widespread civil disorder is not typical. The downtown area of Port of Spain experienced four bombings. The first bombing injured 14 people, two critically. For the latest security information Americans travelling abroad should regularly monitor the department's Internet website.

Imagine they have established a website just for that. We cannot pretend that these things do not exist. We have to give them some degree of assurance. When we pass that matter for the cricket we said that we were expecting 200,000 people.

Up-to-date information on safety and security can also be obtained. They have a toll free number. That is interesting. We must also establish a toll free number so someone who is coming can be told. They can hear a warm voice saying what we are doing. In every MP's office in this country establish a toll free number. Let us sell the country. This is our country. After you, we or someone else would have to govern it. It goes around.

Incidents of violent crime have been on the increase. Visitors should exercise caution and good judgment when visiting Trinidad and Tobago, particularly when travelling from Piarco International Airport, especially in the dark. You come to pass a simple amendment and dismiss it as that. I did not put this on the website.

Particularly, when travelling from Piarco Airport especially after dark, there have been incidents involving armed robberies trailing arriving passengers from the airport and then accosting them outside the gates of their residences. Areas to avoid in Trinidad include Laventille, South Belmont, walking across the Queen's Park Savannah, downtown Port of Spain after dark, as these are areas where Americans remain particularly vulnerable to pick-pocketing and armed assault.

Where are we going to carry these tourists? How sad? It pains me to read this and I am sure that it pains all of us listening to this. This is not the country we know.

**9.30 p.m.**

Earlier today, I heard the hon. Member boasting about current legislators. This is not what Eric Williams had in mind, and Dr. Capildeo, Basdeo Panday, George Chambers and ANR Robinson. This is not it. You could play the politics and criticize and argue, but this is the truth and this is happening to all of us.

Violent crimes including assault and kidnapping for ransom and murder have involved foreign residents and tourists, including United States citizens. Two US citizens were kidnapped during the first half of last year. One was released with a gun shot to us leg and the remains of the other were found in the forest outside of Port of Spain.

That was in January last. What are we telling this international community?

The young American citizen child was victim of a brutal sexual assault and murder.

Nobody has been arrested for this crime to date.

Mr. Speaker, I shall take my seat with the commitment that the Opposition, both Benches, remain committed to all the people of Trinidad and Tobago. We continue to invite the Government to consider us its partners in governance, to reduce the levels and acts of discrimination, to make sure the resources of the State reach all citizens, that they make a pledge to themselves, not to us, and to the country that they will make sure that the resources do not go to selected groups, that they discontinue their activity with criminal elements so that the safety of all people using the airport travelling from, to, at all times their safety remains our paramount concern.

I raised the question about the maintenance and I am sure the Minister has been to the airport in recent times, and would agree that much work needs to be done, and we hope we can see some meaningful and measurable activities taking place almost immediately.

Thank you.

**Mr. Manohar Ramsaran** (*Chaguanas*): Mr. Speaker, when I examined the personnel who were members of the previous board, I could not help but attempt to understand the reasoning and why. When the then Minister, Mr. Hugh Francis on November 26, 1979 piloted a Bill to create the Airports Authority of Trinidad and Tobago, he stated and I quote:

“The composition of the Authority makes it abundantly clear what we want to achieve, and that is, to put at all the agencies that have some responsibility for the airport under this Airports Authority charged with the management of the facilities so that there can be better coordination between customs, immigration and in terms of the maintenance of the facilities at Piarco and at Crown Point”.

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Mr. Speaker, this is November 26, 1970 I am quoting from. He continued:

“...the provisions are very simple. We are incorporating the Airports Authority and giving it the power to act in terms of managing the facilities so that most of the criticisms that are now levelled against the airport, some of them justified, can be minimized and eliminated in the shortest possible time.”

I know; I was there. At that time there were many issues arising especially about the safety of passengers and of people entering Trinidad and Tobago, and we all know when people entered Trinidad and Tobago at that time Piarco was a first call. The police, customs, the immigration, port health all had important roles to play in ensuring that the airport was well run.

