

Reinstatement (Mr. B. Panday)

Friday, April 20, 2007

HOUSE OF REPRESENTATIVES

Friday, April 20, 2007

The House met at 1.30 p.m.

PRAYERS

[MR. SPEAKER *in the Chair*]

MR. BASDEO PANDAY

(HIGH COURT DETERMINATION ON REINSTATEMENT)

Mr. Speaker: Hon. Members, on Wednesday March 21, 2007, in an announcement in this House, I advised hon. Members that it was my intention to take immediate steps to apply to the High Court for leave to present a petition seeking its determination on the question of the status of the seat of Couva North, which was declared vacant on October 24, 2006 by operation of law.

It is my duty to inform hon. Members that leave has been granted by the High Court for the presentation of a petition of the Clerk of the House for a determination as to whether the seat of Couva North is vacant or in the alternative, the seat of Couva North is not vacant.

The petition of the Clerk of the House was filed in the High Court on Thursday, April 12, 2007 and all relevant parties have been served. The procedure followed was in accordance with the Constitution of the Republic of Trinidad and Tobago and in the Representation of the People Act, Chap. 2:01, which sets out in detail the procedure for the resolution of any question relating to the status of a seat in this honourable House.

In the circumstances, hon. Members, I advised Mr. Basdeo Panday that pending the determination of the High Court, the seat of Couva North remains vacant and, therefore, the Chair cannot permit him to sit among the Members of this honourable House and participate in the proceedings of this honourable House. Mr. Panday has indicated to me a clear intention to defy the authority of this House—sorry, let me repeat that: Mr. Panday has indicated to me a clear intention to defy the authority of the Chair of this House.

As the guardian of the rights and privileges of this House, I have therefore taken steps to ensure that there is no disruption of the proceedings of this House.

Petition

Friday, April 20, 2007

PETITION

**Presbyterian Church in Trinidad
(Incorporated Trustees)**

The Minister of State in the Ministry of Trade and Industry (Hon. Diane Seukeran): Mr. Speaker, I wish to present a petition on behalf of the Incorporated Trustees of the Presbyterian Church in Trinidad.

I now ask that the Clerk be permitted to read the petition.

Petition read.

Question put and agreed to, That the petition be granted.

PAPERS LAID

1. Report of the Auditor General of the Republic of Trinidad and Tobago on the financial statements of the Deposit Insurance Corporation for the year ended September 30, 2006. [*The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley)*]
2. Report of the Auditor General of the Republic of Trinidad and Tobago on the abridged financial statements of the Deposit Insurance Corporation for the year ended September 30, 2006. [*Hon. K. Valley*]

Papers 1 and 2 to be referred to the Public Accounts Committee.

3. Annual financial statements of the Rural Development Company of Trinidad and Tobago Limited for the year ended September 30, 2006. [*Hon. K. Valley*]
4. Annual audited financial statements of the Telecommunications Services of Trinidad and Tobago Limited for the financial year ended March 31, 2006. [*Hon. K. Valley*]

Papers 3 and 4 to be referred to the Public Accounts (Enterprises) Committee.

5. 19th annual report of the Integrity Commission on its activities for the year 2006. [*Hon. K. Valley*]
6. The Police Service Regulations, 2007. [*Hon. K. Valley*]
7. The eighty-second report of the Salaries Review Commission of the Republic of Trinidad and Tobago. [*Hon. K. Valley*]

JOINT SELECT COMMITTEE REPORT**Government Ministries Part I
(Presentation)**

The Minister of State in the Ministry of National Security and Minister of State in the Ministry of Trade and Industry (Hon. Fitzgerald Hinds): Mr. Speaker, I wish to present the second report of the Joint Select Committee appointed to enquire into and report on Government Ministries (Part I) Statutory Authorities and State Enterprises falling under those ministries based on an enquiry into the Ministry of Public Utilities and the Environment and its agencies.

FREEDOM HOUSE (INC'N) BILL**Special Select Committee Report
(Presentation)**

Mr. Hedwige Breaux (La Brea): Mr. Speaker, I wish to present the report of the Special Select Committee of the House of Representatives appointed to consider and report on a Private Bill for the Incorporation of Freedom House and for matters incidental thereto.

DEOXYRIBONUCLEIC ACID (DNA) BILL**Joint Select Committee Report
(Presentation)**

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, I wish to present the third interim report of the Joint Select Committee appointed to consider and report on a Bill entitled the Deoxyribonucleic Acid (DNA) Bill, 2006.

ORAL ANSWERS TO QUESTIONS

The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley): Mr. Speaker, the Government is today prepared to answer the following questions: Nos. 20, 41, 56, 61, 62, 64 and 71 and we request a deferral of two weeks on the other questions.

Mr. Singh: Mr. Speaker—

Mr. Speaker: Just one second, please.

Mr. Singh: Mr. Speaker, the hon. Leader of Government Business made no mention of questions for written answer that have been on the Order Paper for such an extended period of time.

Hon. K. Valley: Mr. Speaker, that is correct. The written reply to question No. 57 is available. We are going to work on having the others ready as soon as possible.

Mr. Singh: Mr. Speaker, I thank the hon. Member for his indulgence, but I really think that we ought to be given a time frame for the written answers. They have been here since February.

Mr. Speaker: Okay. The Member knows the Standing Orders, but let me implore the Government and Ministers of Government that when you have questions on the Order Paper languishing for more than two months and three months, it is a discourtesy to the House. So, please, try to get your answers ready, both oral and written. Have you been deputized to ask the question?

Dr. Moonilal: Yes.

The following questions stood on the Order Paper:

Brian Lara Stadium

5. (a) With regard to the Brian Lara Stadium, could the hon. Minister of Sports and Youth Affairs advise:
- (i) the status of work being conducted;
 - (ii) the expected completion date; and
 - (iii) the cost overruns to date?
- (b) Could the Minister state what would the stadium be used for in relation to Cricket World Cup 2007? [*Mr. M. Ramsaran*]

**National Chutney Foundation
(Subventions by the Government)**

33. Could the hon. Minister of Community Development, Culture and Gender Affairs indicate whether any subventions have been given by the Government to the National Chutney Foundation of Trinidad and Tobago for the propagation and development of this art forum? [*Mr. N. Baksh*]

University of Trinidad and Tobago (UTT)

36. Could the hon. Minister of Science, Technology and Tertiary Education list:
- (a) all the contracts entered into by the University of Trinidad of Tobago (UTT);

- (b) all consultants whose services are engaged by UTT and the fees paid to them;
- (c) all legal fees paid to attorneys-at-law for and on behalf of UTT; and
- (d) all foreign personnel of UTT and their respective salaries? [*Mr. G. Singh*]

Community Development Fund

(Status of)

44. With respect to the Community Development Fund (CDF), could the hon. Minister of Community Development, Culture and Gender Affairs inform this House:
- (a) what is the present status of the fund; and
 - (b) the number of recipients and quantum of money disbursed and the purpose of the allocations for fiscal 2005/2006? [*Mr. M. Ramsaran*]

Community Development Bursary Programme

(Details of)

45. With respect to the Community Development Bursary Programme, could the hon. Minister of Community Development, Culture and Gender Affairs indicate to this House:
- (a) the number of recipients of bursaries under the programme; and
 - (b) the quantum of moneys disbursed for fiscal 2005/2006 and for what given purpose? [*Mr. M. Ramsaran*]

Turner Construction

(Services to Scarborough Regional Hospital)

53. Could the hon. Minister of Health state:
- (a) the method by which Turner Construction was contracted to provide services at the Scarborough Regional Hospital;
 - (b) the value of the contract awarded to Turner Construction; and
 - (c) the services which Turner Construction was contracted to provide? [*Dr. H. Rafeeq*]

**SWMCOL/CEPEP Investment Club
(Money Market Account)**

- 58.** Could the hon. Minister of Public Utilities and the Environment state:
- (a) the purpose of the fund established in the form of a money market account in the name of SWMCOL/CEPEP Investment Club;
 - (b) the signatories to that account;
 - (c) the current balance of that account;
 - (d) the average monthly balance of that account since its establishment; and
 - (e) the total amounts contributed annually by SWMCOL to the SWMCOL/CEPEP Investment Club? [*Mrs. K. Persad-Bissessar*]

**Post of Solicitor General
(Appointment to Position)**

- 59.** Could the hon. Attorney General please state:
- (a) where and on what dates applications were invited for the vacant position of Solicitor General since the retirement of the last substantive holder of that office;
 - (b) whether any person/persons is/are performing, either individually or collaboratively, the duties of the Solicitor General;
 - (c) if the answer to (b) is yes, could the Minister state:
 - i. the names, substantive positions of any such person/persons and the dates on which he/they commenced such extra duties;
 - ii. whether such persons are in receipt of additional remuneration or benefits for performing these extra duties and the amount of such compensation; and
 - iii. the number of legal matters, contracts for state organizations and other documents that these persons have (a) advised on, (b) vetted, and (c) approved since assuming these extra duties? [*Mrs. K. Persad-Bissessar*]

SWMCOL
(Contracts from 2006 to date)

60. Could the hon. Minister of Public Utilities and the Environment provide:
- (a) the names of any consultancy firms employed by SWMCOL during the period 2006 to date; and
 - (b) the duration of the contracts and the contract amounts? [*Mr. S. Panday*]

Mr. Herbert Atwell
(Terms and Conditions of Employment)

63. Could the hon. Prime Minister advise:
- (a) what are the terms, conditions of employment and functions of Special Advisor Mr. Herbert Atwell; and
 - (b) his monthly salary, wages and perks? [*Mr. S. Panday*]

Estate Management Business Development Company
(Distribution of Lands)

65. Could the hon. Minister of Finance indicate:
- (a) the different areas where state lands will be distributed by the Estate Management Business Development Company for housing and agricultural purposes;
 - (b) the number of plots in each case; and
 - (c) the price at which lands will be sold to former Caroni VSEP workers and other citizens? [*Mr. N. Baksh*]

Trinidad and Tobago Nationals
(Details of)

66. Could the hon. Minister of National Security inform the House of the number of Trinidad and Tobago nationals who left the country over the period February 15, 2007 to February 21, 2007? [*Mr. M. Ramsaran*]

Allocation of Funds
(Details of)

70. Could the hon. Minister of Community Development, Culture and Gender Affairs state the allocations made to TUCO, Soca Monarch and Calypso Tents for the period 2005–2007? [*Mr. G. Singh*]

**Chief Justice Legal Proceedings
(Cost of)**

72. Could the hon. Attorney General provide the total cost to date in respect of all legal proceedings involving the Chief Justice? [*Mr. S. Panday*]

Details of Valeo

74. Could the hon. Minister of Trade and Industry indicate:
- (a) whether the company Valeo has developed and sold any health industry related hardware and software;
 - (b) if the answer to (a) is in the affirmative, could the Minister indicate the price and purchaser? [*Mr. G. Singh*]

**Ministry of Health Officials
(Details of Visit to England)**

78. Could the hon. Minister of Health inform this House:
- (a) what was the cost of the visit by himself and officials from the Ministry of Health to England to recruit health professionals to work in Trinidad and Tobago; and
 - (b) the names and job titles of all health professionals, if any, who have been recruited as a result of the above visit? [*Dr. H. Rafeeq*]

Questions, by leave, deferred.

**Aluminium Smelters
(Emissions from and Water Required)**

20. **Dr. Roodal Moonilal** (*Oropouche*) on behalf of Dr. Adesh Nanan (*Tabaquite*) asked the hon. Minister of Public Utilities and the Environment:

Could the Minister state:

- (a) what is the annual estimated total level of gaseous emissions from the proposed three aluminium smelters; and
- (b) the annual total volume of water required for the operation of the said smelters?

The Minister of Public Utilities and the Environment (Hon. Penelope Beckles): Mr. Speaker, the Environmental Management Authority has thus far, only two applications under consideration for the construction of aluminium

smelter plants in Trinidad and Tobago; these are the Alutrint plant at La Brea and the Alcoa plant at Chatham.

Based on information provided in the EIA report for the Alutrint plant, it was determined that the annual estimated total level of gaseous emissions expected from the proposed plant is 69,871 kg per annum and comprise the following:

BaP (Benzo a Pyrene)	0.845 kg/yr
PAH (Polycyclic Aromatic Hydrocarbons)	1,800 kg/yr
PM ₁₀ (Particulate Matter, 10 micro metres in size)	0.0025 kg/yr
SO ₂ (Sulphur Dioxide)	0 kg/yr
CO (Carbon Monoxide)	4,970 kg/yr
NO _x (Oxides of Nitrogen)	1,100 kg/yr
HF (Hydrogen Fluoride)	62,000 kg/yr
Total	69,870.84 kg/yr

Hydrogen fluoride will continue at an estimated 88 per cent of the emissions from the Alutrint plant per annum. However, the estimated level of hydrogen fluoride emissions from the proposed Alutrint plant compares favourably with the hydrogen fluoride emissions from two smelter plants in Australia, and the emission standards in the United States of America, as well as the OSPAR European standard as agreed to by the Convention for the Protection of the Marine Environment of the North East Atlantic Area. These figures are presented as follows:

Smelter	Plant Capacity tonnes/yr	Hydrogen Fluoride kg/yr
Alutrint, Trinidad	125,000	62,000
Hydro Aluminium, Australia	150,000	87,000
Tomago, Australia	440,000	220,000
United States Environment Protection Agency Standard	125,000	76,250
OSPAR European Standard	125,000	62,500

The level of emissions from an aluminium smelter in itself does not predict how the emissions will affect air quality. Three critical sets of information are necessary to assess impact. These are:

the rate of release of the emissions into the atmosphere;

computer generated information from an air quality model which predicts how releases of emissions will affect the levels of pollutants in the air surrounding the smelter plant, and

the determined air pollution standard that is acceptable for the protection of humans and vegetation. The proposed standard for hydrogen fluoride is one microgram per cubic metre.

With respect to the water required for the operation of the Alutrint plant, the EIA report indicated that the annual total volume of water required for the operation of the plant is 892,060m³.

In light of the recent recommendation that plans for the development of an industrial estate at Chatham were being reconsidered, the answer to the question with respect to the Alcoa plant is not relevant.

There is no application before the EMA for a third aluminium smelter. [*Desk thumping*]

Transportation of Prisoners (Details of)

41. Dr. Roodal Moonilal (*Oropouche*) on behalf of Mr. Subhas Panday (*Princes Town*) asked the hon. Minister of National Security to indicate:

- (a) how many prisoners were due to be transported to Magistrates' Courts throughout Trinidad on December 22, 2006;
- (b) whether any prisoners were transported to any Magistrates' Courts on that day; and
- (c) how many prisoners should have been brought to court to determine their requests for bail.

The Minister of State in the Ministry of National Security and Minister of State in the Ministry of Trade and Industry (Hon. Fitzgerald Hinds): Mr. Speaker, thank you very much. On December 22, 2006, 200 prisoners were due to be transported to Magistrates' Courts throughout Trinidad and Tobago.

Thirty-two prisoners were transported to the Magistrates' Courts on that particular day.

There were no prisoners among the 200 scheduled to appear in court whose request for bail was due to be determined on that day.

**University of Trinidad and Tobago
(Submission of Audited Accounts)**

56. Dr. Roodal Moonilal (*Oropouche*) on behalf of Mrs. Kamala Persad-Bissessar (*Siparia*) asked the hon. Minister of Science, Technology and Tertiary Education:

Could the Minister state:

- (a) whether the University of Trinidad and Tobago has submitted to him or his Ministry any audited accounts since its inception; and
- (b) if the answer to (a) is yes, could he provide same to this honourable House?

The Minister of Science, Technology and Tertiary Education (Sen. The Hon. Mustapha Abdul-Hamid): Mr. Speaker, thank you very much. On December 18, 2006, the firm of Ernst & Young Chartered Accountants was engaged by the University of Trinidad and Tobago to audit the accounts and financial statements of the university for the first two accounting periods: The first period from the date of incorporation, September 14, 2004 to September 30, 2005; the second period from October 01, 2005 to September 30, 2006.

It is anticipated that the audited accounts would be submitted to the Ministry of Science Technology and Tertiary Education by September 2007.

Thank you very much.

Mechanisms for Stabilizing Food Prices

61. Dr. Roodal Moonilal (*Oropouche*) on behalf of Mr. Subhas Panday (*Princes Town*) asked the hon. Minister of Agriculture, Land and Marine Resources:

Could the Minister state:

- (a) whether any mechanisms are in place to stabilize and maintain food prices; and
- (b) if the answer to (a) is in the affirmative, could the Minister state what are those mechanisms?

The Minister of Agriculture, Land and Marine Resources (Hon. Jarrette Narine): Mr. Speaker, thank you very much. The Ministry of Agriculture, Land and Marine Resources views the nation's high food import bill and high import content with great concern. It is the view of the ministry that the inflationary trend in the price of food is largely due to imported inflation.

The ministry has sought to address the issue of high food prices, primarily by fostering increased food production in the agricultural sector. The rationale for this approach is based on basic laws of supply and demand, which maintain that an increase in agricultural production will translate into a reduction in food prices.

In keeping with this belief, the ministry has sought to increase Trinidad and Tobago's production of agricultural produce by targeting several key areas:

1. Increasing the acreage of land under agricultural production.
2. Increasing the number of persons involved in food production.
3. Increasing support for persons engaged in food production.
4. Facilitating new Agri-Business Development.
5. Financing for agriculture, research and development and the development of the fisheries sector.

Additionally, the Government of the Republic of Trinidad and Tobago has established a ministerial task force on prices, of which the Minister of Agriculture, Land and Marine Resources is a member. The task force is also comprised of the Ministers of Trade and Industry, Works and Transport, Legal Affairs and Ministers in the Ministry of Finance, and is supported by senior officials of the National Flour Mills and NAMDEVCO, as well as private sector executives.

One major output from the work of the task force has been the identification of cheaper alternative sources for the importation of foodstuff into this country. In that regard, an inspection mission will be visiting Guyana in April 2007 to evaluate the poultry processing facilities with a view to importing that commodity into Trinidad and Tobago. Following the Guyana visit, a similar mission will be mounted to visit Colombia to assess processing plants there.

Increasing the acreage of land under agricultural production and the creation and refurbishment of agricultural access roads: In order to boost the nation's agricultural production, the Ministry of Agriculture, Land and Marine Resources has engaged in an intensive agricultural access roads development and refurbishment

campaign. In order to adequately address the agricultural access roads development needs, the ministry's capacity to engage in such works had to be significantly increased over the past five years. The Ministry of Agriculture, Land and Marine Resources has grown from an organization that could barely implement \$2 million worth of agricultural access roads development in 2002 to one that carried out over \$85 million worth of works on access roads in the last financial year under its Land and Water Development Division. [*Desk thumping*]

The development and refurbishment of the nation's agricultural access roads contributes significantly to agricultural production in two ways:

1. New and refurbished agricultural access roads make existing and virgin agricultural lands more accessible to farmers and therefore encourage the use of these lands with a consequent increase in agricultural production.
2. Proper agricultural access roads allow farmers to more easily transport their produce from their holdings to markets.

Again, I am pleased to cite that from fiscal year 2002—2003 to the beginning of fiscal year 2006—2007, in excess of 230 kilometres of agricultural access roads was laid or refurbished by the Ministry of Agriculture, Land and Marine Resources. These developments made available approximately 33,500 acres of land for active agricultural production and serviced over 3,000 farmers and agri-entrepreneurs.

A more detailed look at access roads construction would reveal that the ministry's Land and Water Development Division alone carried out the following:

28.69 kilometres of access roads servicing over 2,260 acres and 805 farmers developed in County St. George during the period 2002 to 2005;

27.638 kilometres servicing 3,533 acres and 502 farmers were developed in Counties St. Andrew and St. David during the period 2004 to 2005;

13.521 kilometres serving 1,420 acres and 360 farmers were developed in County Caroni since 2004;

during the period 2004 to 2005 in County Victoria 3.3 kilometres were developed to service 300 acres and 40 farmers;

during the period 2004 to 2005 in County St. Patrick 9.971 kilometres were developed to service 1,165 acres and 253 farmers; and

during the period 2004 to 2005 in County Nariva/Mayaro 3.08 kilometres servicing 220 acres and 45 farmers were developed.

For fiscal 2006 the division developed and refurbished 42.7 kilometres of agricultural access roads servicing 881 farmers and 1,657.5 acres. [*Desk thumping*] An additional 2.3 kilometres of agricultural access roads were refurbished by the ministry's regional administration north and south.

Irrigation/water management: Many of the nation's farmers face perennial problems related to water management that cause them to either reduce or cease agricultural activity in times of drought or excess rainfall consistent with the country's wet and dry seasons. In light of this, the Ministry of Agriculture, Land and Marine Resources through its Land and Water Development Division, regional administrative north division and regional administrative south division, has actively engaged in the maintenance of various minor watercourses to prevent flooding as well as the development and introduction of irrigation systems to allow farmers to plant year round.

A detailed analysis of these activities reveals the following:

1. Regional administration north desilted a total of 39 kilometres of drains for the period 2005 to 2006.
2. Land and Water Development Division desilted a total of 21.5 kilometres of drainage and irrigation channels for the period fiscal 2005 to 2006. Additionally, seven new channels, comprising 4.7 kilometres of the previously mentioned 21.5 kilometres were developed by the division in Kernahan at a cost of \$268,000. Kernahan is in the Ortoire district and that is the district that provides all our watermelon needs in the country for export.
3. Regional administration north installed three pumps at Depot Road, that is in Longdenville, and refurbished three pumps in Plum Mitan.
4. The Land and Water Development Division is in the process of procuring three drainage pumps at an estimated cost of \$4.5 million and one irrigation pump at Plum Mitan.
5. 248 farm ponds and over 135 sluice gates and related infrastructure were constructed during this period 2005 to 2006.

Agricultural Leases: The ministry, through its Land Administration Division, has sought to increase the amount of land under agricultural production by ensuring that farmers have security of tenure. To this end, the regional administration north and south have carried out surveys to subdivide blocks of land for 30-year agricultural leases to be distributed by the Land Administration Division.

Additionally, all tenanted state agricultural parcels are inspected annually to ensure compliance with agricultural leases, specifically to ensure that each parcel is being actively utilized for agricultural purposes at the risk of forfeit of the lease. Again, these incentives are geared towards increasing agricultural production and so cause a reduction of the cost of locally produced food items to the consumer.

Divestment of Caroni (1975) Limited Lands: The restructuring of Caroni (1975) Limited and the divestment of Caroni (1975) Limited lands have provided the Ministry of Agriculture, Land and Marine Resources with the opportunity to boost agricultural production. The divestment has been designed to make lands available to former employees of Caroni (1975) Limited, as well as the national community, for use in sustainable agricultural activity. This divestment entails:

1. The development of 7,802 two-acre agricultural plots developed on 17 sites that constitute a total of 18,575 acres.
6,648 former Caroni (1975) Limited workers were invited to view their plots. Of these 4,324 accepted this invitation and were shown their plots; some recipients—382 at the beginning of fiscal year 2006—2007 are cultivating their holdings;
leases are being prepared; and
infrastructure works, roads and drainage, have commenced on these sites and are scheduled for completion during the period March to December 2007.
2. The development of 25 50-acre plots of citrus and other tree crops at Todds Road—a total of 1,250 acres. Successful applicants of the national community have been allocated parcels on the site. Two of these plots were allocated to the Cooperative Citrus Growers' Association of Trinidad and Tobago Limited (CCGA) and one plot to the Cocoa and Coffee Marketing Cooperative Society Limited.
3. The development of 27 50-acre plots of citrus and other tree crops at La Gloria—a total of 1,350 acres. The site is being surveyed at present.
4. The leasing of over 4,000 acres of rice lands to the Nariva rice farmers and CRATT, which increased rice production by over 100 per cent during the period 2005—2006.

For the period fiscal 2006 to 2008, the Government of Trinidad and Tobago projects an expenditure of \$588 million on the infrastructural development of Caroni (1975) Limited lands for agricultural purposes.

Oral Answers to Questions
[HON. J. NARINE]

Friday, April 20, 2007

Mr. Speaker, 100-acre commercial farms: As proposed in the 2007 budget, the Ministry of Agriculture, Land and Marine Resources is working assiduously to actualize the development of seven 100-acre commercial farms throughout Trinidad with a view to intensifying production of local produce due to the sheer size of these facilities. The proposed sites of these farms are:

1. Mon Jaloux, 300 acres;
2. Orange Grove, 100 acres;
3. Caroni, 100 acres;
4. Jerningham, 100 acres;
5. Edinburgh, 100 acres;
6. Picton, 1,000 acres; and
7. La Gloria, 980 acres.

Production activities targeted for these farms are as follows:

- Mon Jaloux, integrated farming with crops, livestock and aquaculture;
- Orange Grove, vegetable crops;
- Caroni, root crops and rice;
- Jerningham, vegetable crops;
- Edinburgh, vegetable crops;
- Picton, livestock, tree crops and root crops; and
- La Gloria, livestock.

The projected cost of the development of these farms is \$98.5 million. Again, the development of these farms is intended to boost the production of local agricultural produce which, in turn, would increase supply and lower prices of these products. [*Desk thumping*]

Increasing the number of persons involved in food production: When one considers the fact that the average age of our nation's farmers is approximately 60 years, the need to reduce the average age of the agricultural labour force is glaringly apparent. In response to this, the ministry has also focused its energies on encouraging the involvement of more young people into the agricultural sector.

Extension, Training and Information Services Division: The Extension Training and Information Services Division offers a wide range of agricultural courses at the Farmers Training Centre and its outreach centres in Point Fortin, Penal, Macoya and Sangre Grande. Courses include the production of livestock, vegetables, food crops, fruit crops and grow-box production. Other areas include agro-processing, marketing and agri-business, and the repair and maintenance of small gas engines.

The major objective of these training courses is to increase the efficiency of production of local foods through the transfer of appropriate technologies. Course participants are trained in good agricultural practices with emphasis on yield increasing-cost reducing technologies. In short, participants new to agricultural pursuits are trained to be farmers and existing farmers are trained to be better farmers.

The division's records reveal that:

294 training sessions catering to 3,175 persons were conducted in fiscal 2003;

304 such sessions catering to 3,356 persons were conducted in fiscal 2004;

281 sessions catering to 4,395 persons were conducted in fiscal 2005;

266 sessions catering to 4,082 persons were conducted in fiscal 2006; and

35 sessions catering to 569 persons were conducted in fiscal 2007 to date.

The Extension, Training and Information Services Division also provides free advisory visits to farmers to assist them to overcome any technical or production problems affecting their farms. In 2006, this division initiated its mobile classroom using a modified air conditioned 20-seater bus which is fitted with a laptop computer, projector and screen for use with PowerPoint and multimedia course presentations. Training is provided on site for community groups and includes practical sessions for courses such as seedling production, budding and grafting.

It is the belief of the Ministry of Agriculture, Land and Marine Resources that the provision of free training and technical assistance for farmers and other agri-entrepreneurs will encourage the movement of persons into the agricultural sector and, as a consequence of this, will foster an increase in agricultural production. The impact of these activities is to increase food supply and reduce food prices.

Youth Apprenticeship Programme in Agriculture (YAPA): As a direct response to the nation's ageing agricultural labour force, the Ministry of Agriculture, Land and Marine Resources in 2002 initiated the Youth Apprenticeship Programme in

agriculture (YAPA). This programme trains young persons interested in agriculture in aspects of farm management, crop cultivation and livestock production necessary to engage in commercial farming in an efficient, competitive and profitable manner. The programme contains both practical and theoretical components, carried out on actual farming facilities and classrooms respectively.

Additionally, the programme consists of two phases with promising phase 1 graduates moving on to the more intensive YAPA phase 2 course of study. From its inception, a total of 6,740 young persons have been trained under phase 1, and an additional 335 under phase 2. Since 2005, 2,571 young persons have graduated from YAPA. Additionally, the Ministry has noted that of these graduates:

793 or 30 per cent returned to work on family farms;

17 gained entry into ECIAF, UWI and UTT; and

364 started their own farms.

These figures attest to the success of the programme and, presently, indications are that the programme will continue in this vein. More importantly, this success represents the entry of a significant number of new, young, interested and trained persons into the agricultural sector which translates into increased agricultural output.

I wish to add that the Ministry of Agriculture, Land and Marine Resources has a mandate to implement phase III of YAPA, which involves the allocation of lands to graduates of phase II. I have no doubt that this move will not only help bridge the gap between an ageing farming population and young people, but will also have a positive impact on the gross domestic product of the agricultural sector.

It must also be noted that training provided by the Ministry of Agriculture, Land and Marine Resources, besides encouraging persons to enter the sector, also boosts food production by encouraging more efficient and productive agricultural practices.

I now turn to increasing support for persons engaged in food production; the Agricultural Incentives Programme: The Ministry of Agriculture, Land and Marine Resources continues to offer agricultural incentives to persons involved or wishing to become involved in agri-entrepreneurial activities. The purpose of the various incentive packages offered by the Ministry is to make engaging in productive and profitable agricultural activity easier and, therefore, attractive to

potential agri-entrepreneurs. Information on these packages is readily available at any of the ministry's county agricultural offices and is also on the ministry's website, www.agriculture.gov.tt.

Examples of some of the packages under the ministry's Agricultural Incentives Programme are as follows:

Vehicles:

- new wheel tractors, 15 per cent of the purchase price up to \$25,000;
- imported used/refurbished wheel tractors, 15 per cent of the purchase price up to \$15,000;

Land preparation:

- tillage operations, 25 per cent of the cost up to \$200 per hectare and two hectares per year in addition to that.

Machinery and equipment:

- trailers, 50 per cent of the purchase price up to \$3,000;
- machinery/equipment, 50 per cent of the purchase price up to \$25,000.

Provision of seedlings and germ plasm: Both the Research Division and the Agricultural Services Division of the Ministry of Agriculture, Land and Marine Resources provide seedlings and germ plasm for farmers. The Research Division actively researches ways to produce hardier, higher yielding, disease and pest resistant plants so as to encourage increased production. Farmers continue to receive free of charge, technical support services in pest and disease diagnosis, analytical services, that is, plant and feed analysis, soil testing and technical advice.

The Agricultural Services Division (ASD) provides planting material throughout the year to ensure that farmers can plant when they so desire. The ASD aims to encourage commercial entrepreneurial interest as well as food security. In order to achieve this, the division encourages economically sustainable production of orchard crop plants within the regulated systems, produces high-quality, high-yield planting material and facilitates certification of planting material, including budwood and seed material.

In carrying out this mandate for fiscal 2006, the ASD produced for distribution a total of:

- 35,839 plants at its St. Augustine nurseries and that includes citrus, mangoes, avocados, minor fruits, herbs and spices, ornamentals;

Oral Answers to Questions
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631,419 plants at its La Reunion Plant Propagation Station and that is cocoa and breadfruit; and

10,215 kilogrammes of seeds at its Chaguaramas Development Centre Station like corn, pigeon peas, hot pepper, bodi, melongene, pumpkin, sorrel, okra, cucumber.

These planting materials are made available to the public at prices well below those on the open market.

Artificial insemination and stud services: Another initiative of the Ministry of Agriculture, Land and Marine Resources in support of the nation's farmers and geared to increase food production is that of artificial insemination and stud services. For fiscal 2006, the following activities in this regard were carried out by the ministry's Animal Production and Health Division:

cattle, 5,473 inseminations;

water buffalo, 52 inseminations;

sheep, 75 inseminations;

goats, 325 inseminations; and

pigs, 423 inseminations.

The artificial insemination service has been decentralized to provide a quicker response to farmers' requests and rams and bucks have been provided to breeding units. The artificial insemination service is carried out 365 days a year.

The Animal Production and Health Division continues to carry out its programmes for the eradication of rabies, tuberculosis, brucellosis and Johnes disease to ensure that the country's livestock production capacity is not reduced. Furthermore, the division continues to provide veterinary services and advice to the nation's livestock producers to ensure livestock production remain at optimal levels.

Mr. Speaker: How long are you going to be?

Hon. J. Narine: I cannot say. It may be 10 minutes.

Mr. Speaker: May I suggest that you circulate the rest of your answer as provided for. If you are going to be 10 minutes, perhaps—

Hon. J. Narine: I cannot say.

Mr. Speaker: It is in May's, and there is authority if you are going on too long. Ten minutes is too long. So, I am directing you to circulate the rest of your answer. [*Interruption*] Order!

Vide end of sitting for written part of the answer.

Mr. Speaker: Hon. Members, questions Nos. 62, 64 and 71 must be answered in accordance with Standing Order 19(7) which says:

“Questions which have not received an oral answer by 2.15 o'clock in the afternoon shall be answered in writing by the Minister to whom the question was addressed, and copies of the answer shall be sent immediately after that hour to the Clerk of the House, who shall send a copy to the Member in whose name the question stood upon the Order Paper...”

So, I am imploring Ministers with responsibility for question Nos. 62, 64 and 71 to send their answers immediately to the Clerk of the House.

EXPIRATION OF QUESTION TIME

The following questions stood on the Order Paper:

Special Reserve Police Officers (Status of)

- 62.** Could the hon. Minister of National Security state:
- (a) what is the status of the Special Reserve Police Officers of “SRP1000”;
 - (b) what are the salaries of the various categories of Special Reserve Officers of “SRP 1000”;
 - (c) whether any Special Reserve Officers of “SRP 1000” have been recruited into the regular police service; and
 - (d) if the answer to (c) is in the affirmative, could the Minister provide the criteria used for such appointment? [*Mr. S. Panday*]

Vide end of sitting for written answer.

Caroni (1975) Limited (Land Distribution Programme)

- 64.** Could the hon. Minister of Finance indicate:
- (a) whether persons/organizations other than former Caroni (1975) Limited VSEP Employees have benefited from the land distribution programme of Caroni Lands;

- (b) the amount of land distributed, the location of the land and the use in each case; and
- (c) the price of each plot? [*Mr. N. Baksh*]

Vide end of sitting for written answer.

**Capital Offence Case
(Status of)**

71. Could the hon. Attorney General indicate the status of each capital offence case which is on appeal before the courts for the period 2005 to present? [*Mr. S. Panday*]

Vide end of sitting for written answer.

WRITTEN ANSWER TO QUESTION

**CEPEP Companies
(Moneys Paid)**

57. **Mrs. Kamla Persad-Bissessar** (*Siparia*) asked the hon. Minister of Public Utilities and the Environment:

Could the Minister state the amount of monies paid to each company awarded an Environmental Protection and Enhancement Programme (CEPEP) contract for the period 2005 to 2006?

Vide end of sitting for written answer.

**DEFINITE URGENT MATTERS
(LEAVE)**

Mr. Speaker: I have received two Motions by the hon. Member for Princes Town and he is not here to present them. Proceed.

STATEMENTS BY MINISTER

Health Sector Initiatives

The Prime Minister and Minister of Finance (Hon. Patrick Manning): Mr. Speaker, I am authorized by Cabinet to make two statements to this honourable House today. The first relates to the health sector.

The health sector is an area of top priority for this administration. The Government, through the Ministry of Health, has been successfully implementing a number of projects at both the national and community levels to provide our citizens with the ability to live longer, healthier and more productive lives.

Additional projects for quality services are on the way. However, several reviews have suggested that we need to boost management and leadership in the health sector which must also become more people focused and service friendly.

One of our very important strategies towards this objective is the Trinidad and Tobago Health Sciences Initiative (TTHSI). This will improve access to training opportunities in the full range of positions for a modern health sector from allied personnel to nurses, middle management and executive leadership. The initiative will also introduce advanced services in areas which affect a significant proportion of our population, as well as modernize the infrastructure and management of the health sector. Its purpose is to be the blueprint for furthering medicine and health sciences in Trinidad and Tobago and the Caribbean, and providing to the people the highest standard of quality health care available to us.

As part of the mandate of the health sector initiative, the Ministry of Health and Ministry of Science, Technology and Tertiary Education have been working closely with the University of Trinidad and Tobago in a collaborative effort with Johns Hopkins Medicine International, one of the most renowned health related institutions in the world. This is the umbrella entity that incorporates the Johns Hopkins Hospital as well as the Johns Hopkins University with its school of medicine, Romberg School of Public Health and School of Nursing.

The objective of our collaboration is to provide the country with access to the abundant expertise available in this internationally respected institution.

The University of Trinidad and Tobago was authorized by Cabinet to enter into a six-year collaboration agreement with Johns Hopkins to build institutional capacity and technical expertise for a more advanced and responsive health sector. Representatives from TTHSI and Johns Hopkins have held discussions over the past year making assessment and doing review exercises with personnel from the Ministry of Health, the Regional Health Authorities, the University of the West Indies and other local training providers, private physicians, interest groups and non-governmental organizations.

Mr. Speaker, we now have a three-pronged approach whereby expertise in medicine, public health, public policy and management are available to advise, train and manage the range of services required in the following three areas:

1. academic, training and research;
2. clinical services provisions; and
3. management systems and infrastructure development.

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I will deal first with academic training and research. We are now working towards the introduction of a master's degree in health administration (MHA) at the University of Trinidad and Tobago in September of 2007. This programme will focus on leadership, management and health systems.

Initially, it will be delivered on a part-time basis to cater for administrators, managers and other leadership personnel already employed in the sector, but who lack formal and specific training in managing health sector issues. However, the programme will eventually be delivered fulltime to provide for citizens wishing to develop a career in the health services.

