

HOUSE OF REPRESENTATIVES

Friday, December 11, 2020

The House met at 1.30 p.m.

PRAYERS

[MADAM SPEAKER *in the Chair*]

**LEAVE OF ABSENCE**

Madam Speaker: Hon. Members, I have received communication from the following, the hon. Penelope Beckles, Member of Parliament, Member for Arima; Mr. David Lee, MP, Member of Parliament for Pointe-a-Pierre; Mr. Dinesh Rambally, MP, Member of Parliament Chaguanas West; and who have requested leave of the absence from today's sitting. The leave which the Members seek is granted.

PAPERS LAID

1. Ministerial Response of the Ministry of Health to the Fifteenth Report of the Joint Select Committee on Social Services and Public Administration, on a Follow-Up Inquiry into an Examination of existing arrangements and possible options for regulating geriatric care facilities/old age homes in Trinidad and Tobago. [*The Minister of Planning and Development and Acting Minister of Housing and Urban Development (Hon. Camille Robinson-Regis)*]
2. Sessional Report of the Fifth Session (2019/2020), Eleventh Parliament of the Republic of Trinidad and Tobago. [*The Deputy Speaker (Mr. Esmond Forde)*]

JOINT SELECT COMMITTEE REPORTS**Fisheries Management (No. 2) Bill, 2020**

The Minister in the Ministry of Finance (Hon. Brian Manning): Madam Speaker, I have the honour to present the following report:

UNREVISED

First Interim Report of the Joint Select Committee appointed to consider and report on the Fisheries Management (No. 2) Bill, 2020.

Miscellaneous Provisions (Local Government Reform) Bill, 2020

Mr. Esmond Forde (*Tunapuna*): Thank you, Madam Speaker. Madam Speaker, I have the honour to present the following report:

Interim Report of the Joint Select Committee appointed to consider and report on the Miscellaneous Provisions (Local Government Reform) Bill, 2020.

URGENT QUESTIONS

**National Scholarship Winners
(Potential Debarment from Examinations)**

Mr. Rudranath Indarsingh (*Couva South*): Thank you, Madam Speaker. To the Minister of Education: Could the hon. Minister inform this House of the number of national scholarship winners currently enrolled in universities, who may be debarred from writing examinations as a result of the Government's failure to pay tuition fees?

The Minister of Education (Hon. Dr. Nyan Gadsby-Dolly): Thank you, Madam Speaker. As far as I know, there are no students at the University of Florida who are debarred from writing exams because of any situation with payment.

Madam Speaker: Supplemental.

Mr. Indarsingh: Madam Speaker, so, Minister, are you telling the House based on the article in the *Trinidad Guardian* yesterday that there are absolutely no nationals who are enrolled in universities in this predicament. Is it false article in the article in the *Guardian* newspaper?

Madam Speaker: No. No. What is the question? The question—beside it is one question you could ask. You are allowed one question at the time. So ask your question.

Urgent Questions (cont'd)

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Mr. Indarsingh: Thank you, Madam Speaker. Minister, are the reports in the public domain false [*Desk thumping*] in relation to this issue?

Madam Speaker: Minister.

Hon. Dr. N. Gadsby-Dolly: Thank you, Madam Speaker. The names of about six students were brought to me by the *Guardian* reporter. On investigation we dealt with the matter. There were some issues with payment with regard to the consulate. That was sorted out. And in the case of two students, there were issues with the actual transfer. That was also sorted out. So as I said, there are no students at this time to my knowledge who have been debarred from writing examinations at the University of South Florida. [*Desk thumping*]

Madam Speaker: Member for Couva South.

Mr. Indarsingh: Thank you, Minister. Based on your response, could you assure this House that this administrative glitch which you have referred to will no longer occur in the future as it relates to the payment of tuition fees for our students in universities?

Madam Speaker: Minister of Education.

Hon. Dr. N. Gadsby-Dolly: Thank you, Madam Speaker. I am not a fortune teller therefore I cannot tell you what will be in the future. [*Desk thumping*] However, I can tell you that at the Ministry of Education we are putting all measures in place to ensure that our students are adequately taken care of. And in some cases the administrative issue is not on the side of the Ministry, but it is on the side of the consulates as COVID-19 has presented a difficulty with respect to their operations. And so on our end, we are doing what we have to do to ensure that our students are taken care of. [*Desk thumping*]

**Grant of Protection Measures to Migrant Children
(Government's Response to)**

Mr. Rodney Charles (*Naparima*): To the hon. Minister of National Security: Could the Minister state the Government's response to the December 09, 2020, grant of protection measures to six migrant children in Trinidad and Tobago by the Inter American Commission on Human Rights?

Madam Speaker: Minister of National Security. The Attorney General. [*Desk thumping*]

The Attorney General and Minister of Legal Affairs (Hon. Faris Al-Rawi): Madam Speaker, I am pleased to answer this question. Permit me to put this on the record as a factual basis. The fact is that Trinidad and Tobago is not a member of the convention that the hon. Member refers to. The hon. Member ought to be well aware that Trinidad and Tobago denounced the American Convention on Human Rights on May 26, 1998, under Attorney General Ramesh Lawrence Maharaj. That convention was denounced on the basis on the Pratt and Morgan decision and the withdrawal was put into effect.

In the many years since then, Trinidad and Tobago has not re-joined that convention. The persuasiveness of the decision is something that the Government takes note of, but we are bound to comply with the supreme law of Trinidad and Tobago which is the Constitution. [*Desk thumping*] There is a separation of powers in the Constitution. There is the judicial decision in Trinidad and Tobago rendered by Mr. Justice Frank Seepersad. The Executive is not permitted to interfere with the affairs of the Judiciary in Trinidad and Tobago.

That decision has resulted in six minors being granted the permission to stay in Trinidad and Tobago. These are facts which are well known to the hon. Member including the fact that there is no binding authority on the decision that the

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Member has referred us to. We must be careful as a jurisdiction to understand our own Constitution and the structures of law that prevail in our society. And I would urge the hon. Member to keep himself within the laws of Trinidad and Tobago [*Desk thumping*] and our democratic principles.

Madam Speaker: Member for Naparima.

Mr. Charles: Hon. Attorney General, in view of the international embarrassment caused to our country, notwithstanding what you have said by this damning report, is it not time to update our refugee policy to one that is humane, recognizes the treaty—

Madam Speaker: Member.

Mr. Charles:—obligations—

Madam Speaker: Fifteen seconds, 15 seconds, your question.

Mr. Charles: Is it not time to update our refugee policy to make it consistent with international obligations? [*Desk thumping*]

Madam Speaker: Attorney General.

Hon. F. Al-Rawi: Madam President, there is no logical connection—Madam Speaker, forgive me, we were in the Senate until late. There is no logical connection to the submission that my learned friend has just put. [*Desk thumping*] We cannot as a democratic country ignore our own Constitution [*Desk thumping*] and our laws of Trinidad and Tobago. To take the hon. Member's submission is to throw out the Constitution of Trinidad and Tobago and to invite chaos on the mere say so of an hon. Member who seems intent on pleasing everyone except the people of Trinidad and Tobago. [*Desk thumping*]

Madam Speaker: Member for Naparima.

Mr. Charles:—the hon. Attorney General, not unmindful of the fact that we live in an international world, and international opinion impacts on our future and our

democracy.

Hon. F. Al-Rawi: Madam Speaker, I am most aware and surprised that the hon. Member is asking that question, when that hon. Member refuses in the international world of condemnation that we do not have a gaming law, that we do not have the global financing arrangements with the Global Forum, in the laws and treaties that we are obliged to do, when that hon. Member consistently opposes the laws that we are bound by convention that we are actually participants to uphold. [*Desk thumping*]

So, Madam Speaker, most respectfully to the hon. Member, it cannot just be make it up as you go along. That is not the way a democracy and certainly a Parliament works, and our international image is intact [*Desk thumping*] which is why we are respected and our Prime Minister is respected as he soon takes the chair in the Caricom circle. [*Desk thumping*]

WRITTEN ANSWER TO QUESTION

The Minister of Planning and Development (Hon. Camille Robinson-Regis): Thank you very kindly, Madam Speaker. Madam Speaker, there is one question for written answer and it has been prepared and will be circulated. I thank you.

JOINT SELECT COMMITTEES

Fisheries Management (No. 2) Bill, 2020 (Extension of Time)

The Minister of Planning and Development and Acting Minister of Housing and Urban Development (Hon. Camille Robinson-Regis): Thank you. Madam Speaker, having the First Interim Report of the Joint Select Committees appointed to consider and report on the Fisheries Management (No. 2) Bill, 2020, I beg to move that the committee be allowed an extension of seven months in order to complete its work and submit a final report by July 31, 2021.

Joint Select Committees (cont'd)

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Question put and agreed to.

Miscellaneous Provisions (Local Government Reform) Bill, 2020

The Minister of Planning and Development and Acting Minister of Housing and Urban Development (Hon. Camille Robinson-Regis): Thank you, Madam Speaker. Madam Speaker, having regard to the Interim Report of the Joint Select Committees appointed to consider and report on the Miscellaneous Provisions (Local Government Reform) Bill, 2020, I beg to move that the committee be allowed an extension of three months in order to complete its work and submit a final report by March 31, 2021. Thank you, Madam Speaker,

Question put and agreed to.

**PUBLIC PROCUREMENT AND
DISPOSAL OF PUBLIC PROPERTY (AMDT.) BILL, 2020**

Senate Amendments

Madam Speaker: Attorney General. Minister of Finance. [*Desk thumping*]

The Minister of Finance (Hon. Colm Imbert): Thank you very much. Madam Speaker, I beg to move to the following Motion standing in my name:

Be it resolved that the Senate amendments to the Public Procurement and Disposal of Public Property (Amendment) Bill, 2020 listed in Appendix II be now considered.

Question proposed.

Question put and agreed to.

Clause 4.

In the proposed definition of ‘bid rigging’ insert after the word “behaviour” the words “which is”.

Madam Speaker: Minister of Finance.

Mr. Imbert: Thank you very much, Madam Speaker. The first amendment to

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clause 4, we have changed the definition of “big rigging” to tighten it up to make it very clear that the anti-competitive behaviour referred to in the definition is intended to influence the outcome of a competitive tendering process by simply adding the words “which is”. It is simply tightening up the language.

The whole point of this is to make it crystal clear that in the new definition of “bid rigging”, which is quite different from the old definition which was simply tampering with a procurement process and that would lead us into many different places where there may be arguments as to what is meant by tampering, what is the effect of tampering, whether tampering is an offence and so on. What we have done is to codify the whole question of bid rigging very carefully taking learning from the European Union which is one of the more advanced—

Mr. Hinds: Jurisdiction.

Mr. Imbert:—jurisdictions—thank you very much—with respect to the whole question of the regulation of procurement. They have a long history and a vast number of regulations which are constantly updated and are the subject of interpretation and determination by the European Court of Justice. And coming out of that jurisdiction, that collection of states, that union of states, we had fashioned our definition of:

“‘bid-rigging’ means collusive price-fixing and anti-competitive behavior designed to unfairly influence...a competitive tender process in favour of one or more bidders;”

And in the other place it was felt that we needed to add these words “which is” to tie anti-competitive behaviour to improperly influencing the outcome of the process. I thank you, Madam Speaker. I beg to move. [*Desk thumping*]

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Question proposed.

Madam Speaker: Member for Oropouche East. [*Desk thumping*]

Dr. Moonilal: Madam Speaker, thank you. Madam Speaker, just for my benefit and others, how much time am I allotted to respond?

Madam Speaker: Thirty minutes.

Dr. Moonilal: Thank you very much, Madam Speaker. Madam Speaker, we are this afternoon reflecting and deciding on amendments brought to the Public Procurement and Disposal of Public Property (Amdt,) Bill 2020. It is public knowledge now that this Bill had somewhat difficult passage in the other place and scraped its way through to be here today. The first clause, and I want to reflect quickly on the clause because I think we are dealing with it one by one here.

Madam Speaker: Only clause 4.

Dr. Moonilal: Only clause 4. Yes.

Madam Speaker: We are dealing with.

Dr. Moonilal: Madam Speaker, clause 4 deals bid-rigging and to put things in context, I think I will just quickly quote from the definitions that we are dealing with here. The purpose of this amendment today before us I believe is to insert the words “which is”.

Now the original definition in the parent Act stated and I quote:

“ ‘bid-rigging’ means collusion between persons for the purpose of manipulating the proceedings;”

The amendment Bill that came before us and then left to the other place, the definition substituted was and I quote:

“ ‘bid-rigging’ means collusive price-fixing and anti-competitive behaviour

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designed to unfairly influence the outcome of a competitive tender process in favour of one or more bidders;”

Today, the Minister is proposing to insert two words which came out of the deliberations a few days ago I believe, “which is”. So it would read like this.

“ ‘bid-rigging’ means collusive price-fixing and anti-competitive behaviour which is designed to unfairly influence the outcome of a competitive tender process in favour of one or more bidders;”

Now, I am not 100 per cent sure but the Minister will respond, of course. The first issue is rather the issue, small but still significant to raise, of grammar, whether collusive price-fixing and anti-competitive behaviour “which is” rather “which are”.

Now secondly, do these two words in any significant way advance the definition? Assuming that “which is” is grammatically correct, does it advance the definition that we were dealing with from the amendment Bill?

Third, amendment removes manipulation from the original definition and replaces it with the broader concepts of anti-competitive behaviour and unfairness. While it might be—

Madam Speaker: Member, I am not allowing you to go back to the parent Act. That opportunity would have been forfeited on the last time that this was here.

Dr. Moonilal: Sure.

Madam Speaker: Okay. Please.

Dr. Moonilal: Yeah. So the term to insert, and let me get this right. Right. To insert “which is”, which is the amendment, is simply to really classify both. And I am just wondering what, you know, would be the motivation of that in the

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circumstances that would add anything of great value, anything of significant value to the definition of this term. Thank you very much.

Madam Speaker: Minister of Finance.

Mr. Imbert: Thank you very much, Madam Speaker. Just in very brief response to a point made by the hon. Member in his initial commentary. The Government did not scrape through [*Desk thumping*] with respect to this matter. And I would ask the media to educate the public with respect to the reality.

In the other place the Government has 15 Members. There are six Opposition Members, nine Independents. And in order for a Bill to pass in the place all that is required is either a single abstention or an absence of one person. The Bill passed with the majority of 16 votes for, six against, all of which were from the Opposition, and not a single Independent Senator voted against the Bill. [*Desk thumping*] So the margin of victory was 10 votes, [*Desk thumping*] 16 for, six against. And I really call upon media to present the true facts and stop misleading people. I saw all sorts of commentary about “rake and scrape” and “one Member”. It is a margin of 10. That is how the other place works. [*Desk thumping*]

And with respect to these two words, and I was asked to ask the Member whether he should declare an interest in this matter. But with respect to these two words, it was an Opposition Senator who proposed them. So I am shocked that an Opposition MP is questioning the legitimacy or the usefulness of words proposed on the floor in open forum on live television by Opposition UNC. Senator—Lutchmedial, is that the lady’s name? Your UNC member suggested these words, and you come here and carrying on and wondering what is the point and what is wrong with it. I mean, shame on you.

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I beg to move, Madam Speaker. [*Desk thumping*]

Question put.

Hon. Member: Division.

Madam Speaker: Clerk, a division is called for.

So, Members, you would recall that there is a certain procedure when there is a division. So we will await three minutes while the call is made for other Members to come into the Chamber. And again, we are reminded that even if a Member's turn is passed, once he or she is in the Chamber before the vote is announced, that Member will be allowed to vote.

Madam Speaker: Hon. Members, the vote shall now commence.

The House divided: Ayes 19 Noes 11

AYES

Robinson-Regis, Hon. C.

Rowley, Hon. Dr. K.

Al Rawi, Hon. F.

Imbert, Hon. C.

Young, Hon. S.

Manning, Hon. B.

Hinds, Hon. F.

Deyalsingh, Hon. T.

Forde, E.

Webster-Roy, Hon. A.

Cudjoe, Hon. S.

Gadsby-Dolly, Hon. Dr. N.

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Gonzales, Hon. M.

Mc Clashie, Hon. S.

Cummings, Hon. F.

Leonce, Hon. A.

Morris Julian, Hon. L.

Munroe, R.

de Nobriga, Hon. S.

NOES

Indarsingh, R.

Ameen, Ms. K.

Charles, R.

Moonilal, Dr. R.

Paray, R.

Seecharan, Dr. R.

Bodoe, Dr. L.

Hosein, S.

Ragbir, Dr. R.

Ram, A.

Tancoo, D.

Question agreed to.

2.00 p.m.

Clause 5.

A. In paragraph (c) as renumbered—

- (a) insert before proposed subsection (5) the following new subsection and renumber proposed subsections (5) and (6) as (6) and (7):

“(5) Subsection (3) shall not apply to reports regarding matters of national security.”;

- (b) in proposed renumbered subsection (6) –

- (i) delete paragraph (b) and replace with the following new paragraph:

“(b) debt financing services for the national budget;”;

- (ii) in paragraph (d) insert after the word “medical” the words “emergency or other scheduled medical services”; and

- (c) in proposed renumbered subsection (7), delete the word “negative” and replace with the word “affirmative”.

B. Insert the following new subsections:

(8) The Minister shall submit to the Office annual guidelines which outline the circumstances under which exempted services in subsection (5) may be procured.

(9) The Office shall forward a copy of the guidelines to the Speaker of the House of Representatives who shall cause the guidelines to be laid in Parliament at the earliest opportunity.

Madam Speaker: Minister of Finance.

Mr. Imbert: Thank you very much, Madam Speaker. I beg to move that this House agree with the Senate in the amendments to clause 5 of the Public

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Procurement and Disposal of Public Property (Amdt.) Bill, 2020.

Now, there was quite a lot of discussion in the other place with respect to this particular clause, and in fact this is the clause that attracted so much attention in the media, and attracted a campaign in Opposition. However, this amendment, the amendment to (5)(c) to exempt reports on procurement related to national security, this amendment revealed, I dare say for the first time to many people, a lot of the mischief and propaganda that was out there in the public domain. And let me explain exactly how this is to operate

Section 7 of the parent Act, the Public Procurement and Disposal of Public Property (Amdt.) Bill, 2020, section 7 has three—four subsections. And subsections (3) and (4) indicate that the procuring entity, whichever that procuring entity is or whatever it is, whether it is a Ministry, a Department, a state enterprise or a statutory authority, the procuring entity is required to provide to the Office of Procurement Regulation a report on all procurement that flow from the clauses preceding, which are the clauses dealing with the exemptions with respect to government to government agreements and financing arrangements with international bodies, and agreements with international bodies for technical assistance, and so on.

And what subsection (3) of section 7, which is what we are amending here—we are amending subsection (3). What subsection (3) of section 7 requires, it requires the procuring entity to send a compliance report to the Office of Procurement Regulation. And that compliance report must confirm whether the procurement of whatever it is, whether it is a government to government agreement for fast ferries, or a government to government agreement for a hospital such as the

Couva hospital, or an agreement of the naval vessel that the Member for Siparia saw, when the hon. Member went to China and procured one, with God knows what procurement process. Whether it is that or another government to government arrangement, the section 7(3) which we are amending, requires the entity who procures the goods or services to report to the Procurement Regulator on things like value for money, evaluation criteria, qualifications of bidders; the entire process; the integrity of the procurement process. And the regulator is then required to deliver to the Speaker, your good self, Madam Speaker, within 21 days, that compliance report on the procurement, which the Speaker is then required to lay in the Parliament at the earliest opportunity.

We have decided to exempt matters of procurement relating to national security, for obvious reason. If you want to procure specialized equipment for reasons of national security, you would not want to broadcast that to the world. So we have decided to exempt that compliance report with respect to matters of national security from the requirement to be transmitted to the regulator for him to transmit to the Speaker to be laid in Parliament. But the whole point is that the only exemption from a compliance report will be this one, matters of national security. Every other matter of procurement by way of government to government agreement or by way of an agreement for cooperation with another public body in another territory will be sent to the Parliament with a comprehensive report on it for public scrutiny.

And I wanted to make that point. Because a lot of mischief outside there, that what the Government was doing was hiding from the public the facts and the nature of government to government procurement. That is an absolute untruth.

Because of section 7(3), the compliance report must go to the regulator, must go to the Speaker, who must lay it in Parliament for the world to see. So the only exemption from that kind of compliance reporting would be national security. And that is the purpose of this amendment. With respect to the services that we seek to exempt, we made some modifications to tighten up the definition of exactly what we are seeking to do. So rather than simply saying financial services, which is what was there in the original amendment Bill, we have deleted the words “financial services” and replaced them with “debt financing services” for the national budget. So, we make it crystal clear that the exempt service is debt financing service for financing the budget deficit and so on.

With respect to medical, again, to tighten it up, to deal with the matters that we had discussed, we have added after the word “medical” in terms of medical services, “emergency or other scheduled medical services”. And that would treat with the examples we had given with respect to the need to have very quick and swift procurement in times of a medical emergency, or somebody needs to have a schedule surgery and so on. And also to give the Parliament the power to approve or disapprove of any new services that might not be on the list, because the list is now debt financing services, emergency medical services, and a few others. In order to give the Parliament to power to approve or not approve any new services that the Minister might want to add by Order, we changed the word “negative” to “affirmative”. So therefore, these things must be debated and must be approved by both Houses of Parliament. And just in passing, Madam Speaker, I might say that we found it necessary to do these amendments, because this is what is done in other countries in the Caribbean. It is nothing new.

With respect to big B now, we were requested by Members in the other place to provide further transparency. So, we have agreed to this amendment here and we are proposing it for the consideration of this honourable House, that the procurement of debt financing services and medical emergency services and so on, would not be on a carte blanche basis, would not be on an open-ended basis. And the Minister of Finance is now required to submit to the Office of Procurement Regulation annual guidelines which would circumscribe and outline the circumstances under which these exempted services may be procured. So it is not an open system. The Minister of Finance will indicate the guidelines and define in more details what exactly would be medical emergency services and debt financing services, and so on. And that when those are forwarded to the Office of the Procurement Regulation on an annual basis every year we would send the deadlines. The office would then—the regulator—would forward the guidelines to the Speaker who would cause the guidelines to be laid in Parliament at the earliest opportunity.

So that, Madam Speaker, we believe that these amendments will significantly improve the amendment Bill that was before this House, went to the other place and has come back, and that we believe also that the addition of the large B will add further transparency to the conduct of the Government and various government agencies in procurement. And I want to repeat, that the large A, in that large A, the report being referred to is a compliance report, which must be sent to the Procurement Regulator and also laid in the Parliament at the earliest opportunity, for everyone to see, discuss, debate, critique as the case maybe, procurement as it relates to government to government arrangements. I beg to

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move, Madam Speaker.

Question proposed.

Dr. Moonilal: Thank you very much, Madam Speaker. Madam Speaker, before us the amendments listed in the report that came from the other place pursuant to the Public Procurement and Disposal of Public Property (Amdt.) Bill which was passed by one vote that the Government obtained, while others abstained—by that one singular vote. Madam Speaker, this matter is probably the most frightening indictment on this Government in handling the procurement legislation. [*Desk thumping*]

It is frightening, it is disturbing, it is strange. Since 1962 we have had policies and programmes in place that monitor the procurement of goods and services for national security, for police, for army, for coast guard. There are also well-established processes and policies, for example, at the level of the National Security Council, where if you procure equipment of a sensitive nature for national security, you can do that outside of the normal parameters and outside of the normal accountability channels. Because, as the Minister said, you do not want everybody to know that you are procuring, let us say intelligence materials and so on, then you will alert criminal elements and dark forces around, that they know the Government has in its possession certain technologies, for example.

Now, the other matter related to this national security is every single year Government boasts about the budget for national security; how much billions are spent, essentially how much billions are spent. And these billions are now outside of the procurement legislation. That is the effect of this, coming one day before anti-corruption day commemorated in the world. [*Desk thumping*] They have

removed the Ministry with the largest budget in the Government of Trinidad and Tobago from procurement. So when they are finished the Procurement Regulator in charge of two box drain and a Prado vehicle. They have gutted this and taken it out. [*Desk thumping*] Now, I just want to like the Minister to follow the line that we are using here. In the parent law he explained it well enough that we were dealing with a procuring entity engaged in procurement proceedings related to a treaty or agreement and so on referred to in subsection (a). And we were dealing, of course, with all Departments of government Ministries, et cetera, et cetera.

And, the Government chose to put in this amendment now, national security exempted. But national security purchases a wide range of equipment. National security under that Ministry they would purchase uniform, they would purchase boots, they would purchase ships. Now we heard of—they like a lot to talk about the former Prime Minister in Holland or somewhere, or in China. But this is a case where Prime Minister meets Prime Minister in London and decide, come Down Under and look for boat, and if you like it take it. [*Desk thumping*] This is now exempted. Madam Speaker, this is so dangerous, this is so dangerous, because it takes national security out completely, and billions of dollars from public scrutiny, accountability and responsibility.

And saying as the Minister did, now you can have a report to Parliament. I will come to that in a few moments, but I just want to continue with this national security business. Because, when you look to 29, section 29 in the parent Act, it spells out in detail a due diligence process. When you exempt the purchase of goods and services worth billions and billions of dollars from a due diligence process outlined in some detail in the parent Act, you have destroyed the integrity

of the procurement legislation. [*Desk thumping*] You have destroyed that. So, when you look at it, it speaks, Madam Speaker, to the procuring entity, disqualifying suppliers or contractors, who, without reasonable cause fail to demonstrate qualifications and so on. No one will ever know who is supplying what to national security, who is supplying what to police, who is supplying what to the air guard, who is supplying what to the coast guard, who is supplying what to the regiment. Because everything is national security. Now, I am not suggesting anything to help this Government. My days for doing that are over. But they could have considered a schedule where you place for exemptions, if you want—but I am not suggesting, eh—you put intelligence equipment, maybe, I do not know, listening equipment, technologies that are critical in the fight against crime. You could have done that.

But a boat for the coast guard that comes from Australia, hundreds of millions of dollars are now exempt from due diligence. Because that is by virtue of a not treaty, but government to government arrangement. Boats, helicopters, and that is where the real accountability is required. Not necessarily in how much masks you procure. You are dealing with billions of dollars in national security, and you have taken the billions of dollars and slashed the words “due diligence” from national security. And national security encompasses an enormous amount.

Madam Speaker, on the other matter now. They have changed, because, of course, the Government got enormous amount of blows when they came with that section that spoke in the amendment Bill [*Desk thumping*] of legal service, financial service. And on this matter of legal service, I heard the Government say something in the other place, it was reported in newspapers, legal services. They introduced this, because if you do not introduce this, lawyers by the name of

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Ramdeen and Ramlogan could come in with the lowest bid and get. So what? Those persons are citizens of Trinidad and Tobago. [*Desk thumping*] They have not been pronounced guilty by any court. They are entitled to every right under the Constitution as well as the right to equality of opportunity. Government speaks in that language, and that is very disturbing. And the very Government now wants to take national security billions and pull it away from procurement oversight.

Madam Speaker, they came—financing services for the national budget. Now, when I read this, the first thing that I asked, Madam Speaker, is what really is this matter about? What is this about? Financing. Financial services, but changed to debt financing services for the national budget. Madam Speaker, the national budget has been running a deficit here for several years, so everything is debt servicing. Everything is trying to pay back. Deals that you make to finance in every sector, whether it is housing, whether it is works and transport, whether it is in any Ministry, essentially it is dealing with debt and debt financing.

And, Madam Speaker, that is where we have a lucrative part of the white collar crime operating in Trinidad and Tobago and the Caribbean with this thing of providing loans for debt financing and so on and other sophisticated banking instruments that can be abused, undermined and exploited for white collar crime. And they come today and they changed that as some cosmetic change, so that the persons who were vex with financial services, now see debt financial services for the national budget. The national budget is everything. It is every single thing, state enterprises, statutory authorities. Everything is national budget. So if CEPEP is owed money—If, for example, let us use a real example, if TSTT owe T&TEC money, they owe them hundreds of millions of dollars, and they say, well, we are

interested in debt financing services to support our current balance sheet and support our work, that is essentially debt servicing.

And that is what, Madam Speaker, that they are making this sleight of hand to feel—the population will feel that something changed from financial services to debt financing services, while the entire budget is in deficit, so everything can be classified one way or another as debt financing services. Madam Speaker, they speak of—the next one. I want to go in order of it is here. Medical services, which they got a lot of blows for, medical services now turn to emergency and other scheduled medical services. But tell us what other medical services it have except emergency and scheduled? Ongoing. But that is a minute. The real meat of this that you are seeking to change is really in emergency services, that you want to exempt again. That you want to place here for exemption. You want to exempt in these circumstances. That makes no material difference at all. This is to hoodwink the population of Trinidad and Tobago. [*Desk thumping*] And, of course, throw in negative to positive as if that mean something in the context of trying to hoodwink.

Madam Speaker, at big B we have this matter now of:

“The Minister...submit to the Office annual guidelines which outline the circumstances under which exempted services in subsection (5) may be procured.”—now.

This is a country where it took six years plus to see regulations for the procurement law; Six years plus. [*Desk thumping*] Could I ask the Minister, if the Minister fail to provide annual guidelines, what do we do? March him to Woodford Square and hang him? What do we do? Take away his salary? We all know who have been in public life and in Parliament for years. When reports come here, a

report would arrive in 2020 and it deals with a company in 2010, 2011, and then we ritually say, “I beg to move that this be referred to the Public Accounts Committee”. And, of course, it will stay a few years there, and by 2030 you will know what happened in 2010. That is the reality.

So today, the Minister beats his chest, he “shall submit to the Office annual guidelines which outline circumstances” in which—so, he is telling the population, that mischievous population who is prone to propaganda, everyone who objects to this is a troublemaker according to the Government. Everybody. So, he is telling the troublemakers, look, I will come to Parliament with guidelines. But in six years they could not, and five years they could not come with regulations, when will he come with guidelines? [*Desk thumping*] So, this is a no, no. There will be no annual guidelines, and no guidelines will arrive in Parliament. And there is nothing the Parliament can do to sanction the Minister. So that, Madam Speaker, is a no, no again. But you see, they were trying to appear at the 99th hour when they were in quick sand, they were trying to appear—

Mrs. Robinson-Regis: Madam Speaker, Standing Order 48(1) please.

Dr. Moonilal: Oh, sorry.

Madam Speaker: Member for Oropouche East, if you could narrow your focus and come back to the actual amendment that we are dealing with.

Dr. Moonilal: Sure. Madam Speaker, the actual amendment before us here, the actual one, has to do with, as he said, big B, (8), “the Minister shall submit to the Office”, et cetera. And I am saying that there is no clause here, or subclause, or subsection that speaks to how can the Minister be sanctioned. [*Desk thumping*] Which means this is irrelevant, it will be abused. That is the point, really. And I

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hope I made that point pellucidly clear for the Member for Arouca/Maloney.

Madam Speaker:

“The Office shall forward a copy of the guidelines to the Speaker of the House of Representatives who shall cause the guidelines to be laid in Parliament at the earliest opportunity.”

I want to speak on that. Now, what is the earliest opportunity? Is it the opportunity one year, two years, five years, 10 years? Do you not put the earliest opportunity within three months? Within 90 days? Within a certain time? So, the office has to get a report from the Minister, which they shall never get, and that office should forward to the Speaker of the House, which they cannot do, because they do not have, who shall cause to be laid in the House, which she or he cannot do, because they do not have. So that the Minister coming here with this B is a complete waste of time. It is complete waste of productive time by the Parliament to even consider this. You should have been indicating when the regulations are coming. Madam Speaker, so on these matters of financial services, it makes absolutely no difference whatsoever. It makes no difference.

On this matter of emergency and other scheduled medical services, tell us what are the scheduled medical services. What are they? Are they annual check-ups of some kind? What are they? But explain in layman terms what this means, otherwise we do not have a clue. And, Madam Speaker, to just reinforce the point I made earlier, but not repeat what I said earlier, because I just had fresh data handed to me. Madam Speaker, I was reflecting earlier on national security, and just to put on record that when you exempt a due comprehensive, due diligence test and reports on national security linked to agreements or government to government

arrangements, this can include items such as 104.6 million for coast guard upgrades, purchase of equipment including new Cape Class Navel Inceptors; 114 million refurbishment of police stations—if that is done government to government—244 million for the police headquarters; 10 million for marine division; 20 million for fire stations. Because in a lot of cases with national security I can tell you, a lot of the arrangements being done in national security can involve government to government loans, where you seek concessional loans, you can seek low-interest loans from a government, for example, China, Australia, the United Kingdom, and so on, and that is now exempt from due diligence, completely exempt.

We had a case, Madam Speaker, and I give an example now of what I am talking about. When we were in office, the very Member who is standing up today, with his metaphorical gloves on, and butchering the procurement legislation today, this very Member raised a matter of a Canadian company that was involved with the Government, talking to the Government to build a hospital in south Trinidad.

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When this Member raised the matter, I recall, we looked at it, we looked at the company and the record and the issues and we immediately put through, the Embassy in Port of Spain put a stop to any negotiations with that company. [*Desk thumping*] Today, Madam Speaker, they can go quietly, they can go under the cover of darkness and negotiate with any company once it is government to government. So companies that are blacklisted they can work with that. And, Madam Speaker, I just want to reflect, it was under this Government that we had this bizarre contract involving a Chinese company for half a billion dollars for

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housing. Again, a government to government arrangement. [*Desk thumping*] So that is now exempt. So where as it took us six months or a year to discover what was happening there it will take this country 10 years to discover what is happening in the future.

