

*Leave of Absence**Friday, March 27, 2009***HOUSE OF REPRESENTATIVES***Friday, March 27, 2009*

The House met at 1.30 p.m.

PRAYERS[MR. SPEAKER *in the Chair*]**LEAVE OF ABSENCE**

Mr. Speaker: Hon. Members, I have received communication from the hon. Neil Parsanlal, Member of Parliament for Lopinot/Bon Air West, requiring leave of absence from today's sitting of the House. The leave which the Member seeks is granted.

JOINT SELECT COMMITTEE**(APPOINTMENT OF)**

Mr. Speaker: I have received communication from Sen. The Hon. Danny Montano, President of the Senate, which reads as follows:

“Honourable Barendra Sinanan, MP

Speaker of the House

Office of the Parliament

The Red House

Abercromby Street

PORT OF SPAIN

Dear Mr. Speaker,

Motion – Appointment of a Joint Select Committee

At a sitting held on Tuesday March 24, 2009, the Senate agreed to the following Resolution:

Be it resolved that Parliament appoint a Joint Select Committee to consider establishing a legislative framework to govern the financing of election campaigns and to submit its report with recommendations to both Houses of Parliament within six months of its appointment.

The decision of the Senate is forwarded for the attention of the House of Representatives.

Yours sincerely,

Senator the Hon. Danny Montano

President of the Senate”

ORAL ANSWERS TO QUESTIONS

The Minister of Works and Transport (Hon Colm Imbert): Mr. Speaker, the Government is in a position to answer four of the seven oral questions on the Order Paper and two of the three written questions. The oral questions that we have answers for are: Nos. 47, 50, 51 and 54 and the written replies that we will circulate are: Nos. 22 and 49. I would ask for a deferral of two weeks for the remaining questions.

The following questions stood on the Order Paper:

**Families' Safety
(Freedom Street, Cocorite)**

- 35.** Could the hon. Minister of Planning, Housing and the Environment state:
- (A) Whether four families at Freedom Street, Cocorite, whose homes were badly damaged during the December 2008 flood were forced to return to unsafe buildings, despite assurances from Government that alternative accommodation would be found for them?
 - (B) What steps are being taken to assist these four families at Freedom Street, Cocorite to make their dwelling safe? [*Mr. H. Partap*]

**Caroni (1975) Limited
(Names and Locations of Squatting Communities)**

- 41.** Could the hon. Minister of Planning, Housing and the Environment State:
- (a) the names and locations of squatting communities on lands formerly owned by Caroni (1975) Limited;
 - (b) the total number of households in each squatting community; and
 - (c) what is the authority that enables squatters to benefit from a supply of water and electricity? [*Mr. N. Baksh*]

**Agricultural Access Roads
(Fiscal Year 2009)**

- 52.** With respect to fiscal year 2009, could the hon. Minister of Agriculture, Land and Marine Resources state:
- (a) how many Agricultural Access Roads will be built and/or rehabilitated in the Princes Town Constituency in the area bounded on the North by the Guaracara Tabaquite Road, South by the Lengua Road, East by the San Pedro Road and on the West by Garth/Williamsville;

- (b) the exact location and name of each road;
- (c) the nature and scope of the rehabilitation to be undertaken on each road; and
- (d) the length of each road to be built? [*Mr. S. Panday*]

Questions, by leave, deferred.

**High-rise Building, Edinburgh 500, Chaguanas
(Apartment Distribution Details)**

47. Dr. Hamza Rafeeq (*Caroni Central*) asked the hon. Minister of Planning, Housing and the Environment to state, with respect to the high rise building being constructed in the vicinity of Edinburgh 500, Chaguanas:

- (a) when is distribution of the apartments expected to commence;
- (b) whether the recipients of these apartments have already been selected; and
- (c) if the answer to (b) is in the affirmative, how were the recipients elected?

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, on behalf of the Minister of Planning, Housing and the Environment, I will reply to question No. 47.

- (a) The distribution of the apartments is expected to commence on completion of the units. This project is expected to be completed in December 2009.
- (b) Applicants have not been selected for these apartments, however, the selection process will follow the Cabinet-approved allocation policy.
- (c) In light of the answer to part (b) the answer to part (c) is not applicable.

Dr. Rafeeq: Sorry, I missed the answer to the first part of the question. Can the Minister repeat it for me, please?

Hon. C. Imbert: Is it that the microphones are not working properly?

Mr. Speaker: He did not hear the first part. He needs you to oblige him.

Hon. C. Imbert: Mr. Speaker, I am assuming that the public address system is working properly, but I will repeat what I said:

- (a) Distribution of the apartments is expected to commence on completion of the units. The project is expected to be completed in December, 2009.

**Housing Construction Mayaro/Rio Claro
(Completed/Unoccupied Units)**

50. Mr. Winston Peters (*Mayaro*) asked the hon. Minister of Planning, Housing and the Environment to state, with respect to housing construction by the Housing Development Corporation in the Mayaro/Rio Claro region:

- (a) the total number of completed but unoccupied units in each Housing project; and
- (b) the number of applicants on the Ministry's database from the Mayaro/Rio Claro region?

The Minister of Works and Transport (Hon. Colm Imbert): Again, Mr. Speaker, on behalf of the Minister of Planning, Housing and the Environment, the answer to question No. 50 is as follows:

With respect to housing construction by the Housing Development Corporation in the region of Mayaro/Rio Claro, the allocations department of the HDC has advised that:

- (a) The total number of completed but unoccupied units in each housing project are as follows:

Coconut Grove	51
Plaisance	10
El Guanapo	1

The number of applicants on the Ministry's database from the Mayaro/Rio Claro region is 1,250.

**Community Centres Mayaro/Rio Claro
(Names of Contractors)**

51. Mr. Winston Peters (*Mayaro*) asked the hon. Minister of Community Development, Culture and Gender Affairs to state with respect to the Community Centres Programme in the Mayaro/Rio Claro region:

- (a) the names of all contractors hired to undertake construction/refurbishment and enhancement works on each of these facilities;
- (b) the scope of works for each Community Centre; and
- (c) all works undertaken and the sums paid to each contractor to date?

The Minister of Community Development, Culture and Gender Affairs (Hon. Marlene McDonald): Mr. Speaker, with respect to part (a) of the question, the following contractors were hired by the Ministry of Community Development, Culture and Gender Affairs to undertake construction/refurbishment and enhancement works under the Community Centres Programme in the Mayaro/Rio Claro region:

Name of Community Centre	Programme: Construction/Refurbishment and Enhancement	Name of Contractor Hired
Ortoire Community Centre	Construction	Quality Contractors International Limited
Mafeking Community Centre	Construction	Ackies Construction Company Limited
Rio Claro Community Centre	Refurbishment/Enhancement	Ricon Limited
Radix Village Community Centre	Refurbishment/Enhancement	Haniff Mohammed and Sons

With respect to part (b) of the question, the scope of works of each community centre is as follows:

Name of Community Centre	Scope of Works
Ortoire Community Centre	<ul style="list-style-type: none"> • Construction of a new community centre, furnished two-storey building with total covered interior space of 521m² (5,600 sq ft). • Structural steel framing with masonry cladding. • Steel framed double French windows and doors. • Pre-painted aluminium roof sheeting. • Tiled floor finish, porcelain tiles. • Gypsum ceilings. • Air conditioning in select rooms including the assembly hall.

	<ul style="list-style-type: none"> • Seating capacity of 150 in the assembly hall. • Elevator for access. • Computer literacy training and Internet access room. • Culinary arts training room (teaching kitchen). • Audio-visual presentation rooms. • Toilet facilities with showers. • Stage and backstage area with dressing rooms. • Administration offices. • Security post.
Mafeking Community Centre	<ul style="list-style-type: none"> • Construction of a new community centre, furnished two-storey building with total covered interior space 595m² (6,100 sq ft). • Structural steel framing with masonry cladding. • Steel framed double French windows and doors. • Pre-painted aluminium roof sheeting. • Tiled floor finish, porcelain tiles. • Gypsum ceilings. • Air conditioning in select rooms including the assembly hall. • Seating capacity for 200 in the assembly hall. • Elevator for access. • Computer literacy training and Internet access room. • Culinary arts training room (teaching kitchen). • Audio-visual presentation rooms. • Toilet facilities with showers.

	<ul style="list-style-type: none"> • Stage and backstage area with dressing rooms. • Administration offices. • Security post.
Rio Claro Community Centre	<ul style="list-style-type: none"> • Upgrade of roofing. • Upgrade of plumbing fixtures. • Installation of new French style windows. • Repairs to masonry, including re-rendering of walls. • Upgrade of electrical infrastructure including security lights. • Gypsum ceilings. • Painting interior, exterior and ceiling. • New kitchen cupboards. • New doors and ironmongery. • External works including new water tank.
Radix Community Centre	<ul style="list-style-type: none"> • Upgrade of roofing. • Upgrade of plumbing and fixtures, including water storage tank. • Installation of new windows. • Repairs to masonry, including re-rendering of walls. • Upgrade of electrical infrastructure. • Gypsum ceilings. • Painting interior, exterior and ceiling. • New kitchen cupboards. • New doors and ironmongery. • External works.

With respect to part (c) of the question, the works undertaken and the sums paid to each contractor to date are as follows:

Community Centre	Works Undertaken	Total Paid to Contractor to Date (VAT Exclusive)
Ortoire Community Centre	58% of the scope of works has been completed	\$ 1,951,709
Mafeking Community Centre	Project completed	\$ 5,445,088
Rio Claro Community Centre	Project completed as per Scope of Works with variations as follows: <ul style="list-style-type: none"> • Washrooms and storage rooms. • Tiling of assembly hall. • Ceiling and eave ceiling. • Water tank stand. • Fencing. • External work – box drain. • Tiling to apron of building. 	\$ 495,075
Radix Community Centre	Project completed as per scope of works with variations as follows: <ul style="list-style-type: none"> • Extension of walkway from building to toilet. • Supply and install one water pump. • Fabricate and install steel gate for eastern side of building. • Upgrade and extend stage. 	\$ 496,282

	<ul style="list-style-type: none"> • Construct ramp outside of building for access. • Ceiling to eaves. • Change exposed fluorescent lights to recessed lighting. • Burglarproofing of kitchen area. 	
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Mr. Peters: Mr. Speaker, since the hon. Minister seems to be so comprehensive in her answer, I wonder if she knows exactly what the capacity of each of these places are, and could she tell us how much of every ethnic group in the country are we catering for?

Hon. M. McDonald: Mr. Speaker, I answered the questions as asked. [*Desk thumping*] Any further questions, please pose them in the proper manner. Thank you. [*Desk thumping*]

Mr. S. Panday: Mr. Speaker, could the Minister indicate what method and processes are being used for the selection of the contractors for these jobs?

Hon. M. McDonald: Mr. Speaker, again—

Mr. Speaker: You can take your seat. A supplemental is only allowable out of the answer given and it is really not out of the answer given.

Lengua Presbyterian Primary School (Status of Construction)

54. Mr. Nizam Baksh (*Naparima*) asked the hon. Minister of Education to state with respect to the construction of the Lengua Presbyterian Primary School:

- (a) the expected commencement date;
- (b) the anticipated completion date; and
- (c) the estimated cost of the project?

The Minister of Education (Hon. Esther Le Gendre): Mr. Speaker, with respect to part (a) of the question, pending the availability of funds, the expected commencement date for the construction of the Lengua Presbyterian Primary School is in or around July, 2009.

With respect to part (b) of the question, assuming a start of construction in or around July 2009, the anticipated date of completion is November 2010.

With respect to part (c) of the question, the estimated cost of construction is \$35 million, VAT inclusive. Thank you.

WRITTEN ANSWERS TO QUESTIONS

The following question was asked by Mr. Jack Warner (Chaguanas West):

**Trinidad and Tobago Sport Camps
(Details of)**

- 22.** With regard to the Trinidad and Tobago Sport Camps held between August 04—22, 2008, could the hon. Minister of Sport and Youth Affairs:
- (a) provide details of the procurement procedure for the equipment purchased with particular regard to sport equipment and water;
 - (b) state how many service providers submitted quotations in these areas; and
 - (c) provide a detailed breakdown of the items purchased according to unit price, quantity, extended price and service provider?

Vide end of sitting for written reply.

The following question was asked by Mr. Winston Peters (Mayaro):

**State Land Programme Mayaro/Rio Claro Region
(Details of)**

- 49.** With respect to the State Land Programme in the Mayaro/Rio Claro region, could the hon. Minister of Planning, Housing and the Environment state:
- (a) the names of all applicants and the date of their applications made from January 2007 to December 2008; and
 - (b) list all successful applicants, the location and size of the plots allotted to them?

Vide end of sitting for written reply.

Definite Urgent Matter (Leave)

Friday, March 27, 2009

1.45 p.m.

**DEFINITE URGENT MATTER
(LEAVE)
Uff Commission of Enquiry
(Mr. Gerry McCaffrey)**

Mr. Chandresh Sharma (*Fyzabad*): Mr. Speaker, in keeping with Standing Order 12 of this House, I hereby seek your leave to move the Adjournment of this honourable House for the purpose of discussing a definite matter of urgent public importance, namely, the Government's attempt to prevent Mr. Gerry McCaffrey from participating further in the Uff Commission of Enquiry into the construction industry.

This matter is definite as it pertains specifically to attempts by the Government to prevent the use of Mr. McCaffrey's report in the Uff Commission of Enquiry which commissioned the report in the first place.

The matter is urgent because the report uncovered multiple examples of poor workmanship on the steel work including the test failure of structural wells by an average of 78 per cent which threatens the structural integrity of the building and will lead, obviously, to the additional cost in terms of time and money to remedy.

The matter is of public importance because this project is currently over budget by 200 per cent and is overdue by two years and is still incomplete with no known date of completion time.

Thank you.

Mr. Speaker: Hon. Members, this matter does not qualify under Standing Order 12. Perhaps, you can consider a Private Member's Motion.

PROCEDURAL MOTION

The Minister of Works and Transport (Hon. Colm Imbert): Mr. Speaker, in accordance with the notice duly served yesterday, I beg to move that in accordance with Standing Order 90(1), that this House suspend Standing Order 38 which deals with anticipation.

Question put and agreed to.

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STATEMENT BY MINISTER
Allegations of Insider Information and Conflict of Interest
(Minister of Finance)

The Minister of Finance (Hon. Karen Nunez-Tesheira): Mr. Speaker, much has been said about my role as Minister of Finance, in both the electronic and print media over the past few weeks, in news reports, editorials, commentaries, letters to the editor and on talk programmes, literally on a daily basis. It is in this context that I wish to make a comprehensive response to what I have identified as essentially two main issues: firstly, an allegation of insider information; and, secondly, an allegation of conflict of interest.

In addressing the first issue, the allegation of insider information, this allegation is made with respect to the Clico Investment Bank (CIB). Since this allegation has been made against me in my public capacity as the Minister of Finance, it is only appropriate that I refer to the definition of “insider information” as set out in section 25 of the Integrity in Public Life Act, 2000.

Before doing so, however, I remind Members that the Preamble to the said Act identifies the Act’s purpose, as being, “to regulate the conduct of persons exercising public functions and to preserve and promote the integrity of public officials”. The provisions contained in the Act, therefore, set the standard to which those holding public office in Trinidad and Tobago must hold themselves.

Section 25 provides:

“A person to whom this Part applies shall not use information that is gained in the execution of his office and which is not available to the general public to further or seek to further his private interests.”

A critical component of that definition is that the information must have been gained in the execution of one’s office. In this case, the relevant office is of course, the office of the Minister of Finance.

Let us therefore consider the facts. Clico Investment Bank is a private institution and does not trade on the stock exchange. It is owned by the shareholders of that institution. Therefore, CIB is not an institution that falls under the purview or oversight of the Minister of Finance in the execution of her office. On that point, I wish to emphasize that there is no reporting relationship between the Ministry of Finance and Clico Investment Bank which would enable the Minister of Finance to obtain any information, as to its liquidity or otherwise. CIB is a private institution which squarely falls under the supervision of the Central Bank, as the

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regulator and not the Ministry of Finance. The funds in question which were deposited into CIB were held in my private capacity as a customer of a private bank.

