

*Leave of Absence**Wednesday, May 27, 2015***HOUSE OF REPRESENTATIVES***Wednesday, May 27, 2015*

The House met at 1.30 p.m.

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

Mr. Speaker: Hon. Members, I have received communication from Mr. Patrick Manning, Member of Parliament for San Fernando East, who has asked to be excused from today's sitting of the House. The leave which the Member seeks is granted.

PAPER LAID

Ministerial Response to the Fifth Report of the Joint Select Committee of Parliament on Ministries, Statutory Authorities and State Enterprises (Group 1) on the administration and operations of the Ministry of Health with specific focus on primary health care. [*The Minister of Health (Hon. Dr. Fuad Khan)*]

URGENT QUESTIONS

Mr. Speaker: Hon. Members, we had two matters under this particular item but the hon. Member is not here, so we shall proceed.

Dr. Moonilal: Mr. Speaker, may I just enquire? The two questions for urgent answers filed by the Member for Chaguanas West who is not on the compound now, would we deal with this later in the proceedings?

Mr. Speaker: No, no, we are not.

Dr. Moonilal: Thank you very much.

GAMBLING (GAMING AND BETTING) CONTROL BILL, 2015

Order for second reading read. **The Minister of Finance and the Economy (Sen. The Hon. Larry Howai):** Mr. Speaker, I beg to move:

That a Bill to provide for the regulation and control of gaming and betting and matters related thereto, be now read a second time.

Mr. Speaker, this is a very weighty piece of legislation. Over the past few years, we have had a significant amount of expansion of gambling activities and gaming activities throughout Trinidad and Tobago and this continues to grow. We

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therefore need to put a system in place that appropriately regulates this activity without stamping it out. We believe that gambling is a legitimate form of entertainment providing it is managed and regulated in an appropriate form.

This piece of legislation is also important because as the world becomes more globalized, and as we continue to have to deal with the issues of anti-money laundering and counter-terrorism financing, we have to ensure that we have a regulatory framework that does not result in our financial institutions coming under any pressure by any regulatory authority anywhere in the world.

It also affects investments in Trinidad and Tobago. There are quite a number of investors who have indicated their interest in investing in the entertainment sector here in Trinidad and Tobago as well as in the hospitality business, and they would not bring their business into a jurisdiction which is not properly regulated, and which does not have a framework which ensures the control and appropriate regulation of the activities of the business which they will be bringing into Trinidad and Tobago.

The private members clubs today employ, we estimate, about 7,000 persons and, indirectly, it affects perhaps as much as 30,000 persons. Now, this is not subject to any rigorous statistical reviews, but they are rough estimates of what the Ministry of Finance and the Economy and the control group which has been established have identified. We believe that there could be in the region of about 10,000 and as much as 20,000 or more amusement machines in Trinidad and Tobago, and these have proliferated over time without any kind of strict regulatory framework.

We have about 11 private betting shops which employ, we estimate, about 200 persons, and average annual betting we estimate at about \$600 million, and we need to bring much of this under control so that we would have a better handle on the extent of turnover that is experienced by many of these institutions.

The Betting Levy Board collects taxes of between \$16 million to \$18 million per annum. The Arima Race Club has a turnover of approximately \$100 million per annum and they pay taxes of about \$10 million. They employ—the Arima Race Club that is—about 150 persons directly and then on race days they add another 100 temporary persons.

So, what I am saying here, Mr. Speaker, is that we are dealing with quite an extensive industry, one that impacts on quite a significant number of parts of our economy and in which there is quite a significant turnover on an annual basis and, therefore, we need to bring activities, as significant as these, under the general control of a proper regulatory framework.

The Bill that we are seeking to lay before this House or which we have laid before this House and for which we are seeking approval, seeks to provide for the establishment of a gambling control commission for the purpose of regulating the gambling sector as a whole.

Secondly, the Bill will establish a licensing framework which would aid in minimizing the potential for money laundering and terrorism financing due to the stringent criteria that will have to be met by anyone desirous of obtaining a licence permitting them to work in the gambling sector.