Madam Speaker, in national security, acquisition of vehicles can be government to government, 25 million, 20 million for essential equipment. So, Madam Speaker, the other major matter here is CCTV cameras. Because they know that I know. Once that becomes trapped in government to government arrangement for a company then all due diligence and report to the Office of Procurement Regulation goes down the drain, goes down the drain.

So the Minister and the Government if they were really concerned about national security, concerned about sensitive materials and goods and services, technology for intelligence gathering they could have drafted up a small little schedule, qualify those items and say, look we would like to exempt reports from that. But you cannot do it *carte blanche* like this. You cannot do it with one fell swoop and every single thing goes, including billions of dollars in expenditure for procurement of goods in particular. So that the billions of dollars are exempted from scrutiny when they do something like this. And I just want to quote from the President, I believe of the Prison Officers Association who, reflecting on this matter, said, because even in the prisons they are concerned with “bobol”, the prison officers and they, Mr. Ceron Richards. He said:

“The Prison Service and the Prison Officers’ Association are collectively calling for the passing of procurement legislation, to have transparency in the awarding of contracts.”

And what transparency? What transparency is this when you exempt them from section 29 of the parent Act? Because at some time we have to upgrade of course the equipment, vehicles and so on, for the prison service. So they are concerned with that.

And when you do these things, Madam Speaker, how will you improve with reports on bribery and corruption and so on? How will you do it? The Government is always talking a lot about dealing with white collar crime, bribery corruption. Madam Speaker, there is a Westminster saying, the less you want to do about something, the more you must talk about it. So the less you want to do about something the more you must talk about it. And this Government has been talking a lot and a lot and a lot about dealing with white collar crime. [*Desk thumping*] And, Madam Speaker, I have no interest to declare here. If my colleagues opposite behind that glass booth has an interest to declare he should so do. Whether it is with banking loans under financial services, was that financial services for debt financing I do not know. But the Minister can declare himself.

So, Madam Speaker, with those few words I am looking at my notes since this came as well quite recently on these matters. So, Madam Speaker, in those circumstances might I say that the position of the Opposition on this matter is the position of the Opposition on the amendment Bill which is absolutely no support for the Government, absolutely no support on the amendments, absolutely no support on the amendment [*Desk thumping*] to the amendments because we see this, Madam Speaker, as a closed season for open government. Madam Speaker, I thank you. [*Desk thumping*] San Juan, “yuh”—“oh” sorry, I thought I saw San Juan. He was blocking me, Madam Speaker.

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Madam Speaker: Member, I do not appreciate that.

Dr. Moonilal: I am very sorry but he was blocking me.

Madam Speaker: I do not appreciate that.

Dr. Moonilal: Thank you very much.

Madam Speaker: Very much so. Attorney General. [*Desk thumping*]

Mr. Al-Rawi: Madam President—Madam Speaker, forgive me, I spent a few hours in the Senate yesterday. Thank you, Madam Speaker. Madam Speaker, the Member for Oropouche East just said that the more you want something done is the more you should talk—the less you want something done is the more you should talk about it. And the hon. Member spent his entire 30 minutes speaking at length on matters that, if you listen to his logic and you apply it you would then be convinced that the Opposition has no intention to have any form of procurement. [*Desk thumping*]

And, Madam Speaker, let me say why in answer to this Motion and the specific clauses that we seek to amend. In looking at clause 5 the hon. Member has made some very bold assertions. The hon. Member had said that there has been no support for the amendments to clause 5. I would like to put on the record here that a division was called in the Senate on clause 5, called by one Sen. Wade Mark. And on that division there were only six dissenting voices and on that division for the amendments to clause 5, largely moved by Sen. Paul Richards, every single Independent Senator voted yes to the amendments. And the amendments that my learned colleague seeks to criticize so warmly today are amendments brought to the floor in a proper Senate debate.

Madam Speaker, we sat in this House, debated the public procurement

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legislation, and in typical Opposition fashion not a single amendment was proposed by the Opposition. It is the same way that hon. Members treat the facts in this debate. The hon. Member just said that this is a waste of time, that the Government engaged in a waste of time, no regulations and no guidelines. Madam Speaker, the law says that the regulations are to be produced by the Public Procurement Regulator and only the regulator fashions the guidelines, the handbooks and the regulations after consultation.

The hon. Member, seasoned Member of Parliament, said that it took this Government six years to do that. No, Madam Speaker. January 12, 2018, is when the President of the Republic, His Excellency, Anthony Thomas Carmona, appointed the Public Procurement Regulator. The Public Procurement Regulator provided the draft regulations in late October, early November 2020. We are now on the 11th of December, barely a month away from those regulations coming to the fore. And, Madam Speaker, I am compelled to correct the law.

The hon. Member says that there is no form of supervision. He called out the infamous Chinese contract to HDC. He then called out procurement of vessels. Madam Speaker, vessels coming from the NIDCO procurement or the port procurement, et cetera, let us see what the actual amendment speaks to. This amendment speaks to the application of section 7 of the Act. Section 7 of the Act says that you shall have public procurement where there is an application to all public bodies, et cetera. Section 7(3) specifically says that, where you have an exception to the application of public procurement law:

A treaty or other form of agreement to which Trinidad and Tobago is a state,
an agreement entered to by a government with an international financing

institution or an agreement for technical or other corporation.
—that you must take anything that falls from that exception , you have to take the entire structure, go to the public Procurement Regulator under section 29, that public Procurement Regulator has a long checklist of matters to go through, do you have the capacity to engage in the procurement. Is it on all fours with propriety? There is a full inspection and that report must go to the Parliament after having been produced by the public Procurement Regulator.

The hon. Member says there is no time frame for consideration, yet the hon. Member knows that attorneys-at-law for the UNC have already gone to court in the case of Devant Maharaj versus the Ministry of National Security for the SSA's reports not produced in the period 2010, '11, '12, '13, '14. A UNC Minister then became an Opposition Member, is now at war with his own party, but that hon. Member sued the Government under this hon. Prime Minister's watch to produce reports which they had not done. And, the law is now settled that the court gave an order that you have to produce the reports. So there is a mechanism in law which makes a mockery of the statements made by my learned colleague, the Member for Oropouche East.

Madam Speaker, the fact is that there is supervision. This law as amended by clause 5 specifically says that you do not subject yourself to public procurement regulator only where there are procurement guidelines. If there are no procurement guidelines in any of these treaty, et cetera, then section 7 in general says our law applies. If there is a treaty or an arrangement, our law is then subjected to scrutiny by the public Procurement Regulator looking through the elements. The exception for national security, Madam Speaker, is a common exception in multiple

jurisdiction around the earth. There are adequate checks and balances in this structure and that allows us to have scrutiny.

The hon. Member would also be aware as a seasoned Member of Parliament that when these reports come to Parliament, we have the Public Accounts Committee established under the Constitution, the Public Accounts (Enterprises) Committee established under the Constitution, the supreme law of Trinidad and Tobago. So it is not the case that there is an absence of security. This law applies to the very HDC contract that my learned colleague spoke about. Because a company doing business with the HDC, which is a statutory authority, is subject to the public procurement law. The purchase of vessels by NIDCO is subject to the public procurement law.

So, Madam Speaker, there is a dangerous structure afoot. The media is simply reporting a he-say-she-say. The laws are on the website of the Parliament for all to read who wish to read it. But, Madam Speaker, it is definitely not the case that we are standing alone. Madam Speaker, in further answer and in addressing clause 5 subsection (b), it is important to note we are not alone in our recommendations. We have taken the Caricom model law; we have taken the UNCITRAL model law; we have taken the laws out of the United Kingdom, the European Union. This is not something that Trinidad and Tobago woke up one morning to do. And, Madam Speaker, when you look at the fact that Jamaica has dealt with this in exactly the same way, when you look at it in their context of 12 years of operation, when you look at the fact that we have brought campaign finance law which no other government had the courage to do, [*Desk thumping*] which is the companion law to the public procurement law, we just have to say

stop it. This is not a reflection of the written law, there is supervision. There is umpteen precedent for it.

Now, Madam Speaker, permit me to put this on the record. If we accept the UNC logic that services including legal services have to be subject of the public Procurement Regulator rules—

Madam Speaker: So, Attorney General, we are not dealing with legal services here.

Mr. Al-Rawi: Sure, I will adjust. If we accept 5A (b), and we are treating with the structures in (ii) for medical services and other services, the point is the mischief is to be found in challenge proceedings. The challenge proceedings are born in sections 49 to 53 of the parent Act. These amendments in causing an exception say, you will avoid not the scrutiny under section 29, that has to happen, you will scrutinize every medical service, the award, the position, the Parliament will get a report, the Public Accounts Committee, the enterprises committee, they can all look at it. What it says, Madam Speaker, is that the mischief in stopping the procurement has to be managed. And that stopping of procurement comes in the challenge proceedings where you are allowed to go through 128 days of delay with a suspension and then you go to the High Court. Let me put this on the record.

The Government attempted via the local corporations to engage in garbage collection at a local council level, local government level. The procuring entity went out to take small contractors to allow people in an individual locality in Trinidad to be part and collection of the system of garbage removal and collection. As a result of a challenge in court for five years an injunction prevailed and garbage collection could not be removed from a large scale contractor to several

contractors in a lawful process. That is an example of how the public procurement law, if it is not carefully calculated in application, can effectively result in the baby being thrown away with the bath water. [*Desk thumping*] And whilst we are all gung-ho on these measures I sound a word of caution that it is in the abuse of legitimate law that you will see delay, and delay, Madam Speaker, has to be something that you carefully measure.

In summary I will say, this law is transparent, the amendments to clause 5. This law in asking for the Minister to submit to the office an annual guideline outlining circumstances under which exempted services may be procured is a move in transparency. All of the Independents voted for this particular clause and it is on the record. The only people voting against this clause stand today in the person of the UNC members representing here in the House and the six members of the Senate. There is no exception to the application of this law from a precedent point of view and there are safeguards in this and I would just urge the hon. Members opposite to stop fabricating the law. Stop fabricating the law. You know that section 29 applies save for the exceptions we are talking about in national security. But you know that there are alternate measures for looking at national security, Madam Speaker, because we have a Joint Select Committee on National Security as well.

And if hon. Members opposite think that the Auditor General and that the Central Audit Committee of the Ministry of Finance and that the procuring entities which come under examination in this Parliament are a joke then why bother to participate in the Parliament? Why bother to have an Opposition Member in the constitution have supervision for the Public Accounts Committee? Is it that you are

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saying as current Opposition Members you have no faith in Sen. Wade Mark? Is it that he is that incompetent in the discharge of the office that the Opposition cannot call for accounts to be done? Madam Speaker, it just does not ring right.

The one thing I will agree with therefore, with the Member for Oropouche East is, the less you want something is the more you talk about it and therefore, Madam President, I simply wish to reject the submissions of the speaker previously and I thank you for this opportunity. [*Desk thumping*]

Mr. Hosein: Thank you, Madam Speaker, for allowing me to join this debate on the Senate amendments to the Public Procurement and the Disposal of Public Property (Amdt.) Bill, 2020. And, Madam Speaker, I just want to raise a couple of issues regarding the absence of due diligence, the compliance reports. There is a fundamental error in the drafting of the present amendment, the independence of the Procurement Regulator and some examples of some procurement that may require the oversight of the Procurement Regulator.

So let me start first with regard to the absence of due diligence and the compliance reports. Those go hand in hand, Madam Speaker, and this is directly related to the amendment as found in A, the new subsection (5) which states that subsection (3) shall not apply to reports regarding matters of national security. Now, subsection (3) relates to those treaties that—or international agreements that will be subject to section 29 of the parent Act which deals with due diligence. Now that applies only to government to government contracts from the reading of it. So if there is a government to government contract regarding legal services, medical services or financial services, then section 29 will apply.

Now when you come to local services, if the Minister can just confirm, the

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Minister of Finance in his winding up, is that these new exempted services will not fall under the section 29 scrutiny also because it only exempts—the exemption only falls for matters of national security. So if there is a local debt financing arrangement or legal services or medical services will that be subject to the due diligence requirements under the parent law, because then what will happen is that—

Madam Speaker: Member, it appears to me that you are going outside of what is before us. And while I have allowed some people to develop certain things it supports, it is said in support of this amendment at 5. So that is how section 29 came in. You are now carrying us into legal services and other matters which are not before us.

Mr. Hosein: Okay, I will stick to debt, Madam Speaker. I will stick to debt financing and emergency or scheduled medical services. So that is where we are at. So therefore, will there be a requirement now for a report, a compliance report to apply to debt financing services and emergency or other schedule services. So that is the first issue I am raising. The second issue is that what is considered as “other scheduled medical services”. Because the drafting is very vague in terms of what is considered as a scheduled medical service. There is no definition found in the parent Act, there is no definition found in the amendment Act. So therefore that is a very wide matter that you are dealing which allows for an opening of an exemption of services for when it relates to procurement.

Now when you go down, Madam Speaker, to big B which deals with the new subsection (8), there is a fundamental error in the drafting. Because it reads:

“The Minister shall submit to the Office annual guidelines which outline the

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circumstances under which exempted services in subsection (5) may be procured.”

But subsection (5) is not the subsection that deals with the exemption. It is subsection (6) because you had renumbered the subsections.

So it shows that you cannot even draft the Bills properly. [*Desk thumping*] And this is what happens, Madam Speaker, when you come to the Parliament and try to hurry and rush legislation through this honourable House. You have to take your time. You must consult. This is why we will end up with so many errors in the legislation because you continuously pass bad laws. [*Desk thumping*] So that is one of the most notable errors in this present amendment.

Now, I am also focusing on the new subsection (8) and the subsection (9). It requires the Minister to submit to the Office of the Procurement Regulator annual guidelines with respect to the exempted services. Then the guidelines will be provided, Madam Speaker, and it will be laid in the Parliament. The issue with this depends and now affects the independence of the Procurement Regulator. Because the Procurement Regulator was set up to be an independent apolitical body to oversee government contracts. Now if the Minister is now responsible for creating exemptions and he is now also responsible for telling the Procurement Regulator what are the guidelines. So if the Minister decides that he wants to procure in a certain manner he tells the Procurement Regulator how he wants to procure and the Procurement Regulator cannot raise any objection to that. [*Desk thumping*]

So basically what you are doing is you are throwing away or you are disregarding the spirit and intent of the law to remove a political body from procurement, giving it to the Procurement Regulator but at the same time usurping

the independence of the Procurement Regulator. [*Desk thumping*] Because, Madam Speaker, this is a very dangerous amendment, because what it does is that it no longer gives the Office of Procurement Regulation any independence when it deals with exempted services under the Act. That is what it does. And, Madam Speaker, this is something that we have to look at in more detail.

The Member for Oropouche East was right when it comes to the period in time which the guidelines are going to be laid. In regular drafting we will have that the report be laid within three months after receipt. This does not give any guideline. So therefore the Minister of Finance in this present case can come at any time after and lay the guidelines, because you can procure the exempted goods without the guidelines. The Act does not state that you need the guidelines before you procure the goods, you know. So therefore that is, that is, Madam Speaker, that is an issue that will prevail, because the Minister can proclaim this present Act tomorrow, start procuring goods and services under the exempted services without the guidelines, because he does not require the guidelines in order to procure those goods. And that is something that we cannot agree to. [*Desk thumping*]

Now there is a little flip-flopping, I do not know, between the Attorney General and the Minister of Finance, because the Attorney General said that not a single amendment was proposed in the other place by the Opposition. But then the Minister of Finance earlier on said that Sen. Lutchmedial was the one who piloted an amendment. So what is it? [*Desk thumping*] So that is why, Madam Speaker, we cannot take what this Government is telling us wholesale. You have to always examine what they are saying. You have to examine what they are saying.

The Attorney General said also that we are the only persons against this law.

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Madam Speaker, the records will show that they only had the support of one Independent Senator. [*Desk thumping*] If you abstain it does not consider as a vote. And the Attorney General said that we will not support procurement legislation. We will support procurement legislation in this country by this Government withdrawing this Act from the Parliament, by withdrawing it. Because, Madam Speaker, this Act guts and removes the independence of the Office of the Procurement Regulation.

Mr. Imbert: 48(1), Madam Speaker, we are not discussing the Act here.

Mr. Hosein: Sorry, the Bill.

Mr. Imbert: We are not discussing a Bill here either, Madam Speaker, we are discussing amendments.

Madam Speaker: We are discussing amendments here. Yes?

Mr. Hosein: I do not know if the Minister is amending in space but we have to amend a Bill. And, Madam Speaker, we will not support this present Bill in its present form—

Madam Speaker: You mean these amendments here.

Mr. Hosein: These amendments.

Madam Speaker: Yes.

Mr. Hosein: We will not support the amendments at all, Madam Speaker, because if we support this, Madam Speaker, this goes directly against the spirit and the attempt of transparency, accountability and good governance in Trinidad and Tobago and I thank you very much.

Mr. Imbert: Thank you very much, Madam Speaker. Madam Speaker, listening to commentary both inside and outside of this place it took me, firstly, to Act 1 Scene

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3 of the *Merchant of Venice*, when Antonio in talking to Bassanio—and this is just reflections, Madam Speaker, said this:

“Mark you this, Bassanio,
The devil can cite Scripture for his purpose.
An evil soul producing holy witness
Is like a villain with a smiling cheek,
A goodly apple rotten at the heart:
Oh, what a goodly outside falsehood hath!”

And I just thought about that in the context of [*Desk thumping*] everything I am hearing, Madam Speaker. That just came to my mind. Because the hon. Member for Oropouche East repeated the untruth that the Procurement (Amdt.) Bill, and I am just responding to what he said for the second time, was passed by a majority of one vote. That is not true. And I want to reject that untruth, again. It was 16 to six with a margin of 10 votes, Madam Speaker, not one, 10.

Now let us deal with some other matters. The Member for Oropouche East fell into grave error. Because, firstly, in his attempt to fool people, sorry, “ah” that is an unparliamentary word, to mislead people into believing that procurement of matters relating to national security would be secret, and that was his theme, Madam Speaker, that because the amendment in 5A (a):

“(5) Subsection (3) shall not apply to reports regarding matters of national security.”

He zeroed in on that amendment and said essentially that when matters of national security goods and services are being procured, they will all be secret.

3.00 p.m.

And, of course, he accused, we on this side of running a secret Government and wanting to hide, and we will use government to government agreements to procure national security items and so. We will hide. I want to indicate, Madam Speaker, that this amendment is entirely consistent with a number of sections in the parent Act which all give non-disclosure provisions for matters of national security; section 27, section 39, section 52 of the parent Act, passed by the UNC in this Parliament in 2015. Section 27(4) prohibits publication of planned procurement activities if they relate to matters of national security; section 39 creates a system of non-disclosure with respect to tenders for matters of national security; and section 52 of the parent Act, passed by the UNC, passed by that same hon. Member for Oropouche East with much gusto, prohibits public hearings into matters of procurement for national security.

So this amendment follows a theme—a well-entrenched theme presented to this Parliament, argued in this Parliament, approved in this Parliament by every single Member on the UNC Bench, Madam Speaker. So it is political hypocrisy for the Member for Oropouche East to come into the Parliament today and pretend that they did not pass an Act—the Act that exempts matters of national security from publication, and all it is doing is exempting it from publication. That is all. It does not exempt matters of national security from interrogation by the Office of the Procurement Regulation. That is the fallacy that they want to put outside there. It is a tissue of untruths, Madam Speaker—a tissue.

Another untruth put on the public record today by the Member for Oropouche East is that there will be billions and billions of dollars of procurement in national security, and as a result, he cannot support this amendment which says

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that compliance reports on matters relating to national security should not be published. He cannot support that, but he could support section 27, section 39, section 52 of the parent Act which he brought into this Parliament, which all exempted disclosure of matters of national security. But in his tirade, Madam Speaker, he said billions and billions and billions of dollars will be procured in national security in secret. Madam Speaker, the vast majority of expenditure in the Ministry of National Security and in the security services is for wages and salaries. We all know that. Ninety per cent of the budget for National Security is wages and salaries, not goods and services. So I just want to put that to rest as well.

It is also absurd for the hon. Member for Oropouche East to castigate us and tell us that we are duty-bound to give Opposition Members sensitive services for this Government. It is absurd. No one in their right mind will do that. The hon. Member also said, insinuated, implied, that the proposed amendment, debt financing services for the national budget was payback, and that is the kind of vicious untruth that the Member for Oropouche East is always putting into the parliamentary record. How in God's name could financing for the national budget be payback? Payback to who? Republic Bank, Royal Bank, the Andean Development Bank, the World Bank, the Inter-American Development Bank? Payback is to—"look, doh leh meh say something bad, Madam Speaker, here today." "Doh leh meh say something bad here today."

Madam Speaker: Just keep on track.

Mr. Imbert: I am just so annoyed. I am so annoyed. Whenever that hon. Member speaks, the things that he says, vicious untruths. And then this nonsense about the housing contract with the Chinese contractor was government to government—it

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of Public Property (Amdt) Bill, 2020
Hon. C. Imbert (cont'd)

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was not. It was not. It had no involvement with the Government whatsoever. It was a contact between the HDC and a private contractor. It had nothing to do with the Government. Absolutely nothing! It was not government to government. It does not fall under any of the amendments here, Madam Speaker. That is a vicious untruth.

Now with respect to the point made from the hon. Member for Barataria/San Juan, the only point he made was a typographical error in B, and, Madam Speaker, what the hon. Member forgot to say or probably does not even know—because what I find about hon. Members opposite, they do not pay attention, they do not read, they do not watch anything, they do not learn anything. This amendment, Madam Speaker, 5B, was proposed by an Independent Senator, not by the Government. This amendment that:

“The Minister shall submit to the Office annual guidelines which outline the circumstances under which exempted services...may be procured”— was proposed by an Independent Senator.

And it was proposed, Madam Speaker, in the context of another amendment proposed by the Government where we created renumbering of subsection (5) and subsection (6) and so on, and these two sets of amendments were taken together in the other place. It is simply a typographical error, Madam Speaker, that the (5) was not changed to (6), and I will expect that the Chief Parliamentary Counsel, the Law Revision Commission, the Parliament, will deal with that, and if it needs to be addressed in another forum, we will do so. But it is simply arising from a proposal made by an Independent Senator and the renumbering was not done.

So therefore, that statement from the Member for Barataria/San Juan really

is without any merit. So there is nothing I heard opposite that assists us in any way. Nothing I heard opposite that assists us in any way. Let me repeat that the proposed amendment to clause 5 that reads:

“Subsection (3) shall not apply to reports regarding matters of national security”— is consistent with sections of the parent Act which have already received universal approbation by the Office of the Procurement Regulation and all of civil society.

They all agreed with section 27, section 39 and section 52 of the parent Act which prohibit disclosure of sensitive matters relating to national security, and therefore, there is nothing sinister or bizarre about this amendment.

And I close by saying, Madam Speaker, that another thing that came to mind is a particular character that finds its way—as I was thinking about that quotation from Shakespeare in Act I, Scene 3, my mind also went to the dictionary to look at a famous character in medieval times, a jester, and I just read up here that King James of Scotland employed a jester called Archibald, and Archibald was eventually thrown out of the King’s employment when he overreached and insulted too many people. So in listening to hon. Members opposite, Madam Speaker, those two quotations came to mind. I beg to move.

Madam Speaker: Minister of Finance, the Member for Oropouche East rose on 48(1)—

Mr. Young: He is identifying himself.

Madam Speaker:—but I think that time has passed. But while we thank you sometimes for trying to invite us to look at some of the great writers, and we appreciate that, I uphold the 48(1), although belatedly.

Question put.

Mr. Indarsingh: Division.

Madam Speaker: Again, as Members know, we have to wait three minutes to allow Members who are in the parliamentary precinct an opportunity to come in to vote. Okay. So Members the count will begin.

The House divided: Ayes 21 Noes 13

AYES

Robinson Regis, Hon. C.

Rowley, Hon. Dr. K.

Al-Rawi, Hon. F.

Imbert, Hon. C.

Young, Hon. S.

Hinds, Hon. F.

Manning, Hon. B.

Deyalsingh, Hon. T.

Forde, E.

Webster-Roy, Hon. A.

Cudjoe, Hon. S.

Gadsby-Dolly, Hon. Dr. N.

Gonzales, Hon. M.

Mc Clashie, Hon. S.

Cummings, Hon. F.

Leonce, Hon. A.

Richards, K.

de Nobriga, Hon. S.

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Morris-Julian, Hon. L.

Scotland, K.

Munroe, R.

NOES

Indarsingh, R.

Ameen, Ms. K.

Charles, R.

Moonilal, Dr. R.

Paray, R.

Bodoe, Dr. L.

Hosein, S.

Ragbir, Dr. R.

Ram, A.

Tancoo, D.

Mohit, Ms. V.

Seecharan, Dr. R.

Ratiram, R.

Question agreed to.

MISCELLANEOUS PROVISIONS [2019 NOVEL CORONAVIRUS (2019-nCoV)] (NO. 2) BILL, 2020

Senate Amendments

Madam Speaker: Attorney General.

The Attorney General and Minister of Legal Affairs (Hon. Faris Al-Rawi:

Thank you, Madam Speaker. Madam Speaker, I beg to move the following Motion standing in my name:

UNREVISED

Miscellaneous Provisions [Covid 19]
No 2 Bill, 2020
Hon. F. Al-Rawi (cont'd)

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Be it resolved that the Senate amendments to the Miscellaneous Provisions [2019 Novel Coronavirus (2019-n CoV] (No. 2) Bill, 2020 listed in Appendix III be now considered.

Question proposed.

Question put and agreed to.

Senate amendment read as follows:

Clause 3(b).

In the proposed new subsection (2), delete the words “(7)” and substitute the word “(1)”.

Mr. Al-Rawi: Madam Speaker, insofar as this is relatively straightforward, perhaps I could ask whether there is an agreement that we could do the amendments to 3(b), 4(b), 5(b) and 8(b) together?

Madam Speaker: Chief Whip? Yes?

Mr. Indarsingh: Yes.

Madam Speaker: Okay. So Clerk, could you read all the amendments please?

Senate amendments read as follows:

Clause 4(b).

In the proposed new subsection (2), delete the words “(7)” and substitute the word “(1)”.

Clause 5(b).

In the proposed new subsection (2), delete the words “(7)” and substitute the word “(1)”.

Clause 8(b).

In the proposed new subsection (2), delete the words “(7)” and substitute the word “(1)”.

Madam Speaker: Attorney General.

Mr. Al-Rawi: Madam Speaker, the amendments coming from the Senate are extremely straightforward as it relates to the extension of the date that applies in respect of the several laws from the Cinematograph Act go right down. We simply need to correct the cross-referencing instead of to the subclause (7) which should in fact be subclause (1). It is extremely straightforward and I do not think with us all knowing what the Bill actually was about, that there needs to be further explanation. I beg to move. [*Desk thumping*]

Question proposed.

Madam Speaker: Member for Couva South.

Mr. Indarsingh (*Couva South*): Thank you, Madam Chair. After having listened to the—Madam Speaker, sorry. After having listened to the Attorney General, we on side have noted his comments and the amendments are relatively straightforward and to the point, and we have no objection to the proposed amendments from the other places, just to ask the Government to continue to do its part in bringing that ease and frustration to the people of Trinidad and Tobago. I thank you.

Madam Speaker: Attorney General

Mr. Al-Rawi: I beg to move.

Question put and agreed to.

**MISCELLANEOUS AMENDMENTS (POWERS OF STATUTORY
AUTHORITIES AND MATTERS RELATED TO CERTAIN BOARDS)
BILL, 2020**

Miscellaneous Amendments (Powers of
Statutory Authorities and Matters
Related to Certain Boards) Bill, 2020
Hon. F. Al-Rawi (cont'd)

2020.12.11

Senate Amendments

Madam Speaker: Attorney General.

The Attorney General and Minister of Legal Affairs (Hon. Faris Al-Rawi):

Madam Speaker, I beg to move the following Motion standing in my name:

Be it resolved that the Senate amendments to the Miscellaneous Amendments (Powers of Statutory Authorities and Matters related to certain Boards) Bill, 2020 listed in Appendix IV be now considered.

Question proposed.

Question put and agreed to.

Senate amendment read as follows:

Clause 6.

- A. Delete proposed paragraph (a);
- B. Delete numbering paragraph (b); and
- C. Delete the words deleting the word “child” and replace with the words inserting after the word “psychology” the words “or where this qualification or skill is not available, psychology with training and experience in child psychology.”

Madam Speaker: Attorney General.

Mr. Al-Rawi: Madam Speaker, the Senate wrestled with the concept of adjusting the Children’s Authority’s board of directors and preferred that we cause an amendment, agreed to by this House, but preferred instead that we keep with the age limit for the youth representative at a ceiling of 30 as opposed to 35. The Members of the Senate also proposed that we mandate the skill of child psychology. They accepted that there is one registered child psychologist in

Miscellaneous Amendments (Powers of
Statutory Authorities and Matters
Related to Certain Boards) Bill, 2020
Hon. F. Al-Rawi (cont'd)

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Trinidad and Tobago. They understood that this child psychologist, as the only registered child psychologist, would be in a conflict of interest in providing the services to the board, whilst at the same time sitting on the board. But they nonetheless insisted that we ought to go with a child psychologist.

They did, however, accept in light of the fact that there are a number of people who are trained in psychology but not certified in child psychology, that in default of finding a child psychologist—as we have been unable to find one willing so far to accept the appointment—that we could go with someone where that skill of child psychology is not available, having a psychologist with training and experience in child psychology, therefore, providing somewhat of a halfway house until the national skill is developed pursuant to the Government's investment in tertiary education and further education. That is quite simply the rationale for this amendment and I beg to move.

Question proposed.

Madam Speaker: Member for Fyzabad. [*Desk thumping*]

Dr. Bodoë: Thank you, Madam Speaker. In principle, we have no problem at all in agreeing with this amendment. And I am just to confirm that the—so I am speaking specifically to clause 6C, which is where the term “child psychology” remains in law. It is ideal, also it is going to prevent us from coming back to this House when the situation is improved in terms of the numbers. And I just want to confirm that my research has also shown that there is only one registered child psychologist and, of course, to make that plug for increasing the opportunities via the Government policy for training opportunities.

Now, the proviso here that is being added:

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Miscellaneous Amendments (Powers of
Statutory Authorities and Matters
Related to Certain Boards) Bill, 2020
Dr. Bodoë (cont'd)

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“or where this qualification or skill is not available, psychology with training and experience in psychology.”

Again, I think that will fill the gap in the interim. But Attorney General, I just want to raise the point, again, with regard to the certification of the training and experience, and as who is to certify this training and experience, in informal discussions I had mentioned we looked at the Trinidad and Tobago Association of Psychologists being a registering body but not a regulating body. So I just want to make an appeal that since this is such important work especially for the Children’s Authority, that we need to look at the regulation of the profession of psychology.

You will no doubt know that this profession is not included in the First Schedule of the Professions Related to Medicine Act where in fact there are other professions, physiotherapists, radiographers, and so on, and indeed medical and psychiatric, social workers are also included and regulated by board, and therefore, the profession of psychology needs to be added in that interim. So with these few words, Madam Speaker, we are happy to support this amendment. I thank you.

Madam Speaker: Attorney General.

Mr. Al-Rawi: Madam Speaker, I thank my colleague for the excellent recommendation again. I have spoken to my colleague, the Minister of Health, and certainly we are looking at this. The Ministry of Health will drive the policy to have the regulation of the sector properly done. It is certainly of a high priority on our agenda. It came to the fore obviously in the need to cause these amendments in the first place when we simply ran out of skilled professionals to populate the board.

It must be pointed out that under the Family and Children Division, we still,

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Statutory Authorities and Matters
Related to Certain Boards) Bill, 2020
Hon. F. Al-Rawi (cont'd)

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of course, maintained a child psychologist for the provision of certain services under that law. So we recognized that the skill set is a desperately needed one and I think we are on equal footing and certainly the same page, both the Member for Fyzabad and the Government, and he can have and receive my assurances that this is being treated with urgency. I beg to move.

Question put and agreed to.

**MISCELLANEOUS PROVISIONS (ADMINISTRATION OF JUSTICE)
BILL, 2020**

Senate Amendments

Madam Speaker: Attorney General.

The Attorney General and Minister of Legal Affairs (Hon. Faris Al-Rawi):

Madam Speaker, I beg to move the following Motion standing in any name:

Be it resolved that the Senate amendments to the Miscellaneous Provisions (Administration of Justice) Bill, 2002 listed in Appendix VI be now considered.

Question proposed.

Mr. Al-Rawi: Madam Speaker?

Madam Speaker: So Members, I will put the question again.

Question proposed.

Senate amendment read as follows:

Clause 3(b).

In proposed subsection 14A in—

Miscellaneous Provisions (Administration
of Justice) Bill, 2020
Hon. F. Al-Rawi (cont'd)

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- a) the chapeau, delete the words “to ensure that—” and replace with the words “for regulating and prescribing the manner in which—”; and
- (b) subparagraph (b), delete the word “is” after the word “evidence” and replace with the words “may be”.