Mr. Maharaj SC: Mr. Speaker, on a point of order, 38(1).

Mr. Imbert: The whole of 38 is gone.

Mr. Maharaj SC: Mr. Speaker, under Standing Order 38(1):

“It shall be out of order to anticipate by discussion upon a Motion dealing with the subject matter of that Bill.

(2) ...to anticipate a Bill or a notice of Motion by discussion...”

What is happening here is discussion on the same matter which is the subject of a Private Member’s Motion.

Mr. Speaker: You have raised the point. It was moved that pursuant to Standing Order 90(1) that Standing Order 38 be suspended. It having been moved, the Ayes to my right were in the majority. [*Interruption*] It has value. Perhaps Members should consider—you will recall that in the Eighth Parliament we did a very comprehensive job on the Standing Orders. It is still there languishing. You may consider proposing an amendment. How to do that is in the Standing Orders. Please continue.

Hon. K. Nunez-Tesheira: [*Desk thumping*] Thank you, Mr. Speaker. The funds in question which were deposited into CIB were held in my private capacity as a customer of a private bank. Accordingly, on December 30, 2008, when I made the decision to withdraw my money from CIB, the decision was made in my capacity as a private individual with no information nor consideration which was not available to other CIB depositors. [*Interruption*]

Mr. Speaker: Listen. It would be in the interest of this House to hear the Minister. If you keep interrupting I would keep standing and it can get uncomfortable. Please continue.

Mr. Ramnath: It is the culture of this House.

Mr. Speaker: Discipline is the new culture. [*Desk thumping and Laughter*]

Hon. K. Nunez-Tesheira: Mr. Speaker, as I indicated in my statement in Parliament on February 04, 2009, I repeat:

“I had no personal, formal or informal information about the extent of the liquidity difficulties that Clico Investment Bank has found itself in, other than the information known and available to any other citizen in Trinidad and Tobago.”

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[HON. K. NUNEZ-TESTEIRA]

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At what time therefore, were the concerns first raised with the Minister of Finance with respect to CIB's liquidity problems? That date as I have stated already in Parliament was January 14, 2009, two weeks after I had made my withdrawal. This was confirmed by the Governor of the Central Bank who is the regulator of financial institutions, in accordance with the Financial Institutions Act, 2008.

In this regard, I wish to refer once more to the letter from the Governor of the Central Bank dated February 03, 2009. It states:

"Dear Minister Nunez-Testeira,

I am confirming that my first meeting with Mr. Duprey was January 07, 2009. At that time I knew nothing about Clico Investment Bank (CIB) or Clico's liquidity problems and the meeting focused on our long standing regulatory concerns.

On January 13, 2009, Mr. Carlos John called requesting an urgent meeting for Mr. Duprey the same day. In that meeting Mr. Duprey informed us of the liquidity problems being faced by CIB and presented a letter in which he inquired about possible financial assistance.

On January 14, 2009 after Policy Formulation Committee Meeting, I advised the Minister of Finance of the discussion with Mr. Duprey.

Yours sincerely,

Ewart S. Williams"

I believe that the letter from the regulator, that is the Governor of the Central Bank, speaks for itself, with regard to the date upon which the Minister of Finance had any knowledge of the extent of CIB's liquidity challenge. I ask you to note that the regulator himself is stating that he knew nothing about CIB's or Clico's liquidity problems prior to January 13, 2009. In these circumstances, how can I be vested with such knowledge prior to that date?

It was therefore only subsequent to January 14, 2009, that I acted in my public office as the Minister of Finance in relation to a private institution, Clico Investment Bank. What action was taken? The action taken was informed in a large part by the recognition of the potential contagion risk that the collapse of CIB posed to the financial sector.

Accordingly, the decision was a government guarantee to all third party depositors of CIB. In other words, every third party depositor who had funds in CIB, whether \$1,000 or \$1 million, the Government guaranteed that the money

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was safe. I must make it clear however, that those third party depositors do not include the directors of CIB nor the senior managers of CIB or the spouses of the directors or senior managers. For those members of the board and senior management, their deposits have not been guaranteed by the Government.

This decision with respect to the directors and senior management and their spouses is in accordance with international practice so as to ensure that persons who were involved in the decision making process in the affected institution do not benefit from Government guarantees, as they are deemed to be responsible for its state of affairs.

The third party depositors who are being protected are citizens who in good faith put their savings into that institution. In other words, they include the very constituents of the Members on both sides of this honourable House: Opposition and Government.

Regarding this allegation of insider information, unbelievably, an attempt was made to fix me, as Minister of Finance, with prior knowledge of CIB's liquidity challenges as far back as April 2008. That is if I am to be guided by the headline on page 4 of a daily newspaper of February 05, 2009. The headline of this article read in small print, "Imbert contradicts Finance Minister" and in large bold print, "Government aware of Clico crisis since April 2008". It is with a picture of the Minister of Finance next to the lead story. An extract from the body of the article reads as follows:

"Persad-Bissessar said Imbert's statement proved that since April last year, Government was aware that certain steps were taken against the Clico group. 'That is very instructive in light of statements made by the Honourable Minister of Finance with respect to the time frame she dealt with her assets, and when her family dealt with it,' Persad-Bissessar said."

The basis of that story, incredible as it is, was a circular letter issued by the Inspector of Financial Institutions of the Central Bank of Trinidad and Tobago dated April 21, 2008, regarding the prescribed statutory fund allocation of all insurance companies. The letter advised inter alia that the Central Bank will review those statutory accounts that are to be submitted by insurance companies for the year ended 2008 and onwards, for adherence to the regulations and that insurance companies implement the necessary measures to ensure compliance.

2.00 p.m.

In commenting on the page 4 article, one of the competing newspapers carried the following story which only confirmed the mischief, that is, it was intended to give the public the impression that the Minister of Finance knew about the

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[HON. K. NUNEZ-TE SHEIRA]

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liquidity problems of Clico Investment Bank (CIB) since April 2008. The article stated as follows:

“The page four article suggested that Imbert, during the committee stage of the Insurance Amendment Bill in the House of Representatives on Wednesday, contradicted Finance Minister Karen Nunez-Tesheira's position that she had no knowledge of the situation before January 14.

The article came on the same day that One Caribbean Media, the parent company of the *Express* newspaper, said in a statement that any attempt by Government to interfere with its independence would be ‘firmly resisted’.

The Minister of Works and Transport responded to the page 4 article in a letter which was printed in the *Express* newspaper on February 07, 2009, on page 14. In a complete reversal of its previous headline, this headline read:

“Gov’t was not aware of Clico crisis”

One wonders why this sudden about-face. I refer now to the letter of the Minister where he essentially stated as follows:

“The article written in the *Express* of February 5 by Anna Ramdass, which alleges that I said that the Government was aware of the Clico crisis since April 2008 is false and misleading. I said no such thing during the debate or the Committee stage of the Insurance and Central Bank Amendment Bills and it is wrong of your newspaper to make such an inaccurate claim, especially in circumstances where the MP for Siparia had insinuated without a shred of evidence that the Minister of Finance had prior knowledge of the difficulties of the CL Financial Group...

The true facts, therefore, are very different to what your newspaper has reported or what Miss Persad-Bissessar has alleged and at no time did I confirm that the government knew that CLICO was in trouble in 2008 nor did I contradict the Minister of Finance. This distortion of facts by your reporter is a very serious breach and I would be grateful, therefore, if you would correct this error immediately.

Colm Imbert

Leader of the House of Representatives”

Mr. Speaker, it is extremely noteworthy to point out that the offending newspaper in very small print under the Minister's letter published the following retraction:

“The *Express* agrees that our report was inaccurate. We regret the error.”

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Much has also been said in the media regarding the mechanism by which my two deposits in CIB were withdrawn in December 2008. All I say with regard to this matter is that I did not in any way whatsoever set out to mislead when I stated that the deposits had matured. In fact, both deposits had matured earlier and had in fact been rolled over. There is no denying that I signed the bank standard withdrawal document. My view of that transaction is that I was aware that the deposits had matured; I made no firm decision as to what I wished to do with the funds until I decided to withdraw same in December 2008 and close the accounts.

I should also say that in response to a recent article, it is my understanding that CIB did not require approval from the Central Bank to close the two accounts because no approval is required where a deposit is in force for longer than one year.

What is the real issue at hand? I have read headlines saying: “Caught”, giving the clear impression that I had set out to defraud, mislead and lie. But to what end? Caught doing what and for what purpose? To steal to further my private interest?

With the greatest respect, the clear issue is whether, when I decided to withdraw my money on December 30, 2008, I had insider information as to the extent of CIB's liquidity problem.

Dr. Gopeesingh: Mr. Speaker, I stand on a point of order; Standing Order 91 for further reference.

Mr. Speaker: You have raised your point of order; that is all you need to do.

Dr. Gopeesingh: Page 59 of May's *Parliamentary Practice*.

Mr. Speaker: Let me say this. Personal Explanations in the Standing Orders are limited to 10 minutes; Ministerial Statements, in England, the practice is 10 minutes. This House, if you read that same Standing Order, it says:

“And not inconsistent with these Standing Orders nor with the practice of this House.

I was here in the Fifth Parliament and those who were here will know what the practice was. Certainly, the Chief Whip would know the practice in those days, when there was Private Members' Day, was for Ministers to make lengthy statements.

So, in reading the Standing Order, it goes on to say—

Mrs. Persad-Bissessar: It does not make it right.

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Mr. Speaker: I agree with you that it does not make it right. Two wrongs do not make a right. I again repeat that we have done a lot of work on the Standing Orders and it is for this House to do something about it.

Hon. K. Nunez-Tesheira: With the greatest of respect, the clear issue is whether, when I decided to withdraw my money on December 30, 2008, I had insider information as to the extent of CIB's liquidity problem. The answer to that question is a categorical no. The incontrovertible evidence is that the relevant information only came to the Minister of Finance on January 14, 2008. Accordingly, neither bad faith nor improper motive can be attached to my view, misunderstood or not, as to whether the deposits had matured.

On the second issue, that of conflict of interest, this allegation has been made with regard to my ownership, through inheritance, of CL Financial shares. Whilst definitions of conflict of interest from the Law Encyclopaedia include, and I quote:

“a term used to describe the situation in which a public official or fiduciary who, contrary to the obligation and absolute duty to act for the benefit of the public or a designated individual, exploits the relationship for personal benefit, typically pecuniary”

and from the Economics Dictionary:

“a situation in which someone has to make a decision in an official capacity stands to profit personally from the decision”,

Since the allegation of conflict of interest has been made against me in my public capacity as Minister of Finance, I am, therefore, then to be guided by the Integrity in Public Life Act, 2000 where the definition of “conflict of interest” is set out in section 29 of the Act.

Section 29 provides:

“For the purpose of this Act, a conflict of interest is deemed to arise if a person in public life or any person exercising a public function were to make or participate in the making of a decision in the execution of his office and at the same time knows or ought reasonably to have known, that in the making of the decision, there is an opportunity either directly or indirectly to further his private interests or that of a member of his family or any other person.”

Based on the section 29 definition, in order to constitute a conflict of interest, it is the specific decision made that must provide the opportunity, either directly or indirectly, to further the private interest of the persons exercising a public function, in this case, the Minister of Finance.

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So, Mr. Speaker, what were the specific decisions made by the Minister of Finance on behalf of the Cabinet that could trigger the provisions of section 29?

The first specific decision which was made in my public capacity on behalf of the Cabinet was to guarantee all third party depositors of CIB. This has already been discussed in detail.

The second specific decision executed on behalf of the Cabinet was to guarantee all third party depositors of Clico and British American, a decision which I will develop later in more detail.

The third specific decision taken on behalf of the Cabinet was to pilot two Bills: Central Bank (Amdt.) Bill, 2009 and the Insurance (Amdt.) Bill 2009.

With respect to the Central Bank (Amdt.) Bill, 2009, the Central Bank's extensive emergency powers were applicable only to banks and did not extend to insurance companies. However, as the Minister responsible for the country's finances, I piloted the amendments to the Central Bank Act. As a result of these amendments, the Central Bank now has the power to take control of insurance companies in accordance with section 44D(1) of the Central Bank Act. I quote:

“The Bank is of the opinion:

- (a) that the interests of depositors or creditors of an institution are threatened;
- (b) that an institution is likely to become unable to meet its obligations or is about to suspend or has suspended payment; or
- (c) that an institution is not maintaining high standards of financial probity or sound business practice.”

The Central Bank's powers now include:

- “(1) to investigate the affairs of the institution concerned and any of its affiliated institutions and to appoint a person or persons for that purpose;
- (2) to such an extent that it thinks fit, to assume control of and carry on the affairs of the institution and, if necessary, to take over the property and undertaking of the institution; and
- (3) to take all steps it considers necessary to protect the interests, and to preserve the rights of depositors and creditors of the institution.”

The second Bill which was piloted by the Minister of Finance was the Insurance (Amdt.) Bill 2009. This Bill was taken to Parliament to strengthen regulatory oversight of the insurance industry. It allows, inter alia, the regulator to have extensive powers, which he did not previously have and to strengthen the

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provisions governing assets to be placed in statutory funds to match policyholders' liabilities, thereby safeguarding policyholders from undue risk.

The decision to amend these two key pieces of legislation was clearly made for the benefit and protection of the people of Trinidad and Tobago and could not by any stretch of the imagination be construed to further the private interest of the Minister of Finance.

The fourth specific decision that was made in my public capacity as Minister of Finance, on behalf of the Cabinet, was to enter into an MOU with CL Financial Limited. What was the effect of this decision? It was evident that both CIB and Clico could not meet their respective liabilities to depositors and policyholders. Accordingly, the choices of the Government were:

- (a) to allow these two entities to collapse, which would have dire consequences for the country's financial system;
- (b) simply to inject the necessary funds into the entities in order to keep them afloat; or
- (c) to guarantee the liabilities to third parties while calling upon CL Financial Limited to dispose of valuable assets to balance their portfolio.

The third option allowed for the maintenance of stability in the financial sector while making CL Financial liable for meeting their liability to third parties. This was the option which the Government chose to pursue. A media release dated January 30, 2009 from the Central Bank of Trinidad and Tobago puts it in clear perspective. I quote:

“In a move to protect the interest of depositors and policyholders the Minister of Finance, Mrs. Karen Nunez-Tesheira, and the Governor of the Central Bank of Trinidad and Tobago announced that the Government has reached an agreement with the CL Financial Limited group for the provision of a package of financial support for the group's financial services companies.”

The objectives of the MOU as stated in the Central Bank release were, amongst other things:

- (1) To stem the increasingly serious liquidity pressures being faced by the financial services company within the Group;
- (2) To maintain public confidence in these institutions, which constitute a significant part of the country's financial services industry;
- (3) To ensure the continuing stability and integrity of the financial system.

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Mr. Speaker, insofar as the allegation of conflict of interest is concerned, it is the provisions of clause 6 of the MOU, which I signed as Minister of Finance, in execution of the collective will of the Cabinet of Trinidad and Tobago, which are the most relevant and significant.

2.15 p.m.

Clause 6 provides as follows:

“...CLF (CL Financial) shall sell, dispose of or collateralize the following assets as required to ensure the balancing of the third-party assets and liability portfolio:

- (a) Shareholdings in RBL (Republic Bank Limited) owned by CL Financial Limited and the other members of the CL Financial group of companies;
- (b) Shareholdings in Caribbean Money Market Brokers Limited (CMMB) owned by CL Financial Limited and all other members of the CL Financial group of companies; and
- (c) Other assets of the CL Financial Limited group of companies of such quality and value as agreed to by...

the relevant Board resolutions as specified in clause 19 in relation to such sales.”

These other assets include most significantly a land development, in Florida, a spirits company in Jamaica and a 20 per cent shareholding in the *Express* newspaper.