Thirdly, the Bill introduces stringent measures for the protection of the vulnerable, especially for minors and problem gamblers and for the protection of consumers. You will see quite extensive clauses in the legislation which require disclosures with respect to the odds, with respect to the winnings, with respect to returns and so on, which will have to be put in place once this legislation is proclaimed and enacted.

Fourthly, of course, this legislation has the potential to increase Government's revenues and to create more employment and, therefore, we are seeking in all that we do to arrive at a framework which allows us to have this sector play a meaningful and positive role in the development of the national economy.

So, these are some of the areas which we think will be addressed by this legislation and the proposed framework which we propose to put in place will put stringent measures to address key areas which the social sector, particularly, had concerns with, and this is in respect of the industry's vulnerability to money laundering and terrorist financing—that is one area we will be focusing on; the potential for criminal and corrupt elements to infiltrate the sector and, therefore, the arrangements which we will put in place will seek to minimize the effect of this, and to manage how this industry develops to protect the vulnerable, as I indicated, including minors and problem gamblers and to ensure that gaming is conducted honestly and fairly.

I would not go into the details of the various parts of the Bill. I think it is there for Members to read, so I do not think there is need for us to go into that in detail, but I would speak to certain aspects of the Bill. Gambling as a licenced activity will be unlawful except pursuant to a licence issued by the new regulatory authority that we are putting in place. So this regulatory authority will issue licences, and this will allow the businesses to conduct the activity. It will create a restrictive licensing regime, because you will have to go through the commission,

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and you would have an independent regulatory authority in the form of the Gambling (Gaming and Betting) Control Commission which will issue the licences.

The parties which would be affected by this legislation includes casinos, currently operating as casinos under the nomenclature of private members clubs and all associated tables and devices. Affected parties will also include casino operators, owners and key members of staff. It will also include amusement game owners and operators; persons who sell, import, supply or distribute gaming machines; persons who fabricate, assemble, programme, service, modify or repair equipment relating to gambling; bookmakers and promoters and sport betting.

One of the key impacts of the legislation is that minors and problem gamblers would be protected by specific provisions which we have put in the Bill. There will also be an absolute ban or restriction on gambling by minors and the employment of minors in gambling establishments, and we will establish a rehabilitation fund which will support initiatives to help gambling addicts and their families via awareness, education and rehabilitation.

As some background to the legislation, Mr. Speaker, you would recall that in 2013 when we did the budget, we gave a commitment to introduce a comprehensive legislative framework that promotes responsible gambling, protects consumers and the vulnerable and prevents criminal elements from infiltrating the sector. In coming to this point, what we did in having a piece of legislation that we could lay before this honourable House, the Minister of Finance and the Economy constituted two dedicated teams. The first was located in the Strategic Management and Execution Office of the Ministry, which was given the mandate to spearhead the effort to deliver on this very complex piece of legislation, and the second group comprised two parts really: one was a working group which consisted of representatives from Government Ministries and agencies and the second was a civil society group with private sector representatives in the fields of social work, banking, accounting, ICT and we had a representative from Tobago on that group.

1.45 p.m.

So we sought to ensure that in all of this all of the social issues were properly ventilated. We did intensive research into the gambling industry, with an emphasis on legislation across various jurisdictions to ensure that the output of the process would meet international benchmarks, and, this is, as I said, because of

the fact that we are seeking also to look for international investors coming into Trinidad and Tobago. Particular guidance was obtained from the following legislation: the UK Gambling Act 2005 of the United Kingdom, the Betting and Gaming and Lotteries Act of Barbados, the Betting, Gaming and Lotteries Act of Jamaica, the Gaming Machines Act 1992 of South Australia, the Casino Act 1997 of South Australia, the National Lotteries Act of Trinidad and Tobago, and the draft proposal Trinidad and Tobago Racing Authority Act (TTRA).