The University of Trinidad and Tobago is also reviewing the development of a bridging programme to accommodate those who do not now hold a first degree, so that these individuals could also meet the matriculation requirements of the masters in health administration.

The masters programme would be supported by technical and management short courses for middle management personnel and leadership training for senior executives. In fact, some of these courses have already started in personnel management development, quality of care, communications, disaster preparedness and health planning.

A nursing education and training programme is also being designed to create a workforce for better patient care, and here the concentration is on the leadership and management competencies. It is envisaged that other local institutions involved in the training of nurses will form part of the collaboration to expose candidates to appropriate systems, policies and approaches for a higher standard of day-to-day care for patients.

We are also seeking to provide training for the various allied health personnel who support clinical services at the secondary and tertiary levels throughout the country.

Mr. Speaker, a herbal research institute is on the way. Personnel from the TTHSI have been working closely with local academics and practitioners in developing proposals for establishing this facility which will develop knowledge of the indigenous medicine plants of Trinidad and Tobago to produce viable alternatives for disease management and therapeutic purposes.

The mission of the facility is to become the regional leader in applying rigorous scientific analysis to the development of herbal remedies. Its work will

include identification of herbs with medicinal or therapeutic potential; standardization of based products for input into such medicines and therapies; and the study of clinical benefits, safety and cost-effectiveness in this subsector.

We are also pursuing the establishment of a clinical research institute for the conduct of clinical studies in Trinidad and Tobago and the Caribbean. The major activities of this institute include: education of physicians and scientists and training of co-staff in clinical research; development of governance protocols for the acceptance of research activities; identification of international funding sources for the conduct of clinical research; and identification of opportunities in collaboration with the pharmaceutical sector for clinical research activities.

Other projects being developed under this academic research component of the TTHSI include an optometry programme for eye care, an HIV/AIDS training programme and a graduate medical training programme. As you can see, in the area of academic training and research, there will be significant progress in the health sector of Trinidad and Tobago.

Mr. Singh: Re the Gafoor Report.

Hon. P. Manning: It is the same for the specialty and clinical programmes of the TTHSI. The following are some of the plans in this area. The Ministry of Health has been upgrading the cauterization labs at the Eric Williams Medical Sciences Complex to make its services available to public sector patients. To support this programme, Johns Hopkins have submitted a proposal which provides for educational, training and technical assistance in all matters pertaining to ailment of the heart and blood vessels. These are cardiovascular services with inter-disciplinary collaborations in radiology for diagnosis and healing, vascular surgery and cardiac surgery.

This four-year plan will also develop a national cardiovascular network with the Eric Williams Medical Sciences Complex being the tertiary cardiac centre.

The Ministry of Health is reviewing these proposals to improve our country's abilities in these areas and a decision will be made shortly.

2.30 p.m.

Trinidad and Tobago ranks among countries in the western hemisphere with the highest incidence of diabetes. As part of the collaboration the Health Sector Initiative is analyzing a five-year proposal on the provision of diabetes services.

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This has been developed following discussions with the local physician community and special interest groups. The initial programme will focus on public education campaigns and the acquisition of transport units with trained staff to facilitate community level testing, treatment and data collection on the incidence of the disease, as well as providing training services. Medium to long-term plans envisage the development of a national centre to provide central support for diabetes intervention. We also intend to provide advanced medical care for digestive related disorders.

A son of the soil, now a prominent gastroenterologist at Johns Hopkins has been working closely with local specialists to develop a programme to take us towards the goal. While the final model has not yet been finalized, the proposed facility could engage in both clinical and research activity placing it beyond those normally associated with gastrointestinal clinics to include inflammatory bowel disease, intestinal disorders, liver disease, and general gastroenterology dealing with problems of the stomach and intestines.

Mr. Singh: Did you wash your hands?

Mr. Valley: In your case, did you wash your mouth?

Mr. Singh: We need water to do that.

Hon. P. Manning: Another important area of focus is the early detection, medical treatment, and rehabilitation of children with hearing impairments. We shall now therefore engage in a multidisciplinary effort for paediatric hearing and speech rehabilitation. The primary goal here is to promote language development to ensure that these children acquire the skills to fulfil their potential as successful members of society. The programme will incorporate all aspects of health science including the delivery of medical treatment and the training of physicians, audiologists and rehabilitation specialists.

Additionally, Mr. Speaker, various ministries will fund the provision of hearing devices, develop early detection programmes and provide financial support for child welfare concerns. The continued development of Trinidad and Tobago has resulted in a changing demographic profile of its population. An increasing proportion of our citizens are now living longer than before, and services must therefore be provided to ensure that the elderly are able to maintain a decent quality of life. The Trinidad and Tobago Health Sector Initiative (TTHSI) has been requested to identify components of a geriatric services programme that can be considered for further development.

Mr. Speaker, I have so far outlined extensive proposals for the improvement of the health sector but these by themselves will not create the level of change that is required. We need the enabling systems that will allow for a well-trained and qualified cadre of personnel to function effectively and efficiently within a supportive work environment. As such, the final component of the Trinidad and Tobago Health Sector Initiative deals with the management systems and infrastructure. These must now be established to effect the systemic changes so that we can maximize the investment being made in the human resources working in the sector. We shall therefore further improve the infrastructure and bring our public hospitals under modern and more efficient management.

Dr. Moonilal: What a pity the Minister of Health did not read it.

Hon. P. Manning: I wish to highlight the following: A review of existing and proposed management systems at the San Fernando General Hospital will begin this year. Implementation of preferred options will take place on a phased basis; there will then be assessments of the effectiveness of the changes after which we shall apply proven systems to other public hospitals at Sangre Grande, Port of Spain, and Scarborough.

The Eric Williams Medical Sciences Complex will be transformed into a facility of excellence for tertiary medical care utilizing all up-to-date systems, equipment and procedures. This institution will also continue to provide an important avenue for teaching and training. Most importantly, we shall now build two new centres of excellence in health care in Trinidad and Tobago; one is a new complex to replace the Port of Spain General Hospital; this will integrate the best of the existing institutions into a new state-of-the-art facility with all the modern advances in the provision of health care. It will also serve as a centre for teaching and training. It will be a new teaching hospital, Mr. Speaker.

Dr. Moonilal: Minister of Health, do you know about that?

Hon. P. Manning: The other centre of excellence to be built is a completely modern, technologically advanced hospital for Central Trinidad. [*Desk thumping*] This is increasingly needed and will serve the expanding, residential, commercial and industrial needs in this part of the country; two brand new ultra-modern facilities which will be pivotal additions to the expanding health infrastructure of the nation. They will improve access for the population to the most modern health care efficiently delivered in a revitalized and properly managed health sector. They will be built to accommodate flexibility in use as well as the ever changing technologies in health care.

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As part of the Trinidad and Tobago Health Sector Initiative, a contract is to be signed with Johns Hopkins for the development of a master plan to inform the nature of services to be provided at the two new institutions. Mr. Speaker, having outlined these various components, I am sure that hon. Members are all impressed with the fact that the Trinidad and Tobago Health Sector Initiative is a comprehensive plan for the full improvement of the health sector in this country. [*Desk thumping*]

Mr. Singh: No way.

Hon. P. Manning: Let me assure this honourable House that the Government has earmarked the resources for the timely implementation of this most important project. An interministerial committee has been established to provide programme oversight and an executive committee will provide strategic guidance on specific matters supported by an operations advisory group. A coordinating secretariat has also been established within the University of Trinidad and Tobago.

We are confident that we shall now make a giant step forward in health. This is a most important aspect of our vision to transform Trinidad and Tobago into a developed nation. Through the measures I have just outlined, our country will have a modern and efficient health sector, one that is responsive, accessible, affordable, and caring. The Government is therefore moving full steam ahead with the implementation of the Trinidad and Tobago Health Sector Initiative.

Thank you very much, Mr. Speaker.

Offshore Patrol Vessels (Acquisition of)

The Prime Minister and Minister of Finance (Hon. Patrick Manning): Mr. Speaker, the other statement that I am authorized by the Cabinet to make today has to do with the acquisition of offshore patrol vessels.

Mr. Speaker, I wish to apprise this honourable House of the recent acquisition of three offshore patrol vessels (OPV) and associated arrangements for the Trinidad and Tobago Coast Guard.

On April 05, 2007, the Government of the Republic of Trinidad and Tobago executed six documents: first there is a head contract which was executed between the Government of the Republic of Trinidad and Tobago, the Government of the United Kingdom of Great Britain and Northern Ireland and Vosper Thornycroft

(VT) Shipbuilding International. This head contract draws together three other contracts associated with the design, construction and supply of the three offshore patrol vessels for use by the Trinidad and Tobago Coast Guard.

Secondly, there was the execution of three sub-contracts; one is a Government contract which was executed between the Secretary of State for Defence with the Government of the United Kingdom of Great Britain and Northern Ireland and the Government of the Republic of Trinidad and Tobago. Under that contract, the Government of the UK would provide the Government of Trinidad and Tobago with independent professional advice and the progress and performance of the offshore patrol vessel project, as well as on the design and construction of the three OPVs and would offer advice on the vessel acceptance process.

Mr. Speaker, the cost of this contract is \$50 million and it is being implemented on a cost recovery basis only.

Mr. Singh: Is it US or Trinidad and Tobago dollars?

Hon. P. Manning: It is TT \$50 million, we are in Trinidad and Tobago. The second is a shipbuilding contract which was executed between the Government of Trinidad and Tobago and the shipbuilder identified by the Government of the United Kingdom to design and construct three OPVs, the shipbuilder is Vosper Thornycroft Shipbuilding International. This contract has two associated arrangements; a maintenance support programme, and a crew training programme. The price of the vessels is TT \$1,455 million, the trading price is TT \$84 million and the maintenance support price is TT \$463 million.

Mr. Speaker, the first offshore patrol vessel will be delivered in 24 months, that is March 2009; the second vessel will be delivered seven months after that, in October 2009; and the third vessel will be delivered 10 months after that and that is in August 2010. There is an interim facility contract—[*Interruption*] I will certainly be here. This contract was executed between the Government of the Republic of Trinidad and Tobago and VT Shipbuilding International for the supply of two interim vessels for the Trinidad and Tobago Coast Guard. The price of this contract is TT \$132 million. Moreover, given the urgency with which the Government of the Republic of Trinidad and Tobago required additional maritime capacity, and in view of the fact that it will take up to two years for the delivery of the first OPV, the Government agreed to acquire—while the OPVs were being constructed—two interim vessels which would be appropriately modified and armed to discharge the mandate of the Trinidad and Tobago Coast Guard. In summary, the contract value for the OPV project is therefore TT \$2,184 million.

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Mr. Speaker, the newly acquired naval assets are primarily intended to operate in extraterritorial waters and perform a multifunctional role with respect to their intended mandates. Their mission would be to provide an extended surveillance and protection capability, drug interdiction as well as anti-smuggling operations will be high on the agenda but they also will be effective in assisting in disaster relief operations within the region.

Mr. Speaker, the operational capabilities of the OPVs are adequate to their tasks. They will be able to sustain speeds of no less than 25 knots, have endurance at sea for 35 days and a range of 5,000 miles at 12 knots. They will accommodate a crew of 70 with accommodation for an additional 50. They will utilize a modern combat management system including one stabilized 30 millimetre gun, two 25 millimetre guns one on each side, and two 50 calibre machine guns; one on each side and will accommodate a high-speed interceptor and also a helicopter. This is designed to take on the drug trade primarily.

Dr. Moonilal: You have to deal with the CEPEP contractors first.

Hon. P. Manning: In addition, Mr. Speaker, each OPV will have two state of the art radar systems, one each for surface and air operations and will be compatible with the coastal radar system already in operation.

Mr. Speaker, under the maintenance support programme, each of the three vessels will be assured of operational availability for 300 days in each year. The programme will begin with vessel acceptance for the first one in March 2009 and will continue for five years after the receipt of the third OPV in August 2010. The programme will also apply to interim vessels.

Mr. Speaker, the operations and maintenance support programme as well as the comprehensive training programme would enhance and sustain the technical and administrative capability of the crew of the vessels. The training programme will begin before the delivery of the first vessel and, therefore, will be initiated in the shipyard of Vosper Thornycroft Shipbuilding International and in the training school of the United Kingdom Royal Navy. The training programme would continue up to two years after the delivery of the third OPV in August 2010.

Overall, training will be initially focused with 225 crew members and subsequently, the training would cover additional members of the Trinidad and Tobago Coast Guard who will be able to man and crew the vessels.

Mr. Speaker, additional to those four contracts, the Government of the Republic of Trinidad and Tobago executed two financial agreements in order to fund the project. First the Government of the Republic of Trinidad and Tobago

executed an export credit facility amounting to TT \$1,864 million which includes an export credit guarantee. This facility was executed with two international financial institutions BNP Paribas, London Branch, and Lloyds TSB Offshore Limited. Under this facility, the two banks would provide under an ECGD guarantee 85 per cent of the financing contract value.

Secondly, the Government of the Republic of Trinidad and Tobago executed a commercial loan facility in the amount of \$329 million. This agreement was executed between the Government of Trinidad and Tobago and the same two international financial institutions; BNP Paribas London Branch and Lloyds TSB Offshore Limited. Under this agreement two banks would provide 15 per cent of the financing of the contract value.

In summary, Mr. Speaker, the financing of the project is equivalent to TT \$2,193 million; that amount excludes the TT \$50 million relating to the Government contract, given that that amount would be financed from the Consolidated Fund. It includes, however, bank commissions, arrangement fees, the export credit guarantee premium, and the cost of forward foreign currency exchange transactions.

Mr. Speaker, the procurement of the three OPVs represents the first phase in the strategic upgrade and expansion of the response platform of the maritime forces of our country. We have already initiated the second phase which would involve the procurement of six fast-patrol vessels, six interceptors, and four armed helicopters. These naval and air assets would be integrated and deployed to provide a security blanket for Trinidad and Tobago as well as later on for our Caribbean neighbours.

Mr. Speaker, the execution of the legal documentation on April 05, 2007 followed two previous attempts to procure the offshore vessels through competitive tendering processing which commenced as far back as 2003. Those two previous processes were aborted by the Government of Trinidad and Tobago in the light of certain queries which were made with respect to the fairness and transparency of those processes.

Mr. Speaker, mindful of those considerations, and in order to ensure that the procurement process was as fair and transparent as it was impartial, the Government established a management framework with the principal aim being the procurement of the three OPVs and associated arrangements. This included a maintenance support package, crew training, the provision of an interim facility under the delivery of the OPVs, and a financing structure.

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Mr. Speaker, the principal mechanism chosen to secure the three OPVs and associated facilities was a government-to-government arrangement and in order to achieve that objective, the Government established a ministerial committee to manage and guide the process. The ministerial committee under the chairmanship of Sen. Dr. The Hon. Lenny K. Saith was supported by a technical secretariat comprising officials of the Ministry of Finance, Ministry of National Security, Ministry of the Attorney General and officers of the Trinidad and Tobago Coast Guard. The Government established early in the process an evaluation committee under the chairmanship of an independent procurement expert, a highly qualified and experienced United States captain, and the contract negotiating committee under the chairmanship of Mr. Gerry Hospedales, coordinator of the divestment secretariat, and which also included the independent procurement expert.

These committees comprised officials of the Ministry of Finance, Ministry of National Security, Ministry of the Attorney General and officers of the Trinidad and Tobago Coast Guard. Mr. Speaker, this governance and oversight structure ensured that the procurement process met the highest standards of transparency and accountability and was consistent with the Government's public policy objectives with respect to security issues.

Mr. Speaker, the procedural framework involved the following key steps: On April 13, 2006 the Government of the Republic of Trinidad and Tobago invited four governments to participate in a government-to-government arrangement for the procurement of three OPVs and associated arrangements. The four governments being the Government of the United Kingdom, the Government of Sweden, the Government of Italy and the Government of the Federal Republic of Germany, all participated in prequalification meetings during the period May 25, 2006 to June 03, 2006.

On June 14, 2006 a request for proposals was issued to three governments; the Government of the United Kingdom, the Government of Italy and the Government of Sweden. The Government of the Federal Republic of Germany was not considered given its unwillingness to establish a government-to-government arrangement with the assumption of the responsibility and obligation to undertake the assignment.

On August 30, 2006, two proposals were received from the Government of the United Kingdom and the Government of Italy. On the deadline date, the Government of Sweden declined to submit a proposal citing timing constraints and on September, 2006, the Cabinet deemed the Government of the United

Kingdom as the preferred government for the design, construction and supply of the three offshore patrol vessels and associated arrangements.

Mr. Speaker, the negotiations to give effect to the decision of the Government began in October 2006 and as I indicated earlier in my statement, they were finalized with the execution of the legal documentation on April 05, 2007.

Mr. Speaker, hon. Members and this country can now look forward to an enhanced capability of the Trinidad and Tobago Coast Guard as it discharges its mandate to meet the new and emerging trends not only in our own territorial waters, but also in those of our Caribbean neighbours.

Thank you, Mr. Speaker.

CONSTITUTION (AMDT.) BILL

Bill to amend the Constitution [*The Minister of National Security*]; read the first time.

POLICE SERVICE (AMDT.) BILL

Bill to amend the Police Service Act, 2006 [*The Minister of National Security*]; read the first time.

EQUAL OPPORTUNITY BILL

[Second Day]

Order read for resuming adjourned debate on question [March 21, 2007]:

That the Equal Opportunity Bill, be now read a second time.

Question again proposed.

Mr. Speaker: When last we met, the hon. Minister of Trade and Industry and Minister in the Ministry of Finance was on his feet and had used 13 minutes of his original time.

Hon. K. Valley: Mr. Speaker, when we took the adjournment on March 21, I was at the time rebutting some of the arguments made by the Member for St. Augustine. Specifically, the Member advanced a thesis that this Bill was the reaction of a society that had failed to honour the Charter of its Constitution. In that vein he continued arguing that the whole purpose of the legislation was to correct the fact that we failed to honour the Charter of the Constitution and he said:

“If we were in the governance process, complying with the fundamentals as enshrined in the Constitution of our country, there would be no need for an equality of opportunities legislation today.”

Equal Opportunity Bill
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He referred to the legislation as breakthrough legislation.

Mr. Speaker, the argument on our side is that the argument is a fallacious one for many reasons. Firstly, if in fact we failed to honour the Charter of the Constitution, then with what credibility or, in other words, what store have we put on the fact that this legislation would be adhered to? More than that, Mr. Speaker, as I demonstrated on the last day, the Government put institutions in place in accordance with the concept of the Constitution to protect as it were any wrong occasioned in the various public institutions. So I argue that systems are already in place to provide redress for public wrong, and in fact this legislation at best is an attempt to consolidate the different pieces of legislation.

Mr. Ramsaran: [*Inaudible*]

Hon. K. Valley: That is what I said on the last occasion; that at best the legislation simply consolidates different pieces of legislation.

Mr. Ramsaran: So you are happy with that.

Hon. K. Valley: Mr. Speaker, I am fortified in my views because of the opinions expressed by the Chamber of Commerce in a letter to the Minister of Labour, Small and Micro Enterprise Development dated April 16, 2007. I think this letter has been circulated. The letter is addressed to the Hon. Danny Montano, Minister of Labour and it is copied to me as Leader of Government Business, the Leader of the Opposition, Kamla Persad-Bissessar as well as Independent Senators.

3.00 pm.

The letter makes the point. I am quoting:

“The Chamber is however, not convinced that this Bill is the best mechanism available to Government to treat with inequality which gives rise to discrimination. The Chamber is of the view that current legislation is adequate....”

I repeat the point we have been making.

“...the Chamber is of the view that current legislation is adequate to meet any acts of discrimination which arise in relation to employment, education, provision of goods and services and the provision of accommodation. Our country has a working and vibrant Industrial Court, a functioning Ombudsman and Financial Institution, a Police Complaints Authority, a Supreme Court that regularly hears and determines constitutional matters.”

Mr. Singh: Who is the author?

Mr. K. Valley: The author is Joan Ferreira, Chief Executive Officer of the Chamber. That is the point that I have been making. And, perhaps, I should put a bit more of this letter into the record.

It says:

“The Chamber is of the view that the drafting of the Bill is imprecise, and may give rise to many instances of recourse to the Courts on matters of the interpretation.

Whilst the Bill seeks to prohibit discriminatory conduct by setting parameters for such conduct and identifying grounds, areas of operation and exceptions and establishing an enforcement Commission for dealing with such conduct, it does not go further to seek to promote equal opportunity...”

And this is important. It says:

“it does not go further to seek to promote equal opportunity by establishing any affirmative action agency or the implementation of education programmes.”

I want to make the point this afternoon that, in fact, when we in the Government consider the concept of equal opportunity, we take it as a facilitative process rather than after the fact; we like to consider the concept of equal opportunity as a rather facilitative process providing opportunities to persons so that they, in fact, can achieve to the best of their ability, removing constraints in the environment as it were. And I say that for us the concept is embedded in the policies of this Government and in a sense it truly speaks to the concept of empowerment. Because in this globalized world the quest really is to provide opportunities to all our citizens to ensure that they can compete on an equal footing with anyone in any part of the world and that is the equal opportunity that we want to provide to our citizens.

Mr. Speaker, we have to ensure that our citizens must have an equal chance to provide service to anyone in any part of the world. And that is why you would see this Government concentrating on a few things. What I am saying here is that is why you would see the Government has returned to the concept of free education, providing the underpinning for every citizen regardless of race, colour, creed or origin. As long as you have what it takes to access tertiary education, you can get it.

It is what informed Government’s position in the establishment of the University of Trinidad and Tobago. Let me give you some information about what obtains with respect to our free tertiary education, the University of Trinidad and Tobago.

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In 2004, that was when we first expressed the plan for free secondary education which is now being achieved. Members would know that is after we provided GATE. GATE is still there for anyone, increasing access to tertiary education throughout the GATE programme, the Government Assistance for Tertiary Education available to all citizens of Trinidad and Tobago, approved programmes including distance learning programmes at local and regional tertiary institutions. That is what we are doing.

The Government, through the Ministry of Science, Technology and Tertiary Education, has facilitated the development of the nation's human resource capital and by facilitating the increased access to tertiary education, it has enhanced the quality of life for all its citizens, especially for young people.

Let me just say, in the last fiscal year the Government spent some \$4.9 billion on education which included some \$266 million in direct support to persons accessing tertiary education through the GATE programme. The University of Trinidad and Tobago. When we realized that, in fact, our St. Augustine Campus was getting to capacity, this Government in order to provide opportunities for our young people so as to provide them with the wherewithal as it were to compete on an equal footing with anybody throughout the world, developed the policy position with respect to UTT. And not only that, we said for that university we are going to take you in even with four O levels and we would bring you up to that position where you can then take off for the normal tertiary education. That is where we see equal opportunity because we make the point that with respect to the after the fact situation, we have already provided for that. The Member realizes that, because in his contribution at the same time that he was arguing that this legislation is so important because we fail to honour the Charter of the Constitution, he went on to say that this may all be window dressing because just as with the charter we may not, implement this Bill, and he goes on to say that legislation would not do it, that steps must be taken to promote equality—talking about the social norms.

It has to be promoted by encouraging a new value system, by encouraging better values in the schools, by encouraging respect for each other's religion, each other's background, says he. We all agree with that and that is where it has to be. If there is a problem, because the law as I said, is already there, if, in fact, there is any shortcoming then that has to be fulfilled via public education and the only way you can change mindset is via public education.

Mr. Speaker, when I went to the Far East I was proud to say that when I got to China, when I got to India, I felt as though I was coming home because both in

China and in India—we are accustomed to interacting with persons of Chinese descent and persons of Indian descent.

I make the point that we in this part of the world—I do not know about others—I will say it again, I am no African, I am of African origin. I am a Trinidadian, Mr. Dookeran is a Trinidadian, and Mr. Ganga Singh is a Trinidadian first and foremost, and we have to understand that in this part of the world. [*Crosstalk*] Trinbagonian, let me not leave out Tobago.

Mr. Speaker, I want to put on record a little data, Racial Discrimination in employment in Trinidad and Tobago based on data from the 1960 census. This is a Social and Economic Study, volume 20, No 3. by Jack Harewood. I want to read the conclusion.

This was done—1971.

“The study of racial discrimination in employment in Trinidad and Tobago is much more complicated and problematic than some would have us believe, particularly those advocates of the ‘it is all too obvious to warrant inquiry’ approach. There are some fundamental questions which need to be considered if an understanding of race relations in business organizations or any other aspect of society is to be arrived at.

...in Trinidad and Tobago, race is not determined solely on the basis of physical characteristics but social and cultural characteristics as well. People, here, perceive of individuals as belonging to a racial group on the basis of colour, nationality or ethnicity, religion, wealth, or ‘power’. They reduce these groups into six broad racial categories—White, Off-Whites, Chinese, Mixed, Negro and Indian by using the foregoing criteria. So when people here speak of race they think in terms of a socio-cultural rather than a purely biological category.”

Mr. Speaker, the point I am making is: ‘all ah we is one’. We came here under different circumstances. This is our melting pot, this is ours. Let us think about how we are going to move from here to the next stage.

The Government has said that we want to achieve that by 2020; this country is going to be a developed country and, therefore, in its quest to achieve that, one has to do certain things. We believe that the concept of equal opportunity must be in providing opportunities especially to our young people so that they can compete with anyone in the world.

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Mr. Speaker, that is why you would note that we have expanded the number of scholarships that we offer here in Trinidad and Tobago. The last year, I think, the number of scholarships we offered after the A level results, was some 270.
[*Interruption*]

Mr. Singh: Three hundred and ten. I started the process.

Hon. K. Valley: You were in the wrong place then. This is in addition to what we have already spoken about, free tertiary education. One can now go even to the medical school in Grenada.

In terms of opportunities for our young people on an equal basis—there is no discrimination with respect to our scholarships, there is no discrimination with respect to free tertiary education, there is no discrimination with respect to one's entry into the UTT.

Miss Lucky.: Thank you very much, Minister, for giving way. I agree with you that with respect to free tertiary education and in order for citizens to get equal opportunity, in other words, for them to get the education at whatever level. I think the Government has done certainly that in terms of the various GATE programmes. But would the Minister agree that is not really where the problem lies? The competition really begins and I am talking now about the competition, for example, in the workplace. After people get their degrees at whatever levels, it is at that point where people now have to go into the working arena and where there are limited spaces and places. That is where there is this discrimination, and, therefore, the challenge must not be at the level only of providing education and making sure people get their degrees, but the question is what happens thereafter and what things are put in place. I think that is where the concern ought to be.

Hon. K. Valley: Mr. Speaker, I thought I had dealt with that. When I spoke on the last day I made the point that way back in 1962 with respect to the public sector, in accordance with the Constitution we established an independent Public Service Commission and if one were to look at the public service one will see quite nicely Trinidadian and Tobagonian, mix up, mix up. The Member, in his contribution, alluded to the fact—he said: I make the point here today that if we want to have serious trust in the equality of opportunity in Trinidad and Tobago, we must take immediate steps to ensure that our protective services reflect the total mosaic of the society of Trinidad and Tobago. And they are strumming. I do not know whether he wants to take away freedom of choice which is enshrined in the Constitution.

Mr. Speaker, one is entitled to apply to go into the protective services and if one does not apply one will not get in. One has to apply. One has to meet the qualifications to get in the protective services as with any other public sector job, so that I tell my colleague from Pointe-a-Pierre that with respect to the public service, there are institutional arrangements to ensure that the people who get into the public sector—merit based.

I am saying that is after the fact that one may seek redress. I continue to make the point that we have provided quite a number of institutions to provide for opportunities to remove constraints for our young people. The MuST programme is a case in point where if you do not have the academic training then you have—because as I said we are all born with talent. Some are born academically gifted, some are gifted with their hands, their feet, their bat, like Lara, Mr. Speaker.

Mr. Speaker, as I mention that, on behalf of all Trinidadians and Tobagonians, I thank Brian Lara for the contribution he has made to West Indian cricket and may he remain our hero, notwithstanding the Michael Holdings and the rest of them.

Dr. Rowley: All of them.

Hon. K. Valley: There are a number of people who like to feel they could sit in the pavilion and say how it is to be done. [*Crosstalk*] That is right? And that is what it is. When they fail to make it and, perhaps, I think it is jealousy, as it were, so they look at Brian Lara and only yapping and yapping and yapping and yapping.

Mr. Speaker, you have a World Cup and there are 16 teams. Only one team could win, not so. I am going off, am I not? Congratulations to the West Indies team. They made the “Big 8”, they did not make the semi-finals, they would run either 5th or 6th. Mr. Speaker, they won the World Cup before.

Mr. Speaker, I was making the point when I went off on that tangent, that we are all born with talent, we are all born equal in that sense, we are born with talent in different areas. Some are gifted academically and the Government has provided for those persons via the free tertiary education, the UTT and so forth, but some are gifted in the technical area and that is why there are programmes such as MuST to train those persons so that they too will feel a part and will have an opportunity to contribute to society and, perhaps, can even go further afield having learnt that skill and compete internationally, Mr. Speaker.

I am saying yes, even in the sporting arena we need to have the same avenue to provide opportunities for our people bearing in mind the concept that we are all

created equal having different talents.

Mr. Speaker, we have gone even further. You would know that in the manifesto on which we won the 2002 election, the Government said quite clearly that its intention was to create some 5,000 new entrepreneurs every year and that it has been putting that policy in place slowly. That is a programme that has been criticized by the Opposition, the CEPEP programme where we attempted to create small contractors in terms of whatever we do.

In housing, we encourage the creation of small contractors providing opportunities, removing constraints for people. And we backed that with Nedco, a company that is geared to assist these small people, providing opportunities for them on an equal basis. Anybody can apply to Nedco; and again, there are rules that qualify you; providing opportunities to small people so that they can grow and one day even take on the world. Of course, Mr. Speaker, you would know also that when we came in we had to restructure the Business Development Company to better service the business community to provide opportunities for small and medium-size manufacturers, putting an institution in place that would work with these companies to help them grow. The mandate of the company, very simple. To grow small businesses, to make small businesses large, to make large businesses larger, providing opportunities for these businesses to grow to get bigger to take on the outside world. That is what we have been doing.

Mr. Speaker, we have also designed a fair share policy, again catering to the small contractor. We say that contracts under \$1 million would be set aside for small firms and that is the policy—public contracts.

In housing, the Government said it knows that there is a deficit and its aim is to build some 10,000 homes every year and it will select the clients for those houses on a random basis; people from any part of Trinidad and Tobago can apply and get those homes.

In health, there is no discrimination with the CDAP programme or entry into the hospital or whatever we do in health. We believe that in our movement to 2020 we need a healthy population, a well-housed population and that is what we are doing and the same falls to our social services; old age pension and what have you. And recently with respect to the business sector, we brought in place the Fair Trade legislation to provide that level playing field that there must be fair trading, equality of opportunity for the business sector. And most importantly, when one looks at the Bill, one sees that our concept of equality is clearly shown at clause 13 of the legislation because as a fact, while as I have argued in the public sector there has always been that protection to take care of wrongs, there has also been a

problem in the private sector and clause 13 of the legislation makes it clear that if the firm employs more than three persons then there can be no discrimination in the workplace. Clause 13 says:

“Sections 8 to 10 shall not apply—

- (a) to domestic or personal services in or in relation to the home of the employer; or
- (b) in relation to a family business or private company where three persons or less are employed.”

So that clauses 8 to 10 will not apply in a firm where up to three persons are employed.

In other words clauses 8, to 10 will apply in any case where more than three persons are employed. Clause 8 talks about:

“An employer or a prospective employer shall not discriminate against a person—

- (a) in the arrangements he makes for the purpose of determining who should be offered employment;
- (b) in the terms or conditions on which employment is offered; or
- (c) by refusing or deliberately omitting to offer employment.”

Clause 9 says:

“An employer shall not discriminate against a person employed by him—

- (a) in the terms or conditions of employment that the employer affords the person;
- (b) in the way the employer affords the person access to opportunities for promotion, transfer or training or to any other benefit, facility or service associated with employment, or by refusing or deliberately omitting to afford the person access to them; or
- (c) by dismissing the person or subjecting the person to any other detriment.”

Clause 10 talks about vocational training.

“A person shall not discriminate against another person where that other person is seeking or undergoing training for any employment—

- (a) in the terms or conditions on which that other person is afforded access to any training course or any other facilities concerned with such

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training;

- (b) or by terminating that other person's training or subjecting that other person to any detriment during the course of training."

3.30 p.m.

In other words, Mr. Speaker—

Mr. Speaker: The speaking time of the hon. Member for Diego Martin Central has expired.

Motion made, That the hon. Member's speaking time be extended by 30 minutes. [*Dr. The Hon. K. Rowley*]

Question put and agreed to.

Hon. K. Valley: Thank you very much, Mr. Speaker. We are saying that when we are talking about equal opportunity, we are not only talking about the public sector. I have argued already that, as far as I am concerned, there is sufficient legislation that would take care of any wrongdoing in the public sector. In fact, where there might be a problem, might be in the private sector in that while we allow for the family firm of up to three members, if more than three persons are employed, this legislation must apply to such a firm.

The fact that citizens have been able to take the Government and even the private sector to court and seek redress when they consider that their rights have been infringed attests to the robustness of our Constitution as well as to the other laws that are already in place. This is the position that we have long maintained. Thus, in addressing the proposed equal opportunity legislation, the approach of the Government has been to examine in what regard there can be an improvement in our laws and regulations to assure citizens equal treatment in all areas of public life.

The economic strategy that is being followed by Government, led by this party, has always been premised on the presence of a vibrant private sector and even its earliest incarnation, self-governing and then independent Trinidad and Tobago has been led by administrations committed to a platform in which the domestic and foreign private sector could contribute and lead economic expansion and in the process provide employment for citizens of the country.

It is well established that the Public Service of Trinidad and Tobago observes procedures in the hiring and promotion of nationals on the basis of qualification for the position and on the basis of relevant experience. However, the history of

private sector development in this country has often reflected segmented economic participation, which did not augur well for the integrated society that most citizens aspire to achieve in Trinidad and Tobago.

Mr. Speaker, we all remember the social commotion that occurred in 1970. We all remember the Black Power Revolution and antecedents; a feeling that some people were excluded from certain sectors of employment and that is what was attempted to be corrected. At that time, the Government used moral suasion to create redress. For its part, it also demonstrated, through the state enterprise sector, which became an engine of growth, that the matter of business and commerce was not the monopoly of any group in the society and some of us who have interacted with those state enterprises are well aware that they created their own problems.

Since then we have made considerable strides and the larger scale private sector is gravitating in the direction of the standards demonstrated in the public sector where one can find anyone of any ethnicity, of any race, of any religion and even of any class in the employ of the State.

The time has come for us to put into effect measures that will encourage the observance of universalistic rules in employment in the private sector. That is why this Bill, at clause 13, will allow for the establishment of procedures to ensure that employment in the private sector is opened up to all persons on the basis of their qualifications and competence, rather than on how they look or to whom they were born. This would be the most important contribution of this Bill.

Another important contribution is in the fact that it also creates the mechanisms to provide for quick redress for all persons who are aggrieved. The fundamental principle by which we stand is that opportunities in all their forms should be opened to all. Opportunities include employment in the public and private sectors. It includes access to land, access to credit and access to other perquisites provided by the State, be it old age pension or special licence.

To the extent that they offer the individual the opportunity to make income or access resources for himself and his family in the economic and social space of Trinidad and Tobago, they should come under the purview of an agency like the Equal Opportunity Commission. This Bill, therefore, on becoming an Act, takes us to the first stage in this new thrust. In its current form, it addresses the issue of employment. As we overcome that hurdle, we will need to turn our attention to other areas where there is need to ensure that there is equal and equitable treatment of the individual. Our social scientists will need to identify where there

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reside still pockets of privilege and segmentation, such that we can use law skilfully to open the doors to any who have been marginalized by our social structures from realizing their place in the sun.

This Bill will lead us to seamlessness in public and private employment and it is to be commended for this as nearer to the day when whatever the occupation, whatever the business or commercial activity, whether in government or in the private sector, Trinidad and Tobago, in all its diversity of religion, of ethnicity, of colour and of class or gender is reflected in a way no different to the manner in which our population is distributed.

We are convinced that we can get there without ever prescribing quota as suggested by the Member opposite. However, the actual distribution of people in occupations and in the various areas of commerce and business will be the evidence of how well we are performing in creating equal opportunity and in identifying the factors that may block the attainment.

Mr. Speaker, most importantly, our task is to provide opportunities for our people so that they can take on the world; that they must have an equal opportunity with anyone in any part of the world, to win contracts in India, China, England, wherever, in this globalized environment. To us, that is the concept of equal opportunity to which we adhere.

I thank you, Mr. Speaker.

Dr. Roodal Moonilal (*Oropouche*): Thank you very much, Mr. Speaker. It is a very significant day in the life of any Parliament, in any country, at any time when the Parliament debates and seeks to approve measures that provide for equality, dignity, respect, fairness and justice.