3.30 p.m.

Mr. Al-Rawi: Madam Speaker, I certainly apologize a moment ago for jumping to 5 as opposed to 4. You were correct and I was wrong. May I ask whether there is an agreement that we could take both amendments together?

Mr. Indarsingh: Certainly, Madam Speaker.

Madam Speaker: Okay, so I will ask the Clerk to read the second amendment please.

Senate amendment read as follows:

Clause 4(c).

In proposed subsection 57A. in-

- (a) the chapeau, delete the words “to endure that—” and replace with the words “for regulating and prescribing the manner in which—”; and
- (b) subparagraph (b), delete the word “is” after the word “evidence” and replace with the words “may be”.

Mr. Al-Rawi: Thank you, Madam Speaker. The proposed amendments to clauses 3(b) and 4(c) are in harmony with each other. They both relate to the need to introduce into parent law the concept of video hearings and audio hearings.

When we were in the Senate, there were concerns raised in respect of

whether the clauses as drafted would constitute an ouster of the discretion of the presiding judge such that there was a fear that the Chief Justice would have the ability to give a direction in a particular matter, that a particular matter had to be handled via a video hearing as opposed to a live in-person attendance. Whilst we felt and we were joined by Independent Senator Vieira's view that the language as crafted was safe and that there was always judicial discretion preserved and that it is entirely for the presiding judge to determine how the actual matter in the administration of justice should be managed, what we did do was to take account of the fact that the mere suspicion in language was worthy of review.

In those circumstances, Sen. Lutchmedial and Sen. Welch both in raising enquiry into this section, the Government felt that there could have been room to improve the language as proposed by both hon. Senators and out of an abundance of caution, we adjusted the language such that the word "ensure" did not collide with the word "may" and therefore making it abundantly clear that whilst audiovisual technology may be used in the conduct of trials and attendances, that the discretion of the judge to manage that process must be absolute and that the hierarchy of application of the Constitution, the Supreme Court of Judicature Act, the Summary Courts Act, the Criminal Division and District Criminal and Traffic Courts Act, the Family and Children Division, the Criminal Procedure Rules, the Civil Proceedings Rules and then practice directions would flow in that order. Therefore, there would be no injury to the whole structure of managing cases, the absolute discretion residing with the judge.

That quite simply is the rationale standing behind the proposed amendments to clauses 3(b) and 4(c) and I beg to move.

[MR. DEPUTY SPEAKER *in the Chair*]

Question proposed.

Mr. Hosein: Thank you very much, Mr. Deputy Speaker. I was up until about 2.00 a.m. this morning looking at that debate regarding this particular Bill which was some quite interesting discussion that came out of the committee stage of the Senate regarding the preservation of the discretion of a trial judge when it comes to taking evidence via video link in both the Summary Courts and also in the Assizes.

And I was quite happy that there was some adjustment with regard to the language in terms of this present amendment. The language taken directly out of the Supreme Court of Judicature Act at section 77, the words:

“...for regulating and prescribing the manner in which...”

And this goes directly to the power of the Chief Justice to make Practice Directions for the taking of evidence via audio or visual link. And the language as originally appeared in the Bill that left this House, there was a view that that would have taken away a discretion of the presiding judge as the Attorney General said and now we have adjusted the language:

“...for regulating and prescribing the manner in which...”

Now, while this is found in the rules in the Supreme Court of Judicature Act, it is the mandate given to the Rules Committee per se and then the Rules Committee will give the Chief Justice the authority to make practice directions.

So, Attorney General, while I am happy that the language has been adjusted, there is still some discomfort within the legal profession regarding this particular amendment. When you look at the vote that was taken last night, Sen. Welch who has a wealth of criminal experience did not support the Bill in its current form and I am urging the Government to do one round of consultation at least, because the

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Law Association has also asked for some time to consider. Just so that before this is passed, we do not have a case where we end up with Marcia Ayers-Caesar issue where we have a lot of convictions being affected because of maybe a Practice Direction which would have been issued by the Chief Justice.

So looking forward, I am just asking, let us get some more consultation before a full proclamation of this particular amendment Bill and I thank you very much, Mr. Deputy Speaker.

Mr. Al-Rawi: I thank you, Mr. Deputy Speaker. I thank the hon. Member for his observations. Certainly what the hon. Member has said is absolutely true. There is concern in the legal profession as to the whole concept of the right to a fair trial within our constitutional understanding and the use of virtual hearings. In fact, there is active litigation afoot on that basis, past Sen. Chote is in fact in the middle of some litigation herself on the very issue. That says quite simply that we agree to disagree.

The point and the need for caution is taken on board but I am very comforted and I would like to say why the Government supports the amendments in the form that we have them now. It is that it reinforces that the discretion for the conduct of a trial is that in the case management structure of the presiding officer. Certainly if you look to the Criminal Procedure Rules in Part 10, you will note that that is squarely underwritten. If you look to the Civil Proceedings Rules, equally, case management structures are well understood.

The fact is that we are certainly aided by what is now extremely settled law, both from the European Court of Human Rights and from the Privy Council, most recently in the Misick case in November 2020, which says, and I am going to put

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this in very simple terms: the right to a fair trial does not mean you have to breathe the same air. In other words then, you do not need to be in the same room, and the conduct of virtual hearings is certainly something that has gripped a lot of people. There are a number of practitioners that say to you, look, I really want to see the demeanour of the person involved in the trial, et cetera.

Today, we had a call to the Bar, Mr. Deputy Speaker, and it is the first time I have done a virtual call to the Bar and what I found quite interesting is that you see the demeanour of the person by far closer than you ever could. In the average call to the Bar with 100 people, it is often a microscopic distance if you see the person at—everybody looks the same, all of us dressed the same way and you cannot make them out. But today you got a close up Microsoft Teams' view of the person and their demeanour. So there are points for and against.

With respect to the Law Association's call for consultation, I will say this most respectfully. The Law Association tends to approbate and reprobate at times. The hon. Member for Barataria/San Juan did some heavy lifting in the evidence amendments considerations we have in a Special Select Committee, put in a lot of hard work. We had a disagreement on a couple of issues, sure, but I could never disparage my learned colleague in the work that he put down in that committee.

In that committee, we had the evidence, in April 2019, of laying a Bill, debating, going to a Special Select Committee and a year and a half later, the Law Association rolls up and says they were not consulted on the Bill which is just downright laughable because the fact is we pretty much begged the Law Association to come and give their comments in the Special Select Committee. Everybody came, the DPP's office, et cetera, et cetera. Everybody turned up except

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the Law Association. So without being too disparaging to my good friends in the Law Association, they need to be consistent in their approach in terms of actually getting on board.

Of course, as a practitioner myself, I understand the rigours of profession. It is hard to sometimes commit to the “free work” of commentary of, for, and on behalf of the Law Association, but those of us who are attorneys in this Parliament who have sat in Government and in Opposition know we do our fair share and that we put the time in behind the work. So I do undertake to continue in the active discourse that we do on all laws but I also ask other people to remember that the tide cannot wait for people in the luxury of their position to step up when they have a chance to.

When you look to this Bill and you look to the amendments that we are asking for, they are very important amendments, very important amendments. When we are talking about a sex offenders registry coming to life and every day in our newspapers, we see monsters attacking our most innocent, monsters attacking our most innocent, how can any one of us wait seven more days or two more weeks for something that is pellucidly clear? Sometimes we just have to step on, we accept that this is not an easy role for many to do but we who are put here in the full public glare to do our work will do so assiduously. I beg to move.

Question put and agreed to.

MISCELLANEOUS PROVISIONS (FATF COMPLIANCE) BILL, 2020
Senate Amendments

The Attorney General and Minister of Legal Affairs (Hon. Faris Al-Rawi):

Mr. Deputy Speaker, I beg to move:

That the Senate amendments to the Miscellaneous Provisions (FATF

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Miscellaneous Provisions (FATF Compliance)
 Bill, 2020
 Hon. F. Al-Rawi (cont'd)

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Compliance) Bill, 2020 listed in the Appendix 5 be now considered.

Question proposed.

Question put and agreed to.

Mr. Al-Rawi: Sorry, Mr. Deputy Speaker, may I in anticipation ask whether we can agree to do both amendments together?

Mr. Indarsingh: Certainly.

Mr. Deputy Speaker: Please proceed.

Senate amendments read as follows:

Clause 5(1)(b).

In proposed paragraph (c) in-

- (a) subparagraph (i) delete the words “five hundred thousand” and replace with the words “one million”;
- (b) subparagraph (ii) delete the words “one” and replace with the word “three”.

Clause 6.

Delete all words after the words “amended” and replace with the words:

“in-

- (a) section 6A(2), by deleting paragraph (b) and substituting the following:

“(b) in such places within a prison,

as may be specified by the Minister, by Order.”; and

- (b) section 18A(1), (2), (6) and (7), by inserting after the words “communications data”, wherever it occurs, the words “, stored data”.

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Clause 9.

In proposed paragraph (dd) delete the word “other”.

Mr. Al-Rawi: Thank you, Mr. Deputy Speaker. The FATF Compliance Bill is proposed to be amended in three clauses: clause 5(1)(b), 6 and 9. And if you take them in reverse order, with respect to clause 9, we are simply removing the word “other” as it relates to the language setting up the spring board for administrative sanctions in the Central Bank Act. We are in clause 6 treating with the Interception of Communications Act and in clause 6, we are proposing that instead of doing surgery as a result of something that happened in the House here, we simply propose that we delete and replace.

What happened in the House is that whilst we were sitting in committee stage, we were informed by the Secretariat in the Parliament that there may not have been a need to treat with what is set out as 6, paragraph 6(a) because there was the mistaken view that this was done in the Miscellaneous Provisions Bill, either No. of 10 of 2020 or No. 20 of 2020. It turned out that that was not the case. And what we propose to do in 6 paragraph (a) is to ensure that we break the shoes of the law. Let me explain that.

In a Bill, in legislative language, there is a chapeau or a hat, so you will say “this law concerns” and then you will go paragraph (a) and (b) and then at the bottom of it, “this law concerns dogs, cats” and then you break back out and you continue the paragraph “or all such things as may be related thereto”. That bottom bit is the opposite of the hat, it is called the shoes or the *chaussures* if you use the French word.

What happened in the paragraph (a) is that the “shoes” was connected to

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paragraph (b) and we just quite simply needed to break that provision so that the definition of the place and the device where you can exercise your legal professional privilege without the risk of being recorded or bugged in a prison is made clear because those things must be done by way of a specification by way of order from the Minister of National Security.

In sub (b) when we are looking at the inclusion of stored data into the concept of section 18A. Again, and this time putting it as calmly as I can, section 18A is treating with the safeguards which were absent in the existing law that should apply to the existing law. 18A says if you have got communication data, traffic data or stored data via a section 5 of the Preliminary Enquiry Act warrant which has existed in law since 1917 or by virtue of sections 32 and 33 of the Proceeds of Crime Act where you have production orders under that legislation, that existing method of obtaining stored data or communication data, et cetera, which has existed for years and in some cases, nearly a century, regardless of the technology, that that ought to be clothed with the safeguard of confidentiality and providing against the risk of tipping off, et cetera. This law and these amendments before us are not intended to introduce something which is new to the law. They are not retroactive in effect. What they do is they provide the safeguards built into the Interception of Communications Act to other laws which did not have the safeguards.

If we take clause 5(1)(b) and we look to the amendments there, it was an inadvertent error to not amend the prescription for penalty for the summary offence and therefore, we have sought to harmonize from \$500,000 up to \$1 million and away from \$1 million to \$3 million as it relates to summary and indictable offences

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respectively. That is in keeping with all of the other amendments that we made to the Proceeds of Crime Act, the FIU Act, the Financial Obligations Regulations under the FIA Act, the Financial Obligations (Financing of Terrorism) under the Anti-Terrorism Act and the Anti-Terrorism Act as we have amended it in the FATF legislation. This is squarely in keeping with meeting the Recommendation 35 requirements which is the need to introduce administrative sanctions into law, so recognized by the Financial Action Task Force as a material deficiency in respect of our Mutual Evaluation Report conducted in the period January 2015 and as it was published in June 2016.

If we meet this Recommendation 35 re-rating, we will be able to advance our cause at the European Commission. The European Commission has wrongly continued to blacklist Trinidad and Tobago on the back of our previous Financial Action Task Force report. Let me repeat that. The European Commission has wrongly blacklisted Trinidad and Tobago and many other Caricom jurisdictions. The Attorneys General of the Caricom region have coalesced into one unit, we are in a unified advocacy against the European Commission. In October 2020, I wrote to the President of the European Commission with responsibility for this matter and set out Trinidad and Tobago's objections and reasons as to why the European Commission got it wrong.

The European Commission has replied to Trinidad and Tobago to inform that if we take care of the Recommendation 35 amendments for FATF, even though they are not due by FATF yet but if we voluntarily undertake it for their purposes, and if we proclaim the registry for trusts which we already brought into law and are about to proclaim—partially proclaimed in the registration of deeds

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miscellaneous Bill—that we will be clear in their view upon reassessment. This provides a very material opportunity for Trinidad and Tobago to completely rid itself of blacklisting phenomenon, thereby removing the de-banking and de-risking phenomenon.

Our example is being applied across the Caribbean. So all of the Attorneys General of all of our Caricom states have agreed that Trinidad and Tobago, in taking this lead, will be an example that they follow. I look forward to the contributions of my friends opposite on this particular issue and I beg to move.

Question proposed.

Mr. Hosein: Thank you very much, Mr. Deputy Speaker. Looking at the amendments coming from clause 5(1)(b) and clause 9, those amendments are non-contentious per se in terms of what is proposed to amend the Bill that left this House. It is at clause 6 that the real issue arises and I do not know the latitude of this debate with respect to this, except to say that I rely on the contribution that I would have made in the second reading of the Bill because this amendment that is currently before us is the exact same amendment that was brought in the original Bill but was amended and left this House. So I rely on my submissions earlier on and I beg to differ with the Attorney General with respect to the issue of stored data in terms of the retroactive nature of the stored data, and if I may explain myself with respect to that.

It is that once this law is proclaimed, if it is proclaimed tomorrow, it means that a constable can get a warrant to intercept the stored data for information that would have been present 10, 20, 30 years ago, which means that the constable can in fact get your data from a date previous to the date of proclamation of the Act

which in itself means that the Act in itself, the effect of the legislation, it operates in a retroactive manner and this was also a point that was raised by several of the commentators when we had dealt with the amendments to the Interception of Communications Act. Persons from the legal fraternity and persons from the other House would have raised these issues when we dealt with the substantive amendment to the Interception of Communications Act.

With respect to clause 6(a), Attorney General, I am certain that I saw this exact same clause that was present in the amendment Bill and it came back again. So I did not understand when you were piloting this current amendment the issue that you all were having because it is the exact same thing that was present in the Bill that we would have passed in last year, I believe, or this year. So that in itself is one of the concerns I have with the drafting of that particular clause.

But with respect to the stored data, because of the retroactive nature of the evidence because at the end of the day, the stored data will be used as evidence in a court of law, this can in fact operate to discredit the prosecution of any person thereby overturning the conviction on the basis that illegal or unconstitutional evidence would have been obtained because of the retroactive nature or effect that the legislation will have based on the communication that would have been intercepted or the data that would have been used in the prosecution.

Mr. Deputy Speaker, those are my submissions and I thank you very much.

Mr. Al-Rawi: Thank you, Mr. Deputy Speaker. I thank the hon. Member for crystallizing his submissions as succinctly as he has. The hon. Member is entirely correct. The amendment that we brought here is the very amendment that first came to the House which we debated. We removed that which went to the Senate and came back. And what happened and the reason for it, I will repeat, was that

whilst we were sitting at the committee stage, the Parliament staff held the view that we had already fixed this because they were looking at a draft that did not have the words in the fashion that they should have been set out.

So what happened is that we had to manage breaking the application of the shoes to the qualification of devices in the manner that we did. So we just simply had to reinsert it because when we went back and we proofread Act No. 13 of 2020, where we made these amendments, what we thought was the case and which the Parliament told us was not was in fact the case, so we had to come back with the original version.

Mr. Deputy Speaker, the point raised by my learned colleague is a very important one and permit me to just spend a moment on that. When we look at the statement that we are dealing with a retroactive circumstance which could prejudice the manner in which we do things in court and in fact result in a danger to prosecutions, et cetera, I would just like to put this into context. In Act No. 13 of 2020, we inserted a new section 18A. We did that by section 17A of Act No. 13 of 2020. In that new 18A which is the subject of clause 6 and the amendment we do now, we said—the marginal note says:

“Power to obtain communications data or stored communication by a search warrant...”

—but it inadvertently left out “stored data”. Now, my friend is correct. Stored data can refer to, for instance, things on your phone, on any device, it is stored data. What we say in the new section 18A which we are amending here, we are adding in stored data to communication data and stored communication and here is what it says:

“(1) Nothing in section 8, 11 or 18...”

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Section 8 is the power to obtain a warrant by the Interception of Communications Act; 11 is the power to obtain a warrant in urgent circumstances under the Interception of Communications Act and 18 is the safeguard for information which you have obtained via those warrants that you cannot give it out, you cannot disclose it, you cannot go to the media and tell people about it because what you are obtaining is under secrecy, it is under a warrant. We say:

“Nothing in...”—those sections—“shall affect the power of a constable to obtain a warrant or production order under any other written law for the purpose of obtaining communications data or stored communication...”—and now stored data.

Nothing affects the existing power.

We then importantly say in this section 18A:

“Sections 13 and 14...”—of the Interception of Communications Act—“shall apply...”

And what are those? Those are the sections that tell you that you cannot give out the information, you have to protect it from improper disclosure, you cannot tip-off people. In other words then, you cannot take something which you have got under an order of a court and use it on a political platform, use it to set up somebody. There must be an offence for doing that and that is what sections 13 and 14 of the Interception of Communications Act do. So we are applying the safeguards of the Interception of Communications Act onto this concept of stored data being obtained by any other written law.

Now, to answer my learned colleague’s submission, I need to therefore refer to the Interception of Communications Act as is amended and specifically the

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section that was put in to say new section 4A again inserted by Act No. 13 of 2020 where we said:

- “(1) This Act...”—shall apply to the following:
- “(a) criminal proceedings;
 - (b) proceedings under the Proceeds of Crime Act;
 - (c) ...Extradition...
 - (d) ...Anti-Terrorism...
 - (e) ...Civil Asset Recovery...”—explain your wealth.

And it says this specifically, subsection (3):

“For the avoidance of doubt, all communications data...”

Stick a pin. What is communications data? It includes stored data by the definition section.

“...all communications data obtained by a constable prior to the coming into force of this Act and lawfully obtained pursuant to section 32 or 33 of Proceeds of Crime Act...”

—That is where you get production orders—

“...or section 5 of the Indictable Offences (Preliminary Enquiry) Act shall continue to be admissible into evidence.”

4.00 p.m.

In other words then, this law recognized that we would continue to preserve the way in which you can get stored data. Now, let me put that into context. If we had put stored data only under the Interception of Communications Act, we would have impliedly repealed section 5 of the preliminary enquiry Act and sections 32 and 33 of the Proceeds of Crime Act. The law on implied repeal is that a

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subsequent law, which collides with a previous law, can sometimes be argued to have cancelled the previous law. And therefore you open a whole legal argument as to whether Parliament in its wisdom intended to repeal those two things, even though it did not say it was doing so.

And what we did to preserve existing prosecutions—think of some of the most dangerous matters that are before the courts right now, where people are being prosecuted as we speak for murder, for rape, for extortion—if we made that mistake, everybody walks free.

So to answer my learned colleague's position, we are not doing something retroactively for the first time. We are merely clothing the information which you could have got under the 1917 preliminary enquiries Act, under section 5 or the Proceeds of Crime Act, sections 32 and 33 where you can get a warrant for a production order by the court to produce information. We are clothing that with the confidentiality provisions. If you tip off, if you improperly disclose, you will be prosecuted even at the level of the Commissioner of Police.

So what we are doing in clause 6, which you are amending here, is we are adding a safeguard. We are not adding a risk. And we are absolutely confident that we are not going to enter into the realm of danger in the fashion that my learned friend has cautioned.

I understand his point of view. I wanted for the record to distinguish his point of view in the manner that I have, and I beg to move.

Question put.

Mr. Indarsingh: No. Division.

Mrs. Robinson-Regis: Division.

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Mr. Deputy Speaker: Proceed. Again, as is procedural and identified already we will give three minutes to Members on both sides in order to enter the Chamber so that they can cast their votes.

[MADAM SPEAKER *in the Chair*]

Madam Speaker: Hon. Members, the count will now begin.

The House divided: Ayes 21 Noes 14

AYES

Robinson Regis, Hon. C.

Rowley, Hon. Dr. K.

Al-Rawi, Hon. F.

Imbert, Hon. C.

Young, Hon. S.

Manning, Hon. B.

Deyalsingh, Hon. T.

Forde, E.

Webster-Roy, Hon. A.

Cudjoe, Hon. S.

Gadsby-Dolly, Hon. Dr. N.

Gonzales, Hon. M.

Mc Clashie, Hon. S.

Cummings, Hon. F.

Richards, K.

Leonce, Hon. A.

de Nobriga, Hon. S.

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Morris-Julian, Hon. L.

Scotland, K.

Monroe, R.

Hinds, Hon. F

NOES

Indarsingh, R.

Ameen, Ms. K.

Charles, R.

Paray, R.

Mohit, Ms. V.

Moonilal, Dr. R.

Bodoe, Dr. L.

Hosein, S.

Ragbir, Dr. R.

Padarath, B.

Tancoo, D.

Ram, A.

Seecharan, Dr. R.

Ratiram, R.

Question agreed to.

FINANCE BILL, 2020

Order for second reading read.

The Minister of Finance (Hon. Colm Imbert): Thank you, Madam Speaker. I beg to move:

That a Bill to provide for the variation of certain duties and taxes and to

UNREVISED

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introduce provisions of a fiscal nature and for related matters, be now read a second time.

I rise this afternoon to present the Finance Bill, 2020 aimed at implementing the fiscal measures and matters related thereto that were announced in this House on October the 5th, 2020.

The theme for the 2021 Budget Statement was: *Resetting the Economy for Growth and Innovation*. It is against this backdrop that the fiscal measures that comprise the Finance Bill, 2020 have been conceptualized. We believe that the fiscal measures in the Bill will help to achieve exactly that despite the unprecedented and unforeseen challenges we have faced thus far in the year 2020, and will surely face in fiscal 2021.

I just want to remind hon. Members of the circumstances in which Trinidad and Tobago and the world now finds itself. Early this year the people of Trinidad and Tobago were advised about the emergence and the rapid global spread of a deadly virus eventually named COVID-19. We watched on with interest and concern as the virus ravaged other countries, producing unfathomable human loss and economic shock.

In March, WHO declared the virus to be a pandemic and on the 13th of March, COVID-19 reached our shores with our first confirmed case. But due to good planning, we were prepared to deal with the implications to the health and well-being of our citizens and immediately put plans into action. The plans included the rollout of a world class parallel health care system and initial lockdown of the economy to contain the spread of the virus and public health restrictions, including emphasis on physical distancing and a mandate for the wearing of masks, sanitization, the regular washing of hands, limitation of group

sizes, and other good practices.

We continue to provide our health sector with all necessary resources. Additional personnel have been hired, equipment and personal protective equipment sourced, hospitals and health care facilities upgraded, specific sites dedicated to treating infected people identified, step-down convalescing facilities are in place. We also took steps to secure access to a vaccine, once it became available, initially for the most vulnerable in our population.

Now with the encouraging news that one, and two and possibly three vaccines with high efficacy rates are set to hit the market in short order, we can begin to envisage a future when the vast majority of our people is vaccinated.

But we have suffered an economic toll, brought about by the pandemic, which has also severely affected oil and gas prices and oil and gas production. The society's most vulnerable have also been impacted. We are therefore engaged in an enlightened agenda aimed at averting marginalization and alleviating poverty during this period. We have expanded our social safety net to protect the most vulnerable.

But we are keenly aware of the economic impact that would inevitably arise and that has arisen from the measures put in place to save lives. So in this regard we are engaged in a very delicate balance; saving lives and saving livelihoods.

We cannot lose sight of the fact that Trinidad and Tobago, like the rest of the world, remains under severe financial strain due to the rigours of the pandemic. We must therefore continue to skilfully and deliberately navigate through the current circumstances in order to avoid, as far as possible any potential catastrophic effects. And therefore there must be compromises.

Turning now to the contents of the Finance Bill, 2020. I will not proceed

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with the clauses in sequence. I will just deal with them in groups. Clause 1 is self-explanatory. It contains the short title of the Bill and it is called essentially the Finance Bill, 2020, which will become the Finance Act, 2020. Clause 10 is the commencement provision containing the date from which provisions of the Act will come into force and this is set on January 01, 2021.

Let me go straight into the measures now. The first important measure is taxes on motor vehicle imports. In the budget, we propose adjustments to the tax structure on the import of motor vehicles. Adjustments have been made via amendments to the Motor Vehicles and Road Traffic Act, Chap. 48:50, as it relates to motor vehicle tax; the Value Added Tax Act, Chap. 75:06 and the Customs Act, Chap. 78:01.

It is proposed at clause 2 of the Bill that the Motor Vehicles and Road Traffic Act be amended by repealing and replacing paragraphs 8, 9 and 10 with new paragraphs. The substitute paragraphs would provide for an exemption on MVT for all new vehicles manufactured to use compressed natural gas, new electric vehicles with an engine size not exceeding 179 kilowatts and new hybrid vehicles with an engine size not exceeding 1999 ccs, once those vehicles are being imported for commercial use. So for commercial vehicles, we are maintaining a level of exemption for CNG, electric and hybrid vehicles and exemptions from motor vehicle tax. The motor vehicle tax exemption for commercial vehicles will also apply to used vehicles once they are imported for commercial use and not older than three years from the year of manufacture.

The same categories of vehicles will also be exempted from the payment of VAT and customs duties once they are imported for commercial use, and I want to stress this, not private use, and not older than three years. And there would be

amendments accordingly to the Value Added Tax Act, as you would see at clause 6 of the Bill, and the Customs Act at clause 9 of the Bill.

However, as it pertains to private motor vehicles, the Motor Vehicles and Road Traffic Act will be amended in Part 1 of Appendix A by inserting new rates of motor vehicle tax for private vehicles as follows: new CNG and hybrid vehicles with an engine size not exceeding 1599 ccs, new electric vehicles with an engine not exceeding 1599 kilowatts will attract \$4 per cc in MVT, the lowest rate. Used CNG and hybrid vehicles with an engine size not exceeding 1599 ccs and used electric vehicles with an engine size not exceeding 159 kilowatts, not older than three years, will attract \$3 per cc in MVT, again the lowest rate.

With respect to Customs duty, a new rate of 20 per cent will be imposed on private motor vehicles, whether used or new that are electric, hybrid, or CNG, and which have an engine size not exceeding 159 kilowatts and 1599 ccs, respectively. This rate of duty is 5 per cent lower than the current lowest level of import duty for private motor vehicles. This amendment is found at clause 9 of the Bill.

The net effect of these amendments, Madam Speaker, is that in these challenging times Government can begin to recover some of the revenue foregone over the last few years, as well as very importantly plug foreign exchange leakage while continuing to provide incentives to consumers to purchase energy efficient and environmentally-friendly CNG, hybrid and electric vehicles, especially where those vehicles are purchased for commercial use.

And to illustrate, Madam Speaker, in 2019, a total of 24,590 vehicles were imported into Trinidad and Tobago, comprising 4,767 goods vehicles, 196 buses, 10,796 new motor car, 8,664 used motor car and 167 taxis. The total value landed, without application of duty or tax, of these 24,590 vehicles was \$2.76 billion. I do

not think, Madam Speaker, people understand the import cost of vehicles. Let me repeat that. The total cost of vehicles imported in 2019, \$2.76 billion.

And contained within that, when you add up the new motor cars and used motor cars, you get 19,460 motor car imported in 2019 at a total cost of \$2.02 billion broken down into 1.47 billion for new motor cars and 551 million for used motor cars. If I put that into US dollars, US \$216 million for new motor cars, and US \$81 million for used motor cars.

And I state these facts so that people would understand that the importation of cars is possibly one of the largest consumers of foreign exchange in Trinidad and Tobago today. And if you take all the cars together you are talking US \$300 million, TT \$2 billion. And that US \$300 million has to be found in the commercial banking sector. It has to come from the Government's foreign reserves. It has to displace foreign exchange for inputs into manufacturing for food and for a number of essential supplies, for building materials, and so on. That US \$300 million that we spend in foreign exchange for motor cars every year could certainly be used for other purposes. And you would have heard, Madam Speaker, that we have over one million vehicles in Trinidad and Tobago.

Trinidad and Tobago is among the highest per capita vehicle owner countries in the world, and that is evident when you go on to the roads and you see the congestion. So, we have a number of different policy initiatives here that we are looking at. With one million cars in Trinidad and Tobago, with US \$300 million going out every year for the purchase of cars, and with the crushing economic effects of the pandemic, we felt that we needed to prioritize what our foreign exchange is used for. And there certainly are enough cars in Trinidad and Tobago at this time.

Moving on. In keeping with the theme of our manifesto and our budget of technology, transformation and innovation, COVID-19 has provided the catalyst for Trinidad and Tobago to begin unlocking the potential of digital technology in all sectors of the country: education, agriculture, business, government business. And in recognition of this, as an interim measure to bring immediate relief to our citizens, value added tax on laptop computers, notebook computers and tablet computers were zero by Legal Notice 341 of 2020. Online purchase tax on these items was also effected by Legal Notice 315 of 2020. Both of these Legal Notices will expire on December 31 2020, and will be replaced by the measures in this Bill. So we will be making amendments to Schedule II of the Value Added Tax Act, Chap. 75:06 to provide for the permanent removal of the payment of VAT on laptop computers, notebook computers and tablet computers after December 31, 2020. It is in effect now by way of a Legal Notice and we are actually amending the law.

It is also proposed that the remission of online purchase tax on computers, continued beyond December 31, 2020 and we will amend Part 15 of the Miscellaneous Taxes Act to achieve that. It should be noted that these types of computers do not presently require the payment of import duty. So the net effect of what we are doing means that no tax is payable on laptop computers, notebook computers, and tablet computers.

But that is not all. We had also promised to expand these concessions to a range of other digital devices. So we should be implementing a similar tax-free structure for mobile and digital equipment, cell phones, software, accessories and peripherals by amendments to the Value Added Tax, Miscellaneous Provisions Taxes Act and the Customs Act. And these amendments are found at clauses 6(d),

8 and 9 of the Bill.

In addition, to promote and incentivize persons and companies to get involved in technology, in keeping with the Roadmap for Recovery report, the phase two report, we are also introducing legislation to facilitate equity funding and increase access to capital for startups. In realization of that recommendation, the Finance Bill, at clause 4(1), includes amendments to the Corporation Tax Act to introduce new sections 10(r), 10(s) and 10(t), aimed at achieving three goals:

First providing financial incentives for persons who invest in technology startups and new tech businesses. Second, providing relief to businesses that incur expenditure towards digitization; and third, providing a financial incentive for creating employment in the technology industry, particularly for young people, meaning persons between the ages of 18 and 35.

These amendments to the Corporation Tax Act will introduce a tax allowance, equal to 150 per cent of actual expenditure incurred by businesses in respect of investment in tech startups, new tech businesses up to a maximum of \$3 million. Two, a tax allowance equal to 150 per cent of actual expenditure in respect of the engagement in digital technology solutions up to \$3 million. Three, a tax allowance equal to 150 per cent of actual expenditure in respect of creating employment for young people up to a maximum of \$3 million.

Now I move to individuals. As an additional step easing the burden borne by some citizens during these times, the Bill at clause 18, and this is a wonderful amendment, if I say so myself, Madam Speaker, this is proof of the caring nature and progressive nature of the People's National Movement Government. The Bill at clause 3(a) will amend the Income Tax Act at section 18 to increase the personal allowance for which no income tax is payable to \$84,000 from 72,000, which

means that anybody earning 7,000 or less will pay no income tax come January 2021.

We are taking this bold step even though we expect it will cost us \$750 million a year to put more money in the pockets of working people. And we believe this will stimulate the economy and lead to greater expenditure, greater employment, greater consumption and so on.

4.30 p.m.

I move now to supplemental petroleum tax. It is the Government's intention, as announced in the budget, to embark on a dynamic exploration and drilling campaign in the onshore oil sector, to boost activity, increase production, and create jobs.

Clause 5 of the Bill therefore seeks to amend the Third Schedule of the Petroleum Taxes Act to increase the threshold for the imposition of the supplementary petroleum tax from US\$50 per barrel to US\$75 per barrel for financial year 2021 and 2022 in the first instance. This is available for small onshore producers who produce less than 2,000 barrels per day of crude oil. And we will keep this under review and when we do the Finance Act No. 2 after further discussions with the Energy Chamber and energy producers, we may do some modifications to this to provide greater incentives.