So we sought to ensure that we did a comprehensive amount of research, looking at what happened in various jurisdictions, including our own, to ensure that whatever we came up with represented a formula that would ensure that the gaming industry can develop locally but with controls that addressed some of the risks that this particular type of activity entails. Our civil society group, which was chaired by a member from the Bankers Association, or a former member of the banks, held a number of focus group meetings, and I want the House, and for it to be recorded on the *Hansard*, the fact that there was extensive consultation. We consulted with the Members' Club Association of Trinidad and Tobago, the Amusement Gaming Association of Trinidad and Tobago, The Bankers Association, the Trinidad and Tobago Chamber of Commerce, the Bookmakers Association, the Trinidad and Tobago Racing Authority, the Betting Levy Board, the Racehorse Owners Association, as well as the Racehorse Trainers Association, the Jockeys Association, the Arima Race Club, the Financial Intelligence Unit, the Tobago House of Assembly, the Tobago Hotel and Tourism Association, the Tobago Chamber of Commerce, the Rape Crisis Society, Families in Action, People Helping People, as well as a number of individual clubs and organizations in Trinidad and Tobago. This stakeholder input was used to further refine the gambling control policy and then a consultant was then retained to prepare the drafting brief, which was used to produce the Gambling (Gaming and Betting) Control Bill, 2015.

So, Mr. Speaker, we did quite an enormous amount of work over the past two years in order to get us to this point where we think we have a Bill that is in a form that we can properly lay before this honourable House. In dealing with various aspects of the Bill, I would address about six general areas; the first being the regulator and the regulatory regime, the second being the licensing regime, the third being the protection of the vulnerable and how that would work, the fourth is consumer protection and the elements that we have in the Bill to deal with consumer protection, the fifth will be anti-money laundering considerations and how we propose to deal with those, and, sixthly, will be enforcement, and there is a wide range of issues relating to enforcement.

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So, with respect to—if I may start with the Regulator—the Regulatory Commission that I mentioned earlier will be managed by a board consisting of nine persons. In the Act we have asked that this board be appointed by the Minister, but we are open to further consideration on the matter. The gambling and control Commissioner will be the Chief Executive Officer of the Commission, and this regulator’s role will be to regulate and control the operation of gambling in Trinidad and Tobago and to address the harmful and negative effects of gambling. The Regulator will have extensive powers to license gambling establishments and their principals, so, therefore, the persons who own and operate these gaming establishments will be required to be licensed.

The Regulator will be empowered to ensure the fitness and propriety of key personnel in these gambling establishments. The Regulator would also be required to supervise the gambling establishments, to ensure robustness of their *AML/CFT* frameworks, and their compliance with laws, regulations and guidelines. The Regulator will also ensure that a proper levy collection regime is in place, and we have outlined this in the documentation. For the time being, what I have done is, I have retained the existing levies which had been passed in the previous budgets, and we will, over time, have the Gambling (Gaming and Betting) Control Commission review those particular levies as we go forward. The Regulator will be required to deal decisively and quickly with unscrupulous operators, and some of the enforcement powers that the Regulator will have is in the Act, and I will speak to some of those later on.

The Regulator, also, would have a responsibility to take steps to protect the vulnerable and to ensure that steps are taken to protect the vulnerable, and to ensure that consumers are protected, and licensed activities are conducted in a fair and honest manner. Of course, the regulator would have the power to grant, suspend, amend, or attach conditions to or revoke licences governing all aspects of the gambling industry, and to impose administrative penalties on the licensees. The Commission will, of course, also be able to collect fees, levies and penalties, and any other charges in respect of gaming and betting, and will have extensive inspection powers. This is important for members of the listening public on television, as well as elsewhere, to be aware that the Regulator will have extensive powers to inspect books, records and documents in any format, and to inspect licensed premises and gambling devices and equipment. The Regulator may seize or impound any betting or gaming machine, or gaming device for examination or inspection, and may undertake any activity necessary to assess whether an offence is being committed under the Act.

There are quite a number of other requirements of the Regulator in terms of reporting, in terms of management of funds, and so on, but those are more administrative matters which I will leave for an appropriate reading of the Bill. I would like to move now to the issue of the licensing regime. Mr. Speaker, we have put a very comprehensive licensing regime in place. A restrictive licensing regime will be created and an independent regulatory authority, as I said, will be given extensive licensing and inspection powers, as outlined before, as well as powers to impose administrative penalties. The Commission will also have the power to issue licences for premises, operators, owners, suppliers and service providers. This is important for persons to be aware of, you know, you may think that you are a service provider and, therefore, you are not caught under the ambit of the Act, but, today, as banks and insurance companies are finding out, you are not only required to know your customers, but you are required to know your customers' customers, and these are some things that are becoming more and more prevalent requirements—becoming more and more prevalent as we go forward.

