

*Leave of Absence*

*Wednesday, October 29, 2008*

**SENATE**

*Wednesday, October 29, 2008*

The Senate met at 1.30 p.m.

**PRAYERS**

[MR. PRESIDENT *in the Chair*]

**LEAVE OF ABSENCE**

**Mr. President:** Hon. Senators, I have granted leave of absence to Sen. June Melville for today's sitting and to Sen. Wade Mark, who is out of the country.

**SENATOR'S APPOINTMENT**

**Mr. President:** Hon. Senators, I have received correspondence from His Excellency the President, Prof. George Maxwell Richards:

“THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

By His Excellency Professor GEORGE MAXWELL RICHARDS, T.C., C.M.T., Ph.D., President and Commander-in-Chief of the Republic of Trinidad and Tobago.

/s/ G. Richards  
President.

TO: DR. DAPHNE PHILLIPS

WHEREAS Senator Wade Mark is incapable of performing his duties as a Senator by reason of his absence from Trinidad and Tobago:

NOW, THEREFORE, I, GEORGE MAXWELL RICHARDS, President as aforesaid, acting in accordance with the advice of the Leader of the Opposition, in exercise of the power vested in me by section 44 of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, DAPHNE PHILLIPS, to be temporarily a member of the Senate, with immediate effect and continuing during the absence from Trinidad and Tobago of Senator Wade Mark.

Given under my Hand and the Seal of the President of the Republic of Trinidad and Tobago at the Office of the President, St. Ann's, this 24<sup>th</sup> day of October, 2008.”

*Oath of Allegiance*

*Wednesday, October 29, 2008*

**OATH OF ALLEGIANCE**

*Senator Dr. Daphne Phillips took and subscribed the Oath of Allegiance as required by law.*

**PAPER LAID**

Annual Administrative Report of the Betting Levy Board for the period July 01, 2006 to June 30, 2007. [*The Attorney General (Sen. The Hon. Bridgid Annisette-George)*]

**WRITTEN ANSWERS TO QUESTIONS**

**Caroni (1975) Limited  
(Assets Owned)**

**97. Sen. Dr. Jennifer Kernahan** asked the hon. Minister of Finance:

- A. Could the Minister provide the Senate with a detailed list (including book values) of the assets owned by Caroni (1975) Limited at the beginning of 2003?
- B. Could the Minister also provide a detailed list (including book values) of all the assets owned by the company at present?
- C. With respect to disposal of assets by the company, could the Minister state:
  - (i) the name(s) of the person(s) or company to which the asset has been disposed/vested;
  - (ii) the disposal procedure used;
  - (iii) the price at which the asset was sold and the profit realized, where appropriate.

*Answer lodged in Parliament Library.*

**Fishery Landing Sites**

**98. Sen. Dr. Jennifer Kernahan** asked the hon. Minister of Agriculture, Land and Marine Resources:

- A. With respect to fishery landing sites in Trinidad, could the Minister inform the Senate of:
  - (i) the location of all landing sites; and
  - (ii) the status regarding Hazard Analysis and Critical Control Point (HACCP) inspection certification for each site?

- B. With regard to fishermen, companies or cooperatives at landing sites, could the Minister state:
- (i) the value of equipment provided by the Ministry, used by each category at each site;
  - (ii) the average tonnage, by space of catch landed by each site for the period 2002—2007;
  - (iii) the value of the yearly total catch by each category at each site for 2002—2007;
  - (iv) the average tonnage and value of catch exported per site per annum for the years 2002—2007;
  - (v) the average tonnage and value of catch sold on the local market per annum for the period 2002—2007.

*Vide end of sitting for written answer.*

**TRINIDAD AND TOBAGO NATIONAL STEEL  
SYMPHONY ORCHESTRA CORPORATION BILL**

*Order for second reading read.*

**The Minister of Community Development, Culture and Gender Affairs (Hon. Marlene Mc Donald):** Mr. President, I beg to move,

That a Bill to establish the Trinidad and Tobago National Steel Symphony Orchestra Corporation and for matters incidental thereto, be read a second time.

Mr. President, hon. Members of the Senate, as the Minister with responsibility for culture, I am proud to introduce to this Senate a Bill to establish the Trinidad and Tobago National Steel Symphony Orchestra Corporation. This Bill seeks to supervise the implementation of a national steel symphony orchestra in keeping with our mandate to display the diversity and richness of our culture and to inspire the creativity of our people.

It has been reported that there is nothing new about the National Steel Symphony Orchestra. It is the same creature as the National Steel Orchestra; just a different name. It has also been said that the renaming of the orchestra was only necessary because the new body had to play more complicated music. These and other issues I hope to address as I seek to demonstrate that the Bill is not a replica of the national steel orchestra legislation, but instead is a significant piece of legislation for the advancement of culture in Trinidad and Tobago.

*Symphony Orchestra Corporation Bill*  
[HON. M. MC DONALD]

*Wednesday, October 29, 2008*

The intention of the proposed Bill is the provision of a legislative framework to facilitate the transformation of the Trinidad and Tobago National Steel Orchestra, established through the Trinidad and Tobago National Steel Orchestra Act, 1999, into a full symphony, which will be the flagship of musicianship, professionalism, ambassadorship and multicultural expression in Trinidad and Tobago, and would be the premier steel orchestra in the world.

Mr. President, the questions may be asked: Why the need for a symphony orchestra; what is this Bill seeking to achieve; and what part can it play in the cultural development of our beloved nation? Permit me to define what we mean by culture.

We see culture as symbolic communication and some of these symbols would include the words, gestures, pictures, objects, values and motives of a group of people. The meaning of the symbols are learned and deliberately perpetuated in a society through its institutions. Culture, as we know it, has manifested itself in different ways throughout our short history and the power of symbols represents one of the deepest manifestations of culture.

Mr. President, the steel pan is just one of those symbols which has touched all groups in our society and has been developed as a symbol of communication. It is creative artistry and a natural voluntary expression of the human spirit and our foremost example of artistic innovation to date.

The culture of Trinidad and Tobago reflects our distinctive way of self-expression. It goes back to our history and emphasizes our social values, our attitudes toward work and play, our norms, but, above all, our way of artistic expression. In the final analysis, it reflects our personal development which, when properly channelled redounds to our advancement as a people.

The National Steel Symphony Orchestra is expected to be a vehicle through which our creativity in the area of music can obtain global recognition. It is noteworthy that the repertoire of the symphony orchestra will be both indigenous and international.

I speak of allowance for creativity in the area of music and hon. Senators may very well wonder what protection will be afforded the creators and owners of such musical work. Mr. President, our copyright laws and intellectual property rights assume greater importance than ever before. I am sure that hon. Senators are aware that the Copyright Act has been recently amended to afford our creative citizens full ownership of their intellectual property.

I like the definition of “copyright” that sees it as one mechanism of aligning the world of ideas to the world of commerce. Copyright is expected to provide answers as to how intellectual creativity can best be promoted. Copyright as a branch of communications law is in a volatile state given the current rapid changes in technology and the new methods for the production, duplication, storage and dissemination of information and cultural material. Changes in social and cultural values are reflected in new policies for culture, education and communication. Creativity is vital for any time and any society, but present challenges require a premium on imagination and courage. Our responses must be turned toward a future in support of our creative people and in aid of our society.

Mr. President, there have been various attempts at establishing a national steel orchestra in the past. In 1951, there was the Trinidad All Steel Percussion Orchestra (TASPO), the National Steel Orchestra of Trinidad and Tobago between 1963 and 1967, and the Trinidad and Tobago Steel Orchestra, 1997. There is a common thread that runs through all these national steel orchestras in respect of their objective, that is, they all sought to address the question of national pride and indigenous singularity in the world of music.

On January 01, 2000, the National Steel Orchestra came into operation by virtue of the Trinidad and Tobago National Steel Orchestra Act, Chap. 40:55. The NSO's mandate was to promote the steel pan as a national instrument of Trinidad and Tobago.

**1.45 p.m.**

The NSO Act called for the appointment by the President of an eight-member board, whose responsibility was to oversee and further the mandate of the Act. The composition of the board comprised a number of individuals, who either represented the pan fraternity and/or displayed empathy for indigenous music and possessed professional qualifications or at least had three years' knowledge and experience in the music industry.

Under the NSO Act, the Minister for whom responsibility for culture is assigned was the person to direct the board with respect to the general policy of the NSO. Some of the board's functions involve administering the operations of the orchestra, ensuring training of the members of the orchestra in music literacy, diplomacy, public speaking, self-presentation, the history and development of Trinidad and Tobago and any other such functions that may be required to achieve the objectives of the orchestra.

*Symphony Orchestra Corporation Bill*  
[HON. M. MC DONALD]

*Wednesday, October 29, 2008*

To achieve the required mandate, a steel orchestra fund was created to assist in the realization of the orchestra's objective. The fund comprised of a grant from Parliament plus other revenues from performances, royalties, loans raised by the board and donations. The money in the fund was to be used to defray expenditure incurred for salaries and the acquisition of material and property. It was hoped that the fund would have also assisted in creating reserves which would be used for academic, technical and vocational grants.

Subsequent to the Prime Minister's budget speech for the financial year 2005/2006, which articulated the re-examination of our values and attitudes as a nation, the Centre for Creative and Festival Arts at the University of the West Indies, St. Augustine, proposed that the National Steel Orchestra was the ideal vehicle for what the Prime Minister had articulated in terms of nation building.

However, in identifying the NSO, it was recognized by the Prime Minister and cultural stakeholders that in its present form, the NSO Act did not have the wherewithal to manage a symphonic orchestra which is to become the premier steel orchestra in the world.

It is against this background that Cabinet agreed to the establishment of the Trinidad and Tobago National Steel Symphony Orchestra along the lines of a proposal prepared by the Centre for Creative and Festival Arts, University of the West Indies, St. Augustine.

The Trinidad and Tobago National Steel Symphony Orchestra would be the flagship for professionalism, ambassadorship and multicultural expression in Trinidad and Tobago.

The major objectives of the symphony orchestra are to nurture the development of the talented musicians of our country, both within its membership and in the nation, and to present a cohesive symphonic orchestra with a repertoire that reflects the multiculturalism of the nation with other world music, while maintaining a high calibre of performance at all times.

The National Steel Symphony Orchestra Bill represents an evolution of the National Steel Orchestra Act, and purports to address some of the problems that the National Steel Orchestra faces in relation to its functions and objectives.

The National Steel Symphony Orchestra Bill seeks to ensure that members of the National Steel Symphony Orchestra comply with present international standards in the areas of finance, administration and good corporate governance.

Mr. President, hon. Senators quite rightly may ask: why a symphony and not an orchestra? This leads us to a definition. An orchestra, in the strict classical musical sense, is an ensemble composed principally of strings with the addition of wind instruments and percussion. In other words, it is a group of people.

A symphony is work for that orchestra in sections called movements. The use of the term implies a work which embodies complex and sophisticated music and a large scale of music making. The National Steel Symphony Orchestra, in this sense, is a radical departure from the former NSO, and embodies the spirit of both the symphony and the orchestra.

While the NSO dealt with the primacy of the finest players drawn from the existing steelbands of Trinidad and Tobago, the National Steel Symphony Orchestra continues to recruit, audition and employ the finest players possible playing the finest original, classical and other compositions available to the steel orchestra, as well as the finest classical transcriptions from existing classical repertoire, for example, Handel, Beethoven and Mozart.

The constituent players of this group, the National Steel Symphony Orchestra, will be expected to sight-read, perfect the finest repertoire available to steel pannists and play at international standards. Already, the group, which aims at becoming the chartered National Steel Symphony Orchestra, has about 90 minutes of complex and sophisticated scored music that they can play on command and reflects the essence of symphonic playing, aligned with international standards.

By comparison, the former NSO has no scored repertoire and the works that they have learnt, while valuable, are neither as complex, durable or of any individual length to warrant the term "symphonic".

In like manner, hon. Senators may ask: Why a corporation? There are advantages for the creation of such an entity and they are as follows:

- (1) Incorporation will give the symphony orchestra the right to own property, carry on business, incur liabilities and sue or be sued.
- (2) The symphony orchestra will enjoy an unlimited life or perpetual succession, enabling it to continue, notwithstanding changes of government or changes in the composition of the board.
- (3) Corporations are seen to be more stable than unincorporated businesses. Some companies, to be more specific, international companies and/or music organizations, are more ready to do business with incorporated companies if only because of the liability provision.

*Symphony Orchestra Corporation Bill*  
[HON. M. MC DONALD]

*Wednesday, October 29, 2008*

Mr. President, the business of the corporation shall be managed by a board to be known as “The Trinidad and Tobago Steel Symphony Orchestra Board”. The board shall comprise 11 members appointed by the President as follows:

- (a) a person who has demonstrated expert knowledge of and skills in playing the steel pan;
- (b) a person holding a university degree in management;
- (c) a person with tertiary level qualification in financial accounting;
- (d) an educator with experience in the development of community outreach programmes;
- (e) a representative from the ministry with responsibility for culture;
- (f) an attorney-at-law, preferably with knowledge of intellectual property law;
- (g) a person holding a university degree in marketing or public relations or a person with experience in either discipline;
- (h) a representative from the Centre for Creative and Festival Arts;
- (i) one other person who by virtue of his skill or experience can contribute meaningfully to the work of the board; and
- (j) the Artistic/Music Director and the Chief Executive Officer of the symphony orchestra who shall be ex officio members.

Having regard to the thrust envisaged for the symphony orchestra, it is desirable that the composition of the board reflect expertise, wide and varied in number, in disciplines such as management, intellectual property law, marketing, financial accounting and education.

Similarly, the functions of the board are consistent with the objectives of the Bill which are to establish a policy to be approved by the Minister to address matters relating to:

- (a) international, regional and national performances of the orchestra;
- (b) composition of the symphony orchestra and the qualifications and selection criteria for the various positions on the orchestra;
- (c) the terms and conditions of appointment, service and remuneration of the members of the orchestra;

- (d) training and development of the members of the orchestra including incentives to study through sourcing and providing scholarships for members;
- (e) the establishment of professional and ethical standards with which members of the orchestra shall comply;
- (f) the discipline of members of the orchestra and the termination of their appointments; and
- (g) the repertoire of the orchestra which shall reflect the multiculturalism of the nation.

Mr. President, this exemplifies the strategic direction that the board must follow to ensure that the symphony orchestra pursue its mandate that the National Steel Symphony Orchestra become the premier steel orchestra in the world.

Mr. President, the Government is fully committed to ensuring that the professional development of the members of the symphony orchestra is addressed, as well as the latent talent in the wider society. We are convinced that the National Steel Symphony Orchestra far supersedes the NSO in form and in purpose. Moreover, the Ministry of Community Development, Culture and Gender Affairs has been designated as a champion agency in relation to two Vision 2020 developmental pillars: Nurturing a Caring Society and Developing Innovative People. Indeed, the objectives of the National Steel Symphony Orchestra are in harmony with and accentuate these two developmental pillars and these objectives are as follows:

- (a) to play the transcriptions of the standard orchestral repertoire;
- (b) to commission the original compositions for steel orchestras;
- (c) to play at international standards;
- (d) to achieve the status of professional musicians and ambassadors of Trinidad and Tobago through the development of music, academic and communication skills, as well as personal development of members; and
- (e) contribute towards the development of national culture through music.

We are convinced that the National Steel Symphony Orchestra far supersedes the NSO in form and in purpose.

Mr. President, we are aware of the genesis of this project which was initiated at the request of the hon. Prime Minister, whose objectives were to see the

*Symphony Orchestra Corporation Bill*  
[HON. M. MC DONALD]

*Wednesday, October 29, 2008*

creation of a new family of pans with an enhanced musical range, particularly where the tenor pan was concerned, and to replace the then current range of instruments with a smaller number of individual instruments to form a meaningful orchestra.

Senators are also aware that the project birthed the development of a new family of acoustic steel pan instruments called the G-pan, which is capable of high musical accuracy and clarity, wide musical range and excellent sound projection, yet with a reduction in the number of steel pans required to cover the steel pan musical range.

Mr. President, the members of the recently launched National Steel Symphony Orchestra now have the unique experience of being the only cadre of musicians on the planet utilizing the G-pan. The Government remains convinced that projects, such as that which produced the G-pan, and which are therefore of strategic importance to the country, can be a powerful tool for the development of an innovative culture in Trinidad and Tobago.

Mr. President, in fulfilment of its objectives, the symphony orchestra will undertake the following functions:

- (a) perform at national celebrations, state functions, local, regional and international concerts, seminars and conferences;
- (b) facilitate workshops aimed at improving the standard of music and techniques employed in playing the steel pan;
- (c) participate in workshops, seminars and outreach activities;
- (d) perform at overseas events at which the country is to be officially represented; and
- (e) any other functions as may be determined by the board and approved by the Minister.

The emphasis is on training, self-development, discipline and maintaining professional and ethical standards among members of the orchestra. In addition, workshops, seminars and outreach activities will all serve to develop a pool of resources from which the innovative spirit of our people can be nurtured and future members of the orchestra sourced.

**2.00 p.m.**

I would like to underscore certain clauses that are of special significance in this Bill to establish the Trinidad and Tobago National Steel Symphony Orchestra Corporation and for matters incidental thereto. There are 28 clauses in this Bill.

Clause 4 provides for the establishment and objectives of the corporation.

Clause 5 provides that the seal of the corporation be kept in the custody of the secretary. They are standard clauses.

Clause 6 provides for the business of the corporation to be managed by the board, and we are saying that having regard to the thrust envisaged for the steel symphony orchestra, it is desirable that the composition of the board reflect expertise wide and varied in number.

Clause 7 provides for the appointment of a chairman and deputy chairman.

Clause 8 provides for the procedure to be adopted at meetings. For the purpose of efficiency, allowance has been made for the co-opting of persons by the board.

Clause 9(1) serves to exemplify the strategic direction that the steel symphony orchestra is committed to follow, to ensure that the board pursue its mandate and that the NSSO become the premier steel orchestra in the world.

Clause 9(4) is meant to ensure that the board consult and gain the Minister's approval to dispose of real property.

Clause 10 provides that the Minister may direct the board as to policy.

Clause 11 provides for the determination of the remuneration of members of the board.

Clause 12 seeks to discourage potential conflicts of interest that may arise.

Clause 13 articulates by way of example, the officers who will implement policy. In addition, it underscores their responsibilities and functions.

Clause 14 provides for the employment of administrative, technical and other staff including the secretary to the board.

Clause 15 provides for the establishment of the Trinidad and Tobago Steel Symphony Orchestra.

Clause 16 highlights the objectives of the steel symphony orchestra; not only the objectives but also the functions.

Clause 18 provides for the establishment of the Trinidad and Tobago Steel Symphony Orchestra Fund.

Clause 19 provides for the various purposes or expenses to which the fund may be applied.

*Symphony Orchestra Corporation Bill*  
[HON. M. MC DONALD]

*Wednesday, October 29, 2008*

Clause 20 further addresses accountability and ensures that proper financial procedures are in place.

Clause 21 requires the board to submit an annual report of the activities of the symphony orchestra to the Minister for laying in Parliament.

Clause 22 provides that the board be responsible for the real and personal property of the corporation.

Clause 23 requires the board to prepare and submit budgets to the Minister four months prior to the beginning of each financial year.

Clause 24 provides for the financial year of the board.

Clause 25 provides that the Minister may make regulations subject to the negative resolution of Parliament to give effect to the provisions of the Act.

Clause 26 transfers all property that was held by or vested in the Trinidad and Tobago National Steel Orchestra Board to the corporation.

Clause 27 provides that any proceedings commenced by or against the Trinidad and Tobago National Steel Orchestra prior to the commencement of this Act shall be continued by or against the corporation.

Clause 28 is to repeal and replace the board.

Mr. President and hon. Members, the passing of this Bill will not only provide the international branding of our premier cultural product, the steel pan, but will serve to enhance our defining God given talents as a people and as a nation, and herald a new dawn in our cultural landscape.