I want to ask a very simple question: Is it that the problems that were there have all been solved so that you are now saying you want management systems at the airport? I disagree. When the Minister could say to people that the people are very busy, the Commissioner of Police, the Comptroller of Customs and Excise, the Director of Civil Aviation, the Chief Immigration Officer and a medical officer appointed by the Minister of Health, and also somebody appointed by the Minister of National Security, Mr. Speaker, as I always say when I respond in this Parliament, where is the evidence? Is there a record of attendance at meetings that could be put forward to make the case that yes, you have to change the board because the people are very busy? I do not buy that and I will say when one looks at the responsibility of these people of the airport today—and Mr. Speaker, if you will permit me to look at the—and my colleague from Fyzabad alluded to some of these—but the Commissioner of Police involvement in the Airports Authority.

When these people sit there—as I said before, I was there and these people sit on that board meeting as ex-officio members, the membership of the board as appointed, one by the President, and two or three by the Minister, let us say the full quota is four, they are the board, they are the people who will vote and say what to accept or not to accept, but the fact is there are no voting rights. So the problems of the day will come up and they will discuss as a group what is going to happen to ensure that the airport is well run and the safety of passengers is important.

Mr. Speaker, if I may go forward a bit. I want to say something to strengthen my point of the members being too busy.

## Meetings:

- “(7) The Authority shall meet at least once in each month and at such other times, and at such place, as may be necessary for the efficient performance of its functions.”

Mr. Speaker, this is in the Act, once per month. So the argument that the Minister used to appoint this new board does not hold. Once per month, I am sure, and these meetings last—I know they start around 10.00 a.m. to go to about 1.00 p.m. and then they have their lunch in the Airports Authority building and they head back to their offices.

Mr. Speaker, more times than not, the heads of these divisions will visit their staff at the airport. The Comptroller of Customs will use that opportunity; he is a busy person in Port of Spain, I might agree sometimes and he will use that opportunity to visit the airport, visit his staff and would have a one-to-one discussion about what is taking place at the airport. So he too, when he goes to the meeting will know what is taking place at the airport. So too, I am sure the Commissioner of Police. And for those who do not know, there is a police division at the airport when I was there which was situated between Customs and Immigration. I am sure the Commissioner will go there and say hello to his officers on duty, and these are the persons who are responsible for interdiction and whatever happens with Customs and Immigration; he will meet his staff and find out how the airport is going to ensure that he could improve the safety of passengers. Then, of course, the Chief Immigration Officer will speak with his staff.

Then the important role of the doctor appointed by the Minister of Health: That doctor appointed by the Minister of Health, and one has to understand—that is why when I saw the changes. I went and looked at the origin of this Airports Authority. The thinking then was that all these people must come together to solve their problems.

I want to imagine a board now without these ex-officio members, management. Who is going to inform this new board of the problems at the airport? It would be a nightmare now. You are trying to compare Port Authority with the Airports Authority but these are two different kettles of fish. The airport is a very busy place; passengers at the Port Authority, boats are now down to just the cruises ships, but you talk about import and export of people and cargo at the Piarco International Airport.

We know now it is the drugs capital of the world; the drug transshipment port is Trinidad and Tobago. Now you are removing police and customs and to a lesser

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extent immigration, from this board, it will mean now it would be a nightmare. This board would now have to meet with the customs on the particular day to find out what is taking place so administratively it is now going to create to me a dangerous situation. And I wonder aloud, has this something to do with drugs coming into our country? Is it now telling people Customs would no longer be on the board, Immigration would no longer be on the board? It would now be a nightmare. We have a good management system here with engineers, accountants and what have you? I am very, very scared of this new board. It smacks of political interference and when you go into the Bill itself, it will tell you that.

Mr. Speaker, before I go into the politics, let me talk about the working of the board. There will be no proper coordination. There is the Security Council. That Security Council at the airport would be different. The make-up of that board is totally different from the overall Airports Authority. I believe we are making a dangerous move in changing that board.

When we go into the Bill itself—I want to signal my fear, and look at the make-up of this new board.

“The members of the Board shall be appointed by the Minister...”

Previously, the chairman was appointed by the President, now he is to be appointed by the Minister and I remember—

**Mr. Imbert:** In many bits of legislation where you see President, it means Cabinet. In the previous legislation or the current, it means Cabinet. And, in the case of the Minister, the Minister would have to get Cabinet approval. It is exactly the same thing. There is no change whatsoever. That is not the President acting in his own discretion as the President of the Republic of Trinidad and Tobago. That is the Cabinet.