Homeowner Assistance: The continuing rise in the cost of construction has impacted real estate prices and the ability of young families to secure homes. Through the Finance Act No. 19 of 2018, we took an initial step by exempting from stamp duty, a deed in respect of a conveyance for transfer on sale of a property where the value did not exceed \$1.5 million. But house prices continue to escalate especially for young families. And to provide further relief, it is now

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proposed the First Schedule to the Stamp Duty Act be amended to increase the threshold for the exemption for stamp duty for first-time homeowners who meet the criteria from \$1.5 million to \$2 million. This will save first-time homeowners up to \$28,000 a year in stamp duty and will benefit up to 1,000 families per year. Before I proceed, Madam Speaker, how much more time do I have?

Madam Speaker: Your time expires at 4:41:38.

Hon. C. Imbert: Thank you very much. I now move to the property development allowance. The report on the road map also identified the construction sector as critical to jump-starting and catalyzing the economy. The focus in this fiscal year will therefore be on boosting activity through an accelerated work programme, driven by strategic construction investment on the part of both the Government and the private sector.

To boost property development, the Bill before us includes a clause 4(j), an amendment to the Corporation Tax Act which repeals and replaces section 16 to allow approved property developers to claim as a deduction, an amount equal to 20 percent up from the present 15 per cent of the capital expenditure incurred in the construction of commercial or industrial buildings, which have commenced after January 01, 2015 and are completed on or before December 31, 2024.

And may I declare, Madam Speaker, I might have a potential interest in this so I want to make it crystal clear that I am declaring my interest with respect to this particular measure.

Small and medium enterprise stock market. In an effort to promote access by small and medium enterprises to equity funding, it is proposed that the existing incentives to small and medium enterprises—it is proposed that existing incentives to small and medium enterprises that have become listed on the stock exchange be

enhanced.

Clause 4(a) of the Bill amends section 3 of the Corporation Tax Act allowing small and medium enterprises that is listed on the stock exchange to enjoy tax relief for a period of 10 years. It further provides that the rate of tax for the first five years from listing on the exchange shall be zero per cent which is a full tax holiday. The rate of tax for the remaining five years shall be 15 per cent, representing a 50 per cent tax holiday for companies from the existing 30 per cent.

Wear and tear for plant and machinery. The final measure mentioned in the 2021 budget statement that is included in the Bill, can be found at clause 3(b) of the Bill. That provision seeks to amend Class B of the Seventh Schedule of the Income Tax Act to increase the wear and tear rate for plant and machinery from 25 per cent to 30 per cent. And I also declare, Madam Speaker, I may have an interest in this matter, so I am declaring my interest with respect to this particular measure.

Creative and sporting activities. We also propose to increase the tax allowance from \$6 million to \$12 million for corporate sponsorship of nationals in the local fashion industry, audio-visual or video productions for the purpose of local education or entertainment. And local production companies in respect of their own productions as well as for companies which sponsor sporting activities, or events, or sportsmen, or art and culture. This will be achieved by amendments to sections 10G, 10I, 10J, 10K 10L and 10Q of the Corporation Tax Act found at clauses 4(c) to (h) of the Bill.

I would now like to treat with an amendment to the Corporation Tax Act that did not form part of the fiscal measures announced in the budget statement for 2021. The Bill includes at 4(b) amendments to section 10D of the Corporation Tax Act aimed at treating with an allowance to be claimed by an insurance company

that makes contributions to its catastrophic reserve fund. This is consequential to operation of the Insurance Act which will be proclaimed on January 01, 2021.

The amendment relates to companies that will be registered and operating under the new Insurance Act. It relates to foreign insurer that would remain under the old Insurance Act for 18 months after the new Act comes into operation. The transitioning of a foreign insurer is required in order to allow the company to do all that is necessary to bring its operations under the 2018 Insurance Act. So no longer can foreign insurance companies operate at large as it were. They must now come under the new Insurance Act and incorporate a local company.

Under the Finance Act, 2019, amendments were made to paragraph 3(1) of the Fourth Schedule of the Corporation Tax Act to provide for a new tax base for companies under the new Insurance Act. However, a review of the Corporation Tax Act, introduced by the Finance Act of 2019, revealed the need to amend provisions to ensure that reference is made to the term “policy accounts” plural and not ‘policy account”, given that insurance companies under the new Insurance Act will have more than one such account.

Another amendment to the Corporation Tax Act introduced by the Finance Act, 2019 is required to ensure that the chargeable profits calculated by a foreign insurer is done by reference to provisions under the 1980 Insurance Act. This is necessary given that as mentioned above, the foreign insurer is required to remain under the old Act for 18 months in order to properly bring itself under the provisions of the new Act, so that they incorporate a local entity.

I wish to say at this time, as I close, that the other fiscal measures mentioned in the 2021 budget presentation will be the subject of another Finance Bill which we would introduce early in 2021. These include amendments to the Praedial

Larceny Prevention Act, the Summary Offences Act, the Tobacco Control Act, the Children Act, the State Lands Act, the Minerals Act, the Liquor Licences Act, among others, Madam Speaker.

In conclusion, as we move forward, we are aware we will continue to face many challenges in 2021. Our objective is to keep the economy moving to stimulate activity to continue to provide financial assistance to those who need it most and to keep as many people employed as possible. This Bill has a number of measures in it. There are measure designed to preserve foreign exchange. There are measures designed to put more money into the hands of our citizens. There are measures designed to help first-time homeowners buy a new property for the first time. There are measures to incentivize business, Madam Speaker. We feel that this blend of financial measures is exactly what we need at this time to stimulate our economy. This is just the beginning of our process of regeneration, growth, and innovation. I beg to move, Madam Speaker. [*Desk thumping*]

Question proposed.

Mr. Davendranath Tancoo (*Oropouche West*): Thank you, Madam Speaker, for the opportunity to contribute to this debate on the Finance Bill, 2020. Let me begin by expressing my profound disappointment but not surprise in the Minister of Finance and in his contribution here today. You see, this debate gives the Government another opportunity to see what the preliminary effect of their budget has been, and specifically how it has addressed the critical issues facing our country: massive unemployment, falling business and consumer confidence, rise in poverty, rise in crime, reduced access to education and health care, et cetera.

This Bill, Madam Speaker, offered the Government a second chance to fix these issues. Instead, what we saw today was the hon. Minister of Finance coming

and parroting the same storyline that he gave during budget debate itself, reciting some of the same claims which we all know are not directly tied to the economic and social realities confronting our citizens today. The Minister reverted to the same “blame COVID” rhetoric. “Good planning,” he says. Blame COVID for everything. He was boasting about a lockdown of the country while thousands of our nationals are stranded abroad in foreign countries; stranded abroad, unemployed, and risking freezing temperatures, as temperatures fall in the US, Canada, UK and Europe. “Good planning, blame COVID”, that is the mantra of the Minister.

The gross domestic product of Trinidad and Tobago at constant prices 2012— constant market prices 2012 from the Review of the Economy shows what the truth is. In 2015, GDP at basic prices were at \$164 billion; 2016, before COVID, it was \$154.7 billion; 2017, before COVID, it fell again to \$151 billion; 2018, before COVID, it fell again to \$150 billion; 2019, provisional estimate had fallen again to \$148 billion. That is before COVID.

Under this Minister of Finance, the economy has shrunk to beyond what it was in 2012. That is not evidence, Madam Speaker, of good planning or blame COVID. The Minister spoke also of an enlightened agenda. Madam Speaker, we have had over 100,000 persons who became unemployed before COVID. Of course, things got much worse after COVID, but that is as a result of bad management to start with.

The Minister spoke about foreign exchange leakage in his contribution a few moments previously and the desperate need, Madam Speaker, the desperate need to save foreign exchange. I suggest that he looks first at measures that this Government itself has put in place. On an annual basis, the Government of

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Trinidad and Tobago, this PNM Government, spent \$1.2 million since 2016 to hire and pay a lobbyist to do the exact job that diplomatic staff in Washington and elsewhere are doing. [*Desk thumping*] That is gross wastage of foreign exchange. So they should look first at what they have done before they come now to try to sacrifice business enterprise in Trinidad and Tobago.

[MR. DEPUTY SPEAKER *in the Chair*]

And, Mr. Deputy Speaker, it is not enough for the Minister to come to Parliament and declare that these measures were proposed in the budget in the main, because as I will show you, the Minister selected which measures he wanted to bring here today, choosing to leave out certain other measures which he had put in the public domain in his budget statement earlier this year. And I ask you to ask yourself: Why, Mr. Deputy Speaker? Because in October, they were proposing these measures and in December, they seem to have abandoned them.

This Bill seeks to give effect to several of the measures contained in the budget statement delivered by the hon. Minister, as I said. The academic purpose of the annual budget exercise which includes the debate on the Appropriation (Financial Year 2021) Bill, 2020, and this enacting legislation, is to provide an explanation to the national community of how the Government, on the one hand, spends on achieving its long- and short-term objectives and which ultimately must lead to the improvement of the lives of our citizens.

On the other hand, the Government must also explain how it intends to raise the funds to engage in that expenditure. Overall, the intention must necessarily result in the improvement of the quality of lives of our citizens. And that is how I intend to analyze every piece of legislation brought to this House by this Government. But we must be mindful not to get bogged down in the language of

the legislation and miss the effect that the legislation has on particular persons and interest groups. And that is where I want you to focus, Mr. Deputy Speaker, because while there may be a couple of typos and unnecessary prolix in the Bill, which we can correct in the committee stage, the application of some of these measures and the apparent intent may surprise you.

We simply cannot trust this Government to do the simplest thing for the right reason, [*Desk thumping*] as I would show thing in my contribution. And so, Madam Speaker, I propose to deal with some of these—sorry— so, Mr. Deputy Speaker, my apologies. I propose to deal with some of these measures, my colleagues will deal with others in greater detail, as we seek to do on this side what the Minister has failed to do, which is to tell the population how these measures will actually affect them.

In clause 3 of the Bill before the House, the Minister has proposed an increased allowance for wear and tear for Class B plant and machinery. Wear and tear allowances are in fact the substitute for depreciation. So therefore, this amendment provides the tax deductible allowance for depreciation as it is used by a corporation.

What would be informative is an estimate of the expected value of revenue loss which would accrue as a result of this measure. It is no secret, Mr. Deputy Speaker, that many businesses have been experiencing severe hardships as a result of the Government policy and the subsequent advent of COVID-19.

This marginal increase in allowance for wear and tear will certainly assist some companies in achieving a better bottom line. But respectfully, Mr. Deputy Speaker, this is a mere drop in the ocean. It will do little or nothing to stimulate investments in new ventures or expansion, except for the precious few who seem

to be close to the Government in one form or fashion. The reason is that this Government has, over the years, dismantled the multiple initiatives of the Kamla Persad-Bissessar-led administration and has put nothing in its place. This PNM Government has failed to create an enabling environment for investment. [*Desk thumping*]

In fact, the evidence shows that the business environment in this country is characterized by uncertainty and the resulting risk aversion on the parts of most businessmen. And this Bill offers them no hope at all that the Minister actually acknowledges this fact or even cares to address this matter.

The Central Bank Economic Bulletin Volume 22, No. 2, at page 93, in an article captioned “Measuring Economic Uncertainty in Trinidad and Tobago”, reports that the country has been experiencing a state of economic uncertainty fluctuating from very high to elevated levels of uncertainty. This has had the predictable effect of negating business confidence and therefore, adversely affecting new business investment decisions.

So it is my view that these initiatives in the Finance Bill, 2020 will not assist the business community generally, although as I indicated, some businesses close to the PNM which have been thriving during this crisis will continue to benefit. For the vast majority of businesses, the crisis of business and consumer confidence remains. The World Economic Forum annually conducts an annual Global Risks Report. Trinidad and Tobago was only featured in that report since 2015. Ironically enough, the very year that this Government and this particular Minister took office.

For every year since then, the failure of national governance has been one of the top three concerns for doing business in this country. The failure of national governance is defined as the inability to govern a nation of geopolitical importance

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due to the weak rule of law, corruption, and political deadlock. And there are other world economic indicators which show the failure of this Government in stark reality. The world economic freedom index in 2015, we were ranked at 67th in the world and 13th in the region with regard to economic freedom. We are now almost at the bottom of the world ranking, at 109th in the world and 21st in the region.

Mr. Deputy Speaker, do you think that this clause 3, the allowance for Class B plant and equipment, will improve that rating? I think not. According to—

Mrs. Robinson-Regis: Mr. Deputy Speaker, Standing Order 44(10). Has the Member got your permission to read his entire speech? [*Interruption*] He was reading the speech before.

Mr. Deputy Speaker: Again, Member, I know you are a new Member and I am not sure—clearly, by now, you should be au courant with the Standing Orders. One usually seeks the permission of the Chair before starting commencing the debate, in order to seek permission in order to read your speech, right? And again, I will be noting that basically you have been reading the speech. So, in this instance, I will give you the opportunity to continue but again, try to see how best you can facilitate with regard to the Standing Order as we go forward. Right? So I will giving the opportunity to continue, but again, for future, and for all the new Members, you need to seek the permission of the Chair before commencing your debate with regard to Standing Order 44(10) seeking permission in order to read your particular speech. Right? So again, at this time, Leader of Government Business, I will give him the leeway to continue in as much as again one of the new Members. Proceed.

Mr. D. Tancoo: Thank you, Mr. Deputy Speaker. Allow me to quote if I may from the 2020 economic freedom report. So I will be reading at this point:

“The economy of Trinidad and Tobago fell from the ranks of the moderately free in 2018 and remains in the...”—moderately—“unfree category in 2020. Economic growth has been correspondingly slow...”—and negative.

“Two events in 2019 highlight the impediments to greater economic freedom in Trinidad and Tobago. The minister for public administration was dismissed in mid-August following her arrest on corruption charges. That was a blow to an already weak reputation for government integrity.”

That was a direct quotation. I close quotation there, Mr. Deputy Speaker. But, Mr. Deputy Speaker, there are also other factors which, considered together, will impede the investment decision of any businessman.

A secondary school student is taught in economics that there are four factors of production: land, labour, capital and entrepreneurship. Under this Government, we have now forced businesses to add a fifth factor of production, and that is security. When you consider all of these factors placed together, Mr. Deputy Speaker, it is clear that businesses will not invest further, except for those as I indicated before who have a direct benefit from the Government.

The Minister of Finance continues to fail in recognizing those factors. The Government continues to fail in creating the enabling environment which will create the space for businessmen to want to invest. When the Minister is not hoarding their VAT refunds for years and years in the billions of dollars, he is denying them access to much needed foreign exchange. How then, Mr. Deputy Speaker, can businesses be inclined to invest? We have spent much time in this House describing the ease of doing business in Trinidad and Tobago, and the fact that this country has fallen significantly from 66th place in 2014 to 105th place in 2019—and that was before COVID— despite what the Minister would like us to

believe, the economy of Trinidad and Tobago collapsed, business confidence collapsed, consumer confidence collapsed, before 2019. It has only gotten worse since on the basis of the kind of government policies that this Government has put in place.

Sticking with the very said clause, Mr. Deputy Speaker. I am advised that there are companies which traverse the financial year and who are concerned as to whether or not assets acquired before 01 January, 2021 will qualify for this 30 per cent wear and tear rate. The Minister made no mention of this factor during his presentation and I ask: Whether he neglected to consider it because it is a real factor for some of these businesses?

I turn now to clause 4. Clause 4 of the Bill proposes to amend the Corporation Tax Act to insert new sections 10R and 10S to introduce allowances for investment in a start-up tech companies, new tech businesses or for a company incurring expenditure in technology solutions and digitalization, and for companies involved in the technology industry generally where a majority of the employees are considered young. That is between the ages of 18 and 35. There is no cap on these three allowances, if these three allowances are claimed in the aggregate. And as a result, it is possible for companies to claim in aggregate as much as \$3 million per year if they are able to qualify for each of the individual subsections.

I challenge the Minister of Finance in his absence today to tell this country: Which companies, as at today's date, will qualify for these exemptions? Which companies? Who are the owners who will qualify for these exemptions? Because we know that these amendment were not just drafted in the absolute. They were not just drafted to initiate investment. Because of the dates that these amendments are proposed to take effective, it is very clear that they were drafted based either on

a situation that exists currently or based on lobbying by other individuals, by businesses. We would like to know who these business owners are.

Mr. Deputy Speaker, as we speak also about youth employment in these fields and this benefit that is proposed to be created, for information sake, a child receiving a laptop in 2010 would be 21 years old today. A child receiving a free laptop from the Kamla Persad-Bissessar government would now be 21 years old today, and would be part of that pool through which the current Minister is seeking to draw down.

However, since that programme was stopped in 2016 by this Government, there has been created now an even greater divide between the “haves” and the “have nots”. Those who can access education, those who can access high technology, access information technology, those who can be brought into the net of persons who are involved in this burgeoning industry, have been constrained by virtue of the Minister’s and the Government’s decision not to pursue laptops—free laptops for students in our schools.

Staying on clause 4, Mr. Deputy Speaker. In regard to these incentives of listing the SME’s on the junior stock exchange, while on the face of it, this may be a positive initiative which has the potential to widen the base of the stock exchange while simultaneously allowing these SMEs access to capital, what I am curious about is the Minister’s expectation, again, of who these companies are that will benefit? Who are they that will now be able to capitalize on this initiative when you are in the short term and in the medium term? Which companies exactly is this Minister targeting? And I ask this because we are aware that the vast majority of SMEs are not in any form close to being able to meet the requirements that are extremely cumbersome. And while it should be standard that they aspire to, the

current business environment is simply not conducive to that expansion.

In fact, anecdotal evidence from media reports have suggested that this country has witnessed a significant decline in the number of SMEs as a result of closure and shutdowns during the period 2015—2019. And this, again, has gotten worse since 2020 with the advent of COVID.

5.00 p.m.

Mr. Deputy Speaker, clause 4 also speaks to the amendment to section 16 of the Corporation Tax Act. This law grants the property development allowance in the year the building is completed and as such, the proposed amendments begs the question as to how the retroactive feature in this law will be considered. I am grateful that the Minister has declared that he has a partial interest, or he may have an interest in this activity. I asked for his clarification if he may be so grateful as to whether there are any other members, whether there are any other members on his side who are similarly conflicted. I ask this clarification as well as to whether he recused himself at any point in time during these deliberations for this piece of legislation to be brought forward.

Mr. Deputy Speaker, in the few minutes, said allocated to me, I want to treat—thank you—I want to treat with the tax concessions on laptops, phones, et cetera. In 2010, the Kamla Persad-Bissessar administration began the process of giving a laptop to all children entering secondary schools. That is 10 years ago. That is vision and that is foresight [*Desk thumping*] Today, by virtue of clauses 7, 8 and 9 of the Bill before us, the Minister is seeking to remove taxes and duties on laptops, tablets, phones, software, et cetera. You see, it took this Minister five long years to realize the vision that he inherited, but did not follow through on, of a Kamla Persad-Bissessar administration so that they can empower children to enter

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and participate in the global environment where technology is a practical necessity to growth and development. [*Desk thumping*] It took a global pandemic for this Minister to recognize the importance of training our young children for future generations.

It must be obvious to every right minded thinking citizen that had this Government not unilaterally stopped the laptop programme, our children would not have lost an entire year of their education over the last few months and our teachers [*Desk thumping*] would have been much more trained and versed in being able to teach the curriculum online. Instead, this lack of vision on the other side has put our current and future SEA students from Standard 1 to Standard 5, through unimaginable stress and disadvantage, vis-à-vis the rest of the world. That is an average of 100,000 students who have been disenfranchised by this Government. It is ironic that this man who has no vision can claim to have been able to see clearly now because the rain is gone.

Mr. Deputy Speaker, while I am on that, schools have been closed now for several months. Since March, mid-March this year, five months thereafter, in August 2020, the Minister of Education came to the House and said elsewhere as well, that 65,000 students were in desperate need of laptops, 65,000. Subsequent to that, we heard the Minister talking about anyway— Subsequent to that the Minister came here, last week or this earlier this week, to tell us that 17,000 laptops had been distributed by this Government. It has now been 10 months since the students and children in this country were abandoned by this Government. That is a shame. [*Desk thumping*] This amendment, these allowances for laptops should have been brought 10 months ago as a priority by a Government that is caring. [*Desk*

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thumping] Instead, instead, they were able to bring other legislation that they saw as having greater priority.

And this Government is capable you know Mr. Deputy Speaker, this Government is capable. When they are motivated, they can bring legislation to the House and pass it in moments. The marijuana legislation is one classic example of that. However, marijuana legislation does not seem to rank at the same level as the benefits of children in this country. It is the poor and suffering, Mr. Deputy Speaker, parents of children who cannot—parents who cannot afford to buy laptops will not be able to benefit from this. This, this initiative here will only benefit persons who are able to invest and the problem right now is that we have hundreds and thousands of students in my constituency in Oropouche West whose parents cannot afford to purchase a laptop for them. This initiative does not help them much because they really cannot afford and when you can purchase a laptop, you still have the issue of Wi-Fi to deal with. The absence of access to laptops and to Wi-Fi has damaged the generations of our citizens for the last five years. And it will continue to do so because the Government's priority is to pay rent, is to—let us leave that there.

Last year in December 2019, this Government was boasting of putting Wi-Fi around the Savannah so persons exercising can check their phones, but there can be no Wi-Fi for students in Ramai Trace, there will be no Wi-Fi for students in Tulsa Trace in Oropouche West because they do not care. This Government does not care about people in South. I have complained bitterly previously about geographic discrimination. This continues even today.

Mr. Deputy Speaker, there is one other query I have for the Minister with regards to this concept. Given that we have, the Ministers now asked for

permission from the Parliament for duties and taxes to be removed, I have heard nothing from the Minister, nothing from the Government, that would even give us some level of hope that the Minister has put any mechanism in place to ensure that any reduction in prices that will result from the reduction in taxes and duties would fall to the benefit of consumers. There has been nothing mentioned where we can have some hope that the Minister has considered the risk that prices will not pass—that the benefits of reduced prices will not be passed on to consumers. I ask the Minister and his wrap up to please pay some attention to that.

There were three issues I raised earlier in which I said the Minister can choose and has chosen what he wanted to bring here. One of those items is the VAT on luxury items. We would have heard the Minister in his budget contribution speaking to—welcome back Minister—when we would have heard the Minister speaking to taxes on luxury items on apples and grapes. It is as a result of the Government's—

Mr. Deputy Speaker: Member. You have two more minutes, Member.

Mr. D. Tancoo: Thank you, Sir. It is as a result of the pressure by the Opposition and public pressure that has caused the Minister to walk backwards on this proposed tax on apples and grapes. Or maybe it is a different kind of pressure because what we have not seen here are also the return to taxes on other things, escargot, champagne, snails, et cetera, et cetera, et cetera. Those very true luxury items. In the budget debate as well, the Minister spoke about special economic zones. Those things have not been mentioned here and legislation is required to adjust those.

Mr. Deputy Speaker, in conclusion, I want to say that these amendments, these proposed amendments to various pieces of legislation will do nothing to

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stimulate the economy [*Desk thumping*] because it is a drop in the ocean. And unless and until this Government accepts that they need to take a wider perspective and fix the problems that are surrounding this country, problems of business confidence, problems of unemployment, problems of poverty, unless they address those issues frontally we will get nowhere and our country will continue to deteriorate as it has been doing since 2015.

With those words, Mr. Deputy Speaker, I thank you very much. [*Desk thumping*]

Mr. Deputy Speaker: I recognize the Member for Lopinot/Bon Air West. [*Desk thumping*].

The Minister of Public Utilities (Hon. Marvin Gonzales): Thank you very much, Mr. Deputy Speaker. Thank you very much for recognizing me. Mr. Deputy Speaker, I am very pleased to contribute in this debate, a Bill to provide for the variation of certain duties and taxes and to introduce provisions of a fiscal nature and for related matters.

Mr. Deputy Speaker, I have had the horror of listening to my colleague from Oropouche West. He continued and he continues the mantra of the United National Congress to come here every single day, and every single opportunity to cry down this country, to paint the worst possible picture for this country. They take every single opportunity, Mr. Deputy Speaker, to come here to paint a dark view of Trinidad and Tobago, Mr. Deputy Speaker, and it horrors me, it discomforts me, as a citizen of Trinidad and Tobago, and as a Member of Parliament for Lopinot/Bon Air West, that every time I come to this Chamber to listen to Members of the Opposition painting the worst picture, the circumstances here in Trinidad and Tobago.

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Mr. Deputy Speaker, thank God for the People's National Movement. [*Desk thumping*] Thank God, Mr. Deputy Speaker, for the steady hands of leadership, guiding this country from 2015 to 2020. Thank God, Mr. Deputy Speaker, for the people and the citizens of Trinidad and Tobago for rejecting the UNC and their behavior [*Desk thumping*] for two consecutive election terms and we are waiting in 2025 to confine them to the dustbin of political history, [*Desk thumping*] because there they deserve.

Mr. Deputy Speaker, I have listened to my colleague from Oropouche West. He boasted about their policy for laptops produced by the hon. Member for Siparia. Mr. Deputy Speaker, please allow me to quote from a University of the West Indies study in 2015 with respect to the programme initiated—the laptop programme initiated by United National Congress during their term of office, and I quote.

“Using a mixed-methods approach, this study sought to identify the challenges encountered during the implementation of the Laptop in Schools Programme at a secondary school in Trinidad and Tobago, and the extent to which the programme’s goals were achieved, it focused on the use of laptops in the classroom, programme implementation, and the benefits to teachers and students. Data were collected through questionnaires, interviews with teachers and the principal, a focus group and participant observation. The participants comprised of the principal of the school, two heads of departments, one senior teacher, five subject teachers, and 16 students between the ages of 11 and 16...”

—Mr. Deputy Speaker.

The findings revealed many barriers to implementation including:

- a. The fact that “...the purpose for which the laptop was intended was unclear to students, and owning the device did not appear to make a significant difference in their attitude to learning”; and
- b. The lack of “...teacher efficacy and understanding about the educational purpose of using laptops as well as the use of technology in the teaching and learning processes...”

It is suggested that:

“...the implementation of the programme might have been more successful if pre-implementation activity had sought the buy-in of parents, teachers and the principal.”

Mr. Deputy Speaker, it is the classic way of UNC misbehavior. Every time they enter office it is all about giving contracts to their friends. It is never about proper planning. It is never about putting systems and policies in place for the benefit of the people of Trinidad and Tobago and I want to tell my friend, my colleague from Oropouche West, that the laptop programme introduced—the laptop programme rather introduced by the Member for Siparia was a huge failure. It carried a huge debt, and it did not benefit the people and the students of Trinidad and Tobago. And it now falls for a PNM Government coming into office in 2015; it now falls for PNM Government coming into office in 2015—

5.15 p.m.

Mr. Deputy Speaker: One second, Member. Again, from the lower benches please, please.

Hon. M. Gonzales: Guiding the hands of Trinidad and Tobago, with proper planning, understanding the needs of parents, understanding the needs of teachers, understanding the citizens of Trinidad and Tobago. And my friend from St. Ann’s

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East, the new Member and the new Minister of Education, is now guiding and providing strong leadership to ensure that we roll out a technological solution and a programme for introducing laptops and tablets to guide our students in our schools.

Mr. Deputy Speaker, this country is a country where, yes, we have our challenges, but those challenges, time and time again, we have demonstrated, on numerous occasions that we are capable of rising above those challenges. [*Desk thumping*] Mr. Deputy Speaker, Members of the Opposition, they always come here to call out this mantra, that the economy collapsed before COVID. It is as though they were prepared, reading from the same hymn book, prepared by their handlers, and it seems as though that every time they come and they read out this, they believe that the people of Trinidad and Tobago will believe them. But this is a party that recently fought an election and they lost. They fought the election trying to convince—

Mr. Indarsingh: Mr. Deputy Speaker, 48(1). [*Desk thumping*]

Mr. Deputy Speaker: Overruled.

Hon. M. Gonzales: Mr. Deputy Speaker, I am responding to my friend from Oropouche West. He came to this Parliament, and during his contribution that COVID crashed the economy, and I am responding—[*Crosstalk*] Thank you very much, Mr. Deputy Speaker. Mr. Deputy Speaker, I am telling the people of Trinidad and Tobago who are listening to this debate that thank God that we have a government, a responsible PNM Government, guiding the hands of Trinidad and Tobago and providing a platform for growth and the continued growth for this economy. Despite the challenges of this global pandemic, every single country is rattling, is buckling, but we in Trinidad and Tobago, despite the challenging circumstances, we continue to do well, and we continue to remain faithful to our

Oath of Office. And, therefore, I rise and I thank the Minister of Finance, the Member of Parliament for Diego Martin North/East, for bringing this Finance Bill, this Bill, Mr. Deputy Speaker, that will provide for the good governance and the leadership for the people of Trinidad and Tobago.

Mr. Deputy Speaker, when you look at this Bill, it reflects some of the provisions that were announced in fiscal 2021 in this Parliament. We debated it. We had a lot to say about it. Members of the Opposition had an opportunity to vote or vote against it or vote in support of it. They spoke, Mr. Deputy Speaker, and they abstained from voting. So, therefore, they have absolutely no basis to come here today when they had the opportunity to vote against the budget, they abstained. They run away from it, and then today coming and singing the same mantra, COVID did not crash the economy.

But I want to remind the Members of the Opposition that they attempted, and rather it is their behaviour that we saved this economy. If you look at the way in which we conducted our affairs, in the way that we procured for goods and services in Trinidad and Tobago, we saved this country millions and billions of dollars. [*Desk thumping*] We saved this country millions—billions of dollars rather, and that is why we returned to government in 2020 to continue to provide and to guide this country with good hands.

Mr. Deputy Speaker, the hon. Prime Minister put together a team of technocrats coming out of this global pandemic, and that was the team that was responsible for providing that blueprint for the development of Trinidad and Tobago. It was a team to guide the people of Trinidad and Tobago and that team, Mr. Deputy Speaker, comprised of: Mr. Robert Le Hunte, Christopher Henry, Wendell Mottley, Christopher Mouttet, Winston Dookeran, Shawn Roach and

quite a number of distinguished citizens of Trinidad and Tobago, and they provide a blueprint. When we came to this Parliament and we read out the budget, we explained to the people of Trinidad and Tobago that that is the blueprint that we are going to utilize to guide this country post-pandemic. This was the blueprint that we would recognize that is going to craft a new society that is going to lay down the foundation for a new economy in Trinidad and Tobago. The Minister of Finance came and he read out a budget and, today, we are now debating a Finance Bill that will give effect to the Road Map for Recovery that will guide the hands of Trinidad and Tobago.

Mr. Deputy Speaker, what I am impressed about in this Bill and the measures provided in this Bill, is the support that the Government will give to ICT and to ICT related industries. Mr. Deputy Speaker, I came from the public service before entering national politics and having the privilege to join the PNM in Government. Mr. Deputy Speaker, I am pleased to inform the people of Trinidad and Tobago and this Parliament, that we have a cadre of young professionals in the ICT sector that can lead the transformation of this economy, that can lead and guide the transformation of Trinidad and Tobago, and that they can export their services and their talent to the region and to the world. As we continue to face depressed energy prices, Mr. Deputy Speaker, I firmly believe that our young people can lead the transformation of Trinidad and Tobago and our economy, and they can export their services in the region and internationally.

Mr. Deputy Speaker, the Ministry of Works and Transport, for example, introduced a new UTurn Programme. Just yesterday we heard that this programme, the Ministry rather, received the prestigious IDB President's Award for Innovation [*Desk thumping*] because of the impact that this programme and this project had

and continues to have on the transformation of the Licensing Division. I can tell you, Mr. Deputy Speaker, through ICT services being supported in this Bill, the people of Trinidad and Tobago can have access to ICT services at the Licensing Division. Every single month, I can tell you, over 20,000 people, citizens, benefit from accessing services at the Licensing Department to renew their driver's permit, to update their driver's permit, to check their vehicle registration records.

Mr. Deputy Speaker, even at the Judiciary, the launch of the TT.jim software system. It is assisting the Judiciary and prepared the Judiciary during this difficult time, to lay the platform for videoconferencing facilities and recording court proceedings. It laid the foundation, Mr. Deputy Speaker, for the filing of electronic documents. These things were already in train before the hit of the global pandemic. And I can tell you that the Judiciary of Trinidad and Tobago, the Ministry of Works and Transport, the Attorney General's Office, all these public offices were well prepared for the onslaught of the global pandemic. And, therefore, I stand in support of the provisions in this particular Bill for ICT services because ICT services will continue to transform the public service in Trinidad, will continue to transform the economy of Trinidad and Tobago, and our young people can feel rest assured that the provisions that we have laid down in this Bill, they can now export their services regionally and internationally.

This budget, Mr. Deputy Speaker, it is going to change the foundation for this Trinidad and Tobago. It is going to create a new order in Trinidad and Tobago. It cannot be business as usual, and it will not be business as usual. We cannot allow this train to pass us and, therefore, I commend the technocrats from the Minister of Finance, I commend the hon. Prime Minister for his steady hands of leadership and I thank God that the people of Trinidad and Tobago did not put God

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out of their thoughts and put the people and our hon. Members on the other side into office to continue raiding the Treasury [*Desk thumping*] as they have been continuing to do.