Mr. President, I beg to move.

*Question proposed.*

**Sen. Dr. Daphne Phillips:** Thank you very much, Mr. President. It is indeed a pleasure for me to contribute to this Bill to establish the Trinidad and Tobago National Steel Symphony Orchestra and for matters related thereto.

Mr. President, I was the Minister with this responsibility for culture in 1999, when the original Bill—that is Act 19 of 1999—was passed through all its stages in both Houses of Parliament. That Bill was assented to on August 23, 1999. I am therefore thankful and very pleased for the opportunity to address the Senate once again on matters related to the establishment of a national steel orchestra.

I would like to address just a few and very brief historical and background situations so that we would understand the significance of the Bill that we passed before, and understand what we are doing today.

In 1999, and as was said before, between 1997 and 1999, the Trinidad and Tobago National Steel Symphony Orchestra was a novel idea, and it was also a unique reality. Of course it was not the first time that a national steel orchestra was tried. We know about the Trinidad All Steel Percussion Orchestra (TASPO), which was created in 1951 and lasted till about 1952. Then we had the National Association of Trinidad and Tobago Steelbandmen (NATTS), created in 1960; it went on some tours, I think to Canada and so on; it fizzled out about 1969.

So, what is important about that? What is important about that, Mr. President, is indeed what was the significance of the Trinidad and Tobago National Steel Orchestra, which was created by the Act of 1999. We wanted longevity; that because the history of these previous orchestras was very short-lived, they were not protected or anything. We wanted to have an institution, a body that was long lasting, that would live on, and that would incorporate many things.

One of the things we wanted then as well, was institutionalization. So longevity and institutionalization, meaning that we would have had a body that was secure and that that body would last; that body would have certain structures and functions, which would continue. We wanted that in 1999; then there was legislation. For the first time legislation to protect this body and to have it as a legal entity in the history of our culture and our society.

Our focus at that time was on young people. We were concerned with the young people who were going to be playing the music; building a career in music, pan and other types of national culture. We were interested in training and the Minister talked about the training programme that we had; a very comprehensive training programme, which included music literacy. Just allow me to identify part of that training, and I know the Minister did refer to it, but let me go into some detail.

The areas were: the history of Trinidad and Tobago; the history of the steel band, musicology, values, heritage studies, music appreciation, communication skills, physical and health education, and gender issues. In looking at the history we thought the members of the orchestra should know our country, our history, our culture. We were looking at colonialism and discovery, African slavery, indentureship, emancipation, post-emancipation, development of the carnival arts in the 19<sup>th</sup> Century, the 20<sup>th</sup> Century Carnivals, 21<sup>st</sup> Century problems, the rise of education, the development in terms of economic and trade practices and so on.

*Symphony Orchestra Corporation Bill*  
[SEN. DR. PHILLIPS]

*Wednesday, October 29, 2008*

Also, in terms of the history, we were looking at the African customs and heritage, Carnival in the 19th Century, the emergence of “tamboo bamboo”, and the colonial legislation, the Carnival, and the rise of the steel band movement, sponsorship, masquerade. We had that as part of the curriculum of the training of these young people.

We were very concerned with values, and we were looking with clarification of values from the heritage. We were looking at some of the issues of discrimination and prejudice; values with relation to self-management; ethnic values; African, East Indian, European, universal values; dress; language; political styles; religious values; and so on.

So, we had a whole programme for these young people, because we envisaged them as entering into a career, not only in culture and that stuff, but a whole general education in terms of seeking a career. We also had music literacy. We were very concerned and we clearly emphasized that these young people must be able to read music. We had them going through the various theory and practical test runs by the International Music Organization.

Mr. President, the significance of having a national steel orchestra was immense; it was not just a fly-by-night something. We wanted to concretize our history, and as you all know we all did it, we did it in Trinidad and Tobago, the creation of this instrument. We wanted to concretize that through the legislation and create an entity.

We wanted to signify the centrality of pan as an instrument and the organization that also represented it, Pan Trinbago. We also thought that we would be open to developments because culture is not static, culture moves, and as it moves changes, and there is fusion. This organization would have been open to developments in culture, as well as developments in the pan technology, whether they had new types of materials or whatever we had that would have been incorporated as we went on.

We were open to developments also within the dynamism of our culture. What was done in the past, depending on how the changes were taking place, this organization, this National Steel Orchestra, would have embodied all of the past, but also would have created new and significant developments as we move forward. That was our vision. What we did was select the members of the orchestra; at that time there were 30 members. We did not select them ourselves, they were quite well selected; we went all over, and Pan Trinbago was central in the decisions about the members of the orchestra, and we had a very objective,

very open selection process which these young recruits went through. We wanted to include all representation throughout Trinidad and Tobago as well as both genders, male and female, and we had an open selection process to get members of the orchestra. Then we put them through the training programme and the other issues.

**2.15 p.m.**

In 1998, 1999, what was the response of the Opposition of the day? The Opposition of the day was very critical of what we were doing at that time. Indeed, in the debates that we had on the National Steel Orchestra they said they preferred to have a national youth orchestra and it seemed that was not a studied position. It was a position that was taken on their feet as they stood, somebody said it and then somebody else said it, it seemed in reading the record from the *Hansard* this was so.

However, the Opposition of the day was very peeved at every significant development of the orchestra. The orchestra was presented to the public on August 31—that was Independence day—1998 and that presentation, led again, to the Opposition making a lot of criticisms, a great deal of peeving, many negative statements and so on. Everything we did; the performances, the tours—we went on tours—the obtaining of the instruments; when we got that, the gaining of accommodation—we got a new building eventually—at every turn the orchestra was criticized. There was all opposition to it.

So, we continued to ensure that music literacy was central, we had them go to classes, pass exams and so on, we had brought training for them, we ensured as well—and this is another important point—those members were supported on salaries. They were not just there and they were not waiting for any handouts. They were salaried members of the orchestra. Even before the legislation there was an arrangement which was used before by the previous government which was used again to ensure that they had salaries, they had uniforms and they had whatever was necessary.

Mr. President, I think we were concerned about the young people who were members of this orchestra. I think we were people-centered in that sense. I think we cared about the orchestra members and I think we cared about the future—not only of those 30 people—because we allowed the board to decide what size it will be, whenever. It was not only of those 30 people, but those who would come and the future body from which those young people would be drawn—we were caring and we were for them.

*Symphony Orchestra Corporation Bill*  
[SEN. DR. PHILLIPS]

*Wednesday, October 29, 2008*

That Act was passed in 1999, assented to in August, the new orchestra was launched in 2000 and by 2000 we had obtained a building for them. We had uniforms, we had a whole set of instruments and they had done a few tours. I think it was about three tours they had done. But what was the response? As you know the UNC went out of government in December 2001 and since then what has happened to the board that we put in place? What has happened to the Act? What has happened to the orchestra and the orchestra members? What has happened? I understand that the board is non-functional. The board membership should have been renewed by 2002 because it was to be renewed every three years, from 1999 to 2002, but nothing was done. Nothing was done!

I understand that in 2006 the Trinidad and Tobago National Steel Orchestra was dissolved. I do not know and I stand to be corrected. I understand it was dissolved. This is a body brought into being by an Act of Parliament going through all the legal processes, policies and so on, and then just dissolved? What craziness is that? The board membership was not renewed. There are no members and no board. I understand that the orchestra was disbanded. So those 30 persons whom we started with through the training and all those things; giving them their salaries and what have you, I understand that they were just disbanded! There is no more orchestra! It was never continued. Until 2006, I understand that it is gone, it just does not exist!

The board members, I have heard that they are still owed gratuity. I do not know and I stand to be corrected. The orchestra members, some of them I have met myself—on the road, here and there, moving around—and they have told me that they have been absolutely abused; no salaries, waiting to hear, do not know when, nothing doing, nothing happening. I understand that. These are young people. They were humiliated, demoralized and their future destroyed; they were planning a future because we talked about longevity and we talked about this thing lasting. Once they functioned and did what they had to do and were disciplined and so on, they were looking at a future in music with the pan as the main instrument. They were looking forward to that, but they were demoralized and have no future—were left in shambles. So what is this?

We left government in December 2001 and by 2002 nothing happened. No orchestra functional, no board functional and nothing doing. The people were just abused. They were just abused! So, Mr. President, I have some questions. I have some questions. First to begin, how could there be an Act of Parliament which became law on a certain date and then it is just abandoned? Nobody does anything. The persons with responsibility to see the thing functional and make it,

just did nothing. So, on whose authority—this is a law that we put, we did not put it, the whole of the Parliament, both Houses, put that law in place and just abandoned it, so I have a question—was that done? Where is this provided for in the Act that you just abandon it and throw away the people and nothing happens?

I understand and again I stand to be corrected that the fund that was set up—because a fund was set up in the Act, that it is now being administered by the permanent secretary, but I want to ask a question, if there is no board, there is no orchestra, there is nothing doing, what is the permanent secretary administering the fund for, on whose behalf and to whom? I would like to find out that. Where are the assets? I also heard the Minister say that the assets would be transferred or taken into whatever. Where are the assets and what are they? We had a building. We had put a building in place for the National Steel Orchestra and we had redesigned it and put different rooms, the operational rooms and whatever rooms they had in that place we had redesigned it. I want to know what happened to that? Where are the assets? Are there financial statements? Again, as I say, what is the permanent secretary—if my understanding is correct—administering the fund for because there is no board and there is no orchestra?

Mr. President, I have some serious questions about what went on with that National Steel Orchestra, the board, the members, the fund and so on. What happened? But, something twitches my mind and I want to ask a question. I am just asking a question. Could it be that the moneys used by the former Minister of Culture and Gender Affairs, for giving scholarships—because I heard on the press, I read it on all the newspapers and I saw it on television that the former Minister gave scholarships from the Ministry of Culture and Gender Affairs. I heard that. I wonder if any of that money was involved in giving scholarships.

Another ridiculous thing about this is that the names of those persons who got scholarships cannot be identified. These are public funds and as far as I know and you could please correct me if I am wrong, those names were never identified nor were the amounts given. I want to question whether it may be that some of these moneys came out of that National Steel Orchestra Fund. I do not know. You know, nobody says nothing—is that correct English? Nobody says anything. Nobody! When I say nobody, nobody with responsibility, nobody on the Government side says anything. There was a statement saying that the names cannot be publicized. Everybody just—

**Sen. Rogers:** Mr. President, on a point of order. I would like to have Standing Order 35(1), relevance of what the Member is bringing to the Bill before us.

**Mr. President:** Senator, I think that funding of the steel orchestra is relevant but—and that is where the hon. Senator is going—we have heard a great deal of talk about the previous organization and nothing about this one. While there is a certain logic to what you are saying in that the origin of this has its origin in the previous organization, we have had some 20 minutes of origin and I think we really need to talk about the issue in front of us.

**Sen. Dr. D. Phillips:** Thank you, Mr. President, but I was referring to what the Minister was saying, as well as what is my own experience and questions in relation to this. Now we want to abandon the Act. We want to abandon the legislation. Why? Is it because we want to call the body a symphony orchestra and we want to put in the word “symphony”? Is that the reason? So why abandon the Act? The Act is there. If we want to say the orchestra must now be a symphony orchestra or so, we do a slight amendment. We do an amendment and put symphony. So, why abandon the whole Act which is already part of the body of our legislation? Why abandon the whole Act to include a simple amendment?

Mr. President, I also heard in the Minister's presentation, that she said there was a body that they are looking at for selection of those members for their symphony orchestra. I heard her say that, so I want to know what is this body and how was it selected? Who are these people who are going to be these new members of the symphony orchestra and how were they selected? As far as I am aware, there was nothing in the public domain to say, well, this is—when we did it the last time we went through several rounds of consultation involving Pan Trinbago, the bands and whoever with clear criteria. So, who are these people who are just now to be brought in?

I want to stay a bit on this abandonment of the 1999 Act. I want to stay a bit on that because I do not see the necessity to abandon that Act, it is already there. If there needs to be an amendment to change the name, I do not think that it is substantially enough to want to change the Act. Again, that does not tell us who are these new members and how they are selected. I believe that something is wrong. I believe that it is more problematic, more profound and there is a reason behind all of this, because to me just to change the name of the organization to symphony and include some other—I do not see that there are many significant differences. You are going to abandon the whole Act and that abandonment has to do with why you did not put the original board in place and why you abandoned those people who were members of the organization.

**2.30 p.m.**

Mr. President, if we had to change an Act, the same National Steel Orchestra Act—because there were changes in the society that we were worried about and some of those changes involving young people, such as the rather massive upsurge in criminal activity among young people in our country. If we had to reorganize the Act because—everybody in our country knows that crime is important and if we thought that involving them in certain kinds of cultural and creative activities would help and so on, I would be fine. I will have no problem. And if it had to do particularly with the disturbing levels of crime among our young people in schools, we are seeing an upsurge in criminal activity. If we came to this Senate and said, “Well, we want to see how we can restructure, reorganize the Act to involve and to take in those larger bodies of young people in the schools hanging around the place”, I will understand that and I would be eager and certainly privileged to contribute to the creation of an Act that will deal with our young people.

Mr. President, talking about these young people who are in crime, I have done some research myself and there are very disturbing levels. There are very disturbing levels of children engaged in crime. When I say children, I mean people in high school who are suffering. They are being brutalized at home, in school, all over the place. They have high levels of experience of abuse, be it physical, verbal, sexual, whatever, from all kinds of adults. So if we were coming to deal with an Act to see how we are going to involve it in the school system and articulate it around those, to save some of our young people and to stop this carnage that is going on, I would understand that and I would certainly contribute to whatever is the discussion, but I do not understand why we are going to change the Act just to put in the word “symphony”.

I would be eager as I said to do that, to address the vulnerable. Those young children in schools who are engaging in criminal and other kinds of juvenile delinquent behaviours are hurting. They experience levels of hopelessness and the school system is not working for them.

**Sen. Manning:** Mr. President, on a point of order. Standing Order 35(1) is relevant, but more importantly, there is a vibrant music programme in the school system. It is now CXC certified and is compulsory up to Form 3. Students are encouraged to get involved in music programmes and they take the CXC exam at Form 5.

Secondly, every year there is a junior panorama competition and every two years there is a classical programme for school children. So, that is something happening in the school system.

**Mr. President:** Senator, I would be inclined to think that the Minister is not on a point. I think what you are saying is relevant, but if exactly fully informed, it is relevant. I think what the Minister says is very informative and you should take note of that.

**Sen. Dr. D. Phillips:** Thank you, Mr. President. I am saying that if we had to change the Act to incorporate these changes that are happening in the school system, that are happening among young people, that is causing the upsurge in violence, crime, delinquent behaviours and it is hurting our people, I would say yes. That does not say that there are no music classes in schools and so on. I am not saying there are not, but I am saying if you wanted to incorporate the national steel orchestra, call it symphony whatever, into the schools, that will be fine.

Mr. President, as I said, I did the study and I sent a report to the Minister of Education. I did not get any acknowledgement, but that is not relevant here. So, that is the condition on which I would agree we change the Act to deal with the realities of life of so many thousands of young people in our country who are suffering. That does not deny whatever else is going on and whatever else is happening for them. I am saying that there is too much suffering and abuse of our young people and we should create institutions. We should institutionalize the changes. We cannot just put a programme and think that is going to be better for them.

Now, I turn to the proposed Bill, No. 6 of 2008, the Trinidad and Tobago National Steel Symphony Bill. When I look at the Bill, the first impression I am confronted with is that it seems to be a whole mass of confusion. Why? We have a corporation and the Bill provides for a corporation. We have a board, an orchestra, the staff and the fund; but to me it is a whole lot of confusion. We are not really sure what is the difference between the corporation and the board.

The policies of the board are to be implemented by the corporation. What is the corporation? Who is the corporation? Who constitutes? Are there members? Is it an entity? Is it really people or is it just a euphemism? Mr. President, I would like to know. The Bill does not tell us how they are selected, but it shows us some of the members who are on the board. But what is the difference between the board and corporation? This is not a reason I see. I do not see the reason for changing the Act, because the old Act already has a board with certain members and functions. What is being put here is a corporation, but it does not seem to me, Mr. President, to be an entity. Who are the members of the corporation? How are they selected? Is the corporation different from the board?

Clause 13 of the Bill says that:

"The policies established by the Board under section 9 shall be implemented by the...Corporation..."

First to begin, I do not know if the board is different from the corporation. The business of the corporation is managed by the board. So, the policies of the board are implemented by the corporation, but the business of the corporation is implemented by the board. I find that it is a whole lot of confusion and there is no distinction for me clearly, between the corporation and the board.

Mr. President, as well in the Act—and I am not going through clause by clause, I am just looking at the impression of this Act and it is a whole lot of confusion. There is a chairman of the board, a deputy chairman of the board, a chairman of the corporation and a chairman of the orchestra. There are so many chairmen and there are CEOs—there is the CEO of the orchestra—and all of them are on the board. For me this is not understandable. You have the chairman of the board, the deputy chairman of the board, the chairman of the corporation, the CEO of the orchestra and all these people are on the board. I do not understand what this is going—it is like a whole set of very, very complex and very non-understandable issues are here.

I have a serious question and the question is, where is Pan Trinbago? Why is Pan Trinbago not on the board, the corporation or some part of this Bill? [*Desk thumping*] I understand that Pan Trinbago was not even consulted, and according to Act No. 5 of 1986—which is the Act that brought the Pan Trinbago body as a legal entity—Pan Trinbago is supposed to be at least consulted and participate, but there is no reference to Pan Trinbago anywhere. Why was it left out? Members do not want me to go back in history, but Pan Trinbago constituted all those little pan men in the little alleys, valleys and all over the place. That is part of our history; that is us. Pan Trinbago got incorporated in 1986, so why is Pan Trinbago out of it and not on the board?

The Members on the board are people who have university degrees and that is stated in clause 6(2): A person with expert knowledge in playing the steel pan; holding a university degree in management; a person with tertiary level qualification in financial accounting and so on; experience in community outreach;—I do not know why that person is here—a representative from the Ministry and so on; and another person with a university degree in marketing. So where is Pan Trinbago? Is Pan Trinbago not among this list of people? I think this Bill has to go back and report all over again. [*Desk thumping*] It has to go back because one, it is too confusing, and two, it is lacking.

*Symphony Orchestra Corporation Bill*  
[SEN. DR. PHILLIPS]

*Wednesday, October 29, 2008*

Mr. President, I wanted to bring—and I hope that I am not out of order again—a little point because what is happening in our culture is not only pan. The Minister talked about the symphony orchestra with the highest musicianship and so on. Fine, but we are living in an environment of development of technology and a great deal of things can be done with and for our young people through technology. I have a list of a few things here. We could do film programmes with non-traditional, underserved communities to have a voice in there, and this could be incorporated into this national orchestra that we want to vote for. We could do a great deal of animation and that could be incorporated too, and people with those skills could be part of whatever body is administering this thing.

We could create our own Trinidadian characters and personalities in terms of animation because the technologies are available. We are still thinking about pan, when we used to beat pan in the little alleys and so on. Not that I am saying anything negative about that. That is where we came from, but we must go forward with the technology and we are not doing that. We have graphic designs and all kinds of entrepreneurship. We say that we have founded a corporation, but what business is the corporation doing? There is a great deal of entrepreneurship in relation to the technology that is associated with music and development, associated with entrepreneurship and associated with the things we can do with technology and with music. I am not seeing that, Mr. President.

**2.45 p.m.**

Mr. President, I am asking again, "Why a corporation?" You say you want a corporation, but why? I am not seeing it doing anything. You say in clause 4(2):

"The objective of the Corporation is to produce a Symphony Orchestra..."

The corporation will produce a symphony orchestra. When and how is the corporation going to produce that?

"which would be a flagship for musicianship, professionalism, ambassadorship..."

To me those are just a lot of words; meaning what? There is nothing to say what this corporation is going to do. It is going to produce a steel orchestra, but the steel orchestra is already available.