**Mr. M. Ramsaran:** I am so happy to hear this from the Member for Diego Martin East. I remember piloting a Bill to deal with children issues in the country and we were creating a board and somewhere in there the board was to be appointed by the Minister. I remember the Member for Diego Martin East—I do not trust that Minister and carrying on, on this side. I remember that. The same thing, the Minister means the Cabinet. It has been there all along. It says now that the Members of the board shall be appointed by the Minister. How long has Cabinet become President?

**Mr. Imbert:** It depends on how it is worded. When you look at various bits of legislation if it says President after consultation with the Leader of the Opposition

and the Prime Minister shall so and so, that is the President of the Republic. This is Cabinet, this is straightforward and I know that you know and it is late, so could we move on.

**Mr. M. Ramsaran:** Mr. Speaker, I beg to differ. It is late yes, but to me my experience has taught me that this interference is a dangerous thing.

Mr. Speaker, let me put on record what has happened. This is the parent Act:

“There is hereby established a body corporate to be known as the Airports Authority consisting of the following members appointed by the President:

- (a) a Chairman;
- (b) not less than two and not more than three persons appointed on the advice of the Minister;”

That is why I ask the question: Since when Minister and President mean Cabinet? Maybe the people did not know what they were doing, but I want to make it abundantly clear, if it is by the Cabinet or the President, say so. Do not come and say that now they:

“...shall be appointed by the Minister from among persons who are suitably qualified in the following disciplines:

- (a) engineering;”

I would like to know why people—you are talking about management first. So, I am following your lead:

- “(b) aviation; (I can understand)
- (c) law; (I can understand)
- (d) accounting and finance;
- (e) economics and business management; and
- (f) security.”

This management board could have worked elsewhere. I have no problems with the professionals named here, Mr. Speaker, but in the present context, I believe we should not change what we are not supposed to touch. Over time if there was a problem with the Airports Authority one should have known about it.

When the Minister could bring into the debate that various governments were unhappy with the Airports Authority board, I feel very worried about that. Is that

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true, that various governments were unhappy with the Airports Authority board? I do not know if we were unhappy with any board. We came in there, we saw and we appointed people to the board.

I do not know if the people involved in this, if the National Security representative, the Commissioner of Police, if the Director of Civil Aviation, the Comptroller of Customs, the Chief Immigration Officer, Medical Officer appointed by the Minister of Health are part of what the Member is talking about. If he has evidence, tell us and maybe we would appreciate what is taking place.

I want to continue to look at what is taking place.

“(1B) The Minister shall appoint the Chairman and the Deputy Chairman of the Board.”

It is becoming curious and curious. Then, of course, he said you would delete the words, “other than an *ex-officio* member.” I have no problem with that. I want the Minister to clear this one for me as I go through the Bill. This is on page 2, paragraph 4, where it says:

“A member of the Authority, may at any time resign his office by instrument in writing addressed to the Minister.”

Is this Minister, not Cabinet? Things change so I want to know what is happening.

The one that I am very concerned about is where it says:

“(c) deleting section 10(4) and substitute the following:”

I do not know—this is from the Parliament copy and 10(4) does not exist from what I have in front of me. If the Minister could look at 12(4) it is there already. If one reads:

“12(4) In the performance of its functions and in the exercise of its powers the Authority shall act in accordance with any special or general directions given by the Minister.”

**Mr. Imbert:** Perhaps, Member, you might have been outside when I was speaking. In 1993, I on behalf of the Government tabled an amendment to the Airports Authority Act, and that you will find in Acts and Legal Notices 1993. You are looking at the original Act. If you want to find out what the current Act is, you have to look in this book and when you go in this book that is where you will find the situation of general policy set out by the Minister.

**Mr. M. Ramsaran:** Thank you very much. I appreciate that correction. That is why when the document that comes before us would tell us this is an Act to amend the Airports Authority Act, Chap. 49:02; and if one looks at the preamble—that is why sometimes I come to this Parliament and say that we on this side would maybe not have, especially me—I entered politics in 1995, and if that Act was mentioned here, we would go into that Act and research it, but it is not here.

**Mr. Imbert:** What was done in 1993 was an amendment Act to the parent Act so the Act remains Chap. 49:02. What the 1993 legislation did was make certain amendments to the original Chap. 49:02. So Chap. 49:02 is still in existence, but what you have is an outdated version of Chap. 49:02. If you are using the black bound copy you are going to be misled. From time to time, legislation is updated and you may recall recently that the Minister of Legal Affairs indicated that the Revised Laws of Trinidad and Tobago are now available. In fact, if you go to the Ministry of Legal Affairs website you can download the Revised Laws of Trinidad and Tobago. The Law Revision Commission I believe is the one with the responsibility to take all the amendments that have been done over the years and to incorporate them into updated legislation.