But, we have spent billions of dollars in educating our citizens through the GATE programme. We would have invested a lot in the education of our citizens and, therefore, we believe that the vast majority of the citizens of Trinidad and Tobago are decent honourable citizens that will continue to give the People's National Movement the mandate to govern and to guide this country during this difficult time. And, Mr. Deputy Speaker, we will not waver, we will not be side-tracked, we will not be distracted by the mantra of the Opposition, who can only come to this Parliament to preach doom and gloom and negativity on the people of Trinidad and Tobago. We will rise above those challenges, Mr. Deputy Speaker, and we will continue to provide good governance to the people of Trinidad and Tobago. I thank you very much for this contribution. [*Desk thumping*]

Ms. Khadijah Ameen (*St. Augustine*): Mr. Deputy Speaker, thank you very much for giving me the opportunity to contribute to this Finance Bill, 2020. Mr. Deputy Speaker, this Bill has 10 clauses and deals with the measures arising out of the budget for fiscal 2021, and some of the measures proposed in the Government's recovery plan that was articulated to the nation some time ago. I intend, this afternoon, to speak briefly on two clauses: clause 6 which deals with the VAT, the zero-rated on devices; clause 8 which deals with online purchase tax waiver on devices, and as it pertains to tertiary education learning and connectivity and the new normal. But, Mr. Deputy Speaker, to put it kindly, this Government has been very backward in their thinking and their approach to modernization of education and the use of technology in learning. Because of this Government, in a few short

years, Trinidad and Tobago is now decades behind the rest of the world, because of their lack of vision.

It seems, and it seems very clear from the last speaker, that this Government's reason for shutting down the laptop programme that provided every child entering secondary school in Trinidad and Tobago with a laptop, was simply because it was initiated by Kamla Persad-Bissessar. [*Desk thumping*] How can you tell a child who had no other way of receiving a laptop that this programme was a failure? I wonder if the Member who spoke just now could find constituents in Windy Hill or Dunder Hill or Bon Air West, whose parents accessed laptops for them through this programme, and find out from them—find out from the people—that this programme was indeed a success.

Mr. Deputy Speaker, the Leader of the Opposition, on the 4th of September, called for the immediate removal of all taxes on computers, laptops, tablets and related equipment in order to make it easier for parents and guardians to purchase laptops and other IT devices for their children in aid of their learning. This included online taxes, to make buying digital devices more affordable to parents for their children to learn virtually. This call was made by the Leader of the Opposition in September of this year, 2020.

Mr. Deputy Speaker, because of the COVID-19 pandemic, many learning institutions, the globe over, are closed physically, but students are encouraged and, in fact, in some cases, mandated to engage in online learning, and Trinidad and Tobago, if never before, is now seeing the value and the wisdom of the vision of Kamla Persad-Bissessar in providing laptops for students in secondary schools, and the plan was to expand that programme to include primary schools as well. Some university students today, Mr. Deputy Speaker, still have use of the laptops issued

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to them in secondary schools [*Desk thumping*] by then Prime Minister, Kamla Persad-Bissessar.

So to hear Mr. Lopinot/Bon Air West, the Member for Lopinot/Bon Air West, call that a failure, I would say he is very, very disconnected from reality. [*Desk thumping*] And, unfortunately for all of us at present, neither the Minister of Finance nor the Minister of Education has articulated a clear way forward in providing funding or even devices for students to be able to continue their learning. They have made calls for donations. So, basically, we are begging, please give devices to the poor children. So those whose parents can afford, they will buy, but there are so many students who are now depending on donations, and the Government's only policy, it seems, is to beg on behalf of.

Mr. Deputy Speaker, the situation is not unique to Trinidad and Tobago. We have heard Members on the other side talk about no funds and no money and so on, but there are nations who have made themselves resilient, based on their policies, and it made them more resilient to face this pandemic and put them in a position where they could now protect their citizens.

The United Nations has appealed to nations worldwide to put measures in place to prevent a learning crisis from becoming a generational catastrophe. They describe education as not just a fundamental human right, but an:

“...enabling right with direct impact on the realization of all other human rights.”

And has urged Governments to:

“...expand the definition of the right to education to include connectivity...;”

So, education, Mr. Deputy Speaker, and connectivity is a global common good and a primary driver of success that would touch on all 17 Sustainable

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Development Goals. So it becomes a bedrock for equal, inclusive societies for just and peaceful societies. So when our education systems collapse, peace and prosperity and productivity is threatened and this Government has made Trinidad and Tobago susceptible by their lack of vision.

“In order to mitigate the potentially devastating consequences of the COVID-19 pandemic, governments and stakeholders are encouraged to pursue...”—policy responses that would be sustainable—
—to—“Build resilient education systems for equitable and sustainable development:”
—to—“...focus on equity and inclusion;... and enhance consultation and communication mechanisms.”

I was happy to hear the Minister of Education, in response to a question from a Member of the Opposition, when asked about the laptops that are in schools—because the Government changed the policy from giving students the laptops to having the laptops in the schools—and the Minister indicated that those laptops are being made available to teachers, and that is an issue that I also want to point out, that it is not only our students who cannot afford laptops in some cases. There are teachers who live in homes that are so burdened—they pay rent, they pay mortgage, they pay hire purchase—and they themselves, as teachers, cannot afford a device and we are facing that situation and we still have hundreds, maybe thousands of laptops locked up in schools not being used while students cannot get devices.

Governments are being challenged, Mr. Deputy Speaker, to reimagine education and to accelerate change in teaching and learning. So a lot of effort is being made for nations to respond in such a short time so that the shocks in the

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education system that we are experiencing because of this pandemic will be managed in a way, again, that it will not damage the next generation.

We should seize the opportunity to find new ways to address the learning crisis and bring about solutions that may have been previously difficult or now would present themselves in a different manner. So, in the face of this pandemic, connectivity is key to addressing learning losses—

Mr. Al-Rawi: Mr. Deputy Speaker, I rise on Standing Order 44(10).

Mr. Deputy Speaker: Again, Members. In your absence, Mr. AG, I had a ruling earlier with regard to it. And, again, Members, I just want to reiterate the importance of ensuring that we know the Standing Orders and, again, make the necessary arrangement when you are preparing for your debate. Right? So, again, Member, I know you have not been reading consistently but, again, please identify when you are quoting please.

Ms. K. Ameen: Yes. Mr. Deputy Speaker, thank you very much for your guidance. I was reading the United Nations recommendations, and I prefer to read them word for word, and I would give my contribution in my own words. So, please, Mr. Attorney General, if you were following, you would recognize that I read four recommendations made by the United Nations that could guide the Government in making better decisions when it comes to connectivity and education in this country. [*Desk thumping*]

Mr. Deputy Speaker, I was on the point that in the face of this pandemic, connectivity is key to addressing some of the issues that persisted before, such as preventing dropouts, particularly, of marginalized youths and marginalized groups. So you have vulnerable young people, vulnerable students. You have those who are vulnerable because they are poor, their families are low-income families. You

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have those who are vulnerable because of their social situation. You have those that are vulnerable because they live in rural areas and connectivity is poor, even if they have devices.

So, I mentioned earlier of the United Nations expanding the definition of the right to education to include connectivity. So, governments are taking steps to remove those barriers that would hinder connectivity, that would

“...strengthen data and monitoring of learning;”—to—“strengthen the articulation and flexibility across levels and types of...”—learning—
“and training.”—is very critical.

So, come to today, the Government seeks to now have zero-rated VAT on devices. This clause should also amend Schedule 2 of the Value Added Tax Act:

“..to provide a zero rate tax allowance to laptop computers, notebook computers, tablet computers, mobile and digital equipment, cell phones, software, accessories and peripherals.”

I was reading that directly from the Bill.

So, Mr. Deputy Speaker, let us go back a little bit, throwback time. UNC Manifesto 2002:

“By lowering the tax rate, increasing”—and I am reading now—“non-taxable allowances and removing VAT from a range of consumer items, including computers and computer supplies, the UNC enabled taxpayers to keep more of the money they earned, over six consecutive years.”

This was a vision of the UNC since 2002. [*Desk thumping*] And we fast forward to 2016 and, I quote. This was a quote from a newspaper article—

Mr. Deyalsingh: Mr. Deputy Speaker, Standing Order 55(1)(b). The first speaker, Oropouche West, went at length about the Kamla Persad-Bissessar initiative for

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laptops and the Member herself has gone over this several times. Thank you very much.

Mr. Deputy Speaker: Okay, Member, again, just tie in the point as you have now commenced.

Ms. K. Ameen: Yes, thank you very much.

Mr. Deputy Speaker: Tie in the point quickly, so that I would be able to make a decision.

Ms. K. Ameen: Thank you very much, Mr. Deputy Speaker. Mr. Deputy Speaker, 2016, PNM:

“Be prepared to pay the VAT on computers and tablets come February 1, 2016.”

And the Minister of Finance published the new VAT list on their website. So it seems as though they went into an election and promised people all kinds of things, and as soon as they won the election in 2015, as the old people say, “Is blows in we clothes”. As soon as they won the election, they started to put all these onerous taxes on the people. In one fell swoop, their decision to return VAT to computers, Mr. Deputy Speaker, in my humble opinion, really reversed decades of work by several governments to build the resilience of this country so that that we could have better faced the global pandemic that we are facing at present. So, the zero rate on VAT for devices is welcomed, however, once more, the Government has done, I think, the bare minimum. So they indicated they are seeking to wean the population off. But, as it is, parents are still literally begging for devices.

Before the pandemic, Mr. Deputy Speaker, over 60,000 persons lost their jobs under this PNM Government, and with the conditions surrounding with this present COVID pandemic and the mismanagement of the economy and this

Government, they have presided over thousands more jobs being lost. In my own constituency, there is no way for many to purchase laptops or tablets. So the benefit of the taxes will not reach to them. This Government also seeks to amend the Miscellaneous Taxes Act to exempt laptops, computers, notebooks and so on, again, from the payment of the online tax. This measure is yet another example of the Government, in my view, manufacturing a problem only to sell you the solution. It is mamaguy.

In 2016, the Government, without notice, just slapped on a 7 per cent tax for online purchases, and this was despite the fact that items purchased online would still be charged VAT. And I want to ask, the Minister at the time of bringing this tax into being, indicated that it was meant to assist in reducing the decline in foreign reserves. But the evidence has shown that it has not been successful in doing that. It is an opportunity for—this, Mr. Deputy Speaker, is an opportunity for the Government to remove the online purchase tax completely. [*Desk thumping*]

Your justification for bringing it has proven ineffective. It only adds unnecessary burdens to citizens and small and medium businesses, self-employed people, they are the ones who bear a lot of the burden. And, Mr. Deputy Speaker, one very important point I want to bring to the attention of the Minister is that this measure, as written here, does not cover desktop computers. I became aware of this, personally, from a constituent in St. Augustine, a young father of three. His wife had lost her job and they could not afford laptops for all the children, so they decided to purchase a desktop because it was cheaper and it was only when he went to clear it—I would not call the name of the shipping company—he was told that the temporary VAT exemption order which was made by the Minister of Finance in October, did not cover desktops.

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So, on behalf of the Opposition and all the citizens, I am asking for the measures here, for us to ensure that the wording—because I think that is the intent. The intent is for those devices that would allow children connectivity to be covered. So, it might just be an oversight, and I am asking for this measure to cover all computers. So I am asking for it to be amended. We should include in the list, which starts with laptop computers, to also include “exempt desktop computers”. And, of course, Mr. Deputy Speaker, that is my suggested amendment for clause 6 and my suggested amendment for clause 8 is to remove the online tax completely.

Mr. Vice-President, sorry—Mr. Deputy Speaker, you know, many times when people complain on—

Mr. Deputy Speaker: Member, you have two more minutes.

Ms. K. Ameen: Thank you very much. Mr. Deputy Speaker, so after laughing at the UNC’s laptop programme for five years, after taking away laptops from children, we are now back to square one. After denying our children devices needed for education, how can we expect this Government to be able to deliver now? They have shown that they cannot. And worst of all, Mr. Deputy Speaker, I think they have shown that they do not care. This Government took away laptops from thousands of school children when they came in power in 2015, and now that their parents—thousands of them could barely pay rent and buy food—they are now offering them morsels scattered in the dust like feeding fowl, VAT exemptions on mobile devices.

5.45 p.m.

I am not going to say that these people voted for that. I did not vote for that, Mr. Deputy Speaker. There are over 300,000 citizens in this country who did not

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vote for that and quite a few thousands more who did vote for it, now—[*Crosstalk*]

Mr. Deputy Speaker: Silence, please.

Ms. K. Ameen:—regret voting for the PNM now that they have seen their consequences. Merry Christmas, Mr. Deputy Speaker, and Merry Christmas to Trinidad and Tobago. [*Desk thumping*]

Mr. Deputy Speaker: I recognize the Attorney General. [*Desk thumping*]

The Attorney General and Minister of Legal Affairs (Hon. Faris Al-Rawi):

Thank you, Mr. Deputy Speaker. Mr. Deputy Speaker, it would be wonderful to live in the world that St. Augustine lives in, that paradise of imagination where laptops are free, online purchases are not taxed, people are liberated by the plans and policies of the Member for Siparia who I cannot even remember when last I saw in this Chamber.

Hon. Member: Stop lying.

Mr. Imbert: What? You heard that?

Mr. Deyalsingh: Mr. Deputy Speaker, can St. Augustine withdraw that remark, please, and she should be put out.

Mr. Deputy Speaker: Again, Member for St. Augustine, your comment reached the Chair and, please, I would like you to withdraw.

Ms. Ameen: Mr. Deputy Speaker, I withdraw.

Mr. Deputy Speaker: Member—Member for St. Augustine—

Ms. Ameen: Sorry.

Mr. Deputy Speaker:—please stand properly and do same, please.

Ms. Ameen: Mr. Deputy Speaker, I was indicating that the Attorney General was telling an untruth —

Mr. Deputy Speaker: No. No. Member, Member —

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Ms. Ameen:—and I withdraw that.

Mr. Deyalsingh: Member, just apologize or get out of the Chamber!

Mr. Deputy Speaker: One second, one second, both Members, please. Member for St. Augustine, as I said earlier, I would like you to withdraw appropriately, please.

Ms. Ameen: I withdraw, Mr. Deputy Speaker.

Mr. Deputy Speaker: Thank you. Proceed, Member.

Hon. F. Al-Rawi: Thank you, Mr. Deputy Speaker.

So, Mr. Deputy Speaker, in this fantasy world that the hon. Member for St. Augustine lives, the construct that is sold in the speech just read by the hon. Member is one where this Government has entered into office and imposed hardship on the people of Trinidad and Tobago according to the hon. Member—

Ms. Ameen: Yeah.

Hon. F. Al-Rawi:—because the hon. Member believes that we should have continued with the policies and prescriptions of the Member for Siparia. And those policies and prescriptions are devoid of application in the real world, because today the hon. Member will not demonstrate the intellectual courage in saying that there has been a fundamental shift in the landscape of the world and in Trinidad and Tobago.

When the hon. Member says that connectivity is the key to development, I wish to agree with the hon. Member. I agree that connectivity in terms of digitization as is threaded in clause 6 when we deal with the value added tax exemptions, when we look to paragraph (d), when we are looking to the tariffs for laptops, notebooks and tablets; when we look to clause 8 which is the miscellaneous taxes, again, in the digital environment, and clause 9 in the Customs

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Act, exemptions and benefits for, again, digital devices. I agree that connectivity is the key. But, Mr. Deputy Speaker, if we accept the theory coming from the hon. Member for St. Augustine, then we would live in a dynamic where we would have to at least have had something to show for the purchase of the laptops, in the laptop for students programme under the Member for Siparia. So let us analyze that.

We are well aware that we spent hundreds of millions of dollars on the purchase of laptops. The Government's objection at the time, the Opposition PNM Government's objection at the time which we took when were not a government, was that the delivery of laptops involved a circumstance where the prices were excessive, the procurement was questionable, the devices were not supported by an infrastructural development in the schools. There was no curriculum developed in the schools for the utilization of the laptops. There was no digital platform and move away from textbooks.

In fact, under the Member for St. Augustine's leader we saw laptops in cost rising and we saw textbooks rising at the same time. So which is it, laptops for digitization but textbooks going up? Let us compare the data. Not a single ounce of analysis that the laptops required charging carts, repair conditions, Internet connectivity, and so the hon. Members opposite in their revolution of "laptops for all", I dare say, was really reduced to something very simple, you know, contracts for laptops for all as opposed to implementation of a digital platform for education because there was no syllabus concurrent with the delivery of the laptops, no infrastructure for its utilization and work. And, Mr. Deputy Speaker, that is to be found, quite interestingly, in—what is it the hon. Member called it? Throwback time?

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Hon. Member: “Um-hmm.”

Hon. F. Al-Rawi: In the throwback time of LIFEsport.

Hon. Member: Come on.

Hon. F. Al-Rawi: Come on, I will come on. [*Crosstalk*] I will come on. Laptops for all in LIFEsport. What happened there, Mr. Deputy Speaker? In fact, the jiggle in the piggy bank, the “long live LIFEsport”—I still remember the day Siparia was thumping the desk of the Parliament in the Motion on LIFEsport saying, “Long live LIFEsport”, turning back and saying to then Member of Parliament—

Mr. Indarsingh: Mr. Deputy Speaker, 48(1), I fail to see the relevance of LIFEsport in this particular Bill that is before us.

Mr. Deputy Speaker: Overruled.

Hon. F. Al-Rawi: Yes. So in throwback time—

Mr. Deputy Speaker: Overruled.

Hon. F. Al-Rawi: In throwback time, and going specifically—the hon. Member was addressing the fact that there are laptops in warehouses, the hon. Member is right. You know where the laptops in warehouses are? The laptops in warehouses—

Ms. Ameen: Mr. Deputy Speaker, I did not speak anything about that.

Hon. F. Al-Rawi: Is there a Standing Order?

Ms. Ameen: Yes.

Hon. F. Al-Rawi: What is it? I will give way in the Standing Order if you even know one. [*Crosstalk*]

Mr. Deputy Speaker: AG, thank you. One second. One second. Members please, again, there are Standing Orders and there are procedures how we operate in this particular Chamber. Right? Going forward for the rest of the evening we are going

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to try as close as possible to stick to the decorum of this House. Right? We have been having some little niggling going on within the Chamber and I am not going to tolerate it again. So, again, proceed, AG.

Hon. F. Al-Rawi: Thank you.

So in throwback time and in laptops in warehouses, Mr. Deputy Speaker, in answer to the hon. Member's submission, I can say that in the jiggle in the piggle of LIFEsport we saw the procurement of millions of dollars' worth of laptops—millions of dollars of worth of laptops, Mr. Deputy Speaker, that ended up in scandal, that ended up in litigation and that ended up in bloody murder. And I say that in the literal sense of what happened, people shot dead in their beds over laptops and LIFEsport, Mr. Deputy Speaker. So I respectfully say to my learned colleague from St. Augustine that we take no advice from the hon. Member because that advice is given in a vacuum devoid of an intelligent argument and devoid of the reality of Trinidad and Tobago.

The hon. Member in looking at the provisions of the relief from taxes, in particular in the disposable income that we add on to persons via this legislation and the ability to be tax-free under \$7,000 per month, the hon. Member says, "Cancel online taxes now" and then goes on to talk about COVID and the ravages in this economy. Mr. Deputy Speaker, let me put this clearly, this country earns money on taxes. When we sell oil and gas, it is the revenue by way of supplemental petroleum taxes, by other forms of petroleum taxes, by income tax for companies. We do not print money in this country and when we are in the position where our reserves are pegged to our earnings in US dollars, Mr. Deputy Speaker, how can we consider that the hon. Member for St. Augustine has any form of sensibility in argument to say, "Cancel online tax".

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Tell that to the empty stores in Trincity. Tell that to the empty malls where retail has died a death in Trinidad and Tobago like elsewhere because foreign exchange on online purchases go to feed retailers and distributors in foreign markets as opposed to retailers in stores in Trinidad and Tobago. And for everybody who wants to shop local or buy local, that online tax means the difference between survival and failure. So in that La La Land that St. Augustine lives in, that intellectual La La Land, [*Crosstalk*] “Cancel online taxes, let the money just flow out”—

Ms. Ameen: [*Inaudible*] Yes.

Hon. F. Al-Rawi:—this obscene—this obscene obsession with Alexandra rentals—**Ms. Ameen:** Yeah.

Hon. F. Al-Rawi:—coming like a little parrot niggling in your ears from St. Augustine, [*Crosstalk*] as you can hear it now, over and over and over again, I will simply say the day one of you could demonstrate that you took your own hard-earned money and invested it into this country legitimately, well, then stand up and talk. [*Crosstalk*]

Mr. Indarsingh: Mr. Deputy Speaker, 48(6). I find that the Attorney General is imputing improper motives to persons on this side. [*Crosstalk*]

Hon. F. Al-Rawi: May I press on, please, after your ruling?

Mr. Deputy Speaker: Overruled. And listen, Members, Members, you all are testing at this time. Whether we identify one person as testing but I am saying you all are testing. Proceed.

Hon. F. Al-Rawi: Mr. Deputy Speaker, I thank you.

I have to say this, it is annoying to have the constant talk from St. Augustine, Mr. Deputy Speaker. It is annoying to have this, so I thank you for your protection.

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[*Crosstalk*] See?

Mr. Deputy Speaker: Member for St. Augustine, on the next occasion—on the next occasion—you entered the debate already, you had your opportunity and I think you had your opportunity well, unless it is related to the Standing Orders. Proceed.

Hon. F. Al-Rawi: Thank you, Mr. Deputy Speaker. Mr. Deputy Speaker, in the intellectual bankruptcy demonstrated by the Member for St. Augustine in the contribution to this debate the position is very clear, the protectionism of our local economy is improved by mechanisms contained in this Bill. The protectionism of our economy in ensuring a digital platform is born, is done in the correct implementation of digital technology and of structures which allow for protectionism of our taxpaying citizens in our country.

Mr. Deputy Speaker, if one is honest in the intellectual sense and candid in terms of the opportunities presented by this Finance Bill, it is to be found in the stamp duty exemptions and into the concessions that are offered in the construction sector. And let me state now on the record, Mr. Deputy Speaker, that I will declare an interest potentially because I do engage on the private side of life in property development and in commercial development, and I have for decades. And, Mr. Deputy Speaker, that is not something that is uncommon, there are many Members opposite who would have been there. Had Tabaquite, the old Tabaquite, Dr. Surujrattan Rambachan been here, he would have declared the similar interest because there is a need to cause development in our country. And therefore, I need to compliment the hon. Minister of Finance in particular for clause 7 of the Bill where we look at the Stamp Duty Act amendments and we are raising the threshold and benefit for stamp duty exemptions and we are moving to a higher ceiling of

exemption to \$2 million.

Mr. Deputy Speaker, the stamp duty that is offered to the State is not an insignificant one. In the Registrar General's division the data shows that we register on average 27,000 deeds a year, and in looking at property ownership and registration, first-time homeowners are usually in that bracket of managing every cent and the developmental interests are promoted when the concessions for the buyer are provided. And therefore, even though in a COVID pandemic and in a structure such as this you may have a little bit of softening of market, what is quite interesting in Trinidad and Tobago is that the real estate market has not been significantly affected and that is in large part because of the turnover of dollar by the Minister of Finance's innovation in the economy. And, Mr. Deputy Speaker, for first-time homeowners, this is a significant interest and benefit.

Mr. Deputy Speaker, when we look to tech start-up companies and we harmonize the digital environment as well—Mr. Deputy Speaker, the hon. Member for St. Augustine complained from the written speech that she read that desktop computers were not included. That is a fact because the word “desktop” is not in there. We are talking about laptops, devices, tablets, et cetera. And when we look to the digital environment and we look to the concessions given, Mr. Deputy Speaker, we would never have thought in Trinidad and Tobago that you could deliver your groceries at home by a phone call, that you could order by way of text message or WhatsApp, that you can actually have fresh produce brought to you. And this has provided by this concession granted in clauses 6, 8 and 9 in particular, this has sparked the opportunity for an innovation of business and the innovation of business is in the real-time environment.

But to get back to the point about connectivity being critical, if the

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hon. Member is sincere in that submission then the hon. Member would be extremely pleased in the fact that the hon. Prime Minister saw it fit to put a Ministry in charge of digitization. And the Ministry of Public Administration and Digital Transformation, which interestingly has the Telecommunications Authority under it, broadband technology under it, tying that in with digitization, laptops LIFEsport-style, laptops without digital curricula, without digital connectivity, that is the UNC's policy. The PNM policy is remarkably different and that is in the digitization of services. How do you push the ease of doing business and digitization in a scenario where your platform is not digitized? Five minutes?

Mr. Deputy Speaker: Member, you have two more minutes.

Hon. F. Al-Rawi: Two minutes?

Mr. Deputy Speaker: Two minutes.

Hon. F. Al-Rawi: Much obliged.

You cannot push that digitization. You cannot order a birth certificate if the birth certificate is not online, you cannot order a company's record if the company's record is not online, and therefore I could speak with certainty as the Minister with the responsibility for Legal Affairs that having digitized millions of records, and having witnessed a record last night where the Ministry of Works and Transport received the award for innovation in this country because of the effort of my colleague, the hon. Minister of Works and Transport and the Member of Parliament, Marvin Gonzales, as he stood then, in private practice later, but in the Ministry of Works and Transport as head of legal, it is that coordination of digitization that caused innovation of that way.

Mr. Deputy Speaker, I wish to compliment the Minister of Finance for the measures included in this legislation. I stand in full support and I reject the La La

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Land politics of the Member for St. Augustine. I thank you. [*Desk thumping*]

Mr. Deputy Speaker: I recognize the Member for Mayaro. [*Desk thumping*]

Mr. Rushton Paray (*Mayaro*): Thank you very much, Mr. Deputy Speaker. Mr. Deputy Speaker, thank you for allowing me to join this debate as we discuss the Finance Bill, 2020, as presented by the hon. Minister of Finance. Mr. Deputy Speaker, with the limited time that I have I think it is important that I just categorize a bit of what has been presented by those who have spoken on the Government side. And my colleague from Lopinot/Bon Air West, he made a suggestion that we on this side, we cry everything down by his Government and it is my view, Mr. Deputy Speaker, that we do not have to cry-down anything, I think the very good job that the PNM is doing is enough to put tears in the eyes of the citizens of this country. [*Desk thumping*] Mr. Deputy Speaker, after listening to my colleague from Lopinot/Bon Air West and some parts of the hon. Attorney General's submission, you get the feeling after 90,000 laptops that were distributed between 2010 and 2015, that I get the feeling that the Government seems they may be the only Government in the history of this world that sees early adoption in ICT as a hindrance rather than as you are tunneling to the future. [*Desk thumping*] I am amazed, Mr. Deputy Speaker. No wonder that this administration has taken this country backwards by about 20 years, Mr. Deputy Speaker.

Mr. Deputy Speaker, I would like to chorale my contribution today in two specific areas; clause 2 which deals with the motor vehicle taxes and clause 5 which deals with the supplemental petroleum tax. Mr. Deputy Speaker, clause 2 seems to me as an arbitrary and direct-less measure that has been adopted by the Government, and I will explain why. It is not well-thought-out, it is not supported by rational planning, and I believe, Mr. Deputy Speaker, that it will create

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increased hardship to a large number of people, especially those that are linked to the foreign-used car market. [*Desk thumping*] [*Crosstalk*]

Mr. Deputy Speaker: Silence on the lower bench on Government, please.

Mr. R. Paray: Mr. Deputy Speaker, according to industry officials it would send the cost of vehicles in the foreign-used market up as much as 40 per cent.

Mr. Deputy Speaker, that to me is an attack on the working-class citizens [*Desk thumping*] and we must reject this measure. But if we understand what was the purpose of this taxing regime based on the Minister of Finance's budget presentation, his purpose at that time and as he mentioned today was to solve two problems, the leak in foreign exchange and the amount of vehicles on the road causing traffic, causing a deterioration in the working capacity of our citizens because of traffic jams, and so on. Both, Mr. Deputy Speaker, are laudable and it is overdue in some cases, but it is not the prescribed solution that has to deal with what the objectives are.

Mr. Deputy Speaker, the issue of overcrowded roads and traffic congestion, I mean, we have in this country for many, many years, been demanding that, you know, our road infrastructure be expanded and well-maintained and effort put into our road network, into having a national transportation policy that would be able to address some of these things. Mr. Deputy Speaker, our roads are currently in its worst condition, I think, in a whole generation, and potholes by itself has become almost a national emergency in this country. So, Mr. Deputy Speaker, attention has to be paid to these types of issues when wanting to address the issue of traffic congestion and our clogged networks and so on.

Mr. Deputy Speaker, I am wondering if a consideration by the State in flexi-time, in which as far as possible where workers can be rostered and so on, this is an

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effective measure to deal with traffic congestion. I am wondering if these things were not considered at some point in time even in the Road Map Committee. Look, Mr. Deputy Speaker, the current COVID-19 pandemic has taught us the effectiveness of zoom videoconferencing. We in the Parliament here are using a lot of teleconferencing too in our JSCs at several meetings, and so on. That to me could be something as a policy direction throughout the public service as part of the measures in dealing with traffic and traffic congestion and so on.

Mr. Deputy Speaker, what is the position with regard to our public transportation system? The Government has not introduced a single one of any of the measures that I have just discussed and the reason for that is that the State, the Government, has a lack of strategic thinking and I believe that they make decisions in a very involuntary and thoughtless manner from time to time. The matter of limiting the use of foreign exchange as one of the purposes for this particular clause, Mr. Deputy Speaker, that in itself demands a very holistic plan instead of this hodgepodge inconsistent approach. The Government is seeking to reduce the outflow of forex for vehicles while they are permitting large importers to bring in luxury items, something that was discussed in the budget but has not come here today. [*Desk thumping*]

Mr. Deputy Speaker, we are talking about the use of much needed foreign exchange and six years after and much talk about our food import bill, we are still on the verge of above \$5 billion in our food import bill. So, Mr. Deputy Speaker, these are some of the things that the Government must address rather than in one fell swoop by this particular clause the Government is putting pressure on the automobile industry. And before somebody jumps up and says I have an interest in the sector, I do not. I have no interest in the sector. [*Desk thumping*] Mr. Deputy

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Speaker, this type of erratic decision-making is not good. The harshest blow on this clause, Mr. Deputy Speaker, will be felt by the 8,000 workers who are sitting in that foreign-used car industry in this country. Mr. Deputy Speaker, I believe more workers will be thrown in the breadline and we must never forget that the foreign-used subsector is serving the small working-class man and the small working-class woman in this country. [*Desk thumping*]

Mr. Deputy Speaker, in the Finance Minister's budget presentation he identified that he would like to see a reduction in the importation of these foreign-used vehicles by about 30 per cent. So I have to ask this question, Mr. Deputy Speaker: Over what period of time is this goal to be accomplished? Also, I want to find out the rationale behind the three-year-old limit for these vehicles. Is there some information stating that vehicles older than three years are not roadworthy? Does it pose an additional risk, danger to the motoring public? What was the rationale behind it or is it just a random figure that was pulled to the side, that three-year-old vehicles would be the max?

6.15 p.m.

It is not too late, I believe, for the Government to take back a look at this measure and see how it can be reengineered to be a little more comforting for the motoring public, and those of our working class who still choose, because of the lack of an efficient public transportation system, needs a vehicle to get to work, to do other things.

Mr. Deputy Speaker, I just want to touch quickly on the issue of CNG vehicles. The taxes, from my understanding, is that the exemptions are only on commercial vehicles of an engine size below 1599 cc. But the vast amount of private vehicles, Mr. Deputy Speaker, they are going to be imposed various taxes

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and so on. But you want to increase the use of CNG and CNG vehicles in this country, but there are only 13 CNG stations in the entire country. So how does the policy match the infrastructure? [*Desk thumping*]

I know the Attorney General, in his delivery a while ago, he lamented that the People's Partnership introduced computers and so on, with a lack of infrastructure and certain basic policy issues, but they are making the same mistake. They are making the same mistake with regard to the push for CNG and hybrids and electric vehicles, because there are certain infrastructure that needs to go in. So that is something that they ought to be looking at as they push for this green environment that we want to support.

Mr. Deputy Speaker, I think that the Government must make a firm mandate to ask NGC to double or triple the amount of CNG stations within the next couple of years, as part of the infrastructure upgrade, to ensure that we can meet the requirements of the Paris accord, which we signed on to. So there is a requirement for us to reduce emissions and so on, and in order to put infrastructure in place that will help us meet the Paris accord requirement.

Mr. Deputy Speaker, the Opposition, we on this side, we support clean energy and carbon neutral alternatives, but the preparatory work must be done first before you undertake any type of drastic step in granting inequitable financial benefits for the widespread importation of hybrid and electric vehicles, without the necessary infrastructure in place for that. Thankfully, I saw at Brentwood yesterday, in one of the gas stations there, there was the installation of one of those chargers for the hybrid vehicles, the electric vehicles.

Mr. Deputy Speaker, on the issue of the supplemental petroleum tax, if you would allow me to just switch to clause 5. We are talking about imposing the

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motor vehicle taxes to plug foreign exchange revenue, and we now have the supplemental tax, the issue of making an adjustment to it with the purpose of increasing production, increasing the amount of foreign exchange that we can earn, and there are two components to this that I have to question.