There is a comprehensive framework, licensing framework, with applications, investigations, a process for objections, a process for licence renewals—which members of the association would need to familiarize themselves with—the method of suspensions and revocations, the process for appeals, and all other matters pertinent to the licensing framework will now be areas where the owners and operators, as well as persons who manage some of these organizations, will be required to make themselves very familiar. There will be several categories of operating licences. There will be a licence for ownership, what we call Gaming Owners Licence, to own a gaming establishment. You will then have to have an Operator's Licence for the operation of gambling of the gambling establishment. You would need to have a Bookmakers Licence where you are conducting betting activities, except pool betting. Then you will have a Promoters Licence which will deal with pool betting activities; Gaming Machine Operating Licence to sell or lease gaming machines; Gaming Machine Distributor Licence to import and supply licensed gaming machines, gaming component and related equipment; a Technical Operators Licence to install, maintain or repair devices; a Premises Licence to conduct gambling activities on premises, and, of course, the Commission can determine any other licence that they think would be appropriate, subject to certain controls, in order to ensure the appropriate management and control of the industry.

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Those are operating licences, but then you will also have personal licences, and personal licences will be required for directors, associates and key employees; people like, for example, the Managing Director or the Manager of the operation will have to be licensed independently. So, while it may appear to be an onerous licensing regime, Mr. Speaker, the fact is that this is in keeping with what occurs in every other part of the world, throughout the world, whether it is Australia, whether it is Canada, whether it is the United States, whether it is the United Kingdom, whether it is Europe, you need to have this kind of licensing regime in place because of the concerns, particularly about anti-money laundering, or about money laundering, and about terrorism financing.

We know that these are very topical issues, and, therefore, there are areas that we, as the Government of Trinidad and Tobago, if we are to ensure that our banks or financial institutions of all types are not to be blacklisted if they try to do business in any other jurisdiction, they must come from a jurisdiction where the issue of control of money laundering and terrorism financing is very stringent. Therefore, what we are putting in place is what is required to be put in place if you are going to operate in any part of the world.

To obtain a Gaming Owners Licence, a Bookmakers Licence or a Promoters Licence, the applicant must be a company incorporated under the laws of Trinidad and Tobago. To obtain any of the other types of licences, that I mentioned, the applicant must be a person who is 18 years of age and older, or is a company incorporated under the laws of Trinidad and Tobago. Background investigations, and quite extensive background investigations, will be carried out on every applicant, and any proposed or existing employee or associate who will be involved in the business, and they must assist in the investigation by submitting to an interview, by providing any information and documents requested by the Commission, by having their photograph, finger and palm prints taken, and by facilitating inspection and assessment of premises. Failure to comply will result in the rejection of the application. And, again, Mr. Speaker, these are normal requirements. When I, myself, was in the banking sector and we were establishing a bank in one of the offshore jurisdictions, for me to be able to get a licence, I had to go in the Belmont Police Station and have all 10 fingers certainly put on record before I could get a licence—not me, but the bank which I represented could get a licence to operate in the jurisdiction.

So these are, in a sense, late developments for us here in terms of this particular type of regime, but it is a regime that is widespread and well recognized and accepted in other parts of the world.

2.00 p.m.

We will, of course, allow for objections, and this is something that we need to be aware of; therefore gaming establishments will have to recognize the fact that they would need to perhaps develop very good working relationships with the communities in which they operate. For you to get a licence, there will have to be a hearing, and the application will be open to the public, and interested parties can object to the granting of the licence. It does not mean that because they object the licence will not be granted, but what it means is that they will have an opportunity to be heard and then a decision will be made on that basis.

Objections may be mounted by residents, by business owners, school principals, teachers—because many teachers have expressed concerns about young people under the age of 18, being allowed to wander into some of the establishments where gaming activities are carried on—parents of a student, representatives of any religious group in the area, municipal corporations and regional corporations will be able to object. Of course, in Tobago, the Tobago House of Assembly may object if it so chooses, and any other interested parties.