It is going to produce a steel orchestra, which will be the flagship of musicianship and so on, but no explanation about how that is going to be done and who selects the members of this corporation. How is the corporation different from the board? That is my problem. How is the corporation different from the

board? Why is a corporation necessary to produce a symphony orchestra? That is what it says it is going to do, produce a symphony orchestra. Why is a corporation necessary? Why can a board not be in place as itself?

Mr. President, I have too many questions; I have so many questions. Why was Pan Trinbago not consulted? Why are none of their members on the board? I think this is a whole lot of confusion. There is nothing clear and straight about what is being done today.

I want to suggest that there is method in the madness, because what I see here is madness. I think there is method in the madness, because I was there before and I know how the original body was created and what they were doing. I want to suggest that this may be a means of cleaning up all that mess that was created between 2002 and 2006; I hope that is not unparliamentary language.

For me it is nonsense; the board is not reappointed, nothing is happening, the young people in the orchestra are abandoned, brutalized—not physically, but worse, and that is madness. What happened in that period with the Act? Why are we now abandoning it? I think the method is a way to clean up all that nonsense that went on.

You are going to have an Act of Parliament created for a particular reason and just abandon it. Then you say that you are bringing in a new Act and the new Act is so terribly confusing with the corporation and the board, who selects it and why, why Pan Trinbago is not there and all of that. I think this is a set of confusion, but there is method in the madness.

The board was suspended. I do not know what has been done with the funds, because there is no statement of which I am aware. Where have the funds been? In the original Act, with the Trinidad and Tobago National Steel Orchestra there was a fund created and part of the moneys for that fund was contributed by the public purse. There was a subvention every year for the Trinidad and Tobago National Steel Orchestra. Did Government submit that money every year? From 2002 to now, was it given? What was done with it? Like we say in Trinidad, “Just so we are going to abandon the Act and create a new one?” That is just madness. *[Interruption]*

**Mr. President:** Hon. Senators, the speaking time of the hon. Senator has expired.

*Motion made,* That the hon. Senator's speaking time be extended by 15 minutes. *[Sen. M. F. Rahman]*

*Question put and agreed to.*

**Sen. Dr. D. Phillips:** Mr. President, I will soon finish.

It seems to me that there is method in the madness and what we are really seeing here is a means of cleaning up the mess that was done. When I say mess I mean all these things that we do not understand; how we could abandon the board and the orchestra just so. I asked before whether, indeed, from the public purse, sums were contributed to the fund, because that is in the Act. If they were, what happened to them? We need a report; we need an audit, before we say all the resources in clause 26 would go to the new entity. I want to know what resources there were, what was there, what is, what is not, and what should have been; we need a report. What we are going to do is sweep up everything into this clause 26 and clean up the mess, and we do not know what has taken place. This is not right; this is not correct. We cannot operate like that.

We created an Act of Parliament to do certain things; we cannot abandon them and just say, "All the resources go to the new entity." That is morally wrong; we cannot support that kind of thing. [*Desk thumping*] We cannot support it just so. And this administration of funds by the PS, I do not know what has happened to that.

Mr. President, I am winding up now. I say no. I am all for the young people, the orchestra, the movement of our culture forward incorporating all the new issues and the new pan, whatever; fine, I am all for that. But I am not for this callous way in which we treat our legislation. I am not for that.

I hope I am not off track, but I just want to make a parallel equation. It is the same way that we put an Act in place for squatters' regularization and then you say that you are not acknowledging the letters of comfort. I know that it is not the subject we are talking about, but it is a parallel point I am making, that we are just treating our legislation like nothing. We could put an Act in place and it is supposed to do this, that, that; it is supposed to constitute so, so, so, and we just do not do it. What kind of irresponsible behaviour is that? That is irresponsibility.

It is like in the wild, wild West. Do you know how the wild, wild, West was? Everybody did what they wanted. You jumped on your pony with your guns blazing and you went down the road; you did not care; wild, wild West. The same country that the wild, wild West came from does not do that anymore. You know, Mr. President, the people on the street are doing that too; they are like the wild, wild West. A person could come up to you, put a gun in your face and shoot you and they do not care; wild, wild West.

We started it here in this Parliament. We started it here by abandoning what we put in place. We put it in place, we say this is for that, that is for that, and then we just abandon it. We just do not put the thing in place. What nonsense is that? What kind of country are we living in? How do we expect those persons in the street to do differently? Those persons in the street, we call them criminals, and they do what they want. They have this country in grips, but we are doing it here too. We have an Act to do something, but we are not doing that. What nonsense is this?

I support our National Steel Orchestra, whatever name we call it, symphony, that is fine, but not in this wild, wild West way. We just do whatever we want and then we sweep it up in clause 26. Clause 26 is probably a traditional kind of clause in which you say that all the resources, like real property and so forth, will be transferred; that is it, and "we hush we mouth". All those questions about where the Ministry got the money from to do what they should not have been doing, and everybody shuts their mouth; I cannot understand that.

I am again very pleased to be able to contribute to this Bill, this discussion, this debate. I am very strong about including our culture and all the areas of new technology for our young people, whichever ministry. I have no problem with that, but we must include it and make it meaningful and help to stop this criminal behaviour. If the Act will do that, I am for it, but to me it is a set of confusion, it is not well thought out, it is nonsense; well, let me not be so rough.

Mr. President, I am really thankful for this opportunity to contribute to the Bill.

**Sen. Basharat Ali:** Mr. President, I am very pleased to make a contribution to the Bill before us.

Let me say that I do not write music, I do not read music, I do not play pan. I am an avid listener of all genre of music and all instruments. I speak in that capacity because that is what I know about.

On Monday evening when I was getting ready to prepare my notes for this debate, I sought inspiration. I found the inspiration in Mars, The Bringer of War. "Mars, The Bringer of War" comes from a piece of music called "The Planets", written by an English composer, Gustav Holst. It was in the year 1916, so in the middle of World War I this was written. It relates to what we have here, the steel band movement, because Mars, The Bringer of War was played in the 1988 Pan is Beautiful festival and it was six or seven minutes of absolutely brilliant music. It

*Symphony Orchestra Corporation Bill*  
[SEN. ALI]

Wednesday, October 29, 2008

was played by Amoco Renegades and conducted by Father John Sewell, an Anglican priest and a great musician. I bring that to you as one of the pieces of music that inspired me in writing my contribution and taking my notes.

On this same CD on that same occasion in 1988, there was a Tchaikovsky piece called "Capriccio Italien" being played by Neal and Massy Trinidad All Stars. The arranger and conductor was Gillian Nathaniel Balintulo, a daughter of the soil, a very accomplished musician and a winner of many music festivals in Trinidad and Tobago, probably in the 1960s, I think; I am trying to remember the time. Her sister still has a school of music in Trinidad, June Nathaniel.

The hon. Attorney General is nodding so she evidently recognizes it.

The third band on this CD is Phase II Pan Groove, "Rhapsody in Blue" by George Gershwin. Who was the soloist on that occasion? Mr. Len "Boogsie" Sharpe; it was wonderfully played and exactly to the score of what I heard—and I think you heard it too—in August of this year, played by the National Sinfonia Orchestra at Queen's Hall, at the end of their workshop.

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

So on the basis of listening to music like this—and as I said this is not the first time; I have attended many of the "Pan is Beautiful" finals; I have looked at many of them and at the end of this last piece, of looking at it in a very critical way, I had to ask myself: Why do we need a new Act for a steel symphony orchestra?—a basic question. I think Sen. Dr. Daphne Phillips was asking the same question: Why do we need a new Act? Because these are not symphony orchestras that I am talking about, these are orchestras here, assisted by musicians and we have many of them still here in Trinidad and Tobago. We have Exodus and we have Pan is Beautiful II coming up—I will talk to that for a little while—and we have people like Pat Bishop who is an arranger/conductor probably with Exodus or a band like that.

So we have a rich heritage in that field and I really cannot see the connection between the National Steel Symphony Orchestra and the wish to end or to repeal the previous Act, the National Steel Orchestra, which was also a body corporate. I mean, there is a big thing being said about our fly-by-night bands and what not. The National Steel Orchestra was not a fly-by-night organization; it was also a body corporate. [*Desk thumping*] It is there in the Act; it is the first sentence of the Act. They call it a board, just like they call National Insurance Board, a board, but it is a body corporate. That is what it is and that is what the NSO Act of 1999 is.

So I have grave difficulty in seeing why we are here today to discuss that. I have not heard the G-pan, unfortunately. I should have gone on Sunday to listen to them—the National Steel Symphony I should say; I should not say the G-pan; that might be a bad word. But I have not heard it except at a launch which I have seen on television and I know they have some very competent musicians. There is no doubt in my mind that many of their musicians are very competent pan players. They are led by a person who is very committed to music. Their temporary—I do not know—present music director/conductor is Jessel Murray who is a very committed musician who works very hard and he, in fact, is the music director/conductor of the National Sinfonia. I have interfaced with him a number of times and I have seen the kind of devotion and commitment he has and the kind of response he gets from a group called an orchestra—National Sinfonia.

So I was looking at a comparison between Act No. 19 of 1999 and the Bill that is before us today and I really do not see what the problems are in repealing one and enacting a new one. Because, as I said, the National Steel Orchestra, according to the Act, is a body corporate. This proposes that the National Steel Symphony Orchestra will become a body corporate because they have the word “corporation” included in it. So they are much of a sameness. It is the same category of organization within our law, and I am not a lawyer either so I should not be saying that.

The board of both corporations—the members of the board of the NSO were to be appointed by the President and that, in accordance with the Act. The Bill here provides for the same thing; the board to be appointed by the President. There is one big exception—and I am pleased that Sen. Dr. Daphne Phillips came before me—and although the Minister steered away from it, that board proposed for this corporation excludes Pan Trinbago and Pan Trinbago has been a body corporate in this country since 1986. So it was still PNM time when Pan Trinbago was incorporated and today we are coming here with a Bill which excludes them. The NSO Act has two members to be nominated by Pan Trinbago; this one has none. So where are we going? This is why I believe the hon. Senator was questioning the motive behind it. I do not impute any kind of motive, but it is passing strange that that is so.

When I look at the objectives of the National Steel Orchestra board and I line it up against those of the proposed National Steel Symphony Orchestra board, I do not see very many differences in terms of their terms of reference and their functions. So that once again, I am at a loss. When we look at the duties and functions of the orchestra, they are very, very similar. So what is the difference? I

*Symphony Orchestra Corporation Bill*  
[SEN. ALI]

*Wednesday, October 29, 2008*

know the Bill before us has a much more formal kind of relationship; they have a CEO and apart from the music director/artistic director, they do have an education officer. So apart from the members of the board, there are officers.

But if you want to retain your Act of 1999, you can easily amend it. There is no question that that can be easily done and we can have what we want by just bringing a Bill to amend the Act of 1999 which, in fact, has been amended by an Act in the year 2000. Act No. 24 of 2000 is a small amendment to Act No. 19 of 1999.

So those are the things that I am saying here and I wonder where we are going. Today, Pan Trinbago, in fact, had asked the coordinator of our Independent Bench for a meeting to discuss just this Bill, and we did have that meeting today. We all had serious questions to ask about the Act, whether it is operative or not and from what Pan Trinbago has said, it is not and not because of their fault, because after the first board was appointed in 1999 or 2000, there has not been any other appointment of a board. So there is a headless organization. They had the orchestra which was chosen at the time of the assent of the Act and I understand that they have been on tours even, but I was told today, in asking about it, that in the year 2006 that same band paid a visit to Washington to perform and when they came back there was nothing else for them.

So we really have, in effect, as the hon. Senator has said, a disbanded orchestra and a board which cannot function because their term was three years and nobody has been reappointed. Then we have this Bill coming before us on the basis of this new concept elucidated in the budget of 2005/2006 which goes for this National Steel Symphony Orchestra and apparently it is an idea coming out of the UWI Centre for Creative and Festival Arts. That is all I learnt. The hon. Minister herself has said so today.

So I ask, in fact, whom did we consult on this Bill which we have before us? But I will come back to it in a moment because I think we all need to know the history of steel band. The Minister made brief mention of it, but steel band in the form of orchestras, as we call it, started back in 1951. That was when the Trinidad All Steel Percussion Orchestra (TASPO), it was called, went to England at the time of the Festival of Britain. That was the big post-war festival. I am very grateful to the just deceased Dr. Fedo Blake who had written a paper on the history of TASPO and some of the information he has given here I have never seen before. I do not know whether anybody has seen it.

His information relates to why we had this orchestra; why was this orchestra sent in 1951 to the Festival of Britain. This is not his verbatim but he said it was the suggestion of the then Governor, Sir Hubert Rance, that a steel band represent the island colony—we were a colony—and it was felt that an appearance at the Festival of Britain would help in the steel band's struggle for respectability. It seems that we are still struggling for respectability if you look and read this document here.

He further went on to speak about the composition of the band and it is interesting because the band consisted of 11 members from different steel bands and the rationale behind that was that playing together would encourage and promote some measure of friendship among these individuals and so diffuse the potential for explosive violence ever present among the steel bands of the day.

Some of the names of the people who went with TASPO are still around. I see here Winston Spree Simon, Dr. Ellie Mannette, Sterling Betancourt and Anthony Williams, who was awarded the top honour of this country, the Order of the Republic of Trinidad and Tobago on Independence Day of this year. Also honoured then were, Bertie Marshall—one more icon of pan, Bertie Marshall—and Prof. Copeland who, with his team, invented—I have to use the word, invented—the G-pan.

I have some serious questions to ask about the G-pan because since January of this year in the *Trinidad and Tobago Review*, a person called Orville Wright who is well versed in the steel band business—he lives outside but he is from Trinidad—wrote an article in the Review and questioned the G-pan. In fact, that article was headed: “The G-pan appears to be DOA”—dead on arrival. He listed a number of points and I spoke to that on the Copyright (Amdt.) Bill in this House and to date, after speaking to Prof. Copeland—myself and others—there has not been a response to all the negative points raised there. If the G-pan is, indeed, what it says, then they must be able to defend it. I ask the question today of the hon. Minister: What is the position of the G-pan? Because the G-pan is the lifeline of the National Steel Symphony Orchestra. When the National Steel Symphony Orchestra was launched on Saturday, April 19, they said: “Featuring the Revolutionary G-pan.”

So to the Hon. Minister, I would like to ask: What is the status? Because nobody knows anything about it. If you are not accepted in your own country, how do you expect to find your way or to enter into other markets? This is the problem. Pan Trinbago this morning said they know nothing at all about the

instrument. They were invited late to the launch, but they do not know it. They wonder whether the G-pan is a work in progress. I ask today: Has any attempt been made to register the patent and where? Because I have not seen it. I go into the Intellectual Property sites of the US and Canada and I have spoken to the Controller of Intellectual Property in Trinidad and so far I am not aware that the G-pan has even reached there. So how do you expect to commercialize the G-pan? The G-pan will just fade away if we do not commercialize it, because that is what a patent is all about. If you do not commercialize a patent it would die. That is by definition of a patent. The hon. Attorney General is looking at me. If you look at the Patents Act of Trinidad and Tobago you would see that definition.

### **3.15 p.m.**

I was talking about TASPO and even then, they were playing sophisticated music. TASPO's repertoire included "Jamaican Rumba" which is not by a Jamaican. It is by an Australian and was composed in 1938. The latest recording of Jamaican Rumba was as late as 1996. That is 12 years ago.

"Mambo Jambo" was composed by a Cuban, Perez Prado or Prada, I am not sure. It used to be played by a person called Arima Kid, Edmundo Ross. They said that he was from Trinidad. I do not know. This was all in England. I did hear a version of "Mambo Jambo" being played by Divine Echoes in their launch. It has reached the ballroom dancing stage in Trinidad and Tobago through "Divine Echoes". I have my views about Divine Echoes. They played "Toselli's Serenade", an Italian song sung by Mario Lanza. Finally they had to play the British national anthem. At that time it was "God Save The King". That was in 1951 and it was still the era of King George VI. At that time that band had a versatile repertoire of music.

Listening to a programme recently, there was a question that all these orchestras that went abroad lost their members because they stayed back. That happened with TASPO that went to the United Kingdom; the band that went to Montreal Expo under the auspices of a new organization called the National Association of Steelband men or words to that effect. That is part of the history that the best panmen always chose to stay out. I know for a fact that some of them did because as a student in the mid '50s—there was a trio from Trinidad and they were composed of one of the members of TASPO, Sterling Betancourt; Ross Henderson, a pianist and Max Cherrie. I heard them on stage in Manchester at the music hall variety shows, where they did a gig or stint. I felt very proud to go

there during my period of study to listen to a group from Trinidad. I still enjoy steelband music, particularly steel pan classical music.

Those were the pioneers of steelband music. We had people like Winnifred Atwell who combined with the steelband. There was a record called "Ivory and Steel". She was well known for her pianistic work in the field of jazz in England and Australia.

When we come to the present, we seem to be here on the eve of almost a total collapse of the steel pan movement. I will come to that nearer the end. We must have some hope. "Pan Is Beautiful 11" will be launched next month. It is the launch by Pan Trinbago, but it is not the same. There are only eight registrants of the large bands. Previously, that would be the number of bands in the finals. We would go to the Jean Pierre Complex on the final night and those bands would be lined up there. I know that because that is what I have seen. Why are we there? I will come back to that.

I have a serious question. What is our real commitment to classical music? The hon. Minister talked about symphony and symphonic music which includes a sub-set of chamber music. What is our commitment to classical music as an art form? It is a question I pose because, for example, every two years we have the Trinidad Music Festival which is a source of development for all stages, from the young ones at primary school to the veterans, the super seniors who have a chance to sing or play a musical instrument. That system has bred many of our classical musicians and otherwise and to see Government's contribution to them is, as against what they want to do with one band. That band is the National Steel Symphony Orchestra.

I will go to some numbers from 2007, expenditure statement, the public accounts. Looking at the Ministry of Community Development, Culture and Gender Affairs, under 2007 expenditure there is a figure of \$2.6 million. It says, National Steel Orchestra. I do not know if that is the old or new orchestra. There is a figure of an additional amount of \$4 million which could have gone to the National Steel Symphony, but none was spent. We come to 2008, National Steel Symphony had a budgeted figure of \$2 million, but the revised figure for 2008, is \$10.99 million. What that figure comes out to we will learn at the beginning of next year when the public accounts are released.

I do not know if the hon. Minister has it. I will like to know if that final figure for 2008 is available. It is pretty well \$11 million. The figure for 2009 is \$10.304 million which is in the budget estimates for this current fiscal year. When you

look at the music festival committee, in 2008, the ministry's subvention to them under the non-profit institutions was \$120,000. That is what they spent in 2008 because the music festival is a biennial festival—it is amazing that they are required to spend that small amount of money to do this vast festival which covers north, south and Tobago and to bring adjudicators for the juniors to the seniors. How do they manage that? Fortunately there are sponsors as the banks. I think Scotia has given big sponsorship, certainly in one year.

I understand that in previous years when they were in the red the then minister came forward and gave them some funds to make them whole. If that is the amount we put into the development of culture, anybody who has been to a music festival will know that it covers all types of music that you can think of from steelband, calypso, parang, instrumental, classical of all varieties and chorale. I know that it is an effort to get the people to do it. There are people who still love classical music and who would put out much energy to develop it. Those accompanists have to be good musicians to read scores. They run from here to Tobago, San Fernando and back and do it for a pittance. That is because there is never any fund. Every year it is the same amount. If you look at the 2009 estimates it has not changed. It is \$120,000. It is like a rollover. Next year there will be nothing because there will not be any. That is where we are looking. It is \$10 million as against \$120,000 for classical music and its development.

I spoke about "Divine Echoes". This is one band that was started and I do not know the full terms of reference of this band. It has no legal status. I presume that it comes under the Office of the Prime Minister and is looked after by one of the Permanent Secretaries in the Office of the Prime Minister. Their development budget for 2008, this is their first year, is \$3.06 million. I know that that will include the cost of instruments. As you know, music instruments especially the conventional music instruments are very expensive. That was the figure in the revised 2008 budget. Having developed it now, it has gone into the recurrent expenditure list. Under recurrent expenditure, Office of the Prime Minister, the figure is \$4 million. That is a small group of people playing ballroom music.