The effect of the decision to enter into this MOU was to make or render the assets of CL Financial, which would not otherwise be liable to pay off or to meet Clico’s and CIB’s debts. Not only did this specific decision on behalf of the Cabinet not provide me with an opportunity to either directly or indirectly further my private interest but, to the contrary, it was against my personal interest as a holder of .0013 per cent of CL Financial’s shares. The effect of this decision, simply put, was to diminish the value of my CL Financial shareholding.

I wish to emphasize that the effect of my decision to sign the MOU as the Minister of Finance on behalf of the Cabinet was to diminish the value of my CL Financial shareholding and, therefore, insofar as it is relevant, for those who wish to make something of it, it was plainly a decision against my personal interest.

I repeat this because it is being put out, into the public arena that my decision smacks of or provides an opportunity for corruption, wrongdoing and/or self enrichment. That is the mischief of the misinformation out there. How could the

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effect of making CL Financial assets liable to pay Clico and CIB debts provide me with an opportunity to benefit? In fact, as I have demonstrated the decision has had the opposite effect.

I wish to emphasize that had I not entered into the MOU with CL Financial on behalf of the Cabinet, there would be no legal basis to make CL Financial assets liable to payoff Clico's debts. In essence, even with the powers of the regulator, which were considerably enhanced by the amendments to the Central Bank Act and Insurance Act, respectively, the only assets available to the regulator were those assets owned by Clico. I will say it again. In the absence of the MOU, only Clico's assets would have been available to the regulator for the purposes of meeting third-party liabilities.

Not only does the outcome of the four specific decisions, which were taken in my capacity as Minister of Finance, in furtherance of the collective will of the Cabinet, and in concert of the Central Bank of Trinidad and Tobago, not support an allegation of conflict of interest, but they have been applauded by key stakeholders, that is, if one is to be guided by their public statements as reported in the newspapers. For example:

- The Trinidad and Tobago Chamber of Industry and Commerce commended the Central Bank and Government for what it described as their expeditious intervention into the challenges of CL Financial, Clico and Clico Investment Bank.
- The Supermarket Association of Trinidad and Tobago commended the Governor of the Central Bank and the Minister of Finance saying: Hats off to the Government for the decision to take control of all assets and liabilities of the Clico Investment Bank...The Government has demonstrated the ability to act and avoid sending the wrong signals to the people of this nation. Failing to do so could have a rippling effect on all financial institutions in Trinidad and Tobago.
- The Bankers' Association of Trinidad and Tobago had a headline: Bankers support Government's strategy—This timely intervention has averted the potential fallout within what continues to be a very robust banking sector which, as the Government had previously stated, remains strong in spite of the global financial crisis. The group expressed confidence that the move by regulators and the Government would effect the requisite stability of Clico and re-establish the necessary confidence in both the domestic and regional markets.

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Never once did it occur to me in this absolutely critical point in the history of our country's financial sector, when it was imperative that immediate but considered action be taken to consider my own personal benefit, which is clearly evident from what I have said above. In the circumstances outlined above which are accurate, there was no personal benefit to me or my family and accordingly no conflict of interest arose.

I have gone to great lengths to demonstrate that at the time when I made the several decisions with respect to these matters and especially when I made the decision on behalf of the Government to make CL Financial assets available to settle liabilities, there was no question of my furthering my private interest. Accordingly, there was no possible conflict of interest and therefore, the question of disclosure and recusal does not arise.

Mr. Speaker, you have observed during the course of my statement that I reinforced the point that the actions or decisions taken in public office as Minister of Finance were taken on behalf of the Cabinet of Trinidad and Tobago. This is in accordance with the well established principle of Cabinet collective responsibility. In my respectful view, this only serves to underscore the point that the actions or decisions taken in my public office as Minister of Finance with respect to the MOU, CL Financial, Clico British American or other related matters were decisions or actions taken in pursuance of the collective will of the Cabinet of Trinidad and Tobago of which I am a Member. These actions were taken on behalf of the Government to further the interest of the citizens of this country and to avert a crisis in the financial sector.

In conclusion, and with the greatest respect on this point, the issue of conflict of interest again does not arise. I have heard the several decisions taken by myself in my capacity as Minister of Finance on behalf of the Cabinet and as outlined, previously described as a "bail out". Numerous articles and commentaries in the various newspapers have described the action taken by the Government as a CL Financial "bail out", giving the national community the clear impression the Government, through the Minister of Finance, came to the rescue of the shareholders, directors and owners of the CL Financial empire. The several articles and commentaries carried in the print media support that impression. This is the first quotation:

- “• CIB is among the CL Financial businesses that benefitted from the multibillion dollar government bail out;
- She has denied any wrongdoing in her involvement in the Cabinet's decision to authorize a multibillion taxpayer bail out of CL Financial;

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- The Minister must have known that there was such an opportunity since bail out of CL Financial is to bring the country back to its feet. Such a bail out could increase the value of the Minister's shares; and
- The real offence is that she (the Minister) brazenly sat at a table with the Central Bank Governor and Mr. Lawrence Duprey, the big rich man and announced that Government was going to save Mr. Duprey's skin by using taxpayers' money. That is the offence."

Nothing can be further from the truth. The "bail out", as it has been called was a guarantee to the third-party depositors of CIB; to the third-party pensioners; the third-party policyholders of Clico and British American and indeed, as aforementioned, constituents of all the Members of both sides of this honourable House; a guarantee that their life savings and their pensions were safeguarded and that the contagion risk to other financial institutions and indeed the potential collapse of the entire economy was averted. If there was no guarantee, these people would have gotten nothing.

I wish to repeat that third-party depositors do not include CIB directors, CIB senior managers or their spouses. Third-party policyholders do not include the directors and senior managers of Clico and their spouses; they are excluded. More than that, I say it again that the assets of Clico and CL Financial are first liable to pay off Clico's debts and not the taxpayers' funds. How could the actions of this Government be properly described as a CL Financial bail out?

In closing, at the heart of the allegation of conflict of interest and the allegation of insider information, in my respectful view, is effectively that the Minister of Finance is a dishonest person, unethical, corrupt, untrustworthy and interested only in protecting and furthering her own self interest.

Mr. Speaker, I ask the national community to separate the facts from the fiction and examine the facts. I ask the national community: Did I further my self-interest when, on behalf of the Government, I agreed to guarantee the deposits of all third-party depositors of CIB? Did I further my own self interest when, on behalf of the Government, I agreed to guarantee the annuities and insurance policies and pensions of all third-party policyholders of Clico and British American?

Hon. Members: Yes!

Hon. K. Nunez-Tesheira: Did I further my own self interest when, on behalf of the Government, I piloted legislation to strengthen the regulatory and emergency powers of the Central Bank in respect of insurance companies and in this instant case, Clico and British American?

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Hon. Members: Yes!

Hon. K. Nunez-Tesheira: Most significantly, did I further my own self interest when I signed the MOU on behalf of the Government to ensure, among other things, that the assets of CL Financial would be liable to pay Clico debts, the effect of which would be to diminish the value of my shareholding in CL Financial?

Hon. Members: Yes!

Hon. K. Nunez-Tesheira: The respective decisions made with regard to this crisis were to the benefit of the thousands and thousands of policy holders, pensioners and depositors of CIB, Clico and British American. These decisions, on behalf of the Government, averted a very real systemic risk, not only to the financial sector but to the economy of Trinidad and Tobago.

In closing, I wish to say that the real tragedy of the last three weeks is not for me. I made the decision to enter public life, with the commitment to render public service knowing that there were risks. The tragedy, therefore, is for the many citizens: persons of integrity, ability and persons with a heart who may seriously reconsider ever entering into politics as a result of the unwarranted and relentless attack on my character. That is the real tragedy; the possible loss to our nation. I pray that this will not be the result.

To the media, extensive coverage has been given to these issues. I, therefore, ask that in the interest of fairness, all three daily newspapers publish my statement in full. This, I believe, will provide the national community with information that would assist them in coming to their own conclusions with regard to the issues raised.

Finally, I wish to thank the hon. Prime Minister for his unwavering support and belief in my honesty and integrity. To my Cabinet colleagues, the many well-wishers from both the national, regional and international community and in particular the constituents of D'Abadie/O'Meara, thank you, thank you for expressing confidence in me.

I want to assure the national community that I will continue to serve our beloved country of Trinidad and Tobago with the utmost integrity and without fear or favour and with malice to none. I thank you.

Mr. Speaker: Hon. Members, earlier on I clarified a Standing Order raised by the hon. Member for Caroni East, which dealt with time. You would recall that I had earlier ruled with respect to Statements by Ministers on Private Members'

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Day. In the earlier ruling I had indicated that the Chair would frown on such practice. In the instant case, it was allowed simply because the Minister was to make a statement last Friday, but because of unforeseen intervening events, she could not have made that statement then. In those circumstances, I took into consideration her making the statement today.

2.30 p.m.

**MINISTER OF FINANCE
(REVOCAION OF APPOINTMENT)**

Mrs. Kamla Persad-Bissessar (*Siparia*): Mr. Speaker, thank you very much. I crave your indulgence before I read the Motion standing in my name, to express my great joy in joining with the Shouter Baptist community on the eve of another celebration. Let me declare my interest in this matter at the outset.

Mr. Speaker, you would recall that I told this House that I had the privilege and the honour of being baptized into the faith at Quinam Beach when I was a child, so I have an interest. I have another interest because it was the UNC government that put forward and allowed this holiday to take place historically. [*Desk thumping*]

Mr. Speaker, I beg to move the Motion standing in my name which reads as follows:

Whereas the Minister of Finance has conducted herself contrary to the tenets of transparency and accountability regarding her interests in CL Financial Limited prior to, during and subsequent to negotiations between the government and the company over government's intervention in the affairs of the company;

And whereas the said conduct of the Minister of Finance has eroded the confidence of the public in the Minister's ability to administer over the finances of the nation in the best interest of the public;

Be it resolved that this honourable House express its loss of confidence in Mrs. Karen Nunez-Testeira as Minister of Finance of Trinidad and Tobago; and call upon the Prime Minister to revoke the appointment of the Minister of Finance forthwith.

Mr. Speaker, this is the Motion that is before the House, and whilst we can deal with the comments that the hon. Minister made in her ministerial statement, I will deal with them in due course as I make my presentation.

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Let me just say that last week you said that there were intervening circumstances, and we on this side did express our sympathies and condolences to the Minister in those circumstances, and took the decision that we would keep our comments on the public issues for today, and the Minister began on her own with those. So, again, we express our sympathy, but I do want to say that while we have sympathy at the personal level, we have no sympathy for corruption in government and in public life. [*Desk thumping*]

I want us to be reminded of the words of the great American President, Thomas Jefferson, and I quote his words:

“Sometimes it is said that if a man cannot be trusted with the government of himself, can he, then be trusted with the government of others? Let history answer this question.”

I repeat that quotation:

“Sometimes it is said that if a man cannot be trusted with the government of himself, can he, then be trusted with the government of others? Let history answer this question.”

Mr. Speaker, it is with a heavy heart and a sense of disappointment today that I say history will judge a counterpart of ours harshly, because she could not be trusted with the Government of herself when she was put to govern others. [*Desk thumping*] In any other country, this Minister would have no longer been with the Cabinet of the country. If this Government had a tradition of upholding Westminster best practice, this Minister would have resigned in the wake of the criminal investigation which has now been launched into her conduct.

It is a tragedy, indeed, when a Minister of Government can stand here, as she did today, and spit in the face of the law, spit in the face of the public and civic duty and, most important, spit in the face of the people by refusing to admit her illegal actions and refusing to do the honourable thing and resign from the sacred position of trust which she was given. Obviously, the Minister has taken the position “ah nah leaving” and, therefore, we bring this Motion as a last resort.

I want to say again that I raised this Motion on behalf of the people of this country with the intention of ensuring that our public officials, especially those with direct control over the Treasury, maintain and uphold the law. Now, I know we would want to go into the facts this afternoon, but before I do that, I want to make it clear that the Prime Minister and the Minister of Finance are both crying that we are engaged in political persecution. This is the excuse for the unforgiveable and deliberate illegal

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actions and omissions of the Minister. Today, I categorically deny that this Motion, or any calls preceding it by myself or Members on this side, has anything to do with political persecution or personal bias against the Minister.

Our calls for her resignation or removal from office are a direct consequence of the Minister's own actions and omissions—illegal actions and omissions perpetrated not by anyone else but by the Minister herself. [*Desk thumping*]—No amount of red herrings from the Prime Minister—I think Andy Johnson termed them red grouper, because they are so huge and there are so many—and no amount of grabs for sympathy by the Minister and the illegality of her actions—exempt her from just public contempt and mistrust that she has now engendered in the people. So I say through you, Mr. Speaker, personally it gives us no pleasure to be the one to have led the charge against her on the people's behalf.

In these tough economic times when it comes to people's money—when people cannot buy food for themselves and their children, when people are living hand to mouth, when people are losing their jobs, when the working people are becoming the working poor and are also living hand to mouth and when people are in the panic line, people across this country will take lack of credibility and breach of the law as deliberately misleading them personally. They take it personally in the circumstance in which they have found themselves.

I have just been advised, as we speak, that people who are presently cashing cheques at the Treasury that the Treasury has run out of cash. This information has just been passed to me. We are in dire straits and, therefore, this is nothing personal; those who are feeling these hard times and see the breach of the law on the part of the Minister—the misleading of people and the House by this Minister—will take this very personally.

I speak today again as woman to woman, lawyer to lawyer, politician to politician, mother to mother, sister to sister, role model to role model but, most important, as a citizen to an elected Government official to tell us that your conduct in this bacchanal and scandal is nothing short of humiliating, disappointing and shameful to the legacy of exemplary governance and leadership that has been set by so many pioneers in this country, not only in governance, but also in social, legal, business and cultural spheres.

Mr. Speaker, I have had the good fortune to have served in public life for quite some time. I have had the blessings to have won some support and endorsement of the people for many years, and I have been regarded in my own field as a pioneering female politician. So, to the Minister, I say, like me, you too

are a pioneer. You created history by being the first woman to hold the prestigious post of the Minister of Finance. You know, like I do, how women, especially from our generation, would have had to work 10 times harder to reach so far in the professional sphere, and even more so in the political sphere.

In the history of politics you would know that we are judged more harshly than our male counterparts, but we are ironically also viewed as paragons of transparency and efficiency in government and leadership. Mr. Speaker, through you, I say, in the history of the politics of this country, you would have noticed that no woman has ever been charged with the level of corruption and illegality that this Minister of Finance is being charged with.

This Minister for whom this country has high hopes was supposed to have been a powerful voice for women in the Government; this Minister was expected to bring the maternal instincts of justice, consideration, caring, fairness, truth and integrity to governance. With due respect, this Minister has failed the citizens by her deliberate actions and wanton contempt for the people's desire to see her go after these illegalities and the misleading and deceptions were revealed. So, people say that the Minister has no authority to stand before anyone in this country. The Minister has failed citizens, mothers, daughters, every woman and every man who is entitled to have a decent role model and, most of all, the children who deserve nothing but the best.

Today, I stand to do my elected duty and I am inspired by the will and the voice of the people. I hope that the Minister would be so inspired and do the honourable thing and give up that post with which she has been entrusted.

If we look at the facts in this situation we would see that the Minister began in this debate trying to narrow the issues to be looked at and she focused on two areas. The Minister replied on two issues, but that is to put us in the first situation, because there are not just two issues in this matter. The Minister talked about conflict of interest and insider trading, but that is not what this is only about. Let us look at the facts and then look at areas and the issues that arise.