Mr. Deputy Speaker, the SPT is about 18 per cent, which is paid on any revenue over \$50 per barrel, and it is only applicable to oil and condensate, not natural gas. This measure that the Government is putting today to put into law, it is long overdue and, you know, we welcome it. A lot of the small operators welcome this adjustment. I think the stakeholders as well in the Energy Chamber, they have been pleading for some time to get this fiscal measure revamped in order to attract investments. But the question that I have, and let us just talk about the small petroleum producers, there is a limit of 2,000 barrels of oil per day. But I am aware that there are quite a number of operators who produce in a threshold just above 2,000 barrels of oil per day. I feel if it is the intention of the State to increase production, we must bring in as much players as possible in the exploration market. By making this threshold of 2,000 barrels of oil per day, we are keeping out several of the operators who may be able to add pertinent value to our exploration capacity to increase our production over time.

A couple of questions I would like to ask the Minister: What are the projections for investment with the revisions of the SPT, if there is any? What impact is this likely to have on the service industry and unemployment, and so on? I think when we make these measures, we must put some background into these measures, and what are the expectation of the State when these measures are put into place.

Mr. Deputy Speaker, how does the measure tie in with the strategic planning

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for our entire energy sector? A more comfortable threshold for the small onshore producer may be around 3 or 4,000 barrels of oil per day, so we would capture as much of the operators as possible.

[MADAM SPEAKER *in the Chair*]

The other issue that I want to question on that supplemental petroleum tax is the issue of the two-year concession. Two years does not seem sufficient in order to get the gains that the State is hoping for. Why I say two years is too little, we are not talking about increasing production in existing fields. We want to increase production by finding new oil, looking at new fields in order to get more players into the market to raise our production up from 60,000 barrels of oil per day.

But it takes almost between 12 and 24 months to get a CEC to even start to operate. It takes permission from the Ministry of Energy and Energy Industries another six or eight months just to get permission for these things. I understand Forestry Division, to cut one tree, to get it tagged and mapped and so on, it takes another 12 months. So if we want to bring operators for exploration into new fields and so on, two years, to me, it is too little and we ought to be looking at a much longer period.

I respectfully would like to submit to the Minister of Finance that he made a commitment in his delivery, that at some point in time in the new year, he may be willing to make adjustments to these things. I am hoping that he can consider lifting the threshold to 4,000 barrels for the small petroleum operator, and perhaps, rather than a two-year window on the zero SPTs, if that could be expanded to about five years. So it gives new operators, new players, existing operators and players who are looking at new fields, give them enough time to get the work done, get their exploration going, get their drilling exercises up and running.

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Madam Speaker, just a plug for Mayaro on this, which I do have an interest in. Mayaro makes up about 40 per cent of the land mass in south Trinidad and we have a rich geological history. I do believe if the caps are raised and the extension goes to five years, we could get more players to ramp up exploration, get job opportunities, put people to work in southern Trinidad, and we have evidence of that. Touchstone Exploration that operates in the Ortoire block in the Mayaro constituency is doing very well. Up to today there was a news release by the Energy Chamber of the continued value that they are bringing to the country with the work that they are doing in there. And land rigs, every land rig, it puts about 100 people to work, not counting all the spin-off employment coming off these things. So I see there is an opportunity for the Minister to relook, take a new look back at these SPTs. I think it would work well for our charge in terms of exploration in the southern part of the country, and I look forward to seeing that sometime in the new year.

So, Madam Speaker, with the one minute I perhaps have left, I want to just let the Finance Minister know that a lot of the measures here are simple measures to bring to life decisions that were made during the budget. I think there were a couple months that some of them were enacted via legal notice and so on, and we would have been able to see how it has affected certain industries in the country. Madam Speaker, much of it I cannot support, because I think it is not well thought of, especially in these two areas in the motor vehicle tax and the SPTs that I have discussed. I do look forward to see some changes sometime in the near future. Madam Speaker, thank you very much.

The Minister in the Ministry of Education (Hon. Lisa Morris-Julien): Madam Speaker, it is a great honour to finally speak before you, as I am encouraged to

reflect on the opportunity that was bestowed on me to serve at this level with critical visionary thinkers, even more so to be under the distinguished leadership of our Prime Minister, hon. Dr. Keith Christopher Rowley.

After listening to my colleagues on the other side, let me again reiterate some facts. Since 1956, the People's National Movement, under our nation's founding father, Dr. Eric Williams, we have always placed this nation's children and their education first. It is the pillar and a solid foundation of the future of this country.

From the very inception, from few to many, from building primary schools and secondary schools, the establishment of book grants, school feeding programmes, just to mention a few, free education with social support not just for some, but completely inclusive benefits to all citizens of Trinidad and Tobago.

You see, Madam Speaker, it has always been the People's National Movement, a party that continues to embrace every creed and race. A party that serves with equity and equality. It is against this backdrop, I thank the Minister of Finance for bringing this Bill and making this a national imperative, as we join the rest of the world in battling and our pending victory against the invisible enemy, COVID-19.

COVID-19 has accelerated our need to evolve. As we continue to hold fast to the available tools of technology, digital tools are necessary, as mankind undergoes one of its darkest periods. Fortunately, for us, this is a PNM Government not deterred or intimidated, nor are we unfamiliar with addressing the great challenges of dark moments in history and time. After all, we survived two UNC governments.

Madam Speaker, it is the norm to move from a UNC travesty to PNM

stability. Madam Speaker, with COVID-19, there would be no difference. Our ability to return, our ability to restore, our ability to move on in Trinidad and Tobago, we will defeat this attack of the pandemic, and we will rise to even greater heights of this nation.

Our zero rate tax allowance for laptop computers, notebook computers, tablet computers, mobile and digital equipment, it is due to our Minister of Finance, a man of numerous degrees and most importantly, a man of common sense, which is why the taxes were not removed from desktop computers, so that no corporate entity would take advantage of that particular zero-rated tax.

As Minister in the Ministry of Education, I take this moment to congratulate the Minister of Finance for making sure the nation's children, their parents, caretakers, take swift action. This Government continues to show time and time again its commitment to providing quality education. Due to the COVID-19 pandemic, the education sector has been thrust into uncharted waters globally, and our children have now had to become e-learners. Thankfully, our children are extremely resilient and also, Madam Speaker—

Mr. Charles: Madam Speaker, 44(10).

Madam Speaker: Member for Naparima, you rose but I did not hear.

Mr. Charles: I said just Standing Order 44(10), please

Madam Speaker: So I observe Member that you are very much tied to your notes, and of course we understand it is a debate and therefore, I am sure you can do otherwise.

Mr. Young: “But they does hand out speeches in de room”.

Madam Speaker: Member for—okay, let us hold up. I know sometimes it is really very comforting to see us in a very light mood, but we still have to comply with the

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Standing Orders and particularly Standing Order 52. So I ask Members when I am standing to recognize that I am standing, and do what you are supposed to do. I also ask Members to limit the crosstalk and loud talking. We know it is a debate, some of us are new, but that does not say that you are going to keep on tying to the paper. So that we could at least—but I find great, great comfort in the objection being raised by the Member for Naparima. Please continue.

Hon. L. Morris-Julien: Thank you very much, Madam Speaker. I will take note, being fairly new and seeing many experienced parliamentarians reading from the notes, I take your guidance and I will do better.

Madam Speaker, the future is digital. Digital is now. Thanks to the hon. Member for St. Ann's East, the Minister of Education, the Adopt-a-School Programme is something that we are all invested in, because simply put, I know our counterparts would not understand this, but if you care for your country, you invest in your country. [*Desk thumping*] If you care for the children, you will give the children. So do not mock what you cannot understand. Do not judge us by your standards. [*Desk thumping*]

I had to listen to the hon. Member for St. Augustine talk about moving 10 years backwards. Madam Speaker, I was there 10 years ago, and the only thing that moved backwards was the Government's money into the pockets of corrupt people. [*Desk thumping*]

Madam Speaker, I was a teacher at that point in time, and I can tell you about the laptop programme. I can tell you about the pornographic material. I can tell you about children using it as a doorstep. I can tell you about the many instances where a simple hack by a 12-year-old would remove all access to every conceivable website.

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Madam Speaker, they cannot tell me, because I was there. It was ill-thought, ill-conceived, ill-planned, and it is a PNM Government in 2020 that had to fix it. [*Desk thumping*]

Madam Speaker, I had to listen to my hon. colleague speak about Windy Hill. I would like to answer on behalf of my hon. colleague for Lopinot/Bonaire West. Of course he knows Windy Hill. He won handsomely in Windy Hill. [*Desk thumping*] Up to last week, that very same Member was giving out tablets out of his own pocket. [*Desk thumping*] Because again, a PNM Government we believe in giving back, not giving friends and family.

Madam Speaker, they spoke about the hon. Member for Siparia having a vision many years ago. I would like to state again: there is a difference between lowering and removing. The PNM Government removed. Two different words, two completely different meanings. We are making sure that these devices are accessible to all.

Madam Speaker, they spoke about in 2015, why we did not do it then. In case Members on the other side forgot, a certain Central Bank Governor told the Minister of Finance, we did not even have enough money to run the country for two days. I have not forgotten, and no one in this country ever would. [*Desk thumping*]

I listened to the hon. Member for Mayaro spoke about tears. I would like to stress, yes, tears, tears of joy that the PNM Government is taking everything in hand. [*Desk thumping*] Where was the concern for the working man in 2010 and 2015, when we got something that we called “contractioneers”, meaning those who made money from government contracts? Where was the working man concern then? [*Desk thumping*]

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If anyone knew what the Minister of Finance, what the hon. Prime Minister, what Camille Robinson-Regis, the hon. Member for Arouca/Maloney, they took their time and they planned. We have been in a memorandum of understanding with Estonia for over two years, and in two years we will be a digital country, an e-government. [*Desk thumping*]

Madam Speaker, in Estonia in 2000, only 21 per cent of the population was computer literate. In 2016, 91 per cent of the population was digital literate. Madam Speaker, in 2020, it is 100 per cent, and that is the pathway we are following, and that is what we are forging, not just for Trinidad and Tobago but for all of the Caribbean.

Madam Speaker, as a new Member coming into this honourable House, I am pleased to state as a former teacher, as a current Minister of State in the Ministry of Education, the efforts the Government of Trinidad and Tobago are making are second to none globally in the entire world because we are giving our all, governance for all.

Many of the First World countries are now looking to Trinidad and Tobago, and with the removal of these taxes, we will also remove digital ageism. I was pleased to see the THA, the Ministry of Social Development and Family Services already offering courses to senior citizens to make sure, it is not just the children but also the senior citizens that will be moving into this digital. Again, that is common sense that is the hon. Member for Diego Martin East.

The removal of VAT, the removal of customs duties, it is simply to make our entire digital thrust available to each and every citizen. I myself would like to state our intentions are always the very best of intentions. [*Desk thumping*] Again, if you want to judge from one on your own low standards, that is up to you. We,

however, will always take the higher road. We will always go high when they go low.

Madam Speaker, as I come to a close, I would just like to state, it was a campaign slogan that Dr. Keith Christopher Rowley, the hon. Member for Diego Martin West, “It was the right leader, the right time”. Madam Speaker, thank goodness, because that is a prophecy.

Thanks to Dr. Rowley, thanks to the People’s National Movement, Trinidad and Tobago has been saved from the UNC 19. I so close and I thank you very much, Madam Speaker. [*Desk thumping*]

Madam Speaker: Member for Couva North.

Mr. Ravi Ratiram (*Couva North*): Thank you very much, Madam Speaker, for the opportunity to participate in this debate.

As I sat here this afternoon and I listened earlier, I recognized that the hon. Minister was making some very bold statements, that the party that puts policy in place that she represents, the party that puts policy in place to benefit all the citizens of our country, and she made reference to the late Dr. Eric Williams, and I want to start from at that point.

Making reference to Dr. Eric Williams addressing an Independence Youth Rally on the 30th of August, 1962, he said to them:

“On your scholastic development, the salvation of the Nation is dependent... you carry the future of Trinidad and Tobago in your school bags.”

So said Dr. Eric Williams.

These words were utopia for almost 50 years that followed, for it was only in 2010 that our country saw the true realization of these words under the astute leadership of Mrs. Kamla Persad-Bissessar. [*Desk thumping*]

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Between 2010 to 2015, under the People's Partnership government, led by the hon. Member for Siparia, there were no taxes on computers, that is, both laptops and desktops, as well as tablet devices. Note, no taxes, none whatsoever. But not only that, all students who wrote the SEA exams in the years 2010, 2011, 2012 and 2013—

Mr. Young: Madam Speaker, 44(10), “de speech from de room in de back.”

Madam Speaker: So, again, Member for Couva North, I guess your own side has set a certain bar, and therefore, we all have to comply with that bar. This is a debate. Okay? So while you can refer to your notes, you cannot be so tied to it. Proceed.

Mr. R. Ratiram: All these students, they were presented with free laptops, thus promoting the vision of a caring and forward-thinking government—

Mr. Deyalsingh: Madam Speaker, regrettably, Standing Order 55(1), again. The issue of laptops under the UNC has been extolled by every single Opposition speaker, every single one.

Madam Speaker: Member for Couva North, I uphold that this now is a tedious repetition. I would ask you to wind up that part of your contribution rather quickly and move on to your next point.

Mr. R. Ratiram: Thank you, Madam Speaker. I make reference to this based on the Bill that is in front of us. As I was indicating earlier, that the laptops that were given out by Mrs. Kamla Persad-Bissessar were given out to all these—

Mr. Deyalsingh: Madam Speaker, Standing Order 55(1)(b), again.

Madam Speaker: Okay. Member for Couva North, maybe you misunderstood and thought that we were talking about relevance based on the comment that you made. But what I have ruled that this is tedious repetition, and I ask you just to wind that

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up and go on to another point.

Mr. R. Ratiram: Thank you, Madam Speaker.

Madam Speaker: This is the second time I have offered that guidance. Okay?

Mr. R. Ratiram: As I wind up, Madam Speaker, I want to make reference to a *Newsday* article dated Friday, September 2020, by Camille Moreno bearing the headlines:

“Kamla: Remove all taxes on computers, laptops for children”

You see, Madam Speaker, the hon. Minister of Finance comes here with the declaration of removing taxes and taking credit for something that this article here, prior to the budget reading—

Mr. Deyalsingh: Madam Speaker, regrettably, Standing Order 55(1)(b). The Member for St. Augustine dealt with the issue of taxes on laptops ad infinitum and ad nauseam.

Madam Speaker: So, will you wrap up that laptop issue all together, and go on to another point.

6.45 p.m.

Mr. R. Ratiram: So in wrapping up the laptop issue, Madam Speaker, which I am guided by you, I just wanted to place on the record that within my constituency of Couva North, I would have written to all the school principals in my constituency, and I would like to place on the record that I have gotten responses from the school principals, some of them and the PTA, and I have information that I would really love to share with the hon. Minister responsible for this.

While the responses from the principals in the school indicated that over 460 students are out of school because of their lack of connectivity and the lack of laptops, the—

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Mr. Deyalsingh: Madam Speaker, regrettably, 55(1)(b), the issue of—

Madam Speaker: Member for St. Joseph. All right. Member for St. Joseph, I will allow it. He is talking about his constituency, I will allow him to deal with his constituency.

Mr. R. Ratiram: Thank you. Thank you very much, Madam Speaker. And as indicated, Madam Speaker, I would have written to members of all the schools in my constituency and I have gotten responses from some, not all. But so far the responses that have come in indicated over 460 students in Couva North are without electronic devices. And I say this making reference to the statement by the previous speaker that she represents a party which puts policies in place to benefit all the citizens of our country. And I make a plea on behalf of the students of Couva North, because receiving this document, and I will share a copy of the document with the hon. Minister after my contribution. But receiving this document from the president of the PTA dated the 23rd of September, 2010, it is a document addressed to the hon. Minister of Education labelled “Subject: Part A, Online Classes and Laptop”, and it carries on with the name of the school. But what hurts me, Madam Speaker, is paragraph 5 which states and I quote:

With over 734 students attending our schools, unfortunately we only have under 450 online.

Madam Speaker, what that translates into is in just that one school—

Mr. Young: Madam Speaker, 44(10), “Ah watchin him turn de pages ah de speech and read it.” [*Desk thumping*]

Mr. Indarsingh: I did not hear the Standing Order.

Mr. Young: 48(4)(10)!

Madam Speaker: Member, I heard you. Please, have a seat. Okay? So it is not

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that a Member is not allowed to refer to his notes. A Member cannot read a speech. Okay? So I have already cautioned the Member, and I have not observed that he is reading a speech. Okay? The Member may be tied closely to his notes, but I have not noticed that he is reading a speech. Continue.

Mr. R. Ratiram: Thank you very much, Madam Speaker. Madam Speaker, what that translates into is, again, 284 students in just that one school are out of school today, and this is something that I really hope that the Minister can address. And once more, I invite the Minister to the constituency of Couva North to help these children who are being deprived of an education because of their left foot, right foot PNM style of governance. [*Desk thumping*]

Madam Speaker, I want to turn now to the increase in personal allowances of the income tax for persons who would have been working for \$6,000 and under; they would have paid no income tax. What the Minister came to this Parliament and he shared with this Parliament is that persons now with a salary of \$7,000 and under, they would not have to pay taxes, Madam Speaker. And I want to quote what the Minister of Finance had said in this Parliament here, Madam Speaker. He announced in this 2020 budget:

“All individuals earning \$7,000 a month or less will now be exempt from income tax. This will put additional income of \$3,000 per year into the pockets of over 250,000 individual taxpayers.”

And the Minister went on to say, Madam Speaker, and I quote:

“This bold measure will cost the Government \$750 million per year in individual income tax revenue but we firmly believe that in this difficult COVID-19 period it will stimulate the demand side of the economy, by stimulating economic activity, consumption, sales and growth by putting

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more money in the hands of consumers. We believe that through the multiplier effect the net effect on our GDP will be much more than \$750 million.”

Madam Speaker, the Minister comes here and speaks as though his policy is about giving away free money in a manner that you are just giving that to the citizens, even though they would have worked very hard to earn their income and earn their revenue. But let us examine this in a little greater detail, Madam Speaker.

We are talking about \$3,000 per year divided by 12 months is \$250 per month, Madam Speaker. So for persons earning \$7,000 per month, what this translates into is an extra \$8 per day. And I want to ask the Minister, what does he expect to take place, what sort of multiplier effect does he expect this \$8 per day, Madam Speaker, will have and will benefit the citizens of our country?—taking into consideration, Madam Speaker, that it was under the UNC administration led by Mrs. Kamla Persad-Bissessar who removed taxes on 7,000 food items. [*Desk thumping*] But as soon as this Government came into office, Madam Speaker, they placed a 12.5 per cent value added tax on the food and grocery items, causing increase in food prices.

Madam Speaker, this administration increased fuel prices not once, not twice but three times did they raise the price of fuel, Madam Speaker, and now they intend to sell out the gas stations and liberalize the fuel market causing further increase to fuel and transportation costs creating additional hardship to each and every one of our citizens, Madam Speaker. And we all know, Madam Speaker, that once you increase transportation costs, naturally the cost of goods and services is going to be affected.

So tell me, Madam Speaker, what does this \$8 multiplier effect that the Minister is speaking about going to be benefiting our citizens? Again, it is going to be a total failed policy because you see, Madam Speaker. In addition to that, you are talking about the increasing of utility rates, water and electricity. So when you look at all the various increases that the average citizen is going to have to treat and to deal with, this \$8 per day fiscal measure discussed and presented by the hon. Minister of Finance, is in no way whatsoever going to help our citizens with the hardship that they face under [*Desk thumping*] this PNM administration.

Moving on. Madam Speaker, the question that I have to ask is with respect to citizens who are not earning \$6,000 or \$5,000 or citizens who have become unemployed over the last five years. We are talking about the closure of Petrotrin, we are talking about the closure of ArcelorMittal and sea food industries Yara, to name just a few and the list goes on and on, Madam Speaker. A significant amount of citizens have become unemployed under this administration. And these allowances that the Minister comes here in this House to speak about, in no way is going to help these citizens especially taking into consideration the pandemic that is upon us and the number of persons who would have lost their jobs and the shutting down of many industries by this administration, Madam Speaker.

So when we look at what is happening here, there seems to be a plan in place that is definitely not going to support or to benefit our poor, our underprivileged and our unemployed citizens, Madam Speaker. So while the Minister would have attempted to give something with the left foot, he takes it back with the right foot, Madam Speaker. Left foot, right foot, PNM style of governance. [*Desk thumping*]

Madam Speaker, I want to move on to the clause 2 amendment to the Motor Vehicles and Road Traffic Act, Madam Speaker. You see, I want to bring to the

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attention of the hon. Minister and to all our citizens out there, that it was in 2011—

Mr. Young: In my effort to uphold the Standing Orders, I have the best line of sight, 44(10), he is turning the pages, reading. [*Crosstalk*] Hush “yuh” mouth “nah, Duppy”.

Madam Speaker: Now, I just heard somebody say something that is not to be tolerated in this House. I do not know who said it and I just do not want a repeat of that. Member for Couva North, as I said, you know, while you are new and I will allow you some latitude, we have to balance with a certain amount of fairness. Your side has raised the issue about people being tied tightly to their notes and therefore, I upheld it on that side, I have to uphold it on your side. This is the last the warning I will give you. Right? Let us proceed.

Mr. R. Ratiram: Thank you, Madam Speaker, and I am guided. However, I must say—

Madam Speaker: I do not want any “however”. I have ruled. Proceed.

Mr. R. Ratiram: I am guided by your guidance, Madam Speaker. And I swiftly wanted to make mention of the challenges facing our—

Mr. Deyalsingh: Standing Order, 44(10). I mean, it is just ridiculous now.

Madam Speaker: No. No. Members, as I said, the Member can refer to his notes, and his notes do not stop him from either turning pages [*Desk thumping*] or shuffling cards. His notes allow him to turn pages or shuffle cards. What is the offence would be reading a speech or being tied closely to it. But it does not prevent the Member from turning pages. All right? Proceed. [*Desk thumping*]

Mr. R. Ratiram: Thank you very much, Madam Speaker. Madam Speaker, swiftly touching on the amendments to the Motor Vehicles and Road Traffic Act, Madam Speaker, by moving from the period, the year of manufacture, I want to

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remind that it was a People's Partnership administration that in 2011 had placed the six-year period where vehicles have been registered in this country. However, this lasted from 2011 under the People's Partnership—

Hon. Member: What is that, again?

Mr. R. Ratiram:—to 20—let me see here. This lasted to 2016, Madam Speaker, when those on the other side came into office. And the first thing that they did, Madam Speaker, when they came into office is they reduced the year of manufacture of six years down to four years, Madam Speaker. Again, putting harsh and oppressive measures that affected citizens. [*Desk thumping*]

Madam Speaker, when they remove this four years and they bring it down to three years, now it is going to make it even more difficult for the average citizen because naturally the price of these three-year vehicles is going to be more than the four-year vehicles. It is going to affect the industry, Madam Speaker, and it is going to affect all the linkage businesses to the automotive industry: the tint, the air-condition, the alarm, the garages, the tyre shops, all the linkage businesses. The workers and the employees of these linkage businesses are definitely going to be affected by this harsh and oppressive measure being set by this uncaring PNM administration. [*Desk thumping*]

So, Madam Speaker, while I will give way for my colleagues to continue with this discussion, what they did also in that motor vehicle Act is that they disregarded the Paris agreement, they disregarded the carbon—

Madam Speaker: Member for Couva North, your time is now spent. Member for Diego Martin Central. [*Desk thumping*]

The Minister in the Ministry of Education (Hon. Symon de Nobriga): Thank you, Madam Speaker. Madam Speaker, I have sat in this House as a new Member

and my intention was to listen and to learn, and I thank the Members on my side for assisting me in that. However, Madam Speaker, today has been no exception. It has been very difficult as a new Member to see the value that is added by the Members opposite.

Madam Speaker, Members opposite went on and on about laptops under the previous administration. Ninety thousand laptops being distributed, and spoke about vision. Madam Speaker, where were the warranties on those laptops? Where were the SLAs? Madam Speaker, these are basis decisions that everyday man makes in purchasing computers, and a government could not make that decision. Madam Speaker, vision?

Madam Speaker, this Government has assigned the portfolio of digital transformation to a Ministry and a Minister who is leading a whole-of-government approach to taking this nation boldly into a digital future. Madam Speaker, that is vision.

Madam Speaker, one of the things that has made me particularly proud to be a Member of this Government is the insistence of our Prime Minister that we have a responsibility to create a new society. A duty to pivot away from past errors and omissions and an obligation to leave this place a little better than how we met it. This is a responsibility that we dare not shirk and one which transcends party, race, colour, creed, gender or any of the other constructs which have the potential to polarize us if we allow it.

This Finance Bill which seeks to give life to the provisions contained in the 2021 budget, provides further evidence of this drive to create that new society, and one that acknowledges our present reality and is determined to use it as a launching pad to a brighter tomorrow.

The adjustments which we seek today, Madam Speaker, when actualized will lead ultimately to the diversification of this economy particularly through the support and empowerment of young, creative, driven entrepreneurs.

Mr. Ratiram: Madam Speaker, 44(10), the speaker is reading directly from his notes—the Member.

Madam Speaker: Okay. So this applies from here on. I would ask all Members, you can refer to your notes but you cannot read a speech. All right? And, you know, I hope that the strictness with which all Members so far wish this to apply will understand that from here forward particularly as we have a policy of being paperless, we will see much less paper in here and more debates. Please continue, Member for Diego Martin Central.

Hon. S. de Nobriga: Thank you, Madam Speaker, I am guided. The tit for tat is a game petty in the extreme. Madam Speaker, gone are the days when the overriding ambition for parents and children is to get through school, get an 8.00 to 4.00 job.

Mr. Ratiram: Madam Speaker, 48(6)—44(6), please. I am not engaged in any tit for tat, I raised a Standing Order.

Madam Speaker: Member, I just want Members to understand—okay? Being here calls for a certain level of seriousness and maturity. It is understood that there is a certain amount of banter, there is a certain amount of robustness. I have heard it once here that politics is not a job for the fainthearted. Standing up and people using the Standing Orders in an inappropriate manner constitutes an abuse. I will not tolerate any more of this. Let us get on with the people's business. Continue.

Hon. S. de Nobriga: I appreciate it, Madam Speaker. As I said, to get through an 8.00 to 4.00 job after getting through school, job security for 30 years and retire with a pension. Madam Speaker, to many of my generation and older, that was an

aspiration, but today's youth simply are not defined by those parameters. They are driven to explore their own creative ambitions, to be their own bosses and to live life on their own terms in a way, Madam Speaker, that to be very honest, would have driven my parents to drink.

And, Madam Speaker, this a global aspiration for young people, and in no small part it has driven us into an age where I get to make an appointment to get a haircut on my mobile device and get notifications if I am late or if there are delays from the barber.

Madam Speaker, after a long day in my constituency office or in this very House as we see today, I can use a mobile app to order food, pay for it, have it delivered to my family. And, Madam Speaker, using those same mobile apps, using the same digital platforms we can now make appointments to have our licence renewed with no hassle.

Madam Speaker, this and so much more is happening in the digital world of millennials and Gen Zs and it goes so far beyond this simple messaging on WhatsApp and playing FIFA 21 on a PS5. And it is why, Madam Speaker, I was so disappointed to hear in this House recently by those on the other side describing youths as, youths on the block learning to dance the system. How disconnected and condescending can you be, Madam Speaker? [*Desk thumping*]

Madam Speaker, today I say to the youth of this country, we, this Government does not see them collectively in that way. We understand that they are learning and thinking and communicating in ways that are fundamentally different to those of previous generations. Today, youth function in an interactive environment that is not defined by location or geography, and they have access to the world of information at their fingertips—about youth dancing.

So, Madam Speaker, clause 4 of this Bill seeks to insert new sections 10R and 10S to provide a tax allowance of \$3 million to companies that incur expenditure in investing in a tech start-up and for companies creating youth employment in the technology industry respectively.

Additionally, clause 6 seeks to amend Schedule 2 of the Value Added Tax Act to provide zero rating on laptop computers, notebook computers, mobile and digital equipment, cell phones, software accessories and peripherals. When taken together, Madam Speaker, Government's intention for young people is clear. It is no secret that youth entrepreneurship is critical to creating wealth and driving economic, growth, innovation and employment in traditional and non-traditional industries. These measures allow for the building of assets especially at the micro and small-business levels. Madam Speaker, these levels, decisions of a financial nature may be based on hundreds of dollars. So these measures really drive home to the 24,000 registered small and micro businesses and the 25,000 unregistered small and micro businesses as would have been told to this House by the Minister of Youth Development and National Service on Wednesday gone.

Madam Speaker, I know the youth of Diego Martin Central welcome these measures, and I know that they are not unique in that respect. The benefits of these measures will be felt by the constituents, all of the Members of this House.

Madam Speaker, the promotion of entrepreneurship facilitated by amendments such as these will enhance skills and foster an appropriate business climate where potential and growth can explode allowing for the realization of the targets listed in our *Vision 2030* National Vision Statement inclusive of the diversity and creativity of all of our people being valued and nurtured. All citizens being assured of a sound, relevant education system tailored to meet the human

resource needs of a modern progressive and technologically advanced nation, and an economy that supports decent work for all and is conducive to entrepreneurship and innovation.

The truth is, Madam Speaker, that Trinidad and Tobago is faced with a global dilemma and society is changing rapidly and that change brings with it numerous challenges. However, innovation, creativity and entrepreneurship are strong measures to address these challenges.

Madam Speaker, every time I engage with groups of young people in my constituency, I hear so many creative ideas being generated, sometimes humorously so, and so many potential solutions to our everyday solutions. And the challenge is that while those ideas are being generated, very often they do not see the light of day in a commercial sense. This problem is not new, but I am convinced, again, that the measures that the Minister of Finance is introducing via these amendments send a clear message that we are on the right track to creating a knowledge-based, an innovation-based society.

That part, Madam Speaker, will be facilitated by this Government but it requires interventions from the private sector and from societal partners as well. And that is why the amendment to clause 4 seeks to provide a \$3 million tax allowance to companies who are willing to invest in tech start-ups and new technology businesses.

Madam Speaker, central to the partnership we are trying to nurture with the business sector, is innovation and an appetite for calculated risk. It is a critical ingredient if we are serious about getting young involved in entrepreneurship and making them creators of opportunity for their peers.

This is a stance, Madam Speaker, derived from the almost tectonic shifts in

the global markets which have been influenced by technological advancements—that was a tough one, Madam Speaker—the collapse of commodity pricing and the continued blurring of national borders in the virtual space.

Madam Speaker, for Trinidad and Tobago to not only exist and survive but to thrive, we need innovative and insightful young people who are ready to embrace the advent of this new form of globalization, this fourth industrial revolution. And, Madam Speaker, with that concept reverberating around the world, it is crucial that we talk, not only about entrepreneurship, but about emphasizing and fostering the environment for the development of new products, processes and services to be a real option for businesses in this country.

Madam Speaker, there are countless billion-dollar businesses today that began in garages, bedrooms or in places so small you would have to leave the room to change your mind. But for every Microsoft, and Dell, and Apple, and Amazon, and Disney, and Google, there are hundreds of businesses that are successful on a much smaller scale, but add value to society, employ people and pay taxes.

Madam Speaker, I can attest to being in the latter category. When as a young 20-something I left my bank sector job, sold my shares and used those funds to invest in a start-up business. But, Madam Speaker, the key in that story was the capital injection. The decision to believe in myself and to take a risk. And the hard cash that I was able to put into the business changed my life in ways that my younger self could not even fathom. But, Madam Speaker, today this Government is saying to young people that we believe in you and we are prepared to back you to take us where we need to go but we need the private sector, private investors, venture capitalists to join us in betting on them as well.

Madam Speaker, these amendments in addition to opening new opportunities for young creatives also speaks to facilitating them in their relentless drive to independence. And there are two clauses in particular which speak powerfully to this, and with your leave, Madam Speaker, I will read and highlight them.

The first is clause 7 of the Bill which:

“...amends the First Schedule of the Stamp Duty Act, Chap, 76:01 to increase the threshold for exemption from stamp duty to two million dollars in respect of a conveyance or transfer on sale of any property of a first-time home-owner where the property is, or includes, a dwelling-house used wholly or mainly

for residential purposes, as approved by the Board of Inland Revenue.

This clause would also amend the First Schedule of the Stamp Duty Act to increase the threshold for exemption from stamp duty to two million dollars in respect of mortgage deeds for first-time home-owners of property that...includes, a dwelling-house used wholly or mainly for residential purposes, as approved by the Board of Inland Revenue.”

Madam Speaker, as I go further in my career I will get better at that.

Madam Speaker, the truth is that no government will ever be able to construct enough houses to entirely eliminate the backlog and satisfy the current demand for housing. It just cannot happen. However, this amendment introducing clause 7 gives our young people as first-time homeowners a fighting chance of owning the most valuable asset that some of them will ever own in life. When this is combined with the increase in personal allowance from the current \$72,000 to the proposed \$84,000, Government’s intention becomes clearer. [*Desk thumping*]

7.15 p.m.

With \$3,000 more of disposable income, and the threshold for stamp duty exemption increased to \$2 million, our young professionals have been placed on a much clearer trajectory to earlier homeownership and the generational impact that provides. Madam Speaker, through these amendments we are seeking to step up Government's role as a facilitator in the creation of a new cadre of "tech-trepreneurs", who are also able to finance their new homes rather than continuing to operate out of garages and their bedrooms.