How can we compare that with all the people who play in the steelband movement? There is no comparison. When we are looking for the feed for classical music, it is not catered for. It is something that bothers me an awful lot. We have elitism in our music. "Divine Echoes" is an elite group. The "National Steel Symphony" notwithstanding all the musicians looks like it is going to be an elite group also. This is where I have very serious reservation on what we are

trying to do, not only on this Bill but also overall in culture. All we want to do is to promote ourselves overseas more so than in Trinidad and Tobago. We have to be accepted in our country before we go outside. That is how I feel about this.

I wonder in the preparation of this Bill which of the stakeholders has been consulted. I spoke to Pan Trinbago this morning and they said that there was no consultation. They had not seen it before until they got a copy recently. Pan Trinbago, the official corporate body for steel pan in Trinidad and Tobago was not consulted on a Bill which if passed will repeal the NSO Act of 1999. Where are we going? It is a gross insult to Pan Trinbago. They are not even included in the board. If you look at the board they are excluded from the board. I could not believe it. There are some very serious errors. I do not know if they are errors or missteps or deliberate omission of an organization like that within this Bill. Somebody has to answer why that is so.

Apart from the people from the UWI Centre for Creative Arts and Festivals, is there anybody else? Have they asked any of the musicians in Trinidad and Tobago? There are so many other musicians who are associated with steel band. When I say musicians I mean qualified musicians who could bring some aspect to this. I say all this because we have in the books for 2009, a token amount for the National Philharmonic Orchestra. I do not want this to be cast in concrete and then they say this is what the National Philharmonic Orchestra is going to be. We will have to find a different way to go through that step of getting a National Philharmonic Orchestra.

I have some thoughts which I will share with this House.

### **3.30 p.m.**

The stakeholder consultations, especially with the pan fraternity, I think have been absent. Unfortunately also, there was no discussion in the other place because the day this Bill was presented—I think that the two people who spoke were the hon. Minister and the Parliamentary Secretary, because the Opposition had walked out because of the laptop affair. There was absolutely no debate when it was passed and now it has come before us. It is a strange situation. What are we to do? We will leave that for all of us to decide.

I did a review of the debate on the National Steel Orchestra Bill in 1999 and as the hon. Senator has pointed out, they were the ones—it was a UNC Bill and Government Senators had a particular approach to it. If you go to the *Hansard* of April 06, 1999, the day the Bill was taken through all its stages in this Senate, one

*Symphony Orchestra Corporation Bill*  
[SEN. ALI]

*Wednesday, October 29, 2008*

of the Senators who spoke was Sen. Muhammad Shabazz, who had a long statement which I will cut short. There is no need to belabour the point. There is a quote from him, a PNM Senator, he said:

“As a matter of fact, I can safely say that we on this side believe that maybe what we should have is a national youth steel orchestra. Maybe you should bring the youths in, train them in different things, have them move forward, and take these beautiful young people we have here to the world as a national youth steel orchestra, and still keep all the bigger orchestras.”

He said “the young people we have here” because on that particular day there was assembled in the public gallery the young people who were selected for that orchestra.

Another Member who also spoke was Sen. Joan Yuille-Williams, our former Minister of Community Development, Culture and Gender Affairs. I would just read this paragraph of what she said at that time:

“My colleague, Sen. Shabazz, struck a note that I want to strike today. We talk about culture and development, and I know,...in the Ministry of Culture and Gender Affairs, at this point, they should be looking at developing all art-forms—steelband being one of them. We start by developing with the young people. That is where they should position themselves—for the youth. As Sen. Shabazz said, this afternoon we should be going through this Bill establishing a youth steel orchestra. I am all for that!”

I even put down that there was desk thumping.

The third Senator I would like to refer to happens to be sitting in the Chair today, the President, Sen. Danny Montano. I will read one sentence that the hon. Senator at that stage said:

“We pick the best side we have, and that is what must reside within the heart of a national steel orchestra. Therefore, Mr. President, it becomes entirely appropriate to designate this orchestra either the National Youth Orchestra or remove the word "national" from this title, because that is something entirely different here.”

That was the PNM's view when the Bill was passed and became Act No. 19 of 1999. We have had a complete turnaround today, 2008. Changed circumstances ask for changes, but I do not see it, especially as we now talk about a symphony

orchestra. There is no question of a symphony orchestra in this country except the one we have put together, the National Steel Symphony Orchestra, with a special pan called a G-pan, which nobody knows about.

I heard the President of Pan Trinbago on a morning show say that he cannot say anything about it because he does not know anything about it. That is what Mr. Patrick Arnold said. I heard him on an interview on one of the early morning shows. How do we expect to break Trinidad and Tobago into this most important thing as the G-pan and how do we promote and export G-pan?

The former Minister of Education was speaking about pan in school. What instrument are the children playing in school? They are not playing the G-pan; they are playing the conventional pan that is made and tuned here. There is another transmission if it is your objective to go G-pan for everybody. That is a lot of money.

I do not know how this progression will take place. Someone needs to answer. I cannot because I am not a musician. How are you going from the young people pan in schools, youth festival, et cetera, to get to the steel symphony orchestra proposed here? It is still a puzzle to me.

Having heard that one of the previous PNM administrations was interested in national youth orchestras, I endorse national youth orchestras. They are an element which brings together people in a situation where they must relate to each other. Music is for all of us. It is the ideal medium of communication aimed at the unification of people of different backgrounds, transcending all the barriers of ethnicity, religion and class. An orchestra forces its members to communicate with a unity of purpose. That is my statement. I did not take that from anybody. I made that up.

In the world today, there are a number of very prominent youth orchestras and I just picked out a few. These are conventional classical orchestras. There is the "Gustav Mahler Youth Orchestra" which is in Vienna. Gustav Mahler was a composer out of Austria. That is comprised of 120 players representing all the European nations, including Russia, with selected students from other countries, for example, Cuba and Israel. It was founded in 1986 by renowned conductor Claudio Abbado, who is its present music director. It has a wide repertoire, ranging from classical to contemporary music. The age limit for that orchestra is 26 and it is probably the top youth orchestra in the world.

Another one aimed at Arab/Israel understanding, if not unification, is the West/Eastern Divan Orchestra established by two persons. One is a

*Symphony Orchestra Corporation Bill*  
[SEN. ALI]

Wednesday, October 29, 2008

musician/esteemed pianist, Daniel Barenboim, who was born in Israel, grew up in Argentina and who practises his profession all over the world. He is a master pianist and he is a conductor.

The second person is now deceased, Edward Said, who was a Palestinian Christian. The experiment was to bring together young musicians from Israel and Arab countries to play together in camps and give concerts. Barenboim, the musician was joined by Yo-Yo-Ma, the celebrated cellist to conduct the programme. As Edward Said said:

“You cannot find any better musician to lead a group like this.”

Workshops were held in Weimar, Germany in summer 1999, Seville, Spain, in summer 2002 and in Ramallah, Palestine, in September 2002. Eventually the group of students came from Syria, Jordan, Palestine territories, Israel, Egypt, Lebanon and some other countries. These were young musicians aged between 15 and 25, playing classical music. They stopped being individuals from different countries and became cellists and violinists playing the same pieces in the same orchestra under the same conductor; a truly remarkable transformation achieved by the magic of music. Music is magical and I say so unreservedly.

I come closer to home and make a trip across the Gulf of Paria where we have the “Simon Bolivar Youth Orchestra” and they have achieved tremendous popularity by performances at various European venues to full houses and to greater fame. They come out of a system called *El Sistema*, the short name for—my crude translation—The State Foundation for the System of Youth and Children's Orchestras of Venezuela.

I would like to read from this June edition of the BBC magazine *Music*. On the cover is the young conductor, 27 years old, called Gustavo Dudamel. He is the conductor of the Simon Bolivar Youth Orchestra of Venezuela. This is what *El Sistema* is all about. Permit me to read a couple paragraphs:

“El Sistema.

What is it?

The Fundacion Del Estado para el Sistema de Orquesta Juvenil e Infantil de Venezuela—known by most as just ‘El Sistema’—was set up by conductor José Antonia Abreu...in 1975. In short, it is a network of youth orchestras—”

**Mr. President:** The hon. Senator's speaking time has expired.

*Motion made*, That the hon. Senator's speaking time be extended by 15 minutes. [*Sen. Prof. R. Deosaran*]

*Question put and agreed to.*

**Sen. B. Ali:** Thank you, Mr. President and colleagues for the extension of time.

As I was saying, "El Sistema was set up by Jose Antonio Abreu in 1975.

"In short, it's a network of youth orchestras across Venezuela, in which instruments and tuition are provided free, thanks to funding from the government and various benefactors. By offering impoverished children somewhere to go after the school day has finished and giving them guidance that goes beyond just music lessons, El Sistemao has prevented thousands from drifting into crime."—This was what the hon. Senator was saying—"which might mean anything from petty theft to drugs and guns—and has helped to rehabilitate many others. The best players of the 260,000 that make up this enormous regional network get selected for the Simon Bolivar National Youth Orchestra of Venezuela...

Now Abreu is putting his energies behind developing the El Sistema concept throughout a number of Latin American countries, while last summer it was announced that Sistema Scotland, a pilot project being set up on the deprived Raploch estate in Stirling, will bring his methods to the UK as well."

There it is from right across the pond almost there is a system proposed for many others.

This orchestra is comprised of up to 200 musicians and is led by this young conductor, Gustavo Dudamel, 27 years old, who has performed before His Holiness the Pope in a concert in 2007 at his eightieth birthday in the Vatican. Last year, he was at Royal Albert Hall with his big orchestra and they said that for the first time there were people dancing around the aisles because he was playing part of his own music.

### **3.45 p.m.**

In fact, he has now put it on a CD called "Fiesta"; music of all the different countries of South America including Mexico. It is a marvellous CD. This young man who is a most charismatic person is so popular and he has two appointments. He is the principal conductor of the Gothenburg Symphony Orchestra which is in Sweden and he is a music director of the Los Angeles Philharmonic. The *BBC*

*Symphony Orchestra Corporation Bill*  
[SEN. ALI]

Wednesday, October 29, 2008

*Music Magazine* said: “And, dammit, he’s only 27.” He, himself, has said that if he was not in this system he might have ended up in crime. So, it is a model which we must investigate.

I know that last August in Trinidad and Tobago we had some string tutors and they were in a workshop with the St. Augustine Chamber Orchestra (SACO). A number of tutors came here and shared their knowledge with SACO. They are the feeder group for the National Sinfonia of which I have a personal interest—when I say a personal interest it is because of my love for classical music. So, they are the feeder organization for that group.

Mr. President, I am sure that other Senators would like to have an opportunity to add or subtract from what I say, but I wish to say that in many quarters it is felt, as I said before, that pan is on the decline. As I said before, Pan is Beautiful XI has only eight large registered bands and some of the reasons advanced are:

- (1) a diminution of the number and willingness of musicians;
- (2) a diminution of the number of persons willing to go through the experience without the monetary reward which is the way in which the joy of “getting it right” has been dumbed down;
- (3) the rising cost of instruments, tuners, et cetera; and
- (4) the failure of “entitlement”. The entitlement they speak of is the make-work programmes like CEPEP and URP which is where you can get young people to come into the steelband movement.

Mr. President, I think we need to save us from ourselves. With respect to what we have in front of us today there are a couple of alternatives. One alternative is to seek withdrawal of this Bill and the second alternative which I am proposing and which I favour is that since there was no consultation within the other place, that we establish a special select committee of this Parliament to examine this Bill and to be able to call people who are the ones that will be committed in the long run to this.

Mr. President, I thank you very much and I hope that we would get somewhere in this process as we go along today. Thank you. [*Desk thumping*]

**The Parliamentary Secretary in the Ministry of Health (Sen. Wesley George):** Mr. President, I join this debate on the Trinidad and Tobago National Steel Symphony Orchestra Corporation Bill, and I feel pleased to speak on a topic that really seeks to provide our young people with an avenue to explore their God-

given potential which would not only provide a space for it to be done, but a space that enables them to do so in a manner that would allow them—after interfacing with such an entity—to perform anywhere in the world at world class standards. [*Desk thumping*] That is what we are about today.

Mr. President, one has to put this in the context of this Government's plan for a developed nation and a developed people. When discussing this topic of developed nation, we hear from several quarters that the Government is not doing enough to develop the people; that developed nation is not about buildings; it is not about oil and gas and it is about people. Today, we are here to discuss an entity that seeks to treat with bringing our people in line with that developed nation initiative. [*Desk thumping*]

Much has been said before as it relates to the old orchestra and the relevance of this orchestra which is before us, but before I get into the relevance of what is before us today, I want to put it in the context of what is going on elsewhere in the society, namely the schools.

The idea was thrown out that perhaps not enough is being done in schools, as it relates to music, to encourage young persons not to get into a life of crime and so forth. However, for the benefit of the listening public I am going to highlight what has been going on in the school system with respect to music and steelpan.

Visual and performing arts, including music, is compulsory in secondary schools up to Form III, and students who are interested can take the examination in Form V.

With respect to the application of it and taking it out the classroom, there is an annual Panorama competition where primary and secondary schools compete. I understand that the standard at that level is extremely high. Why is it high? It is high because the children can read music; there is a greater appreciation for music and thus the standard of the music is lifted. I understand that over 30 schools competed at the last Junior Panorama Competition. There are continuous workshops during the school year and participants, especially at the primary school level shine. I understand that Pan Trinbago supports the classical programme every year, and it may be taking place this year as well.

Mr. President, the Ministry of Education has instituted a Pan in the Classroom Unit, and this unit works mainly with music teachers in Trinidad and Tobago to bring them up to standard. The aim of this unit is to place steel orchestras in all schools. So, we can speak to why there is no national steel orchestra, but that is one approach that you can take.

I am always of the view that you can take one large stone and throw it into a pond and you are going to get a big splash, but if you take several pebbles and throw them at different instances into the same pond what you are going to get is a wider rippling effect over a longer period of time. So, it would be nice for us to say that yes there is a National Steel Symphony which is a youth steel orchestra that is very much in the works. Perhaps, it is not as formalized as the orchestra that we are discussing today. I understand that more than one orchestra exists, and we are moving to have steel orchestras within schools performing not only for schools and their peers but also the wider society.

I was involved in a choir not so long ago when the pan was now coming into primary schools, and a choir was a big thing back then. We did not really perform at music festivals and so on, but we got invitations to perform in different parts of South because people knew that we were good and we got that exposure because we were good. One could think that the same thing could happen with respect to the steelpan. Young persons who are 10, 11 and 12 years old are getting that type of exposure. One could argue that the world is so flat, but not only are they getting that exposure within their limited geographic space in Trinidad and Tobago—now, in Trinidad and Tobago, if you are good and someone sees you on a particular stage, that person could end up anywhere in the world, and we must not limit that opportunity. We must factor that into our discussions this afternoon.

Since these young persons can read music, they have gone on to play at Junior Panorama and sometimes they also form part of the larger bands. In so doing, what in fact is happening is that the quality that is being developed within the schools is taken into the wider framework of the steelband movement. However, one has to ask the question: Is the steel band movement ready for this pool of pan players coming at them? Are they really ready to take them on?

I understand that learning to play the pan by ear could take a few weeks. Now, because these young persons can read the notes it only takes them a few days. This is a change in the environment and we need to take into consideration the structures that are presently in place to absorb those young persons. Are they ready for this change in the environment in which they exist?

With respect to youth, crime and linking music, I read sometime ago that students who study music are less likely to drop out of school; they are more likely to do well at their academic endeavours and go on to be productive citizens. It is not by accident that we are seeing such a comprehensive programme of music on one hand, particularly for the steelpan being pursued, not only in the secondary school system but also in the primary school system.

When these students leave secondary school, it does not stop there. The University of the West Indies offers a programme in training for the steelpan. So, you have another cadre of persons coming out from the tertiary level. Where are they going to play? What forum or structure is going to absorb those persons? One has to take into consideration the concept of the Academy for the Performing Arts. The Academy for the Performing Arts does two things: It allows for persons who have not been formally trained in music to be so trained; it is an avenue for lovers of music who in their earlier years did not pay much attention to take up that opportunity at that point in time. They have an opportunity now to be formally trained and be a professional in whatever art form they are blessed with. That cannot be discounted.

**4.00 p.m.**

We are not training them for training them sake; we are training them to meet world-class standards. When one takes into consideration the National Steel Symphony Orchestra, as opposed to the National Steel Orchestra, my understanding is that they are not the same, from the point of view—and it could be argued, but then I stand to be corrected—simply because a steel symphony plays a wider genre of music; you have to be able to read music; it is essentially a structure that operates or produces music of a higher quality, and at a different level; and in this case, with respect to this entity we are discussing, to promote Trinidad and Tobago at the international stage.

Let me just turn to the objectives of this particular orchestra. Part IV, clause 16 of the Bill clearly states the objectives of the steel symphony are to:

"play the transcriptions of the standard orchestral repertoire;"

Not only calypso, not only local music; music on the whole.

"commission the original compositions for steel orchestras;"

So they are also writing their own music.

"play at international standards;"

It is in the Bill. So what that says right off the bat is that this orchestra, sorry symphony orchestra—forgive me I am not too familiar with music—will be able to play on the same stage, of the same quality as the likes of those Sen. Ali described. [*Crosstalk*] They would be able to play at that standard.

So, could you imagine somewhere else in the world a group of people sitting reading an article—just as the Senator did—talking about some young people in

*Symphony Orchestra Corporation Bill*  
[SEN. W. GEORGE]

Wednesday, October 29, 2008

Trinidad and Tobago; how well they played and to know that we are part of a conversation that top players in the world are a part of. That is what it is about; getting us in the hearts and minds of those individuals wherever in the world, that whenever they think of world-class music, Trinidad and Tobago and steel pan in particular, is a central part of any conversation as it relates to that. That does not happen like that; we must put structures in place; we must have policies in place; it must be deliberate.

It also goes on to say that the symphony orchestra will achieve the status of professional musicians and ambassadors of Trinidad and Tobago through the development of music, academic and communication skills, as well as personal development of the members, and contribute towards the development of the national culture through music.

So, what it says essentially is that we would be creating the full spectrum. Nationals are trained at primary and secondary school levels; there are avenues for them to further their love for music at the tertiary level. Those who were unable to take up the opportunity at those levels can do so in their adult life through the Academy for the Performing Arts; come train internationally. What we are doing here is creating a forum, an entity that can truly appreciate the calibre of musicians we are preparing at those lower levels. And it speaks to one of the pillars of Vision 2020, developing a nation of innovative people. [*Desk thumping*] It is not limited there; it is also mandated to take us to the world stage.

Plenty has been said about Pan Trinbago and the fact that the name Pan Trinbago is not mentioned within the lettering of the Bill. I ask the question, because your name is not there, does it mean that you cannot be a part? So, let us treat with that matter. What it says here in Part II, clause 6(2) of the Bill:

"The Board shall comprise of not less than seven nor more than eleven members appointed by the President as follows:

- (a) a person who has demonstrated expert knowledge of and skills in playing the steel pan;"

It is true that such persons may reside in Pan Trinbago, but who is to say that there are no expert pannists who are not aligned with Pan Trinbago, who can bring expertise to this company that maybe does not exist in Pan Trinbago. [*Desk thumping*] So, effectively what we are trying to do in the interest of national development, not only in the interest of Pan Trinbago; it is not about Pan Trinbago; it is about excellence in art. We are not saying that they are not good; what we are saying is that we do not want to limit; we want to ensure that any pan

professional, Trinidadians, who may be residing wherever in the world, who wanted to come back to contribute, and so on, they can do so; that is all we are saying.