Mr. Speaker, the matter before us, by no stretch of the imagination can be considered a simple matter or a matter that one can easily dismiss. There are very profound and deeply philosophical issues involved when one discusses the issue of equality. Equality is linked to several universal values. There is a link between equality and the problem of discrimination. There is a link between equality and poverty. There is the link between equality and justice. It is an important value that any country that wants to be in the forefront of the community of free nations, of proud and developed countries should embrace. It is linked to dignity, fairness, justice and equality of opportunity.

The Government of the PNM came to this point kicking and screaming. It has not been an easy struggle for the last six years or so to get the Government to come to the House to debate equality of opportunity.

Without delving too much into the past, it was in 2000 that the government of the UNC brought and passed legislation dealing with equality and equality of opportunity after several years of preparation. For six years, from 2001 to 2007, this Government has failed to bring legislation to deal with equality. I think that the Member for Diego Martin Central really gave a very valid explanation for the failure to come to the House and debate equality of opportunity.

I want to occupy myself with some of the issues raised by the Member for Diego Martin Central and not too much by the Member for Laventille East/Morvant who I believe piloted this measure. I cannot remember anything of great substance he said when piloting the Bill. The Member for Diego Martin Central raised several matters that require inspection. The Member had Members on this side, certainly on the front bench, puzzled by what appeared to be several positions being advanced.

On the one hand, we heard that the Member agrees and supports the legislation because it lends itself to ensuring equality of opportunity in employment, particularly in the private sector and the public service. The Member also said we have legislation already. We have a written Constitution that supports equality of opportunity and we have been doing well on this matter of equality and it may not be necessary to have this legislation, which the Member at the end says he supports.

Another contradiction I would deal with later is the matter of the private sector, where the Member read a letter purporting to be from the Trinidad and Tobago Chamber of Industry and Commerce that said in a nutshell—I have not read the letter myself; it was not addressed to me—that the Chamber, speaking through its Chief Executive Officer, already has enough legislation to deal with equality matters and it does not need this. The Member for Diego Martin Central read excerpts from that letter in this House but at the end said that they needed to address some of the problems in the private sector. But the private sector said that it does not need this legislation. He read the letter. Therein lies the contradiction with the private sector.

The Chamber of Industry and Commerce said it does not need the legislation, it has enough, but the Member for Diego Martin Central said, at the end, that one area we need to focus on was discrimination in the private sector.

Mr. Manning: Mr. Speaker, I thank the hon. Member for Oropouche for giving way. Is the Member suggesting that because the private sector says it does not need it, in fact, the private sector does not need it? Or is it that the

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arrangements in the private sector are now worthy of some study so that we can come to a conclusion as to where the truth lies?

Dr. R. Moonilal: I am not sure that the Prime Minister was in the House during the entirety of the Member's contribution, but his colleague argued that he had a letter in his possession from Joan Ferreira of the Chamber of Industry and Commerce which said it is the view of the Chamber, representative of business, of course, that we do not need this legislation. We have sufficient legislation already to deal with matters of equality. He said he agreed with that letter, but at the end identified some of the problems in the private sector and said that the legislation would help to deal with the private sector matters, so he agreed with the legislation. He agreed with the letter from the Chamber and then agreed to have the legislation in response to the private sector. I found that a bit of a paradox.

Mr. Valley: It is not a paradox. The letter dealt with what obtains in the public sector. I am saying there is one area in which attention needs to be addressed and that is in the private sector.

Dr. R. Moonilal: You mean that the private sector institution was speaking about public sector employment. That is what you are saying. Let us leave it at that—that the private sector organization was speaking about the public sector and that you are speaking about the private sector. That really helps us there.

I want to take another point in rebutting a few issues raised by the Member for Diego Martin Central. On this matter of equality, there are extremely diametrically opposed views and positions of the Government and of the United National Congress. This is probably the biggest issue that separates us—this matter of equality.

The Member for Diego Martin Central had another argument where he was saying—a representative of the Government, of course—that we have a Constitution that promotes and protects all our fundamental rights, section 4. We have already public service commissions that deal with these matters, so we do not need this legislation. In the United States, they have a constitution as well that deals with protection, but they have enormous legislation and enormous institutions that seek to protect citizens and ensure that they obtain equality of opportunity.

The point I make is that when you have a constitution that promotes rights, that is fine, but as a government you need to give expression to the Constitution. You need to put in place parliamentary laws, institutions, tribunals and courts to which ordinary citizens can go to assert their constitutional rights; what can even be a fundamental right under the United Nations Charter and what might be a

convention under another international agency. To say we have a Constitution in which section 4 promotes rights is not enough.

I had a look at some of the legislation and constitutional provisions in Zimbabwe. They also promote all these rights, but can one argue with credibility, that in Zimbabwe, China and other places they uphold human rights? Clearly not! So having the Constitution is more the ceremonial position that we adhere to certain rights, but we need to put flesh and blood on to the Constitution by providing the mechanisms, the institutions and the law.

I will use one example from our history. In the 1960s, the Government of Dr. Eric Williams saw it fit to institute the Industrial Court under what was known then as the Industrial Stabilization Act. Why did the PNM, in 1965, institute an Industrial Court? There was a constitution that promoted equality, fairness and justice, but there was a problem dealing with industrial action between 1962 and 1964 that led to the need for an Industrial Court to deal with labour matters.

The Industrial Stabilization Act, as you would know, also restricted severely the right to strike and freedom of association; not the Industrial Court alone, but that is another matter. The point I am making is that an Industrial Court is there to promote all our rights as they relate to the workplace and trade unions.

When we talk about a gun court or a drug court or a family court, we want to get the machinery to deal with the rights that surround the issues of family law, drugs and gun possession. Today, when we talk about an equal opportunity commission, we are dealing with those fundamental rights that involve issues of equality before your employer: equality to job, to promotion, to training. So we need the machinery and institutions to deal with that. We cannot just say we have the Constitution and that protects us; there is no need.

Another flaw in the Member's argument—and this Member in particular, the Member for Diego Martin Central—I do not know if he is a reader of history—what became public service commissions under the 1962 Constitution really came from colonial administration, Order in Council, what was called a Constitutional Order in Council, 1952, that created what we call the Public Service Commission and the Teaching Service Commission. That did not come at independence as a gift from the People's National Movement; that was there as a Constitutional Order in Council.

In fact, in the book written by one Kenneth Lalla, Senior Council, that deals with the Public Service Commission and so on, Mr. Lalla stated that at Malborough House, when they were discussing the Constitution, the opposition

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represented by Dr. Capildeo and others, had to force the delegation of the PNM government to adopt the public service commission model and plant it into the independence constitution. So the public service commission model came before independence. That is not a creation of our independence and a gift from any government in particular. In fact, that is in the colonial crown colony history.

I also want to say in my introduction that the United Nations has a charter that promotes our rights. We are signatories to that charter. The International Labour Organization has conventions that promote equality of opportunity. Many people will not know because you cannot depend on government information to tell you that March 21 every year is called United Nations International Day for the Elimination of Racial Discrimination. If you depend on government information to tell you that, you will not hear it.

Every year, March 21, is the United Nations International Day for the Elimination of Racial Discrimination. Every year, I ask several questions on the Order Paper on how the government is recognizing and promoting this day, but there is no answer because the Government never recognizes this day. We never promote equality of opportunity. That is their track record. Incidentally, the Leader of the Opposition, the Member for Siparia, in the last budget debate, exposed another issue dealing with equality where the ILO wrote to the Government of Trinidad and Tobago for over three years asking to bring an equal opportunity bill to give effect to an ILO Convention on the elimination of discrimination.

So while we sign conventions and say we are signatories to a convention to eliminate discrimination, the ILO has reprimanded this Government for two or three years for its failure to bring and pass legislation, a point made by the Member for Siparia in her budget contribution. As I said, their government is one that you had to bring kicking and screaming to pass this legislation and look at our history. I am still on the point of history. If you break every government into five years—some last longer, some shorter—in the early days we called it five-year development planning—and ask which government dealt with equality, you will see that it was the government between 1995 and 2001 that dealt with equality in the promotion of a minimum wage, maternity protection and to bring equality of opportunity legislation.

With great respect to other colleagues, between 1986 and 1995, unless I am mistaken, I cannot remember when a governing party had a constitutional majority with equality of opportunity legislation being passed in the Parliament. It is a critical matter. I am still focusing on that matter of the Member for Diego Martin

Central. Today, it is important to talk about equality, values and consistency in dealing with equality matters.

I want to make the point that the political leader of the United National Congress, the former Prime Minister, had as one of his major preoccupations, the issue of equality and the issue of providing an environment for all citizens to obtain fair and equal treatment before the law. Mr. Basdeo Panday, Member for Couva North, Leader of the Opposition, in October 1985—I remind the national population—when the Queen visited this country, announced, on October 29, 1985, that he would boycott all state functions in honour of Her Majesty Queen Elizabeth II to protest the British government’s refusal to impose meaningful economic sanctions against the racist white regime in South Africa. He did this in 1985, two decades ago. This yearning for equality is in the DNA of the UNC; it is in our bloodline.

In 1985, the political leader of the UNC, who today was at the gates of the Parliament being denied entry to this Chamber, the former Prime Minister, boycotted all state functions for the Queen in 1985. On the issue of equality, I am stating that the Government has no history of supporting equality, but the United National Congress and the former Prime Minister and Opposition leader has a long history of struggling and standing on principle as he deals with equality.

4.00 p.m.

Incidentally, I must place on the record, ANR Robinson, then Chairman of the THA, felt it fit to meet and greet the Queen of England.

The former Prime Minister said:

“I wish to make it absolutely clear that I mean no disrespect to the Queen. It is a matter of conscience and my integrity.”

People talk a lot about conscience and integrity today.

“I am totally against apartheid and the callous disregard of the white racist regime of South Africa for basic human rights of millions of black South Africans.”

The former Prime Minister took this symbolic, but very profound step when the PNM, then in government in 1985, invited, received, wined and dined with the Queen. It was clear that the British Government had maintained their huge investments in South Africa and to many was propping up that regime.

I want to end this quotation from Mr. Panday:

“I would feel a sense of hypocritical guilt if I were to attend these functions and pay homage to anyone who is so closely associated with the maintenance of the oppressive South African regime. I would also feel that I was being unfair and unjust to my fellow citizen Bernard Julian, upon whom we have imposed the ultimate penalty by banning him for life from representing our country, because he played cricket in South Africa. I repeat that my action must in no way be interpreted as a discourtesy to Her Majesty, but I feel that I must, in my own humble way, register my protest against apartheid and racism without ambivalence and without double standards, whenever I have the opportunity to do so.

It may be asked what I hope to achieve by this action, the answer is simple: I shall find it easier to live with myself and my conscience after the Queen has left our shores.”

The former Prime Minister, the Member for Couva North, was denied in the most oppressive, harsh and brutal way, the right to come to this Parliament today to represent the people of Couva North. He was denied at the gates of Parliament. That is one of the most atrocious acts committed to a Member of Parliament in the Commonwealth in recent memory. It is an attack on democracy and the constitutional right to representation of the 50,000 citizens of Couva North, when their Member of Parliament cannot enter the Parliament; not even as a citizen or visitor. We receive people from America every week and a citizen of Trinidad and Tobago cannot enter the Parliament of Trinidad and Tobago. It is the result of a cruel, harsh and oppressive system engineered by the Government.

How can you talk about equality when you deny the Member for Couva North the right to come and stand here and speak on behalf of the people? This is his long track record on equality. Mr. Panday stood for 40 years in the struggle for equality and is denied the right to come to the Parliament today. It is one of the darkest days in the history of Trinidad and Tobago.

The hypocrites who talk about democracy, justice and equality denied him the right to representation and sent Senior Superintendent Philbert to the gates to deny a Member entry into the hall.

This is the long track record of the Member for Couva North. I can say much more about that, but I want to move on to another issue and reconnect to the statement made by the Member for Diego Martin Central.

I want to take up a point there before I get to my contribution in full. I want to raise an issue. The Member for Diego Martin Central is saying that we have a problem with the private sector. I want to agree with him. I am not at all disputing that equality must be a principle that is upheld in the public and private sectors, across the board. You cannot stand for equality in South Africa and support inequality in Trinidad and Tobago. You cannot support ending discrimination against persons with HIV/AIDS, but promote discrimination of people of a particular ethnic group. That is hypocrisy. You cannot support a struggle for equality and justice in England and support coloured players in football in London and do not support equality in Trinidad and Tobago.

What we have in this country is selective morality, where people select which issue they stand on. You stand against discrimination on the basis of gender, but you turn a blind eye on the basis of ethnicity. You stand against discrimination on HIV/AIDS, but you forget discrimination by You cannot have selective morality when you deal with a universal value. You persons who are differently-abled cannot.

I want to ask the Member for Diego Martin Central to explain, or his colleagues can certainly explain, in the matter of protective services which he raised. He said in Trinidad and Tobago you can apply to the protective services, anybody, and they will be accepted or not. I want to tell him that there is another fundamental issue in every developed country of the world, and I know of no developed country where the protective service is not reflective of the population of that country. It is a matter of public policy that a government, a driver of public policy, must ensure that your protective services, whether it is police, army or coast guard, reflect the cosmopolitan nature of this country.

I was in England a few weeks ago. The British police have a policy; I have it here but I do not want to read the entire policy, on promoting matters of equality in the British Police Service. They have stated clearly that their recruitment policy—City of London Police Recruitment. I would read a few lines:

“The City of London police is committed to upholding fundamental human rights and eliminating all forms of behaviour that directly or indirectly discriminate against any other individual or groups of people.”

They recognize and promote the individuality of all staff, the importance of treating them according to their needs and the importance of recruiting members of the society into the police service that reflect the cosmopolitan nature of London.

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The point I am making is that you need to have a public policy position on equality.

Mr. Valley: Are you suggesting that there ought to be affirmative action, a quota system? What are you suggesting?

Dr. R. Moonilal: Let me explain. I am not suggesting affirmative action. I am suggesting a public policy position like the city of London where you recruit into your protective services, persons who make up the cultural mix of your society. That is not to say a quota for this or a quota for that.

Mr. Valley: Would you agree that first of all people must apply?

Dr. R. Moonilal: The Government also has a role to get people to apply. It is important that you said this. Do you know what they do in the British Police Service in England? People have written about this a lot. My friend from Naporima is telling me—do you know that the British police, according to their laws and regulations, go to the Mosques, Islamic centres and Hindu centres, what they call Asian, and as a policy they seek deliberately to recruit—the Asians and what they call the black Afro-British population—members into the protective services, so that they will ensure they have their diversity. They do not take the approach that you are suggesting, which is to sit back and say that it is in the *Express* and *Guardian* newspapers, everybody can apply within and the closing date is next week. When you want, as a matter of public policy to have—

Let me make the point because I do not want to be misinterpreted. My life is in the hands of every policeman in this country, regardless of ethnicity and I thank them for their work and service to this country. I thank all members of the protective services. I have good respect for them. When I organized a water march a couple of days ago—we will talk about that later—the co-operation of the Trinidad and Tobago Police Service was really first-class—Officers of any ethnicity; class or culture does not matter. I got good support. That is not my issue.

When I took up a newspaper of Thursday, February 15, 2007, they had: “Trinidad and Tobago Defence Force Recruitment” and I looked at this, on both sides—you have to put the pictures because you have to send to say if you disagree or have information on the person's character. It was an album—a pictorial. I have absolutely no problem with any citizen of this country applying, being qualified, and getting into the protective services and doing a good job. The ethnic imbalance in this is blinding. I say this with respect to every picture here. I cannot say anything bad about these people; they may have good characters.

When these people become police or defence force officers, I respect them and I support their work. You cannot tell me in a multi-cultural society like this, that this is what will happen. This is a matter of public policy.

When we held office, the Member for Diego Martin Central stood on this side of the House and raised matters concerning the intake into the coast guard of Trinidad and Tobago.

Mr. Valley: Put it correctly. The matter I raised is when the Prime Minister, at the time, attempted to interfere with the list.

Mr. Speaker: Are you giving way? I do not think he is giving way.

Dr. R. Moonilal: I am not giving way but I hear you.

I want to tell him that the basis, would you agree, he objected to Mr. Panday—his allegations against the then Prime Minister—had to do with the names and the ethnicity.

Mr. Valley: Say again.

Dr. R. Moonilal: The basis of the objection to the Prime Minister then, did it not have something to do with the names and ethnicity of the number that comprised members of the coast guard? Did it not?

Mr. Valley: Are you giving me a chance to respond?

Dr. R. Moonilal: Did it not?

Mr. Valley: Are you giving me a chance to respond?

Dr. R. Moonilal: It is either yes or no.

Mr. Valley: Both of us cannot be standing at the same time.

Dr. R. Moonilal: Well, you will answer later. It is a yes or no question. I do not know that we all need to sit or stand for a yes or no question. That matter I will leave because I think I have made my point very clear because I have absolutely nothing against any one of these individuals here—good men and women. In a developed country—I know quite a few; they are listed in every report—you take all steps, as a matter of public policy, to ensure that your protective service reflects your cosmopolitan society. That is a matter of public policy. [*Interruption*]

No, in fact I am not giving a figure. You want to talk about percentage and all that. That is nonsense. I am not saying that. What is your policy, on diversity in the public and promoting diversity in the protective services? Stand and tell us.

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Do you know if that exists? What is your policy with promoting diversity in the protective services of Trinidad and Tobago? Do you have a policy? Tell me.

Mr. Valley: It is a stupid argument.

Mr. Hinds: It is a foolish argument. The policy has been and remains—I will put it this way. There is nothing in the law or the Constitution of Trinidad and Tobago that stops any citizen of Trinidad and Tobago from accessing all that Trinidad and Tobago, particularly the State, has on offer.

Dr. R. Moonilal: The position is the same as the Member for Diego Martin Central: Apply within in the advertisement in the newspaper and anybody could apply and get in. They do not have a public policy position on diversity.

I want to tell these people who seldom read, that there is a report: *Increasing Diversity in the Judiciary*--Department for Constitutional Affairs. Do you know which country is that? This is the United Kingdom: justice, rights, democracy. Do you know in a report from the Judiciary Department of Constitutional Affairs, they have stated:

“The need to promote diversity in the British Judiciary”

We are not talking about police and army. They are saying, and they have figures to show, that it is in the interest of justice that the Judiciary—[*Interruption*]

Mr. Valley: Would you give way, please?

Dr. R. Moonilal: No, I am not giving way. You all are being frivolous and deliberately seeking to distract me and undermine my contribution. I am not giving way.

Mr. Valley: But you are all wrong.

Mr. Speaker: He is not giving way.

Dr. R. Moonilal: He spoke 75 minutes of nonsense and I sat here and said nothing.

With respect to diversity in the Judiciary of the United Kingdom, all I am saying in response to the Member for Diego Martin East/Morvant, is that in a developed country, Britain—[*Interruption*]

Mr. Hinds: It is Laventille East/Morvant.

Dr. R. Moonilal: You must tell the family of Joel Charles whom you owe money for funeral expenses. Tell them the name of your seat. Joel Charles' family is waiting for him.

In a developed country like the United Kingdom, they have seen the need to have policy on increasing diversity in the Judiciary. Could you imagine if you raise a matter like that here? They will fall off their chairs and say that you want head counting in the Judiciary. This is in the United Kingdom.

This is why in Trinidad and Tobago, people support Lord Wolfe before they support them. We support a Lord in England called Lord Wolfe before we support these people.

It is very, very instructive.

“The legal profession should ensure diversity within the Judiciary and seek to attract from the pool of experienced lawyers, entrants to the Judiciary who are drawn and support of members who are interested in judicial appointment and who reflect the diversity and cosmopolitan nature of the United Kingdom and England.”

I have a report to support me. When they say: We put ads in the newspapers and anybody could—I said that it is a matter of public policy and I have brought my evidence from a developed country. I will make this available to Members on the other side. Do you know who did this report? They would be happy to know that it is Sir Robert Worchester, MORI leader who is working for the PNM—*Increasing Diversity in the Judiciary*, Department for Constitutional Affairs. That is also a source.

I want to move away. I know that they like that type of talk. I want to get back to the matter of the equality of opportunity legislation before us. The Members on the other side will seek to distract me easily. Let me get back to the point raised that we on this side support equality of opportunity in the public and private sectors.

When the Member for Diego Martin Central speaks about globalization—he is very excited about globalization and trade liberalization. He recently led a mission to the Far East, China and India and is excited by those countries and wants to promote Trinidad and Tobago business persons so that we will access the benefits of trade liberalization and globalization. That is fine. We support that. There is a similarity. In Trinidad and Tobago we must provide the avenues, institutions and mechanisms to realize and assert our constitutional rights. That is the fundamental difference we have here.

If all was well, what happened to Marlene Coudray, Devant Maraj and all those people who go to court to seek equality of treatment? Do you know the Member for Diego Martin West is in and out of the courthouse every day? He

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just had a matter he claims he won. We are not sure about that but he is claiming that. Do you know the Member for Diego Martin West is depending, to assert his rights, on legislation passed by the UNC, the judicial review legislation? He is taking the Integrity Commission to court, under the judicial review legislation, passed by the UNC. Why did the Member for Diego Martin not say: I want to file a constitutional motion? He has a constitutional right to equality of treatment before any public authority but he chose legislation to go to court for judicial review. It is the same principle. We need the law and institutions to support equality. That is a fundamental issue. You cannot depend on the Industrial Court.

The Member for Diego Martin Central raised the issue of the Industrial Court. He knows that I know quite a bit about the Industrial Court. Do you know to go to the Industrial Court you must be a member of a trade union for a particular period of time? Do you know the trade union density in this country is 21 per cent and 79 per cent of the people who work in this country are not members of trade unions? If you have to go to the Industrial Court to seek justice and you have to be a member of a trade union, what you are saying is that 79 per cent of the people who work cannot go to the Industrial Court because they are not members of a trade union. What type of justice is that?

Mr. Hinds: That is not true. They join.

Mr. Panday: You cannot join. They would fire you.

Mr. Hinds: They do.

Dr. R. Moonilal: The Member is alluding to a practice where if someone has a problem he runs to a trade union and joins and backdates. They may do that but that is not right. That is a breach of the law because you must be a member of a trade union for a particular time. You must be a member for six months. But many workers are denied justice at the Industrial Court because they are not members of a trade union. When you have an Industrial Court, it is great but you are denied.

It is only, I believe, under the minimum wage and maternity protection that you can take those two matters alone and go to the Industrial Court without a trade union. You can go with a lawyer. The point I am making is a simple point. Just as the Industrial Court does not capture everybody who works and may be inefficient and slow—we have no court, tribunal or machinery to deal with equality of opportunity. That is what we support in this legislation.

They are consulting with a former judge of the Industrial Court who will support me because Marlene Coudray could not go to the Industrial Court either. Marlene Coudray had to go with judicial review as well.

In any developed country—[*Interruption*] I will get back to you—such as Malaysia, Singapore, Sweden, Demark, the United Kingdom and the United States, they have a long history of equality of opportunity legislation. It was Martin Luther King in the 1960s who fought for civil rights, and particularly the rights of the Afro-American population to assert rights to freedom and liberty.

Martin Luther King made an interesting point. While speaking on a matter involving the Vietnam War, he said when he struggled for the liberties of the Afro-American population—the blacks; the sociological term then was “Negro” in the United States in the 1960s—he was not struggling to free the Afro-American population. He was struggling to free America. The struggle for equality is not for a group; it is for a country. Martin Luther King said that the struggle for civil liberties was not to free the black Americans; it was to free America. Promoting equality of opportunity is not for a race or a group, it is for a country. The entire country is lifted and develops when you have equality, freedom of opportunity and the right for every citizen to be protected before the law and to assert their constitutional rights, their United Nations fundamental human rights. It is not a group.

When we speak in Parliament, they will give you the impression that you represent or speak for groups. This country will only be liberated and attain developed country status when there is equality of opportunity beyond ceremony and declaration of the Constitution, when it is given effect on the ground. That is when Trinidad and Tobago will become a developed country, not before. That is a fundamental difference that we have again in the matter of dealing with equality of opportunity.

I covered the private sector issues and the new entrepreneurs. The Member for Diego Martin Central—I have not reached my substantial argument as yet.

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.

Dr. R. Moonilal: Thank you very much, Mr. Speaker and colleagues on both sides of the House, who have been so generous to extend my time. I assure you that I will seek not to provoke Members on the other side with these arguments. I will assure you of these matters.

The matter raised, UTT—I do not want to get into that because that takes us elsewhere.

I want to remind Members of this link between equality at work, discrimination and poverty. It is also a fact that every poor country in the world—I challenge anybody who has read anything—is because of inequality. Look at every trouble spot or country; it has emerged in conflict, poverty and suffering. The common denominator is inequality. Inequality is the basis of poverty and underdevelopment. It is reported—I do not want to quote extensively from these reports but the International Labour Organization gave a jewel a few years ago, a report called *Time for Equality at Work, a Global Report*. This was on equality and discrimination at work in 2003. In this report, they suggested and recommend to us that it is important to eliminate discrimination at work, since discrimination at work is linked to inequality in access to jobs, worker morale, poverty, exclusion, alienation and indeed, income inequality. This is coming out of a report by the ILO which gave us a really good overview.

They also suggested that inequality and discrimination are linked to social fragmentation. We all talk about national unity and uniting all the citizens and moving forward. You cannot move a country forward if there is social fragmentation and disunity. The ILO is telling us that social fragmentation is a reaction to inequality and the prevalence of discrimination at work. There are examples of Australia, Nepal and India. I do not want to get into all of these issues. There is global evidence in support of my arguments. I can bring documentation to show you the validity of the arguments I am advancing on this matter.

I want to make a point that the promotion of equality and the elimination of discrimination are critical in the context of inclusion and harmony. Do you know how many people leave this country? When you do an exit poll and talk to people abroad and in Trinidad on why they are leaving, a great majority still talk about inequality and discrimination: I am leaving because I felt that I have been discriminated against. I am leaving because I do not think I will get promotional opportunities.

Sen. The Hon. A. Piggott, in a recent statement to the press spoke about the shortage of foreign affairs staff, diplomats and protocol officers. Do you know that at the Ministry of Foreign Affairs staff, both present and past, still complain about inequality, discrimination and the lack of proper procedures and policies to deal with recruitment and promotion? They get fed up, leave the service and valuable human resource migrates.

This is an opportune moment to tell you that the UNC is committed to reversing the brain drain. Under a UNC government we will have a brain gain. We will adopt strategies so that the brightest citizens abroad, who have fled this country because of oppression and discrimination, would be returning to Trinidad and Tobago to participate in the development of the country of their birth. That is the strategy of the UNC; a clear focus for us.

On the resumption, I will get into some of provisions of the Bill. Thank you.

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

4.30 p.m.: *Sitting suspended.*

5.00 p.m.: *Sitting resumed.*

Dr. R. Moonilal: Thank you very much, Mr. Speaker. Refreshed after our break, we can probably drop the tone a bit and discuss some specific matters involving particular provisions within the Bill.

The UNC are in support of this Bill. We support this type of legislation 150 per cent. We believe that what is required, if anything at all, is really basic amendments. There are some minor details that are required; amendments that we can happily advance in the committee stage and it is either the Government accepts or not. They are not big amendments. I say this because the Members of the UNC believe that there is no need to delay equality of opportunity any more. We are not in support of any tactic that would serve only to delay the passage of the equality of opportunity legislation. We have a Bill before us. It took six years. We are here. There are minor amendments that can be proposed and we can pass this legislation speedily, without reverting to any committee of this House; a joint select committee or another type of committee, that will further delay and possibly kill off this legislation. We are not in support of that. There are very basic issues that we can read, understand and seek to change.

I make this in the context of another point. We recall that in the United States, legislation promoting civil liberties and equality of opportunity were initiated in

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1964, as a marker. Do you know legislation in the United Kingdom, dealing with race relations and equality, was introduced in 1976 and I believe 1977 as well, dealing with discrimination on the basis of race and gender?

We have, in the United Kingdom context, the Sex Discrimination Act, 1995; Race Relations Act, 1997; Disability Discrimination Act, 1995; and, of course, within recent times the United Kingdom, as you are aware, passed several pieces of legislation to conform with obligations under the European Union Human Rights Act and the European Convention on Human Rights. In the United States, legislation was introduced in the 1960s and in the United Kingdom there was pioneering legislation in the 1970s. Today, in those countries they have gone way beyond this type of legislation that we are dealing with.

In those developed countries—we aspire to become a developed country—they have introduced laws building on their earlier legislation of sex, race and equal pay. They have introduced legislation dealing with issues of sexual orientation and discrimination on the basis of religious belief.

In the United Kingdom Police Service there are female police officers who wear hijabs. There are male police officers who are members of the Sheik faith who wear a turban. That is well accommodated and respected in the United Kingdom. These groups, because of their religion, must dress a particular way and abide by certain values and norms, but those values and norms can also be synchronized with public policy in the United Kingdom. There is much more accompanying law that we can look towards to introduce and deal with equality. This is really a parent, a father and the pioneering path-breaking work that we have before us. But this is certainly not the end. Matters of equality evolve over time; equality as a universal value.

People may not understand but there are societies in the world today where equality is not their value. Value is based on privilege, on land, caste and other bases of differentiation, privilege and income. Equality is today for us a universal value and equality legislation will change in every decade, to meet new demands of our time. We cannot now bog down ourselves by the new demands, where we have not passed the initial type of legislation. When we talk about discrimination on the basis of religion, sexual orientation and other disabilities, that may require specific legislative actions, which we must reach and confront.

On behalf of the UNC, I can assure this Parliament and the nation that a future UNC government will build on the equality of opportunity legislation, since we do have paternity to this legislation. The government of the UNC will build on this

legislation of equal opportunity and then consult with the national community and get into other areas to deal with discrimination, but this is really the beginning. If the PNM, God forbid, has anything to do with it, it will really be, as we say, another *janam*, another birth—if we have to wait for the PNM to bring equality.

The point I am making—I do not want to engage the pundit from Arouca North—is what we have before us is path-breaking in the context of Trinidad and Tobago. Let us implement this, develop the institutions, the tribunals, the agencies and the authorities.

We have seen that with OSHA. We have passed OSHA and we do not have the administration, staff, equipment, supervision, monitoring and evaluation in place. We need to move quickly to pass and implement it and then the future UNC government will work with others, as well, to build and integrate into other legislative actions, dealing with other pressing matters involving discrimination and the promotion of equality. That is our fundamental position on that.

Having said that, let me reiterate that we are not in support of any joint select committee. When this Bill goes to a joint select committee it is dead on arrival, because that committee will have a problem with a quorum. Election is around the corner, so we can wipe this away and say that there will never be any equality of opportunity legislation until the next UNC government takes office. Under the PNM we will not see this. We are not in support. We are in support of passing this legislation today.

We acknowledge that there are minor amendments and there are some that we want to propose. While there are minor amendments, there are fundamental and profound issues involving discrimination that we will have to engage the society in for further discussion and further action. It may not be possible in the context of this Bill.

There are a few matters I want to identify in the context of our public interest and our own peculiarity. Let me also join the Member for Diego Martin Central, on behalf of the UNC in congratulating warmly and deeply and in expressing our eternal gratitude to Mr. Brian Charles Lara for his contribution to West Indian cricket, world cricket and Trinidad and Tobago. You can, of course, speak all day and night about Brian Lara and his contribution. I also want to add that many of us—I speak for several people. Clearly my view is that Mr. Lara still has a big contribution to make to cricket, particularly the longer version of the game, test cricket. Many of us believe that Mr. Lara can contribute a lot more to test cricket in particular and that he should really carry on.

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I am the last one to politicize all these matters. Mr. Lara can take a leaf from the book of the Member for Couva North—you can fight on and fight on and you still have relevance.

Mr. Singh: Or you could run like Ato.

Dr. R. Moonilal: He must not feel that a few people distracting him should bring him down.

Now that I have the full attention of the House, let me raise a critical matter in this Bill. To me, one of the most critical and vexing issues involves a clause in the new version that is presented to us by the Government, where there is a penalty on persons who raise matters, bring actions or file a complaint. There is a penalty for lodging a complaint with the tribunal and the machinery of equal opportunity. This Bill imposes a penalty on a citizen or someone who brings what is called a frivolous action. I am looking at page 34. The Bill brings a penalty. I believe it is a fine of \$100,000 for a person. It is under “No grounds for complaint” in clause 36. I think it is instructive to focus on it. It states:

“Where upon investigating a complaint the Commission finds that there is no evidence of discrimination it shall inform the complainant in writing and shall give its reasons therefor, whereupon no further action shall be taken...”

Where the Commission finds that there was what is deemed to be a frivolous complaint, they institute a fine of \$100,000. I believe this undermines the legislation.

Miss Lucky: What section are you talking about?

Dr. R. Moonilal: I am looking for clause 36.

Mr. Speaker: It is clause 38.

Dr. R. Moonilal: “Failure to comply with conciliation notice

A person who, without reasonable excuse, refuses or fails to comply with any requirement of a notice under sections 35 and 37(2), is liable on summary conviction—

(a) in the case of an individual, to a fine of one thousand dollars;”

I do not think that we should be penalizing a citizen. Let me get the one hundred thousand dollars part for the Member for Diego Martin East, who has failed to study the Bill and is now seeking—You should have known that; someone who promotes equality like you.

Clause 31 speaks of offence:

“A person who submits to the Commission a frivolous and vexatious complaint commits an offence and is liable, on summary conviction, to a fine of one hundred thousands dollars and to imprisonment for two years.”

What you are saying to an individual out there, this is to protect citizens. This is to protect all citizens, not senior counsel, QCs or professors only, but average citizens who feel discriminated against. You are telling the average man and woman that if your complaint is frivolous, you have a fine of \$100,000 or two years in jail. It is better you do not have equality of opportunity legislation.

Dr. Khan: And two years.

Dr. R. Moonilal: So you are in jail too. There is a fine of \$100,000 and jail for two years if it is frivolous. The average man or woman is not a legal mind that way. They cannot even pay for legal advice. When they believe: I have a complaint and I feel strongly about it and I am being discriminated against, but if I go to that commission and they decide that it is frivolous, it is two years in jail and \$100,000 fine, who will avail themselves of the benefit of this legislation? This legislation is not for corporate citizens or the rich and famous alone. If you raise a complaint you have to look for a loan?

“A person who submits to the commission a frivolous and vexatious complaint...”

Member for Toco/Manzanilla, you have persons who will be wilfully or deliberately making false complaints. But there are also citizens who may inadvertently, because they do not have information, bring a complaint and the Commission may it deem vexatious and frivolous.

Do you know why people complain of discrimination? It is based on an imbalance in power. A worker does not have the information as an employer has. When a worker says: I am being discriminated against, if the worker had the information, clarification or was in possession of information and data, that worker may not feel discriminated against. The person who feels that he is the victim is always in a different power relation. They have less power and because they have less power, they will not have the knowledge to assess a situation. All they have is to complain.

We are all elected Members of Parliament, who meet our constituents on a regular basis, I am sure. Constituents come to us sometimes and they may say: I did not get old age pension or a benefit from the Government and they have

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discriminated against me. On investigation and writing whatever body, there may be reasonable explanations as to why they were denied a benefit. But those persons who are coming to you at the ground floor do not have access to the information. They may not be able to write, far less write a letter to the director or seek information so you have to protect the vulnerable. The objective of this equal opportunity legislation is to protect the vulnerable, the powerless and give voice to the voiceless. This is the objective of the equal opportunity legislation; to defend the defenceless. That is the objective. If you impose this punitive fine and jail sentence, the average citizen will immediately and instinctively desist from bringing a complaint.

Unless I am wrong, I am subject to correction on this matter, I know the Member for Diego Martin East, who reads all of these things, understands fully and followed all the debates, can correct me later, but in the initial Equal Opportunity Bill of the UNC in 2000, I did not see a corresponding provision of an offence. If I saw it, I do not agree with it, but I did not see it.

To me, clause 31 undermines completely the effectiveness of the equal opportunity legislation. I contrast it, because I was searching earlier, with clause 38. Picture this: A complainant comes, an ordinary, simple man or woman, makes a complaint and they did not have information. Maybe they were wrong in other ways and it is deemed to be vexatious and frivolous—two years in jail and a fine of \$100,000.

“A person who, without reasonable excuse, refuses or fails to comply with any requirement of a notice under sections 35 and 37(2)...”

Targeted at employers and fails to comply;

- (a) “in the case of an individual, to a fine of one hundred thousand dollars; or
- (b) in the case of a body corporate,...

Unless I am reading wrong, correct me. A body corporate means something like business.

“to a fine of five thousand dollars,”

There is inequality in the equal opportunity legislation. You are saying that the average man is \$1,000,000 and two years in jail, if you have a frivolous complaint but to a body corporate or business entity, if you—let me get the technical word—do not comply with a requirement of a notice we will take \$5,000 for that. This is

madness. This is a complete contradiction. This violates the objective of the legislation. If there is one issue that I want to point out in the Bill it is that issue of punishing the complainant.

It reminds me of labour relations cases where a woman is bringing a complaint of sexual harassment in the workplace. When she brings the matter there, the response is: "Yuh look fuh that. Doh bring it." That is the same situation. You bring a complaint and say: "I was treated badly in the San Fernando General Hospital. I want to bring a complaint under equality of opportunity." If this is vexatious and frivolous, there is a fine of \$100,000 and two years in jail. If the hospital administration does not comply with an order, there is a fine of \$5,000 with a notice. Clearly, we have to look at that. I wanted to put that in as one.