At all material times, the Minister of Finance was part owner of CL Financial. The Minister was a shareholder. When you are a shareholder you are a part owner. Did the Minister tell anybody in the Parliament or in the Cabinet that she was a part owner? The Minister talked about collective responsibility of the Cabinet and as the frontline Minister bringing Cabinet Notes, and she would have brought a note for the approval of the Cabinet to intervene in the CL Financial affairs. Did the Minister say, "colleagues, do you know what, I am a shareholder

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in this company or a part owner in this company”? No, that was not done. [Interruption] Did the Minister come to this Parliament and say in the debate that she was a shareholder in Clico? [Interruption] I am hearing her colleagues echoing. Did the hon. Minister tell her Cabinet colleagues? I know for a fact that the Minister did not tell the public and the Minister did not tell this Parliament, so what you do in secret would remain your secret, but what had to be done in public you did not do it and that is the larger issue. [Desk thumping] So, let us not get carried away with that distraction.

The Minister was also a deposit account holder with the CL Financial subsidiary, a deposit account holder, and the Minister stood in this Parliament and said words to this Parliament which the documentary evidence belies, the black and white. I would come back to that.

In support of my Motion I relied on the evidence provided by the Minister’s own words inside and outside this House. The documentary evidence provided through the media—today, I pay tribute to the investigative work done by the media in this regard, Anthony Wilson in the *Guardian*, Juhel Browne in the *Express* and Clint Chan Tack in the *Newsday*—and the evidence we have obtained from searches done of public documents by the research. This is evidence that we would look at. It would not be Kamla say, they say, hearsay and who say, but these would be the Minister’s own words and black and white documentary evidence.

Mr. Speaker, in support of this Motion, it is my contention that the evidence would show, beyond a shadow of a doubt, that this Minister has breached both the *lex domicili* and the *lex et consuetude parliamenti*; that is the law of the land and the law of the Parliament. [Desk thumping] With respect to *lex domicili*, the general law of the land, the evidence shows that this Minister has violated not just the criminal law but also the civil law; the evidence will show that the Minister violated not just the statute law, but the common law; the evidence will show that the Minister violated not just one statute but several—not two but three statutes have been violated and there is a possibility of another statute being violated. In some instances, the Minister of Finance has violated multiple statutes. The Minister has also violated her sacred duty as the Minister of Finance by acting in her personal interest and that of her family to the detriment of the public interest, and so is liable for negligence, breach of duty, dereliction of duty to the public and misconduct in public life.

When we look at the *lex parliamenti*, the evidence will show that this Minister has violated the code of ethics for parliamentarians and Ministers which was approved by

this House in July 1988 and which remained in force. The evidence will show that this Minister of Finance is also in contempt of this Parliament because the Minister misled this Parliament on February 02, 2009 when she said that she had taken her money out from CIB on December 31, 2008 because the account had matured.

2.45 p.m.

The evidence in black and white belies this; that is to say, it is totally the opposite of the statement, so the Minister in those circumstances would be guilty of contempt of the Parliament. I have given the outline of the various areas of the law; I will turn now to give the details with respect to these various laws that have been breached by the Minister.

As I say that, I want to repeat that I will not confine myself to the parameters that the Minister attempted to sort by pre-empting this debate, anticipating this debate, taking the Standing Orders, using the majority to suspend the Standing Orders. You know there must be a really grave concern, an issue of gravamen, something compelling to come to suspend the Standing Orders. We have been given no reason why it was so compelling that the Minister spoke before I did, because indeed, the Minister said nothing new. Every single thing she said was what has been said before; nothing new. The Minister has, had, and still has the opportunity to respond after I speak.

So, what was so grave, so compelling that you would take that serious step of suspending the Standing Orders? You know, the last time we saw that what happened? In the dead of the night the Prime Minister got the Standing Orders suspended and launched a vicious attack against the former Member of his Cabinet; launched an attack on me right here.

When you break the Standing Orders, when you suspend them, you must come with good reason; none has been offered; absolutely none; a momentous occasion. It must be extraordinary, and if you do not—[*Interruption*] You keep forgetting "*vox populi vox Dei*, the voice of the people is the voice of God". [*Desk thumping*] You keep forgetting that, with your arrogance.

The Minister spent a long time denying the allegations but has not disproved them, so we could disregard that contribution. The Minister will be judged by her actions, not just by the words of denial. The Minister is obviously living in a state of denial, denies all the allegations, but the evidence, as I said, would show otherwise.

I come now to the various areas that the Minister has breached. I start first with the common law, and as you know the common law reception, provisions

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and so on—hon. Speaker, you well know, I do not need to tell you that we have received the common law. Under the common law, one golden thread that runs throughout the common law—and that has subsequently been codified in some of our statutes—is the maxim that no man is to be a judge in his own cause. That maxim should be held sacred.

Mr. Speaker, as way back as 1852, the House of Lords in the case *Dimes v Grand Junction Canal Limited*, set aside the decision of Lord Cottenham because he held shares in the Canal company, which was involved in litigation, in which he was adjudicating. In that case, it proved that the mere existence of a financial interest, even where it does not in fact result in actual bias, but may present the appearance of bias, would be sufficient to disqualify a person from adjudication, from making a decision. [*Desk thumping*]

This is the same in the case of a public officer like the Minister of Finance, who was immersed in decision making to help a company of which she was and is a part owner, and the Minister tells us that she sees nothing wrong with that. You know, Minister, you wrote a whole book; I had the privilege of reading it, *The Legal Profession in the English-Speaking Caribbean*. [*Interruption*] I will come to the second one in a minute, Madam. I know you wrote two books and that is why I said, we were so disappointed. When you were appointed as Minister, I was interviewed and I said, “the Minister is bright, the Minister has done good work”, and that is why we were so disappointed.

The Minister has written this book on *The Legal Profession in the English-Speaking Caribbean*”; an entire section has to do with areas of conflict of interest, and so on. Again, the common law is there; the Minister quotes the case of *National Westminster Bank and Morgan* at page 131. [*Desk thumping*] The Minister well knows; the Minister is not just the man on the maxi-taxi or wherever, because those people, the ordinary citizens of this land, are very clear what conflict of interest entails, and the Minister ought to have known the legality of it or the illegality of it. It is in her book, Sir, and I commend it. It is a good book. [*Interruption*] Sure, we will advertise it for you.

This is where the Minister has spent years using this book as a textbook to train students at the law school. How do you think those students feel when everything you said in here you worked against and breached? You breached it and you say commend this book. It is a good book, but the Minister has not followed what she taught; she has not practised what she preached. That is the common law; common law in terms of conflict of interest. It also has provisions of misconduct in public office and so on, but we have codified some of this in our statutes.

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So, the Minister in her statement, as I said, tried to narrow the issues and talked about insider information; then goes to the Integrity in Public Life Act—I think it is section 20 or 25—and says okay, that is what insider information is and so on, totally ignoring that there is something called a Prevention of Corruption Act; gives a definition of the Integrity in Public Life Act, and that is what I am saying. There are so many laws, this Minister did not just breach one, it is several pieces of law.

We come to the criminal law, Prevention of Corruption Act, Chap. 11:11. Section 5 of this Act provides:

- "(1) Any person who being an agent—
 - (a) corruptly uses official information for the purpose of obtaining any gift, loan, fee, reward or advantage whatsoever for himself or any other person; or
 - (b) corruptly communicates official information to any other person with a view of enabling any person to obtain gift, loan, fee, reward or advantage whatsoever,
 is guilty of an offence.
- (2) ...'official information' means any fact or document which comes to a person's knowledge or into his possession by virtue of his position..."

Clearly, then section 6 of the Act says:

- "(1) A person who commits an offence under section...5,...is liable, whether upon summary conviction or upon conviction on indictment, to a fine of five hundred thousand dollars and to imprisonment for ten years..."

These are very serious offences; very serious offences, and when we apply that law to the facts of this case we would see at all material times, the Minister, as a Member of the Cabinet, is an agent within the meaning of section 5 of this Act. In the circumstances, at all material times, facts and documents pertaining to the difficulties of CL Financial that came to the knowledge or possession of the Minister by virtue of the position are official information.

Let us look at the facts that are in the public domain, and we have done neither of these. As I said, I have taken my evidence and I told you where I have taken it from. CL Financial Limited was in serious financial difficulties, so that its deposit account holders, et cetera, were in a position to lose their money; they were in difficulties. So it is fitting here when you come to talk about Clico Insurance as versus— Clico is a child of CL Financial; CL Financial is the parent

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company; these companies are subsidiaries. Therefore, CL Financial Limited is the parent and these are the others within that parent. So, anyone affected would affect the whole group of companies, and the Minister is a part owner of CL Financial. Therefore, whatever is happening in subsidiaries, in insurance companies, British American and so on, yes, in the bank, will either work for you, will be adverse to you or to your benefit.

We were told that Government officials advised Clico in April 2008, and I refer you to the *Hansard*—that is a very interesting thing because the Minister said that that circular sent in April was sent to all insurance companies. Again, we come back to the subsidiary insurance companies of CL Financial. We are saying that the circular was sent by the Central Bank; talked about liquidity problems in April 2008, for all insurance companies; this includes the CL Financial companies.

Now, I have been informed—and I asked for confirmation on this and certainly investigations will bring it to life—that lawyers of CL Financial were meeting with the Ministry of Finance officials, to inter alia, draft the MOU long before the January 14, 2009 date, which the Minister claims is the date that she got official information. We have been informed that the lawyers and agents of CL Financial were engaged in—

Mrs. Nunez-Tesheira: Will you give way?

Mrs. K. Persad-Bissessar: No, no Minister, you pre-empted; you can reply to me. You have 75 minutes more plus the 50 minutes you already took—a meeting with the Ministry of Finance officials long before the January 14 date, before the December 31 date, when the Minister withdrew her money, and so we come back to if this is true that the Minister had knowledge in advance and pulled out her money, then the Minister would tell us when she responds if this is in fact so.

Should the documentary evidence in the Ministry of Finance and in CL Financial support this, then that would be clear evidence that the Minister is in breach of section 5 of the Prevention of Corruption Act. We were told further that the Minister of Finance held substantial deposit accounts in Clico Investment Bank, worth a total of US \$48,549.9 and held accounts in CMMB. These are in the *Hansard* and they are the words of the Minister reporting.

The Minister of Finance took steps to withdraw deposits held in her name with these banks, during the period April 2008 and February 2009. The words of the Minister right here in the Parliament told us how she withdrew money in August and so on, but we knew that the difficulties were in April. The Minister made a statement that the regulator knew nothing of Clico's problems—the

regulator being the Governor of the Central Bank. Did the Governor not say he knew their problems like for four years before? Four years before the Governor was saying, we knew Clico had problems, but the Minister stood here today and told us that the Governor did not know anything until January, and placing a date after the Minister pulled out her money.

We saw that the Minister pulled out her money; we saw relatives of the Minister also removed money and took steps to withdraw money during the material time. Public disclosure of the difficulties was made on January 30, with the media statements. The Minister has given conflicting responses with respect to withdrawal of the money from CL Financial, and that is why I say it is the actions that will speak louder than the words.

In the *Hansard* record of this Parliament, February 02, 2009, the Minister told this Parliament:

“On December 31, I withdrew an account which had matured on December 31, 2008. You go and check it because when you were making your accusations, I wanted to ensure that I was accurate on the information and I called to get all the information that I had on every withdrawal I made in relation to those two institutions.”

The Minister also said on that day that like many people, she made investments in property and so on, and she took the money out to purchase property. She made withdrawals on September 17, December 03 and December 17, 2008 to pay for that property. Again, on February 04, the Minister gave a personal explanation to clarify her position. The Minister again said she purchased property and so on.

However, Mr. Speaker, at no point in time did the Minister disclose that she had requested closure of these two accounts from Clico, nor did she disclose that she broke these deposit accounts before the maturity date. It took the *Express* of Thursday, March 12, Juhel Browne, to provide a document to show evidence of the break request and so on, and the Minister has not come today to deny any of those public documents; has not denied that those documents in the *Express* showing her certificate of deposit; showing the letter asking to please break this deposit and I need it for buying property. The Minister had not denied and she cannot.

Those are documents in black and white. Those are documents that speak for themselves and belied the statements made to the Minister. They show that the Minister held, not an account, as she said, but at least two deposit accounts with CIB. The maturity date of two of the Minister's accounts is not December 31,

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2008, as the Minister claimed, but months after that date. In fact, the maturity date is April 30, 2009 and August 13, 2009, but remember the Minister's words:

"On December 31, I withdrew an account which had matured on December 31, 2008."

At that point, the Minister is still not saying to this House—big personal explanation, with this furore, this thing flaring up, people up in arms—you know what, I was also a shareholder you know. The Minister never said she was also a shareholder and part owner of this company. Never, never disclosed that, until she was drawn really kicking and screaming because of the investigative work of Anthony Wilson of the *Guardian*, who confronted her with the shareholding evidence.

3.00 p.m.

So, black and white evidence shows the Minister deliberately broke her deposits, she closed them before the maturity dates and she did not do it by “vaps”, telephone or oral. There is, in fact, a letter under her hand, the letter is dated December 31, 2008; a letter which expressly states to break these accounts. The Minister in her request to break her account, said it was to purchase property. These are the things here, Mr. Speaker, from the *Daily Express*, page 4, “Mr. Panday Finance Minister not telling the truth” and then on the other side, “The Karen CIB File Black and white documents reproduced”. A letter dated, as I said, December 31, where the Minister says:

“Please be advised that I wish to break the caption deposit”—purpose—“to purchase property, funds needed, please prepare one cheque to, in the name of Karen Tesheira.”

Letter dated December 31, 2008:

“Further to our recent discussions I hereby request the closure of the above mentioned accounts with immediate effect. In this regard it would be appreciated if you could make the cheques payable to me by Friday, January 02, 2009.”

The Minister comes back again with that nonsense. [*Laughter*] To fool whom, saying she thought it was a rollover! [*Desk thumping*] How can this be a rollover?

Dr. Moonilal: What does she mean by that?

Mrs. K. Persad-Bissessar: How do you mean it was a rollover? What rollover has to do—? It says: “Please be advised that I wish to break the caption...” [*Laughter*] I mean there is a big difference between rolling over and breaking a fixed deposit. There is a big, big difference, Mr. Speaker.

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The Minister comes back today to tell us—you know they say, if you do not laugh you will have to cry, “eh”, so please forgive me. The Minister comes and tries to mislead us again to say that she did not know. When they spoke with her and my colleague will raise it in the newspaper article, her exact words when she was there speaking when the media asked her about it, she did not know. Do you remember that quotation I gave you from Jefferson at the beginning, if you cannot govern your own affairs how do you expect to look after the affairs of others, those that you have been put in charge to govern?

So, you do not know the difference? Are we really to believe that? Are we so stupid? The people of this country are not stupid and they do not believe that. They do not believe what the Minister is saying because the black and white evidence is here for us. So we see the conflicting statement that this Minister has made in this House and outside. In this regard I had written to the Director of Public Prosecutions and I have received a reply from the Director of Public Prosecutions as follows:

“March 20, 2009

Mrs. Kamla Persad-Bissessar, MP

Office of the Member of Parliament for Siparia

Penal Junction

Penal

Dear Mrs. Persad-Bissessar

Re: Request for an investigation into possible breach of the Prevention of Corruption Act by the Minister of Finance, Mrs. Karen Nunez-Tesheira and the Governor of the Central Bank, Mr. Ewart Williams.

I refer to your letter of the 13th instant on the matter at caption.

Having reviewed the material provided by you, I am of the view that an investigation is warranted in this matter. [*Desk thumping*] While I appreciate that your letter was also addressed to the Commissioner of Police, I have also referred this matter to the Commissioner for investigation with my advice as to the conduct of same.

Yours sincerely

Carla Brown-Antoine

Ag. Director of Public Prosecutions”

It is fortunate that there are independent institutions in this land, although the Prime Minister is trying every way he can to subvert those independent offices. So, this is from the Acting Director of Public Prosecutions, Carla Brown-Antoine.

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You know, when I read that I want to say congratulations to Madam Minister, you know. Madam Minister, once again you have created history. Not only are you the first female Minister of Finance to have engaged in such blatant, unapologetic illegality, but you are also the first to have a criminal investigation, spurred on by the first female DPP, to be launched against you.

Dr. Moonilal: “Aaah, it's history.”