I understand and we can get into some debate but my research from credible sources tells me that Pan Trinbago has been part and parcel with respect to the formulation of this Bill. The board's composition captures the futuristic intent of this new corporation. The concern about Pan Trinbago not being named does not acknowledge the role of Pan Trinbago in the development of the pan culture in Trinidad and Tobago. It does not take away, in any way at all, from the contribution that they have made in the past, continue to do now, or we can expect, we would like them to do in the future.

This new corporation takes pan into the level of world-class symphony to which Pan Trinbago contributes as a major stakeholder, and really and truly, let us not trivialize the debate with respect to, "My name is not there so they do not want me." That is not what it is about. I understand it may be a culture shift; it may be a change, and we have to treat with that and appreciate that, but let us not seek to interpret it in that way at all, because I am sure that is not the intention.

The Government has time and time again, shown that it is ready, willing and it needs private organizations or NGOs and so on to help execute its agenda to, on many occasions, partner with entities, professional groups and so on, to ensure that Trinidad and Tobago is developed and continues to develop, and Pan Trinbago is no lesser an organization.

With respect to youth orchestras, some concern was raised. I said before, because the Government is not sponsoring a youth orchestra, does not mean that there is not any in Trinidad and Tobago. As a matter of fact, I understand that there is one coming out of St. Augustine that is quite good. It is conducted by Pat Bishop, and there are many others budding. As a matter of fact, I understand that Pan Trinbago also put forward a proposal to the Government for such an orchestra. I am pretty sure that we can see that entity as well, coming out.

Then again, just to recap, as I wind up, the National Steel Orchestra and the National Steel Symphony are not exactly designed to do the same thing. The National Steel Symphony simply is an upgrade that takes into consideration the present reality of our pool of pannists coming out of our training institutions, and seeks to provide a forum for them to not only take their talents and their giftings to the world, but also provide them with the necessary training and environment in order for them to do so.

I thank you.

**Sen. Mohammed Faisal Rahman:** Thank you, Mr. President. I rise on an occasion, which I must describe as perhaps a tragedy. The Act we have before us today, to implement the National Steel Symphony Orchestra and to repeal the prior Act of the National Steel Orchestra, in my view, is an attempt to reincarnate a UNC creature, which has been crucified on a cross of political strategy. I do not know if the Government had an epiphany when it came to start to realize that they had no vision.

**Sen. Manning:** We had a vision.

**Sen. M. F. Rahman:** You had a vision! You had a vision, which you suppressed for nine years, amazing. The present Act to establish the glorified symphony orchestra, which it is hoped will be able to compete with the ordinary steel orchestras that have set the standard, seems to me to have been trying to copy a castle by building a little shed. The Act that we have before us here today, and I am going to be very careful as I speak today; I am going to be referring to the Act. [*Crosstalk*] Yes, the Act. We have to be very careful.

**4.15 p.m.**

**Hon. Senator:** The Bill.

**Sen. M. F. Rahman:** Sorry, the Bill. The Bill, the Bill, “ha, ha.” The Bill, yes, but it is going to be an Act because you know you have the majority and your majority is going to have the day. So we will have our say and you will have your way. But this Bill perpetrates several injustices and the first one I would want to address is the one that has been mentioned in some measure by prior speakers and acknowledged with apprehension by the Government Senator, Sen. Wesley George. He has seen the gaffe that the Government has committed and he is attempting to close the stable door after the horse has bolted.

Before this proposed Bill, because the other Act is still in effect, Pan Trinbago enjoyed a very secured, honoured and exalted position on the National Steel Orchestra board and corporation. It had the right and it still has the right to nominate two members of the board. Its Act of Incorporation bestows upon it—I am talking about the Act which brought Pan Trinbago into existence, Act 5 of 1986—gives it the right to be in this position of exalted authority. Because Pan Trinbago was a coming together of elements and people who have emerged from very difficult areas of our society and by virtue of their work through the years and their attempts to bring some order and symphony to the music of this country they were able to come into being as an entity and to earn the right to nominate members to the board.

This Bill proposes after having disregarded Pan Trinbago's existence by not even consulting with them—It discards Pan Trinbago, it demotes it, it relegates it to oblivion, it says you have not done your work, because there are terms and conditions under which board members may be rejected. A board member can be rejected if he is guilty of misconduct in the performance of his duties; if he is unable by reason of physical or mental incapacity to perform his duties; if he becomes bankrupt or compounds with his creditors, he is in breach of section 12.

Which of those did Pan Trinbago commit? Why has Pan Trinbago been treated with such discourtesy? Pan Trinbago, its members and all the people who participate in pan—you know it is the only invention of the 20th Century, as far as I know in music—and Pan Trinbago which is the guardian of this national treasure has now been thrown out without so much as, we are sorry to throw you fellows away. You are seeking to build a glorified symphony based upon the most exalted standards of conduct and performance—

**Sen. Manning:** What is wrong with that?

**Sen. M. F. Rahman:**—and you are treating the organization that has a legal right to have a say, and which has a legal right in the existing Act, with shame and contempt. What has happened to Pan Trinbago to be so demoted in the eyes of the nation? This Government is secure in what it has done to Pan Trinbago. Why do I say this? Because it knows that it can continue to violate the society and stand aloof and be assured of its loyalty because there is a syndrome—the Stockholm Syndrome—which I have mentioned before that has caused people to kowtow to the Government and to support it even though they are being continuously abused by the very Government that they returned to office.

Pan Trinbago has a right to be in this National Steel Symphony Orchestra. It has a right to have a say. There is no way—and I am sure that after today there is going to be a firestorm of protest—because if Pan Trinbago takes it so, they deserve it. If they take it so, they deserve it and they are going to get worse because they will be demoted and demoted until they become washed away. The reality is that Pan Trinbago has a role to play in the National Steel Symphony Orchestra, and again we want to know what was wrong, if the prior steel orchestras have performed so well that your symphony has to aspire to that stage of performance, what was wrong with the National Steel Orchestra? This Government has a history of trampling upon Acts and laws, disregarding laws and throwing out laws and coming with an excuse that the prior law was inadequate.

*Symphony Orchestra Corporation Bill*  
[SEN. RAHMAN]

Wednesday, October 29, 2008

I had asked on the last occasion when we were dealing with a prior Bill, why did you not implement a particular Act and then repeal it if it was necessary, and there was loud laughter on the other side. The fact of the matter is that the Government has no intention of honouring or observing anything that the prior organization that preceded it has put into place for the benefit of this country. Its obvious intention is to trample upon the heritage that was left.

**Sen. Gronlund-Nunez:** Mr. President, Standing Order 35(5), on a point of order, the Member is imputing improper motives towards this Government, trampling on laws. We are a democracy here that upholds the law. The Member is really, I believe, going a little out on the desert.

**Mr. President:** Senator, your language is a little on the harsh side but please continue.

**Sen. M. F. Rahman:** Thank you, Mr. President. I should try to temper my language but the facts remain. [*Laughter*]

This Government does not pay due regard to law and in my humble view it appears to trample on law. I am not saying it does but it appears to. One of the most amazing things to hear is the Minister say, and she follows very closely the words that our Prime Minister has spoken in the 2005/2006 budget speech, and I would like to read these couple of paragraphs, "The steel pan" and these are the words of the Prime Minister:

"The national instrument of Trinidad and Tobago is an intrinsic element of our national identity and a symbol of pride in our country. Government has decided to transform the National Steel Orchestra into a full symphony of 60 to 70 persons."

It was not necessary to change the Act, a simple amendment would have done the trick, but he goes on to say:

"We will also purposefully use the steel pan to grace our international image and enhance our marketing strategy."

But in the interim this Government has acted completely in opposition to that. Caribbean Airlines which took over from British West Indian Airways has removed the steel pan as its logo on the body of the aircraft, and they recognize the marketing necessity and the value of symbols. They want to send a symphony abroad but they removed the image from the aircraft that are going to take the symphony overseas.

This Government says one thing and does another. It has absolutely no regard for the value of the steel pan. What it is doing despite its efforts—of course it is very nice for a country, and if we did not even have the steel pan, we should have a symphony orchestra which can play on national occasions and imbue a sense of elegance and, as Sen. Ali has said, music has its value, music has its role and certainly for the majority of this population it is something that inspires. But even if we did not have the steel pan it is good to have a symphony orchestra, but to take a valid Act and simply put your own PNM stamp upon it, simply to put your own aura upon it, you throw it out and in the interim—I was going to say trample on—what you do in the interim? You discard all the people who were connected to—you abuse them—the entire board and the prior corporation that was formed to develop the National Steel Orchestra that was the brainchild of the United National Congress and the Government at the time and the amount of work that was put into it as has been explained by Sen. Dr. Daphne Phillips.

It is a very great misfortune and this is why I started off by saying this Bill today is a tragedy. This Bill is a tragedy because this Government presents itself by the echo of the Members on the other side ad nauseam, this Government claims to be a caring Government. It cares about itself, it cares about its own image, it cares about looking good; it does not care about the basic grass-root people, because those are the people who constitute the pan players of this country, those are the people who are the movers and shakers of Carnival, our single major tourist attraction. Those are the people whom you are supposed to nurture, those are your constituents, but what you do is, you treat them in this way that they are so bludgeoned and beaten into the ground that they have nobody to turn to but to beg for mercy from the authorities that are pushing them further into the earth.

I am sure that Sen. Prof. Deosaran will have a lot to say about the sociological ramifications of this tragedy. I will leave some of that for him to say.

To come to the Bill itself, in clause 14(2) I have noticed that there is provision for salaries of up to \$300,000; this is crazy. Salaries of up to \$300,000 being determinable by the board for its members and all those who serve in the National Steel Symphony Orchestra to be paid—well, \$299,999, up to that, they have total authority to determine such salaries—for their people and their staff. If you remember what has happened in the URP where they were fighting for turf and fighting for position, and remember where your grass-root pan man comes from, if you start to pay \$299,999 salaries to members of the board and the orchestra, do you know what you are looking for? You are looking for bloodshed. You are going to be changing members of the orchestra every Monday morning.

*Symphony Orchestra Corporation Bill*  
[SEN. RAHMAN]

Wednesday, October 29, 2008

Mr. President, I am suggesting that the salaries of these members of the board, the orchestra, all of the personnel and everybody, be brought under the direct purview of the Minister and brought in line with salaries and emoluments that are normally paid to similar positions. You cannot allow, with any sanity for the board to be able to pay any and everybody in the corporation up to \$299,999 per annum. That is total madness, I put it to you and that is clearly in the Bill.

Further, clause 12, you have some requirements that people should make certain declarations. However, there are no penalties that are specified for failure to meet those requirements. It seems quite safe. You do not make law and you do not make penalty. You do not make law without making penalty, you have to state in the Act, you have to state in the Bill, what will happen to the people—I see you want to stop now, let me just finish this sentence. You have to say what is going to happen to the people if they breach the law. [*Laughter*]

Thank you.

**Mr. President:** Hon. Senators, it is 4.30 p.m. and we will take the tea break at this time and the Senate will suspend until 5.00 o'clock. We are now suspended until 5 o'clock.

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

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

[MR. VICE-PRESIDENT *in the Chair*]

**Sen. M. F. Rahman:** Thank you, Sir. I am returning to the Bill. The Bill proposes to upgrade the orchestra to the status of a symphony in a way that is extremely questionable. Our young Sen. Wesley George has actually admitted that one of the aspirations of the symphony orchestra, which I mentioned before, is to come to the standard of the orchestras which Sen. Ali has attested to. The question is this—why are we having a symphony orchestra when the orchestras that are already in action and have become part of the national scene, are able to play the classical music, take part in music festivals, go to the Carnegie Hall and do all of these things? What are we really doing? Are we simply going to expand the symphony to 60 and 70 persons, to provide more space for salaries of up to \$300,000? I really do not understand what is the purpose of this.

The Minister had mentioned the difference between an orchestra and a symphony, and I am not quite sure whether the proposed symphony is going to incorporate additional instruments other than the steel pan. I am really not too sure. Or, are we going to call the guitar pan, a string so to say, representative of a

string instrument or another one of the pans representative of a wind instrument? I really do not know because I really cannot conceive. She did mention that they already have a body of pan players who apparently can make this music that you—I do not know the technical language, but you mentioned that you have a group of people who are already producing this type of symphony music. Is that correct?

**Hon. Mc Donald:** That is right.

**Sen. M. F. Rahman:** Yes. As a matter of interest, does this constitute instruments other than the pan?

**Hon. Mc Donald:** [*Inaudible*]

**Sen. M. F. Rahman:** I am doing a reverse question here because I would like to know so that I can develop this point. Okay, you are leaving me to assume. I am assuming that you have a National Steel Symphony Orchestra. If it is a steel symphony orchestra and it excludes non-steel instruments, why are we having a 70-member steel orchestra? May I suggest that we have a 70-member group of people, who can be fragmented into smaller orchestras for doing the mission of ambassadorship to various countries of the world, simultaneously? Because I do not believe that we are going to set up a National Steel Symphony to respond to individual requests for participation. I would like to believe that if you want to be efficient, you are going to make this into smaller entities so that you can participate in greater nations of the world where you want to take your symphony to, so that you can develop the international image that our pan is supposed to do, even though it is not on the aircraft that is going to take the players. I do look forward to your final words, hon. Minister.

One of things that come to mind—and it was raised in my mind by the contribution of Sen. Dr. Daphne Phillips—is that it would be very appreciated if the Minister in her closing contribution would detail for us, give us a list of the assets and properties that are at present owned, maintained and kept by the now apparently defunct National Steel Orchestra board because we would like to know what has become of the funds. I do not think we will want to get an accounting for the last five or seven years, but we would like to know what they own and what is going to be handed over to the National Steel Symphony Orchestra in terms of property, building, money and whatever else they may have.

It would also be interesting to have a history. Some sort of accounting of how this National Steel Orchestra original board has been treated, at what point they were allowed to disintegrate and were not reappointed. Because right now we are

*Symphony Orchestra Corporation Bill*  
[SEN. RAHMAN]

*Wednesday, October 29, 2008*

being asked to approve a new Bill to repeal an old Act, which from all appearances is now non-functional, and yet we are speaking of property and funds that belong to an organization that is now non-performing and non-operational. We would like to have a nexus, a continuity and a background as to how the transition is actually taking place and what grounds and with what property. A brief history.

Now, Mr. Vice-President, I want to make a comparison here. It seems to me that the National Steel Symphony Orchestra is a symphonic equivalent of the SAUTT organization that has been developed out of the police service. I am very serious about this because it seems as though the Government is interested in creating another elite body to be receiving tremendous salaries without ministerial oversight. I really cannot understand it. Since they are going to be accountable to the Minister and SAUTT of course is accountable to the Prime Minister, I see a parallel that is a dangerous parallel, and I really want to suggest that we take a look at this National Steel Symphony Orchestra with a more focused vision.

I am not happy with the presentation that the Minister made here today in the way she went about it, because the grandiose aspirations that the Government has, have been negated by the actual practice in the way they have treated the prior organization, and the symbol that they seem so much to want to elevate by effacing and replacing it by very “balisier-looking” little things on the aircraft, if you remember. I think this is a little insidious. I do not think it is something that we really want to overlook. Let us bring the steelpan back.

You want to honour it, well start to honour Pan Trinbago a little bit. Give them a little dignity and let them feel as if they have a part to play. They have a part to play. I do not have any brief for Pan Trinbago. I do not even know anybody in Pan Trinbago, but the principle is that the Government is doing things that are raising the level of discontent in the land.

Mr. Vice-President, if Pan Trinbago listened to this debate and realize how they have been humiliated, ostracized, demoted and demerit, I would not be surprised if grass-root panman decided to say, "Okay, we go take some action on our own." Because what is happening here is that we have a social situation that is a tinderbox. We have already reached I think 450 murders for the year and we are looking to ignite, by offending a sector of the community that is armed to the teeth—What are we really doing? Do we want—*[Interruption]* Yes, yes, yes, we are dealing with this National Steel Symphony Orchestra. The National Steel Symphony Orchestra that is disregarding people who have a legal right to be part

of its organization, and that organization, Pan Trinbago, represents thousands of the very people that we are talking about, who are at present so suppressed and abused in every way, we are looking to ignite a conflagration in this country.

Mr. Vice-President, a word to the wise is enough. I am going to surprise the Chamber today. I am going to end my contribution. Thank you very much indeed for your patient hearing. [*Desk thumping*]

**Sen. Corinne Baptiste-Mc Knight:** I wish to thank you, Mr. Vice-President, for the privilege of intervening in this debate. We are here to talk about the formation of a National Steel Orchestra corporation. I was very careful to listen to all the statements that have preceded mine and I am really a little bit disheartened because I detect a certain lack of self-confidence in our ability and in our international standing, particularly with respect to the steel band.

Now, I particularly listened to the two speakers from the Government side and I get the distinct impression that there is some measure of confusion about orchestras and symphonic orchestras, et cetera. I think we got to accept the fact that there is a quantitative and a qualitative difference among an orchestra, a chamber orchestra and a symphony orchestra. Now, an orchestra is a musical ensemble that is made up of a number of different types of instruments.

The Classical European Western orchestra has four sections. You have the strings, the woodwind, the brass and the percussion. Now, an Indian orchestra has a different configuration depending whether it is playing the Hindustani classical or the other. You would have sitars, tablas, et cetera. In the western setting, a chamber orchestra has a fixed limit of 40 to 50 persons and that plays classics as well as other music. Now, your symphony orchestra is between 80 and 100 or more players and the purpose of this larger body is to play mainly symphonies, and what the dictionaries and encyclopedia refer to as “other works of serious artistic quality”. We are not going to go into that.

Now, there is another agglomeration that is called a band. A band is made up of a number of instruments of the same type, playing specific types of music written for that particular type of instrument. So you have brass bands, string bands and you have percussion bands. Now, what has made our percussion band different? It is simply that our percussion band plays music and reproduces faithfully, music that was originally meant to be played by all of these different types of bands, plus they have the ability to produce orchestral works. And this is the reason our steel band is recognized internationally as an orchestra, but in the classical dictionary sense of an orchestra, it is not an orchestra.

**5.15 p.m.**

Given the fact that we have already been able to convince the world that we have an orchestra with one type of musical instrument, tell me, does our self-esteem really require that we now call it a "symphony orchestra"? [*Desk thumping*]

From the hon. Minister's presentation, I get the sense of a certain preoccupation with our international standing. The Minister talked about this symphony orchestra proving that our creativity, in the area of music, could attain global recognition. Some of you, Hon. Senators, may be too young to recall some of what I might tell you now.

In terms of global recognition, the steel band from the days of TASPO in the 1950s achieved global recognition first as a phenomenon, those old recycled drums—in those days they were just old drums, because recycling was not in—playing music that could be recognized. In spite of the fact that over the years we have had steel bands, which have won Panorama and have won different things, touring North America, Latin America, the Far East and Europe, that is not global enough? Why do people invite them if they do not recognize them?

We have had Silver Stars Orchestra disappear from the scene here for about a decade and a half, why? Because they were playing in Disney World all that time; during that time they singlehandedly introduced millions of people from around the world who visited Disney World to the steel band music. And we have a problem with global recognition? No! Ellie Mannette was one of the founders. Do you know where he has been for a while? In Western Virginia, in charge of a whole department, doing what? He is teaching pan.

Before we had our Creative Arts Institute out here, Hugh Borde went abroad, and is better known as accompanying Liberace. A lot of you would probably not know about Liberace. Then there is Othello Mollineau; a lot of people probably do not even know the name, but he created a new drum called a cym-drum, which I have never seen anybody here play. He played largely in the Pacific and all over the place. You have the Samaroo Jets, Panazz, even Skiffle Bunch, that the Cabinet might have heard about, and Lydian Steel. And you are talking about a problem with global recognition? Hello! We are talking about the planet here, not only the globe.