In concluding—I have many more arguments that I would share with my colleagues on the front bench who are in a good position to raise those arguments. I want to end by saying what I said at the beginning. Equality is linked to dignity. It is linked to freedom. There could be no basis of development without equality. The world has too many examples of inequality being the basis of underdevelopment and it is high time that we dealt with this in a frontal way—to pass legislation to liberate the society. It is not liberating a group.

I want to go back to what Martin Luther King said: "The struggle for justice and liberty is not the struggle for a group but the struggle for a country". It is interesting what Martin Luther King said in other speeches.

We hear a lot from the Member for Diego Martin Central about nationalism, "all ah we is one" and that type of thing. That is fine. We do share some common values and cultural features. There is a greater calling than nationalism. It is the calling of human dignity and human liberation. That transcends nationalism. Nationalism has been used to undermine human civilization. People fight wars and kill, on the basis of nationalism, but there is a bigger calling when you bring dignity and freedom to the human being.

Sir Vidia Naipaul is in this country today. A few nights ago I had the privilege of attending UWI's appreciation evening. Of all the very profound remarks made by Sir Vidia was that for countries and regions to develop, you must liberate the mind. The mind must be liberated. You must have complete freedom as an individual. No state can pigeonhole and imprison our mind and our thought to become developed. That is really the road to dictatorship and an authoritarian regime.

Mr. Speaker, I thank you.

Mr. Speaker: Before I call on the Member for Barataria/San Juan, let me remind Members if you are going to propose amendments, they must be in writing and passed to the Clerk.

Dr. Fuad Khan (*Barataria/San Juan*): Thank you, Mr. Speaker. I thank you for allowing me to participate in this debate on the Equal Opportunity Bill and matters thereto. In the Explanatory Note of this legislation—I would read the paragraph:

“The Bill seeks to prohibit certain kinds of discrimination, to promote equality of opportunity between persons of different sex, colour, race, origin, including geographical origin, religion, marital status or ability and to establish an Equal Opportunity Commission and an Equal Opportunity Tribunal. The Act, for which this is the Bill, would be inconsistent with sections 4 and 5 of the Constitution and, therefore, is required to be passed by a special majority of three-fifths of the members of this House.”

I am of the opinion that this Bill centres around discrimination based on race. From time immemorial in this country, racial discrimination has been touted as the problem between the opposing parties and the opposing forces outside there. It has been used to great effect by the politicians, who so-called, want to lead. In doing so, they are able to separate and segment the population into various political fractions.

It started long before any of us ever dreamed of being in this House. The problem in Trinidad and Tobago, as is defined in this equal opportunity legislation, is not a racial one.

The majority of people in our twin-island state live in harmony and togetherness in all facets and walks of life. However, one looks at the major political parties and the support that is given to the political parties such as the PNM, which has a largely Afro-Trinidadian base and the UNC and the anti-PNM movement, the COP have a largely Indo-Trinidadian base.

When you come from a marginal constituency such as Barataria/San Juan, which reflects in its small state, the total make-up of the country of Trinidad and Tobago you start to think differently and see things differently. I could quite rightly say that the problem of opportunity in this country is not that of race. That might be 5 or 8 per cent, with a maximum of 10 per cent. But the majority of the problems lie in political discrimination. Political discrimination goes way back, as far back as 1956 and even before that when the colonial people were here.

In 1956, when the newly formed PNM were able to grasp power, by utilizing certain watchwords and certain movements when Dr. Eric Williams went to Woodford Square and at the same time appealed to the population of civil servants, which were, believe it or not, the Afro-Trinidadians—they were in the highest positions at that point in time—the election was won and the appeal to the Afro-Trinidadians then was no longer there, because Dr. Eric Williams decided that he was going forward with other movements.

In 1958, when the Local Government Election was called, he lost it. Around that time he started calling the Indo-Trinidadians a recalcitrant minority and certain things took place with Winston Mahabir. That was in Woodford Square. The problems date back since those times, not now. Political people have decided that it is a good whipping boy to say race, race, race. People, if they do not get what they want, when they apply for it, call race. “I did not get it because of race.” They did not get it, maybe because they were not deserving of it. They called race when they did not get it. It happens on both sides of the fence.

Mr. Hinds: Because they do not want it.

5.30 p.m.

I have always said it and I have been pushing this thing that our problem is what is assumed; it is a perception and it is ingrained in our nature that when somebody from the Opposition now looks at somebody coming for any kind of job or anything at all, even in the public service, private service, everything, they see, based on race, a political party. They assume that person is either a PNM; or a UNC; or a COP and they subliminally deal with it in that manner and by doing that they disallow meritocracy and equality to come out. So when you say things like we have no discrimination based on race—

Mr. Speaker, just suppose someone discriminates in, let us say, a job and he is taken to court based on the equality of section 4(e) of the Constitution—this is just a far-fetched idea. It is a private situation so it is not a public body, and in it they said I did not discriminate based on race, I discriminated based on political affiliation; that “fella” is a PNM or that “fella” is a UNC, how do you charge him? How do you charge that person? How do you deal with it if you cannot discern whether it is a political affiliation, as they say, discrimination?

What I am saying is that in the “status” part of this Bill should have as a means of status not just race or ethnicity or geographical origin; that does not make a difference in this country. Nobody discriminates on a geographical association; they discriminate based on the assumed political affiliation. That is

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what occurs, because there are many Indo-Trinidadians who support the PNM and many Afro-Trinidadians that support the UNC.

I have proof that in Barataria/San Juan when the PNM is in office they discriminate in the URP and in the different small level programmes. They discriminate against people who they knew supported the UNC. When the UNC was in office the people in position discriminated against people who they thought were PNM and this is where I stepped in, in the five years I was there; giving it equality of treatment. I am not doing that for kudos but I am just telling you that where you have a marginal seat such as Barataria/San Juan you see it first hand; no racial discrimination to any great extent but downright political discrimination.

So if somebody comes from a safe seat—and I am using “safe seat” based on the electoral boundaries, where they win no matter if they do anything or nothing at all—they cannot see and they will not be able to appreciate the fact that discrimination could be about 90 per cent politically based. We go back to Malborough House in 1961 when Rudranath Capildeo and Dr. Eric Williams decided to have a constitution in this country. Dr. Rudranath Capildeo was against putting the commissions and the public service within the purview of the Executive and that is the only way he was going to agree to the Constitution. Dr. Eric Williams decided, okay, well fine, you want that—and we are going back to 1961.

So if in 1961 you were able to put your party people in place because that was the mindset then, it is a different mindset that we have now. People were not as politically smart as they are now. The intellectual level was just beginning to come, before free education. That occurred then and the discrimination factor of the public service began then. It is said in a book called *The Elusive Eric Williams* that the deciding factor of the protective services and the other services was a 9:1 ratio and keep it at that; it was then. I am not talking off the top of my head; 9:1.

It is documented in those books that because of the recalcitrant minority one cannot put guns in the hands of the recalcitrant majority. So, the power brokers or the power players of the day decided that we have nine of ours and one of them. That is what it was and it has filtered down through the public service like that. Why? The laws and regulations were done from that level downward.

So we are looking not at racial politics here; we are looking at political discrimination and that has to be addressed if you are going to address it in this Bill—[*Desk thumping*—and status must be put in; I have tabled the amendments and as you quite rightly said; if you are going to talk about amendments, you table

them. I have tabled these amendments since the last day. Thank God I was able to do that and for that I thank Mr. Hector McClean, who taught me the correct way of doing things and I think you understand what I am saying.

I have included under “status” political affiliation known or assumed. You cannot discriminate against them; even if you assume because he is Afro-Trinidadian he is PNM; because he is Indo-Trinidadian, he is UNC or COP; you cannot discriminate against him.

The Member for Diego Martin Central went at length to show that there is no discrimination in this country based on education, he is right; no discrimination based on old age pension, he is right; no discrimination based on certain things, he is right; but the crux of the matter comes when the power base may be shifted or is assumed to be shifted. Basically, everything in politics in the world depends on who is in power and right now a lot of people are taking example from the Fidel Castro movement of how to stay in power indefinitely.

If you want to stay in power indefinitely you make sure that what you put there will work for you. If you read Eric Williams’ ideology, he was a socialist. Many of his movements were socialist movements. At that time socialist movements were a big thing and he created the different movements, the party group system, the high rises that are seen in the socialist countries, the different party groups in the high rises, and the give-outs and the hand-outs to the lower level of our society, and say to them that I would take care of you then you have to keep me here. As result of that, it continued ad infinitum. So, if you did not belong to my party and as Dr. Eric Williams said, “If you are not for me, you are against me”, and another one, "Who doh like it, get to hell out of here".

Mr. Speaker, I am drawing certain similarities in what I am saying. So if you do not belong to my political movement you are against it, similarly with Castro; Chavez is practising it, even Morales is practising it; this guy Mugabe has it down pat and certain members in this part of the West Indies are practising it. You see power is addictive and to stay in power you have to put certain things in place. So what you do, you make sure that the people who support you get what they are supposed to get, because you say, "I am supposed to be there", and the people who do not support you, shift them around. You get this thing in housing and it is a politically discriminating action and this is what I would like to be amended and placed into the “status” of this legislation.

I have just mentioned and the Member for Diego Martin Central said that there is not much discrimination and we do not need these laws and the Chamber

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of Commerce said they do not need it, et cetera, et cetera. But the CEPEP movement in this country is a classical example of discrimination; 113 so-called contractors are given the right and the money to do whatever they desire by cutting grass; make-work programme. I will quantify for the Member for Diego Martin Central, discrimination. When I look at the reply to question No. 57 it says here:

"With respect to financing, SWMCOL provides funds to the contracting firms for wages and operational expenses. Each contractor is required to establish two accounts, a wages account and an operations account. SWMCOL deposits funds monthly into the contractors' wages account, from which payments are made directly into the bank account of each worker. The funds deposited into the operations account are used by the contractors to manage their companies' business."

Who looks at this management structure and determines if it is transparent or otherwise?

I am going to take the liberty to quantify the inequality that is occurring in this country as per diagnosed and seen and indicated by CEPEP. For the financial year 2005/2006—one year—A.E. Rasolli Maintenance Services got \$799,978.80 for operations; \$1.4 million for wages—that is one year—total \$ 2.24 million. It goes on, Agronomics Inc. Limited, \$2.2 million; \$873,000 for operations and you keep going down, DARWEN Limited—the best of the lot—\$1.2 million for operations; \$2 million for wages but \$3.6 million in one year into his bank account.

Mr. Speaker, this quantifies political discrimination and it goes right down. I could call people out of this and most of them—and the PNM might be angry with me for saying so—are PNM contractors. I could call people from Barataria/San Juan who get \$1.4 million, \$2.5 million and \$2.2 million for one simple reason, that they promoted the PNM during election against me. [*Desk thumping*]

That is what they did. I would not say it, one is an uncle, I would not say it, but I am saying to you, Mr. Speaker, this is when we say political discrimination. They are not Afro-Trinidadians, so you cannot come and say race here; there is no discrimination on race there; this is political discrimination, where \$207,259,531 was given to 113 PNM contractors for what? To maintain the power base.

Mr. Singh: For one year.

Dr. F. Khan: For one year. CEPEP has been here for about three or four or five years; you check that. So you do not have to tell me that they have no political discrimination in this country. Of course, it is not racial discrimination, and I draw the fact that it is not a racial thing, Member for Diego Martin Central; this is political. It is nice when you are sitting on that side.

Mr. Breaux: Why are you saying it is not racial?

Dr. F. Khan: It cannot be racial because there are Indians there. It is not racial, Member for La Brea. I have never subscribed—and you know that—to the feeling that there is racial discrimination to any great extent in this country and I would never subscribe to that. There is definitely political discrimination dating back as far as 1958 and 1974. What I am saying is we should address it.

Mr. Valley: My friend from Barataria/San Juan, was there any political discrimination in the period 1995 to 2001?

Dr. F. Khan: Mr. Speaker, there was, there was. There was political discrimination where people were fired because they belong to a political party and I remember—not pointing—when the former President, Mr. Robinson indicated after the Crowne Plaza agreement that the 18/18 scenario went to the PNM and vice versa.

In the Himalaya Club the hon. Prime Minister came to address the businessmen there and I was very, very facetious and I said that, why do we not stop this discrimination politically and let us do whatever it is to make sure that our country goes forward and at least let us try to move this way.

The hon. Prime Minister is on record—and I am not libelling here—as saying that when a political party wins an election—this was in his early days, I do not know if he is saying that now—they put into positions people from their political party because they have to get certain jobs done; that was said. I asked then, can we change the scenario because this has been going on for so long? This was said in the public domain.

What I am saying to you, Mr. Speaker, that is the mindset and it is the mindset from 1956 and before that maybe, with Albert Gomes, et cetera. I have not read on that but I read on what is happening now. And if we do not address it, it is going to happen in 2020; it is going to happen in 2040; it is going to happen all the time until somebody or some government decides to change it. Maybe that is what they call new politics; I do not know.

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The Member for Diego Martin Central indicated also that the movement and everything else are equal and there are things in place to deal with them. There are things in place to deal with them.

Mr. Khan: Yes, I thank the Member for Barataria/San Juan for giving way. I like where you are going but I just need to ask, from a legislative point of view, how would you define who is a PNM or who is a UNC? I mean, how would you tackle a problem like that?

Dr. F. Khan: That is a good question, Mr. Speaker. You could see the Member comes from a marginal seat and he represents it well. *[Laughter]* Mr. Speaker, you cannot. So what you do is you put things in place to make sure that no one could utilize an assumed unknown fact, because Trinidad is a small place; it is not the United States of America; it is not Canada; it is not a big place; people know who supports what. Once you put this in the legislation it would be difficult for somebody to say, I "ain't" doing this thing because it is a PNM; I "ain't" doing this thing because it is a UNC or COP; you cannot; people do it.

Mrs. Job-Davis: What about Tobago?

Dr. F. Khan: You would not get it in Tobago. You know why you would not get it in Tobago? You would get it in Tobago as the NAR and the fraction against the PNM, but it is the same political discrimination. That is an interesting point. Why is it they have discrimination in Tobago? There is no big set of Indian people. That should be an example, because if you are NAR in Tobago you do not like the PNM; if you are PNM in Tobago you do not like the NAR, so you "jook" the NAR when they come for jobs and you "jook" the PNM when they come for jobs.

You know, Mr. Speaker, the hon. Member for Tobago East has given me exactly what I wanted. I have pulled the race out of the variable of race; I have thrown away the variable of race and I am talking about the variable of politics. And the variable of politics indicates that we are discriminating based on a political—

Miss Lucky: Divide.

Dr. F. Khan: —divide which was utilized quite well by the politicians and still is. When you make racist statements and subtly throw them in the public domain, the printer's devil, which is in the newspapers, print them big: hanging this one; ropes for this one and that type of thing, you are subliminally telling the population explode based on race. The legislation will be useless if you just put race in it; ethnicity.

Who discriminates on ethnicity in this country? I know people did not get URP and CEPEP contracts because they did not belong to a political party. When we asked in the Auditor General's report where it was given that there is no transparency; there is no documentation; there is nothing to show how these people got contracts.

So what we are saying to you is, they got the contracts based on what? Political affiliation. So we are looking at the system of what it really is. We are exposing the wound and opening it out to clean it; not sewing the top of it and leaving the junk below, and that is the one part of surgery you do not do. You do not sew the top of the wound and leave the festering part below till it bursts out eventually, you have to open the wound and clean it. And this is what this legislation is doing; opening it and cleaning it.

This is a letter from the Secretary of the Interior, Washington, dated February 28, 2007:

"To: All Employees

From: Secretary—Dirk Lemeth

Subject: Policy on Equal Opportunity

I want to emphasize to all employees of the Department my firm commitment to a policy that requires individuals be given equal opportunities in employment or programme delivery, free from discrimination. All employees of the Department have a public trust to carry out the Department's policy on equal opportunity and the responsibility to promote it through exemplary conduct and sensitivity for the rights of fellow employees and the public that we serve. I believe our Nation is stronger because of the diversity of its people and I fully support the Department's strategic plan for achieving and maintaining a highly skilled and diverse workforce.

All employees of the Department should be aware of our legal requirements to promote, achieve and maintain a highly skilled and diverse workforce, including but not limited to:"

And it goes across to:

"The *Civil Rights Act of 1964*, prohibits discrimination on the basis of race, color, creed, sex and national origin.

The *Civil Rights Act of 1991* ...to strengthen and improve Federal civil rights laws;

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The *Age Discrimination in Employment Act of 1967*, prohibits discrimination in Federal employment for employees 40 years of age and older;

The *Rehabilitation Act...Americans With Disabilities ...* speak to the welfare of persons with disabilities.

Executive Order 13087, prohibits discrimination on the basis of sexual orientation.

This commitment to equal opportunity and discrimination free environment extends to programs conducted by or receiving financial assistance from the Department. This policy applies to making decisions in the areas of outreach, recruitment, hiring, promotions, training, and awards.”

Mr. Speaker that is February 28, 2007. If it was not a problem you would not have to legislate for it. They would say the Constitution of America has taken care of all these problems, but they had to legislate it. They had equal opportunity for housing laws. I was thinking about it and I want to put it on record. I asked myself why is there such a mistrust among the races in Trinidad and Tobago; partly political and partly what?

Mr. Speaker, imagine yourself as a newly freed African slave and you are sitting on the docks of Trinidad and Tobago, hoping that the person who was beating you for the last 200 years—and I apologize for what happened there—that their plantation would crash and you could get out. People of African origin in the West Indies were badly treated in the Americas by the people who were the slave masters. Just recently it was brought to the 200-years light.

You see the plantation withering; you see a boat load of Chinese people first; they disappeared; you say good. Then you saw a boat load of Indian people come from the Far East and they went straight onto the— They made sure they could not speak the language; the same way they separated the African slaves by not bringing people of the same tribe and separated the languages. They did it on purpose so they could not speak to one another or plot anything. It is the same thing that happened; they brought the Indians who could not speak the language of the Africans or the West Indies. You saw these people coming to help the same people on the sugar estates who were the ones you wanted to fall; automatically you get mistrust.

Miss Lucky: Good point.

Dr. F. Khan: Now the Indians who came did not know that these Africans had 250 years of bondage; they did not know. So they came and worked because they wanted to go back to India. They were promised that they would go back to India once they worked hard and saved the money. In Africa and India the British were able to separate the tribes; dominate them and conquer them, because of what? Separation. So they kept them separate in here and made sure that the Africans and Indians hated one another. So it continued since then and the culture continued until we have what are the remnants of it today. So it goes back to that. [*Desk thumping*]

Mr. Bereaux: Hon. Member, I really had to come in, I am sorry. I beg to disagree. I am from Longdenville; I was born there and my grandfather spoke Hindi and he told me about when Indians first came. What you are saying is not necessarily true. The relationship I know about does not come to that. I am sorry, if that is what happened in San Juan or wherever you know; in some places it did not happen.

Dr. F. Khan: Mr. Speaker, I take what the Member is saying, but I am not talking about that time. I am from Longdenville too; I grew up in Longdenville, not Barataria/San Juan; we had no problem. My mother is from Sangre Grande; we had no problem. What I am saying to you is that the remnants of that culture have transferred down. That is, the remnants and that division keep the same sides divided. It is the same thing that is happening; for power and personal interest they are making sure that the Africans and Indians in this country do not ever come together. You see it on the newspapers; you see it on different things; you see it in talk shows; you see it in everything. And as result of that the system has failed the Afro-Trinidadians and the Indo-Trinidadians. They have failed us. We have failed ourselves.

Mr. Hinds: Could the Member say who is doing that today?

Dr. F. Khan: The Member of Parliament for Laventille East/Morvant knows exactly what I am talking about, because he has made mention of it already.

Miss Lucky: He has a little gleam in his eye; he knows; he is smiling; he knows.

Dr. F. Khan: So Mr. Speaker, that is enough on political discrimination. I want to go on to another topic. I have asked that section B of clause 4, which refers to disability; the part that says:

“malfunction of a part of the body including a mental or psychological disease or disorder; or malformation or disfigurement of part of the body.”

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Mr. Speaker whether you like it or not, malfunction means abnormal function. So if somebody has a hand spinned in a different direction you would then decide that is a disability. However, malfunction of your eye; malfunction of your nose; your gastrointestinal system are all medical illnesses. And at the same time you have “including a mental or psychological disease or disorder”.

What you are saying is that somebody from St. Ann’s could go into somebody’s place and say, they want a job, and you are discriminating against me. You are discriminating against me because the legislation is saying that I have disability and I am not supposed to—In fact it goes here in the “status”, “any disability of that person”; blanket disability. I wonder if this should not be amended “malfunction of a part of the body including...” You could take off from “including a mental or psychological...disorder” or on the advice of a medical practitioner specialized in that area to determine whether the function of that person is, as they say, good enough for work.

It has to go to a joint select committee because there are a lot of flaws and as the Member of Parliament for Oropouche indicated, the 31 flaws; I will feel very, very hard pressed because I do not have \$100,000 and I do not want to spend two years in jail. Then I would not be able to meet the Member for Port of Spain North/St. Ann’s West at Jenny’s if I am in jail for two years. Mr. Speaker, with all due respect, this has to be checked over.

Another one, amend it and put in “status”—and I do not think the Member for Laventille East/Morvant will deny me this right—“sexual orientation”. When we had the initial drafting of the legislation and the select committee—I think it was 1996/1997—I was part of the committee and Prof. Kenneth Ramchand indicated that we should put in “sexual orientation”. Mr. Speaker, I will be honest with you because it is in the record, I was the one who said not yet. Why? Because we were not ready for it then.

Mr. Hinds: You have changed your mind?

Dr. F. Khan: You want me to operate on you, too? [*Laughter*] Since then to now I have had, I do not want to say a change of heart. When you look at it, the world is going in a certain direction, according to biblical knowledge, et cetera and I know the Member for San Fernando East is very strong in that born-again Christian thing. One has to take into consideration that when we legislate in a Parliament, we do not legislate for ourselves; we legislate for the people outside.

6.00 p.m.

You see, Mr. Speaker, once we are here doing the work and the job of the people we are supposed to take into consideration all the people, and we cannot distinguish somebody who is gay or otherwise. They do not look any different; they may act a little different but they do not look any different, and at the end of the day we should not discriminate based on sexual orientation.

Mr. Speaker, I will use my little backup here. The American legislation the Age Discrimination Act indicates quite clearly that one should not be discriminated against on the ground of sexual orientation. This is a paper “Federal Laws Prohibiting Job Discrimination Questions And Answers”. This is from www.eeoc.gov/facts/qanda.html and it says here:

“The CSRA...(Civil Service Reform Act of 1978 United States of America)...prohibits any employee who has authority to take certain personnel actions from discriminating for or against employees or applicants for employment on the bases of race, colour, national origin, religion, sex, age or disability. It also provides that certain personnel actions can not be based on attributes or conduct that do not adversely affect employee performance, such as marital status and political affiliation. The Office of Personnel Management (OPM) has interpreted the prohibition of discrimination based on conduct to include discrimination based on sexual orientation. The CSRA...(which is the Civil Service Reform Act)...also prohibits reprisal against federal employees or applicants for whistle-blowing...”

What I am saying, Mr. Speaker, it has been taken into consideration—sexual orientation. In the United States, in China, in Japan, and right here in Trinidad and Tobago there is a large gay society, and the thing about it, very prominent people have come out and said certain things. If we decide to legislate only for what we believe in at this point in time when are we going to come back and change it? *[Interruption]*

That is one other amendment I would like to see put in. Also, as a Member of Parliament in an area that had and has a very high, as you say, rehabilitated criminal population, what has happened, is that a lot of people have been released from jail onto the streets after they have finished their term, sent on the streets and told go, here, look your clothes, and look your stuff, and family members do not have anything to do with them because they are, what they call criminals. And it goes on, a lot of it, and they cannot find jobs, they are not absorbed into the URP programme as the late Dr. Eric Williams had indicated, they do not get jobs in CEPEP—

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In fact these are different human beings who are supposedly rehabilitated and what happens, after running around the place looking for something to get, either they wash cars, park cars, beg you for 10 cents beside the road, something to eat, because they have to eat every day. But they are discriminated against based on their previous criminal record. They were previously criminals, they went to the incarceration, they paid their price and they came out but nobody is touching them. Why? Because they are criminals, and as a result we have to take that into consideration, that when we sit in our houses with our full tables, our full refrigerators and our full everything else, we have to understand people there are who do not have it. Those are the ones on the street. These are people I interact with in my constituency on a daily basis. So I am saying to us “status” should also include rehabilitated convicts.

We go again, Mr. Speaker, to people with a positive HIV status, not people who have the full-blown AIDS disorder because they really cannot work, they are disabled; people who have a positive HIV status and everything. Money is being given—\$500 million or how many millions—to people to protect the country from AIDS, to decide on programmes and medical programmes for HIV. Why is it then people, even doctors I know—my colleagues—know that man is HIV, would not touch him, gone. “Bam” and the person disappears, let the juniors take that. Juniors do not know so the juniors take it. What I am saying, there is a high amount of discrimination against people with HIV or HIV positive people, and if it is not placed in legislation it could continue. So HIV is here to stay for a very long time. Positive status, we may get medication to decrease the run of the disease, the prolongation of the disease, but it is going to be here, and if somebody has a positive HIV status, this is a small country, word gets around.

There are children in this country that are being born HIV positive from HIV parents, no fault of their own. There are people who have gotten HIV from blood transfusion, no fault of their own. Are we going to discriminate against them because they have HIV or position HIV status? So I would say that “status” should also include that, because I learned the hard way, that if you do not put everything into agreement you lose. You understand? I learnt that. I think that the thought ought to be if you do not write down everything in an agreement vocalization means nothing.

Mr. Speaker, the last one I want to touch on is age. You cannot tell me that you are 59 years and 364 days today and tomorrow you are 60, you are not good enough. You are 60 and one day, you are not good enough, so leave. You can have your wits about you, you are mentally strong, you are experienced and you

have a lot to offer. What do you do? You go home and sit down somewhere and die as a result of neglect, brain neglect, cerebral neglect? You get on your wife's nerves or your spouse's nerves; you are not dying as a result of what, being considered not good enough or redundant? We do not take care of our elderly. We give them a pension that is not even adequate and we say that we are raising it by \$200, and everybody says “ray”, give the national health benefit of \$1,000, you say “ray” but they have the same wants and needs, they have to pay the same electricity bills; they have to pay the same food bills, they have to pay the same traffic bills and the pension which is 10 years, 15 years old or 20 years old has not kept up with inflation and they are strong enough to work. Why are they discriminated against based on age? They should not be. It is also addressed here in one of these little papers.

The Age Discrimination in Employment Act of 1967—this is www.eeoc.gov/policy/adea/html. It is Age Discrimination Act of 1967, the United States Equal Employment Opportunity Commission, and it says:

- “(1) in the face of rising productivity and affluence, older workers find themselves disadvantaged in their efforts to retain employment, and especially to regain employment when displaced...;
- (2) the setting of arbitrary age limits regardless of potential for job performance has become a common practice, and certain otherwise desirable practices may work to the disadvantage of older persons;
- (3) the incidence of unemployment, especially longterm unemployment with resultant deterioration of skill, morale, and employer acceptability is, relative to the younger ages, high among older workers; their numbers are great and growing; and their employment problems grave;
- (4) the existence in industries affecting commerce of arbitrary discrimination in employment because of age, burdens commerce and the free flow of goods in commerce.”

And it goes on to say why it is one should not discriminate based on age.

Mr. Speaker, if there was a law that discriminated on age, 60 years old or 65 years old, the hon. Member for Couva South would not be able to come inside this House.

Mr. Ramnath: I [*Inaudible*] in the House.

Mrs. Persad-Bissessar: But he cannot come in any case. [*Crosstalk*]

Dr. F. Khan: No, we are just saying, he will be discriminated against on the ground of age. The Member of Parliament for San Fernando East is on his way out. It might not be a bad thing, but still, [*Laughter*] he would not have to spend so much money. [*Laughter*]

But seriously, Mr. Speaker, there are people in my constituency, strong people, they were under the United National Congress, I sent them in to get certain jobs and they were told they were too old. The “fella” say, “but I support the party for so long, I too old?” People are supporting parties, people are being moved out as permanent secretaries, people are at certain levels. I know doctors, good surgeons at the age of 60 that packed their little box and they walked out. What happens to them? Good surgeons! I would not call any names; good surgeons deteriorate because of lack of use and they are not even there, as they say, to give you the benefit of their experience. So what we have is a set of young people getting the same experience and then going at the age of 60 and then we have a set of young people again going at 60, so there is no rise in the experience level of teaching.

The Member for La Brea is leaving also he said, so he will leave and I would not have the benefit of his experience.

Hon. Member: Jarette.

Dr. F. Khan: No, Jarette fighting. [*Crosstalk*]

Mr. Speaker: Hon. Members the speaking time of the hon. Member for Barataria/San Juan has expired.

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

Dr. Rafeeq: I am enjoying his contribution.

Question put and agreed to.

Dr. F. Khan: Thank you, Mr. Speaker, and thank you hon. Members for allowing me the extension. I have proposed the amendments in writing because I feel very strongly about this equal opportunity legislation. I have been clamouring for it for a very long time. In fact whenever I speak, I speak about equal opportunity legislation, and I speak about it with the passion that there is not a racial problem but a political discrimination.

Mr. Speaker, when one looks at the housing distribution, one has to ask the simple question. What method of approach is used to give out the houses? And I

mean no disrespect to the Member for Diego Martin West, because sometimes at the ministerial level you mean well, but at the subordinate level people do what they want based on what they feel; hide the application form; do not give it or whatever it is.

The Fair Housing Act in the United States of America addresses that, in England, or otherwise. If one has to give out houses in electoral process, in electoral boundaries, one has to understand who is going where. Now when you say good idea that people could come to us and we are building 10,000 houses per year over the next how many years and people from all over the country have this equal opportunity to get the houses; who determines and what determines who goes where and where have they come from? How does somebody who just applied get a house before somebody who has been waiting for five years? Is it random? Is there a random lottery?

Hon. Member: Yes.

Dr. F. Khan: Let us know. If it is so let us know. [*Interruption*] How is it done? [*Interruption*] Is it true that Members who have people in the housing ministry or whoever it is are able to get three and four apartments? Is it true? [*Interruption*] We have to look at that. Is it true that people have been given rental units in various marginal constituencies based not on need but on political affiliation?

Mr. Valley: No, no.

Dr. F. Khan: Is it true? These are things that have been said, and there is no refuting of them, and as a result of that, if we go back to what I started at, Mr. Speaker, political affiliation, power and continuity, if one continues with this, of course, whoever is in power will stay there indefinitely, we will have things going forward, but at the end of the day we will have a population that is ready to explode.

Once you have a large number of people thinking that they have been discriminated against with no transparency and no sort of redress, except for a Constitution that was made in 1961, I think, or somewhere there, one has to understand that it is going to explode and if it does explode whose fault is it but ours sitting down right here? It is our fault! We cannot say it is Mr. Valley's fault or the Member of Parliament for San Fernando East's fault or Mr. Panday's fault or Dr. Eric Williams' fault; we cannot say that, Mr. Speaker. It is our fault because we do not have the guts and the testicular fortitude to stand and do what is right. And that is politics in this country. You do not have the guts, political testicular

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fortitude or whatever ladies have, ovarian fortitude. *[Interruption]* Yes ovarian. *[Laughter]* I coined a word there; that is my word. *[Laughter]*

Hon. Member: That is a new phrase.

Dr. F. Khan: That is my intellectual property. All right, you hear that. *[Laughter]*

Mr. Speaker, one has to understand that for something to go forward you must have a conviction of purpose, stand by your conviction, no matter what. I remember somebody told me something, and I am going to end on this note, that if you have strength of conviction and you have listened to everybody around you and you come to your decision based on what people have said, do not ever be like jello and go back and forth. Because at the end of the day let thunder and the heavens roll before you give up your position once you know it is right. And that person is no other than Mr. Basdeo Panday. He told me that, and I stand by my conviction with this legislation. May we go to a joint select committee and we must find a way; however, it is to pass this legislation for the betterment of our country.

Thank you, Mr. Speaker.

The Minister of Public Utilities and the Environment (Hon. Penelope Beckles): Thank you very much, Mr. Speaker. In listening to the Member of Parliament for Barataria/San Juan a number of his suggestions, and to a large extent, in terms of some of the issues that he has raised, I would want to suggest that, hopefully, we will get to the stage in our country where we will have a level of seriousness and a level of consciousness and maturity to deal with some of the issues. Some of it is covered in the legislation but to a large extent we are talking about cultural change and changes of attitude which to a large extent your legislation cannot necessarily deal with because you are talking about socialization, orientation and some very complex issues which cannot necessarily be legislated.

But at the end of the day when we talk about valuing, for example, our elderly, and some other issues it is more than just a question of legislation. Because at the end of the day there are persons who would be given the responsibility very often to interpret and implement legislation and other policies and so on.

[MR. DEPUTY SPEAKER *in the Chair*]

Mr. Deputy Speaker, that is where you would find a very interesting debate if we would be very honest about what we are discussing today.

I have had the opportunity to serve in three ministries and when I served in the Ministry of Social Development I recognized that there are pieces of legislation that are already in place as we are seeking to do today. Then you have persons who sometimes take it upon themselves to interpret either what Parliament intended, or what the courts may think and they then seek to make decisions based on their own interpretation of things. And I guess that is why we have the courts ultimately, but it is not every individual who may want to take that approach.

I would just want to focus a little more on the legislation itself and go through a couple of the clauses of the legislation, and I would want to start where the Member of Parliament for Diego Martin Central started. That is to say that we are aware that section 4 of the Constitution exists and that basically gives a right of equality of treatment from any public authority. And if that right is contravened then that person can go to court in terms of a constitutional motion. But we know that that right is limited by the very Constitution to an action only against the State or any public body exercising coercive power or any private body exercising public powers with public law consequences. Now where inequality or discrimination results from the action of private entities we know that the individual has no redress under the Constitution and often such a person is left with a deep sense of injustice.

Therefore this Equal Opportunity Bill seeks to provide the mechanisms for such persons to access that justice. The Bill will provide the legal framework to allow a right of redress to persons who feel they have been discriminated against by others in the private sector and remedies such as constitutional motions, judicial review to protect persons against acts of discrimination—as I think the Member of Parliament for Diego Martin Central indicated really exists in the public law but not in the private law. So one may very well argue that this Bill in the realm of public law does not really create new rights and remedies. As we know under the present law a citizen, and this includes a company, has the right to challenge acts of discrimination by the State or by state agencies and there is also an existing remedy [*Interruption*] to deal with breaches of this right.

This right is set out in section 4 (d) of the Constitution and it specifically states:

“The right of the individual to equality of treatment from any public authority in the exercise of any of its functions.

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That, as I understand it was the clear point that the Member of Parliament for Diego Martin Central was indicating. The remedy that is set out in section 4(d) of the Constitution which in essence states that a person has the right to apply to the High Court for redress if he alleges that any of his fundamental rights has been, is being or is likely to be contravened.

Further we also know that the court has the power to hear the matter and to grant whatever remedies it considers just.

Now, Mr. Deputy Speaker, this Bill seeks to prohibit certain kinds of discrimination, to promote equality of opportunities between persons of different colour, sex, race and origin, including geographical origin, religion, marital status or ability. But the Bill does not create an open-ended general right. As a matter of fact, the Bill is really restricted to discrimination in four particular circumstances, and we are talking about discrimination in the areas of employment, education, the provision of goods and services and the provision of accommodation. Now in keeping with the model of the Act that was declared unconstitutional, the present Bill is not only restrictive but it also deals with certain types of exceptions.

To expedite the remedy given under the proposed legislation the Bill seeks to create a mechanism outside the normal judicial stream. And the intent in doing so is to allow the average person or so-called small man to be able to access the remedy quickly and at little or no cost. To achieve this policy the Bill seeks to establish an equal opportunity commission and an equal opportunity tribunal. Of course in doing that, as I said, they anticipated that in terms of dealing with the whole concept of equality that you are really looking at making this particular piece of legislation much more accessible to the average person.

Now in setting up or in filing a complaint a person who feels discriminated against may file a complaint to the commission and this commission then has the right to investigate the matter and in the first instance the commission should seek to resolve the matter between the parties. If that reconciliation fails then the commission would publish a report for public inspection on the matter. If the matter is still not resolved then the commission would initiate proceedings before the tribunal, of course, with the consent of the complainant. The tribunal is to be created as a court of record and it is given the jurisdiction to deal with complaints filed by the commission and the tribunal will then have powers of the High Court to make such orders or declarations as it considers just in each case.

Now let me just indicate that this House as we know passed similar legislation to what we are debating and we are aware that the Court of Appeal struck down this legislation because it was deemed to be unconstitutional. So the Act of 2000, if we recall correctly, was passed in both Houses with a simple majority. It was then assented to. The Act was then amended by the Equal Opportunity (Amdt.) Act, 2001 which received the presidential assent in 2001. Now the Act, as I said, enacted by the previous Government was declared unconstitutional and the policy, of course, had to be reconsidered, especially in the light of the ruling and pronouncements of the court.