Mrs. K. Persad-Bissessar: Well, congratulations. You created history once more. If the Minister was here, I would have asked her how proud she must feel? So we talk about breaches of the Prevention of Corruption Act, the criminal law; we talked about negligence and dereliction of duty. What is worse in all of this is that the Minister knew what she was doing. As I said, the Minister knows the law! What did the Minister of Finance do? She told us that everybody in Trinidad knew that CL was in trouble. She told us in this House, “Everybody knew so who is me, I is folks too!”

That was the implication of what she was saying. Everybody knew! When the Minister said, “Everybody knew,” what did she do? If she knew that this company was in trouble, that all of these people who have their money inside there would be in trouble, what did she do? She had a duty as Minister of Finance where there is regulatory function through the ministry and through the Central Bank for financial institutions such as these—CIB and so on—the Minister had a duty to the people of Trinidad and Tobago first. But when the Minister knew—like she said, everybody knew—what was the first thing the Minister did, did she go to her ministry and call on the ministry, give me a report here, I hear this company is in trouble, you know? Everybody is saying this company is in trouble, give me a report. Did the Minister do that? No! Everybody knew, so what; it is every man for himself. So the Minister ran to the bank, scrambled her money, pulled it out and left the rest of the people with their money in there to catch. [*Interruption*]

Not only did the Minister run and pull her money out because everybody knew—“If them stupid, they are stupid, but you see me, I smart and once I know I am going and geh meh money and when I am getting mine, you know wha, Sis, you come too sister, take out mammy money too.” [*Laughter*] No, Mr. Speaker, it is reprehensible, it is appalling that the Minister has a duty—she is not everybody, she is not everybody else, she is the hon. Minister of Finance of the Republic of Trinidad and Tobago, and if the Minister knew and she said, everybody is saying this, you know. If Dr. Gopeesingh was the Minister of Health and people were out there and people were saying, listen, “nah”—

Mrs. Gopee-Scoon: Cannot be!

Mrs. K. Persad-Bissessar:—the health sector is in shambles, the hospital is in shambles, Dr. Gopeesingh will go in there and get a report, what is happening, what is it about this dengue, he will deal with it. He would not run and say, “You see boy, you see this t’ing happening, you know what, let me send meh child out of the country or let me send meh brother out of the country cause I don't want to get dengue.” Let me bail out my relatives or bail out somebody so they would not get the dengue. [*Interruption*] No! He will go in there; his first duty would have been to the public interest and not the personal interest.

So, the Minister of Finance did not think of all of the people living hand-to-mouth, all of the people with deposits in CL; the Minister of Finance spat in their faces and ran to pull out her own money without a thought for everyone else who had deposits there; without a thought, Mr. Speaker, as administrator of the public finances of the public wheel to seek the interest of the public.

Dr. Moonilal: Shame!

Mrs. K. Persad-Bissessar: This, in my view, amounts to negligence on the part of the Minister. A dereliction of duty, a breach of duty, because once the Minister knew, whether it was from common knowledge or on the street or otherwise, the Minister had a duty to take steps as Minister of Finance to deal with it. She had a duty to act in the public interest and that constitutes dereliction of duty and misconduct in public office.

So to come and tell us, when you knew, that you did not know—you told us everybody knew. The *Hansard* record is there, the newspaper articles are there, everybody knew! So how come everybody did not run and pull out their money? How come everybody did not come and pull out their money, Mr. Speaker? Because everybody obviously did not know, or if they knew they did not have the position of the Minister to put a break request on December 31, and collect a cheque within two days, the day after New Year’s Day, January 02. They did not have the power and the influence.

So, the Minister used her position to ensure that she got her money and I will come back to that. We look at issues dealing with probate now. The Minister is on record and is confirming that a relative broke her \$2.1 million deposit held in the name of her deceased mother at the CIB, received the money somewhere in January after the bail-out or after the intervention of the bank. This raises some other questions that whether other laws have been breached, Mr. Speaker?

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Sorry, Mr. Speaker, not to bring you in but in your capacity in your other hat as an attorney, do you know when you make an application for probate and letters of administration, that takes a little while you know. The registry is not as efficient as it should be, it takes time. It takes time! If the Minister is confirming the moneys—and the words are there, they are quoted there that the money was held in the mother's name. Mother passed away—may God rest her soul—in August 2008 but by December 31, 2008 a relative is withdrawing deposits held on the mother's name. I do not see how that can happen!

The Administration of Estates Act, Chap. 9:01, section 4 tells us. Mr. Speaker knows this, you know the probate practice—and by the way, the Minister also wants me to advertise her second book. [*Laughter*] The Minister knows about non-contentious probate practice.

Dr. Moonilal: She has no defence.

Mrs. K. Persad-Bissessar: The whole book, you know the practice so please tell us—I will advertise it for you.

Mrs. Nunez-Tesheira: Thank you, thank you.

Mrs. K. Persad-Bissessar: Another good book. The Minister knows the law. *Non-contentious probate practice in English Speaking Caribbean.* [*Interruption*]

Dr. Moonilal: I thought it was in criminal law.

Mrs. K. Persad-Bissessar: So, Mr. Speaker—no, it is a practice as you do and others would know—when you apply for a grant to probate or letters of administration, that takes time, you do not get it right away. You cannot! So, towards the end of August 24 or 25, mother passed away and by December 31 you are applying to break a deposit in mother's name.

The Administration of Estates Act, I was reading for you says, section 10(4), I believe it was:

“On the death of any person, all his estate real and personal, whatever within Trinidad and Tobago shall vest in law in the Administrator General until the same is divested by the grant of Probate or Letters of Administration to some other person or persons.”

We all know what that means. If there is money in a bank or there is money anywhere or land, you cannot deal with it until you get a grant of letters of administration if the person died without a will. If they died testate, with a will, you have to get a grant of probate. Simple law! Of course, as I said, this book sets it out, all the procedures, steps and so on.

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Mr. B. Panday: You better reject that book.

Mrs. K. Persad-Bissessar: Yes, please do.

Dr. Moonilal: Ghost writer.

Mrs. K. Persad-Bissessar: Mr. Speaker, I am asking, you know we can go to the probate registry; we are lawyers so we can send our clerks to make searches and that is what you do. Anytime you want to make an application for an estate, a grant, letters of probate, you do a search. The first thing you do when you run that search, the databank is there in the registry—the records from our searches conducted by Opposition staff at the registry at the High Court, there is no record, firstly, of any application being made for the estate of the Minister's mother.

Hon. Member: What!

Mrs. K. Persad-Bissessar: No application! There is no record. [*Interruption*]

Secondly, Mr. Speaker, if received, there is no application, the second is obvious. There is no grant of letters of administration or probate. [*Interruption*] That is what I am asking. I do not know! Has someone intermeddled in this estate? Has the Minister used her position as Minister of Finance and say, “Listen, that is mammy's money, sister coming for it, give her you know. We doh have the grant yet; we'll get it.”

The Minister herself told us, she must now come and tell us if that is not true. The Minister told us that the money of the mother was in the mother's name. How could you get that without a grant? How did you get it? Again, in breach of other laws. The Minister will tell us, did you get a grant or did you not? We also ran a search in the Ministry of Legal Affairs looking for powers of attorney to see perchance that mother had given her power of attorney for someone to deal with her moneys. There is no record of any power of attorney filed in the registry there.

So, the question arises in the circumstances, where the Minister confirms an account held in the mother's name could be broken and paid to her relative but there is no grant of probate and no letters of administration.

Mr. B. Panday: She did not say it was in joint names?

Mrs. K. Persad-Bissessar: No, it was not in joint names. The information we have, it was not in joint names. Indeed, I am told again—I do not know, you see, things come to us in the mail box—when this application came to break this deposit in mother's name, questions were raised as to where is the grant? Questions were raised but a particular official in there was adamant, you know, that they will pay the money out and paid the money out.

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So I am raising that again, you see this is why the Minister wanted to preempt us by coming before to speak and giving the same denials and so on. But I want her and I expect her to answer these allegations and not to hide behind somebody else. These are personal matters. This is a matter of substance, a motion of conduct. Somebody else cannot answer for the Minister's conduct and knowledge, the Minister has to answer, Mr. Speaker. The Minister must tell us and tell the public—so whoever else comes, it is second hand, third hand and hearsay information from a third person, it is their right to speak—the Minister owes a duty to tell us about this.

3.15 p.m.

So did the Minister then use her position to cause this to happen, that is to say, money came out without the appropriate grant? Did the Minister use her position and knowledge to make sure her relative withdrew her deposits? The Minister knows the law, I have said non-contentious probate practice—great big book here. [*Book displayed*] The Minister wrote the book and so we ask for answers to this. I am saying then there is breach. I said not one statute, not two statutes, not three statutes, not four, but possibly five statutory provisions in breach by this Minister.

I come now to another one, the Financial Institutions Act, 2008. We amended this recently when the Minister stood in the Parliament, and those amendments do not affect the section that I am going to refer to. It is section 17(13):

"A person licensed under this section"—and let me pause to say persons means "a company"—"shall not—

(b) without the written permission of the Central Bank repay any deposit within less than one year from the date on which the deposit was received by the licensee;..."

I want to read that again.

(13) "A person licensed under this section"—and let us insert now the facts, CIB is the person licensed—and CIB should not, shall not—

"(b) without the written permission of the Central Bank repay any deposit within less than one year from the date on which the deposit was received by the licensee;"

The question that arises, that begs the question is: What is the date of the deposit? Because the moneys we know were withdrawn by break request on December 31, 2008 and paid out on January 02, 2009, that is for the Minister. The moneys for the sister on behalf of the mother's estate, again break requested December 31, 2008, paid out in January 2009.

Mr. Speaker, when was the date of deposit, that is important? The Minister attempted to give an explanation, again, attempting to anticipate the attack that will come under the Financial Institutions Act and says, "Well, you know what"—again this famous word "rollover"—"I rolled it over and I rolled it over, so the deposit date was not last year, 2008 and I did not break it within one year. Oh, I was rolling it over all these years."

Mr. Speaker, I do not believe the Minister. I do not share the Minister's interpretation that the rollover means that the deposit's date was another time because the law is very clear. When you get a Certificate of Deposit as this one which was shown in the *Trinidad Express*—that is the black and white—that is the date of receipt of the deposit and this Certificate of Deposit carries the date April 2008. So the maturity date one year would have been April 2009.

Minister, the question is, did you get permission from the Central Bank? Did the CIB get permission from the Central Bank to pay the money? The answer is no. Our information is that no request was made for the Central Bank to approve this withdrawal. None was made, and therefore none was given. But again, is it that the Minister could use her position as Minister of Finance and say, "Doh worry." [*Desk thumping*] "Doh worry." You see, what you do in the dark, always comes to light one day. We always say: "God doh sleep, he only wears pajamas."

So when you went in there and you told whoever the person might have been, whether it is Trotman or whoever else the person might be and you said, "Doh worry man, I am the Minister of Finance. You don't worry, I will be able to do it. Give it to me."

So here we are, Mr. Speaker, again with possible breach, or breach of—I will not say possible, this is breach of the Financial Institutions Act, 2008. It happened with two sets, with the Minister's account and the accounts of the Minister's relative because none of them had any approval given by the Central Bank. None! None! I come again to another statute—I am trying to figure out time, please.

Hon. Member: [*Inaudible*]

Mrs. K. Persad-Bissessar: Thank you—the Integrity in Public Life Act.

The Minister chose this one to respond to, one section of it. But as I said, there are multiple provisions that have been breached by the Minister in the Integrity in Public Life Act. Let us set it very clearly first. Given the interpretation sections and so on in that Act, we all understand and know that the Minister is a person in public life within the meaning of the Act. We know the Minister became a person

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in public life in 2003 because the Minister was on the board of TIDCO and served there for years. So, the Minister has been in public life prior to being the Minister of Finance, and when she became Minister of Finance, continued in public life. So firstly, a person in public life.

Secondly—and this is where again, never, ever, ever has the Minister told this House, told the public, even when she sat smiling broadly at the press conference on January 30, 2009 with Mr. Duprey and the Governor, when the whole nation was in shock that CL Financial was collapsing—the Minister never said, “Listen, I am a shareholder in this company, we are going to intervene and help this company. Do you know I am a part owner?” Never told anyone at that time, never told anyone in the negotiations prior to that, never disclosed and the Minister is saying collective responsibility to Cabinet. That is all well and good you know, but the Minister's duty first and foremost is to the people of Trinidad and Tobago. [*Desk thumping*] Therefore, when the Minister was acting in her capacity, when the Minister took a pen and signed that MOU, the Minister was acting for and on behalf of the people of Trinidad and Tobago and the Minister, therefore, had a duty to disclose prior to any negotiations, her shareholding.

I read the common law with *Dimes Grand Junction Canal* and so on, and the golden thread that is in the law there, it is not whether you disclose it to the parties—and the parties are the people of Trinidad and Tobago first and foremost, the public of Trinidad and Tobago. You cannot go and sit there and represent us. When you sign there, you are binding the people. You cannot sign on my behalf, the people's behalf, the taxpayers' behalf and not disclose it. And so, at no time was that disclosure made.

Again, we found out—you see it keeps coming out in dribbles. In drips, "chirrup chirrup", bits and pieces, and more will come because people are angry and upset and they are taking it personally because they are seeing trouble in this country in these times. More is going to come out, more information. It is Anthony Wilson who printed the shareholding and that is when we found out. We found out way after the fact that the Minister was a part-owner of this company. But the Minister had in fact been part-owner of that company from September 07, 2004 by Notice filed in the Ministry of Legal Affairs. Again, these are all public documents. You can go through the company's file for CL Financial and you will see every year from 2005, 2006, 2007 and so on, when the returns are sent in, the Minister's shareholding is there as a public document. I can give you the page numbers if you like as well in the ministry's file, Ministry of Legal Affairs.

Mr. Imbert: Is it a public document?

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Mrs. K. Persad-Bissessar: It is the public document. It is there. It is a public document.

Mr. Imbert: [*Inaudible*]

Mrs. K. Persad-Bissessar: It is a public document available to anyone in the—I thought the Minister was now engaged in studying law. I wonder if he has forgotten. The Ministry of Legal Affairs.

Mr. Speaker, we looked at the sequence of events which I will not repeat because of time constraints. I think everybody is fairly aware of those that have been repeated from when the Governor of the Central Bank first met Mr. Duprey on January 07, 2009; thereafter meeting on January 13, 2009; thereafter the alleged disclosure to the Minister on January 14, 2009; press conference on January 30, 2009 and so on; Memorandum of Understanding on January 30, 2009; and on February 02, 2009, the Minister came to this House and piloted legislation.

During the debate on the Bills in the Parliament on February 02, 2009, I raised issues about the Minister's withdrawal of personal money and possible use of insider knowledge for personal interest. Wednesday, February 03, 2009, the Minister gave a personal explanation, and up to then and up to the revelations made in March in the *Trinidad Guardian*, the Minister never told anyone in the Parliament, outside, that she was a shareholder in this company.

At no time prior to Sunday, March 08, 2009—almost like a month later, a month and more—did the Minister say that she was a shareholder. The first time the Minister disclosed that she was a shareholder was in response to the questions of Anthony Wilson. Thereafter, on March 09, and 10, 2009, the Minister is reported to have admitted holding the shares. The Prime Minister in defence said, "None of his Ministers have a conflict of interest. They have declared their portfolios to the Integrity Commission. Half the Cabinet and half the MPs they have interest and so on."

Mr. Speaker, I want to say very clearly, not another Member of this Parliament and not a single Member of the Cabinet holds shares, held shares in CL Financial Limited. [*Desk thumping*] It is only one, and that is the Minister of Finance and the documents are there in the registry. The facts revealed that from 2004, the Minister was part-owner. At all material times decision-making was taking place, part-owner Minister was involved; and all material times since the Minister made the decision to bail out, part-owner Minister is still supervising, overseeing, presiding over the intervention; and at all material times there was no disclosure.