But more than that, Madam Speaker, we are also creating a society that pays greater attention to the environment. The continued support of CNG and electrical vehicles, despite the intervention of the Member for Mayaro, through exemptions and reduction of the age of those vehicles that are imported into the country, will now afford us an opportunity to breathe cleaner air and ultimately reduce our carbon footprint. Madam Speaker, I am certain that all of us gathered here long for the day when we can drive on the nation's roads and in our city centres, and not be saddled with the added burden of breathing noxious fumes from smoking vehicles. This Government is fulfilling its obligation to creating that new climate-friendly society in accordance with the United Nations Sustainable Development Goals Nos. 11 and 13, which were recently discussed, among others, at length, at our *Spotlight on Urban Development* where we discussed the revitalization of our capital city, Port of Spain.

And, Madam Speaker, let me take this opportunity here to congratulate the Minister of Planning and Development, for getting that project started recently, with the washing of our city in conjunction with the Port of Spain City Corporation. [*Desk thumping*] Madam Speaker, in preparing for this contribution, I

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came across some words of wisdom from one of the icons of the South African liberation struggle, Oliver Reginald Tambo, who said any nation that does not look after its youth does not deserve its future. Madam Speaker, we remain resolute, and through these amendments, on course for creating a better, new society for our youth and ourselves. And I urge my colleagues on the other side, to break from what I have observed as a norm, and to lend their unequivocal support to its passing. When the history of this country is written, Madam Speaker, it will not look favourably on those who when faced with the opportunity to make tangible difference in the lives of the population, by virtue of the positions they hold, shirk that responsibility.

Madam Speaker, today I give the national population the assurance that this Government will never be found guilty of so doing. Thank you, Madam Speaker.
[*Desk thumping*]

Mr. Rodney Charles (*Naparima*): Thank you, Madam Speaker. Permit me to clarify—I did not expect to speak today, but permit me to clarify some comments that were made from the Members opposite, in particular the Member for San Fernando West. He made—the hon. Attorney General made the comment—that when we introduced the laptops in 2015 that it was done in a situation of chaos, that there were no supplementary contextual, environmental amendments that were made to catalyse the efficacy of these laptops. I want to correct that for the record.

Madam Speaker, when we introduced the laptops there were—124 of the 126 secondary schools had Wi-Fi connectivity, ranging from 5 megabytes to 100 megabytes per second. The average per secondary school was 35 megabytes per second. So, there was connection. In addition, Madam Speaker, we trained 6,000 teachers in ICT to prepare them for that technology. [*Desk thumping*] And we did

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it in collaboration with UNESCO, and the records are there in the Ministry of Education. Over 70 per cent of the teachers were trained, and 300,000 citizens benefited from the 97 laptops that were given. [*Desk thumping*] Madam Speaker, teachers in Trinidad and Tobago won global prizes by Microsoft in the use of laptops in education. We were pioneers. We were taking Trinidad to the next level and the Member for San Fernando West comes in his usual glibness and tells us, nothing was done, we bought computers and we unable to optimize the use of those technologies in the education system of Trinidad and Tobago. In fact, I wish to tell him, and to tell those opposite, that Trinidad and Tobago—

Madam Speaker: Member! Member, you wish to tell the hon. Member. You are too senior for that.

Mr. R. Charles: I apologize.

Madam Speaker: Thank you.

Mr. R. Charles: I wish to tell the Member for San Fernando West, the hon. Member for San Fernando West, that Trinidad and Tobago became the centre for virtual education in Latin America and the Caribbean by no less an organization than the Organization of American States. [*Desk thumping*] You see, you cannot come here and rewrite history and not expect us to place on record the facts as they are. Madam Speaker, I also wish, in my brief contribution this afternoon, to correct the hon. Member for Diego Martin North/East, the Minister of Finance. I thought I heard him say, and I had to listen again. You know when you get this age you have to double check. I double checked and I thought, “me thought” that I heard him say, that vehicles are—the purchase of vehicles, that is the main reason for the outflow of foreign exchange in Trinidad and Tobago. And “me thinks” I heard him say that the figure was US \$300 million annually.

Madam Speaker, that was the backdrop to the taxes that we have here today that have been imposed on the vehicle industry, and more so on the used car vehicle industry. But, Madam Speaker, when I checked, and I am reading from a June 13, 2020, the *Trinidad Express*. And it says, “Credit cards grab the largest slice of the usage of foreign exchange.” I thought maybe, you know, what I heard and what are the facts, there is a disconnect. In fact, the article went on to say that credit cards take up 28.5 per cent of our foreign exchange. Credit cards. You know what came second? Retail and distribution, that is, the PriceSmarts, et cetera, 24.4 of our foreign exchange. Energy companies, 11.7 per cent of our foreign exchange; manufacturing, 8.2 per cent; and automobile companies, guess what?—5.8 per cent.

Madam Speaker, I believe in facts, and facts are stubborn things, and you cannot come here and give information, because we can check. [*Desk thumping*] I could go and Google and check and get real life corrections to the misinformation that we get on the other side. And this came from the Central Bank of Trinidad and Tobago. So do not use false information to vilify, castigate and punish the car industry, and in particular the one that deals with the small man, the small man, the used car industry that employs hundreds of our citizens. And if you do so, do so on fact, and do so on figures. Madam Speaker, I am not surprised. I am not surprised at the Minister of Finance, you know. I am not surprised. The Minister of Finance, and I said it before, and it is worth repeating, that he has—the Minister has presided over the persistent, continued, repeated, and annual declines in our economy. It was 6.3 per cent in 2016, 6.3 per cent. It was—sorry, minus 6 per cent, minus 6.3. And I just want to look because I want to be correct with these figures. Minus 2.31 in 2017; in 2018 minus 0.25 per cent; and 2019 minus zero, zero, zero,

which was minus 0.24 less than the year before.

Madam Speaker, no authority to lecture us on how to run an economy. [*Desk thumping*] And when we look at this legislation, Madam Speaker, a plethora of things put together to give the impression that you are taking active steps to deal with a post-COVID environment, and to retool and reinvigorate our economy. And what we get, Madam Speaker, are qualitative words. You get words like, “keep the economy moving”. That is what the Minister said. “This bundle of legislation was created to keep the economy moving, to increase employment, to preserve foreign exchange, help first-time homeowners, increase disposable income, and we believe this is a start.” Well, Madam Speaker, in the world of econometrics, in the world of high finance, in the world of global Parliaments, these are non-statements. Keep the economy moving, tell us by how much. Give us a quantifiable figure so that we could wrap our arms and heads and brains around it.

But when you give me a flippant open-ended qualitative statement, that is Mickey Mouse. When you tell me these measures will increase employment, I want to know by how much? So you could tell me, for example. You see, well the wear and tear allowance—

“The clause also seeks to increase the wear and tear rate of allowance of plant and machinery classified under class B of the Seventh Schedule, from 25 per cent to 30 per cent.”

Well, for heaven’s sake tell me what is the end product? What is the utility of this piece of legislation? And tell me in quantifiable terms, so I could go back a year from now and check. Madam Speaker, in every developed country policies are tied to measurable outputs. In Trinidad and Tobago we hear loose talk, we are going to increase employment, increase disposable income, we are going to preserve forex.

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Well, tell me how much forex you are going to save by the measures? And they do not like to hear about a country, and I would not call its name. I would not call its name, Madam Speaker. But, you see, I have gravitated towards the First World way of thinking.

Madam Speaker: Member. Member, I just want to warn you. I am seeing the boot—it is the first time I have seen the boot shake.

Mr. R. Charles: I did not hear.

Madam Speaker: The boot. The first time I have seen it shake is—so just be careful. [*Laughter and desk thumping*]

Mr. R. Charles: I apologize, Madam Speaker.

Madam Speaker: You do not have to apologize, a warning for your safety. Whatever you are doing in there just be careful. [*Laughter*]

Mr. R. Charles: Madam Speaker, I mean the Baptist like to shake and ring bell, and energize, so if you find me here, it is in the DNA. I apologize nevertheless. But you see the country, the country, and I would not call the name because they “does” get “tizik” on that side. It says, and this is how First World countries frame their language. It says “Digital Economic Framework for Action”, Infocomm Media Development Authority of Singapore. It says, and they talk about a range of actions and activities, and it says a:

“...key growth driver of Singapore’s digital economy...”—we—“...are already slated to add 13,000 new jobs by...”—2030.

Nowhere in this document could I get a handle on what is the benefit, what is the utility of this suite of legislation. Suite of legislation.

You see, Madam Speaker, we operate in an environment devoid of data. And when the renowned Central Bank governor Jwala Rambarran sought to enlighten

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us by giving us information as to where our foreign exchange was going they fired him. And they fired him so they could come today and tell us that the largest user of foreign exchange in Trinidad and Tobago in respect of the vehicle industry.

Mr. Hinds: We fired him because he is UNC.

Mr. R. Charles: Madam Speaker.

Madam Speaker: Please continue.

Mr. R. Charles: Madam Speaker, I would like the Finance Minister, in wrapping up, to tell us about the corporation tax allowance for sports culture from 6 million to 12 million. Tell me, for heaven's sake! Pray, tell me, how many cultural businesses and how many sport businesses will benefit from this allowance? This section that amends section 10G(1), 10I, 10J, 10K(1), 10L(1), 10Q(1) of the corporation tax by increasing the tax allowance relating to art and culture, sporting activities or events, audio, et cetera, et cetera? Tell me how many.

Because I am sure that the businessmen, the Machels in the culture of Trinidad and Tobago, they probably do not qualify for 5 to \$12 million in allowances. But you put this here. It sounds nice. Nobody is eligible to get it, and at the end of the day it is non-performing piece of legislation. Do not bring me here in my old age to waste time. I want to do—when I pass a piece of legislation I could say, yes, that will increase the GDP by 0.1 per cent, and if we did not do it, we would be in a net deficit position. I “cah” say that. I have to rely on qualitative terms. The Member for Lopinot—Lopinot/Bon Air, is it? I apologize I cannot see. Lopinot?

Hon. Member: Bon Air West.

Mr. R. Charles:—Bon Air West. He said, the Minister said, that when we come here, we in the Opposition like to cry negative and bring down the economy. That

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is not so. It is not—I had the text and I left it on my desk.

People like Trevor Farrell, he has looked—the reason for underdevelopment in our economy, and he says there are cultural reasons there is poor governance reasons, and I say it is the PNM that is responsible for the lack of governance [*Desk thumping*] in Trinidad and Tobago. And when I look at this piece that came today, that I have to talk on, to me it does not add up. Madam Speaker, the economy has collapsed. That is the mantra of the UNC we are told. But where in this legislation, where today do we learn about foreign exchange earnings increase? Where do we learn about the perception of corruption being reduced so that investors will come to invest their money and create the jobs that we need in Trinidad and Tobago? Instead, we had a gutted anti-gang legislation that will do nothing to improve our perception of corruption index, and therefore that together with these pieces of legislation will lead to our demise.

We talk about sport and culture. Madam Speaker, Trinidad in my day, we were sports. We were in the top rank in Caricom. Under this PNM we are—Grenada, St. Vincent, Bahamas, they performed better than us, and that is the end product of legislation, output and performance. In the Rio Olympics, for example, you know what we got? We got one bronze medal. Jamaica got 11 medals. You know there is a joke, Madam Speaker, they say the colonial powers went to Jamaica and took all the gold and shipped it to England, and Jamaica is winning back the gold from England one medal at a time. They could say that about Jamaica, not about my country. Bahamas got a gold. Bahamas, 700,000 people. Cuba, 11 medals, Dominican Republic, 2 medals, Grenada, one, Trinidad, one, Puerto Rico, one.

That is what they have done to us, and they come here today with some

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fancy bit of vacuity, to tell us that what? This clause would also amend section 10L(2) of the Corporation Tax Act by increasing the aggregate allowance of a production company from 10 to—from something to 12 million. Nonsense! Nonsense! We must hold them to a higher standard. So, Madam Speaker, if I had—my criticism of this suite of legislation, is that it is not data driven. We are not seeing the outputs and the specific benefits to be achieved. We are left in an ivory tower of nebulous, vacuous information, so that at the end of next year we cannot come and say that this legislation achieved a, b, c and d, and therefore we have worked, and therefore we have performed. So, Madam Speaker, I thought it was necessary to point to this Government, to tell them that they need to do better. They need to come to us with serious, well-thought-out legislation. Madam Speaker, it reminds me that my colleague, Sprangalang. We went to school together in San Fernando Boys Government and in Naparima College, and he had the dialect correct when he said, people will just come here—the Minister of Finance, “he ups, he ups, he ketch he self” and he come here with legislation and say it will achieve goals that we cannot hold him to task later on.

So, as my friend, the colleague from San Fernando West said, he said it would be a wonderful world to live in, and he believes we come here with an airy fairy thing of no tax and what not. We are not saying no tax. We are not saying we are not prepared to cooperate. We say, let us reason together, bring sensible legislation to the table, and we will interact. We will look at it. We will give you our viewpoints, and in the end our country will be much better off. I am convinced that our country is on a slow path to the “Haitianization” of our economy and our situation. I am not being a harbinger of bad news, but I look at what is on the table, I look at the challenges we face, and I look at legislative and policy agenda of the

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Government, to see whether it could match up to the challenges, and I think we are found wanting. Madam Speaker, with those few words, I thank you very much.

[Desk thumping]

Madam Speaker: Leader of the House.

PROCEDURAL MOTION

The Minister of Planning and Development and Acting Minister of Housing and Urban Development (Hon. Camille Robinson-Regis): Madam Speaker—
“yuh think I going to talk. You get nervous.”

Mr. Indarsingh: No, no, no, we would respond accordingly. We have quite a lot of fire power to come.

Hon. C. Robinson-Regis: Where? You all bringing them in from somewhere? Madam Speaker, in accordance with Standing Order 15(3), I beg to move that the House continue to sit until the completion of the matters before it.

Question put and agreed to.

FINANCE BILL, 2020

The Minister of Education (Hon. Dr. Nyan Gadsby-Dolly): Thank you very much, Madam Speaker. Madam Speaker, I think it is very important in a Bill such as this, that includes a clause such a clause 6, that deals with the amendment of Schedule 2, and that allows zero rate tax allowance to laptops, computers, notebook computers, tablet computers, mobile and digital equipment, cell phone, software, accessories and peripherals, I believe that in such a debate, it is important for a Minister of Education, in 2020, facing the digital transformation of the education sector, to put it on record, that I am very pleased by movement of this Government to ensure that the transformation is not just in word, but also in deed.
[Desk thumping] And I want to congratulate the Minister of Finance for this

forward-thinking movement to include this in this Bill.

Madam Speaker, words are cheap, but actions are what show the real intentions of a government, and it is easy to stand and to even very forcefully speak, and to shake the very box that you are enclosed in, for your own safety. It is easy to do that, but it is more difficult, Madam Speaker, to really look at what the actions are that would show the importance of digital transformation to a government. Madam Speaker, it is easy to call number as well and say how many teachers were trained. It is easy to call numbers and say how many laptops were given. But it is much more difficult to show an entire system, and this is what this schedule—amending this schedule and what it does, lends to. It lends to the transformation of the entire education sector, which is why it is so fundamental that this is a part of this Bill.

You see, Madam Speaker, we are at a point at this time where the digitization of the education sector is most important. And historically, even as far as 2006, I was a member of first cohort, under a PNM Government to do a Post Graduate Diploma in Educational Technology. So if you are speaking about teacher training and preparation of teachers, it started way back under a PNM Government. It was not over the last five years. [*Desk thumping*] But what lends to an entire system coming together to transform the education sector, is not only the provision of laptops, overpriced and under-quality as they were, as they provided in 2010 to '15. Because my daughter was a recipient of the laptops, and I can tell you without any doubt about the quality of them, about the low quality of them. And I can tell you that there was nothing in place for introducing them into the classroom, and integrating them. I can tell you that there was no large-scale training of teachers to use those in the classroom. But this a different situation

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now, and which is why I am so glad that we are having this zero VAT on these devices. Because now, no child left behind means no child left offline. And this is an iterative process of getting devices into the education sector.

My colleague from, well he is sitting in Pointe-a-Pierre's seat right now, but he spoke to the lack of devices for some of the students in the classroom. And, Madam Speaker, certainly that is so. And that is why the Government has put aside the type of money it has now, 50 million, to invest in getting the devices that our children so sorely need. That is why corporate Trinidad and Tobago has come together to donate over 20,000 devices with a value of over \$50 million, based on the call from the Ministry so that we can assist our students. Nobody planned 2020. No one plans for an education sector to be totally online. And so naturally there will be some fallout. The system is not perfect, but it is the best we can do in the moment, and we owe it to our children to do the best we can for them. What is the alternative? To say that all of us do not have laptops, all of us do not have tablets, so therefore we should not do anything for the children? No PNM government will stand for that. And so we have put things in place, including this zero VAT on laptops and tablets and so on, so that we can make the best arrangements for our children, and that process of getting it to them will be easier, and we know that the business community that is also donating, is grateful for this, and the parents who have to buy, they are grateful for this. But what comes along with this is not simply us patting ourselves on the back and saying, we trained so many teachers. Yes, we trained over 5,000 teachers from March to now, and we will continue to train, because teachers will need a lot of training to be able to have the familiarity with the online process.

So yes, though the laptops are going to be reduced in price, many things go

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along with that digital ecosystem in the education sector to be able to deliver what we need to do for our children at this time. So, we are grateful for this. We are grateful that the Minister of Finance was as forward thinking as he was to do that, and the education sector is supporting that move by our training for teachers. Over 5,000 trained, and many more to be trained in different areas. We are supporting that by optimizing the learning management system for the Ministry, which would provide that resource for teachers to put content on. We are supporting this by ensuring that our teachers are trained to create content, and that training begins in January, school by school, as we ensure that not just devices, not just connectivity, but also our teachers and our students get that training, as we heard from our curriculum officers when I met with them today, that our students need that training too, to maximize on the tools that they have to use in the classroom now.

So this, what we are looking at here, this zero rating, this zero VAT on these devices is but the tip of the iceberg, as the education sector rearranges with itself, retools and does actions that show the import of digitalization and digitization in the education sector. This is not business as it was before. [*Desk thumping*]

7.45 p.m.

This is a new time. So it is not about saying we give laptops, laptops, that would not be enough. That is not the be all and end all. So this zero-rating of the laptops, the tablets, the phones, which many students are using to access the online media, this zero-rating shows that the Government is serious about getting these devices into the hands of our children, they are making it easier for corporate citizens, making it easier for parents so that our children can have the tools they need and ensuring along with that that the eco-system is supporting and buffered by all of the different parts that move together to create that transformation in

education that is taking place now, that is tangible, taking place now in this country as we join the rest of the world in grappling with the effects of not just COVID-19 but also preparing citizens for the digital age as we must.

So, Madam Speaker, thank you for allowing me to add this to the conversation and to thank the Minister of Finance and the Government of the day under our hon. Prime Minister Dr. Keith Rowley for having the forward-thinking action to show how important our younger citizens and their proper training is to this Government. Thank you very much, Madam Speaker. [*Desk thumping*]

Mr. Rudranath Indarsingh (*Couva South*): Thank you very much, Madam Speaker, as I seize this opportunity here to make a very short intervention into this debate here this evening. And it is imperative that I seize the opportunity to put the record straight and to respond to some of the things that have been said by the Member for St. Ann's East, the Minister of Education, in her short intervention when she said that it was important for her as the Minister of Education to make an input in today's debate taking in consideration the amendment as it relates to clause 8 where:

“The Miscellaneous Taxes Act is amended by inserting after section 72, the following section:”—that deals with—

“No online 73. Notwithstanding section 70, the online purchase tax. tax shall not be charged in respect of—

- (a) laptop computers, notebook computers and tablet computers classified under Tariff Heading Number 8471.30.00

Chap. 78:01 of the First Schedule of the Customs Act; and

- (b) mobile and digital equipment cell phones, software accessories and peripherals classified under Tariff Heading Number
- (c) 8517.12.10 of the First Schedule of the Customs Act.”

And also focused on clause 9 as it relates to mobile and digital equipment, cell phones and so on.

Madam Speaker, the Minister of Education indicated that words are cheap and it is important to show how the Government is committed to the transformation of the education system and so on. And all that is fine because I think we all have a responsibility to focus on the future of Trinidad and Tobago, the future of our children at the levels of the early childhood education system, the secondary system and also, well, the primary, secondary and tertiary level systems from an educational point of view. And the Minister indicated that this transformation of the education system has its roots or its genesis as it relates to a PNM Government and so on. And I really want to tell those on the other side that if you are really committed to Trinidad and Tobago you must really cease and desist from engaging in this mantra about a PNM Government. It is a government for the people of Trinidad and Tobago [*Desk thumping*] and it is a government for the taxpayers of this country, all governments we have that responsibility.

And from an educational point of view I was part of a Government, led by the Member for Siparia, and previous Prime Ministers from a UNC point of view, the Member for Couva North at that point in time that focused on the development of the education sector. And it was the UNC Government led by the Member for Siparia [*Crosstalk*] which led the way in terms of the focusing on the classroom of

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the future. And our plan for the children in terms of bringing technology to the children was to use more e-books and to increase the use of technology in schools. And the laptop programme was part of this wider vision and the result of this policy was really to focus on what we would call, “lighter school bags” for students who would have been more equipped to succeed in our increasingly digital world.

And, Madam Speaker, I could recollect very clearly as it relates to this issue of the introduction of technology and the Minister of Education alluded to it. And if I could recollect, I think it was last week, speaking in the other place the Minister of Education in responding to one of my colleagues in the other place, I think it was Sen. Wade Mark, the Leader of the Opposition in the Upper House, and if I am to quote properly and I could recollect—well I am not quoting, but I am trying to recollect with what I read in the public domain, was that the Minister indicated that the Government had set in Motion a programme to procure or for the procurement of 20,000 more devices for students learning online teaching and 15,000 other devices have been pledged by members of the business community. And today we on this side we want to applaud members of the business community, all and sundry too. Small, medium size and large, even individuals have seized the opportunity to step up to the plate and be of support to children and vulnerable families throughout Trinidad and Tobago.

And, Madam Speaker, from a constituency point of view too I have also been bombarded with requests up till today. I got a number of requests on my WhatsApp and so on. And I took the opportunity to conduct what we would call an in-house survey, an internal survey, and if the Minister of Education wants, that I am willing to make the data available to her. And the 14 primary schools and three

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secondary schools have revealed the work done by the councillors and members of the constituency executive staff, I want to place on record that 3,000 children are in need of devices to continue their virtual classes and the virtual learning experience.

And, Madam Speaker, I thought that having intervened in this very important debate and focused on this very important clause and the Minister lamented the importance of the transformation of the education system and the very fact that the Government was committed to that from a policy point of view, the Minister missed a golden opportunity to really tell us in terms of what is the criteria being used in determining which schools and students receive these devices. Has the means test previously announced by the Government been determined and how is it being applied? What does the means test look like? Because we have not been told in the respective education districts across Trinidad and Tobago, in terms of how many devices are being allocated, how many have been pledged and so on, and how it has been distributed. I have been in touch with primary school principals and so on, and without naming specifically certain primary schools, but I can say that there is a principal of one primary school in the constituency that continuously calls me virtually on a daily basis and his lament is that we really do not know how many devices have been given to the—

Madam Speaker: Okay, so Member I got the impression that you were talking about, and not that I got, I heard you say that you were talking about clauses 8 and 9 of the Bill. And I have already ruled that talking about the number of devices in schools and all of that, is tedious repetition. Okay. So I would ask you to make quickly the connection of what you, the track you were on, back to the track upon which you started which would be in accordance with the matter before us.

Mr. R. Indarsingh: I am guided, Madam Speaker. And in relation to this specific

issue of the digital devices and so on, given that the digital devices are being provided by the Government I think that the Minister should have indicated to us what arrangements has the Government made, for example, to facilitate the repair of such devices in the event that repairs are needed and so on, from a policy point of view. And in recent times, Madam Speaker—

Madam Speaker: Member, Member, I just cautioned you. Right? The debate is not about devices in school and repair and the number, okay. You told me that you are talking about clause 8 and clause 9. Link, in the next few seconds, that to what you are saying and you could continue. If not, please go on to another point.

Mr. R. Indarsingh: Yes, Madam Speaker, I am guided as it relates to your ruling. And more importantly, Madam Speaker, I also want to focus on the very important clause as it relates to the whole question of the increase in the income tax allowance for what we would call the personal allowance, Madam Speaker, as it relates to the Government's intent to—the Minister of Finance's intent as it relates to the increase the personal income tax allowance. And, Madam Speaker, in this particular clause the Government is seeking to raise the personal income tax from \$72,000 to \$84,000. And I would like to hear, probably in his winding up and so on, because when the Minister piloted this measure as it relates to the budget statement of 20—I am trying to recollect the exact date, but I could recollect the Minister was very exuberant, the Minister was very emphatic that this particular measure would stand to benefit approximately I think 250,000 taxpayers in Trinidad and Tobago by putting a further \$3,000 in terms of disposable income in their respective pockets and so on.

And, Madam Speaker, from where I sit and from where the Opposition is at this point in time, I could recollect that there was a poverty survey done in this

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country, conducted by the International Labour Organization and so on, which has indicated that over 250,000 persons are living on the margins of the poverty line. And I am still trying to understand how this will put additional disposable income taking into consideration the price increases that persons especially who earn in and around the minimum wage and who are living in and around this poverty line, how this \$3,000, this additional \$3,000 will stand to benefit them from a purchasing power point of view. Taking into consideration that there have been three increases in the price of gas and super gasoline and diesel and that has definitely impacted upon persons' ability to purchase goods and services because there has been a ripple on effect in terms of the cost of transportation of goods and services and so on, and that has impacted upon the price of goods and services from an inflationary point of view. There is no doubt that the transportation costs have been passed on to the consumer.

And in addition to that, whether it is real or not there is also a crunch as it relates to foreign exchange or what we would call Forex availability in the country, Madam Speaker. And small, especially small and medium size enterprises in order to be able to purchase their supplies or put their goods on their respective shelves and so on, in the small communities and even from a grocery or what we would call mini-mart and so on, the owners of these business entities have been forced to sometimes purchase US on the black market. And it is a known fact that there is an underground trade or a black market trade as it relates to the purchase of US dollars in the country. Some persons have paid in excess of eight Trinidad and Tobago dollars for one TT \$1 and that too has been passed on. And I ask the question, how is this \$3,000—it is being eroded on a daily basis. And I am forced to ask the Minister of Finance, because I have heard in very emphatic terms and

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the signals are being sent very clearly from Ministers on his part especially his Minister of Public Utilities. The Minister of Public Utilities has made it very clear that it is not business as usual. In fact, he has indicated that to make WASA efficient—

Madam Speaker: Okay, so Member, I am going to caution. The Member for Couva North if I am not mistaken, dealt with all those aspects. I have given you a lot of leeway to see if you were taking a different approach. He dealt with all the aspects, the three hikes in the gas prices, the utility increases, dealt with all of that. So I will ask you to deal with a different aspect, please.

Mr. R. Indarsingh: Yes, Madam Speaker, thank you very much for your guidance. As it relates to the measures that have been outlined this particular Finance Bill supports what I would term weak fiscal packages by the People's National Movement Government. [*Desk thumping*] This Finance Bill, 2020 seeks to operationalize the taxation related measures announced by this Finance Minister and the PNM administration in the budget for fiscal 2021. This year the budget was entitled, under the broad heading: "Resetting the Economy for Growth and Innovation" and we have not seen the innovation and growth. In the last five years they have presented a number of budget presentations with different themes and so on. And all I want to say what has happened as a result of successive Finance Bills and successive budget presentations is job losses, public officers have not been able to be the recipients of anything tangible, instead of getting back pay, it is back pain. It is a very stressful environment for all and sundry in this country and I want to tell the country that going forward these fiscal measures in this particular piece of legislation and in those that the Minister has indicated will come in legislation to come in 2021 will not bring any thing that will redound to the benefit of citizens in

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terms of improving their quality of life and standard of living. There is no hope under the Prime Minister, Dr. Keith Rowley and the People's National Movement. [*Desk thumping*] I thank you.

The Minister of National Security and Minister in the Office of the Prime Minister (Hon. Stuart Young): Thank you very much, Madam Speaker. Madam Speaker, my intervention here this evening, at this hour, is really to try and put things back in perspective. To put things back in perspective for the public who may be looking on and I would assume at this stage in an utmost stage of confusion as to what it is that we are supposed to be debating here today. [*Desk thumping*] Because we have heard nothing but ramblings from the other side, we have heard nothing but persons reading regurgitated speeches from the other side and it seemed at one stage to be an election platform screaming about laptops and the Leader of the Opposition and how many laptops she gave out. So just to put things very briefly, Madam Speaker, through you back into perspective, we have come here today to debate the Finance Bill, 2020 and to deal with fiscal measures that this Government took and are now implementing coming out of the budget, which was only a few weeks ago. So it is not anything abnormal, because I heard it being suggested by a previous speaker from the other side why the Minister of Finance took so long to bring this Bill and then secondly, that he chose, as though there is something wrong with him choosing, what measures he would put to be implemented in this Bill.

The last speaker talked about and tried to water down the concept of the personal allowance going from \$72,000 a year to \$84,000 a year. So what it means is anybody earning a salary of \$7,000 a month and below is not required to pay income tax. And what is wrong with that, absolutely nothing is wrong with that.

And the persons who are benefiting from it, the many persons in Trinidad and Tobago who are benefiting from it are happy and it does mean that they will have more disposable income. Is it a measure that focuses on those who may be earning \$3,000 and less? The answer is no. But to try and paint it in that picture is a little less than honest.

One of the measures that I wanted to talk about and spend some time, because there was only one speaker on the Opposition side who dealt with it, that is the SPTs, the special petroleum tax. And I understood, it was not too long ago, it was on Wednesday of this week when we were dealing with energy measures, I sat and listened and I observed, but today the reality is startling and the population looking on can come to the irrefutable, undeniable conclusion that there is no one, not a single Member, elected Member of Parliament on the Opposition side who has any clue about the energy sector and the energy industry, not a single one. And I will repeat what I said a few days ago, that we can now understand why the energy sector was decimated between 2010 and 2015.

The Member for Tabaquite who was here on the last occasion gave a fairly decent textbook account of the energy sector. But the Member for Mayaro stood up here today and unfortunately attempted to mislead the population with respect to SPTs. He spoke about how many barrels of oil a small producer should have to help increase the production. So just to put that specific aspect into line. Prior to this increase in the level of SPT being driven by the Member of Parliament for Diego Martin North/East, the Minister of Finance here today, it was set at \$50 a barrel of oil. So in other words once producers started to make over \$50 a barrel of oil they were required to pay this special petroleum tax in addition to royalties and other taxes. The industry had been lobbying for a long time for this to be increased.

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And by increasing it what you do is you say, okay, so now we are increasing it \$75 a barrel, so between \$50 a barrel and \$75 a barrel now you are not require to pay SPTs. But we had to set an amount. Because you see, Madam Speaker, despite what the Member for Mayaro said there are only a few oil producers in this province that cross over 2,000 barrels a day.

You do not want to give this exemption, this benefit to the big oil producers because that is where we need to earn money. Because you see, I sit here and I listen and every Finance Bill it comes home to me and I wonder: how do those on the other side think you run a country? Where do they think that you get revenue from and all it does is drive home to me the point of what happened between 2010 and 2015, fill you pockets, go and loot from NGC, do those types of things. But you need to have revenue. The Ministry of Finance needs to derive revenue. So what we did as a Cabinet is we sat and we discussed it and we came up with, any producer who is producing less than 2,000 barrels a day, they will get the benefit of this. And what we are trying to do is increase the small on land and the small off shore producers, what we call the lease operators.

So to listen here and to hear the Member for Mayaro talk about, maybe it should be 3,000, maybe it should be 5,000, the Minister of Finance was right. He asked me the question, who do you think has lobbied him? Why would you think that he would make that sort of intervention to put it that level? But what it shows is a complete ignorance of the industry. So just for the population to be aware, this measure is specifically being put in place for the small lease operators and there are very few of those lease operators and if they want to come let them come, let them go, let them produce, you produce your 2,000 barrels of oil, you will not pay SPT up to \$75. And it will drive that. When we made this it is not a wake up and

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come to Parliament type of atmosphere. We sat down, the Ministry of Energy and Energy Industries every month brings the statistics to us. Just yesterday in Cabinet we looked at the statistics for the month of October. We looked at the production, the production is broken down into the lease operators, on shore, off shore, the big producers. We are seeing the decline. Again, I repeat it, we are a mature province but there are exciting times ahead in the energy industry.

One of the things that we are currently negotiating that hopefully will come through very soon is something to do with that whole area, the Soldado area. And these are the types of incentives that we are giving to drive that up. So let your hearts not be worried. Do not listen to the propaganda of the other side because they really have no clue about energy. [*Desk thumping*] They had no clue in 2010 to 2015, they still have no clue. And that is why on the 10th of August the country collectively put back in power a PNM administration to continue leading this country. [*Desk thumping*]

I also listened here today, all I was hearing laptops, laptops, laptops and I know why, because I see them from where I am sitting. I am seeing the turning of the pieces of paper from the prepared speeches. I see where they come out in the back room with the prepared speeches. What we are doing here today—

Mr. Indarsingh: Madam Speaker, 48(6). The Minister of National Security should know better.