Now as a consequence of that ruling this Government then reconsidered the policy. The issue of the constitutionality of the Act was dealt with by the Court of Appeal in the case of *Kenneth Sewat and Others v. the Attorney General*, Civil Appeal 64 of 2004. In that case the Court of Appeal in its judgment in January 2006 actually then affirmed that decision. Now section 41 of the Act sought to establish an equal opportunities tribunal as a superior court of record without giving the tribunal the protection of the Constitution which the supreme law requires should have been afforded to all superior courts. Of course, in the case of *Hinds v. The Queen* it actually sets out the principles and the manner in which, if you are setting up a tribunal exactly how that tribunal should be set up.

Secondly, the power to set penalties is a matter that is primarily for the Parliament and if not for the Parliament then for the judges whose independence from political pressure from the Legislature or from the Executive is fully protected by the Constitution. The tribunal is empowered under the Act to make payments of compensation, damages or fines without restriction. Under the Constitution such powers are confined to judges of the Supreme Court who are protected by the Constitution, and even a cursory examination of the 2000 Act will show that Members of the tribunal enjoyed no such protection, and that is one of the grounds again that were raised and discussed by the Court of Appeal.

The other matter, of course, had to do with the fact that the Act was passed by a simple majority and we know that the Act infringes the rights of persons enshrined in sections 4 and 5 of the Constitution. And the Act is unconstitutional in that it was not passed by the special majority as required by section 13 of the Constitution. For example, when we look at the Act of 2000 and when we look at section 18 of that Act it provided that persons were not entitled to discriminate against another person in respect of accommodation. Now if that is the case then we clearly, when we interpret that, we know that it dealt with an issue of

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restricting people's right to the enjoyment of their property. Therefore that matter, in addition to others, clearly indicated to us the necessity for having a special and not a simple majority.

Finally, the Constitution does not give the power to the Judicial and Legal Service Commission to advise the President on the appointment of the chairman of the equal opportunity tribunal and no ordinary Act of Parliament can give it that power. By section 42(1) of the Act the chairman of the tribunal is appointed by the President on advice of the Judicial and Legal Service Commission.

Mr. Deputy Speaker, it is important to note that both before the High Court and the Court of Appeal the appellant and others were represented of course, by the then Attorney General, who actually piloted this Bill, and that was Mr. Ramesh Lawrence Maharaj.

6.30 p.m.

Now, there are several issues that are before the Privy Council. The matter is at present for appeal before the Privy Council. I just want to indicate some of the issues that are before the court for decision and they are:

Whether the High Court has jurisdiction to declare an Act unconstitutional, other than by way of an application by a person aggrieved under section 14 of the Constitution;

Whether the Executive can allege that an Act is unconstitutional when the Executive has brought the Act into force and especially where the Act affords protection against discrimination;

Whether it is constitutionally permissible for the Executive to suspend an Act, refusing to implement it on the basis of its unconstitutionality in circumstances where the Executive can amend or repeal an Act;

Whether the Executive has a duty to implement an Act which was properly enacted and proclaimed;

Whether the constitutional right to protection of the law is breached where the Executive failed or refuses to amend an Act which it has proclaimed and which vests rights in the appellants, but which the Executive claims to be unconstitutional;

Whether the manner of the establishment of the Equal Opportunity Tribunal and the grant to it under the Act of some of its powers violate the doctrine of the separation of powers and therefore is unconstitutional; and finally,

Whether in the absence of an amendment to the Constitution expressly conferring on the Judicial and Legal Service Commission a power to advise the President, the mode of appointment of the Chairman of the Tribunal prescribed by the Act is unconstitutional.

Mr. Deputy Speaker, as we debate this very important piece of legislation, those are the matters that are before the Privy Council.

Now, as we know, there were crime talks that took place between the Government and the United National Congress and there was an agreement on measures to reduce the incidence of crime. One of the agreements of course was, looking at this Bill and having this particular Bill tabled. In preparing the Equal Opportunity Bill, this Government looked at the whole issue of section 7, and section 7 of the Act is actually now deleted and that is where a decision of lay assessors is in conflict with that of the chairman of the tribunal, and the decision of the chairman is to prevail. Further, the chairman of the tribunal will be given a pension equivalent to that of a judge of the High Court. The Bill will also repeal the Equal Opportunity Act, 2000.

Now, just very briefly as I indicated, I would like to simply go through a couple parts of the Bill. For example, the first part of the Bill really simply goes through some very important definitions, Minister and the issue of family business which is one of the issues raised from time to time especially from the private sector. Part II of the Bill specifies that the proposed Act only deals with, and I indicated, employment, education, the provision of goods and services and the provision of accommodation.

Part III of the Bill deals specifically with the issue of employment, but the Bill recognizes a number of exceptions to the prohibition against employment.

Part IV of the Bill would prohibit certain exceptions, and that is discrimination against students and prospective students of educational institutions and against members of the public who seek to avail themselves of goods, facilities, services, or accommodation to which members of the public have access.

Part V of the Bill stipulates that the Bill does not apply to competitive sporting events; the granting of privileges to women in connection with pregnancy and childbirth; the membership of single sex clubs and voluntary non-profit bodies; the conferring of charitable benefits on persons of a particular status; insurance risks; and operation of religious organizations.

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Part VI of the Bill provides for the establishment of the Equal Opportunity Commission. Part VI then goes on specifically to deal with, the number of commissioners; the qualification of the commissioners; the overall makeup of the commission.

And Part VII of the Bill provides the procedure as it relates to lodging of the complaints alleging discrimination with the commission, the investigation of the complaints, the conciliation and the exact process as laid down by the law for the purpose of lodging your complaints.

In terms of the setting up of the Equal Opportunity Tribunal, which is dealt with in Part VIII of the Bill, the Bill then proceeds to indicate how the tribunal is appointed. It speaks again of the qualifications of the persons who are to sit. thatThe Bill also speaks about the appointment of the chairperson of that Equal Opportunity Tribunal and it deals with the issue of the tribunal being a superior court of record.

Part IX of the Bill which is the last part of the Bill, actually, Mr. Deputy Speaker, speaks to the importance of a submission to Parliament of annual reports prepared by the commission to give the Parliament the opportunity, similar to a number of other commissions to see a report which would deal similarly with the Judicial and Legal Service Commission; the Police Service Commission and others, which will give, for example, the number of complaints and any other issues which the commission may think important.

Mr. Deputy Speaker, as I indicated earlier, the Bill really seeks to prohibit certain kinds of discrimination. It seeks to “promote equality of opportunity between persons of different sex, colour, race, religion, including geographical origin, religion, marital status or ability and to establish an Equal Opportunity Commission and an equal opportunity tribunal”.

The Act for which this is the Bill would be inconsistent, as I indicated earlier, with sections 4 and 5 of the Constitution, and therefore, as the Government, we are indicating that it is required to be passed by a special majority, by Members of the House and not as was the case that was suggested by the UNC Government at the time, and that is to say, that you only needed a simple majority in order to pass that piece of legislation.

I have not heard any comments by any of the previous speakers as to whether or not they are still of the view that you need a simple majority or a special majority to pass the Bill, but we are very clear when you peruse the Bill that you must have a special majority to pass it.

Miss Lucky: [*Inaudible*] understand what I said.

Hon. P. Beckles: Okay, fine. Well, yes, I heard from the Member for Barataria/San Juan, but I am speaking about the UNC Government who at the time—or any of their speakers—made it very clear that you only needed a simple majority, whether or not of course they are still of that view that you simply need a simple majority.

Mr. Deputy Speaker, this socially oriented legislation is designed to bring about the continued and improved cohesion of our unique and diverse society. And as I said, the issues raised by the last speaker—as they relate to issues of political discrimination and raising a number of issues in terms of distribution of housing and other projects or programmes—indicated that his view is that it was political and not racial discrimination.

But before I close, bearing in mind some of the issues raised by the Member of Parliament for Barataria/San Juan, I listened to his words when he talked about issues of political affiliation, power, and he indicated that if it is the particular Government in power, that there are certain actions that are done, then it means that that particular Government could be in office as he said indefinitely, and he cited several circumstances.

Sometimes it is very easy, and I have had even within very recent times over the last month or so with issues in relation to the water situation in the country heard that the Government, for example, has been deliberately taking water from UNC parts of the country or UNC districts and sending it to PNM areas. I have even heard people say a very interesting one, that we deliberately have policies in place where in parts of the country represented by UNC Members of Parliament, the Government is deliberately ensuring that those parts of the country do not have water.

As we do this debate and we talk about issues of equality, one of the interesting things is that one of the constituencies that are hardest hit for water at this point in time is my own constituency of Arima. If that were the case, and I, as the sitting Minister of Public Utilities and the Member of Parliament, based on that sort of philosophy and suggestion which really makes absolutely no sense if that statement were true, then one would try and figure out how I would just allow that to happen as people have been saying.

As a matter fact, I recall going to a particular constituency where several Members genuinely raised that concern and I think it is important as we talk about geography and we talk about an understanding of how our country is made up

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geologically, and geographically, and as we talk about issues of climate and so that we know very well that in terms of the distribution of rain and geological structure, it is the northern part of the country where you have the majority of the production and where you have the majority of the water sources.

As we seek to grapple with all the issues, whether it be the issue of water; whether it be the issue of electricity; whether it be the postal sector; any of those issues that fall under the utility sector, as responsible governments—and “responsible governments” meaning any particular government that comes into office—your duty is to ensure that your policies and programmes are put in place to benefit all the people of the country.

Miss Lucky: Hon. Minister, would you give way?

Hon. P. Beckles: Sure.

Miss Lucky: Hon. Minister, I understand the point you are making and you were talking about the water distribution, but I just thought that it was interesting that when the Member for Barataria/San Juan was speaking, he spoke about the political divide and I know some people were concerned on your side about whether there was a political divide. But even in your discourse just now when you were talking about the accusation which I am saying—I know you for many years and I know that is not the way you operate, but notice the accusation was not based on race. They did not say you were taking from the African to give to the Indian, or vice versa, the allegation was, you were taking water from the UNC areas to give to the PNM.

I am just saying because some Members on your side were concerned about the validity of the statement made by the Member for Barataria/San Juan, understand that is the way the accusation went also, substantiating the point that the problem in the country is the political divide manifesting itself in the racial divide. [*Desk thumping*]

Hon. P. Beckles: Well, I am going a little further to say that very often as politicians, we conveniently use that philosophy or that same thing that the Member of Parliament for Barataria/San Juan spoke about, but very often there is absolutely no truth in that when it is convenient to us, we talk about racial discrimination and political divide. That is why I made the point that we want to get to the stage where in terms of the maturity of the debate, and the maturity of our understanding what we are talking about—because I am sure as we go on, it is quite possible the dry season may go up until the month of May and you do hear people using that opportunity to claim that people are deliberately doing

distribution of water, even electricity at times for the purposes of their own constituency and political divide and that clearly has not been the case.

I am not saying that people may not do it, but insofar as making every effort to avoid that sort of thing is concerned we can look and see what has been happening in the country in terms of the electricity sector, and nobody can justifiably make that claim of racial or political discrimination or any kind of discrimination. What we have to do is to get to the stage where as we talk to our constituents and we talk to the people living in the country that we can comfortably say, when we have been given responsibilities and our ministerial portfolios, that that is not a practice which we have adopted.

As I close my contribution, as I said, we have seen both the judgments, at first instance the judgment at the Court of Appeal level; it is now at the Privy Council and they have been very clear that the original Act was unconstitutional and it should have been passed by a special majority. There are several things that needed to be done and that have now been done by the Government and the Bill is before this Parliament for consideration.

Thank you very much, Mr. Deputy Speaker. [*Desk thumping*]

Dr. Adesh Nanan (*Tabaquite*): Thank you, Mr. Deputy Speaker. It is my pleasure to join this debate on a Bill to prohibit certain kinds of discrimination, to promote equality of opportunity between persons of different status, to establish an equal opportunity commission and an equal opportunity tribunal and for other related matters.

Mr. Deputy Speaker, despite certain fundamental rights enshrined in our first Independence Constitution and later on in the Republican Constitution, Act No. 4 of 1976, equality has eluded and evaded us through many years and it is because of successive PNM Governments, who have almost institutionalized discrimination, inequality and injustice as it pertains to the law. We saw that today when a member of the public appropriately dressed was forcibly prevented from entering the public gallery.

Mr. Imbert: Who was that?

Dr. A. Nanan: And it shows clearly—[*Interruption*]

Mr. Imbert: Whom is he talking about?

Dr. A. Nanan:—that over the years, successive PNM Governments have discriminated and continue to discriminate and this evening I will show as I relate to my constituency the discrimination.

Dr. Moonilal: Map it for them.

Dr. A. Nanan: Mr. Deputy Speaker, the Member for Arima, the Minister of Public Utilities and the Environment in her contribution, coming to the end, gave some apology with respect to the distribution of water at this time in the height of the dry season. I want to point to a specific area in my constituency; it did not happen in the height of the dry season. I wrote the Minister of Public Utilities and the Environment on the lack of pipe-borne water in Brasso, in the foothills of the Central Range. And not only writing the Minister, several matters on the adjournment, and it was discussed at length, plans for Brasso Village and the distribution of water. It is now 2007, an election year, and still my constituents in Brasso are without a pipe-borne water supply. I ask you, is that fair? Is that equality of treatment?

We have heard with respect to Brasso that there are going to be plans for a development of laying of pipes in the area and there will be a pipe-borne water supply. But we have heard the Minister with respect to the allocations this year, in 2007, talking about plans to increase pipe laying projects. Why has it to be in 2007? Why has it to be? Why was the Gasparillo Police Station not opened in 2006 as it was supposed to be?

Dr. Moonilal: Why? Why?

Dr. A. Nanan: Was it because the Minister of National Security recognized that 2007 is an election year and he will deliberately delay the project or the opening of the police station for 2007? Is that equality of treatment?

The station has been delayed considerably and while this delay goes on, the fundamental rights of the people of Gasparillo are being compromised, the right to security, the right to safety. And while that station is in abeyance, people are being robbed; people are almost being kidnapped in the area. Is that fair? Not only with respect to the Gasparillo Police Station. I want to go to an area in sports. In 2005, I wrote the Minister of Sport and Youth Affairs, the Hon. Roger Boynes because in 2005 the PNM Government had a sport policy, a plan for sport.

I wrote the Minister about the recreation facilities in the constituency of Tabaquite and I gave him a list of all the grounds that needed to be upgraded. [*Crosstalk*] I even said that these can be upgraded to first class grounds so we can have proper cricket competitions at a certain level in the constituency. [*Crosstalk*] In 2005, I wrote the Minister. The Minister replied—I must say I must give the Minister his credit—[*Interruption*]

Mr. Deputy Speaker: Hon. Members, allow the hon. Member for Tabaquite to make his contribution. Just let him.

Mr. Imbert: The amount of work I did in his area.

Dr. A. Nanan:—and asked the Member of Parliament to prioritize with respect to the recreation facilities. I did so, I prioritized and lo and behold what I saw was a stadium, a Brian Lara Stadium in Torouba and no facilities in Tabaquite. Is that fair? I am just asking. Is that fair, Mr. Deputy Speaker? The recreation grounds have not been upgraded; there has been no statement with respect to any position from the Minister. What we heard is a sport company will get involved in the projects. There has been no work done in the constituency with respect to recreational facilities.

I also want to point out this charade of the Rural Development Company. Again, in Tortuga and in Guaracara we utilized a plan for the area because under the Rural Development Company, that particular company, you can have a plan for your area; full infrastructure upgrade as well as all the utilities and even to certain levels to bring that part of the constituency up to the rest of the country. Hard-working individuals from the constituency, in Guaracara and in Tortuga came up with a plan for the area. It included all the ministries, whether it is the Ministry of National Security, the Ministry of Tourism—that I will come back to—the Ministry of Works and Transport would have been involved and the Ministry of Public Utilities. Why must these people be deprived of cable in that particular part of the constituency? So the plan included all that.

We are talking about a modern—day town that is going to be developed. Proposals were sent to the Rural Development Company and do you know what the reply was? The reply was that the Rural Development Company does not have any money. The Rural Development Company says, “The Member of Parliament has to write the Minister of Planning and Development.” We were never told that. We were never told that in this House. We were never told that the Rural Development Company cannot do anything for you, the Minister of Planning and Development has to approve the project and then the Rural Development Company.

The Member for Diego Martin Central shakes his head. That is the situation in this country. Is that fair? And we are hearing about all the projects in Pleasantville and other parts of the country; but why must the people of Tabaquite suffer?

Ms. Seukeran: And San Fernando West.

Dr. A. Nanan: Mr. Deputy Speaker, why? It is not fair. People are going about and it is expectation. When you look at another part of the country and you see a lot of work being done in certain parts, people are expecting things to happen in their own districts.

Mr. Imbert: The number of things we did in that area.

Mr. Hinds: Clause 1, clause 1.

Mr. Imbert: The police station.

Dr. A. Nanan: Mr. Deputy Speaker, Brasso without water. We are dealing with public authorities here and the failure of public authorities to perform their functions. That is what they are dealing with; that is discrimination as in the Bill.

Mr. Deputy Speaker, Brasso without water. Do you know that there is a certain part of my constituency as you travel towards the Central Range, the people can see from that elevation, Navet Dam, but they have no water, no pipe-borne water supply. We had to organize a self-help project for those people. Why is the situation like that? Navet Dam is so close and the feasibility from the Ministry of Public Utilities is that it cannot happen. Why, Mr. Deputy Speaker? Why? Is that fair? In this era, why is that situation taking place? That is what is happening. When I hear the Ministry of Sport and Youth Affairs saying that—they have not replied to me, so I take it automatically that they are not going to do anything with respect to any upgrade and recreation facilities upgrade.

It is sad. Why is a local government corporation being starved of funding? This Act binds the State. I hope you all are aware of that, this Act binds the State. Local Government Corporation starved of funding. Now the Minister of Works and Transport goes on television and says he is taking over all roads in the country. He goes on the television and says he is taking over all the roads. [*Crosstalk*]

Mr. Imbert: The number of roads I paved already, retaining walls and landslips.

Dr. A. Nanan: Mr. Deputy Speaker—[*Crosstalk*]

Mr. Imbert: Come off that.

Dr. A. Nanan:—the Williamsville exit to the Solomon Hochoy Highway reduces the traffic flow into the Gasparillo—

Mr. Deputy Speaker: Hon. Members, the Hansard Reporter is unable to hear, so would you please stop the crosstalk. Go ahead, Member for Tabaquite.

Dr. A. Nanan: Mr. Deputy Speaker, I think he just wanted to get some words in the *Hansard*, so when I am reading I will see what he said of me. [*Laughter*]

Dr. Moonilal: Fix people roads.

Dr. A. Nanan: But, the Williamsville exit which was recently introduced by the Ministry of Works and Transport, removed some of the traffic into the Gasparillo area.

Mr. Imbert: It solved about 90 per cent.

Dr. A. Nanan: That is not true, Mr. Deputy Speaker.

Mr. Deputy Speaker: You have to speak to me.

Dr. A. Nanan: The Member does not go to Gasparillo on evenings so he does not know the kind of intense traffic that is still there.

Mr. Imbert: You are a wretch.

Dr. A. Nanan: If the Ministry of Works and Transport really want to make an intervention in this country, they must go back to maps like these. [*Map held up*] Simple maps—

Mr. Imbert: What map is that?

Dr. A. Nanan: This is a 2000 map, Mr. Deputy Speaker; simple maps like these would show the existing roads in the constituencies. I want to make an intervention here because the traffic situation in Gasparillo can be reduced even further because coming off the Forres Park exit, you can go—

Mr. Deputy Speaker: Hon. Member, all that you are saying is very interesting, but you will please connect it to the legislation we are dealing with.

7.00 p.m.

Dr. Adesh Nanan: The Minister of Public Utilities spoke about water. In my opening I spoke about the water situation in Brasso. I am now talking about the roads and the local government corporations. This Bill talks about public authorities functioning and about persons who have to go to these public authorities being discriminated against. What are we seeing here? People are going to the corporations, day in and day out, but they cannot get any work done, because the Ministry is not giving money to the corporations. [*Desk thumping*] The rural constituencies are suffering in this country, because they are not functioning. The Ministries are not functioning, and they are public authorities.

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When a company has to tell a Member of Parliament, "No, you have to go back to the Ministry of Planning and Development", that is another 20 years you are talking about.

When you go to the Budget department, they would say, "No, no, no, that is not for this year; put it for next year"; so the constituencies are being neglected and that is why we have discrimination in this country. That is what this Bill is about. [*Crosstalk*]

Mr. Deputy Speaker, I was pointing out in terms of discrimination that the road from Forres Park to Cedar Hill Road could be paved.

Mr. Imbert: You want it paved?

Dr. A. Nanan: The Ministry of Works and Transport could pave the road off Cedar Hill Road called Baboolal Trace and bring the traffic back so that people going to Mayo and environs would not have to go through Gasparillo; that is the point I am making. [*Crosstalk*] The Ministry of Works and Transport is discriminating against the people of Tabaquite.

Mr. Imbert: What! Is \$50 million we spend on you!" You are a madman!

Dr. A. Nanan: If the Ministry was doing its work and if the Government was supplying money to the corporations, all these minor roads that the Ministry is now taking over, he would not have had to. [*Crosstalk*] Why is the Ministry taking over these roads in 2007? Why was that not done in 2002/2003? [*Crosstalk*] The people in Baboolal Trace are being discriminated against by the PNM. [*Crosstalk*] The people in Perry are being discriminated against. [*Crosstalk*] I will link it and show you, because I wrote the Ministry. [*Crosstalk*]

Mr. Deputy Speaker: Hon. Members, please.

Dr. A. Nanan: I wrote the Minister of Agriculture, Land and Marine Resources with respect to agricultural access roads—discriminating against the farmers in my constituency! [*Crosstalk*] The farmers in my constituency are being discriminated against by the Ministry of Agriculture, Land and Marine Resources. [*Crosstalk*] The farmers supply part of the breadbasket of this country. The farmers are suffering. [*Crosstalk*]

Mr. Imbert: All "de" farm roads I do for "de" man; he is a madman.

Mr. Deputy-Speaker: Hon. Minister of Works and Transport, I know you have been attacked, but compose yourself; restrain yourself. [*Crosstalk*]

Mr. Imbert: The man is crazy!

Dr. A. Nanan: The farmers are suffering. I wrote the Minister of Agriculture, Land and Marine Resources with respect to the upgrade of agricultural access roads. I gave him the names of all the roads that supplied the area. I gave him Samlalsingh Trace, Lightburne Trace and Dowtal; they are all on the map. Dowtal is now a muddy, slushy area and there has been no recourse. People are suffering in that part of the constituency because of discrimination, and they will continue to suffer. If the Ministry of Works and Transport takes over these roads, I do not know when they would ever be dealt with again, because from 2002 to 2007 they have not been dealt with. *[Interruption]*

Mr. Imbert: They are your corporations' roads.

Dr. A. Nanan: You are not giving the corporation the funding to do the work. I want to show you something in terms of the relationship, because it is the relationship that is important. A lot of roads supplying these areas are in a deplorable condition; in fact, one of the roads in my constituency off the Bon Adventure Road, Silk Cotton Road, that have been discriminated against, is Perry Road. It starts way off on the top of Bon Adventure Hill; it goes into the valley, climbs another hill and then goes off into agricultural access roads. According to this map, if Perry Road was paved it would open up the entire valley; so we are talking about road transport, access to farmers. We are not seeing that; that is total discrimination against the farmers in the constituency.

We can look at other areas. Look at this next area, Mr. Deputy Speaker, just coming off the constituency and going nationally. When the PNM Government was in charge between 1991 and 1995 and beyond, they discriminated against children that were 11 and 12 years old. You remember that dreaded Common Entrance Examination, where thousands of children could not have a secondary education, because of the PNM Government's policy. *[Crosstalk]* Recall in 1995 when the landscape was being transformed by the UNC administration led by Mr. Basdeo Panday as Prime Minister; recall the landscape at that time. Now it is discrimination to the highest extent. If you had gone through this country, almost every single primary school was in a state of disrepair. Look at them today under the same PNM: pigeons in Tranquility school. Every day they say that they are going to rebuild Tranquility. That is the kind of discrimination you are seeing at this time; no pre-schools. Under the UNC, from 1995 onwards, we had put things in place. There was no discrimination at that time. *[Crosstalk]* Let me explain something to you, Member for Tobago East, in case you did not know. *[Interruption]*

Mr. Deputy Speaker: Speak to me.

Dr. A. Nanan: What happened then? There was no discrimination. They could say what they want; there was no discrimination. When the secondary schools were being built it was not only in UNC controlled areas; they were built throughout the country based on needs assessment. [*Crosstalk*] Children were placed in their own areas; they did not need transportation.

We saw a situation just two days ago where a maxi-taxi overturned and children were injured. Why? Because the Minister of Education would not fix a school in the country. Elswick Presbyterian; that is discrimination. Children are being hurt by the PNM Government; blood on their hands because the Minister of Education is a non-performer; discrimination at that level.

I was pointing out to them that the window of opportunity was seen by the UNC; no discrimination. That is why today the population of children writing the Secondary Entrance Assessment (SEA) is decreasing. Because of the UNC's foresight, [*Crosstalk*] a plan was put in place for the secondary school loan based on that programme, whereby in 2007 there would be a number of children writing the SEA and they would have schools to go to. [*Crosstalk*]

I do not bother with the asides, Mr. Deputy Speaker; I will handle them one by one if you want me to. [*Desk thumping*]

Mr. Deputy Speaker: That is what I fear you might do and as a result of that I want them to stay quiet so you can continue. [*Laughter*] [*Desk thumping*]

Dr. A. Nanan: Thank you, Mr. Deputy Speaker.

We did work; we did not discriminate, and they know that; that is why they should hang their heads in shame at what is happening in 2007. Everywhere you go people are suffering in this country because of the PNM; suffering for water; suffering for roads; suffering for health care. [*Desk thumping*] We heard a statement in this House today about health, 2010 vision. What is happening now? [*Crosstalk*] Do not come and tell me anything; it is in the Bill. [*Interruption*]

I was dealing with agricultural access roads in your absence and I will go on to that area because it is important, not only to Tabaquite, but I am sure to other constituencies. For agricultural access roads they only gave you money this year because it is an election year. What happened from 2002 onwards, were there no farmers? [*Interruption*] In the education sector, there is no discrimination?

When we came into office in 1995, there was a certain number of scholarships; if I recall about 50. We increased that to 67 based on the priorities in terms of budgetary allocation. [*Crosstalk*] They always come to this House and talk about

the John S. Donaldson Technical Institute, how the UNC "run it down"; a pack of lies—sorry, Mr. Deputy Speaker—a tissue of lies coming from the PNM that is repeated time and time again; untruths. [*Crosstalk*] Discrimination! No way under the UNC, but under the PNM you have to tick off "yes". Even in the vocational schools there was no discrimination.

Mr. Deputy Speaker, I wrote the Minister of Tourism about a lovely area in my constituency of Tabaquite. The Caparo River passes through that area in Brasso with the old bridges from the railway. I put a proposal forward that we could bring people from the cruise ships down the highway through Gran Couva to that area, where there is a kind of mini bird sanctuary and a park. Nothing from the Ministry of Tourism. [*Crosstalk*] So what you want me to say, that they are doing their job? They are not doing their job. That is discrimination at the highest level, because these projects are not for the MP to look good; they are for the people to benefit, for economic intervention in my constituency.

When you talk about Brasso, it is not only water the people are being deprived of; they are deprived of a tourism facility that is possible in that area. [*Crosstalk*] I will not reply to that aside, because that would take 15 minutes and I do not want to go there. [*Crosstalk*]

Mr. Deputy Speaker: Hon. Members, if you continue to engage the Member for Tabaquite in crosstalk he would continue to speak about things that are not as relevant as we would like them to be. [*Laughter*] Please, do not engage him. [*Desk thumping*]

Dr. A. Nanan: Mr. Deputy Speaker, I want to stay relevant, so I will continue my approach.

I am doing so because I want to show the neglect of rural areas under the PNM. This Bill allows you to go that way, because it shows that the people are suffering. Do you know how many times persons in my constituency go to the Water and Sewerage Authority (WASA)? We marched from Debe to the WASA office; the newspapers reported it and we had water for one day. Why should a desalination plant repair be planned for the dry season? Is that not discrimination, because they recognize that the desalination plant supplies a lot of water to UNC-controlled areas? [*Crosstalk*] Water, health, security; discrimination.

Why must people in this country who have a fixed income now pay protection money as well as have burglar proof, what we call a steel curtain, under the PNM? [*Crosstalk*] Even with that steel curtain, you have to open your burglar proof very carefully at midday and then go back inside and lock your house; that is under the

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PNM; and they are having consultations. To hear what? [*Crosstalk*] To hear that we are afraid; to hear that we do not want to come out of our houses? We saw military force this afternoon perpetrated on a member of the public. Is that the message they are sending? And they come to talk about no discrimination and that this is PR; this is not PR; this is a matter of public interest. This is a matter for the citizens who are crying out for help; this is the saviour, because this Bill will save Trinidad and Tobago. It was brought by the UNC.

The fire services responded to a call in my constituency and a whole building burned down over the weekend, because they arrived one or two hours late without water; that is the situation. [*Crosstalk*] What is the situation? If you know, stand and say so.

I also want help. I had to ask the Member for Port of Spain North/St. Ann's East, because the poor people lost everything in a fire in that part of my constituency because of the tardiness of the fire services. Of course, it might have been an electrical problem, but at least they could have salvaged some things. We have seen from time to time in this country that if the fire services arrive on time, there is no water; the entire place gone. [*Crosstalk*] Not only the fire services, but also the ambulance service. They are discriminating against the people. Everything is collapsing in every sector of this country.

Why are we sending buses in 2007? Why could the buses not have been there from 2003? The allocation was almost the same; the budget did not change much in terms of distribution; the wealth was there from 2003 onwards. [*Crosstalk*] Why must it be like that? That is discrimination at the highest level.

In my own constituency again, we have some fantastic areas that I wrote the Minister of Tourism about. In fact, I wrote not only that Minister, I also wrote the Minister of Culture and Gender Affairs under the National Trust. I saw the National Trust advertising in the newspapers recently that they have control of different areas. Under the National Trust Act I am sure you are aware that there are allocations to preserve our heritage, and that means water for all my constituencies, of which I have two, maybe three.

As you may be aware, Mr. Deputy Speaker, in the constituency of Tabaquite, a lot of the rivers: Caparo, Mamoral and Brasso, emanate from the Central Range and go into various parts. The Poole River passes through the constituency of Tabaquite. In terms of the development of tourism, there is great potential there. I have been marginalized by the Ministry of Tourism and the Minister of Culture and Gender Affairs. Under the Act, the Minister of Culture and Gender Affairs is

supposed to upgrade these facilities. In fact, there is supposed to be a register of all the places of interest in the country, but there is none.

I am sure the Minister is not even aware that there is a Piparo waterfall. It is now in the constituency of my friend from Princes Town, because the Elections and Boundaries Commission changed the boundaries. [*Crosstalk*] There are three beautiful waterfalls in the Brasso/Tamana area that need to be developed, but there is no response from the Ministry of Culture and Gender Affairs under the National Trust Act. Discrimination at the highest level from that Ministry.

Not only in the Brasso/Tamana area, but in the Tabaquite area as well there are lovely rivers that need to be upgraded. What about a river clearing exercise? That was never done in Tabaquite. When the UNC was in government there was a river clearing project, and not only in the constituency of Tabaquite. In that particular year there was no flooding. Is there discrimination against the constituencies controlled by the UNC? Why is that situation developing? Caparo floods every year when rain falls.

We heard of a dam; I do not know when it would materialize, maybe 2009, because the Prime Minister was projecting everything to 2008, 2009, 2010. Discrimination! [*Desk thumping*] That is the situation everywhere. The Ministry of Tourism is depriving the people of lifeguards. They are running an advertisement with an Australian lifeguard talking about the good things of lifeguarding, and they do not even have lifeguards on the beaches. Actually, it is so embarrassing that a tourist has to render assistance, because there is no lifeguard.

I want to stay on track with respect to relevance and discrimination in the Bill. I am dealing with public authorities. It is not only the Ministry of Tourism, but another ministry has not responded at all. I dealt with Public Utilities; I dealt with Culture. There is another ministry that does not respond to anything I have sent out—the Ministry of Science, Technology and Tertiary Education (STTE). We always hear that more scholarships are being offered, but when we look at the GATE programme and all the assistance being given, how many people are benefiting? What is the selection criterion? Nobody knows.

Let me explain something to you, Mr. Deputy Speaker. When the UNC had the On-the-Job Training (OJT) Programme in the Ministry of Education, we did an analysis. Out of the \$17 million to run the programme at that time, \$10 million was not spent on administration. You are running ads every day about the beauty of OJT; I am not saying that it is a bad programme, but how many people are benefiting and how many more would benefit? [*Interruption*]

Mr. Hinds: Are you aware that they have extended it to 12 months now?

Dr. A. Nanan: How many more would benefit if they cut out the bureaucracy, the administration? People are being discriminated against because of the incompetence of the Government. Discrimination at that level! That Ministry is a failure as far as I am concerned. And you hear them talking about how many persons entering the University of the West Indies and how they have to expand. They show us Tamana Park, a big exercise and the Minister talked about a multi-storey car park; big, big projects; what we call shadows in Port of Spain, but people in the rural constituencies are suffering; discrimination.

If you look at your advisories, they are saying, "Be careful when you leave Piarco." Is that why they are building hotels nearer to Piarco, because of the crime situation? They have to get that under control; discrimination at that level. They do not want us to talk about it; it must be swept under the carpet; it is irrelevant to this debate. Unfortunately, my friends, it is relevant.

With respect to the coastguard vessels and the situation with the Bajan fishermen, we saw one law for the PNM, one law for the UNC. One law for the PNM with respect to the Bajan fishermen; one law for the UNC with respect to alleged voter padding. Cases and more cases being suspended; discrimination.

[MR. SPEAKER *in the Chair*]

Mr. Speaker, what are we seeing with PNM members? Cases are not being called; postponed. Is there one law for the PNM and one law for the UNC and others? Discrimination. In the Ministry of National Security, discrimination and more discrimination. Injustice and inequality; that is what this Bill is dealing with. Reference was made in debate on this Bill with respect to somebody being hired in a puja shop; that you would not hire a Christian to work in a puja shop. That is an exemption under this Bill. So there is discrimination, not only with respect to race, there is discrimination with respect to people suffering.

What about all these squatters? Why are these squatters being discriminated against? There was supposed to be a squatter regularization programme. What are we seeing? Breaking down of houses; people being put out; people screaming, crying, and being put out in the rain. Discrimination by the PNM, because of that situation. People are going to the authorities, to the Housing Development Corporation. They are going to the authorities and still there is no help. They are being evicted. [*Crosstalk*]

Mr. Hinds: For nonpayment of rent and failing to negotiate a settlement.

Dr. A. Nanan: They are being evicted left, right and centre; people are being thrown out on the streets under the PNM Government. [*Crosstalk*] Discrimination at that level. In my own constituency, under the same Squatter Regularization Programme, there is a certain part that has to be regularized, but no, nothing is happening with respect to that particular area. People have to beg; they have to come to the MP to get a letter to go to T&TEC. When they go to T&TEC, they are told, "No, no, no; you have to pay for a transformer." In this day and age, why must that happen? Why must these poor people have to gather money to buy a transformer for five homes? Discrimination by the Government with respect to that particular area. They are not getting water because they have no land tenure, these squatters in my constituency. They are being discriminated against by the Government. No water; no electricity; public authority not functioning; that is discrimination under the Bill. The public authority must be able to provide those things. [*Crosstalk*] That is the kind of discrimination taking place.

I wrote the Minister of Public Utilities about a particular area in my constituency. I spoke about snakes and scorpions in the day; do not talk about the night; the children have to pass across that particular area. Four years, five years since I have asked about lighting in that area. People are suffering. So when you talk about equality, fairness, public relations (PR) campaign and the Equal Opportunity Bill, that there is legislation, that you do not really need this particular Bill, it is not true; people are suffering.

Another area in dealing with this particular Bill is the Equal Opportunity Commission. This commission moves you away from the court scenario and allows you to have some kind of reconciliation, similar to what is supposed to be under the Squatter Regularization and Land Tenure Act and the distribution of Caroni lands. Discrimination in 2007; since 2002 they were working on giving lands to Caroni workers. It is now 2007, an election year, discrimination; now you give out lands. What kind of lands are you giving out?

I was informed that it would be better to fish farm in this country than to plant crops on those lands? Yes, fish farm. You would have these big tanks that you put on these land acreages and have tilapia farms. I am sure the Member for Arouca North is aware of that, because it is a big project; Tilapia to supply the entire market in the country as well as for export. Discrimination at the highest level by the PNM is preventing that kind of situation developing. Why are we being discriminated against? Is it because of a political situation? Is it to keep the country in turmoil, so that people must be suffering and beg for everything?

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I made reference to constituents coming to my office asking for a letter to go to T&TEC, a letter to go to WASA, and they are afraid. The Member of Parliament is also afraid, because the next thing you know, you give them a letter to go to WASA and the Housing Development Corporation intervenes and breaks down the squatters' homes and throws them out on the street. We should not have that; all our people should be regularized according to that Squatter Regularization Act. Discrimination; our people are suffering.