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The issues which arise here now on these facts are: firstly, whether the Minister had a legal duty to publicly disclose shareholding; whether the Minister was under a legal duty to disclose dividend income; whether the Minister did disclose her shareholding; whether the Minister did disclose dividend; whether the Minister is in breach of the Act with respect to disclosure, that is the Integrity Act. Assuming but not admitting that the Minister did make disclosure to the Integrity Commission, whether such disclosure is sufficient; and whether the Minister is in breach of the Integrity in Public Life Act and the Code of Conduct and so on.

Mr. Speaker, I have already put these issues in the public domain with respect to breaches of the Integrity in Public Life Act and they are with respect to Part IV, section 29 which deals with conflict of interest and is also with respect to section 14 which deals with disclosure. So, I will refer to section 29(1) which says:

"For the purposes of this Act, a conflict of interest is deemed to arise if a person in public life or any person exercising the public function were to make or participate in the making of a decision in the execution of his office and at the same time knows or ought reasonably to have known, that in making the decision, there is an opportunity either directly or indirectly to further his private interests or that of a member of his family..."

Mr. Speaker, if we apply the facts as we all know it, it is clear that at the same time the Minister was a shareholder and part-owner, that the Minister was exercising a public function, that she was participating in decision-making to bail out CL Financial and did make the decision, that the Minister continues to participate and that the Minister knew or ought reasonably to have known in making a decision, there is an opportunity either directly or indirectly to further her private interest.

Mr. Speaker, the issue is not whether the interest was furthered, that is not the issue. The issue is not, and the Minister is taking us down a wrong pathway; it is really a red herring to distract. The issue is not whether interest was furthered, but whether the Minister knew or ought to have known that there is an opportunity so to do. I read the common law before, any pecuniary interest you disqualify yourself, you take yourself out. You have to do that, and so to come and say, "Well, I did this, I came here to serve. You know I am here in the best interest." Noble intention, I have no problem with that. I have no problem with that, you want to serve, great. What I have a problem with is the breaches of the law. So if it is that you are saying you did not do anything wrong and in fact you did it to help people and so on, that is beside the point. It is irrelevant. It is whether you are in breach of the law or you are not in breach of the law. That is the issue. [*Desk thumping*]

The motive is not important. The source of your shares is not important. It is not a sympathy grabbing, well you know my pa has passed away and he leaves this money for me, and I have children and I do not want to do it because they might be in problems and so on. Irrelevant! Red herring distractions! Did you or did you not have a pecuniary interest at the same time you were immersed in the decision-making? No, it is not just disclosing. Whether you disclose or not, is only part of it because the Integrity in Public Life Act goes on further. Section 29(2) says:

"Where there is a possible or perceived conflict of interest"—you must do two things—"...disclose this interest in accordance with prescribed procedures..."

Secondly:

"disqualify himself from any decision-making process."

That is the same thing I started with, the common law, with *Dimes v Grand Canal*, the thread in the common law. You cannot be a judge in your own case. You cannot be a decision-maker in something that you own and expect people to believe you have acted fairly, you have acted clearly and you have acted in the best interest of the people.

So it is not whether the Minister furthered interest, so the denial look I did not help myself— In fact, the Minister is saying, "I lost. You know I lost, poor me, look at me I am so great and noble. I was helping the people so much, I lost shares. I lost my value and so on." Not the issue.

The Minister had a duty in law, firstly, to disclose this interest and, secondly, to disqualify herself from it.

3.30 p.m.

Mr. Speaker, we talk about breaches of the Integrity in Public Life Act—when we come to section 14, again, it is out in the public domain that from searches made at the Integrity Commission, not just by our staff at the Opposition office, but also by Clint Chan Tack of the *Newsday* and Anthony Wilson, there was no record on the Form B of the Minister of her interest, a shareholding in CL Financial, dividend income received from CL Financial or any of its subsidiaries; there was absolutely none. So the comments by the Prime Minister that it is clothed in integrity and so on, it is not in any public document, the Form B at the Integrity Commission. We have searched it.

The last time I raised that there were no forms, the forms suddenly turned up sometime thereafter; fortunately this time Clint Chan Tack of the *Newsday*

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reported that he went, and the *Guardian* newspaper also reported that they checked it, the Form B has nothing about disclosure with shareholding in CL Financial or any subsidiary and nothing with respect to dividends income from those shareholdings; totally in breach of section 14 of the Integrity in Public Life Act, and nothing is done.

When you talked about non-disclosure of the Member for Couva North—Mr. Speaker, persecution and prosecution left, right and centre all over the world; well, it seems to me, on the basis of the criminal law and the integrity law, that the Minister of Finance should be jailed. The Minister should be jailed for her conduct. [*Desk thumping*] That is what should happen in this case.

You have breached, not one, not two, not three, but five pieces of statute law; then you breached other areas of the law, the common law and so on. I do not know, it is so appalling, so distressing, that you would still come here in denial, to deny the allegation. As a Minister, the response that was provided here today does not answer all these other issues.

I come finally to that area of the law, the *lex parliamenti*, which concerns us as parliamentarians. Mr. Speaker, when I travelled to Malaysia for the CPA conference recently, you were there also, this was one of the books on sale; it is called *The Role of Parliament in Curbing Corruption*. It is a book that is put out by the World Bank Institute. You may have seen it at the proceedings; I was very interested in it, because here in Trinidad and Tobago we do have so many allegations of corruption. I picked this book up. [*Interruption*]

Dr. Moonilal: "Tesheira write it?"

Mrs. K. Persad-Bissessar: No, this one is definitely not written by the Minister. This was written by the World Bank Institute. It talks about over the past several decades Parliaments have been paying increasing attention to the causes and consequences of corruption. Corruption is a symptom of deeper institutional weaknesses and, therefore, Parliaments, to reduce corruption, feel it necessary to eliminate conditions that favour the existence of corrupt practices and other forms of misconduct.

Parliaments have been moving towards the establishment of ethics regimes, and these give a valuable anticorruption tool. The book is telling us that by creating ethics regimes, Parliaments establish standards for parliamentarians' behaviour and create an environment that is less likely to tolerate misconduct and other forms of unethical behaviour and create an environment in which parliamentarians are less likely to engage in corrupt practices. I refer in this same book to pages 199 and 200, which deal with the role of the Parliament in that regard.

The code of ethics provides a set of standards for appropriate conduct by Members. In addition to codes of ethics, you have codes of conduct, and there is a difference. The codes of ethics are like the ones in the Integrity in Public Life Act in Part IV. The code of conduct is really one that is more concrete and practical and, in fact, puts sanctions for violation; whereas the codes of ethics set the standard for behaviour.

That came from July 1988; we passed it in our own Parliament and it was approved by the House, a code of ethics for parliamentarians and ministers. This code of ethics sets out accepted standards of behaviour for parliamentarians and ministers. When you read that code, you would see breaches of the code of ethics of the Parliament. When you read this, you would see that the Minister is in breach of paragraph 1, paragraph 2, paragraph 6, paragraph 7, paragraph 8, paragraph 9, paragraph 12, paragraph 14, paragraph 15, paragraph 18, paragraph 19 and paragraph 21. So in addition to the *lex domicile* which I have spoken about, this is a *lex parliamenti*, as a parliamentarian.

I quote, Mr. Speaker:

- "1. In any debate or proceeding of a House or its committees, or in any transactions, or communications which a Member may have with other Members...he shall disclose any relevant pecuniary interest or benefit of whatever nature, whether direct or indirect, that he may have had, may have or may be expecting to have."

We were debating this Bill here in the Parliament—

Dr. Moonilal: "She never say nothing!"

Mrs. K. Persad-Bissessar:—not a word of any pecuniary interest, none, but we discovered thereafter shareholding, part owner; we discovered thereafter the breaking of accounts and so on. Only when I forced it out of the Minister, I kept getting up and saying, "Tell us, did you withdraw money?" Then the Minister said, "Well, okay, I will make a full statement", and she came and talked about buying property.

Breach 2 says:

- "2. A declaration of interest should be made at the earliest opportunity when speaking in debate..."

Again, what was the earliest opportunity? After we forced it out. At least four Members of this House, of the Parliament, declared their interest; the Member for

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Tabaquite was one of those. Sen. Mariano Browne was one of those when he did it in the Senate. I myself declared my interest with respect to dollars in Republic Bank, but the Minister of Finance who wrote this great big book about conflict of interest, disclosure, legal ethics and whatever, is in breach of this. That is two. Clause 6 says:

- "6. A parliamentarian should avoid situations in which his private interest, whether pecuniary or otherwise, conflicts or might reasonably be thought to conflict with his public duty.
- 7. When a parliamentarian possesses, directly or indirectly, an interest which conflicts might reasonably be thought to conflict with his public duty...he should disclose that interest..."

If you go to 8, and 9 and 10, they are more of the same.

When we come to the ministers, because this is a code for both parliamentarians and ministers, additional code of ethics for ministers, this is what it says:

- 14.(a) At meetings of the Cabinet and its committees, a Minister should disclose to his colleagues when he has an interest which does, or might reasonably be thought likely to, conflict with his public duty as a Minister;"

Fair enough; you would know whether that was done or not; I was not inside there. The Minister also:

- "(b) his declaration should be noted in the Cabinet records;"

So where there is an interest, the code, which is part of the *lex parliamenti* here, the Minister should declare it to the Cabinet, and, secondly, it should be noted in the Cabinet records.

Thirdly:

- "(c) the Minister should then either indicate that he will not take part in the discussion in question or else secure the explicit authorisation of his colleagues for taking part.
- 15(a) When directing the business of the department which he administers a Minister should inform the Prime Minister of any real or apparent conflict of interest that arises;
- (b) the Prime Minister, unless he asks the Minister to divest himself of the interest, should either arrange for another Minister to deal with the matter or else give explicit authorisation to the original Minister..."

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Did this happen, explicit authorization declared, it is noted in the record of the Cabinet? Then the Prime Minister says, "It is okay, you stay, do not recuse yourself, do not disqualify yourself." In any event, the Prime Minister should have the matter recorded. So if you complied with this code of ethics, all this would be in the record; *Code of Ethics for Parliamentarians Including Ministers*.

The Parliament is the source of this. [*Crosstalk*] It is a Parliament document; *lex parliamenti*.

Mr. Imbert: [*Inaudible*]

Mrs. K. Persad-Bissessar: It is not in a law, so you could break it? It is not a law. This is a code of conduct for Parliament; it is not the law. It is part of the *lex parliamenti*. I have already said, when you mislead the House, which law is it in? It is not in the law, it is part of the *lex parliamenti*. "Doh try dat with us, Sir."

There are procedures; it was not adopted; it was approved on July 18 of 1988, I believe, in this Parliament, by the House. It was approved. It is like the Standing Orders approved by the House; it is like a code of ethics approved by the House, which is what binds us here in the Parliament; standards of behaviour for parliamentarians.

Mr. Speaker, I say to you, as we come to an end, that we cannot believe the Minister of Finance; we have seen a track record of half truths, misleading us. We have seen the contempt of the Parliament, where you said that the account was matured when you broke it. The black and white says, no, no, no, it did not mature. We have seen, for example, that this Minister would stand here today to give a testimony. The Minister expects us to believe what she says; with due respect, we cannot believe what the Minister said, because she has conflicted herself throughout. The statement was totally inconsistent and untrue, in some cases.

When we come to our international reputation, the Minister's action would not leave the headlines, and she will jeopardize the country's standing in the international sphere. We have the Summit that is coming up, this will compromise our national and international reputation.

The last thing we need in this time of financial crisis is a minister like this one. My God, what would the US President who is coming say? Do you know what he would think when he reads this or what he would say? I could quote for you what I think he would say, because he has actually said:

"If the people cannot trust their government to do the job for which it exists—to protect them and to promote their common welfare—all else is lost." [*Desk thumping*]

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Why must the Minister resign? Mr. Speaker, I ask you, do not be misguided by your leader who says, "All you need is a level head, and nothing is wrong." You have not been put there by the Prime Minister; you may have been selected to fight the seat, but it is the people who elected you to serve; that is your first duty.

The people have no trust in you now; we have seen all the voices of the people: the editorials, the online posts, the call-in programmes, letters to the editors; all of them; the majority, the *Guardian* poll up to today, 80 per cent said that you must go; the TV6 People Metre was 90 per cent; Transparency International, Reginald Dumas, commentators.

Minister, I urge you to remember:

"Let us never forget that government is ourselves and not an alien power...The ultimate rulers of our democracy are not a President and senators and congressmen...but the voters of this country."

I have said it before, *vox populi vox Dei*. The Prime Minister's defence is worse, the stubbornness, to say political persecution. This is a Prime Minister who sets very high standards of behaviour. The Prime Minister said, "I am going to fire you, because you behave like a wajang", whatever that means—high standards of behaviour. How is it that you could be such a hypocrite, that you would fire one minister because he supposedly spoke loudly in a private meeting, when you have another minister breaching so many areas of the law and you would not act? [*Desk thumping*]

Remember Franklin Khan and Eric Williams? I raised allegations here, of a criminal nature, in this House. Do you know what they did? They resigned, but this Minister has no pride or dignity, does not understand that the people do not believe what she is saying. Therefore, I ask, I say, that the Prime Minister has no choice in these circumstances, but to fire the Minister.

This House should agree to the Motion we have put. I have proven that she has deliberately broken, not just one law, but several. The Minister is now the subject of a criminal investigation into her conduct. People are calling on the Minister to resign. Our international reputation is at stake. Our social fabric is compromised. At a time when Government cannot control a violent crime wave, we have the Minister breaking the law, an action that will only foster more criminality in the public domain. If the Minister is not removed, what example and precedent are we setting for the population?

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If the Government becomes a lawbreaker, it reeks contempt for the law; it provides every man to be a law unto himself; it invites anarchy. Remember too, public confidence in the integrity of the Government is indispensable to faith in democracy. When we lose faith in the system, we have lost faith in everything we fight and spend for.

Remember you are being judged by the people; they will hold you to account; hold you to answer. It is to them that you must account. The day of judgment is upon you, Madam Minister. You have been tried and found wanting. Remember when there is a lack of honour in government, the morals of the whole people are poisoned. In the name of justice, in the name of the people, I say to the Minister, please go. To the Prime Minister I say, "Fire her, you have no choice at this point." Our social, legal and economic fabric and integrity of this nation is at stake.

I thank you, Mr. Speaker.

Dr. Hamza Rafeeq (*Caroni Central*): Mr. Speaker, I beg to second the Motion as moved by my colleague from Siparia, and reserve my right to speak at a later stage in the debate.

Question proposed.

3.45 p.m.

The Minister of Works and Transport (Hon. Colm Imbert): Thank you Mr. Speaker. Mr. Speaker, the Member for Siparia has made a number of allegations, I daresay wild allegations, a number of unsubstantiated statements, a number of incorrect statements, a number of untruths, inaccuracies and false statements in an effort to demonstrate that the Minister of Finance is guilty of some conflict of interest and is in breach of the criminal law.

Mr. Speaker, I wish I had about four hours because I took enough notes of the allegations, but I will deal specifically with some of the gross misrepresentations and untruths put in the record by the Member for Siparia.

Let us deal first with the personal matters relating to the Minister of Finance and the Minister's family. The Member for Siparia said with an air of conviction, all resplendent in her African garb—but I would say all that glitters is not gold—stated categorically that she knew that the sister of the Minister of Finance had no authority to withdraw a deposit that had been held in the name of the mother of the Minister of Finance. She stated it with such authenticity, but as I would demonstrate, her words reeked of hypocrisy.

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The Member for Siparia as per usual has not done her homework. The Member is quite used to coming into this Parliament and making statements which bear no relationship to the truth. The fact of the matter is, and I am reliably advised by the Minister of Finance herself that the deposit to which the Member for Siparia referred was held jointly by the Minister's mother and father. I repeat, contrary to the inaccuracies put into the record by the Member for Siparia, the deposit that was held by the mother of the Minister of Finance was held jointly by her mother and father and I challenge the Member for Siparia to determine whether that was so.