Madam Speaker: Please continue.

Hon. S. Young: I was glad that my friend, the Member for Couva South put that on the record so it is an admission that anyone who walks in here with a prepared speech from somebody else, it is something wrong because he is saying that I am imputing improper motives. So we make a mark of that on the *Hansard*. [*Desk*

thumping]

What we are doing here today despite all of the noise and the fluff on the other side is that we are making it easier for everyone in Trinidad and Tobago to own a cell phone, tablets and devices. So here it is, we are now, through this provision, this Finance Bill, there be no VAT or no online purchase tax or no customs duties on laptop computers, notebook computers, tablet computers, mobile digital equipment, cell phones, software accessories and peripherals, because members of the public were asking about the other devices that can connect.

8.15 p.m.

And this is not only being done for our school children. The Prime Minister as he was sworn in on this term said that we are going to move the country digitally. So this is allowing our citizens now to have cheaper access to all of these devices, to have interconnectivity. You see the irony of it? As I stand here I am watching them hand out the speeches. “Ah” watching them hand out “de” speeches. [*Desk thumping]*

So, Madam Speaker, what we are doing here is there will be no VAT, no online purchase tax, no customs duty on these devices. It will assist both our school children and it will assist the older citizens. It will assist everyone, including the cell phone devices.

I also heard a lot of noise and attempts about housing. Again, the exemption on stamp duty is moving to \$2 million for first-time homeowners. Now, I recognize those on the other side may be completely unconnected to this because I recall when we came in as an administration and we looked at HDC what had happened, they changed and they moved policies. I remember the stories. I

remember just before the 2015 election seeing a photograph in the newspaper of the direct family of a Government Minister at that time getting HDC keys. But you see this is a PNM administration that recognizes that by doing these things we are helping the young professionals in society. So again, I applaud the Minister of Finance. I applaud the administration I am a part of for making it easier for first-time homeowners. We are moving the limit up to \$2 million so if you are buying as a first-time homeowner, any property you are purchasing up to \$2 million, you do not pay stamp duty on it. Great initiative. It is not a handout system. It is encouraging, and that also encourages now the housing market for private sector to build homes at below that level. The vehicles, I will leave the Minister of Finance to deal with that.

Another area I heard a level of criticism aimed at is the SMEs and what we call the junior stock market. This is an area that is underdeveloped in Trinidad and Tobago. So again we sat, we thought about it. There are a lot of young entrepreneurs out there, they are building up their businesses. There are a lot of family businesses out there. But you see again I sit and I listen and I recognize. The first speaker, the Member for, the hon Member Tancoo—I cannot remember where he is from. Which one?

Hon. Member: Oropouche West.

Hon. S. Young: Oropouche West. Thank you—they applauded him. Oh, here is an economist. He talked complete hogwash when it came to SMEs. [*Desk thumping*] They like to criticize the Member of Parliament for Diego Martin North/East, the Minister of Finance, that he is an engineer, but he has done a hundred times better than anything the UNC produced in 2010—2015. [*Desk thumping*] And you know they treated the economists—their two Ministers of

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Finance so badly, but then they put this fella to come forward as an economist. He did not even understand the junior stock market. So what you are looking to do is introduce and to build up the incentives to get people onto this junior stock market in Trinidad.

So if there are only five or there are only 10 companies now, what is wrong with a Government trying to incentivize it to get more on? It is good for family businesses, and that is what is being done here today. I did not hear any of them on the other side, Madam Speaker, talk about the tax allowances relating to arts, culture, sporting activities or events, audio, visual, video production, production companies and the fashion industry, and the incentive to move it, the tax allowances, from 6 million to 12 million. And I can say that that has immediately sparked interest. There are now some small companies looking to come and invest to build that level of the industry, and also increasing the aggregate allowance of a production company up to a maximum of eight million. These are the small things that will help especially our young people who are interested in a digital economy, who are interested in film and art, and creative art, and production. So again well done Minister of Finance in these difficult times where COVID is also sweeping the world and we are dealing with that pandemic, finding creativity and creative ways to offer new incentives.

I must touch on this. The first speaker, again Oropouche West, they like to make these screams and these cries about thousands of nationals stranded abroad. We have repatriated over 8,500 nationals. We have been doing the best that we can. But you see I know why they are saying that and I will put it here today because there is this little chat group and it is a little chat group being run by the Opposition to try and stir up sentiment, and a Gary Mahabir, and they tried it for

months and for months, and they called the names of the attorneys on the other side, and the PRO on the other side, and they said contact them, bring it to the attention of the media. So let the population know that that is the background. But it is through that very important border management that we managed to once again, kudos to the Minister of Health and his team, the CMO and their team, for us bringing the numbers back down. So in the middle of August when we saw a spike that started to go at our hospital system, I am happy to say that once again we are back down on a manageable level of about 17 positive cases a day for the past week.

I also will address this because it needs to be addressed. A criticism again by the first speaker, the Member for Oropouche West, about foreign exchange, and in that conversation about forex and the management of forex, threw at the Government, well why hire and pay a lobbyist, and is that not what you have a whole embassy in Washington DC for? The answer is no. And again it shows the ignorance, and let the people of Trinidad and Tobago put down the marker and understand that is UNC Government style. They do not even understand how a lobbyist works. They do not understand the benefit of having a lobbyist. You know why? Because they were never interested. They were never interested to go out there to market Trinidad and Tobago as opposed to just go on these trips with “dis one holding de handbag, dah one holding de scarf, dis one going to the off license at night to bring back de drinks to the hotel room, dis one to meet the oil executive in the bedroom slippers and petticoat”—

Mr. Indarsingh: Madam Speaker, 48(1) at this stage. What is the relevance of all this to—physical measures.

Madam Speaker: Okay. So Member for Port of Spain North/St. Ann’s West,

thanks for the little distraction, but please get back on track.

Hon. S. Young: I just wanted to make sure we are all awake. Thank you very much, Madam Speaker. The answer as to why a lobbyist—and I end on this point. A lobbyist gets you through doors. The lobbyist is the one who organized for Trinidad and Tobago for the Prime Minister on one occasion to have meetings with the senior members of committees, the foreign affairs committee, the financial committee, Ms. Walters, Mr. Bernie Sanders and these people, and that is what a lobbyist does. He gets you in the right doors so you could have the right conversations.

I accompanied three Caribbean Prime Ministers, Caricom Prime Ministers, Minister of Finance from Jamaica, for us to go before the US Congress to meet with the right people to tell them do not delist the region; to tell them to come, step forward, fight the financial institutions, help us with the EU and where they were trying delist and to blacklist this region. So that is what a lobbyist is for.

So, Madam Speaker, I thank you for the opportunity to make the intervention, and I thank the Minister of Finance even in these difficult times for finding a way to find incentives to keep the economy going and to keep it afloat, and I thank the people of Trinidad and Tobago for making the right decision because every time I sit here in this House becomes more and more apparent to me that they made the right decision on the 10th of August of this year. Thank you very much, Madam Speaker.

Madam Speaker: Minister of Finance. Minister of the Finance, you have to wait for it to be cleaned, or with your mask on you can speak from your spot. Thank you.

The Minister of Finance (Hon. Colm Imbert): Thank you, Madam Speaker.

Madam Speaker, I listened intently to contributions from Members opposite. What I found interesting was a repetition and a regurgitation of a theme that somehow dealt with the provision of laptops in some distant past time. Madam Speaker, that was absolutely irrelevant to the matter at hand. What we are doing in this Bill is simply making adjustments to various tax laws. Whether laptops were provided by another government some other time, whether they mash up, whether they were not good, whether they have infrastructure or it did not have, or somebody “get” ripped off with laptops, absolutely irrelevant, Madam Speaker. What is relevant is as part of the policy to bring Trinidad and Tobago into the digital age, the Government has chosen—Madam Speaker, there is such of noise going on down there.

Madam Speaker: Minister, I assure you even with your mask on, I am hearing you very well. Do not be distracted. Please continue.

Hon. C. Imbert: Now come in the Parliament and they are muttering and grumbling. So anyway, Madam Speaker—[*Crosstalk*] There they go again.

Mr. Young: It is Ram.

Hon. C. Imbert: So, Madam Speaker, the whole point of the Bill before the House is to introduce fiscal measures for policy reasons, and everybody in this Parliament, whether on this side or that side, is of the view that we must try to bring Trinidad and Tobago into the digital age. And as an incentive, as a catalyst to bring us into the digital age, what this Bill seeks to do is to remove taxes and duties on a number of digital devices: laptops, notebooks, tablets, cell phones and other mobile equipment. And the operative word here is “mobile”, because I heard a Member, the Member for St. Augustine, quarrelling about desktops. We are moving into an age where everything will be at your fingertips, where you can do

cashless transactions with your cell phone.

I cannot believe in this day and age— Do you want the children to put a desktop in their book bag and carry it around with them? I mean, this is past age, this is old hat, tired old information, Madam Speaker. [*Desk thumping*] Ridiculous! Absolutely ridiculous! We are trying to focus people on the use of mobile technology. Since when a desktop was mobile? “All yuh put it on wheels or something and drag it around?” Good grief. Good grief. And the other point to be made, Madam Speaker, the Member for Couva South trying to minimize the fact that we are putting \$250 per month in the pockets of over 100,000 taxpayers. That is what we are doing. We are putting \$250 per month in the pockets of over 100,000 taxpayers. I think the number is 150,000, it could even be more. Trying to minimize that, but I can tell you all of those police officers, and teachers, and a variety of persons who are at the medium level in terms of income in Trinidad and Tobago, they are very happy with this PNM administration [*Desk thumping*] that we are giving them an extra \$250. I can assure you of that.

And you see that is why the Members opposite have lost two back-to-back elections. [*Desk thumping*] They do not understand. Nobody cares, Madam Speaker. Nobody cares whether eight years ago or 10 years ago somebody did something. You fought two elections on that already and you lost. [*Desk thumping*] This is why, Madam Speaker, they will lose the next election too [*Desk thumping*] because you are in the Stone Age. Members opposite are dinosaurs [*Desk thumping*] and you will soon become extinct like the dinosaurs because you are lost. You are wandering in the wilderness. You have no clue as to what is important to the people of Trinidad and Tobago. [*Desk thumping*] No clue. Nobody wants to hear that tired old nonsense about what Kamla do and what Kamla did not

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do. Nobody wants to hear it because if they wanted to hear it, you would be here and we would be there. [*Desk thumping*] Nobody is interested. Nobody! And I am very, very happy to be part of this Government that has increased the personal allowance to \$7,000 a month. [*Desk thumping*] I feel proud to be part of this Government.

And I also want to—Madam Speaker, why is Couva South shouting at me? I ask for your protection.

Madam Speaker: I think it is just to give you some support to continue. [*Laughter*] Okay? That is giving you some support to continue in your deliberation. Let us continue.

Hon. C. Imbert: Madam Speaker, I have to take your word for it. I mean, you are in charge here, but I thought I was in the Monday night forum. So let us go now to statements made by the hon. Member for Couva South, foolishness about how inflation has gone sky-high in the last five years. I have in front of me the actual inflation figures for the last 10 years, Madam Speaker—the actual inflation figures—and in the period of the former UNC administration inflation reached as high as 10.5 per cent—10.5 per cent. That was in 2010; in 2012, 9.3 per cent. That is the kind of cost increases people had to suffer under when they were spending money wild, spending money like water, 10 per cent inflation, 9 per cent inflation. You know what our inflation rates are, Madam Speaker? And this is not me saying this. This is international economic magazines and international economic organizations saying it. 2016, 1.02; [*Desk thumping*] 2018, 1 per cent; 2019, 1 per cent, Madam Speaker; [*Desk thumping*] 2020, less than 1 per cent. These are the realities that we face, Madam Speaker. That is why we were successful in the last election because despite all the old talk from the Members on the other side who

have learnt nothing, the inflation rate, the cost of living, have barely increased over the five years. Those are undeniable facts. That is why despite all the old talk we are here and they are there.

So let you go back to the Bill itself. What does this Bill do? It provides incentives for the construction sector, tax incentives; it provides incentives for the creative sector for arts and culture; it helps new first-time homeowners, young families trying to get a house. It now exempts them from stamp duty up to \$2 million or in terms of the value of the property; it addresses a serious problem that we have in terms of leakage of foreign exchange with thousands of motor vehicles coming in every year; it deals with incentive to the petroleum sector, the oil sector as my colleague from Port of Spain North/St. Ann's West pointed out, to incentivize small onshore oil producers to invest in drilling and exploration.

That is what this Bill is all about, Madam Speaker. That is what it is all about. It is not about all that nonsense I heard here earlier. It is not. The same diatribe over and over and over. Members opposite have just become irrelevant, Madam Speaker, and I virtually have nothing to respond to, so I beg to move.
[Desk thumping]

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole House.

House in committee.

Madam Chairman: So, have the amendments been circulated?

Mr. Indarsingh: Yes.

Clause 1 ordered the stand part of the Bill.

Clause 2.

Question proposed: That clause 2 stand part of the Bill.

In the newly inserted item (11) (b), delete the words “four years” and substitute the words “three years”.

Madam Chairman: Minister of Finance.

Mr. Imbert: Yes, Madam Chairman, I am advised that there is an incorrect reference and this would result in confusion between a four-year provision and a three-year provision. So this is simply to correct it to make sure that the Government’s policy of used cars imported not being older than three years is consistently referenced in the legislation. So that is the purpose of this amendment. So I am proposing that clause 2 be amended as circulated.

Madam Chairman: Chief Whip? The question is that clause 2 be amended as circulated.

Question put and agreed to.

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

Clause 3 ordered to stand part of the Bill.

Clause 4.

Question proposed: That clause 4 stand part of the Bill.

4(e) Delete the words “(1)”.

4(f) Delete the words “(1)”.

Mr. Imbert: Madam Chairman, apparently there was a typographical, and in 4(e) and in 4(f) the number (1)—well I guess it is called a word in drafting—was erroneously inserted. So we are just taking it back out because there is no subsection (1) in 4(e) and 4(f). Okay?

Madam Chairman: Whip? Okay. The question is that clause 4 be amended as circulated.

Question put and agreed to.

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

Clause 5 ordered to stand part of the Bill.

Clause 6.

Question proposed: That clause 6 stand part of the Bill

- A. Insert after paragraph (b), the following new paragraph:
“(c) by deleting item 8(6);”
- B. In paragraph (d), delete the words “47” and “48” and substitute the words “46” and “47”, respectively.
- C. Renumber paragraphs accordingly.

Mr. Imbert: Again, Madam Chairman, this is to correct some typographical mistakes and there is currently an expiry date of 31st of December, 2020 in that section. That is no longer applicable because we are moving on beyond the 31st of December with certain concessions; and 47 and 48 also have typographical errors so they are being renumbered. So this is essentially correcting typographical errors.

Madam Chairman: The question is that clause 6 be amended as circulated.

Question put and agreed to.

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

Clauses 7 and 8 ordered to stand part of the Bill.

Clause 9.

Question proposed: That clause 9 stand part of the Bill.

Delete the clause and substituting the following:

- 9. The Customs Act is amended—
 - (a) by deleting sections 45B and 45C and substituting the

following sections:

Chap. 78:01 amended	Exemption re Electric vehicles	<p>45B. (1) Notwithstanding section 6 and the First Schedule, import duty shall not be imposed in respect of a—</p> <p>(a) new electric vehicle which is imported for commercial use, with an engine size not exceeding 159 kilowatts;</p> <p>(b) used electric vehicles., imported for commercial use, with an engine size not exceeding 159 kilowatts, which is not older than three years from the year of manufacture;</p> <p>(c) new electric vehicle which is imported for commercial use, with an engine size exceeding 159 kilowatts but not exceeding 179 kilowatts; or</p> <p>(d) used electric vehicle imported for commercial use, with an engine size exceeding 159 kilowatts but not exceeding 179 kilowatts, which is not older than three years from the year of</p>
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manufacture.

(2) In this section, an “electric vehicle” means a vehicle which is propelled by an electric motor powered by a rechargeable battery pack or other energy storage device.

Exemption
re
Electric
vehicles

45C. (1) Notwithstanding section 6 and the First Schedule, import duty shall not be imposed in respect of a —

- (a) new hybrid vehicle which is imported for commercial use, with an engine size not exceeding 1599 cc;
- (b) used hybrid vehicle, imported for commercial use, with an engine size not exceeding 1599 cc, which is not older than three years from the year of manufacture;
- (c) new hybrid vehicle which is imported for commercial use, with an engine size exceeding 1599 cc but not exceeding 1999 cc; or
- (d) used hybrid vehicle, imported for commercial use, with an engine size exceeding 1599 cc but not exceeding

1999 cc, which is not older than three years from the year of manufacture.

(2) In this section, a “hybrid vehicle” means a vehicle which is capable of being propelled by a combination of an internal combustion engine and an on-board rechargeable energy system or other energy storage device.

Exemption
re
Electric
vehicles

45D. (1) Notwithstanding section 6 and the First Schedule, import duty shall not be imposed in respect of a —

(a) new CNG vehicle which is imported for commercial use, with an engine size not exceeding 1599 cc;

(b) used CNG vehicle, imported for commercial use, with an engine size not exceeding 1599 cc, which is not older than three years from the year of manufacture;

(c) new CNG vehicle which is imported for commercial use, with an engine size exceeding 1599 cc; or

(d) used CNG vehicle, imported for

commercial use, with an engine size exceeding 1599 cc, which is not older than three years from the year of manufacture.

(2) In this section, a “CNG vehicle” means a vehicle which is manufactured to use Compressed Natural Gas.”;

(b) in the First Schedule, by deleting the rate of duty in respect of the Tariff Heading and Description of Goods set out below in the First and Second Columns respectively and substituting the rate of duty set out in the Third Column

HEADING	DESCRIPTION OF GOODS	RATE OF DUTY
87:02	Motor cars and other motor vehicles principally designed for the transport of persons (other than those of heading 87.02), including station wagons and racing cars. Other vehicles, with spark-ignition internal combustion reciprocating piston engine: Other, of a cylinder capacity not exceeding 1,000 cc	
8703.21.90		20 %
8703.22.90	Other, of a cylinder capacity exceeding	20 %

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 Hon. C. Imbert (cont'd)

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1,000 cc but not exceeding 1,500 cc

8703.23.90 Other, of a cylinder capacity exceeding 20 %
 1,500 cc but not exceeding 1,599 cc

8703.90.00 Other 20 %; and

(c)in Part A of the Second Schedule, by inserting after item 27(b) in the columns headed “General Heading”, “Item No.” and “Goods exempt from payment of Customs Duty”, the following item:

Mobile and digital equipment	27 A Mobile and digital equipment, cell phones, software, accessories and peripherals classified under Tariff Heading Number 8517.12.10 of the First Schedule.
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Mr. Imbert: Thank you, Madam Chairman. I would categorize this one as an omission because in my delivery, my introduction, you would have heard us say that we are retaining the duty free/tax free exemptions for CNG, electric and hybrid vehicles that are for commercial use. So what this does is creates that exception of wavier of those taxes for vehicles that are for commercial use, and that was an omission in the original Bill and we have to renumber the clause that deals with mobile equipment. So that is in the end here where we are now making in Part A of the schedule in the last page at the back by inserting after item 27(b) the exemption from custom duty for mobile and digital equipment, cell phones, et cetera. That now becomes (c) Just a renumbering. So to repeat, this is simply to

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correct an omission in the Bill which did not address the purport of the legislation which is to continue to exempt CNG electric and hybrid vehicles that are used for commercial use of certain engine sizes from taxes and duties. So I propose that the clause be amended as circulated.

Madam Chairman: The question is that clause 9 be amended as circulated.

Question put and agreed to.

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

Clause 10 ordered to stand part of the Bill.

Question put and agreed to: That the Bill, as amended, be reported to the House.

8.45 p.m.

House resumed.

Bill reported, with amendment.

Question put: That the Bill be read a third time.

Ms. Cudjoe: Division.

Madam Speaker: So hon. Members, a division has been called for. We will wait three minutes so that announcements will be made so that Members who are in the precinct will make their way here and as we have said today, we have practised it enough. If a Member misses his turn or her turn, once the Member reaches in here before the vote is announced, that Member will be allowed to vote. [*Hon. Members arrive*] The count will now begin.

The House divided: Ayes 19

AYES

Robinson Regis, Hon. C.

Al-Rawi, Hon. F.

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Imbert, Hon. C.

Young, Hon. S.

de Nobriga, Hon. S.

Hinds, Hon. F.

Deyalsingh, Hon. T.

Forde, E.

Webster-Roy, Hon. A.

Cudjoe, Hon. S.

Gadsby-Dolly, Hon. Dr. N.

Gonzales, Hon. M.

Mc Clashie, Hon. S.

Cummings, Hon. F.

Richards, K.

Leonce, Hon. A.

Morris-Julian, Hon. L.

Scotland, K.

Monroe, R.

The following Members abstained: Mr. R. Indarsingh, Mr. S. Hosein, Ms. V. Mohit, Mr. R. Paray, Dr. R. Seecharan, Mr. R. Ratiram, Dr. R. Ragbir, Mr. A. Ram and Mr. D. Tancoo.

Question agreed to.

Bill accordingly read the third time and passed.

ADJOURNMENT

The Minister of Planning and Development and Acting Minister of Housing and Urban Development (Hon. Camille Robinson-Regis): Thank you very kindly, Madam Speaker. I beg to move that this House do now adjourn to a date to

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be fixed. [*Interruption*] Madam Speaker, as I said, we are adjourning to a date to be fixed. And I would like to ask that we be allowed to bring Christmas greetings to each other and to the citizenry.

Tribute to Ms. Candice Skerrette/Christmas Greetings

The Minister of Planning and Development and Acting Minister of Housing and Urban Development (Hon. Camille Robinson-Regis): And whilst I am on my legs, Madam Speaker, it is my understanding that one of the Clerks at the Table, Candice Skerrette, is going to be leaving us on the 18th of this month, the 18th is her last day. On behalf of this side of the House, I would like to take the opportunity to thank her very warmly [*Desk thumping*] for the work that she has done in the Parliament of Trinidad and Tobago. I understand that she has been here approximately 11 years and she has acquitted herself excellently, she has worked diligently in the interest of all the Members of Parliament. Madam Speaker, it is clear that she is a public servant whom we can all emulate and I really think that the Parliament will be poorer having lost someone of that nature.

But we always say that the Parliament staff is a staff that exudes excellence at all times. [*Desk thumping*] They certainly work diligently and effectively, and if I may use this opportunity to say that Candice certainly embodies that and wherever she may be going I know that whichever institution she may going to, they will certainly benefit from the kind of diligence that she has always put into her work. You can call Candice at any time and she is able to assist or find a way to assist.

So, Madam Speaker, I would like to again [*Desk thumping*] pay tribute to her and to thank her for all that she has done to ensure that Members on both sides of the House are always effectively and efficiently served. Thank you very much, Madam Speaker, and I wish Candice every success in her future endeavours. [*Desk*

Tribute to Ms. Candice Skerrette/
Christmas Greetings
Hon. C. Robinson-Regis (cont'd)

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thumping]

Madam Speaker: So hon. Members, before I put the question, I would advise Members that there were four matters on the adjournment but I have been advised by the Whip that these matters are not being proceeded with. I will therefore now invite greetings on the occasion of Christmas 2020.

The Minister in the Office of the Prime Minister (Hon. Symon de Nobriga): Thank you, Madam Speaker. Thank you for this opportunity to address the Parliament and it is indeed my distinct pleasure to extend Christmas greetings on behalf of the Government of the Trinidad and Tobago. Madam Speaker, we are ushering in what is traditionally one of the most festive three or four-month periods in our country which would usually be bookend by Christmas Day and Ash Wednesday. But as this calendar year draws closer to an end, a phrase that has become all too common is that these are different times.

Madam Speaker, it is a common expression that Christmas is for children. When we consider the inescapable feeling of nostalgia that we as adults feel with the smell of fresh paint or baking ham or when we hear a soca-parang on the “Sweetest 100 days of Christmas”, it is difficult to argue that this is not true as it really tends to resonate with the child in all of us. And while in this current COVID-19 landscape, the classics like “(There’s No Place Like) Home for the Holidays” and “I’ll Be Home For Christmas” take on an entirely different significance, we must not allow the true significance of Christmas to be taken from our hearts.

Madam Speaker, we will continue to find new and creative ways to honour and celebrate the birth of the Lord Jesus Christ as this is ultimately the reason for

Tribute to Ms. Candice Skerrette/
Christmas Greetings
Hon. S. de Nobriga (cont'd)

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the season as we say. The opportunity to reflect on our blessings, spread peace, love and joy with others and to share with those that are less fortunate than ourselves should not escape us particularly at this time. Let us collectively agree, however, to include safety, consideration and responsibility in our expression of love so that we can look towards the new year with optimism and hopes of prosperity and good health.

Madam Speaker, we on this side wish a happy, holy and healthy Christmas to all the citizens of Trinidad and Tobago. [*Desk thumping*]

Mr. Rudranath Indarsingh (*Couva South*): Thank you, Madam Speaker, for allowing me the opportunity here on this side to offer my sentiments and to join with the Leader of Government Business, on behalf of all of us, as we pay our sense of tribute and recognize the sterling work and contribution of one of the employees of the Parliament of Trinidad and Tobago in the person of Ms. Candice Skerrette who, we have been informed, will be leaving the employ of the Parliament on the 17th or 18th of December, 2020. She, in her own way, has conducted herself in a very exemplary manner, a very dignified manner, a very responsible way and on behalf of the Leader of the Opposition and all of us on this side, we have recognized that like all Members of the Parliament staff, she has exemplified what we call the highest degree of commitment to service. [*Desk thumping*] Because in the Parliament of this country, the national community will recognize or see the cut and thrust of both sides in the debate but the Parliament is run by those individuals under the watchful guidance of the Speaker and the Clerk of the House. It is the employees who contribute to the success of this Parliament and the success of our democracy and Candice Skerrette is part of that team.

Tribute to Ms. Candice Skerrette/
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Mr. Indarsingh (cont'd)

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We want to take the opportunity, Madam Speaker, on this side to wish her well in her future endeavours and put on the record that she has done so with distinction, she has done so in a very humble way and while she may not have made the headlines, we on this side will recognize forever the work that she did in her 11 years of service to the Parliament [*Desk thumping*] and the people of Trinidad and Tobago. Madam Speaker, I thank you. [*Desk thumping*]

Dr. Rai Ragbir (*Cumuto/Manzanilla*): Madam Speaker, I rise to this evening to offer the people of our nation, the Members of this honourable House, the parliamentary staff and all those who have made our democratic principles in the past months possible, a very warm as well as an enjoyable Christmas season. [*Interruption*]

Madam Speaker, the beauty, happiness and more so the auspicious, holy meaning of Christmas has always brought great joy to—

Madam Speaker: Member for Cumuto/Manzanilla, I am sorry. Hon. Members, this is greetings and in the spirit of Christmas, I would ask all to show respect. Okay? So that the Member could deliver his greetings. It is the first opportunity that the Member is getting to do greetings in this House and I think we should give him our support by being respectful in our silence. [*Desk thumping*]

Dr. R. Ragbir: Thank you, Madam Speaker. The beauty, happiness and more so, the auspicious, holy meaning of Christmas has always brought great joy to millions around the world, regardless of religious beliefs, cultural practices and geographical location. If there was ever a time we needed blessings for Christmas is in 2020 given the turmoil, the hardship and uncertainty of the people of Trinidad and Tobago, like many around the world who are faced with the COVID-19.

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Dr. Ragbir (cont'd)

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Christmas forms one of the holiest celebrations of the Christian calendar as it marks the birth of the Lord Jesus who was born of the Virgin Mary in a stable in Bethlehem. The inspirational message which Christmas has always given to us is one of hope and faith. When Mary was told by the angel Gabriel that she would have a baby, while afraid, while shocked, she kept faith in the Lord. When Joseph was told that his wife would have a baby, while shocked, he kept faith that this was the will of God. The underlying message of Christmas has always been that we must keep faith in God's plan for us all because regardless of how improbable the circumstances appear, his will always be done.

When the three wise men journeyed to find Jesus, it was by looking at the star and having faith that they would find the son of God. Christmas, therefore, is a time of hoping for the love of God to fulfil our lives while having faith that the will of God will better our world. In the book of First John, chapter 4, verse 8, it says:

“Whoever does not love does not know God, because God is love.”

When we started 2020, Madam Speaker, no one knew the uncertainty and heartbreak which awaited so many of us in the pandemic. As a result, on behalf of the Opposition, I offer sincere condolences and regards to those who have lost loved ones to the COVID-19 and other ills which have affected our society. As we go forward, we must all be inspired by the Christmas message of hope and faith.

As a country, we must give hope to others by acts of kindness. This Christmas, so many will be without and many others will face emotional burdens. Let us reach out to others, if it is a meal, a gift, a prayer, even a kind word. The only way we can rebuild our nation, our beautiful nation, the world and society at large, is by offering hope in each other. We say a prayer for those who are stranded

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Dr. Ragbir (cont'd)

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abroad and as they find their way back home and those that are in quarantine, may God keep them. As leaders, as representatives, as servants of the people, let us be inspired by the warmth of Christmas and faith in our citizens. How do we have faith in our citizens? By giving them a voice, by helping them to combat neglect and ensuring that we do all in our power to ensure they achieve their true potential.

May the Lord send an umbrella of protection for the vulnerable of our society, our women who seem to be targeted, our young children, the downtrodden and poor, the homeless and the challenged. Father, let this darkness of crime be lifted from this land of Trinidad and Tobago.

As I close, I would like to wish colleagues on either side, all the staff members of the Parliament and even in those in the tea room, our security forces, a bright and prosperous New Year. Further, I would like to thank all medical practitioners, our nurses, our health care personnel and all other essential workers who have stood valiantly throughout this year and wish them God's choicest blessings. Their hard work and resilience have kept us safe and they continue to do so despite their self-sacrifice.

Madam Speaker, to all our people, I say enjoy "yuh pastels, yuh ham, yuh turkey, yuh black cake, yuh sorrel and yuh ginger beer". Do not drink and drive. Obey the speed limit. Continue to practise COVID-19 guidelines. Within your families and loved ones, keep the bubble small. Let us pray that the new year brings all success, renewed hope and better lives and even a COVID-19 vaccine. With that, I look forward to be in this august Chamber in 2021. May God bless us all. Thank you, Madam Speaker, and Members of the House. [*Desk thumping*]

Madam Speaker: Hon. Members, I too would like to place on the record gratitude

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Christmas Greetings
Madam Speaker (cont'd)

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to the service of the Clerk at the Table, Candice Skerrette, who will be leaving us. [*Desk thumping*] Having served at the Table, Candice has worked very closely with me and while I understand the need for people to grow and that growth takes them in different directions, I really want to say that I feel a personal loss by her departure. She has been selfless, she has been dutiful, she has been committed and she has a very quiet, calm grace about her. [*Desk thumping*] I know that wherever Candice goes, she will do her best, she will give of her best. And in parting, I want to tell her I wish her all the best in her endeavours. I want to thank her on behalf of the people of Trinidad and Tobago [*Desk thumping*] because the Clerks are faceless. While we capture the cameras, the Clerks are faceless but we all know that it is upon their shoulders we stand. And I want to thank her as a young person for showing the dedication and the commitment to country. I wish her all the best as she moves on. [*Desk thumping*]

And I would also wish to add my words to the Christmas greetings for Christmas 2020. As we know Christmas is both a sacred religious holiday for Christians and a worldwide cultural and commercial event. Depending on where you are in the world, when lights are dawn and twinkle from house-to-house in the month of December, you know Christmas is here and particularly for us in Trinidad and Tobago, there is a bustling of activity of shopping, the scent of paint, baked treats and the taste of sorrel and ginger beer, the music of parang all resonate around us in our unique Trinidad and Tobago way.

While merriment is the order of the season, we must not lose sight on the message of hope and joy. We as Christians celebrate the light of the Almighty God, the Father, who was made flesh in his son Jesus born at Christmas. This year,

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more than ever, our inner lights must shine brighter. It is a time for us to renew our bonds of citizenship, fellowship and community. Let our light of volunteerism and generosity shine through actions of being our brothers' and sisters' keeper. I borrow from a post which has gone viral which says to the effect that this Christmas should not be so much about what you want but about giving thanks for what you have. And I urge all of us who have been able to keep balance over the past couple of months to remember the Christian saying from Saint Francis of Assisi that in giving, one receives and to remember the less fortunate amongst us in giving.

My Christmas message and hope this year is written in Matthew 5, verses 14 to 16, and I quote:

“You are the light of the world. A town built on a hill cannot be hidden. Neither do people light a lamp and put it under a bowl. Instead they put it on its stand, and it gives to everyone in the house. In the same way, let your light shine before others, that they may see your good deeds and glorify your Father in heaven.”

To all Members of Parliament and by extension the citizens of Trinidad and Tobago, to the Clerks of both Houses and to the staff of the Parliament of Trinidad and Tobago, I wish you all a merry Christmas and a happy New Year 2020. [*Desk thumping*]

Question put and agreed to.

House adjourned accordingly.

Adjourned at 9.13 p.m.