Mr. Speaker, I am sure you are aware that if a squatter has a problem, he has to go to the courts to resolve the matter. A lot of the time there is a large fee for a lawyer to take the case. They do not have that money, so they would either have to move or probably go under a tree to live; that is the situation in this country in the 21st Century; discrimination in terms of squatters; people who are trying to make a living.

A squatter came to me recently; he said that all the money they earn goes into their home; they have electricity and they want water; the pipeline is passing right there, but they are afraid to approach the authorities before they throw them out. [Interruption]

Mr. Speaker: The speaking time of the hon. Member for Tabaquite has expired.

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

Question put and agreed to.

Dr. A. Nanan: I thank you, Mr. Speaker, and all the Members for extending my time. I give you the assurance that I would not be taking all of it. [Crosstalk]

In terms of discrimination, I also want to deal with another issue with respect to educational establishment in detail. Several questions are asked on the Order Paper and there is no reply. In my constituency, why should we face in 2007 having a computer lab being built two years ago in one case and one year ago in the other case and there are no computers? Is that not discrimination? There are no computers and yet there is a kind of boldness in this House. The question is on the Order Paper for weeks, even months and the Ministry would not say, "You know we might have to put computers there"; no, they are just not putting any. Discrimination, no computers; the children must suffer in those areas. Why? [Crosstalk] No computers in Mayo RC; no computers in St. Stephen's Anglican School. People are crying out; the children are being starved for knowledge in those areas. Is it a deliberate ploy by the Government to do that, to suffer them?

The UNC built a secondary school in Biche; the PNM Government said that they found oil and then the Member for Diego Martin West said, "No, is gas; noxious fumes." I think the Member for Diego Martin West is a volcanologist. [Crosstalk] Today, the children of Biche are being discriminated against. If you knew in 2002 that you were not going to open the Biche secondary school, at least look around and build another school for the children in Biche. You do not wait until 2007, because it is an election year, to look for land. Is that the plan? That is discrimination.

Everything that the UNC did for this country—if they could only go around with a backhoe and break down all the bridges; discrimination. Every plan for improvement in this country under the UNC has been shelved. The intersection was supposed to be built since 2002; we saw public relations gimmicks, extensive pile driving. We see the widening of highways and roads, nothing to do with the intersection. Discrimination for the people of the whole country, because there is a lot of traffic in that area; a public authority is nonfunctioning.

Look at the situation with the stadium. Where is the Minister of Sport and Youth Affairs? He does not pay attention to anything happening in his Ministry; one public authority that is nonfunctional is that Ministry. Look at the Mannie Ramjohn Stadium. I had to go there because my daughter was going to march; I was shocked when I went. People were terrified that I would see the condition of the Mannie Ramjohn Stadium that was built under the UNC; it was a stadium par excellence. There is a gym there, but no upkeep. Imagine the glass doors as you are going into the stadium are cracked; that is a hazard; it is dangerous and they would not repair them. The handles are coming apart on the doors of the Mannie Ramjohn Stadium. Discrimination at the highest level by a public authority. Go down to the Mannie Ramjohn Stadium and see what is happening there. [Crosstalk]

Mr. Hinds: The glass is cracked and that is discrimination? You are cracked; you need repair. [Crosstalk]

Miss Lucky: If you engage him in crosstalk, he will take longer. [Crosstalk]

Dr. A. Nanan: You will not fix the stadium; you will not do any upkeep. [Interruption] The situation at Mannie Ramjohn is discrimination. They will not do anything to upgrade anything in this country built under the UNC; discrimination at the highest level. Why? Spite, malice; that is the situation here.

I want to let you know that there will be no spite and malice when the UNC returns to government. [Desk thumping] All those things will be put right. We built those stadiums, at least manage them. You have a manager who is not even aware of who is coming to the stadium; discrimination in those areas; in everything.

I want to go into another area before I close with respect to discrimination by public authorities. [*Crosstalk*] I want to deal now, not extensively, with local government corporations that are starved for funding and discriminated against by the PNM. Poor people are suffering in various parts of the country, and in my constituency, because they need to divert a watercourse, which is a Ministry of Works and Transport area, or put a pavement for school children or even to fix a drain, do you know how many persons are discriminated against by the PNM Government by their starving the corporations? Do a survey; walk around the various constituencies. The Prime Minister is walking about the constituencies; I am sure every time he goes anywhere they are going to tell him about a drain.

Dr. Moonilal: They chased him from Oropouche.

Dr. A. Nanan: Exactly; the situation is terrible. If the situation was not like that, I would not contribute to this debate, but equal opportunity is what we are talking about here. Fix it. That drain situation could be rectified; people must not suffer.

Flooding is a next major area in my own constituency; discrimination. [*Crosstalk*] Do you know what it is to have water passing through your home and all your appliances damaged and when you go for assistance, nothing? [*Crosstalk*] Discrimination by the PNM; they are giving flood relief. Do not talk about the Member for Arouca North and compensation for flood relief; nothing from that Minister.

Mr. Narine: Seventeen million dollars we paid out last week!

Dr. A. Nanan: All kinds of airy figures you are calling this afternoon; flood relief. [*Crosstalk*] Discrimination at that level; flood relief in my constituency; nothing.

I want to point out the Mayo area, because it is important. I am sure the Member is going to tell me that the people have been living along the river bank in Mayo—and when the flood came all their livestock was washed away; discrimination. Whether they are living on the river bank or not, they were making a livelihood.

Mr. Narine: You just said they were squatting.

Dr. A. Nanan: I did not say they were squatting. They got nothing from the Ministry of Agriculture, Land and Marine Resources with respect to compensation; discrimination against the people in Mayo by a public authority. That should not take place in the 21st Century. Not because of representation, I wrote several letters with respect to those people in Mayo.

There was also a situation in Lightburne where they had flooding again, and no help, so I must bring that in. They are not dealing with the people. If you are not going to give any compensation, then say so. Do not say you will give compensation and then give nothing. That is the situation developing all over the country any time there is flooding, discrimination. [*Crosstalk*] [*Laughter*]

There is another area that I would like to quickly go to before I close, because it really is a burden in my constituency. I know that my constituency was neglected for years, for decades by the PNM, but we have been able under the UNC to bring the constituency up to a certain level; no help under the PNM in the last five years with respect to any upgrades in my constituency. The area I want to deal with before I close is the matter of security, not only with respect to the Gasparillo Police Station. There were several kidnappings. If you check the number of kidnappings, I think the Tabaquite constituency had the most at one point in time.

We have no police post in Tabaquite; they closed down the Brasso Police Station, discriminating against the people of Brasso, Tabaquite and environs. Even in Caparo there is no police station. Every year in the budget debate we hear about tenders and designs taking place; they were designing everything in 2002 for 2007; but in 2007 we are not even seeing a pillar or post for the Brasso Police Station or the Tabaquite Police Post.

We see the Minister of Health parading with mobile health centres, because he recognizes that he has not been doing a good job—an absolutely poor job in terms of the health facilities. People are being turned back from our health institutions because of a lack of drugs even at our primary care centres, under the distinguished Member, the Minister of Health. Everything has fallen down; discrimination. The people are not getting their medication on time at those health centres. Why should you discriminate against the people of Tabaquite by having health centres not opening longer hours? In every single polyclinic there is dental equipment and all is being thrown away and wasted; discrimination by the Ministry of Health. The poor people in the country are suffering and the equipment is going to waste.

Mr. Speaker, as I wind up there is only one more area that I will deal with quickly before I leave. [*Crosstalk*]

I will deal with another important area in terms of socioeconomic development; it deals with the Ministry of Social Development and the failure of that Minister with respect to my constituency. The Community Empowerment Centre at Piparo

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has been neglected by the Minister of Social Development. That was constructed under the UNC, but there has been no upgrade in that area. Social development facilities are almost non-existent in the constituency of Tabaquite; that is what we are seeing. Whenever there is a fire, no help; we have to beg, but that should not be so. There are grants available from that Ministry, but there is discrimination by that Ministry and not only with respect to fire. Socioeconomic development is a very important area in rural constituencies; we rely on those facilities, but we have been neglected and discriminated against. The people are suffering.

I hope that from my contribution on this Equal Opportunity Bill, the Government will recognize they will lose the next election if they do not get their act together.

I thank you.

Miss Gillian Lucky (*Pointe-a-Pierre*): Mr. Speaker, with the greatest respect, and I really do not think it is because we are late in the evening, but having heard the contributions of the front bench Opposition, I see there is a clear misunderstanding between discrimination and gross negligence. This piece of legislation is dealing with equal opportunity.

We have just had to sit and listen to the Member for Tabaquite who spoke about his constituency, his constituency, his constituency. If he has put in his nomination papers and this was his opportunity to make sure that he gets the nod, so be it, but we are not talking about a particular constituency. We are talking about Trinidad and Tobago and nobody owns a constituency. Let us get that understanding from the outset. I say this without reservation or apologies on this side: The only Member who to me, without any legal training, has stood and put forward amendments that really dealt with the issues at hand, was the Member for Barataria/San Juan.

We all know that he is a very close friend that goes beyond the politics, but when you look at the serious issues we have to discuss it really bothers me each time I come into this House, limited though my time is going to be here, not just this evening, but looking down the road, and the reality is that we are not getting the legislation right, because we are spending too much time talking politics without relating it to the legislation at hand.

In fairness to the Member for Laventille East/Morvant, in fairness to the Member for Arima, when they stood up they made reference to a Court of Appeal decision that looked at the 2000 legislation, which recognized that there were problems. We have to make sure now in 2007 that we do not repeat the mistakes,

because we are going to get back to square one. I am speaking openly tonight, as I normally try to do.

The Member for Tabaquite spoke about discrimination, discrimination, discrimination. It is always the first thing people jump to say, but I should have claimed discrimination when on April 11, 2005 I took a stand in the name of integrity and councillors of the UNC were called and told, "Doh help Lucky any more; Lucky is not a UNC." That was discrimination. [*Desk thumping*] The double standards in this country!

I get passionate about it, because we are a hypocritical nation. Everybody is talking about whether Sir Elton should come to the country; how many persons are taking a stand against Mr. Akon and what he did to a young person in Trinidad and Tobago? Whether she was right or wrong to go to the Zen Club; whether her mother, father, brother, sister, son should have told her about what she was wearing; what is the bigger issue? That an artiste is allowed to come to our country, drag a 14-year-old in a sexual sort of way and then just leave her at the side, and this country does not stand up against it, but Sir Elton John becomes a big issue. Hypocritical and double standards. I am not going to sit in this Parliament and let hypocrisy reign. [*Crosstalk*]

Mr. Speaker: Order!

Miss G. Lucky: The Member for Tabaquite spoke about discrimination, discrimination; well I want to talk about gross negligence and show the distinction from a personal experience. There is no fire station in Mayaro. That is a PNM constituency, as it stands now. I know the boundaries have changed. There was a bush fire about three weeks ago.

Three weeks ago when I was trying to destress in the lovely area of Mayaro, I got a call, "Emergency, emergency, bush fire"; five houses under threat; no water. The bush fire had got out of control; that was the reality. We called the Rio Claro Fire Station, the nearest fire station, and the gentleman who answered the phone said, "Listen, I can come and help." The man did not ask my name or which party I belonged to; he said, "I will come and help, but understand that we are coming from Rio Claro."

If, as the Member for Tabaquite would have us believe, there is discrimination, then using that logic the PNM should have made sure that a fire station was built in Mayaro. [*Crosstalk*] Do not feel too happy on the other side; you have been grossly negligent, but that does not mean you discriminated. I want to go on to the stress that occurred.

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Bush fire; five houses under threat; three or four persons trying to see what they could do; thank God the WASA trucks came to deliver water. The workers, seeing the place under threat, said, "Doh worry." They took their hoses and although the clamps were not working as they should, they got the bush fire under control and were able to control it until the experts came.

What that showed me was that in this country we do not really have a problem with racial discrimination. We have a problem that when we are not under threat we tend then to fall prey to the political divide. When that WASA truck came and the men came out to help us, they did not say, "Which are the UNC houses; which are the PNM houses; who is Indian; who is African?" They came out there and started moving according to where they felt was most threatened; that is Trinidad and Tobago. [*Desk thumping*] I commend those persons.

Those WASA trucks could have ignored us; they could have said that they were there to deliver water; they did not. They went back and got more water and said, "We will help you until that fire brigade comes." The simple point I am making to the Member for Tabaquite is: Do not mix up discrimination with the gross negligence of the PNM, because they are grossly negligent, but it is applied across the board. [*Desk thumping*] That is where they are equal in treatment, because the gross negligence goes across the board.

I would like to see if we could really get—notice I am saying "we"; it is not even my constituency; I am talking about the people—a fire station in Mayaro. The reality is, if there is a fire at any house, even though you may have the oil companies that have their own emergency provisions and equipment, the people of Mayaro deserve better. If that is the situation in other places, then we need to address it, but that is not discrimination.

When for political reasons persons start pumping into the heads of Trinbagonians that it is discrimination, discrimination, discrimination, when there is none—there are instances, yes, but where there is none and it is claimed, the society will never ever move forward. That is the point that the Member for Barataria/San Juan was putting forward. [*Desk thumping*] He has been saying it all the time, that we need to get the politics in the country to reach to a stage of maturity, that you could be PNM, you could be UNC, you could be COP or nothing, but at the end of the day, you would be treated fairly. [*Desk thumping*] That is what we want.

I want to agree with the Member for Diego Martin Central on this limited point. I support the legislation, not in its present form, because I am going into the

details using the judgment of the Court of Appeal to show that the drafters have not really addressed the concerns raised by the Court of Appeal. I agree with the Member for Diego Martin Central that the passage and enactment of this legislation is not going to solve the problem. [*Desk thumping*] When you have to mandate the people and tell them, "Do this or else", it means that in their hearts and minds they have not really changed how they feel, but they are only tolerating it because they have to.

We have to become a society where we accept, because we know it is the right thing to do. That is what this legislation is not going to be able to do. We need to fix the legislation. It is going to be an important tool, but if we are going to rely on it as our main or only tool, we are not going to get anywhere.

Mr. Speaker, I want to make it clear. I know the Member for Diego Martin Central read a letter written by the Chamber of Commerce. If I were the Member for Tabaquite I would say that I really feel discriminated against. I feel neglected, because I feel that their comments, coming from a very important body in the country, would be comments we should be privy to. I know, Member for Diego Martin Central, you did indicate that there was a "cc" and you read out those who were copied, but I feel and I know that in the same way the Chamber felt when the Member for Barataria/San Juan and myself had distanced ourselves from the control of the whip of the UNC, to call us to deal with fighting crime, not just the two of us, but everybody deserved to hear what those comments were.

Again, I say it bravely, without any fear of whatever repercussion, because I think it is time that people recognized that if you want to have support and input you cannot be selective; you have to make sure you include everybody, even if at the end of the day we might have a difference of opinion. [*Desk thumping*]

Let us look at it. Even our national anthem that would have been created in 1962 when we became independent, and it is still relevant, but our diversity has become much more. Our national anthem says, "Here every creed and race finds an equal place", but we are no longer diversified based only on the criteria of creed and race. So I am not suggesting in any way that we change the anthem, but let us recognize our level and degree of diversity. So "equal opportunity" may be the politically correct term, but what we are actually trying to do is to manage diversity. If we manage diversity, then there will be automatic and inherent equal opportunity. [*Desk thumping*] It is just something for us to think about. We talk about equal opportunity, but have we ever really considered that there is a difference. [*Interruption*]

Mr. Speaker: There was a procedural motion to be moved at 7.50 p.m., so we are late. I take it that we would agree to suspend that provision and we will now take the Motion. [*Crosstalk*]

PROCEDURAL MOTION

The Ministry of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley): Mr. Speaker, I thank the House for the indulgence. I beg to move that the House continue to sit until about 9.30 p.m.

Question put and agreed to.

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Miss G. Lucky: Mr. Speaker, I could only hope that it is not my level of passion and, perhaps, hyperactivity of contribution that made us have this procedural deficiency. I apologize if I in any way contributed wholly, partially or otherwise.

You would remember when the Member for Diego Martin Central was speaking and he did give me the kind indulgence of allowing an interruption. The Member was talking about what his Government, the Government—it is the Government of Trinidad and Tobago—had done with respect to free education and the fact that the channels have been widened to allow more persons in our society to have access, not only to education, but to have the availability and the means to get this education.

Widening the channels without going all the way does not prevent us from having the problem. In other words, what really occurs is that you are just pushing the problem further and further down the line, but there is still going to be a choking up, so to speak. That is why when the Member was making his contribution I agreed that with GATE and all the other programmes, there has been that widening of access, but when persons now are qualified and they want to get back into the system, not as student, but as employee or worker, what are the systems in place.

The Member at that point in time said, well, you know, there are institutions, and he talked about the public service and the fact that everything seems to be running smoothly there, but that is not the reality. When the Member began his contribution, he made it clear that as far as he was concerned he did not feel that we needed the legislation, but it was something that everybody was clamouring for and, therefore, they were going along with it.

I feel, with the greatest respect to the Member, that that cannot be the approach, because the reality is that in our country people do feel discriminated against. We have to make sure that when dealing with the problem of discrimination, which does exist for whatever reason, we must find out what the source of discrimination is or what the main contributing factor is. This is where, with the greatest respect, I feel that the Government, having brought the legislation, really did not deal with the major problem.

The major problem has to be, as the Member for Baratavia/San Juan said, the political divide. Even though the Members on the other side, the Government, did not want to stand and acknowledge it in their contributions, that is exactly what they were saying at the end of the day. From the accusations that were levelled against them, and I made that point to the Member for Arima when she indicated that all was being done and look at the kinds of false allegations being made, but that is how people feel.

When people feel that a process is not open and transparent and they cannot repose trust and confidence, there will always be that feeling, if people do not get something, though it may be limited in supply, they feel that they are being discriminated against; and that is the problem.

Therefore, I want to say to the Member for Arima that people are suffering, as you know, with respect to the distribution of water, but when water leaves whatever source or dam or well or hole, the water does not say, "Well, I will go to PNM houses as opposed to UNC houses"; it does not do that. We have to start understanding what really is causing the problem. Even though we believe, as maybe the Member for Diego Martin Central believes, it is not a real issue, that does not mean that you do not do something to still make the population know, "Listen, we are doing everything in our power to prove to you that you have equal opportunity, availability and access." That is what it boils down to at the end of the day.

8.00 p.m.

Mr. Speaker, the Member for Oropouche said that as far as he was concerned, this piece of legislation did not have to go to a joint select committee, and it is just a matter of a few little amendments here and there and, as a result, we could pass it this evening. But, where are his amendments? [*Laughter*] Has the Member for Oropouche read the judgment that came and was delivered by the Court of Appeal? Clearly not!

Even the Member for Laventille East/Morvant, who piloted the Bill, recognized that there is still a major lacuna in this legislation of 2007, and that is

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the fact that the chairman of the tribunal is to be a person appointed of equal status with a High Court judge. And the phraseology that offended the legislation which the Court of Appeal spoke of, though it has changed in terms of its words—I am going to get to it—it has boiled down to the same thing. So, we are in the same problem, but the Member for Oropouche does not see that, because we must play politics and let the courts have to deal with the problems when we get the law wrong. Well, my name is going to be appearing as a Member when this particular piece of legislation is being debated, and whether at the end of the day people agree or disagree, at least, I know my conscience is clear, and I have tried my best to get it right. That is all we can do. We can try to get it right. It must go to a joint select committee. At the end of the day, that is just one of the problems that would have to be addressed.

Member for Arima, I know that the Member for Barataria/San Juan said it, but I just want to endorse the position which I know you agree with and, I think, the Member for Laventille East/Morvant, that this legislation does need a special majority. That was the crux of what the Court of Appeal was saying. The Court of Appeal said from the outset that there must and should have been a constitutional majority, but the problem did not end there. It is not about a simple majority, and then we have to go now and see what the offending sections were. Have we really addressed them?

When we get caught up in my constituency, your constituency, my drain and your drain—I am not saying that those points are irrelevant, because the next thing that you are going to hear on a political platform is: “Lucky does not care about constituents from Tabaquite. You did not see the way Lucky behaved in the Parliament? She did not want to deal with drains and so forth.” There is a time and place for it, and make it relevant, if not, it is tedious repetition of politics that has all gone wrong. [*Interruption*] I am not going to use those words. I am just saying that, at the end of the day, let us seek to get it right.

Mr. Speaker, one of the points I made from the outset is that we need to get this legislation to a joint select committee. Standing and saying that the amendments are few, nonsense! How could the amendments be few when facing us are the amendments, as suggested by the Member for Barataria/San/Juan, who has raised some very important issues addressed by the Court of Appeal.

You see, some people prefer just to make their derogatory statements and crack jokes about some of the issues that confront us. With respect to the whole issue of sexual orientation, paragraphs were dedicated in the judgment delivered

by the Court of Appeal, *Sex vs Gender*, but you see some people do not want to touch it because they feel that they would get labelled or they feel a stigma would be attached. Well, too bad! My point of view is, if you are in the politics, you have to be able to stand the heat if you want to work in the kitchen. [*Desk thumping*] Let them say what they want, it really does not bother me. At the end of the day, I am guided by the case law, and I want to make sure that I deal with issues; not only those issues that I am afraid of what people may say, but I want to deal with issues and let people say what they want to say, because you cannot stop people's mouths from running any way. [*Desk thumping*] That is something we have to address because the court addressed it, which is my next point.

Mr. Speaker, let me say what I did not hear anybody say before, and this is what really troubles me. When we pass legislation—I am going to come to it in greater detail, but this is just something for us as a group to think about—or seek to pass legislation in which we define what “status” means—the whole thing is about status and whether you are discriminating against the status—and you start to list everything that you will protect, when you leave things out the suggestion would be that it is okay to discriminate against them. [*Desk thumping*] It did not take an attorney at law to work out the point.

The Member for Barataria/San Juan addressed it here. That is the problem. People will say, okay, equal opportunity never dealt with people who had a political affiliation, so it is okay to give people with a PNM party card the CEPEP contracts, because they never said that you could not discriminate against those people. Do you know what? People who have a particular sexual orientation, it is good to commit hate crimes against them, because the legislation does not talk about protecting them. [*Desk thumping*] People with HIV positive status, you could treat them badly, do you know why? The legislation with equal opportunity does not protect them.

I really wonder if some of us in this House think about the elderly, and after we are young and middle aged, we move on to spirit and nothing else. We are all going to get old at some time and we treat our elderly in this country very badly. [*Desk thumping*] We do.

Mr. Speaker, recently, I was in a public institution and there was this elderly woman in a very long line. She was making the point that despite the fact that she was looking decrepit and bending over, and someone came to everybody in the line to find out if they were doing X transaction to assist, nothing was done to make her more comfortable or to say, “Ma’am, we will pull you out of the line and wait there and we will see what we could do.” In my limited way, all that I

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could have offered, because she was directly behind me, was to say when it was my turn: “Ma’am, you are really only jumping by one but, at least, let me move aside and let you go forward.” The smile that brought to that lady’s face was enough to make me feel really good about myself. That is not to “big up” myself, but to make the point how we take the elderly for granted and, yet, we talk about loving mummy, loving daddy, loving grandma, loving grandpa and loving everybody and, at the end of the day, how do we treat them? When we reach that status, suddenly we recognize how badly the children and grandchildren are treating us. You know, what has not met you has not passed you. [*Desk thumping*] Let us make sure that we pass the correct things.

Mr. Speaker, the Member for Barataria/San Juan—I almost thought, with the greatest respect, that the Member for Barataria/San/Juan had passed his LLB and has just kept it very quiet. It is amazing that all the particular suggestions that he made have been addressed in one way or the other in that Court of Appeal decision. I am not going to belabour this in the House, because I know the Member for Arima and the Member for Laventille East/Morvant did make reference to that Court of Appeal decision. Mr. Speaker, I know I keep calling it the Court of Appeal decision, but when I actually go to it, I will be giving the correct citation but, I think, we all know the Court of Appeal decision to which I am making reference.

Mr. Speaker, another point that was raised by the Member for Oropouche—and I disagree with this point strenuously and, maybe, incidents of the past which I will be dealing with in very comprehensive detail before I leave this honourable House and before the end of this term—is this: When you have mischief makers and persons who are prepared to lie to get other people in trouble—people who are innocent—you must have some sanction against those people. [*Desk thumping*] I will be dotting my “i’s” and punning on this phrase, and crossing my “t’s” when the time comes, and the Member who sits on the front bench will know exactly what I am speaking about; some Members.

You cannot say that you are going to allow people to go before, whether it is a tribunal or a commission, and make a complaint that may affect the running of your business. In this country, everybody’s business becomes everybody’s business. You know, there was a song “Your business is my business and my business is your business and everybody’s business is everybody’s business.” Could you imagine that if somebody lodges a complaint, frivolous and vexatious, that person would then be allowed to say—you know, everything is always leaked. Leaking in this country to the newspaper is bigger than WASA’s

proportions of leaks. When it goes to the newspaper you will hear that there is a complaint lodged against X business. It is going to affect the running of the business.

I am saying that if it is a valid complaint, it is going to be investigated, but what about the mischief makers? What about if your competitor decides to keep you tied up before a tribunal all the time? We see this happening in the politics. We see these little creepy informants trying to get people in trouble just because they want to score political points. [*Desk thumping*] I am saying—I disagree with the Member for Oropouche—that with respect to this tribunal, why do we always presume that when people sit on a tribunal of fact-finding, there is going to be these sneaky, corrupt, dirty, nasty people who will not be able to exercise independence and integrity?

Mr. Speaker, I am not bringing you into the debate, but you will know and the attorneys-at-law amongst us will know that there is a meaning to the phrase “frivolous and vexatious”. It is not any complaint. Even though a person may lodge a complaint and the tribunal may find that it is not warranted or justified, that does not automatically mean that there will be a finding of frivolous or vexatious. It means that there was no finding, but if there is information to suggest that there is this little lodger of the complaint who has a little track record—sometimes I teach in evidence—“bad character” and is always causing problems and being a mischief maker, then a message has to be sent.

You see, when people stand and make statements without doing proper checks, attorneys-at-law amongst us would know—whether it is the front bench Opposition or across on the other side and here—that even though a penalty may have the word “and”—so, it is \$100,000 and two years—it does not mean that will be the ultimate penalty. That is the maximum. It is not meant to be what is going to happen. You must have it. When this legislation is passed, you are going to have persons who are going to make up stories. Let people understand that in this country if they are making up Anancy stories and getting people caught up in a web of Anancy proportions, there will be a repercussion. [*Desk thumping*] That is the problem in this country. People do not feel that there will be a repercussion.

Hon. Member: Take note.

Miss. G. Lucky: As I am on the story of repercussion, let me say quite openly—

Mr. Hinds: Member for Caroni East, take note.

Miss G. Lucky:—that I do think—I know the Member for Diego Martin Central talked about this—that Brian Charles Lara is a gifted batsman who deserves the loudest acclaim. He is a marvel to look at. I agree that every sportsman and sportswoman knows that when you go on the field sometimes you will have your off day. Even when we debate, sometimes you have the day when you are just on the ball, and sometimes you are just off the mark. Brian Lara cannot go on the field every time and make 100 runs. I am going to tell you something. The West Indies team did disappoint many of us; they did. I am not blaming them alone.

When David Rudder said that he would not sing “Rally round the West Indies”, do not chastise David Rudder, but let people understand that when we put our hopes and dreams in them and they disappoint us, at the end of the day, there is a repercussion. That does not mean that we do not love you, but it means that we are sending a message. When you correct your child, are you not sending a message? Does that mean that you have stopped loving your child? I am just saying that at the end of the day, let us understand in this country that yes, we praise people when they do well, and if they have let us down, we just let them know that we still support them and love them, but do not expect us to massage them and stroke them each time they perform dismally. That is the simple point.

I will now move on, as I have been doing, with respect to the legislation. I must make this point on behalf of my friend, the Member for Chaguanas. If there was a question on the Order Paper that could claim discrimination it would be question No. 5. Brian Lara has come, he has played and he has gone and we still cannot get an answer from the Government on this question concerning the Brian Lara Stadium. [*Desk thumping*] I do not know if this is a case where the messenger is causing the problem and maybe we should ask Mr. Brian Charles Lara himself. The poor fellow is having a stadium named after him and this stadium cannot even have questions answered about it with the speed with which we know Lara can make a century. This is no disrespect to my good friend, the Member for Toco/Manzanilla, but I am just making the point. You have named a stadium after a great man, well, show your greatness and answer the question. It has been on the Order Paper since October 27, 2006. It will be celebrating soon its first birthday.

Dr. Khan: Negligence.

Miss. G. Lucky: So, having made that point, I go on to say that we have to find a way of ensuring that we have accountability and transparency in the way we operate. I heard the Member for Tabaquite—it will be remiss of me if I do not

deal quickly with these two points: The first is, Bajan fishermen discrimination. You know, that is a particular issue that I can tell you that I feel very strongly about. To this day, we do not know who made the telephone call. It compromised the integrity of the office of the DPP who came out straight and said that he had never been asked or given—[*Desk thumping*] That had nothing to do with discrimination. Do not mix up unlawful or wrongful interference by the Executive with discrimination.

The second point is with respect to voter padding. With the greatest respect—I know, I run the risk of people saying—I like to preempt what I will hear on the platforms or people would rather tell me what they say on the platforms—Lucky has some other kind of agenda. When you could stand and say, as the Member for Tabaquite said that the voter padding cases in which there were convictions and so forth were all about discrimination, that is wrong.

A few weeks ago, I read where there were two women—somehow I think, Member for Laventille East/Morvant, it might have been people who said that they were in your constituency—

Dr. Khan: They send them by me to vote.

Miss G. Lucky:—and had gone across to Barataria/San Juan. The important issue that I am pointing to here is that it was a case of the PNM. I am not saying PNM, but they belonged to the PNM. So, when we are using examples, do not use them conveniently, and worse, inaccurately. That is all I am saying on the point.

Mr. Hinds: Would the Member give way? Thank you very kindly for giving way. I, too, read that horrible newspaper report. Let me say to you that there is no record of those two persons being Members of the PNM. They said so through their lawyer. That may or may not be true. I rather suspect it is not. [*Interruption*]

Miss G. Lucky: Member for Laventille East/Morvant, you and I would both know that sometimes they say it is better not to say something, and I will tell you why. I was making the point, and I had to give it the level of reference. Member for Laventille East/Morvant, let us focus on the point I was making. I was correcting the Member for Tabaquite, who was suggesting that it is only people from a certain party who are the recipients of the voter padding allegations. I was merely using it to make a point to show that was not the case, but you do remind me of the gentleman who has just heard the judge say, well, look, bond, reprimand and discharge and he said: “No, no, you forget about that conviction I had”, and then you have problems and he is not yet *functus*. [*Desk thumping*] and [*Laughter*] Do you understand? Please. [*Laughter*] And you see how *functus* has

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not arisen. [*Laughter*] You know, he leans across and tells his lawyer: “Do not forget to tell the judge about my conviction.” [*Laughter*] I was just making the point. You see, we are so quick to think that once there is the mention of UNC or PNM, let me jump. We do not sit and understand that, look, Lucky might actually be saying something here that is on the bigger issue, rather than political affiliations and problems. [*Desk thumping*]

Mr. Speaker, let us go back now to how do we manage the diversity. What were the problems, in essence, with the old piece of legislation? I think the Member for Arima put it very succinctly, so I am not going to belabour the point in the House, but what I would say is that, to me, there were three major problems. One is that the 2000 legislation did not get a special majority, but even if it did—I hope I am really not massacring the comprehensive decision given by the Court of Appeal—the point was made that even if a constitutional majority was given, that did not solve the problem because the Constitution itself had to be amended. Even though you may have gotten the constitutional majority, and the Constitution had to be amended, you would still have to look at section 13 of the Constitution that says that some laws, if they were deemed unreasonable and unjustifiable in a democratic society, could still be set aside. So, the court looked at those three areas and, to me, there is where I feel the House ought to lay some focus because if and when—and I really hope it is when—this piece of legislation goes to a joint select committee, these are issues that we will have to grapple with.

There is another issue which, interestingly enough, the Court of Appeal raised. I find it to be a very interesting issue, because this is a grey area in the law. Lord Denning had one school of thought and his school of thought was this: If Parliament passes a law which is “patently”, which means obviously, or “latently” which means that it is not so clear, offensive to a constitution or is unlawful or void, one should still adhere to the law until the Parliament, which makes the law, declares it null and void, but you cannot pretend that it does not exist because you may realize that it is null and void.

There is, however, another school of thought, and the Court of Appeal has thrown this out now for contemplation and it is this: What if, as with the 2000 Act, it was recognized by the Executive—I am not saying this Executive—that the legislation was unconstitutional? In other words, it should have gotten the special majority and it did not, or it was in violation of constitutional rights, what should the Executive do? Should the Executive say, look, as the upholders of the Constitution—remember we all take oaths of office to uphold the Constitution, and that is the dilemma. If you implement or enforce with the knowledge that

something is null and void then, are you really upholding the Constitution? That is something that even the Court of Appeal has thrown out. What ought to be done in that kind of situation is that the Executive should see how quickly it could repeal the legislation.

When it was recognized that the 2000 legislation was offensive, it was incumbent on the Government to quickly come to the Parliament and seek to have it set aside, but that was delinquency. I will not call that discrimination. The Court of Appeal went on to make the point that another recourse could be that you get to the court, and let the court, at the end of the day, make the determination.

From what I understand, the particular Court of Appeal decision, and I will now give the citation—it is Civil Appeal No. 64 of 2004 between Deonarine Rago and others and the Attorney General of Trinidad and Tobago. The point being made in the decision is that when the Executive recognize that there is a problem or there could be a problem then, perhaps, it is for them to get to the court quickly and see how the problem can be resolved without implementing it, because then you are really in violation of the Constitution. That is the concern that I have. If we do not get this legislation right, here—this is the 2007 legislation—we will be back to less than square one, because we could send it to a joint select committee; it could come back here and be passed with a special majority; and go up to the Upper House and be passed there and some time before proclamation, or even after proclamation before implementation, if there is the recognition that we have clearly gotten it wrong then, to me, we are less than zero, because we would have made the population feel that there is something important that we just cannot seem to get right, and other countries have been able to do it.

Mr. Speaker, what then are some of these offending clauses. Well, as I said before, the Court of Appeal took its time in going through some of the issues which, incidentally, the Member for Barataria/San Juan has, in fact, put forward. One of the first offensive things which, I think, even the Court of Appeal in its decision recognizes is that people in this country do not like to deal with or at least address the definition that has been given for the word “sex”; “‘sex’ excludes sexual preference or orientation”.

In the decision on page 17, under the rubric “Sex vs Gender” starting at paragraph 40 and going all the way to paragraph 45—I am not going to read it, but those are the relevant paragraphs—one of the points made is that in Trinidad and Tobago we, perhaps, do not like to deal with the issue. There is a difference between orientation and preference and actual action in carrying out that

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preference, so to speak. Mr. Speaker, I am trying to be as legally and technically accurate as I can, without delving into the graphic details. The point that was made by the Court of Appeal was that not because somebody has an orientation or preference means that you can say that they need any special protection but, at the same time you have to make sure that you get the balance that there is no discrimination. Even if there is a criminal conviction for the particular action, once the person has served the sentence, then they are deemed to have done their duty to society, that is, they have paid the penalty, but when they come back out, you cannot afford to have persons discriminating against them. That is when I nudged the shoulder of the Member for Barataria/San Juan and said that it was really interesting that he has put in his amendments, not only the inclusion of sexual orientation but, also, rehabilitated convicts.

I just want to read the last paragraph of this decision which deals with that issue and it says:

“While it is understandable that a conviction or even an orientation may be a relevant consideration for certain types of employment, the general nature of the discrimination that the EOA permits is unjustified and unconstitutional.”

So, if the definition in the 2000 legislation, which is the same here—in the 2000 legislation the definition of “sex” does not include “sexual preference or orientation”. In the 2007 legislation it says: “‘sex’ excludes...” So, instead of “not include” they put “excludes sexual preference or orientation”. How does that solve the concern that the Court of Appeal has raised?

Mr. Singh: Good point.

Miss G. Lucky: The Court of Appeal has raised it, but because of the bigotry, hypocrisy and total blind-eye turning in this country—I get back to Sir Elton John—we rather not deal with the issue, and let somebody else deal with it. It is the same point with respect to issues such as abortion and issues such as the implementation of the death penalty. It is the reality. Again, I make the point, if I have to be the brave one to deal with it, so be it. The reality is that I am trying to get the law right and nothing else. The Court of Appeal had to deal with it in a very frontal manner by saying, look, we know that the society does not like to address it, but it is something that we have to address because, if not, we may be violating the Constitution. That is why I said, I think, the matter is before the Privy Council, but we have to go with the status quo as we have it.

I just want to quote a part of the judgment and it is in paragraph 44, because I had made the point that the Member for Baratavia/San Juan was talking about rehabilitated convicts, and this is what the Court of Appeal had to say in connection with this whole “sex vs gender” issue. It states in paragraph 44:

“The EOA is invidious because in respect of criminal behaviour, it is generally accepted that once one pays one’s debt to society, it is over. A conviction for a homosexual act would presumably be established proof of one’s orientation and leave the unfortunate convict vulnerable to ongoing discrimination.”