Mr. Speaker, I think parliamentarians, really need to get a copy of the up to date and Revised Laws of Trinidad and Tobago, because we are struggling and I had a problem. I had to go and look for this, and then I remembered that I had done an amendment sometime in the 1990s and I found it. So I think we all need to get a copy of the updated Revised Laws of Trinidad and Tobago.

**Mr. M. Ramsaran:** Thank you very much. I repeat my call and to join with you that this must be done. We need that quickly, and if it is on the website maybe Mr. Speaker, can have the Parliament send a circular with the website and so forth so we will be able to download and find that information. This is not the first time I have come to this Parliament and been misled. As I said, I think something should be done to deal with that.

So we move on to passenger safety. I would like to go to the original Act which is not amended and look at:

“12(1) The principal function of the Authority is to manage the airports and in so doing maintain, improve and repair the facilities so as to ensure the provision of efficient, secure and safe aviation services.”

Mr. Speaker, recently—and I would not go into all the maintenance. Sometimes I travel and when you land at the airport the escalator is not working. When I talk to people there they will say it has been down for sometimes weeks. I wonder

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where the maintenance is. And this falls squarely on the Airports Authority that is under the jurisdiction of the hon. Minister of Works and Transport. I wonder how often the Minister meets with the Airport Authority to find out what is happening.

Recently the runway—there was some chaos with the runway where it was supposed to be done for \$25 million, I think it was. It was not done and when it was completed it was bumpy and so forth.

I had the misfortune to be in an aircraft landing at Piarco and the plane started to bobble all over the place because of the manner in which the runway was repaired. And this is another serious issue when we talk of maintenance of the airport. We have an airport—I would not go into how the airport was built and what happened and so forth. It is something that I feel is always a political football. I would not go there now. Section 12(2), and this one is interesting. Maybe, it is a long time ago this was written but the Minister of Works also shared his responsibility.

“(2) The Authority shall establish and operate an efficient airport bus service.”

This is good news in that writing here. This was 1979, the Prime Minister, the late Dr. Eric Williams. The Airports Authority shall establish and operate an efficient bus service. There was one. These are the small things that sometimes one would come to the Parliament and say it is a simple Bill and we got to get this thing going. I would like to say to the Minister, the first is safety and my colleague alluded to that. I will tell you what I experienced at the Piarco Airport.

When we were working shifts—and this crime thing has not started now; it was always there and that is why I asked the question: Have things been corrected since 1979 to now? And the answer is no. Crimes continue, hold-ups continue, robberies continue, people follow passengers home.

I remember examining a passenger—it was a lady—and she left the airport only to be called an hour later, the lady was held up and everything that she brought from abroad plus her own personal things were taken from her and that used to be a nightly occurrence at the airport. I want to go back to drugs.

I have left there a long time but I know drugs continue to come through Piarco and continue to leave. Mr. Minister, I want to really get the rationale for changing the board. I am not satisfied with your explanation to ensure that this board remains in place so that the collaborative efforts will serve the people of Trinidad and Tobago. I also want at this juncture to ask: How long has there been no board

at the Piarco International Airport? I understand it is quite a few months and also understand that the former chairman said that he got wind from the Minister that he would continue as chairman. So he continues to manage the airport in the meanwhile. I want to know, if acts purposed to be done by him or done by him would his appointment be backdated? And if this is how a government is run I am afraid that we are in trouble. I have the chairman's name; I would not call it here but this is the information I received a couple weeks ago. The chairman continues to run as if he is de facto chairman.

I thought I would have heard the Minister say that we have no board and that is why we are sitting so late in the night to approve this piece of legislation so that we could appoint a new board. The Airports Authority is without a board now.

Mr. Speaker, there is a provision here that the Airports Authority will hire its employees, wide carte blanche authority. And we have heard many a time—there have been court cases where people claimed discrimination, where people claim very immoral practices in hiring labour, in hiring people to run the Airports Authority. That confusion has not yet ended. Remember, the Airports Authority has a large cadre of workers. There are security guards, people who run their department. And when you speak to those employees it is political interference in almost the employment of everybody at the Piarco International Airport. As I said before, I do not want to go into this question of discrimination and so forth, but I am worried about the hiring practices at the Piarco Airport and all the airports under the Airports Authority of Trinidad and Tobago.