I worry when I hear my Government saying that the steel band must play with high musical accuracy and clarity. Does anybody remember the performance of the then Amoco Renegades in 1989, when Jean-Michel Jarre, the French

composer wrote an original piece of music for steel band and laser beam, which was performed at the big bicentennial celebration in Paris. It was beamed worldwide; millions of people saw that, crowded on the Champs Elysees and throughout the world on television. That is where I saw it, on television. As a body who thought that I knew and understood about pan, the only way I could describe that was “your pores raised” when you heard our instrument playing music of that sort.

So when an ordinary steel band could do something as earth shattering, as earth moving, as accompany an artist playing laser beams, I do not think that it has ever been done again, what are we talking about a problem with global recognition? I think it is a self-esteem problem and we have got to eradicate that.

The pan is ours; we are the arbiters of the quality of pan; we are the people who set the standard. When we talk about playing up to world standards and up to international standards, arrant nonsense; we set the standard here. [*Desk thumping*] We are talking about a G-pan; are we saying now that the standard has shifted and that the new standard is the G-pan? If even that is what we are saying, we are the people who are going to set the standard, because we are the only people who know about the G-pan; we are the only people who have it and we are the only people who are playing it. God forbid that we do not continue to be the only people playing it.

Let me come back for a moment to the absurdity of a symphony orchestra playing the G-pan. I understand from the Parliamentary Secretary's contribution in the other place that the G-pan could use four instruments to replace 11 instruments; so that is four players emitting the volume of sound of 11 pans. If we have the minimum size symphony orchestra of 80, it means these 80 players are going to be emitting a volume of sound—are you ready for this?—of 220 pans. If we go to 100, it is 275. We are going to have to play that in outer space for the music to reverberate down here, because I do not know of an existing indoor facility where that could be tolerated. [*Interruption*]

**Hon. Senator:** That is for the Brian Lara Stadium.

**Sen. C. Baptiste-Mc Knight:** Okay, but that is not indoor, that is outdoor.

If we change that to say, "Okay, what we want to do is to create the volume of sound that 80 players would emit", we are talking about 20 players— [*Interruption*] [*Minister Mc Donald rises*—no, please—which is not even a chamber orchestra and that kind of steel is definitely not chamber music.

**Hon. Mc Donald:** Mr. Vice-President, on a point of order. [*Interruption*]

**Hon. Senators:** Point of clarification.

**Hon. Mc Donald:** Clarification, 34(b). Senator Baptiste-Mc Knight keeps talking about 80 to 100 players. I want to clarify that there are 38 members in the National Symphony Orchestra.

**Sen. C. Baptiste-Mc Knight:** I thank the Minister, but I think she missed a little of what I said before; let me clarify.

A classical symphony orchestra needs to have between 80 and 100 players to qualify as a symphony orchestra. That is the basis of my argument. "Doh feel ah how about it, you know." To err is human, and we all make mistakes. [*Desk thumping*]

**Sen. Rahman:** I love that. [*Laughter*]

**Sen. C. Baptiste-Mc Knight:** If we are to live up to the title "symphonic", we have to play symphonies, not movements from symphonies. We have to play complete symphonies. Where are we getting them from? Do not tell me that they are going to be taught to read music, because there are only two symphonies that I know about that are scored and can be read by persons who read steelband music, steelband players who read music. That is Dr. Remy's symphony that she premiered at the last Pan is Beautiful, with Hatters playing it, and she herself conducted it.

At that same Pan is Beautiful, the Illinois University band played an original tune that they wrote and scored for steel band. Of course, it was not a symphony that Jean-Michel Jarre did for the bicentennial. So where are they getting these symphonies for our music literate pannists to play? How long is it going to take to score these existing symphonies, when we were not even capable of continuing to score steelband Panorama music?

Some of you might remember that a former PNM administration agreed that as part of the prize of the winning Panorama band, the winning selection would be scored? I do not think more than three or four of them were ever scored. We are not being serious, Mr. Vice-President.

If the repertoire, according to the Bill, is to reflect the multiculturalism of the nation, we are not a symphony people; so that there is a disconnect there. You cannot have a symphony that is going to be playing only multicultural music. For multicultural music, Trinidad and Tobago is in the forefront, because the only real multicultural band I know about in the world is Pantar; it comes from right here. So what are we doing?

Let me address a few specific areas of the Bill. I want to address clause 4(2), where, with a stroke of the pen, we do away with everything that is musicianship, but the G-pan, because this orchestra is going to be the flagship for musicianship. Musicianship in this country is more than just the steelband. We have had Hyacinth Nicholls, all these opera singers; we have Kwame Ryan, a conductor; Michael Steele, Dawn Batson; all of that is musicianship. With one stroke of the pen we are consigning them to God knows what.

Professional—well I like everybody to be professional, so I do not have any problem with that. Ambassadorship—that is very simple. You get rid of the Ministry of Foreign Affairs one shot [*Laughter*] and then, on top of that, it is so easy to be an ambassador. All that happens is that the Prime Minister has to nominate you and the President gives you an instrument. [*Desk thumping*] So what are we doing with that here?

Then they say it is going to be the premier steel symphony orchestra in the world; hello, it is going to be the only symphony orchestra in the world. [*Desk thumping*] [*Laughter*] That last bit there is not worthy of being written in any law in this country; it says that we are not a bright people, that we are not a confident people. I cannot be a part of that. [*Laughter*] [*Desk thumping*]

### **5.30 p.m.**

Let us go on to clause 6 where we talk about the board. I keep complaining that our laws are supposed to be written in English. “The Board shall comprise of” is not English. It should either be “comprised of” or “comprise” without the “of”. I am not dealing with that. The actual composition of the board—speakers before me have spoken about Pan Trinbago not being part of the board. I want to point out to this honourable House that Act No. 5 of 1986, which is not being repealed here, says at section 3(1):

“The aims and objects of Pan Trinbago are as follows—

(a) to promote the development of the steel band movement;”

Is this not promoting the development of the steel band movement?

“(b) to promote steel pan as an indigenous cultural art form;”

Is that not part of this? If it is, then Pan Trinbago, Sen. George, must be named. It cannot be left to the whim of anyone to decide whether Pan Trinbago would be deemed “a person who has demonstrated expert knowledge of and skills in playing the steelpan” or a person “who by virtue of his skill or experience can

*Symphony Orchestra Corporation Bill*  
[SEN. BAPTISTE-MC KNIGHT]

Wednesday, October 29, 2008

contribute meaningfully to the work of the Board.” It is disrespectful, illegal and lawless. [*Desk thumping*] I am not getting on to the books thing.

Now clause 6(6) says:

“A member...shall be deemed to have vacated his office...(who) fails to attend a minimum of nine statutory meetings of the Board in any year.”

I invite your attention to clause 8(1) which says:

“The Board shall meet at least once every two months.”

Now, it seems to me that the demise of the board is contained in the Bill that is establishing it. “Nuff said”.

**Sen. Lezama:** I want to ask a question, please. Madam Senator, thank you very much. You said in clause 6(6), if he fails to attend nine statutory meetings?

**Sen. C. Baptiste-Mc Knight:** Yes.

**Sen. Lezama:** I am not sure if I am reading from a different document but mine says “three consecutive statutory meetings of the Board.” So please point me to where you are looking at. Thank you.

**Sen. C. Baptiste-Mc Knight:** Page 8, the very last line—mine says:

“...a minimum of nine statutory meetings...”

Three is in the old one that is being repealed. It says “nine statutory meetings”.

**Sen. Dick-Forde:** You said it is on page 8 at clause 6(6):

“A member of the Board shall be deemed to have vacated...”

**Sen. C. Baptiste-Mc Knight:** Do not blame me if you all give me the wrong thing. To err is human, as I keep saying. It says nine statutory meetings in a year. I mean, I have been reading since I was three years old; come on! [*Desk thumping*] Anyhow, you all work that out.

Let us move on to clause 9 and let me remind you, look at clause 9 at the same time as you are looking at clause 6(2), the composition of the board. Clause 9(g) says:

“the repertoire of the Orchestra which shall reflect the multiculturalism of the nation.”

Choosing the repertoire of the orchestra is a function of the board and on the board you have accountants, managers with university degrees, people who know about community outreach, an attorney who is good at intellectual property, somebody with a university degree in various things. Now, I am very aware of the fact that there exist in this country people who have all of these qualifications who are also musicologists, people who know about music, but I do not have the confidence that these are the people who would be put on the board and I have a vision of round pegs in square holes—

**Hon. Senators:** Square pegs in round holes.

**Sen. C. Baptiste-Mc Knight:** I am doing it purposely because everything here is a little upside down. [*Laughter*] So that when you get people who have an interest in music—I mean, quite frankly, I would qualify for this board because I have a great interest in music but I do not know a damn thing about symphonies. [*Desk thumping*] And you are going to have these people on their own fighting over the repertoire of the orchestra, instead of having the artistic and musical director recommending the repertoire to them for them to rubber-stamp? I mean, come on.

Let us, for a moment, move on to clause 13(b). There is an artistic director here who functions as “a music director”, which means there are going to be other music directors, because this particular artistic director, his main job is conducting the orchestra, plus being the artistic director, et cetera. It is a little weird. It needs a little work there to determine exactly what you want and what you want done. But I am particularly enthusiastic about the education officer whose main tasks would be budget, designing, developing, doing all sorts of things with budget, and the functions would include “the professional development of the members of the Symphony Orchestra”.

That is just an aside. Then this person is in charge of research. Research on what? When we are the originators; it is our thing, you are going to research on what other people are doing about it? I could tell you, if this person were on board already, you would probably have taken into consideration what they are doing in Europe, where they are sinking pans and tuning them by a new cold process, but the tuning is lasting forever. We have problems with tuning here. We need research officers, but you cannot have an education/budget/research officer who will incidentally have to teach the people something or other. It is not right.

But let me get on to what I really like. Clause 16 states:

“The objectives of the Symphony Orchestra are to—

*Symphony Orchestra Corporation Bill*  
[SEN. BAPTISTE-MC KNIGHT]

*Wednesday, October 29, 2008*

(a) play the transcriptions of the standard orchestral repertoire;”

Take my word for it, there are no “the transcriptions”. If you leave out the “the”, it gives you leeway to play whatever transcriptions you may commission or other people may do on your behalf, but once you have this “play the transcriptions”, well, again, it means they can do nothing because no transcriptions exist.

Then you go on to say:

“(b) commission the original compositions...”

Come on. This thing is supposed to be drafted in English. If you commission something, it is because it does not exist so you cannot point to it and say “the”, and if it already exists, you cannot commission it. You have to deal with the people owning copyright and get permission to use it. Right? So let us get these little things straight.

I would like to just spend a minute and ask a few questions which are very important for me. I ask these in light of the fact that one of the functions of this corporation would be outreach, so that there is some relevance. I want to understand what the impact of this corporation will be on the existing steel band movement. Now, when you cull 80 people—the 80 best players—who naturally will be affiliated to existing bands, when you remove these people from their bands, is it that they are going to be allowed to maintain a relationship with these bands which will be given G-pans so that they can help to promote the use of these new pans? Or would they be just removed from their bands, leaving their bands devoid of some of their top players? Is this promoting the movement?

Now, when this symphony is going to be playing the G-pan and everybody else is playing their recycled pan, chromed or un-chromed, are we creating a hierarchy of pannists? What is going to be the effect on the whole movement? What sort of outreach is planned between the corporation and the existing movement? Who is in charge of undertaking the roll-out of the G-pan to the rest of the movement?

Now we seem to have forgotten that part of the usefulness of the steel band was the environmental impact of its recycling these drums. Has any attention been paid to that? More important, I understand that there is a steel pan factory, but I do not get the impression that the G-pan could be made in that factory. How is this going to impact on that whole commercial venture?

My other concern is the matter of the role of the steel band in the community. Now, steel bands have occupied a very special place in communities and I think, perhaps, we can see from two things that are happening at the moment: there is a reduction in the numbers of players and numbers of bands as is evident from the fact that only eight of them are turning up for the next Pan is Beautiful; and there is the increase in lawlessness in the society. A lot of the people who are involved in these negative activities are just the age group of people that erstwhile would have been involved in the steel band movement. These are people who would have gone to the pan yard and played until X hours of the morning. If they are in school, they make sure that they do their homework; give them something to eat and keep them gainfully, productively occupied.

**5.45 p.m.**

Lastly, I will mention something that again, Sen. George mentioned which concerned me. It is the whole idea of the Visual and Performing Arts in the curriculum of schools. I think that the hon. Minister in a former incarnation will remember telling me that all schools were supposed to have steel band instruments. Pan Trinbago told me that they had orders for steelpans for schools. Now, if we are migrating to the G-pan what will happen to these orders? Will the G-pan be rolled out to the schools? On which instrument will the children be tested? These are questions about which I wonder.

I do not know if it is clear by now, but I think that for all these reasons I consider this Bill in its present incarnation, a bit embarrassing. I will not be able to support it.

Thank you. [*Desk thumping*]

**Sen. Linus Rogers:** Mr. Vice- President, I thank you for allowing me the opportunity to join the debate on the Trinidad and Tobago National Steel Symphony Orchestra Corporation Bill. I will take a few minutes to address some issues which were raised earlier by some Senators who made contributions.

The first one has to do with a statement made by Sen. Dr. Daphne Phillips. In her contribution she indicated that Act 19 of 1999 which established the NSO was a novel idea and one of the issues that they were looking to address had to do with the issue of longevity. If you look at Act 19 of 1999, section 4 says the body corporate to be known as the Trinidad and Tobago National Steel Orchestra was established.

That Act did not clarify a distinction between what was the entity as the corporation and the board. I cast my mind to the fact that if I am someone who is

*Symphony Orchestra Corporation Bill*  
[SEN. ROGERS]

*Wednesday, October 29, 2008*

dealing in an organization, how do I differentiate between the two, the person and the organization? That gave me some confusion. I will leave the legal part of that argument for those who are more legally inclined than I am to sort out the actual nuance. I am, and I am sure most of us are, accustomed to a corporation and a board that is managing the affairs of the corporation. I will use an example with which I am quite familiar. TSTT is an organization and it has a board that is responsible for running TSTT. When you say to me, "TSTT board", I have a clear difference between the board and the organization..

The Bill before us gives a clear distinction between the organization and the board. It resolved that. If you look at the intent of the Bill and where we are going, it is both national and international. We have to recognize that we will not be dealing only with nationals. We will want to make that as clear as possible in a language that all will understand. If you say to someone that this is the national orchestra board, the person will have a clear understanding that you are referring to the board and not the corporate entity.

Another issue she stressed on had to do with longevity. The issue of longevity is handled very well in the Bill before us today. The Bill allows the orchestra the right to own property; carry on business; incur liability and sue or be sued. These are things that commercial entities are involved and that were lacking in Act No. 19 of 1999. Because of this, the orchestra will enjoy an unlimited life. While boards may come and go, the orchestra as a corporate entity would have an unlimited life. In responding to what was put forward by the Senator, if the issue is one of longevity, certainly, that is what this Bill has made provision for. It has given the orchestra longevity.

**Sen. Dr. Nanan:** Would the Member give way? I thank the Member for giving way. Was that the reason the orchestra was dismantled?

**Sen. L. Rogers:** Mr. Vice-President, I was responding to the issue of longevity as put by Sen. Dr. Phillips. The Senator is asking another question. I am sure that it will be handled in due course.

**Sen. Dr. Phillips:** Mr. Vice-President, I will like to find out where in the new Bill there is the clause that speaks to the issue of longevity which you say is inherent in this Bill. What clause?

**Sen. L. Rogers:** In response to your question, by nature of having a body called a corporation that gives it longevity, quite apart from a board which if you go through Act No. 19 of 1999, you would realize that every three years that

board's term came to an end and one had to be reappointed. On the other hand, the corporation lives on indefinitely.

Another issue was raised by Sen. Rahman who commented on the issue of salary. I believe he said the figure was \$299,999. He was implying that this Bill allowed people to be paid exorbitant sums. I will point him back to clause 14(2) of the Bill which says:

“Notwithstanding subsection 1(b) the Board shall obtain prior approval of the Minister in respect of remuneration to be paid to the officers and staff of the Corporation exceeding three hundred thousand dollars per annum.”

I submit to the Member that that seems to be good governance. The Bill has not given the board unlimited authority in terms of remuneration. It says that the board will have a limit and can make awards to that limit, but whenever the board hits that limit they must go to the minister to get clearance. Instead of coming back every time, it gives them a limit with which to work. That reflects good corporate governance built into the Bill, so as we go forward the board would be properly guided. Nowhere does it say that this is a salary for any one. It says that the board has the authority to work within limits and beyond those limits you have to get approval.

A matter was raised by Sen. Dr. Phillips. She asked a question and I hope that I am not quoting her incorrectly. How can an Act of Parliament be abandoned? I believe that Sen. Rahman who is sitting next to Sen. Dr. Phillips responded by saying that the Act has not been abandoned and it is there in the books. I thank him for answering for me and clarifying for her that it has not been abandoned.

[MR. PRESIDENT *in the Chair*]

The fact that we are debating this Bill now says that the Government is doing the things to have that which is on the books now, repealed. That is what we are about. This is addressing that.

In like manner, what was also raised had to do with the issue of, if I am not mistaken, words like, abuse the members of the board of the NSO and questioning whether they were compensated. Statements like that left uncorrected in the public give the impression members may not have been compensated and at this time were disadvantaged. I put it on the record that from the information I have before me, no member of the board; no member of the orchestra as of today's date is without any compensation. That is the information available to me.

In looking at this Bill and listening to some of the contributions and concerns that have been raised, I would take a look at clause 6 and particularly the issue

*Symphony Orchestra Corporation Bill*  
[SEN. ROGERS]

*Wednesday, October 29, 2008*

with respect to the composition of this board. One might put forward a number of arguments that say that the composition of the board should be made up of people from the steel band fraternity. However from my vantage point when I look at the composition of this board, I am seeing a composition that is made up of a number of disciplines that go in hand with an entity being developed to allow for longevity. In having the power and authority to own property; to sue and be sued, you have given the organization a composition that allows it to look across a wide spectrum and you have not given up the significant inputs of people from the steel band fraternity.

**6.00 p.m.**

If I look at the much touted clause, 6(2)(a) and (i), where you specifically identify persons who have demonstrated expert knowledge and skills in playing steel pans and, at the same time, another person who by virtue of his skill and experience can contribute—keep in mind also that the artistic/music director and Chief Executive Officer of the symphony is also an ex-officio part of the board.

When I look at it, I am seeing that within the composition of the board, apart from having persons with specific skills and degrees in management, accounting and community outreach, you have included inputs that come from the steel band fraternity. This is significantly different from what was in Act No. 19 of 1999 in that it specifies certain criteria that these persons should have that allow for a more enriched board. [*Interruption*]

I hear the Senator, but I would not comment on it because I know that Sen. George and Sen. Mc Knight also commented on it. I would not join that comment; I would leave that statement there.

If I may also, Mr. President, point out another area—I want to stay a little on this issue of longevity and what happens when you look forward. If I look at the functions of the symphony, one of the things there has to do with workshops, seminars and outreach programmes. If I heard the Minister correctly, she clearly spoke to the issue of these things being an avenue to create more resource persons from whom to pull to strengthen the symphony and, at the same time, create a pool out in the public of persons who are knowledgeable and trained and who could read music.

I heard about a mechanism built-in that allows for development, not only of the persons within the orchestra but, by extension, through these workshops and seminars and outreach in the wider community, that we lift as we go forward, not only those in the orchestra, but also a wider cross section.

Certainly if we are looking at moving forward and having our steelband movement really be something to be proud of—yes, it is the only instrument invented in the 20th Century, but we can have it move forward. We have to extend it. In that way, I see it being an area whereby that is going to happen.

**Sen. Dr. Charles:** I thank the Senator for giving way. Since the Senator is answering questions, does he have an answer to the question why no board was appointed at the end of the three-year term of the first board?

**Sen. L. Rogers:** I thank the Member for the question, but that is a question I am in no position to answer and will defer it to one who has more authority than I do.

Mr. President, certainly from where I am standing, it may be that my corporate background is coming out, but I see that what was done is clarified in the minds of people; a clear distinction between, firstly, what might be a board and what might be an organization. Secondly, it has placed a framework that allows us to move forward to develop the art form.