This is the point:

“Even prisoners have constitutional rights of which they are not to be unjustifiably denied.”

So, again, I am saying, it is almost as though the Member for Baratavia/San Juan had gone through this with a fine-toothed comb that, I think, each Member must go through, whether one comes from the discipline of law, the discipline of business or the discipline of medicine, because collectively we have to see how we are going to deal with this. Remember, even though we may pass the legislation and proclaim it just to make sure that we have done our duty, it does not mean that we would be able to go on to have the legislation implemented because we do have this Court of Appeal decision.

Mr. Speaker, I have already alluded to it and I have pointed out that one of the glaring points was that point dealing with the establishment of the tribunal. The 2000 legislation in section 41(2) says:

“The Tribunal shall consist of a Judge of status equal to that of a High Court judge...”

And it went on. The 2007 legislation, by virtue of clause 43, uses this terminology, and it says in 43(2):

“The Tribunal shall consist of a Judge of classification equal to that of a High Court Judge...”

So, you have one phrase saying “status equal to that of” and the new phrase is “classification equal to that of”. It is the same phrase. What does the Court of Appeal have to say about this issue?

What the Court of Appeal had to say about this in paragraphs 52 to 53—again, I am not going to quote paragraph 52, but let us see what paragraph 53 says and this is what paragraph 53 of the judgment says:

“The vesting of power in the JLSC to advise the President on the appointment of a chairman, in the absence of a declared intention to amend the Constitution and of the requisite special majority, was therefore unconstitutional and ineffective.”

So, it was the two-pronged test that failed. You need the special majority and you also need to amend the Constitution. This is very similar to what was done with the Police Reform legislation, where you had to bring the new Police Reform legislation, the Police Service Act and also the amendment to the Constitution itself. Again, unless we send it to a joint select committee to see how we can get it right, it really cannot be done in a hodgepodge and ad hoc kind of way, because in respect of some of these issues raised, I would be bold enough to say, I, myself, do not have the solutions in terms of the drafting and technical experience to get it right. I think we are really going to need the collective intellect to make sure that we do not offend what would be the law that binds us and, that is, the Court of Appeal decision.

In our country we talk a lot about doing the right thing, and I think the time has come for us, if we are going to mature, to look at some of the things that we take for granted. Look at the watchwords of Trinidad and Tobago, for example, discipline, tolerance and production. I have always had a problem with the use of the word “tolerance”, because I feel that “tolerance” suggests that you do not really like something, but you have no choice but to accept it, however, at the first opportunity you get to bring it down or mash it up, you will do so. I am just saying that maybe we need to get the word “acceptance” in or, at least, to address it.

I think we need to understand in this country the difference between the words “equality” and “equity”, because “equality” means that we treat people similarly. That is like what this legislation is seeking to do. But “equity” means that we treat people fairly. So, there can be “equality” without “equity”. That means that you are treating people similarly, but you are treating them badly. Some of them may argue—I am sure the Member for Barataria/San Juan would say that is what Fidel Castro does in Cuba. He treats them equally, but not with equity. Then you can have equity which is—

Mr. Speaker: Hon. Members, the speaking time of the hon. Member for Pointe-a-Pierre has expired.

Motion made, That the hon. Member's speaking time be extended by 30 minutes. [*Mr. G. Singh*]

Question put and agreed to.

Mr. Speaker: Before you proceed with your extended speaking time, I think it is a good time to have the dinner break.

Miss G. Lucky: Mr. Speaker, I just want to indicate that I am actually going to be winding up now, and I just need about five to eight minutes.

Mr. Speaker: Okay, continue.

Miss G. Lucky: Mr. Speaker, thank you very much and my colleagues in the House. And I am concluding. We heard many complaints, but let us get down to the solutions. One solution that I think that we need in this country, in the same way we have said that we, perhaps, need a ministry of justice affairs, which I really firmly believe that we need—I know that England has done it—a ministry of national affairs, something on our domestic affairs. I am going to tell you why I think it is important. That ministry will deal with some of the hard issues or the difficult topics that affect all of us, and that really deals with managing the diversity, as I said before.

Mr. Speaker, for example, we have the issue with the Trinity Cross. One sect of the population, the majority of them being Christians said: Well, look, what was the objection to the cross? But then there were others. There was a decision coming out of the High Court which says that even though people may find that it was not offensive, we are so diverse that there were those who took objection. I am saying that if we can get an independent committee dealing with these issues, we will not be able to please all of the people all of the time, but these are things that we would best be able to put before a committee and have them dealt with like issues such as this whole thing of equal opportunity and so forth.

Mr. Speaker, there is big debate as to whether it should be, here every creed and race “find” or “finds”. And is it that we get it right or is it that we get it wrong? It may seem petty, but there are some people who take objection to what may be considered faulty grammar.

Mr. Speaker, as I conclude, I read this morning in the newspaper that the hon. Member for San Fernando East, the Prime Minister of the country said, among other things, in dealing with crime that it is time that we dance, dance, dance the crime away. In fact, this morning, on my radio programme on 90.5 FM that is on a free plug, I was going to dance, dance, dance the crime away. I understand what the hon.—

Mr. Callendar: Before you conclude, I was beginning to get interested when you made reference to status. You were saying that there is a danger when you begin to list things and leave out others. I was listening to you with interest because, interestingly, under that clause of the Bill, which speaks of discrimination by origin including geographical origin, there is a concern, coming from Tobago that with the creation of the Tobago House of Assembly Act which, in a sense, I would not say discriminated in favour of Tobago, but which allows the people of Tobago to determine the destiny or the future of the people of Tobago, whether or not it could be seen by the passage of the legislation, if this aspect is not addressed, that the THA could be accused of discrimination.

Miss G. Lucky: Immediately to you, Member for Tobago West, I would say no, and for this reason. When status is listed and all these things are given, including geographical origin, there must be mechanisms that are put in place, to use the words of the Member for Diego Martin Central, to ensure that there is parity, equality and equity. That was the reason behind the establishment of the THA, and that is why in some jurisdictions when they are dealing with equal opportunity, they implement affirmative action. So, I am saying that the argument—if I have to give free legal advice on the matter I will—that would be used is that in order to ensure—and you can tell your Tobagonian constituents, those in Tobago who are concerned and some of them who may be looking, that the very establishment of the THA is meant to protect them to the extent that they are not discriminated against, because of their geographical origin. Okay? That would be the point.

Even when you say Trinidadian, we have to make the effort to say Trinbagonian. I say it sometimes too, but I only have eight minutes of which I have probably two left. You know, some people, when I say Trinbagonian, they go into the debate of whether it sounds good or not. When you want to wear a tie of Trinidad and Tobago—I see the Member for Barataria/San Juan wears his tie too—the issue should not be whether to wear a tie or not but, at least, you are wearing something that says Trinidad and Tobago.

Member for Diego Martin East, I want to end by quoting something not from you, but from somebody who told me that it is your relative that, I think, could solve the problem. In this publication of *Stand* which is January to March, 2007, there is a very interesting article on page 30: “Steelpan or steel drums, why steel why drums”. The article is really about Prof. Clement Imbert. I am not going to read the article—

Dr. Khan: *[Interruption]* Not you.

Miss. G. Lucky: That is his uncle. He comes from very good academic stock.

Dr. Khan: What has happened to him?

Miss G. Lucky: No, we would not say that sometimes it skips a generation. I am not going to say that. Mr. Speaker, what I would say, however, is that having read this article and having heard the Prime Minister when he was saying that with crime we have to get the energies of the young people with dance, dance, dance, the crime away, I think that one of the things that we have to stop doing is being hypocritical about our culture.

We have a very vibrant and rich culture and, I think, we really ought to spend more time—the steelpan is the only musical invention of the 21st Century. It is a beautiful instrument. I keep saying that it should be played in every school. Every Trinbagonian should learn to play the steelpan. [*Desk thumping*] When you look at those steelbands crossing the savannah from the preliminary stage to the finals, look at the people who play. You see every creed and race finding an equal place, playing the tune hoping to come first. Even if they do not come first and you have the little squabbling, they are so proud that they were able to play on that stage.

Let us use the music; let us use the culture; let us use the ties that bind; let us be bound with cords that cannot be broken and then we will ensure equality and equity for all citizens of Trinidad and Tobago. I thank you. [*Desk thumping*]

Mr. Speaker: Hon. Members, the sitting of the House is suspended for dinner and we will resume at 9.10 p.m.

8.37 p.m.: *Sitting suspended.*

9.10 p.m.: *Sitting resumed.*

Mr. Chandresh Sharma (Fyzabad): Mr. Speaker, thank you very much. What Trinidad and Tobago needs today, more than any time in the past, is this particular Bill. The reason for this is because of the high levels of discrimination that obtain in Trinidad and Tobago, largely by the Government, government agencies and, in particular, state sponsored agencies.

When one looks at the history of Trinidad and Tobago, more so, the recorded history under the PNM administration, one cannot help but see years of discrimination. In fact, when you look at the research that avails itself today, not only in Trinidad and Tobago, but in many quarters by some of the leading authorities, it points to discrimination.

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In fact, when you look at the composition of the Government of Trinidad and Tobago, it certainly does not reflect the potpourri of Trinidad and Tobago. I noticed the Member for Arouca North had a facial twist when he heard that. That is a clear example, because he has to go into defence from the time he hears it, because he feels guilty. [*Desk thumping*] I do not want to look at my friend, the Member for San Fernando West, because I would see a similar twist. [*Interruption*] Again, the point is: what is happening to sweet Trinidad and Tobago?

I heard a comment from the Member for Port of Spain North/St Ann's West and he, himself, would tell you the acts of discrimination. In fact, he, himself, being in the Parliament is an example of that. Before I go further, I may lose track.

I was very surprised when I listened to my friend, the Member for Pointe-a-Pierre and heard her comments as if she was in a lecture room giving marks to the Member for Tabaquite and the Member for Oropouche. I am not aware that the responsibility of any Member of Parliament contributing to a debate is to say who is right and who is wrong, based on his or her own opinions. The fact that there is a proposal to send this Bill to a joint select committee shows the level of discrimination. It is a clear example of what the Government has done in conjunction with my friends behind.

In fact, we know the history when a Bill goes to a joint select committee. It turns out to be a corpse and, maybe, that is the agreement that they have. All the time there was absolutely no discussion in the public domain by COP and others that this Bill is for a joint select committee. In fact, they made a deal with the Government and said that they wanted it before they do certain things and, today, we hear a minority Member of the COP saying that it has to go to a joint select committee. That, too, is a level of discrimination.

One of the fears that people have is that this is an election year—let me relate it to what obtains here—and, certainly, on the next occasion, some of us will not be here for one reason or the other, so one has to think about job security down the road, and the Parliament is no place to negotiate that; absolutely no place.

Mr. Speaker, for instance, the Member for Tabaquite, when you look at the *Hansard* record, it will show that this is one of the Members of this House, since I have been here in the last 15 years, who have asked the most questions and have raised the most Motions on the adjournment as they relate to his constituents, and if you make a comparison with the Member for Pointe-a-Pierre, for example, we

see the Member for Pointe-a-Pierre attacking the Member for Tabaquite with respect to representation of his constituents. That is not the role of a Member of Parliament.

Mr. Valley: Why?

Mr. C. Sharma: I saw the same thing being extended to the Member for Oropouche and, again, she was praising the Government on the other side. This is the worst performing Government of Trinidad and Tobago, and endless praises are coming. [*Desk thumping*] This is a Government that discriminates. I want to go back to as far as you could remember.

Mr. Speaker, for instance, when you look at the public service, it did not represent the potpourri of Trinidad and Tobago. At one time, all the Permanent Secretaries were of one grouping. Why was that so?

Mr. Valley: And?

Mr. C. Sharma: I am glad the Member for Diego Martin Central said “and”. That is discrimination. This means that you did not treat equally with the citizens of Trinidad and Tobago. That is what it means. When you look at all the programmes—I see the lips of my friend, the Member for St. Ann’s East separating, but let us look at the Ministry that he represents. [*Interruption*] Are you saying something?

Mr. Bereaux: It meant that some persons did choose to go elsewhere.

Mr. C. Sharma: Exactly. The Member for La Brea is saying that it meant that the PNM chose persons to work in the public service—

Mr. Bereaux: Hon. Member, that is not what I said.

Mr. C. Sharma: Say what you said.

Mr. Bereaux: I said that it meant that some persons did choose to work elsewhere.

Mr. C. Sharma: Excellent. So, the Member is saying that some persons chose to work elsewhere but, chosen by whom? Is it the PNM? [*Desk thumping*] When you go for selection, the PNM chooses who comes in. Look at the police service! When my friend, the Member for Laventille East/Morvant joined the police service, what were the criteria? You had to be a PNM child. There were no criteria of education to enter the police service. That has been the history.

Today, when Mr. Panday, the Member for Couva North, came to the Parliament to discharge his duties, he was blocked by police officers. What was very frightening is that citizens of Trinidad and Tobago came because they saw something was happening. There were about 150 persons. [*Laughter*] Member for Chaguanas, why are you laughing? Were you not aware of that? [*Laughter*] I saw the Parliament staff recording it, which is highly unusual. I have never seen the Parliament Communications Unit operating outside of the Parliament. The point that I want to make is that citizens from Trinidad and Tobago came in front of the Parliament. I am sure all of them were not UNC supporters but, suddenly, in the chamber downstairs, about 75 policemen came out fully armed; to the teeth. Why were they hiding inside the Parliament? Why did they come out and start to scare the people? They had to run for cover. Luckily, Mr. Panday, with his experience, decided to go home to avoid a situation.

Mr. Valley: He should have stayed there in the first place.

Mr. C. Sharma: Exactly. Again, when you look at the recruitment process in the police service and how promotion is being obtained in the police service—up to this day, there are files and reports upon reports about discrimination. There is no question about this. If you go to all the services, the armed and unarmed services, the same thing obtains.

Mr. Hinds: How did you get in the fire service?

Mr. C. Sharma: The Member is asking an intelligent question for once. Today, the fire service has changed its recruiting process. So, unlike the Member for Laventille East/Morvant when he joined the police service, not even with a school leaving certificate, today you must have O levels to come in the very police service, and in the other arms of the service. I do not want to lose track of the public service.

Mr. Valley: Imagine you were a fireman!

Mr. C. Sharma: Could you alone run the House? There are a lot of fires here. Anyway, I was making the point that in the public service, and that is a good place to look at, why up to today and after almost 50 years of independence citizens are not being treated equally. Look at the number of cases that have gone to the courts. Marlene de Coudray. You see, one of the things about the PNM is that they hope that when we talk about discrimination, we would talk about discrimination against a particular group, but the PNM discriminates against anybody who does not support the PNM; Marlene Coudray, Dennis Graham,

Devant Maharaj, the Maha Sabha, Ganga Bissoon and Feroza Ramjohn, a constituent of Fyzabad, just to name a few, and the list goes on and on.

When you look at the staffing at offices outside Trinidad and Tobago that represent Trinidad and Tobago, again, nobody knows how they are recruited, but they are always friends and family of PNM Ministers. The Member for Diego Martin Central is very conversant with that.

Mr. Valley: With what?

Mr. C. Sharma: With appointing friends and family at all the missions abroad. [*Interruption*] Again, I do not care who it is, but the point is that it does not represent Trinidad and Tobago. There is no process. We have to be very careful. When this Bill came, you knew the importance of this Bill. Why did you not say that you wanted it to go to a joint select committee at that point? You brought a Bill with faults. So, you purposely designed a Bill with faults to send it to a joint select committee. Where in the world do they legislate like that?

Mr. Bereaux: They did not want it passed.

Mr. C. Sharma: You see, the truth comes out at some point. What does this Bill talk about? It is a Bill to prohibit certain kinds of discrimination. Why do you want to prohibit certain kinds of discrimination? That is because it obtains. And, by whom? The PNM! Your very Bill talks about it—to promote the equality of opportunity. It means equality of opportunity does not exist. Why does it not exist? The PNM does not allow it to exist. Today, a question was asked in this Parliament—

Mr. Hinds: That is donkey logic. [*Desk thumping*]

Mr. C. Sharma: You must say that is donkey logic because that is the understanding. [*Desk thumping*]

Mr. Speaker: You know, sometimes you invite a comment that is really not parliamentary. [*Laughter*] So, that when you say from across the floor that is donkey logic, you invite a very unparliamentary response, and two sets of donkey logic really do not make it right. [*Laughter*] So, please. [*Laughter*]

Mr. C. Sharma: Mr. Speaker, question No. 57 states:

“Could the Minister state the amount of monies paid to each company awarded an Environmental Protection and Enhancement Programme (CEPEP) contract for the period 2005 to 2006?”

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Now, this question was on the Order Paper for about six months. The only reason the Government did not answer it—they were forced to answer it today, because the answer demonstrates the level of discrimination and inequality; the very thing that the Bill speaks about.

The Member for Caroni East said in this House that there are no CEPEP gangs in his constituency and also the Member for Siparia. Now, I want you to look at some of the answers. All the companies here, the 113, are PNM connected.

Hon. Member: How do you know that?

Mr. C. Sharma: How I know and you do not know? I am so surprised that you know very little. There are 113 companies, every one with a PNM connection; former campaign managers, relatives of Ministers. Toncabeau is a relative of Minister Hinds, and that is one of the companies.

Mr. Valley: Do not point at me.

Mr. C. Sharma: I am not pointing at you. I am seeing that you have family in here too.

Mr. Valley: Mr. Speaker, I want the Member to state on that list who is my family.

Mr. C. Sharma: Okay, I am glad that you asked.

Mr. Valley: I want you to state on that list who is my family.

Mr. C. Sharma: I will.

Mr. Valley: Otherwise, ask him to withdraw it.

Mr. C. Sharma: I will. It is 113 names and I will come to it. You know—

Mr. Valley: Mr. Speaker, it is either he is going to tell me—

Mr. C. Sharma: Sit down! I am going to answer.

Mr. Valley:—who on that list is related to me—

Mr. Speaker: You could be accused and, I think, you are being accused of imputing some sort of improper motive to the Member. So, he is asking you to—
[*Interruption*] Well, if you can substantiate, then—

Mr. C. Sharma: Now, Mr. Speaker, it is very interesting that the Member for Diego Martin Central would ask such a stupid question—

Mr. Valley: I want you to state—

Mr. C. Sharma:—and let the national television record it. It is a pity this channel cannot be shown in Canada, the United States of America and England, so that they would see what we have for a Government in Trinidad and Tobago—claiming that none of his family is here.

Hon. Member: Boy, you will look like a real donkey.

Mr. C. Sharma: Now, based on the Equal Opportunity Bill, let us deal with the definition of “family”.

Mr. Speaker: Please, let me warn Members that it is getting a bit late in the night, and we have been here since 1.30 p.m. Let us try to maintain a certain standard of debate. I thought the standard of the debate today was particularly good. Please, do not bring the standard down. The Member is saying to you that you have made an allegation that his family is on some CEPEP list, and he is asking you to identify the name of his family on the list. If you cannot, then you will have to withdraw it.

Mr. C. Sharma: Mr. Speaker, I have 45 minutes, in the first instance to do that and then 30 minutes and I intend to do that. Do you want it right away?

Mr. Valley: Now!

Mr. C. Sharma: Hold on for two minutes. [*Laughter*] Do not rush.

Mr. Valley: Now!

Mr. C. Sharma: I am coming there. You are not going to distract me. That old trick will not work. How did they arrive at the 113 companies? Let us deal with that, in the first instance. You have Members of Parliament, and I indicated the Member for Diego Martin Central, who has a family who has a CEPEP contract, and the Minister jumps up and says that he wants to know who. Now, if I call the company and he says that is not his family, what do I do? Do I go and get the birth certificates or go and get the aunt to swear to an affidavit? [*Laughter*] I want to be guided.

Mr. Speaker: I think that you are trivializing this whole matter. Hon. Member, please, no. You have accused the Member of having family on that CEPEP list of 113 names. He has raised a point of order asking you to either identify or withdraw. If you cannot identify the name who you have alleged is his family, then you will really have to withdraw the statement.

Mr. C. Sharma: Mr. Speaker, not only will I identify his family, but I will go further. I am going to tell you the family has received one of the biggest awards. I want to find the quantum. I think it is close to \$3 million. *[Interruption]* Certainly, I have to look for it.

Mr. Speaker, I am sure this was given to all Members, and if they go to the answer presented today on page—okay, let me start with all and then I will come to it.

Hon. Member: No! We want you to do it now.

Mr. C. Sharma: The manner of answer is for me to determine, once I have satisfied the request. A.E. Rasolli Maintenance obtained \$2.2 million.

Mr. Speaker: Please, hon. Member, no. You either substantiate your claim now or you withdraw it, and I am so ruling. *[Interruption]*

Mr. C. Sharma: Mr. Speaker, so, do you mean that I do not have the 45 minutes to do it? Well, I have the document in front of me and I have to find it. It is going to take me a few minutes. It is only fair, because this was given out a few minutes ago. *[Laughter]* If you give me two or three minutes, I am going to come to it. *[Interruption]* I do not want to withdraw it at all.

Mr. Valley: I want it now.

Hon. Member: Withdraw it and come back.

Mr. C. Sharma: Mr. Speaker, the point is that we are seeing here Hinds General Maintenance Company who is related to a Member of the PNM, obtaining \$1.154 million. And I make the point, because I do not want to lose track. I want the national community to know that we are saying that discrimination obtains, and I am going to an answer presented in this honourable House by the Government. *[Interruption]* Arc Angels Limited obtained this contract through the—

Mr. Valley: Mr. Speaker, please, I am asking—

Mr. Speaker: Now, look, I think you either obey my directive or then I will have to ask you to take your seat. You have made an allegation against the Member. He has asked you to either identify the name of his family or withdraw it. I mean that is simple enough. *[Interruption]*

Mr. Panday: Withdraw it and come back.

Mr. Speaker: One second, please.

Mr. Hinds: Mr. Speaker, while you are at it, the Member also said that I have a family who has a CEPEP contract, and I want him to substantiate that on the same terms.

Mr. Speaker: Now, hon. Member for Fyzabad, if you cannot identify the name of the person who you are alleging to be the family of the Member for Diego Martin Central—the Member for Laventille East/Morvant denies he has any family whose name is listed there. So, if you cannot say to the House, this is the family of Mr. Hinds, the Member for Laventille East/Morvant, and this is the family of Mr. Valley, the Member for Diego Martin Central, please withdraw the statements and move on.

Mr. C. Sharma: Mr. Speaker, DARWEN Limited obtained for operations, \$1.2 million plus—*[Interruption]* I am going to come to it—and wages of \$2.3 million, a total of \$3.625 million. I have been reliably informed that this is a relative of the Member for Diego Martin Central.

Mr. Valley: Mr. Speaker, DARWEN is not related to me. He will either go on to prove it, or I am going to ask that he be referred to the Privileges Committee. *[Desk thumping]*

9.30 p.m.

Mr. Speaker: Hon. Member for Fyzabad, you either prove the allegation, or the Member is within his rights to refer you to the Privileges Committee.

Mr. C. Sharma: Mr. Speaker, can I enquire how to prove it?

Mr. Speaker: Well, you are the one who is making the allegation.

Mr. C. Sharma: So?

Mr. Speaker: No, no, please.

Mr. Achong: Sit down!

Mr. Speaker: If you are the one who is making the allegation, then you must stand by the allegation that you have made.

Mr. C. Sharma: Mr. Speaker, I have been informed in my capacity as a Member of Parliament that DARWEN had obtained a total of \$3.6 million, plus he is related to the Member for Diego Martin Central. What proof do you expect a Member of Parliament to obtain? Let me—

Mr. Valley: Mr. Speaker, if the Member makes an allegation against another Member, he must have the proof otherwise I am asking that he be referred to the Privileges Committee. *[Desk thumping]*

Mr. Speaker: For you—if you cannot prove it, then I would have to take a motion to refer the matter to the Privileges Committee.

Mr. C. Sharma: Mr. Speaker—

Mr. Speaker: Why do you not—listen, why do you not withdraw what you are saying, unless you can really substantiate it? I do not get the impression that you can substantiate what you are saying, so withdraw it.

Mr. C. Sharma: Mr. Speaker, the PNM cannot use this muscle power every time. If I, as a Member of Parliament have so been advised and I am asked to bring proof, what is the proof am I supposed to bring? If I know I will bring it, but I do not know what is the proof that will satisfy the House. If you advise me and I am unable to get that, then I will withdraw it, but until such time how will I know—[*Interruption*] or any Member of this House will know what is proof to be considered by the House?

Mr. Imbert: Mr. Speaker, I would like this matter to be referred to the Privileges Committee, please.

Mr. Speaker: Look, before I put this I am giving you an opportunity please, do the right thing. Do the right thing and—

Mr. C. Sharma: Mr. Speaker—

Mr. Speaker: One minute. I am imploring you, do the right thing and withdraw the—[*Interruption*]

Hon. Member: The Speaker is on his feet, sit down! [*Crosstalk*]

Mr. Speaker: Order, please! Order! I did not hear it, please—

Mr. C. Sharma: Mr. Speaker, I am being forced to withdraw this because the Parliament does not have a definition of what family is or what proof is. [*Desk thumping*] The point is, I withdraw it—[*Desk thumping*] but I reserve the right in my capacity as a Member of Parliament not to be scared by the PNM muscle power—[*Interruption*]

Mr. Speaker: Order, please!

Mr. C. Sharma:—not to be scared by the Member. Everybody knows in this country that the PNM has a history of corruption.

Mr. Panday: [*Inaudible*] ...and he did not accuse you of anything.

Mr. Speaker: Please, please. Would you accept an apology? One minute please, the Member has withdrawn, but he has to go further, he has to apologize to the House.

Mr. Achong: “That’s right.”

Hon. Member: For what?

Mr. Speaker: For misleading, for saying—

Mrs. Persad-Bissessar: He said, “I am informed.”

Mr. Speaker: No, no, he did not say that at the beginning, you prompted him to say that.

Mr. Panday: No, no.

Mr. Speaker: I am sitting here and I can hear. [*Interruption*] Please, one second. Would you accept an apology if it is forthcoming?

Mr. Valley: An unconditional apology, yes, Mr. Speaker.

Mr. Speaker: All right.

Mr. C. Sharma: What is an unconditional apology?

Mr. Speaker: But you know what it is.

Mr. C. Sharma: I am to apologize for being informed that a particular CEPEP contractor who obtained \$3.6 million—you see, Mr. Speaker, if it comes that where a Member of Parliament cannot—

Mr. Speaker: Are you interested that this matter go to the Privileges Committee?

Mr. Valley: Yes, Mr. Speaker, because I think we can solve it there. I have no relative involved in the CEPEP programme as far as I am aware. If the Member can prove that I have some relative there, fine, but let it go to the Privileges Committee and get your information.

Mr. Speaker: You know, I am trying to avoid all this, but if the Member insists.

REFERRAL TO COMMITTEE OF PRIVILEGES

Motion made, That the Member for Fyzabad be referred to the Privileges Committee based on the statement that he has made alleging that the Member for Diego Martin Central and the Member for Laventille East/Morvant have families whose names appear on an answer circulated today concerning the CEPEP.

Mrs. Persad-Bissessar: He alleged that they had family members.

Hon. Member: He did not say “allege”.

Mr. Speaker: No, no, he stated that. The record will show. [*Crosstalk*] He did not allege, he stated.

Mrs. Persad-Bissessar: [*Inaudible*] Yes, he stated.

Mr. Speaker: Okay, well I withdraw the word “allege”.

He stated that the Member for Diego Martin Central and the Member for Laventille East/Morvant have families whose names are stated in the answer circulated today concerning the CEPEP contract.

Question put.

The House divided : Ayes 13 Noes 7

AYES

Valley, Hon. K.

Imbert, Hon. C.

Narine, Hon. J.

Beckles, Hon. P.

Rahael, Hon. J.

Roberts, Hon. A.

Bereaux, H.

James, Hon. E.

Callender, Hon. S.

Seukeran, Hon. D.

Job-Davis, Hon. E.

Hinds, Hon. F.

Williams, Hon. E.

NOES

Rafeeq, Dr. H.

Persad-Bissessar, Mrs. K.

Sharma, C.

Nanan, Dr. A.

Panday, S.

Baksh, N.

Khan, Dr. F.

The following Members abstained: M. Ramsaran, G. Singh, G. Lucky.

Question agreed to.

Mr. Speaker: Hon. Members, the result of the division is: 13 Members voted for this matter to be referred to the Privileges Committee; seven against and three abstentions. This matter will be referred to the Privileges Committee.

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 do now adjourn to Wednesday, April 25 at 1.30 p.m. and I inform the House that we will continue with this debate when we resume.

Hon. Member: There are Motions on the Adjournment.

Mr. Speaker: Well I have not taken the vote yet; do you want to do them today?

Mr. Ramsaran: Yes.

Mr. Speaker: You have two matters; can you do them as one?

Mr. Ramsaran: Yes.

Mr. Speaker: Is the Member here?

Mr. Ramsaran: Yes.

Miss Beckles: Mr. Speaker, there is also one for me, but the Member has left and he did not ask for any deferral, at least out of courtesy.

Mr. Speaker: Okay.

Dr. Rafeeq: Mr. Speaker, I am asking if this matter could be deferred.

Hon. Members: No, no, file it over.

Mr. Speaker: Okay, before I take the vote on the adjournment we will take the motions condensed into one, and I call on the Member for Chaguanas.

**Increase in Disability Grant
(Government's Refusal)**

Mr. Manohar Ramsaran (*Chaguanas*): Thank you very much, Mr. Speaker. I know it is very late in the evening, but this has been on the Order Paper for quite a while. The first one concerns the Government's refusal to increase the financial ceiling from \$300 per month for persons with disability to access the disability grant, and the second one is the Government's failure to pay old age pension to senior citizens whose incomes are less than the new ceiling announced by the Prime Minister in the Budget Statement of 2006—2007.

Mr. Speaker, I was sitting in my office one day and this lady came to me and complained that her daughter who is disabled—I think she has a hearing disability—and was receiving the disability grant, and the late Mrs. Vindra Naipaul-Coolman—well, I hope it is not late—instituted at her business placethe policy to hire people as part-time workers so that they can be employed to help themselves. This girl was bright enough to assist in the supermarket as a relief cashier and she worked a couple hours per day. The officers of the Social Welfare Division found that out and stopped paying the disability grant.

The mother complained to me and I am forced to raise this here—that we have a person with a disability who was receiving the allowance but because she attempted to help herself to live a better life, she was stopped, and the ceiling for persons receiving an allowance is \$300 per month. In today's financial climate in this country for that paltry sum to be the ceiling, I cannot understand it. If I may go back a bit, when this disability grant was introduced, it fell in line with the old age pension. The ceiling was the same, the pension and grant were the same, so it equalled that and we actually lowered the pension age to 40 so that persons with disability would receive an old age pension.

We know there were some problems at the beginning which were supposed to be solved, but now eight years later this sum has remained at \$300 although the disability grant has been increased a little over time, the ceiling which would keep people out is \$300 per month. It means you have to be a pauper and paralyzed to receive the disability grant and I would like to ask the Minister to deal with it.

Even in today's *Newsday* April 20 there is a report as follows:

“Mom of disabled teen gets run-around.

Liloutie Jagroop of Freeport would like her disabled daughter to get assistance from the Social Welfare division.

Jagroop told the People's Hotline she has applied on three occasions and it was only on the third application that someone from the Chaguanas Social Welfare Office said they would give her a call.

Her 14-year-old daughter is bed-ridden because of Cerebral Palsy and needs the Special Child Grant. Jagroop cannot afford her daughter's medicine as she stays home to take care of her daughter and hence, she does not work."

Mr. Speaker, I am pleading on behalf of the disabled population of Trinidad and Tobago that consideration be given to increase the ceiling to maybe the equivalent of old age pension. Persons with disabilities, I believe, would need that money more than anybody else in this country. I see people in wheelchairs who really need this grant and because of the ceiling, it means they must be a pauper, they must not work anywhere. A word to the Minister is enough, I hope that we can come to this Parliament and deal with it.

Another issue is that the Prime Minister announced in his budget of 2006 that he was going to change the old age pension to a senior citizen's grant and to this day, the Parliament has not dealt with the amendment of the old age pension so it is nowhere. It is illegal, even the increase in pension is illegal unless that is dealt with.

Old Age Pension to Senior Citizens (Non-payment of)

Mr. Manohar Ramsaran (*Chaguanas*): Mr. Speaker, I quickly turn to the other one which is Government's failure to pay old age pension to senior citizens whose incomes are less than the new ceiling announced by the Prime Minister in the Budget Statement 2006—2007. Mr. Speaker, I quote what the Prime Minister said.

"With effect from October 1, 2006, there will be only one qualifying income ceiling, that is, income not exceeding \$2,150 per month;"

"previously, a senior citizen who had other income including NIS benefit of say \$1,400 would not benefit from the old age pension payment. With the introduction of this measure all senior citizens will now be eligible for a senior citizens grant..."

I wish to inform the public that this promise has seriously misled the senior citizens of this country and complaints coming to me indicate that announcements by Mr. Manning have not been honoured.

Old Age Pension to Senior Citizens
[MR. RAMSARAN]

Friday, April 20, 2007

Mr. Speaker, the fact is people have come to me and complained that they heard the Prime Minister—some did not hear him—and recently when the Prime Minister came to Chaguanas, people asked him about it, maybe they were not aware of what happened in this Parliament. They said to him, Prime Minister, we received Caroni pension of \$600 and \$1,000 National Insurance Pension but that seems not to be enough, and the Prime Minister announced an increase in National Insurance of \$2,000 and pretended not to remember he made that announcement in this House in October 2006.

That is why I call the Budget Statement a package of public relations, and nothing has happened since then to now to give those people an increase in their old age pension as was announced in this Parliament. I find it is very difficult and some people say they will do it next month, or the month after, but I want to put on record that persons 65 years and over would not live to enjoy the new pension; some will die before.

So, Mr. Speaker, I ask the hon. Minister to deal with these two issues as urgently as possible so when we talk about the massive expenditure of \$2 billion to deal with gunships and so forth, let us deal with the poor people and the disabled in our country so they can live a life that they could enjoy; let us bring into the scheme of things the people who are disadvantaged and ease their plight.

Thank you very much.

The Minister of Social Development and Minister in the Ministry of Housing (Hon. Anthony Roberts): Thank you very much, Mr. Speaker. The evening is far spent and quite frankly we can spend two hours or 75 minutes on the Motion before us.

Mr. Speaker, I sat in amazement listening to the Member for Chaguanas after having sat next to the Member for Pointe-a-Pierre who made a brilliant contribution this evening to make the kind of contribution he made and I will get into some details. You see, the thing is—

Mr. Ramsaran: What nonsense is this? [*Inaudible*]

Hon. A. Roberts: Precisely. It is unfortunate that the Member would use vulnerable persons in the society to make political statements in the House; that is unfortunate.

Mr. Ramsaran: I never made political statements.

Hon. A. Roberts: Just give me the opportunity to explain what I am talking about. He was correct when he indicated that the Public Assistance (Amdt.) Act gave the authority to make the payments of such a grant and that was by Act No. 23 of 1996. At that time the criteria to facilitate the payment were pegged to the old age pension which was about \$5,000 per annum. But I want to jog his memory to give him an opportunity to think what transpired thereafter; I suspect maybe the beard is having an effect on him.

Mr. Speaker, the Member was Minister of Social Development and it was that Member who came to this House in 1999 and brought measures.

Mr. Ramsaran: I know that. I said so.

Hon. A. Roberts: You did not say that. He brought measures to set criteria so people could access this funding. It is this Member who brought the measure of \$300.

Hon. Member: You did that?

Hon. A. Roberts: It was you.

Mr. Ramsaran: I said that.

Hon. A. Roberts: You did not say that. It was you who did it and what you were supposed to tell this House is why you did it. [*Desk thumping*]

Hon. Member: Yes, yes.

Hon. A. Roberts: So do not come here and play that kind of game at this time. I agree with you that the sum is ridiculous.

Mr. Ramsaran: And what did you do?

Mr. Achong: He is doing it now.

Hon. A. Roberts: He has absolutely no shame for him to say that. It is unfortunate. He took the measures and brought them to this House to inflict the kind of pain on the disabled people of this country and come here and talk about Government's refusal to raise the financial ceiling from a paltry \$300. Did you not understand that it was paltry at the time?

Mr. Achong: Member for Chaguanas, you did that?

Hon. A. Roberts: Mr. Speaker, it is the PNM that is now making arrangements to deal with that ceiling and I give the commitment to the disabled community that that ceiling will be adjusted. [*Desk thumping*]

Mr. Ramsaran: When?

Hon. A. Roberts: Do not ask when; it is you who inflicted it on the people. So I give that commitment that the Ministry of Social Development at this time is holding discussions with the Ministry of Finance to make the appropriate adjustments that will come to this House. [*Desk thumping*]

Hon. Member: He is being prompted.

Hon. A. Roberts: Prompted? Mr. Speaker, we cannot for political reasons come here and pretend to be speaking on behalf of the disabled or vulnerable persons in the society.