Mr. Speaker, I also wish to put into the record—[*Interruption*] “Hurry dog eat raw meat”, take it easy, we are dealing with your untruths one by one. The deposit was held jointly by the mother and father of the Minister, the mother passed away, and by the law of survivorship, which is basic first-year law—Where is the Member for Oropouche East? I would not even bother with him. By the law of survivorship, the father became the holder of the account. Okay. That is simple first-year law. Let us see what happened after that. [*Crosstalk*]

It would appear that the Member for Siparia is not interested in learning the law. I can give the Member a book on the law of survivorship if she wants.

Mrs. Persad-Bissessar: [*Inaudible*]

Hon. C. Imbert: Fine, obviously you did not read it. The Minister's father then gave her sister and brother power of attorney with respect to the deposit in question. So let us go through this legal lesson. Two people, mother and father are the joint owners of an account, one passes away, by the law of survivorship the other one becomes the sole owner, and the sole owner gives power of attorney to another person who then exercises power and control over the account. Got it now?

So therefore the Minister's sister was perfectly entitled to exercise control over that account. That is first-year law. That deals with that; there is nothing to do with probate, estate, or anything like that. That is the end of that, okay.

Let us deal with this other issue with respect to withdrawal of funds that had been rolled over by way of fixed deposit and again, if the Member for Siparia would do her homework these are the facts. I see the Member is not interested in the law. This is the current financial law at this point in time; that non-banking financial institutions cannot have deposits for less than one year. That is a fact. If someone wants to break a fixed deposit at a non-bank financial institution which is the Clico Investment Bank—it is an investment bank, it is not a commercial bank—he/she has to obtain the Central Bank's approval. That is a fact. What the

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Member does not know is that that only applies to the first year of the deposit and after the deposit has been at the financial institution for one year; it is the law relating to the Non-bank Financial Institutions Act. Check it out!

Mr. Speaker, when you are dealing with a non-bank financial institution, you only have to have the deposit inside for the first year. As it matures and rolls over every subsequent year, you do not require Central Bank's approval and I am advised by no less than the Central Bank that no approval was required to withdraw the deposits in question. Go and read the law. That is not an interpretation; that is information received from the Governor of the Central Bank. Go and read it.

I will go to lesson three in a little while, let me digress. I am advised that the first time there was any discussion between agents or representatives of Clico, CL Financial, or their associated companies and the Minister of Finance and the Permanent Secretary of the Ministry of Finance was on January 16, 2009. Mr. Carlos John, Mr. Ram Ramesh and Mr. Caballo requested the meeting and it took place on January 16, 2009 after December 31, 2008 at least in my calendar. January 16 is after December 31, 2008 and discussions began on January 24, 2009 and continued on January 25, 2009. Therefore, by my calendar, those dates in January are after December 31, 2008 and after January 14, 2009 when the Minister was communicated with by the officials of the Central Bank.

So, Mr. Speaker, the Member's Motion has no merit, it is based on froth, it is founded on sand. The problem with the Member's Motion is that she has produced no evidence; all the Member has done is engage in innuendo, veiled accusations and speculations. Who are these people that you say were in conversation with the Minister of Finance prior to December 31, 2008? Produce them! Who are these people? Call their names.

Mr. Speaker, this hon. Member is famous for doing that. I remember a matter related to the rapid rail contract when the Member for Siparia got up in this House and said that she has names of persons at the National Infrastructure Development Company who took bribes to change the scores on the evaluation of the rapid rail contract. I went outside the Parliament knowing that it was not true and I said that the Member was not speaking the truth and I called upon her to answer me. Up to now, more than two years later, I have not heard the names of these so-called people who changed the evaluation scores.

The integrity Commission heard the scandalous allegations made by the Member and called her in and said it noticed that she said in the public domain

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that she had names of persons who did certain corrupt things and asked who the people are. The Member declined to give the names which she could not because there was no credibility so they called me. I went to see the Integrity Commission and asked why they wanted to see me. They told me the Member for Siparia made certain allegations about names and when she was called in said she does not know, to ask me. That is the level of what we are dealing with, Mr. Speaker. Of course, the meeting lasted for five minutes, because I told the Integrity Commission if the Member for Siparia has told you she does not know who the people are, they should ask her, not me because she made the allegations.

I say again that the Member for Siparia has made an allegation in this Parliament today and I am calling on the Member to call names. [*Desk thumping*] Who are the people who gave the information to the Minister of Finance about the liquidity problems at the Clico Investment Bank? Call names, or be quiet. The Member for Siparia is famous for that kind of thing.

The information I have is that the discussions took place in January 2009, and I challenge the Member to prove otherwise. She made a lot of empty, baseless allegations with no evidence as usual, no proof, and wild statements. That is what the Member is famous for.

Let us go to some other aspects of the law because I think I have to give a lesson in law today. [*Desk thumping*] I listened to the Member very attentively and I took some notes and I heard the Member say that the Minister has breached the common law. Again, any first-year law student would know that statute law overrides common law, not so Member for Couva North?

Mr. B. Panday: Tell me how. Which statute law overrides which common law?

Hon. C. Imbert: I will come to that. Mr. Speaker, if you look at a typical common law definition of conflict of interest, it is very wide. I have a typical common law definition of conflict of interest here and I will read it for the benefit of Members opposite so they will listen and learn. This is a common law definition.

A conflict of private interest or public duty arises where a person has any interest which might influence or be perceived as being capable of influencing his or her judgment even unconsciously. While in practice a person's judgment may not be influenced by a direct pecuniary interest, in law, such an interest however small disqualifies the person from acting. Moreover, interests which can in law disqualify a person are not limited to direct pecuniary interest though the person concerned may be confident that his or her judgment may not be affected.

4.00 p.m.

If you look at the common law, it is broad. It says if you have any interest at all that could be perceived to affect your actions, then you should not participate. That is the common law, but we in this Parliament passed the statute, and that is the Integrity in Public Life, 2000. *[Interruption]* Well, then, why you brought up the common law at all? That is just a red herring?

Let us go now to the statute, the Integrity in Public Life Act, 2000. What does that say about the definition of conflict of interest? Because the definition of conflict of interest refers to persons exercising public functions and refers to persons in public life, for example, the Minister of Finance. Therefore, we have to take the statute law definition and replace the common law definition with the statute law in this particular case.

So let us now read the conflict of interest provision in the statute. I notice the Member for Tabaquite is listening. You see, I am going to explain certain things that the Member does not understand. *[Interruption]* Not you; I am going to explain certain things to her about this Act that she does not understand. Let us go to section 29(1) of the Integrity in Public Life Act:

“For the purposes of this Act, a conflict of interest is deemed to arise if a person in public life...

And it says, “for the purposes of this Act”:

“or any person exercising a public function were to make or participate in the making of a decision in the execution of his office and at the same time knows or ought reasonably to have known, that in the making of the decision, there is an opportunity either directly or indirectly to further his private interests or that of a member of his family or of any other person.”

So what the statute did—as my colleague from Tabaquite has reminded me that he brought to this Parliament—was it codified; it restricted and substituted itself for the common law.

So that section 29 of the Integrity in Public Life Act is now the operative framework for the definition of conflict of interest with respect to a person in public life and the common law no longer applies. When one looks at that, the operative word there is the “decision”; it is no longer a question of a broad definition that even what you are thinking; what you might be perceived to do, it is no longer that; it is your decision.

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So one has to examine, not the Minister's state of mind; not the potential future actions that she might do in another lifetime, one has to look at the decision that the Minister makes and one has to examine and see whether the decision created an opportunity, either directly or indirectly, to further his or her private interest. That is the law as it currently stands.

Now, to further develop this point, because clearly the Member for Siparia needs education, I went and I looked at the statutory interpretation because, you know, you have to be clear about what you are doing. So I looked at the various principles of statutory interpretation. How should one interpret what this says? How should one interpret the words in section 29(1) of the Integrity in Public Life Act? And as I am sure the Member for Tabaquite will know, although I am certain now that the Member for Siparia does not know, there are four ways of interpreting statutes. First, you have the literal rule; second, the golden rule; third, the mischief rule—[*Desk thumping*] and fourth, you have the purposive approach. Got it? So you have four rules with respect to statutory interpretation.

So when we go into statutory interpretation now—[*Interruption*]

Mr. Speaker: Order! Please, I am learning some law myself—[*Laughter*] [*Desk thumping*]*—*and I am sure Members opposite and the Government Bench would be equally interested in learning the law.

Mr. S. Panday: The law according to Colm Imbert!

Hon. C. Imbert: Mr. Speaker, it shows the level of ignorance on the other side. *Adler v George* is just one of many cases. You have *Gray v Pearson*; you had *Sigsworth*; many cases; that is just one. [*Desk thumping*] In fact, it is the most basic case in this matter. But let us move on to the mischief rule, because the mischief rule is relevant here and it is very apt to the Member for Siparia. [*Crosstalk*]

Mr. Speaker: Order!

Mrs. Persad-Bissessar: That applies to you—

Hon. C. Imbert: I know “all yuh” just jealous. [*Desk thumping*]

But the mischief rule requires the court to look at what the law was before the statute was passed. So if we want to see what the Member for Tabaquite was doing; what was his intention—

Mr. Maharaj SC: The Parliament.

Hon. C. Imbert: The Parliament. I am so sorry; I apologize. If one has to look and see what we were doing when we passed the Integrity in Public Life Act, we should apply the mischief rule. Let us go and look at what the law was before we passed the Integrity in Public Life Act, 2000. So I called for a copy of Act No. 8 of 1987 which is the Integrity in Public Life Act or an Act to provide for the establishment of the Integrity Commission, and I looked to see whether in this law—and I have read it a couple times while the Member was speaking; I looked to see whether there was any reference to any conflict of interest provisions in Act No. 8 of 1987. I could not find any.

Therefore it appears that prior to the Integrity in Public Life Act, No. 88, I believe, of 2000, the common law applied when it related to conflict of interest provisions with respect to public officials. That is my interpretation. Perhaps the Member for Tabaquite can assist in this regard. So if you look at the previous law, you do not see any express provisions relating to conflict of interest and, therefore, the common law would have applied. But using the very trite legal principle that statute law overrides common law, the law as it now stands can only be interpreted in the context of the Integrity in Public Life Act, 2000.

Therefore we must, of necessity, use the definition that is in section 29(1) of the Integrity in Public Life Act and we must look at the decision—because, you see, the other thing about the other side, you are really lacking in intelligence on that side, you know; really lacking in intelligence. You have to think as to why the framers of the Integrity in Public Life Act thought it was necessary to define a conflict of interest in the context of somebody acting in public life.

If you think about it very carefully, because of the small nature of the society in Trinidad and Tobago, because of our small population, because of the interconnected nature of the society, it is quite conceivable that at every Cabinet meeting that one Minister or another Minister would have a conflict of interest using the broad common law definition. Because if you apply the broad common law definition, it would mean that a Minister could not participate in any decision, because if you apply it, because of the way our society is interconnected, the Ministers would be connected to virtually everything in this society.

Therefore, it is obvious to me that in developing the definition in the Integrity in Public Life Act in 2000, the framers of that legislation sought to define not a broad definition, but the decisions made by persons in public life. It could only be so. So when a Cabinet Minister is sitting down to make a decision, it is the decision that results in a possible conflict of interest, not the mere fact that the Minister may have a potential conflict of interest; it is the decision that the

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Minister is about to make. Because if you widened it to mean every potential conflict of interest, then there are very few people within our population of 1.3 million who would qualify to be parliamentarians and Cabinet Ministers. You have to define it within a framework, which is the decision that is being made by the person in public life. It is obvious that is what was intended by the framers of the legislation.

So that is the law as it now stands in Trinidad and Tobago.

Mr. S. Panday: Tie the law to the facts now.

Hon. C. Imbert: But you know that is how the thing goes. You know you establish your legal principles first then you determine the facts. You establish the issues and then you arrive at a conclusion. Come on! We are only in part one. I have established the law as it applies to persons in public life. You know, I could see that you all understand what I am saying, you know, because if it were not so, then every Cabinet meeting that the UNC administration had, every single Member would have been disqualified on the basis of a potential conflict of interest. [*Desk thumping*]

It could only be the decision-making of the Cabinet and I will use an example of the Member for Couva North when he was Prime Minister and he participated in a decision to award a telecommunications licence. The matter went to court and the court ruled that the Member for Couva North should not participate in the granting of telecommunications licences period! Because it was determined there was a conflict of interest with respect to the decision-making of the Member for Couva North as it related to telecommunications licences.

Those are facts. You cannot hide from facts, you know. So that, clearly, when you determine whether a government Minister has acted improperly and when you determine whether a government Minister has breached a conflict of interest, you have to look at what the Minister did, rather than what you think the Minister might do.

So let us apply it now to the facts. What did the Minister do? The matters that came to Cabinet—these matters are in the public domain—were a memorandum of understanding between the Minister of Finance on behalf of the Government, the Central Bank and representatives of CL Financial; the approval and execution of a memorandum of understanding. That came to Cabinet. The Cabinet also agreed to put funds to support Colonial Life. Those are the decisions made by the Cabinet, all well publicized.

Let us look at the decisions now. The decision that the Minister participated in was the signing of the Memorandum of Understanding. How could the signing of the MOU further the private interest of the Minister of Finance or her family? Let us examine that. What is in that MOU that furthers the private interest of the Minister of Finance or her family, or Members of the Cabinet, for that matter? What is in there? What the MOU says is that CL Financial has agreed to dispose of its assets to make good the shortfall in the statutory fund of Colonial Life and British American. More or less, that is what is there—Minister of Finance?

Mrs. Nunez-Tesheira: That is it.

Hon. C. Imbert: That is the essence of the Memorandum of Understanding. And in return the Government will provide assistance to ensure that policyholders' funds are protected. So the decision that the Minister participated in was the decision of the Cabinet to provide assistance to these institutions with a view to protecting the deposits of the ordinary citizens of Trinidad and Tobago.

Mrs. Nunez-Tesheira: And to stabilize the economy.

Hon. C. Imbert: Yes, and also to stabilize the economy, of course. We had a systemic risk to the financial system and potential collapse of the economy.

So that the interests that that MOU furthered were the interests of the hundreds of thousands of ordinary people who had deposits in Colonial Life, British American, Clico Investment Bank and so on. Those were the interests that were furthered by the memorandum of understanding.

Another interest that was furthered was the stability of the economy. But did the Minister benefit? How could the Minister possibly benefit from the signing of the memorandum of understanding? The Minister—it is a fact—has shares in CL Financial. That is a fact. So let us examine what would happen to the shareholding that the Minister had in CL Financial by the signing of the memorandum of understanding. Would the value of the shareholding go up? Or would the value of the shareholding go down?

Dr. Gopeesingh: She might lose all.

Hon. C. Imbert: On the face of it, if CL Financial's assets have to be disposed of to guarantee the deposits of ordinary people in this country; the hundreds of thousands of depositors in Clico and in Clico Investment Bank, then surely the value of those assets would be less after they are disposed of to deal with this problem than before.

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The signing of that MOU could not possibly further the private interest of the Minister. It could not! If anything, it was not in the interest of the Minister to sign that MOU. By signing it, it was a potential situation where the value of the shares that she held would be reduced. The Minister could not have furthered her interest. The Member for Siparia does not understand the English meaning or words. "Further" means to improve. It does not mean to make worse. When you speak about furthering your interest it means making your interest better. It does not mean making it worse. The signing of the MOU could not possibly further the interest of the Minister of Finance or her family. That is the end of that.

The Member for Siparia could jump high or low but she cannot show and prove that the signing of that MOU furthered the private interest of the Minister. Quite the reverse! The contrary is true. Even a little child in primary school could figure out that if you have an asset and agree to diminish its value you would not be furthering your interest.