I heard in some of the discourse the whole concept of music and whether or not this will be the only steel band. I submit that might be the case today. Certainly just as other countries are building steel pan, so too are they putting together orchestras and pan sides. From the information I have, some of them learn how to read music first and as such the more we go in that direction, it allows us to have our music repeated. If we look at Panorama, sometimes if we change the band, we cannot repeat the music because it is sitting in the heads of members.

If we really want the art form to develop, we must go. Yes, there might be gaps in terms of our existing panmen and how we move them forward from where they are to move with the technology. In this Bill, there is room for that to happen and it will not happen overnight in my view.

With that, I would like to submit that I fully support the Bill and I thank you for the opportunity to speak.

**Sen. Cindy Devika Sharma:** Thank you, Mr. President, for allowing me the opportunity to intervene in this debate on the issue of the Trinidad and Tobago National Steel Symphony Orchestra Corporation Bill.

In light of what has already been said in this Chamber, I feel it is my duty at this point just to underscore some of those concerns raised by the previous speakers and to suggest that, in essence, the comments made really show us in a

*Symphony Orchestra Corporation Bill*  
[SEN. SHARMA]

*Wednesday, October 29, 2008*

deep way that when we have things already in existence there seems to be a tendency to change and remove something without giving that which existed before the proper opportunity to grow and flourish. I feel that is the case with this Bill.

If, as the hon. Minister of Community Development, Culture and Gender Affairs said, the Government is fully committed to nation building, particularly in terms of the cultural development of Trinidad and Tobago, it seems to me that those are merely empty words, empty rhetoric in the face of obvious action which was taken when someone made a decision not to reappoint the board that would operate and implement the policy of the previous Bill, the National Steel Orchestra Act, No. 19 of 1999. This Act still exists, but the board itself, as I have been given the impression, is not functioning. That in itself not merely hints, but makes a blatant statement about Government's true intentions.

It is a sad thing considering the fact that everyone in Trinidad and Tobago is aware of the importance of the steel pan instrument in cultural expression, as the promotion of our country's talents on a global playing field. To come here today to speak about bringing a new Bill, which, when it comes into effect, will repeal Act No. 19 of 1999 suggests some confusion about Government's real intention. Of course, I note that one of the prevailing themes of the hon. Minister's presentation was that the intention that lay behind the formulation of the current Bill is an attempt to improve in some way; to lift the standards of the steel pan and steel band art form in our country.

I am all in favour of trying to improve; to build upon our already proven standards. I have no difficulty with that intention. The question is: Will this Bill really and truly, when it comes into effect, suddenly lift those standards that have been guiding the standards of the steelpan industry? Will it suddenly lift, in a deep way, the artistic expression of all our artistes who currently either play in steel bands or who wish in some way to write music to be produced by a steel orchestra?

I suspect that the standards that operate in the artistic world will not be determined by Government's policy. It is something that comes forth from the heart of that musician and no amount of legislation, no amount of creating a government body will have that impact that the hon. Minister suggested it is intended to have, of suddenly lifting the standards of the steel bands we have.

It is always a grave concern to me when governments attempt to provide direction as they see it for the development of the work of an artiste or a group of artistes. I do have some concern with a Bill such as this. If I listened correctly to

what the Minister said, it means that this symphony orchestra which we will have eventually—if all goes well for the Government—will have that effect.

**6.15 p.m**

So, it is strange to me that a body such as Pan Trinbago—I know previous speakers have spoken at length about Pan Trinbago’s seemingly absence from this Bill which in no way suggests that they will be absent—its status has clearly been diminished as an important element in this legislation. [*Desk thumping*] If we are serious about developing those standards that we have, it seems a bit strange that they were left out.

I think in the 1999 Act two members were to be appointed to the board, but no reference is made in this Bill for any member from Pan Trinbago to be appointed to the board. It might have been good policy to have at least one member from Pan Trinbago appointed to the board to ensure that there is communication at all times between these two bodies since that communication is going to play a vital role in ensuring that everything happens in a collective way rather than one body operating by its own standards and directions and the other body operating in a different way. We want to ensure that there is tangible communication occurring between these two entities for furthering the development of the steelpan, not only in Trinidad and Tobago but globally.

I note in the Minister’s presentation—as I said before, this Bill is seeking to promote our indigenous musical culture on a global stage which is a very good objective. If I read correctly that was also an objective in the previous Act. The previous Act also sought to present the steelpan to a global audience. This objective together with many other objectives in the new Bill is almost identical in its intentions and aims in the previous Act. So, to come here today with a Bill with a new name along with the same objectives as the previous Act is a waste of time and energy which could be better spent developing policies that could have a longer lasting and deeper impact on solving many of the other social issues that are affecting us today. To come here today and spend time and energy on a Bill like this really does not make sense to me.

In fact, the issue of what is an “orchestra” versus a “symphony”, I am very thankful to Sen. Baptiste-Mc Knight who cleared up that issue wonderfully for all of us here today. [*Desk thumping*] I think we are extremely clear on that matter, and I hope that Senators on the Government Bench are even clearer as to what they were really trying to achieve. So, it is good to know that the 38 members of the current steel orchestra that we have are in no way—

## PROCEDURAL MOTION

**The Minister of Energy and Energy Industries (Sen. The Hon. Conrad Enill):** Mr. President, I beg to move that the Senate continue to sit until the completion of the debate on this Bill.

*Question put and agreed to.*

**TRINIDAD AND TOBAGO NATIONAL STEEL  
SYMPHONY ORCHESTRA CORPORATION BILL**

**Sen. C. D. Sharma:** Mr. President, thank you. As I was saying, I am so thankful that the Senator cleared up that issue for us here today—types of orchestras that can exist versus a symphony orchestra. One of the intentions of the Bill is to widen the pool of resources available, et cetera, but you are limiting yourself by just creating a symphony orchestra. So, there is some contradiction on the part of the Government in this Bill.

Mr. President, I am well aware that this issue is of national importance and it really speaks to what is one of the fundamental symbols of our country today, and this is something that we would like to have cleared up as quickly as possible. I would hope that we would have this done in a very congenial way, because this is in the best interest of everyone in Trinidad and Tobago.

I would like to end with the suggestion that there are two choices before the Government today; withdraw the Bill or refer it to a special select committee. I thank you very much. [*Desk thumping*]

**Sen. Prof. Ramesh Deosaran:** Mr. President, any legislation that attempts to deal with culture will naturally be fraught with controversy especially in a multicultural society. The major reason being that it is not that the Ministry itself is faced with a tremendous workload, but what it faces is a range of competing interests that make legislation difficult, and the search for balance is sometimes not as easy to find as is evident here this evening.

I want to commend the Minister for the effort she has made thus far in bringing this Bill before us. I say so especially since she is a new Minister coming into the portfolio and, naturally, her sense of history as many of us here would be naturally limited, especially with reference to the previous legislation, for example Act No. 5 of 1986 and also Act No. 19 of 1999 which established the Trinidad and Tobago National Steel Orchestra.

Indeed, the Minister made a bold effort and in the coming months, I know her job is going to be increasingly difficult. So, I want for whatever it is worth, to

encourage her to hold the fort especially with respect to accountability for all those organizations that receive funding from her ministry. That is just one example to demonstrate what I see as her willingness to take on the challenges brought before that particular ministry. It is a ministry whose work some of us know something about over the years in terms of the different cultural groups, each claiming a larger pound of flesh under certain circumstances and it raises the very volatile question in politics of feeling relatively deprived. So, I want to commend the Minister for seeking accountability which I also suspect has something to do with the way this legislation is framed.

In the first instance, when I looked at the Bill, I saw it as a welcome sign to improve our reputation not necessarily abroad, but to build our reputation so that we could achieve greater heights with respect to this particular instrument, whether you call it part of an orchestra or a symphony.

I have one or two difficulties which I would quickly refer to and hope that the Minister and the Government would feel inclined to take a second look at. The first point concerns—I am going to move very briskly because the point has been made several times—the role of Pan Trinbago in this particular piece of legislation.

I must say that Sen. Wesley George made a brilliant intervention by saying—*[Applause]* Now, the applause might be premature. *[Laughter]*—that you do not necessarily have to name Pan Trinbago, because they might be included, and it also allows a greater flexibility to choose from the range of talent that may exist, but there are two considerations. This is not any ordinary organization. If it were an NGO or a pan side from Toco and so on, it would be all right, but it is enshrined in the law by legislation as Act No. 5 of 1986.

So, the point has been made, we are really not dealing merely with an organization, but we are dealing with a legislative entity which Parliament, under section 53 of the Constitution, is empowered to make laws for the peace and good governance of the country. The Parliament has enacted this piece of legislation which must be considered or more precisely be respected in any such legislation such as we have.

If one looks at the provisions of Act No. 5 of 1986, one would see a quickened compatibility with what the aims and objectives of Pan Trinbago are with respect to what this particular Bill before us requires. So, we really have to harmonize ourselves and I thought this is an opportunity—

**Sen. Dick-Forde:** Senator, may I ask you a question? Does the Act give Pan Trinbago a monopoly? I just want to know. Do you believe that there is a monopoly for Pan Trinbago on all issues with respect to the steelpan?

**Sen. Prof. R. Deosaran:** That is a very good question, but I did not create that monopoly. [*Laughter*] The monopoly is in the law. That question should have been asked in 1986. I am following the law and the law provides some extent of monopoly. The way the Minister can get around this is to have other criteria listed in addition to this particular one, but it is an interesting question. I understand the feeling. Perhaps, if I were the minister, I would be cautious in giving certain groups certain rights for consideration.

**6.30 p.m.**

I have reasons; part of it is the political aspect of things. If an organization gets deeply involved in the politics, especially politics against the Government, I would have to rethink my position with respect to putting that organization on a board, which will be empowered to carry out Government's policy. I would not make it a *carte blanche* issue, except in this case, because there is the legislation, and with respect to clause 6(2)(h), you have given monopoly to some extent to the Centre for Creative and Festival Arts of the University of the West Indies and understandably so, and also to the University of Trinidad and Tobago Academy of the Performing Arts.

What I want to suggest, briskly as I said, is perhaps we could consider deleting subclause (i), which states that:

"one other person who by virtue of his skill or experience can contribute meaningfully to the work of the Board;"

Well, I thought all these other persons here would have been contributing meaningfully to the board by their skill or experience. So, there is some redundancy in this elasticity of nominations you might see. I would suggest that you remove subclause (i) and put in: "a person recommended by Pan Trinbago" in the circumstances.

My other concern is when I look at the objectives and more so, the functions of the board, it once again leads me to wonder why are we so averse in this country to research and development, and though there is some sly reference to research, I think the requirement for research into the steelpan, as a cultural entity, not just the instrument, should be stated more clearly, more definitely and more deliberately.

For example under clause 9(1)(d), it says one other function is to look after the training and development of the members including incentives for study; that is not what I mean by research. I think you need a harder look and a more precise inclusion with respect to one of the functions being to promote research and development into the steel band movement, as it were. Even though you allow the education officer, under clause 13, to keep abreast with recent research, well, I do not want to have just keeping abreast; I want us to generate pioneering research to add further institutionalization to the steel pan itself.

Mr. President, in looking over the pages of the Bill again, and to some extent it is similar to other Bills, whether it is establishing the Accreditation Council and so on, but I see the Minister all over the place. This will be a very busy Minister; almost everything has to receive the approval of the Minister, after you establish a board so carefully thought of by all these persons. I will agree that there are some conditions that must be approved by a Minister, for example, remuneration, but in these, what you call, everyday administrative matters, some in clause 9—there are several other subclauses all over the Bill. I just want to point that out, because I also want to recommend, as I recommended before, that one of the most productive avenues out now, given all that has been said, is to consider sending this to a special select committee, which should report within three or four weeks. *[Interruption]* Well, I see we are making some headway, three weeks. With that response I am encouraged to cut my contribution short.

Just to leave a few things on the record though. To me there are four major issues which have been raised. One is the question of process; the process towards this legislation seems to have been flawed, especially with respect to consultation, and the question of discarding previous legislation and bringing in new ones in a rather arbitrary fashion. This is a very serious issue. You have several pieces of legislation properly passed, discussed for days, and when a new government comes into office, it discards the legislation, which could be done, but not as arbitrarily as we have been witnessing.

The reverse also takes place, for example, the Opposition would support a piece of legislation and when it happens to get into power it reverses its position. The opposite happens; you are in Government; you get into Opposition; you oppose the very legislation that you have supported; for example, we have the Children Act. If you do not try to derail it, you do other things to frustrate the legislation, joint select committees for example. You have also the Caribbean Court of Justice, which would be supported in one period and then opposed in another period.

*Symphony Orchestra Corporation Bill*  
[SEN. PROF. DEOSARAN]

Wednesday, October 29, 2008

I do not think this makes for good governance, but it speaks to a kind of political culture—to use the word culture. This is an example, since so many people have spoken about the need for legislative continuity. I think we should try to break what I consider a bad habit; otherwise we would begin to see politics, not as a science of government but as a science of inefficiency.

The other issue raised, clearly the question of managing the funding of cultural organizations or enterprises like this one. I think the time has come for the Government to have a serious look at how these cultural, religious organizations are funded, because the funding should bring peace, harmony and some measure of appreciation at least to the Government, which through taxpayers' money, gives some donation to help the organizations. Plenty money has been spent to some extent on Pan Trinbago. You have a building languishing at Trincity, with Pan Trinbago having something to do with it; I am not too sure how much, but that is taxpayers' expense; it is languishing there; nothing is done. So, the Minister is right to call for accountability.

Apart from that, every time a celebration comes, whether it is Emancipation Day; something with the steel band movement, Pan is Beautiful, or whatever; there is always a bitter, divisive controversy taking place in the country. Culture should be used as a soothing instrument for social harmony, but through the grant system that we have in the hands of Government, it seems to be having the opposite effect.

If I could just spend one minute to illustrate my point, and ask the Government, not only if it does go with a select committee in terms of reviewing the question of funding—On October 11, 2008 in the *Guardian*, page 4, the Ramleela Council condemns the Ministry by saying:

"Ministry grants not enough"

And it goes on with some rather peculiar accusations, which I would not get into.

"Indo groups cry foul. Less money for Divali, Ramleela."

It is in the *Newsday*, October 11, page 13. I will not read the description. In the *Express*, October 11, it says:

"Ministry's penny-pinching insulting, cultural groups say"

So, these headlines really put a dark shadow over the Government of the day. It did not happen today. This is a pattern of response by these cultural groups, which has led me several times to encourage the Government to seek a new way of

funding, because if you are giving something for which there is little or no appreciation, what is the point of giving it, especially if it also seems to have political consequences. It goes on:

"The Ministry of Culture under heavy jamming. Small money for Indian celebrations."

This is the *Mirror*, October 19, 2008.

The latest one is the parang. It is bacchanal, bacchanal, bacchanal. They say Carnival is bacchanal but it seems as if this funding is a switch for unnecessary bacchanal. The parang groups need funding, true, but you ask for accountability, which you are required to do under your oath of office. So, people cannot be "vex" if you ask for accountability even before money is given. The question is, how much is enough then? What about the other groups? For all these reasons I have always advocated a more independent line of considering grants. To remove that responsibility from potential embarrassment from the hands of a Minister, and have some relatively independent group of people to dispense funds within a fixed allocation. Set certain clear criteria and let the criteria be as objective as possible, and so dispense the funds without having to get into all this row, which could grow and has grown quite nasty at times. Very personal.

I am sure that no Ministry or no Minister could feel comfortable when after giving money you find yourself being so publicly embarrassed by giving those donations. [*Interruption*] Well, I would leave that for your Monday night meeting. [*Laughter*]

I have spent this few minutes on the funding issue because it will come up again, and it does disturb the harmony that you ought to enjoy with respect to our different kinds of national cultures. We have evidence of it between Pan Trinbago and what you are trying to do as a Government, and Sen. Rahman went a bit far in saying that violence could be a possible result.

The other issue here is we really need a policy, because in the Bill you speak about multiculturalism, repertoire, and so on; Sen. Baptiste-Mc Knight is correct. On the board you have nobody versed in such a sensitive area as multiculturalism. That to me is an unfortunate omission, which I hope will be healed quite quickly. This Government ought to sit now and think about a policy of multiculturalism; what is the policy; not only what part this symphony orchestra will play, but what role should the schools play in this multicultural policy. What does the constitutional guarantee of freedom of association mean with multiculturalism, in

*Symphony Orchestra Corporation Bill*  
[SEN. PROF. DEOSARAN]

*Wednesday, October 29, 2008*

a multicultural environment? So, that cultures will not feel unequally treated; cultures would not feel less, one against the other, I think some policy statement ought to be developed alongside the funding issue.

Those are the four major issues I saw coming out of this, and the more immediate one is the question of process, which I suggest that a select committee could heal. Call Pan Trinbago and find out what it is they want; the other groups, because this is a national issue. It is a National Steel Symphony Orchestra.

**6.45 p.m.**

If I remember rightly, Mr. President, the Preamble to the Constitution which should be a guide to such legislation, does require that we should assert our belief in a democratic society in which all persons may to the extent of their capacity, play some part in the institutions of our national life. This is a good opportunity to exemplify such a constitutional requirement, even though it is in the Preamble.

Sen. George made another interesting point and I think the hon. Minister of Local Government also exemplified. I do not think from where I stand and from what I know that there is any other social or cultural movement as the steelpan that can attract and create discipline and a sense of identity more than the steelpan movement for young people. I believe that even though it is in the school—I have reasons for saying so—we should not only cater for those whose aptitude and interest are readily obvious, but we should search out the marginals, those who are on the fringes of the school system, those are the ones who will surprise us by showing the greatest talent for such an instrument.

I say so because where I grew up in Quarry Road, San Juan, we had a steel band there and I could tell you how that was a magnet to the young boys of the area. There were so many benefits that flowed from that make-shift system—a coconut branch as a tent and the drums that we had to get by legitimate means. It does have a magnet for young people, the music, the rhythm, the tempo. It does encourage them to be creative, but more than anything else, apart from their musical talent, it gives the young men especially a sense of identity. It helps restore what they have otherwise lacked. So, I would think, for example these gangs that are going and asking for forgiveness they should be put into musical camps, not as penance but as restorative justice.

You see, before I close, this is my last few minutes; it is a big issue—

**Sen. Enill:** Mr. President, is it the view—and you could give me a response to this—therefore that the Government should consider sending this Bill to a special select committee? Is that the view?

**Sen. Prof. R. Deosaran:** I think not only would I support it, I would recommend it because it will send a proper appropriate signal of good governance if that is done. Send it to a select committee.

**Sen. Enill:** Thank you. In those circumstances can I crave, Mr. President, your indulgence that at an appropriate time we suspend for a short time, Sir, where we could agree on the membership of the committee, because the Government is so minded at this time.

**Sen. Prof. R. Deosaran:** I think the Senate would readily agree and if you want my agreement, certainly, I would say yes.

**Sen. Enill:** Mr. President, I would like to move that we suspend for about five minutes to sort this matter out.

**Mr. President:** Can I suggest that we allow the Senator to finish his contribution and then we will do that?

**Sen. Prof. R. Deosaran:** Yes, I would just have about three minutes, but I think it is an important point to leave on the table. You see when you give taxpayers' money to different religious cultural groups and apart from the quarrels that ensue, it goes further than that. Sometimes you give taxpayers' dollars to people who operate their tents privately. They make profit. It complicates the issue. You see, if you are using taxpayers' money to build culture and groups, we must be sure that we are not giving it to people who are already making a profit, especially where there is little or no accountability.

So it does raise the big question which I hope the Government would attend to one of these days or perhaps it should be part of a national debate, at what point should Government enter into religious and cultural activities or are these matters in the private domain? And there should be a very cautious approach in dealing with such matters that are in the private realm—religion, culture—and let Government be the referee it is supposed to be in the Westminster system.

Thank you, Mr. President.