If this new board could be an expert in management—it is really unfair—I thought the Minister would have said today to delete ex-officio members and make them regular board members so we could have some balance between the political appointees and the public service. But what has happened today is the Airports Authority hiring practices is poor. It leaves much to be desired and I would like if the Minister could say this evening they will now have a criteria for hiring staff, public advertisements, and what is required and so forth; I would be very happy because I live close to the airport.

A number of persons come to me to ask me: MP, could you help me get a job at the Piarco Airport as a security guard? We live not too far from Piarco. We live at St. Helena, Caroni, Kelly and so forth and when you ask them have you applied they would say yes, we have applied but when we go there are no jobs, and we have friends who are working there and people would come in carte blanche and in big numbers and we feel we have been treated badly by the Airports Authority of Trinidad and Tobago.

**10.00 p.m.**

Maybe my colleague the Member for Fyzabad did not have the correct information, but even the people who are maintaining the lawns at the airport have been fired and friends of the authority are now running the contract. These people won their contract a couple years ago, under the PNM, and they have now been replaced. That is what they have told me; I did not make it up. I know the contractors who did it before. It was not a rich family, but they had the equipment; they had tractors and so on. They made their bid and got the contract. Today they have been sent home unceremoniously and the present contractors have taken over and the previous contractor feels that it is political discrimination. I warn against this. If they want to run a country, they must do it in a way that makes us feel that we belong and have a fair share.

**Mr. Bereaux:** Sorry to interrupt you, but if it is alleged that the previous contractor got his contract under the PNM—*[Interruption]* I am not speaking to you, sorry. I am speaking to the Member on the Back Bench. If it is alleged that he got his contract after procedures and it was not political discrimination then, why are you saying when he has lost it, that it is political discrimination?

**Mr. M. Ramsaran:** That is a very intelligent question. This happens all over Trinidad and Tobago. I saw it happen. There would be a job. At the time, there would be no company registered so someone would apply and get it and as soon as people see the plums of it, the insiders would go to their partners and say apply for the job and when they apply, the people there would lose it. I have seen and heard it. It is happening all over.

I do not want to go into CEPEP because every time I talked about CEPEP over the last three years, my friend from Tunapuna would ask what I have against poor people. Nothing! I always said that I believe that CEPEP workers should get everything they ask for—national insurance benefits, holidays and sick leave. I always talk about the people who manage CEPEP and today I am exonerated by the report from the Auditor General and I hope that they will go the full distance and deal with the people who create problems. The Minister of Finance said tonight that people stole from the Treasury. I want to repeat that whichever side stole the money, they must be dealt with quickly and efficiently.

When I look at crime, I sit back and think sometimes of what is taking place. I always say that the exemplars are the politicians. People may not like us, but if we continue to create mistrust among the population—people who interfere with the Treasury; people who will be charged for corruption; people who purport to be leaders in our country—what do they expect from the people who are unemployed;

people who are poor and unemployed and suffering? I always say that poverty is no excuse for crime, but why must people remain poor when they go into districts and see houses costing \$3 million and \$4 million and those persons do not have the income to build that house? What would the neighbours think and do?

Mr. Speaker, we have to clean up this country and to start with the Airports Authority. I am not sure that their employment practice is something that I can admire and respect. I cannot at this time. If you go tomorrow and do a poll amongst the employees, you will see what is happening at Piarco. I will not say much more lest people accuse me of trying to create mischief. I am not creating mischief. Maybe the people who are working there are my friends, but how were they employed. Look at it carefully and you will find the answer.

Mr. Speaker, there is no police station at Piarco. Imagine an international airport that deals with thousands of passengers daily! People may commit a crime against customs laws or parking laws and there will be no police station. They have to go to Tunapuna and elsewhere. I believe that ports in this country should be well manned. I had a police meeting in my community last night and police officers feel if they talk they would be victimized. The Piarco Police Station was mentioned; the Caroni Police Station was mentioned and the Cunupia Police Station was mentioned. We have to talk about it as Members of Parliament. The people who are supposed to man the stations are down by more than 50 per cent and there is no police station near to the airport, so they have to depend on Caroni, Cunupia and Tunapuna Police Stations, depending on where the traffic goes.