Let us look at the other allegations that the Member for Siparia has made. The Member has alleged that the Minister of Finance ran and pulled out her money from Clico Investment Bank and "leave everybody to ketch". [*Interruption*] I took note of the nonsense you were talking. Subsequent to that the Minister of Finance signed an MOU guaranteeing the deposits of "de little people". How can the Minister be guilty of running to take out her money and leaving the people of this country to "ketch"? The opposite is true. If the Minister intended to profit from the Memorandum of Understanding, she would have left her money in Clico Investment Bank because she would have known.

If the conspiracy theory of the Member for Siparia is true, then the Minister knew all the time what was going to happen. The Minister knew that the Cabinet of Trinidad and Tobago would have provided financial assistance. The Minister knew that the Governor of the Central Bank would have intervened and the Cabinet would have sat down and agreed to guarantee all the third party deposits in Colonial Life and Clico Investment Bank. Therefore, the Minister had no reason to take out money from Clico Investment Bank. Common sense! Even a child in primary school could figure this.

When the Member for Siparia makes these pejorative statements that the Minister took out her money and leave "de poor people to ketch" and "de" whole country knows that "de" Cabinet of Trinidad and Tobago has provided the necessary guarantees for each of those several hundred thousand deposits,

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including deposits of hon. Members opposite, their families and friends. All this foolishness about the Minister taking out money and leaving people to “ketch”. “Ketch” what?

When I go through what the Member said the Member quoted cases about conflict of interest with a judge. I am embarrassed. The conflict of interest cases with judges are specific to judges. You want to hear the cases? You have the famous Pinochet case with Lord Hoffman where he did not confirm that he was associated with Amnesty International. There is the *Porter v McGill* case. We know about that. We know about real or perceived bias. We know about these cases but they deal with judges.

There is *Lawal v Northern Spirit* about the possibility of unconscious bias. [Laughter] Do not forget *George Meerabux v The Attorney General of Belize* which relied upon *Lawal v Northern Spirit*. You are familiar with George Meerabux. You are impressed. There is the evolution of bias from real to perceived to potential to the most extreme case of the possibility of unconscious bias which has now been codified in *Lawal v Northern Spirit* and confirmed by *George Meerabux v. The Attorney General of Belize*. [Desk thumping] You do not have to lecture me on conflict of interest.

If you look in the law you would see that that applies to judges. It is a big difference between a judge who is a special case and other persons, Members for Siparia. Those cases have no relevance to the case of the Minister of Finance. What is relevant in her case is the other common law. [Interruption] All that is case law. I accept that. What is relevant in those cases is the other common law that does not deal with judges but other decision makers who may be in a possible situation of a conflict of interest. [Interruption] Lawyers?

You mean Chinese walls? You want to talk about conflict of interest when you have two lawyers in the same law firm and they are working for two opposite parties in a case? There are endless cases about the concept of Chinese walls. There is no Chinese wall in the case of the Minister of Finance. This is trite law, the concept of a Chinese wall. I am embarrassed by the Member for Siparia.

She quoted a well-known phrase, no man is to be a judge in his case. That is not common law. That is natural justice. How can you apply that rule of natural justice to the Minister? What case was she judging? What is the basis of your argument? [Interruption] No, no, Mr. Speaker. In the case of—the first rule of natural justice which is the right to a fair hearing—the second rule of natural justice—

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Mr. Speaker: Listen and learn, hon. Members. [*Desk thumping and loud laughter*]

Hon. C. Imbert: The Minister has to be accused firstly of something. The Minister has to be an accused person and then set herself in judgment of herself in order to apply the second rule of natural justice. That cannot possibly apply to this situation. Surely, Member for Princes Town North, you need to educate the Member for Siparia. I am embarrassed. First year law.

Let us look at the prevention of corruption. Where are your facts? The Prevention of Corruption Act speaks to persons using information that has come into their possession as a result of their office for their personal and private gain. That is what the Prevention of Corruption Act speaks about. As I said before, the Member for Siparia has not brought a shred of evidence into this Parliament to demonstrate that the Minister of Finance in her capacity of Minister of Finance was in receipt of privileged information that she used to her advantage. That is a scandalous allegation. It is not a fact. Evidence is evidence when it is proven and not because you say so. That is your self-serving testimony.

Coming back to the question of the Prevention of Corruption Act, I heard the Member's dissertation and she has sent information to the Director of Public Prosecutions. I guess that she made a prima facie case. She probably said I have been told that the Minister of Finance was in meetings with officials and persons—without calling the names because she has none.

[*Interruption*] Whatever you said. The Member for Siparia made a prima facie case. That is easy to make. In this particular case it is easy to make a prima facie case. The matter would be determined on the facts.

When you bring your facts, your proof which you do not have that the Minister had privileged information, you would do exactly what you did with that matter with rapid rail. When you are called upon by the court or the police or the Director of Public Prosecutions to produce your evidence, you would say nothing because you would have no proof and evidence. The purpose of this Motion is to smear the reputation of the Minister of Finance without any basis whatsoever. What has the Member for Siparia proven to us in Parliament today? She has not made a case for conflict of interest. The Member for Siparia has been an embarrassment when it comes to the law of conflict of interest.

With respect to the Prevention of Corruption Act she has produced no evidence. With respect to "her facts" about the joint ownership of the account of the Minister's mother, it has been proven that she is not speaking the truth. With respect to the ability of the Minister's sister to exercise control over that account,

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it has been proven that she is not speaking the truth. With respect to requiring the permission of the Central Bank to break the fixed deposit, it has been proven that she is ignorant of the law. What is the point of this Motion? This Motion is null, void and of no effect. When the Member was waving this code of ethics, when you look at it 1987 or 1988, if this code of ethics had been law and was applied, when the UNC government was in power, every one of you would have been in jail.

Look at this one over here. I know that Members opposite have breached this one. It is undesirable and unacceptable practice that a minister should request another minister to use his office to provide employment for anyone, whether or not the supporter of a political party. That is absurd! You are telling me that elected representatives cannot make representations on the part of their constituents for gainful employment? That is absurd! The Member for Oropouche East has breached this. How many times you breached this? You were a minister. Member for Oropouche East, how many times did you write a minister and request employment for someone?

I remember a famous case with the former Member for Barataria. It was in the public domain where they published the letters written by the former Member for Barataria with respect to seeking employment for his constituents. All the time when they were in power they would have written hundreds of letters dealing with employment for their constituents. This code of ethics that you are waving in our faces is unworkable, impractical and unrealistic. That is why it was never made law. If it were the law that Ministers or Members of Parliament cannot write other ministers and MPs and seek employment for their constituents, what is the point of a Member of Parliament? This was simply a wish list. This was in the heyday of the NAR when they were riding high and came up with this wish list of things that people should do or should not do.

I am saying without any fear of contradiction that every one of you has breached every one of these principles hundreds of times because they are impractical and unrealistic. This is a theoretical construct. This has no place in the real world. What is in the real world is the Integrity in Public Life Act, section 29(1), the Prevention of Corruption Act. That is real life! I am afraid the Member for Siparia will have to come better than that. Once again, you have been measured, weighed and found wanting! Once again, measured, weighed and found wanting. I have a lot more to say.

Mr. Speaker: I must say that I enjoyed this session very much. Hon. Members, the sitting of the House is suspended for tea. If you are going to adjourn, adjourn now. We have some matters on the Adjournment.

Adjournment

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ADJOURNMENT

The Minister of Works and Transport (Hon. Colm Imbert): I beg to move that the House do now adjourn to Friday, April 03, 2009 at 1.30 p.m. On that day, we will proceed with the Integrity in Public Life (Amdt) Bill.

Mr. Speaker: Sitting is suspended for tea. We will resume at 5.00 p.m.

4.32 p.m.: *Sitting suspended.*

5.00 p.m.: *Sitting resumed.*

Question put and agreed to.

House adjourned accordingly.

Adjourned at 5.01 p.m.

WRITTEN ANSWERS TO QUESTIONS

The following question was asked by Mr. Jack Warner (Chaguanas West):

**Trinidad and Tobago Sport Camps
(Details of)**

- 22.** With regard to the Trinidad and Tobago Sport Camps held between August 4—22, 2008, could the hon. Minister of Sport and Youth Affairs:
- (a) provide details of the procurement procedure for the equipment purchased with particular regard to sport equipment and water;
 - (b) state how many service providers submitted quotations in these areas; and
 - (c) provide a detailed breakdown of the items purchased according to unit price, quantity, extended price and service provider?

The following reply was circulated to Members of the House:

The Minister of Sport and Youth Affairs (Hon. Gary Hunt): With regard to part (a) of the question, the Sports Company of Trinidad and Tobago Limited (SPORTT) has advised that in June 2008 firms invited by way of expressions of interest in the daily newspaper to provide quotations for the supply of sporting equipment for the Trinidad and Tobago Youth Sport Camps held between August 04 – 22, 2008. The Tenders Committee of the SPORTT evaluated the submissions based on the following requirements:

- A valid Income Tax Certificate;
- A valid VAT Clearance Certificate;

- Certificate of Registration;
- Evidence of Financial Stability;
- Ability to supply equipment based on the request of the Sports Company of Trinidad and Tobago Limited (SPORTT);
- Ability to deliver equipment at Camp venues with a stipulated Timeframe;
- Ability to facilitate a 30-day credit line;

Recommendations were forwarded by the Tenders Committee to the Board of the Sports Company of Trinidad and Tobago Limited (SPORTT) based on the criteria and the Board made the final selection of firms.

The Sports Company of Trinidad and Tobago Limited (SPORTT) has advised that because of the short timeframe and urgency of the supply of water to the needy children, the Company utilized the approved supplier of the Ministry of Sport and Youth Affairs, Blue Waters, to supply water for the SPORTT Company.

With regard to part (b) of the question, eight (8) service providers submitted quotations in the areas of sport equipment.

With regard to part (c) of the question, the following is a detailed breakdown of the items purchased for the Trinidad and Tobago Youth Sport Camps, according to unit price, quantity, extended price and service provider.

Equipment Details – 2008 Youth Summer Camps

Supplier/Service Provider	Details of Goods/Services Supplied	Quantity	Unit Cost
T&T Golf Association	SNAG Package	1	13,588.00
	SNAG Package	3	13,588.00
	Tennis Balls	26 Packs	25.00
	Golf Balls (Practice)	800	7.00
	12" Cones	48	40.00
	Hoola Hoops	40	25.00
T&T Optimist Dinghy Association Budget Marine Trinidad Limited	Purchase of sails for sailing camps	40	632.00

Supplier/Service Provider	Details of Goods/Services Supplied	Quantity	Unit Cost
	AB Inflatable Fibreglas Dinghy 11' 10"	2	23,848.06
	Tohatsu 30HP Outboard Motor	2	12,340.53
	Road Trailers for Dingies	2	9,500.00
	AB Inflatable Fibreglas Dinghy 10' 6"	2	18,062.50
	Tohatsu 18HP Outboard Motor	2	9,378.14
	Sterns Lifejackets (Red)	80	150.95
	Standard Laser Sail Boats	4	35,412.00
	Opti Air Bags	80	195.05
	VHF Handheld Radios	10	794.97
	19" Buoy (Orange)	15	411.40
	3.5Lb Danforth Anchor	6	160.65
	160 pcs First Aid Kit	5	214.20
Platinum Wear	T Shirts - Printed front and back	8,500	40.00
	Polo shirts - Printed front and back	2,000	60.00
Frank Mouttet Ltd.	50 Person Kits (First Aid)	19	373.75
	30 Person Kits (First Aid)	30	224.25
A.A. Laquis Ltd.	71 pc Sport First Aid Kits	16	216.20
Ojar Wholesalers Ltd.	26" Fantastic Mountain Bikes	20	1,000.00
	20" Super BMX Bicycles	20	600.00

Supplier/Service Provider	Details of Goods/Services Supplied	Quantity	Unit Cost
The Management Action Group	Soccer Balls - Size 5	40	80.50
	Soccer Balls - Size 4	40	80.50
	Volleyballs - Rubber v2000	42	57.50
	Volleyballs - Syn. Leather Mv210	72	165.00
	Netballs	85	80.50
Trinidad Tent Rentals	Regular Toilets for 10 days	2	115.00
	Handwash Sinks for 10 days	2	201.25
	Transport		
Shiba Caesar	20x20 Tent for 10 days	2	250.00
Cocoyea Supermart Ltd.	30x30 Tent for 5 days	1	250.00
	20x20 Tent for 5 days	1	250.00
	15x15 Tent for 5 days	1	200.00
	Transport		
Sports & Games Ltd.	Cycling Helmets	20	85.00
	Football Royale Size 5	657	140.00
	Football Royale Size 4	553	120.00
	Football Disc	173	20.00
	Vega Netball	28	120.00
	Soft Touch Volleyball	12	99.00
	Cyclone Table Tennis Racket	8	35.00

Supplier/Service Provider	Details of Goods/Services Supplied	Quantity	Unit Cost
	Vortex Table Tennis Racket	14	45.00
	2 Star Table Tennis Balls	6	25.00
	Basketball	16	75.00
	Cricket Bat Size 4	1	155.00
	Cricket Bat Size 5	1	165.00
	Cricket Bat Size 6	1	175.00
	Cricket Bat Size 2	1	85.00
	Kickboard	110	39.00
	Netmaster Volleyball Net	3	125.00
	Windball Bat	145	99.00
	Poly Hard Cricket Ball	51	25.00
	Poly Soft Cricket Ball	39	25.00
	Kids Helmet	10	85.00
	Ball Pump	7	50.00
	Javelin (500Gram)	13	275.00
	Discus (1Kg)	34	195.00
	Shotput (3Kg)	2	225.00
	Baton (8Pk)	3	225.00
	Goal Net	2	550.00
	Equipment Bag	5	120.00
	Shin Guards	84	45.00
	Football Cones	1,609	20.00
	Whistles	152	20.00
	Cricket Bat	161	499.00

Supplier/Service Provider	Details of Goods/Services Supplied	Quantity	Unit Cost
	Batting Gloves	161	195.00
	Batting Pads	28	299.00
	Batting Pads (Youth)	28	175.00
	Wicket Keeping Pad	30	225.00
	Wicket Keeping Glove	30	325.00
	Chest Pad	28	115.00
	Basketballs (Size 7)	225	95.00
	Basketball Net (Size 6)	207	20.00
	Netballs	200	120.00
	Volleyballs	72	140.00
	Starting Blocks	32	499.00
	Thigh Pads	34	85.00
	Helmets	14	699.00
	Arm Guards	28	75.00
	Windball Packs	360	22.00
Zenith Services Limited	Amt due as payment for 30,000 printed flyers Re: camps registration.	30,000	0.46
Maraj Tent Rentals	20x20 Tents for 18 days	4	280.00
	Plastic Chairs for 18 days	85	2.00
	20 Ft. Sidewalls for 18 days	6	87.00
	20x20 Tent for 17 days	1	280.00
	Plastic Chairs for 17 days	110	2.00

Supplier/Service Provider	Details of Goods/Services Supplied	Quantity	Unit Cost
	Transport		
Knight Riders Cycle Club	Rental of Bikes for TT Youth Sports Camps	15	\$20 per bike per day (6 days)
Bike Masters	20" Bicycle Tube	10	20.00
	26" Bicycle Tube	2	20.00
	Bicycle Pump	1	25.00
	Cost of Tuning Wheel	1	20.00

The follow question was asked by Mr. Winston Peters (Ortoire/Mayaro):

**State Land Programme Mayaro/Rio Claro Region
(Details of)**

- 49.** With respect to the State Land Programme in the Mayaro/Rio Claro region, could the hon. Minister of Planning, Housing and the Environment state:
- (a) the names of all applicants and the date of their applications made from January 2007 to December 2008; and
 - (b) list all successful applicants, the location and size of the plots allotted to them?

The following reply was circulated to Members of the House:

The Minister of Planning, Housing and the Environment (Sen. The Hon. Dr. Emily Dick-Forde): The reply to Question No. 49 is as follows:

- (a) No State Land Programme is being undertaken by the Ministry of Planning, Housing and the Environment in the Mayaro/Rio Claro region;
- (b) Not applicable.