**Mr. President:** Hon. Senators, in view of the fact that there seems to be an agreement that this thing should go to a special select committee of the Senate, I am going to suspend the sitting for five minutes. We will meet back at 6.55 p.m. or thereabouts to allow the parties to talk to one another so we can form a committee. This sitting is now suspended until 6.55 p.m.

**6.50 p.m.:** *Sitting suspended.*

**6.55 p.m.:** *Sitting resumed.*

**The Minister of Community Development, Culture and Gender Affairs (Hon. Marlene Mc Donald):** Mr. President, I would want to dispense this evening with the notion that this side does not listen, we do. I want to state that of all the contributions made on the opposite side, I think I am most persuaded by Sen. Prof. Deosaran. I really believe Sen. Prof. Deosaran, you hit a sore point and that certainly was the question on funding. I have to say that you almost read my mind, you are ad idem on exactly what you said and the sort of proposals I would like to bring to the Table. But, be that as it may, Senator, I want to say that I do value your contribution and with those few words, I beg to move.

*Question put and agreed to.*

*Bill accordingly read a second time.*

**Hon. M. Mc Donald:** I beg to move that this Bill be referred to a special select committee of the Senate in accordance with Standing Order 51(1) and that the committee report back to the Senate in 21 days.

I also beg to move that the Members of the committee be: Sen. B. Annisette-George as chairman, Sen. L. Rogers, Sen. T. Gronlund-Nunez, Sen. Dr. J. Kernahan and Sen. B. Ali. Those are the Members.

*Bill referred to a special select committee of the Senate appointed by the President as follows:* Sen. B. Annisette-George as chairman, Sen. L. Rogers, Sen. T. Gronlund-Nunez, Sen. Dr. J. Kernahan and Sen. B. Ali.

#### ADJOURNMENT

**The Minister of Energy and Energy Industries (Sen. The Hon. Conrad Enill):** Thank you, Mr. President, and I thank my colleagues for supporting our intent.

Mr. President, I beg to move that the Senate do now adjourn to Tuesday, November 04, 2008 at 1.30 p.m. where we would do an Act to amend the Prison Service Act, Chap. 13:02 and time permitting an Act to amend the Income Tax Act, Chap. 75:01.

May I also indicate that you would recall during the course of the last month that Private Members' Day was used by the Government for Government Business and at the request of the Leader of the Opposition to which we have agreed, we propose that Private Members' Day would be Wednesday,

*Adjournment*

*Wednesday, October 29, 2008*

November 05, 2008. We also wish to indicate that at this point in time the week following there would be no sitting of the Senate and that we would in fact come back on November 18, 2008. So, that the time table as we see it now is as follows: Government Business, Tuesday, November 04, 2008; Private Members' Day, Wednesday, November 05, 2008 and the next sitting after that we propose to have it on November 18, 2008.

**Sen. Dr. Nanan:** We propose that on Wednesday, November 05, 2008 we will continue with the Motion on Equal Opportunities.

*Question put and agreed to.*

*Senate adjourned accordingly.*

*Adjourned at 7.02 p.m.*

#### WRITTEN ANSWER TO QUESTION

*The following question was asked by Sen. Dr. Jennifer Kernahan:*

#### **Fishery Landing Sites**

**98.** A. With respect to fishery landing sites in Trinidad, could the hon. Minister of Agriculture, Land and Marine Resources inform the Senate of:

- (i) the location of all landing sites; and
- (ii) the status regarding Hazard Analysis and Critical Control Point (HACCP) inspection certification for each site?

B. With regard to fishermen, companies or cooperatives at landing sites, could the Minister state:

- (i) the value of equipment provided by the Ministry, used by each category at each site;
- (ii) the average tonnage, by space of catch landed by each site for the period 2002—2007;
- (iii) the value of the yearly total catch by each category at each site for 2002—2007;
- (iv) the average tonnage and value of catch exported per site per annum for the years 2002—2007;
- (v) the average tonnage and value of catch sold on the local market per annum for the period 2002—2007.

Written Answer to Question

Wednesday, October 29, 2008

*The following report was circulated to Senators:*

In Trinidad and Tobago, any beach area to which there is access by road and where boats can land within the vicinity of a coastal village may be considered a fish landing site. There are some 65 major landing sites in Trinidad. Also, there are 23 landing sites in Tobago, making a total of 88 landing sites. The Government of Trinidad and Tobago has over the last four decades provided facilities at some of these sites to assist fishermen in their daily tasks. These facilities range from the basic net sheds, to net and boat repair sheds, engine and equipment storage rooms, toilet and bath facilities and market stalls for wholesale and retail. Twenty-five of these landing sites have been provided with some type of infrastructure. Of these about 18 can be considered major landing sites.

**Table 1: Significant fish landing sites in Trinidad and Tobago**

TRINIDAD			TOBAGO
North Coast	East Coast	South Coast	North
Maracas	Cumana	La Retraite	Buccoo Pt
Saut D'eau	Balandra	Marac	Pigeon Pt
Las Cuevas	Salybia	Grand Chemin (Moruga)	Mt Irvine Bay
Blanchisseuse	Manzanilla	Morne Diablo	Black Rock
La Fillette	Ortoire	Quinam	Plymouth
Monos	Mayaro	Erin	King Peter's Bay
Toco	Guayaguayare		Culloden
Sans Souci			Castara
Grande Riviere			Englishman's Bay
Matelot			Parlatuvier

TRINIDAD			TOBAGO
<b>South West</b>	<b>West Coast</b>	<b>North West</b>	Bloody Bay
Icacos	St Marie	L'Anse Mitan	Man of War Bay
Fullerton	Bamboo	Gaspar Grande	Charlotteville
Bonasse	Claxton Bay	Cocorite	<b>South</b>
Granville	Carli Bay	Carenage	Speyside
Cap-de-ville	Orange Valley Fish Market ●	Alcan Bay	King's Bay
Fanny village	Brickfield	St Margaret	Roxborough
Otaheite	Waterloo	Marabella	Goldsborough
Vessigny	Cacandee	Pt Cumana	Pembroke
Coffee beach	NP Fishing Complex Sea Lots		Hillsborough
San Fernando Fish Market ●	Port of Spain Fish Market ●		Studley Park
			Scarborough
			Friendship
			Kilgwyn

Generally speaking, Trinidad and Tobago has not yet achieved Hazard Analysis and Critical Control Point (HACCP) standards in the fisheries sector. At present, regulations do not exist for certification of fish landing sites. However, this can be addressed under the public health regulations. Regulations under the Food and Drugs Act specify sanitary requirements for fishing vessels and provide for certification of fishing vessels, fish and fishery products, imports and exports and processing plant operations. In this regard, it is to be noted that the Chemistry Food and Drugs Department (CFD) is the competent authority to certify fishing vessels.

Where equipment at fish landing sites is considered critical to the operations of the landing site, the Ministry assists, where possible, in this respect, for

example, at Toco, a winch has been provided to assist in lifting vessels from the water on to the slipway. The Ministry continues to play a facilitative role in the provision of facilities to the fishing communities. For the period 2002 to 2007 a total of TT \$4.9 million was expended on infrastructural improvements to landing facilities.

**Table 2: Funds expended on maintenance of fishing facilities between 2002 and 2007**

<b>Landing Site</b>	<b>Works Undertaken</b>	<b>Funds expended (TT\$)</b>
San Fernando	Boat/net repair shed, locker building (including security fence and gates) and toilet facilities at San Fernando constructed. Mechanical crane relocated. Security lighting installed and the compound fenced and paved (2002-04).	\$1,871,879
Bonasse	Roofs and electrical fixtures of locker building, boat/net repair building, fish market and toilet facilities replaced. Locker doors replaced. Plumbing repairs carried out. Compound fenced. Toilet facilities repainted (2005-07).	\$ 428,402
Erin	Roofs and electrical fixtures of net repair and engine/boat repair buildings replaced. Burglar proofing for locker room constructed and installed (2004-07).	\$ 270,488
Morne Diablo	Roof of fishing centre was replaced (2004). Slipway was repaired and extended. Compound was paved (2006-07).	\$534,215
Balandra	Structural and electrical repairs to fishing centre were carried out. Toilet facilities constructed.(2004-05)	\$267,850

<b>Landing Site</b>	<b>Works Undertaken</b>	<b>Funds expended (TT\$)</b>
Toco	A slipway, wing wall and retaining wall were constructed (2002). A motorized winch was installed and a shed to protect the winch from the elements was constructed and electrical repairs to the fishing centre were carried out (2003-04).	\$643,067
Matelot	Roof and electrical system of fishing centre repaired (2004).	\$66,951
Blanchisseuse	Compound of fishing centre fenced and electrical system repaired. (2003). Mooring ramp repaired (2004/05).	\$226,548
Las Cuevas	Twenty six (26) engine lockers to accommodate engines greater than 75 Hp and a new engine trough built and minor electrical repairs to the centre carried out (2003). New toilet facilities were constructed (2007).	\$189,797
Maracas	Four (4) fish marketing stalls (including lighting) constructed. New engine wash trough constructed. Two (2) storage lockers converted into shower stalls (2002). Roof of centre, sewer system and electrical fixtures repaired (2003-04).	\$93,415
Brickfield	Roof and electrical fixtures of boat repair building replaced (2006-07).	\$61,000
Claxton Bay	Minor plumbing repairs carried out (2003). Compound of fishing centre paved. Toilet facilities repaired (2004-05).	\$278,300

<b>Landing Site</b>	<b>Works Undertaken</b>	<b>Funds expended (TT\$)</b>
Claxton Bay	Minor plumbing repairs carried out (2003). Compound of fishing centre paved. Toilet facilities repaired (2004-05).	\$278,300
Emergency & minor repairs to Fishing Centres	Emergency repairs were carried out on the roof of the Salybia fishing centre, toilet facilities at the Cocorite fishing centre (2003) and minor repairs to lights at Maracas and Las Cuevas and electrical system at Grande Riviere	\$44,052
	<b>TOTAL</b>	\$4,975,964

Additionally, the Ministry provides the following fiscal incentives to the fishing industry:

- Duty-free concessions for the purchase of new engines, imported marine accessories and engine parts;
- VAT exemptions for imported marine accessories, engine parts and new engines;
- VAT waivers for locally purchased marine accessories and engine parts;
- VAT waivers for new semi-industrial multi-gear and longline vessels and replacement artisanal multi-gear vessels;
- VAT exemption on imported vessels;
- Fuel rebates; and
- Vessel and vehicle subsidies.

Written Answer to Question

Wednesday, October 29, 2008

**Table 3: Annual Value (TT\$) of Fisheries Incentives over the period 2002 to 2007**

<b>Incentive Type</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>
Duty-free concessions for new engines, imported marine accessories and engine parts	\$112,960	\$129,399	\$136,442	\$169,908	\$147,584	\$121,381
VAT exemptions for imported marine accessories, engine parts and new engines	\$671,567	\$802,522	\$828,922	\$1,058,918	\$1,006,811	\$1,176,470
VAT waivers for locally purchased marine accessories and engine parts	\$1,305,655	\$1,413,273	\$1,652,904	\$1,504,134	\$1,992,504	\$2,465,826
VAT waivers for new semi-industrial multi-gear and longline vessels and replacement artisanal multi-gear vessels	\$123,216	\$192,774	\$240,429	\$167,419	\$63,341	\$127,746
Duty-free concessions on imported vessels	\$147,903	\$37,798				
VAT exemption on imported vessels	\$110,927	\$91,005	\$111,714	\$230,087	\$474,661	\$265,916
Fuel Rebates	\$1,328,841	\$1,482,978	\$1,536,879	\$1,735,008	\$1,554,956	\$1,791,012
Vessel subsidies	\$5,000	\$58,210	\$30,000	\$25,000	\$20,000	\$30,000
Vehicle subsidies		\$20,191	\$15,879	\$38,596	\$53,698	\$52,165
<b>Total</b>	<b>\$3,806,069</b>	<b>\$4,228,150</b>	<b>\$4,553,169</b>	<b>\$4,929,070</b>	<b>\$5,313,555</b>	<b>\$6,030,516</b>

While the term “space of catch” is not a fishery-specific term, the Ministry interprets this to mean “area of fishing”, and can provide the information for each of the 21 important landing sites at which data is recorded in Trinidad. In addition, the Ministry is able to provide an estimate of fish landings for each of the six commercial fleets viz: artisanal multi-gear, artisanal trawl, semi-industrial trawl, industrial trawl, semi-industrial longline and semi-industrial fishpot/line operating from Trinidad. The estimate for the six commercial fleets gives an indication of the total landing and ex-vessel value, that is, the value based on prices at the first point of sale, of fish landed at all landing sites enumerated and non-enumerated in Trinidad. Data for fleets operating from Tobago are not available.

The Ministry faces several challenges in recording information on fish catches. These challenges are due mainly to the numerous landing sites spread along the coastline of Trinidad; safety issues associated with data collection at sites of high criminal activity and the unusual working hours of the Ministry’s staff who are required to operate during hours of fishing activity. It is to be noted that as long as fish is being landed, be it early morning or late at night staff must work to collect data, that is, there is no rigid 7:00 a.m. – 3:00 p.m. or 8:00 a.m. – 4:00 p.m.

Given the difficulties in recording fish landings at the numerous beaches along the coastline, the Ministry has employed a sampling strategy to ensure that data is recorded at the 21 important landing sites in Trinidad, distributed across sampling zones. Each of the 65 major landing sites is assigned to a sampling zone based on the similarity of vessel characteristics, for example, size, engine horsepower, fishing gear, fishing area and species composition of the catch. As such, the vessel catch rate and species catch composition at non-enumerated landing sites are assumed to be the same as at the enumerated landing site(s), within the designated zone. The landings information from enumerated landing sites, as well as the number of boats, from periodic boat censuses, is used to estimate the fish landings at non-enumerated sites. This data collection system, which has existed since the late 1950s, has been modified accordingly based on changes in the fishing industry, thereby enabling the Ministry to provide estimates of fish landings and corresponding ex-vessel value for the artisanal, multi-gear fleet and three (3) trawl fleets.

During the period 2002—2007, the estimated landings of the artisanal multi-gear and trawl fleets at the 21 enumerated landing sites in Trinidad fluctuated between 4,000 and 5,000 tonnes, while total estimated landings for Trinidad i.e.

all fishing fleets and landing sites between 2002—2006 fluctuated between 9,500 and 15,500 tonnes, with the highest landing estimated for 2002. The Ministry is in the process of verifying the estimated landings of the trawl fleets for 2007. This data would be available by November 2008.

**Table 4: Estimated fish landings (tonnes) by commercial fishing fleet in Trinidad (2002—2006).**

FLEET	2002	2003	2004	2005	2006
ARTISANAL MULTI-GEAR (NETS & LINES)	12,221	8,109	8,412	10,127	6,317
ARTISANAL TRAWL	453	440	401	506	431
SEMI-INDUSTRIAL TRAWL	398	362	369	438	315
INDUSTRIAL TRAWL	1,094	812	672	914	950
SEMI-INDUSTRIAL LONGLINE	351	365	380	455	554
SEMI-INDUSTRIAL FISHPOT / A LA VIVE*	970	970	970	970	970
<b>TOTAL</b>	<b>15,487</b>	<b>11,058</b>	<b>11,204</b>	<b>13,410</b>	<b>9,536</b>
* Assumed based on a previous study					

While it is uncertain as to whether “each category” refers to species group, fishing method or landing site, the Ministry can provide information on the ex-vessel value of landing sites at enumerated sites, consistent with the other components of this question. In addition, the Ministry is able to provide data on the ex-vessel value of landings from the six commercial fleets, previously named. The annual ex-vessel value of catches at the 21 enumerated landing sites in Trinidad has fluctuated between TT \$51 million and TT \$64.5 million, from 2002—2007. The annual total ex-vessel value of all fishing fleets and landing sites, inclusive of landings has varied between TT \$121 million and TT \$186 million.

**Table 5: Estimated ex-vessel value of fish landings (TT\$'000s) by fishing fleet in Trinidad (2002 to 2006).**

<b>FLEET</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>
ARTISANAL MULTI-GEAR (NETS & LINES)	112,716	79,015	96,484	125,040	84,244
ARTISANAL TRAWL	8,246	6,962	6,892	10,727	9,225
SEMI-INDUSTRIAL TRAWL	4,538	4,174	3,037	4,592	4,270
INDUSTRIAL TRAWL	15,975	11,248	10,380	14,112	18,346
SEMI-INDUSTRIAL LONGLINE	9,677	11,242	12,685	15,952	20,938
SEMI-INDUSTRIAL FISHPOT / A LA VIVE	15,600	15,600	15,600	15,600	15,600
<b>TOTAL</b>	<b>161,575</b>	<b>121,499</b>	<b>136,893</b>	<b>186,024</b>	<b>152,624</b>
* Assumed based on a previous study					

Current data collection systems implemented by the Ministry are unable to facilitate reporting on the tonnage and value of catch exported by landing site. However, the quantity of fish exported annually and the corresponding values are collated at the country level by the Central Statistical Office, Ministry of Planning, Housing and the Environment. This data include both fish caught in Trinidad and Tobago and exported as well as fish that is imported, processed and re-exported. Both export tonnage and value showed declining trends over the period 2002 to 2005, with an increasing trend thereafter. Fish exports fell from 5,076 tonnes in 2002 to 3,191 tonnes in 2005, but increased subsequently to 5,864 tonnes by 2007. Corresponding values declined from TT \$71.4 million to TT \$54 million between 2002 and 2005, with an increase to TT \$104.5 million by 2007.

**Table 6: Annual fish exports (tonnes) for 2002 to 2007**

<b>Fish Exports (tonnes)</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>
<i><b>Fresh/Chilled/Frozen/ Processed</b></i>						
Finfish (snappers, groupers, tunas, mackerels, herring, other)	1,287	1,168	1,320	1,265	4,484	4,374
Crustaceans (shrimp, prawn, crab, lobster, other)	170	194	141	153	141	221
Molluscs (conch, mussels, oysters, scallops, other)	13	3	2	160	6	7
Other (octopus, squid, sea eggs and unidentified species)	3,505	2,514	1,524	1,532	1,340	1,076
<i><b>Live fish</b></i> (shrimp, prawn, mussel, scallop, ornamental fish, other)	101	92	82	82	8	186
<b>TOTAL QUANTITY (tonnes)</b>	<b>5,076</b>	<b>3,970</b>	<b>3,068</b>	<b>3,191</b>	<b>5,980</b>	<b>5,864</b>

**Table 7: Value of annual fish exports (TT\$ million) for 2002—2007**

<b>Value of Fish Exports (TT\$ million)</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>
<i><b>Fresh/Chilled/Frozen/ Processed</b></i>						
Finfish (snappers, groupers, tunas, mackerels, herring, other)	21.19	18.03	17.9	20.22	54.3	78.13
Crustaceans (shrimp, prawn, crab, lobster, other)	6.10	6.86	5.10	4.61	5.1	9.0

**Table 7: Value of annual fish exports (TT\$ million) for 2002—2007**

<b>Value of Fish Exports (TT\$ million)</b>	<b>2002</b>	<b>2003</b>	<b>2004</b>	<b>2005</b>	<b>2006</b>	<b>2007</b>
<i><b>Fresh/Chilled/Frozen/ Processed</b></i>						
Molluscs (conch, mussels, oysters, scallops, other)	0.15	0.09	0.05	0.04	0.17	0.13
Other (octopus, squid, sea eggs and unidentified species)	42.08	35.82	18.40	27.56	17.2	16.98
<i><b>Live fish</b></i> (shrimp, prawn, mussel, scallop, ornamental fish, other)	1.87	1.63	1.50	1.59	0.26	0.26
<b>TOTAL VALUE (TT\$ million)</b>	71.40	62.44	42.99	54.02	76.9	104.5

Although the Ministry has provided information on total fish landings and ex-vessel value by fleet in Tables 5 and 7, fish may be sold several times along the value chain and current data collection systems are not yet structured to capture this information.