With regard to the other issue, the second Motion the Member raised with respect to the pension; again, the Member understands the administrative things that have to take place with respect to making these payments. The Ministry of Finance at this stage is preparing the relevant documentation to come before this Parliament so that the payments could be made. And again, I give you the assurance that these persons will receive their funding no later than May 15, 2007. [*Desk thumping*] So it is unfortunate, and I may appear to be a bit emotional, usually I am not that kind of person, but it is unfortunate that a Member would seek to raise such serious issues and to make political football out of them.

Thank you very much, Mr. Speaker.

The Minister of Public Utilities and the Environment (Hon. Penelope Beckles): Mr. Speaker, may I just enquire about the second Motion?

Mr. Speaker: There is nobody to enquire of.

Hon. P. Beckles: So what becomes of the Motion? They have been very discourteous.

Mr. Speaker: It will be removed from the Order Paper and if the Member who filed it wishes to file again, then we will take it.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 9.55 p.m.

WRITTEN ANSWERS TO QUESTIONS

Mechanisms for Stabilizing Food Prices

61. Dr. Roodal Moonilal (*Oropouche*) on behalf of Mr. Subhas Panday (*Princes Town*) asked the hon. Minister of Agriculture, Land and Marine Resources:

Could the Minister state:

- (a) whether any mechanisms are in place to stabilize and maintain food prices; and
- (b) if the answer to (a) is in the affirmative, could the Minister state what are those mechanisms?

Pursuant to his reply to Question No.61 earlier in the proceedings the Minister of Agriculture, Land and Marine Resources (Hon. Jarrette Narine) caused to be circulated to Members of the House the following:

The Minister of Agriculture, Land and Marine Resources (Hon, J. Narine): NAMDEVCO: The National Agricultural Marketing and Development Company (NAMDEVCO) is playing a decisive role in addressing the issue of high food prices. This as NAMDEVCO has engaged in three initiatives that directly address the issue. These are:

1. *NAMDEVCO Market Watch* weekly newspaper advisory which publishes prices of produce from farm gate to retail. The objective of this initiative is to provide consumers, farmers and other agri-food entrepreneurs with relevant and timely information to make purchasing and business decisions. The implications for price gouging, a major contributor to current high food prices, are obvious. Although, the newspaper advisory has received kudos from the public, I expect the full extent of its positive impact to be felt in the near future.
2. NAMDEVCO has also initiated three farmers' markets—at Macoya, Diego Martin and Debe. The objective is to facilitate retail trading by farmers directly to consumers, eliminating the middlemen levels of transaction and making food more affordable to consumers. NAMDEVCO is also working with the Ministry of Local Government and the Ministry of Trade and Industry to establish municipal markets.
3. In January 2007, NAMDEVCO established a web-based market information system to provide stakeholders with accurate market information in real time. The National Agricultural Market Information System (NAMIS) is a database of marketing and ancillary information which will allow farmers,

agri-food entrepreneurs, consumers and policy makers to make wise trading and business decisions. The database will allow agri-entrepreneurs to forecast shortages and gluts of commodities and adjust their production levels to take full advantage of these scenarios.

The implications of NAMIS for lowering food prices and maintaining low food prices are obvious and I have little doubt that the full extent of its impact will be felt in the months ahead.

Consumer Affairs Division of the Ministry of Legal Affairs: This division since 2006 has embarked on the publication of prices of basic food and grocery items of several groceries and supermarkets in various regions in Trinidad and Tobago. Since November 2006 fruit and vegetable prices are being published by region. Each publication shows the prices of the fruits and vegetables in the particular market and the corresponding price for such commodities in the supermarkets and groceries of the particular region. The prices of chicken at poultry depots throughout Trinidad are also being published.

It should be pointed out, Mr. Speaker, that in its most recent release, which highlighted that headline inflation had declined, the Central Banks report attributed the slowing of food price inflation partly to the broadening of the agricultural distribution network which was creating a more direct link between farmers and consumers and which has contributed to greater price awareness and facilitated comparison shopping among consumers.

Flood relief assistance: Another support measure that directly influences high food prices is that of flood relief assistance. As we are all aware, the Ministry of Agriculture, Land and Marine Resources provides crop farmers that have been negatively affected by flooding with allocations geared towards the replanting process. These payments are calculated based on the damage done to the farmers' plants and not in lieu of lost produce. The rationale for this initiative is to ensure that farmers are able to restart the production process as soon as possible, thereby ensuring that farmers remain on the farm and the loss to the country's agricultural output is mitigated.

I am pleased to report that for 2006 the ministry was able to lend support in the form of flood relief assistance to 2,524 farmers to the tune of \$17,524,873.

Facilitating new agri-business development; Establishment and implementation of the National agri-business Development Programme: The goal of this programme

is the development of an Agri-business sector, which would provide the following general benefits:

- a significant increase in the contribution of the agri-business sector to economic growth;
- increased farm family income;
- increased employment, particularly in the rural areas;
- increased foreign exchange earnings;
- improved national and household food security;
- improved quality of life in rural communities;
- significant improvement in the balance of payments with respect to food imports; and
- a wider range of local value-added products and lower and stable prices for fresh produce with corresponding increases in their nutrition for the general public.

In phase 1 of the programme, nine groups of commodities have been selected, namely hot peppers, pumpkin, paw-paw, cassava, sweet potato, rabbit, tilapia, coconut and herbs like chadon beni, basil, oregano, thyme, aloe vera, noni, and commodity associations would be established to undertake their development; nine commodity associations have already been established and plans for the establishment of the farming community groups are on-going, initially focusing on Cunupia and Caroni. This programme is also intended to make more food available at affordable prices to the population.

National Tilapia Development Plan: This proposal was presented to the Inter-Ministerial Business Development Committee and Cabinet subsequently agreed to fund phase I of the project at a cost of TT \$1.3 million. It is expected that after completion of phase I, a review will clearly indicate the viability of subsequent proposed phases. The Tilapia Commodity Committee is responsible for project planning and implementation of this first phase.

The Ministry of Agriculture, Land and Marine Resources has ranked tilapia as the industry that can be successfully developed for export, and as an alternative source of protein, given the impending threat to the local poultry industry, from Avian Influenza.

The tilapia industry promises to be a source of high employment, with the potential to produce 130,000 metric tonnes of tilapia in year five of the programme.

The projects in this phase are:

Project 1 - locate a 15 acre hatchery site.

Project 2 - hatchery design and business plan.

Project 3 - choose tilapia.

Project 4 - evaluate lands.

Project 5 - industry farm design project

Project 6 - equipment selection /standardization

Project 7- readying AATT (Aquaculture Association of Trinidad and Tobago).

Project 8 - processing Facilities.

Project 9 - source training expertise.

Project 10 - develop marketing plan.

Project 11- structuring and coordinating.

Project 12 - foster confidence in financial institutions

Project 13 - promote tilapia

Financing for agriculture, research and development and fisheries sector: The Agricultural Development Bank (ADB) has transformed itself into a well-equipped institution capable of meeting the financial and technical needs of the farming community.

It has achieved transformation by:

installing new and improved information technology;

implementing a new and improved organizational structure that includes a business development department;

The ADB is now positioned to make more timely interventions in meeting farmers' needs.

The ADB has developed four new products in support of its business development thrust:

the "Cocoa Revitalizer" to support the revitalization of the cocoa industry;

the "Grow Safe Loan" to promote the use of good agricultural practices; and

the “Youth Window”, which offers the lowest interest rates to attract young people to the sector

the “Honey Money” product which supports increased honey production

The Government has provided the ADB in this current fiscal year with \$30 million for lending.

Conclusion: The Government has been addressing the problem of high food prices head-on, with a moderate degree of success. Our policies and strategies have produced positive results. We have been able to stop the dramatic increase in food prices. The Central Bank figures have indicated that food price inflation dropped from 26.5 per cent in October 2006 to 22 per cent in November of last year, and slowed to 20.9 per cent in January 2007.

I believe that in the medium term, food prices will level out to a point where they are affordable to all citizens.

Special Reserve Police Officers

(Status of)

62. Mr. Subhas Panday (*Princes Town*) asked the hon. Minister of National Security:

Could the Minister state:

- (a) what is the status of the Special Reserve Police Officers of “SRP 1000”;
- (b) what are the salaries of the various categories of Special Reserve Officers of “SRP 1000”;
- (c) whether any Special Reserve Officers of “SRP 1000” have been recruited into the regular police service; and
- (d) if the answer to (c) is in the affirmative, could the Minister provide the criteria used for such appointment?

The Minister of National Security (Sen. The Hon. Martin Joseph): Within fiscal 2002 and 2003, the Ministry of National Security enlisted an initial quota of 498 Special Reserve Police officers which incurred the annual expenditure of TT \$15,648,564.

These SRP officers were recruited under the SRP 1000 project, which emanated from the Ken Gordon Crime Plan Report, and which was essentially designed to address the crime trends through raising the level of police visibility and thereby allaying public anxiety. This project was also intended to augment the shortfall of regular police officers at stations in areas noted for high levels of serious crimes.

On November 25, 2005, 419 of these SRPs were required to sign three-year contract agreements. The Police Service Social and Welfare Association petitioned the Minister of National Security to consider affording the 419 SRP officers five-year contracts, instead of the previously agreed three-year contracts.

This request was premised on the claim that many of the SRP officers were working for the previous two years under a cloud of uncertainty as to their tenure and would have entered into commitments, based on their employment.

A further request was made from the association to absorb the 419 SRP officers into the regular police service, as well as, waive the academic, age and physical requirements.

On May 04, 2006, Cabinet agreed to the two-year extension of the three-year contracts, as well as the absorption of the 419 SRP officers into the regular police service, subject to such persons meeting the under-mentioned requirements:

satisfactory evaluation of their performance and conduct over the entire five-year period;

a successful drug test;

fitness for service as determined by a medical examination including a psychological examination;

the waiver of the academic qualifications, physical and age requirements for entry into the police service

At present, the 419 SRPs are executing their responsibilities under the terms and conditions of the existing five-year contract, which ends on October 10, 2008, and upon such expiration, the SRP officers who meet the stipulated criteria for enlistment into the regular police service, will be absorbed.

Under the terms and conditions of employment applicable to the Special Reserve Police, officers recruited under the "SRP 1000" project, the salary packages are as follows:

Years one to three	-	\$3,800.00 per month
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Years four to five - \$4,400.00 per month

In accordance with Cabinet's directive, none of these officers from the "SRP 1000" will be recruited into the regular police service before that date.

As indicated, the 419 SRP officers will be absorbed into the regular police service, subject to the outlined stipulated conditions.

**Caroni (1975) Limited
(Land Distribution Programme)**

64. Mr. Nizam Baksh (*Naparima*) asked the hon. Minister of Finance:

Could the Minister indicate:

- (a) whether persons/organizations other than former Caroni (1975) Limited VSEP Employees have benefited from the land distribution programme of Caroni Lands;
- (b) the amount of land distributed, the location of the land and the use in each case; and
- (c) the price of each plot?

The Minister of Trade and Industry and Minister in the Ministry of Finance (Hon. Kenneth Valley): The persons and or organizations other than former Caroni (1975) Limited voluntary separation employment programme who have benefited from the land distribution programme of Caroni Lands; the amount of land distributed; the location of the land; and the price of each plot are as follows:

Religious Groups

Organization	Location	Size	Premium	Annual Rate
Saraswati Vidyalaya Limited	Factory Road, Chaguanas	0.8098 hectares	\$40,000	\$400 for 199 years
The New World Vishwa Shanti Spiritual Foundation	Papourie Road, Picton	0.74340 hectares	\$20,000	\$200 for 30 years

Organization	Location	Size	Premium	Annual Rate
Tahrik 1 Jadid Anjuman Ahmadiya Association of Trinidad and Tobago	Caroni Savannah Road Charlieville	3.6598 hectares	\$180,871.26	\$1,808.7 2 for 30 years
Sanatan Dharma Maha Sabha				
Orange Valley Vishnu Mandir	Waterloo Road, Orange Valley, Couva	2.1 acres	\$20,000 per acre	\$200 per acre for 30 years
Monkey Town Temple, Barrackpore	Monkey Town, Barrackpore	2 lots	\$20,000 per acre	\$200 per acre for 30 years
Derek Road Hindu Temple, Esperance	Derek Road, Esperance	½ acre	\$20,000 per acre	\$200 per acre for 30 years
Diamond Village Hindu Temple	Papourie Road, Diamond Village	3 lots	\$20,000 per acre	\$200 per acre for 30 years
Golconda Hindu Temple	Golconda Road, Golconda	½ acre	\$20,000 per acre	\$200 per acre for 30 years
Temple Site Sadhoo Village, Barrackpore	Sadhoo Village, Barrackpore	2 lots	\$20,000 per acre	\$200 per acre for 30 years.
Sanatan Dharma Maha Sabha Inc.	Caroni Savannah Road, Chaguanas	2.88 acres	no cost	\$1 for 30 years

Organization	Location	Size	Premium	Annual Rate
Anjuman Sunnat-UI-Jamaat Association	St. John's Village, Ciperó Road, San Fernando	1.06 acres	\$20,000 per acre	\$200 per acre for 30 years
	Charlieville, Chaguanas	9.977 acres	\$25,000 per acre	\$500 per acre for 30 years
Brothers Presbyterian Church	Corial Road Williamsville	10 feet x 60 feet	\$20,000 per acre	\$200 per acre for 99 years
Williamsville Islamic Trust	Guaracara Tabaquite Road, Williamsville	1.2 acres	\$24,147.10	\$241.47 for 15 years
Church of Christ in Trinidad and Tobago	Pluck Road, Woodland	10,000 sq ft	\$20,000 per acre	\$500 per acre for 30 years
Presbyterian Church in Trinidad and Tobago	Golconda Road, Golconda Village	10,400 sq ft	\$10,000 per acre	\$500 per acre for 15 years
	Corner of School Road and Bonne Aventure Road	114,869 sq ft	\$10,000 per acre	\$500 per acre for 15 years
Hindu Prachar Kendra	Raghunanan Road, Enterprise	5 acres	\$15,000 per acre	\$200 per acre for 30 years
Blue Star Yoga Ashram	Badoo Trace Extension, Forres Park	0.2718 hectares	\$13,432.	\$134.32 for 30 years

Organization	Location	Size	Premium	Annual Rate
Vishwa Shanti Ashram	Ragoonanan Road, Enterprise	1 acre	\$20,000 per acre	\$200 per acre for 30 years
Couva Sunnatul Jamaat	Exchange Village	1 hectare	\$20,000 per acre	\$200 per acre for 99 years
Greater Love Christian Centre	Beucarro Village, Freeport	3.29 acres	\$20,000 per acre	\$200 per acre for 30 years
Miracle Ministries	Beucarro Village, Freeport	2.8213 hectares	\$139,400	\$1,394 for 99 years
Non Governmental Organizations				
National Council for Indian Culture	Off Narsaloo Ramaya Road Chaguanas	15 acres	\$300,000	\$200 per acre for 30 years
Child Welfare league	Frederick Settlement Village, Caroni	166.1 sq metre	\$1,000	\$1.00 for 30 years
Islamic Home For Children Inc.	Gasparillo	0.9621 hectares	no cost	\$475.40 for 30 years
Hope Shelter for Battered Women	Chaguanas	5 acres	no cost	\$1,000 for 5 years
La Paille Early Childhood Centre	La Paille Village, Caroni	5,000 sq ft	\$20,000 per acre	\$200 per acre for 30 years
Indian Trail Hindu Organization	Rivulet Road, Milton, Couva	1 acre	\$20,000	\$200 for 30 years

Organization	Location	Size	Premium	Annual Rate
South Trinidad Chamber of Industry & Commerce Inc.	Tarouba	1 acre	US\$2 per sq metre	US\$2 per sq. metre
Pan Trinbago	Off Churchill Roosevelt Highway, Orange Grove, Tacarigua	3 acres	no cost	\$1 for 99 years lease
Ministries/ Government Agencies				
Ministry of Education Iere Village Primary School	Waterloo, Debe & Tableland	3 parcels	no cost	no cost
	Naparima Mayaro Road, Iere Village	1.9231 hectares	no cost	no cost
Ministry of National Security, Couva South Fire Station	Corner Old Southern Main Road Phoenix Park Road California	5 acres	no cost	no cost
Telecommunications Services of Trinidad and Tobago Limited (TSTT)	Daisy Road, St. Clements	10,000 sq ft	\$80,000	\$2,000 for 30 years
	Chin Chin Road, Cunupia	5,000 sq ft.	\$40,000	\$1,000 for 30 years
Petrotrin	Naparima	7 acres, 0 rood, 18 perches	no cost	\$25.00 per acre for 35 years

Organization	Location	Size	Premium	Annual Rate
National Energy Corporation of Trinidad and Tobago Limited	Rivulet Road, Pt. Lisas	0.4048 hectares	\$78,208.	\$433,560 for 99 years
Trinidad and Tobago Electricity Commission (T&TEC)	Dow Village Off Bagasse Plant Road, Dow Village California	50,000 sq metre 8 acres	US \$1.00 per sq metre \$627,264	US\$1.00 per sq metre for 30 years \$348,480 for 30 years
The National Gas Company of Trinidad and Tobago Limited	Carli Bay Road, Couva	20,698 sq ft	US\$1 per sq metre	US\$0.90 per sq metre for 30 years
National Agricultural Marketing Development Corporation	Off Narsaloo Ramaya Road Chaguanas	2 acres	\$40,000	\$12,000 per acre for 30 years
Caribbean Industrial Research Institute	Off Narsaloo Ramaya Road, Chaguanas	12 acres	\$240,000	\$12,000 per acre for 30 years
National Training Agency	Off Narsaloo Ramaya Road, Chaguanas	5 acres	\$100,000	\$12,000 per acre for 30 years
Penal/Debe Regional Corporation	Papouri Road Barrackpore	5.85 acres	\$86,000	\$1 for 999 years

Organization	Location	Size	Premium	Annual Rate
Couva/Tabaquite/ Talparo Regional Corporation				
Orange Valley Recreation Ground	Bay Road, Orange Valley, Couva	2.5 acres	no cost	no cost
Islamic Cemetery	Waterloo Main Road, Carapichaima	4.2 acres	\$20,000 per acre	\$200 per acre for 99 years
Commercial Users				
Trintech Chrome and Hydraulic Service Limited	Reform	2 acres	\$25,000 per acre	\$20,000 per acre for 30 years
Trinrico Steel and Wire Products Limited	Reform	5 acres	\$25,000 per acre	\$20,000 per acre
SigNETix Limited	Preysal	10,000 sq ft	\$80,000	\$2,000 for 30 years
AM Marketing Company Limited	Claxton Bay	5 acres	\$85,000	\$4,000 for 99 years
Wilcox Enterprises Limited	Ward of Naparima	0.4049 hectares	\$32,670	\$0.60 per sq ft for 30 years
	Couva	0.4049 hectares	\$43,560	\$0.60 per sq ft for 30 years

Organization	Location	Size	Premium	Annual Rate
University of the West Indies School of Continuing Studies	Off Narsaloo Ramaya Road, Chaguanas	3.5632 hectares	\$176,090	\$105,654 for 30 years
Import Export Air Express Services Limited	North of Nagar Site	0.8093 hectares	\$100,000	\$24,000 for 30 years
WELFAB Limited	Dow Village Light Industrial Estate	10 acres	\$250,000	\$20,000 per acre
C.D.S Transport & Services Limited	North of Caroni Bird Sanctuary	2 acres	\$52,272	\$43,560 for 30 years
	Off Factory Road, Chaguanas	2 acres	\$52,272	\$43,560 for 30 years
Bougainville Restaurant & Catering Services Limited	Rivulet Road, Point Lisas	0.7446 hectares	\$1.80 per square foot	\$1 per sq ft.
Super Industrial Services Limited	Ward of Couva	12.142 hectares	\$784.080	\$588,060 for 30 years
Nashville Farms Limited	Ward of Naparima	4270.3 sq metre	\$459,442	\$1 for 99 years
	Ward of Naparima	4032.0 sq metre	\$433,609	\$1 for 99 years
	Ward of Naparima	3,782.9 sq metre	\$407,030	\$1 for 99 years

Organization	Location	Size	Premium	Annual Rate
Sampro Limited	Exchange Estate Road	1.72 acres	\$500,000	\$100 for 30 years
Advance Foam Limited	Orange Grove	0.5261 hectares	\$750,000	\$1,000 for 99 years
Coosal's Construction Company Limited	Biljah Road	3.2238 hectares	\$6.9 million	\$1 for 999 years
Chaguanas Specialist Centre	Off Narsaloo Ramaya Road, Chaguanas	5 acres	\$250,000	\$60,000 for 30 years
Specialized Rental Limited	Between Ato Boldon Sporting Complex and Balmain Road Uriah—Butler Highway	2 acres	\$87,120	\$52,272
HAPPI Products Limited	Off Narsaloo Ramaya Road, Chaguanas	2 acres	US\$2 per sq metre	US\$ 2 per sq metre for 30 years
PVF Limited	Off Guaracara Tabaquite Road, Reform	3 acres	\$75,000	\$20,000 per acre
Top Mark Limited	Off Guaracara Tabaquite Road, Reform	1 acre	\$25,000	\$20,000 for 30 years
Alescon Readymix Limited	Off Old Southern Main Road, California	2 acres	\$50,000	\$20,000 per acre for 30 years

Organization	Location	Size	Premium	Annual Rate
Silver Savers Limited	Off Old Southern Main Road, California	5 acres	US\$1 per sq metre	US\$0.75 per sq
JMC Entertainment	Off Narsaloo Ramaya Road, Chaguanas	3 acres	\$150,000	\$12,000 per acre
Integrated Facilities Management Limited	North off Caroni Bird Sanctuary	1 acre	\$26,137	\$21,781 for 30 years
Firearms Training Institute	Off Narsaloo Ramaya Road, Chaguanas	1 acre	\$50,000	\$12,000 for 30 years

In addition to the above, the following were transferred to Ministries and Government Agencies:

Ministry of Agriculture, Land and Marine Resources:

citrus groves at Todds Road and La Gloria;

dairy and livestock operations at Mon Jaloux;

livestock operations at Mon Jaloux and Mora Valley;

livestock operations at La Gloria, Windsor Park and Picton;

the rice project; and

lands in Preysal to be transferred to the Agricultural Society of

Trinidad and Tobago for the establishment of the headquarters of the permanent exhibition site

Ministry of Sport and Youth Affairs, the following six sporting facilities:

Ste. Madeleine Staff Club and Golf Course;

Sevilla Staff Club, Golf Course, Tennis Court and Swimming Pool;

Gilbert Park Sports Club and Wanderers' Cricket Ground;
Woodford Lodge Sports Club;
Ste. Madeleine Sports Club; and
Dubisson Park

Ministry of Local Government, the under-mentioned assets:

the roads, bridges of Caroni (1975) Limited

lands to be transferred for the establishment of recreation grounds, as follows:

2.02 hectares of land in Gran Couva, Montserrat;

2.835 hectares of land in George Village;

Five acres of land at Phoenix Park Road, Couva; and

1.6888 hectares of land at Rivulet Road, Indian Trail

Ministry of Education:

the Sevilla Primary School; 2nd

1.4 acres of land at Soledad Road, Claxton Bay, to be transferred for the reconstruction of the Mt. Pleasant Government Primary School.

Ministry of Science, Technology and Tertiary Education:

The Transport and Field Engineering Departments at Brechin Castle and Usine Ste. Madeleine; and

the former Agricultural Services Department at Waterloo which is being utilized as a training centre.

Ministry of National Security:

lands required for the construction of a fire station at the intersection of the Old Southern Main Road and Phoenix Park Road, Couva, in the vicinity of the Point Lisas Industrial Estate.

Ministry of Community Development, Culture and Gender Affairs - lands to be transferred for the establishment of community centres:

930 square metres of land in Basta Hall;

930 square metres of land in Chandernagore Village;
 one acre of land in Warrenville; and
 1,860 square metres of land in Preysal Village, off Sealy Trace West, also
 known as Polo Ground

Ministry of Housing

1.28 hectares of land at Debe for the construction of a sewage treatment
 facility to service phases I and II of the Debe Housing Programme.

**Capital Offence Case
 (Status of)**

71. Mr. Subhas Panday (*Princes Town*) asked the hon. Attorney General:

Could the Attorney General indicate the status of each capital offence case
 which is on appeal before the courts for the period 2005 to present?

The Attorney General (Sen. The Hon. John Jeremie): Since the beginning
 of the year 2005 to the present, 23 persons have been convicted of murder and
 sentenced to death in Trinidad and Tobago. Of the 23 persons, there are 22 men
 and one woman.

Of the 23 persons convicted of murder since the beginning of 2005 to the
 present, 19 persons have appeals still pending before the Court of Appeal of
 Trinidad and Tobago, two have had their appeals dismissed, and one person has
 had his appeal allowed and a re-trial has been ordered.

The appeal having been heard by the court, judgement has been reserved for
 one person.

The two persons who have had their appeals dismissed by the Court of Appeal
 of Trinidad and Tobago now have their appeals pending before the Judicial
 Committee of the Privy Council.

**CEPEP Companies
 (Moneys Paid)**

57. Mrs. Kamla Persad-Bissessar (*Siparia*) asked the hon. Minister of Public
 Utilities and the Environment:

Could the Minister state the amount of monies paid to each company
 awarded an Environmental Protection and Enhancement Programme (CEPEP)
 contract for the period 2005 to 2006?

The Minister of Public Utilities and the Environment (Hon. Penelope Beckles): SWMCOL has engaged the services of 113 contracting companies and they are assigned to work areas on the basis of high levels of unemployment among unskilled and semi-skilled persons, and where significant environmental issues related to solid waste management exist.

With respect to financing, SWMCOL provides funds to the contracting firms for wages and operational expenses. Each contractor is required to establish two accounts, a wages account and an operations account. SWMCOL deposits funds monthly into the contractors' wages account, from which payments are made directly into the bank account of each worker. The funds deposited into the operations account are used by the contractors to manage their companies' business.

Information on the amount of monies paid to each company awarded a CEPEP contract for the period 2005 to 2006 is in the appendix.

AMOUNTS PAID TO CEPEP CONTRACTING FIRMS FOR OPERATIONS DURING THE FINANCIAL YEAR 2005/2006				
	CONTRACTING FIRM	OPERATIONS	WAGES	AMOUNT
1.	A.E. Rasolli Maintenance Services	799,978.80	1,444,977.89	2,244,956.69
2.	Agronomics Inc Ltd	873,727.81	1,337,300.46	2,211,028.27
3.	Allahhu Enterprises Ltd	824,100.14	1,306,326.11	2,130,426.25
4.	Answer Maintenance Ltd	545,874.70	831,361.82	1,377,236.52
5.	Ant's Mole Construction Ltd	591,210.95	892,643.38	1,483,854.33
6.	Arc Angels Ltd	790,520.90	1,417,944.80	2,208,465.70
7.	Beautification & Sanitation Co	569,999.83	963,539.76	1,533,539.59
8.	Beckles Environmental Services Ltd	801,210.71	1,448,891.95	2,250,102.66
9.	Benchmark Environmental Services	523,972.32	949,536.34	1,473,508.66

	CONTRACTING FIRM	OPERATIONS	WAGES	AMOUNT
10.	Breeze Maintenance Service Ltd	797,128.81	1,434,807.19	2,231,936.00
11.	Chaitram & Company Ltd	503,384.25	890,553.36	1,393,937.61
12.	Claudius.Asad.Aslam. Const.	525,109.82	952,140.62	1,477,250.44
13.	Cleanville Company Ltd	523,092.12	946,207.57	1,469,299.69
14.	Clear Cut Environmental Ser Co	824,775.68	1,435,333.45	2,260,109.13
15.	Cornerstone Environmental Maintenance Co	556,494.02	892,683.14	1,449,177.16
16.	Crewcutters Maintenance Co Ltd	715,265.71	1,352,446.17	2,067,711.88
17.	Cut-Clean & Clear Maintenance Services	534,269.69	926,928.78	1,461,198.47
18.	Daily Environmental Services	737,097.82	1,403,569.91	2,140,667.73
19.	Danavin Company Ltd	529,990.90	966,733.92	1,496,724.82
20.	DARWEN Ltd	1,264,808.80	2,360,614.84	3,625,423.64
21.	Debut Cleaning Company Ltd	502,923.02	884,968.97	1,387,891.99
22.	Deep Maintenance Company Ltd	827,690.66	1,451,662.88	2,279,353.54
23.	Deep Root Environmental Co Ltd	577,343.43	986,945.28	1,564,288.71
24.	Development & Enhancement Services	760,993.05	1,339,879.48	2,100,872.53
25.	Divya Enviro Ltd	555,658.00	926,409.68	1,482,067.68
26.	Docland Services	772,553.40	1,372,650.48	2,145,203.88
27.	Doolay Environmental Services Ltd	783,614.87	1,439,963.48	2,223,578.35
28.	Duncan Village Maintenance Co	529,089.29	964,657.60	1,493,746.89

	CONTRACTING FIRM	OPERATIONS	WAGES	AMOUNT
29.	EDM Environmental Management Co Ltd	546,068.58	898,816.52	1,444,885.10
30.	Effective Environmental Systems Co	531,827.68	955,786.03	1,487,613.71
31.	Enviro Company Ltd	528,593.03	958,181.08	1,486,774.11
32.	Envirochem Ltd	529,616.90	854,116.23	1,383,733.13
33.	Environmental Alternatives Ltd	820,830.81	1,415,723.20	2,236,554.01
34.	Environmental Enhancers Ltd	513,362.05	917,032.79	1,430,394.84
35.	Environmental Improvement Co	751,490.17	1,455,159.39	2,206,649.56
36.	Enviropro Ltd	775,088.89	1,370,131.59	2,145,220.48
37.	Fabcon Ltd	732,457.69	1,380,706.88	2,113,164.57
38.	Farnum Environmental Co Ltd	631,769.71	933,490.86	1,565,260.57
39.	First Class Homes & Commercial Property Ltd.	809,548.15	1,437,734.50	2,247,282.65
40.	Foster Solutions for Sustainable Ecosystems Dev't Ltd.	557,737.12	889,234.52	1,446,971.64
41.	G. Bacchus General Contractor	544,844.18	894,441.63	1,439,285.81
42.	G.P. Maintenance Ltd	641,164.05	1,014,794.00	1,655,958.05
43.	Gap Environmental Experts Co	999,531.55	1,911,427.11	2,910,958.66
44.	Gateway Environmental & Maintenance Ser Ltd	725,841.28	1,357,390.10	2,083,231.38
45.	Global Enterprises Ltd	588,897.88	961,587.30	1,550,485.18
46.	Healthy Environmental & Landscaping Providers Ltd.	633,262.88	893,817.54	1,527,080.42
47.	Heyman's Environmental Services	792,203.92	1,425,634.34	2,217,838.26

	CONTRACTING FIRM	OPERATIONS	WAGES	AMOUNT
48.	Hibiscus Services Co Ltd	709,743.13	1,329,499.84	2,039,242.97
49.	High Place Enterprises Ltd	819,059.43	1,442,964.36	2,262,023.79
50.	High Road Maintenance Co Ltd	755,002.52	1,428,919.03	2,183,921.55
51.	Hinds General Maintenance Ltd	447,248.48	707,733.83	1,154,982.31
52.	Hylite Services Ltd	754,866.19	1,444,250.40	2,199,116.59
53.	Jaisuree Enterprises Ltd	522,631.05	950,439.28	1,473,070.33
54.	JC Environmental Services Ltd	791,522.25	1,408,140.51	2,199,662.76
55.	Jenbri Enterprises Ltd	745,358.36	1,427,097.88	2,172,456.24
56.	Jen-Cam Ltd	753,040.81	1,449,091.17	2,202,131.98
57.	John Fortune Enterprises Ltd	370,334.97	493,577.14	863,912.11
58.	K&R Contractors Company Ltd	531,367.11	861,483.03	1,392,850.14
59.	K&S Environmental Services Co Ltd	511,538.05	925,144.92	1,436,682.97
60.	K.G. Environmental Services Ltd	868,187.34	1,384,738.85	2,252,926.19
61.	Kenwyn & Kyle Environmental Specialist	735,685.05	1,403,971.85	2,139,656.90
62.	KFS Company Ltd	531,512.59	968,267.88	1,499,780.47
63.	KS Environmental Maintenance Co Ltd	785,469.42	1,396,754.58	2,182,224.00
64.	Lee St. Louis Environ. Spec.	828,940.98	1,371,840.58	2,200,781.56
65.	Lo Pari Landscaping Co Ltd	556,395.09	924,840.68	1,481,235.77
66.	M.J.I. Landscaping Ltd	787,916.08	1,414,033.84	2,201,949.92
67.	M/S Community Maintenance Ltd	515,869.18	925,182.08	1,441,051.26
68.	Mario Eco Co. Ltd	783,107.06	1,403,436.16	2,186,543.22

	CONTRACTING FIRM	OPERATIONS	WAGES	AMOUNT
69.	Marryshow Maintenance Services	497,360.75	873,496.27	1,370,857.02
70.	Mathura Gen Cont & Enhancers	247,853.91	470,699.98	718,553.89
71.	Maximum Environmental Service Co	776,315.84	1,378,771.19	2,155,087.03
72.	Miracle Brite Maintenance Co	769,083.49	1,355,382.33	2,124,465.82
73.	Mountain View Environmental Co	535,902.22	868,249.68	1,404,151.90
74.	MPH Services Ltd	725,424.48	1,370,276.86	2,095,701.34
75.	My Youths Environmental Ltd	794,611.79	1,424,029.66	2,218,641.45
76.	N.B.C. Company Ltd	791,143.33	1,396,332.90	2,187,476.23
77.	New Image Contracting & Maintenance Co	962,779.83	1,780,133.79	2,742,913.62
78.	Oliver Contracting Service Ltd	455,633.37	700,424.57	1,156,057.94
79.	Palladin's Company Ltd	579,860.89	995,014.64	1,574,875.53
80.	Patcliff Industrial Services	593,578.76	889,011.29	1,482,590.05
81.	Pical Services Ltd	780,590.69	1,380,805.82	2,161,396.51
82.	Point Fortin Environmental Services Ltd	497,653.66	887,618.41	1,385,272.07
83.	Prim Clean Ltd	548,362.10	910,570.83	1,458,932.93
84.	Pro Blade Company Ltd	506,747.93	903,955.09	1,410,703.02
85.	Prudent Construction Ltd	752,211.55	1,444,274.86	2,196,486.41
86.	Quality Environmental Services Ltd	805,658.24	1,443,257.27	2,248,915.51
87.	R.J.S.D.C. Co. Ltd	749,139.89	1,366,896.79	2,116,036.68
88.	Real Maintenance Services Ltd	775,818.01	1,345,217.56	2,121,035.57

	CONTRACTING FIRM	OPERATIONS	WAGES	AMOUNT
89.	Rencamp Cleaning & Landscaping	533,369.72	965,924.51	1,499,294.23
90.	Roopy's Contracting Services	625,170.89	905,660.85	1,530,831.74
91.	s&G Maintenance Co Ltd	471,277.55	764,261.91	1,235,539.46
92.	S&S Environmental Services Co Ltd	527,968.78	956,538.15	1,484,506.93
93.	S.A.S. Maintenance Co Ltd	858,155.97	1,394,297.30	2,252,453.27
94.	S.J.L. Environment & Development Co Ltd	510,251.31	962,469.36	1,472,720.67
95.	SAMCOLL Construction Co Ltd	525,118.27	892,321.25	1,417,439.52
96.	Saphire Environmental Services Co	413,501.97	937,246.12	1,350,748.09
97.	Sarah Maintenance Company Ltd	565,993.74	954,747.62	1,520,741.36
98.	Silver Hammer Ltd	495,931.84	966,096.32	1,462,028.16
99.	Silver Sands Ltd	485,341.36	853,696.57	1,339,037.93
100	South East Maintenance Services Ltd	577,964.71	959,219.24	1,537,183.95
101	South West Development Agency	372,953.09	922,696.97	1,295,650.06
102	The Maintenance Advantage Co	554,873.89	924,844.52	1,479,718.41
103	Theodore Maintenance Co Ltd	504,610.60	895,194.93	1,399,805.53
104	Thomas Loney Maintenance Services	566,964.84	958,909.17	1,525,874.01
105	Tidy Environmental Services Co Ltd	481,056.23	1,394,689.81	1,875,746.04

*Written Answers to Questions**Friday, April 20, 2007*

	CONTRACTING FIRM	OPERATIONS	WAGES	AMOUNT
106	Time Environmental Service Ltd	798,543.07	1,419,970.78	2,218,513.85
107	Toncabeau Maintenance Co Ltd	659,557.28	1,182,206.59	1,841,763.87
108	Trinidad Bago & Sons Co Ltd	795,784.47	1,405,387.72	2,201,172.19
109	Two J's Beautification Ltd	1,081,029.44	2,084,748.22	3,165,777.66
110	W.E.T.E. Company Ltd	790,533.94	1,419,675.51	2,210,209.45
111	Wells Maintenance Co Ltd	598,204.15	908,774.88	1,506,979.03
112	West & Associates Co. Ltd	929,924.22	1,822,729.26	2,752,653.48
113	Williams & Sampson Co Ltd	1,008,305.82	1,935,581.92	2,943,887.74
Total:		74,778,929.04	32,480,602.08	207,259,531.12