If someone just held up a passenger or jumped in a passenger's car, could you, in Cunupia, have a road block? They cannot. The fact is that of four shifts of eight officers each, there are now four. They are supposed to have six motor cars, they have one. When I heard that last night, I empathized with the police. The government of the day is not responding to the needs of police officers. For example, there are four persons on shift, two go to court on Monday morning and there are two at the police station. At night, three officers fall sick, there is one, when you live around the Piarco Airport where you might need that kind of attention. I am complaining openly on behalf of the police officers.

Speaking privately to a couple of them after, there is the whole question of morale. It is not there. The police officers are suffering when you look at what is taking place in the police service itself. They feel discriminated against. This is not based on race, but it is discrimination amongst police officers. Their own batch may be attached to SAUTT and receive salaries twice or three times what they receive at the same rank, for working in a high profile division.

*Airports Authority (Amdt.) Bill*  
[MR. RAMSARAN]

*Wednesday, January 17, 2007*

In the search for Vindra Naipaul's body in Longdenville, the Chaguanas Police Station and the Longdenville Police Station were not told that there would be a search in their district. When they went to work the following morning, they saw a heavy police presence and wanted to know what was happening. So even in the police service there is this discrimination. Of course, the police officers talked about the so-called Scotland Yard officers who came to Trinidad and Tobago and who were earning this big sum of money and the Police Service of Trinidad and Tobago is not being serviced. There are no motor cars and no motor bikes; not even a bicycle to patrol the area. There is no security when they walk the roads. Mr. Speaker, when you talk about governing a country and you look at this simple Bill that has come to us, I do not trust it because there is responsibility for all of us.

The same issue is that here we have the Piarco Airport—by all accounts a beautiful airport with beautiful surroundings—but as soon as you leave the airport and go south, there are potholes all along the South Bank Road. I thank the Minister for paving it recently. We went to Colombia and when we came back, in driving back, the road was paved and I was very happy. Mr. Speaker, do you know what happened? Two days later WASA decided to run a line from Piarco into the other district. Miles of road were dug up and the road is back to square one. Do Government Ministers talk to each other? This is something about which I am always bothered. It was really sad.

I know how the Minister feels because I am sure he wanted to cut a ribbon to open the road, but he could not. The potholes are back there. I am saying these things because we have an international airport that services the Caribbean because people land here first and go there. We are the hub of legal and sometimes illegal activities, but I believe that we should treat the airport with some respect—maintain the surroundings.

I agree with the Member for Tobago East. If there is no toilet in the terminal, that should be put in. I recommend to the hon. Minister that we use the old airport facilities to provide for internal travel. Why can we not convert the old apron at the old Piarco Airport, which is a little distance away, and separate international flights from local flights so that we will have less pressure with traffic at the new airport and deal with internal travel at the Old Piarco Airport. This can be done—it is right there—so that a lot of confusion will end.

Even now, using my experience as a customs officer, international and local travellers can mingle and do things to outsmart customs and immigration. We have to be very careful and being at the main terminal building is something we

should look at. I am sure when we go to international airports across the world it does not happen that way. Internal travel is sometimes dealt with in a separate airport. If they use the same airport, it is a different management and different terminals.

I thought I must enter the debate this evening and my main complaint is that we should look at the board again. I believe that it is a mistake to remove the experts. When the original Act was passed, there was debate—and I went through the entire debate today—in those days apparently people spoke briefly. This should be thought out properly. If the Minister wants to have his way—I know that he is not one to surrender—and he wants to bring some experts on the board, there should be some system that would deal with the experts who operate at Piarco.

I want to tell you that certain activities have ended since this new board has been put in place—I was there at the time it happened. At the time, the forces were very active. If there were any diseases that are communicable, the Ministry of Health official would be an integral member of that board and he would make certain recommendations to deal with what the board must do to ensure that those diseases are not communicated to our citizen.

Even plant quarantine is not as simple. If a plant quarantine officer is not properly trained and he allows certain things to come to Trinidad and Tobago without proper treatment abroad, this could end our agriculture industry. The Member for Arouca North is doing a good job doing that, but a little carelessness at the airport could end it.

So, Mr. Speaker, I sincerely believe that the whole question of this board should be looked at and I was very happy when the Minister said it was not a simple Bill. It is not, and I recommend once more that we look at the previous Bill and answer my question, how long we were without a board and put one in place as quickly as possible and reconsider this option.

**The Minister of Works and Transport (Hon. Colm Imbert):** Mr. Speaker, a number of issues have been raised, but I want to deal with them in reverse order. The hon. Member for Chaguanas is aware that the Comptroller of Customs, the Chief Immigration Officer and the Commissioner of Police are all masters of their own domain. The Comptroller of Customs, as the Member well knows, does not answer to the board of the Airports Authority. He or she is master of his or her domain and is empowered by law with all of the authority to deal with customs matters at the airports and at the seaports.

As I said before, the Comptroller of Customs is not on the board of the Port Authority of Trinidad and Tobago, but he is in charge of all customs matters at the seaports of Port of Spain and Scarborough. I emphasize that you do not have to be a member of the board to deal with your expert or professional speciality. I know that the Member for Chaguanas knows that.

The other point I made earlier—

**Mr. Ramsaran:** I know that, but when something is working well, unless you have a good reason to change it, that is what I want to hear.

**Hon. C. Imbert:** The point is that the Act does not allow for an alternate or a delegate of the Comptroller of Customs. [*Interruption*] I am just making a point. You can think of a situation where the Chief Immigration Officer or the Commissioner of Police is simply not available.

I have to use the Port Authority of Trinidad and Tobago as an example. The Chief Immigration Officer is responsible for all immigration matters at our seaports. He or she does not have to be and is not a member of the board of the Port Authority of Trinidad and Tobago. The real issue at airports, in particular Piarco Airport, is security in all its forms: security in terms of physical security, national security, security as it relates to customs, security as it relates to immigration and security as it relates to health.

As I pointed out, we are not tampering with the security committee at the Airports Authority. We are leaving that intact. I would ask the Member for Chaguanas to take a good look at clause 5; not in this one. You will have to look at the responsibility of the security committee. That is important. The security committee is responsible for the maintenance of security at all airports and therefore the security committee, which is comprised of the Chief of Defence, the Commissioner of Police, the Chief Fire Officer and so on, is superior to the board of the Airports Authority when it comes to security matters. This security committee overrides anything that the board of the Airports Authority may wish to do with respect to security matters.

I just want you to understand that and that will address a number of points that have been made as to who will be responsible for security at the airport. It is going to be the security committee and the experts responsible for security, in particular national security.

I re-emphasize that you do not need to be on the board in order to bring your expertise in terms of your specialization, whether it is customs or immigration.

The board has a specific management function and in that 1979 *Hansard* extract that you read, I saw a contradiction in terms immediately you read it. You indicated that the presenter—I cannot recall who was the Minister at the time—the hon. Hugh Francis—said that the purpose of the legislation was to bring all of the relevant persons together on the board in order to manage the airport: I saw a contradiction in terms.

The purpose for the Airports Authority, as you read out, was to manage the airport, but you do not need to have the Commissioner of Police. What particular management expertise, in terms of the management of a facility such as an airport, does the Commissioner of Police have? [*Interruption*] He has management expertise in term of managing the police service, in managing his men, but what particular expertise in terms of the management of a facility such as an airport does the Chief Immigration Officer have? What training, expertise or qualifications would the Chief Immigration Officer have or have acquired along the way that would give him any specialist management knowledge with respect to the management of an airport? I dare say none. The same applies to the Comptroller of Customs and Excise. None of these people in their career path, unless they have gone off and done an MBA, like you, would have had any special training in the management of a facility such as an airport.

So, in 1979, an Airports Authority was established, bringing all the agencies together and then to manage the airport showed a view at the time of disconnect between the bringing together of all the agencies and the objective of management of the airport.

#### ADJOURNMENT

**The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley):** Mr. Speaker, I beg to move that this House be now adjourned to Friday, January 19, 2007, at 1.30 p.m.

I wish to inform Members that on that day the first matter would be, of course, the report of the Finance Committee. On that day also, the Government plans to debate Bill No. 3 on today's Order Paper as the second matter. We would do also Bill No. 4 on the Order Paper and we would want to complete this matter which is listed as Bill No. 2 on the Order Paper, in that order.

*Question put and agreed to.*

*House adjourned accordingly.*

*Adjourned at 10.23 p.m.*