I just outlined some of the persons, and that will include churches and other types of organizations and individuals and persons within any particular community. Therefore it will be important for establishments to ensure that they manage the business in a particular kind of way, and also that they develop working relationships with the communities in which they operate, so that the concerns that individuals have about the possible negative social consequences of the business will be alleviated or attenuated to a large extent.

The commission as part of this whole licensing regime that I am speaking to, will review, suspend or revoke a licence where it has reason to believe that activities are not being conducted in accordance with a condition of the licence, that a licensee or a person who exercises a function in connection with a licence's activities has been convicted of a criminal offence, that a licensee may be unsuitable to carry on their licensed business, for whatever reason, or if in their view simply that such a review would be appropriate, for whatever reason. It could be that they may not have enough evidence, but they may have concerns that they would wish to engage in some kind of dialogue with the particular gaming establishment about.

The licensee must be notified of the review and given an opportunity to make a representation. In the interest of natural justice, even where we say that we are going to have this regime, at all times the licensee must be notified of the review,

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it cannot be something done in secret, and in making some kind of decision, their decision must be made after having given the licensee an opportunity to make representations as far as this particular matter is concerned.

Some of the issues that may come up now once the commission has reviewed the licence: the commission may give the holder of the operating licence a warning; they may attach an additional condition to the licence to ensure that perhaps whatever might be the issue that needs to be addressed, that we have appropriate safeguards to deal with those issues going forward, or they may remove or amend the licence or have an exclusion attached to a licence. So they may exclude a particular type of activity which may have been previously licensed before. In serious instances, the commission may suspend the licence for a period of time, revoke the licence or impose a penalty.

Mr. Speaker, what are the grounds for revocation? I think it is important for us to just mention those: failure to meet the stipulated licence criteria; failure to comply with obligations under the Act or regulations; failure to pay fees or levies due; provision—and this is important—of false, misleading or inaccurate information and, in fact, there could be, depending on the circumstances, quite hefty fines associated with this particular area. In one instance, I have seen a fine in the legislation as high as \$25 million.

The licensee could be put in receivership. The licence could be revoked if the licensee is put in receivership. If the interest of customers are threatened—and this is important, because we thought it was very important for us that the interests of customers, the people who patronize these establishments, are taken into consideration. We thought it was important that we deal with that—and, of course, where the licensee is convicted of a criminal offence.

Again, the licensee must be notified where the commission believes there are grounds for revocation of the licence, and must be given the opportunity to make representations in writing. What we have done, of course, as is required in any democratic environment, is to give the licensee the right to appeal any such decision of the commission to the High Court, so that the rights of the owners and the licensees continue to be protected. We need to ensure that that is so.

I turn now, Mr. Speaker, to the issue of protection of the vulnerable. There will be an absolute restriction, as I said before, on gambling by minors and on the employment of minors in gambling establishments. A minor is a person who is under 18 years of age, and the Act makes it a criminal offence to invite, cause or permit a minor to gamble. This includes, interestingly, sending materials,

advertising or providing information about gambling to a minor—therefore that is something that needs to be managed—allowing a minor to enter a licensee’s premises for the purpose of gambling will be against the law, and employing a minor to perform any function relating to gambling or to employ a minor to perform any function at a premises of a casino, a gaming hall, a gaming lounge or betting shop.

It means therefore that owners and licensees will have to ensure that anyone who they hire to do anything or who they may invite or who they may allow to enter onto their premises, that they are very clear these persons are over 18 years of age and, therefore they will be required—many of us know when we travel, you go to the United States or Canada or any of these countries, if you order a beer, unless you look like me, they will ask you for your driver’s permit or something, so they could make sure you are over 18 years of age. [*Laughter*]

One of the things, Mr. Speaker that we will be putting in place is two funds, a rehabilitation fund and a development fund. The rehabilitation fund will support initiatives by NGOs and the allocation and the contribution by the gaming establishments, the gambling establishments, will be two and a half and 5 per cent respectively of their income to the support of these funds. The rehabilitation fund will support the initiatives by non-governmental organizations to help persons and families suffering the effects of gambling addiction through preventative measures. So we will use the money from this fund to develop and propagate preventative measures such as awareness and education programmes, as well as rehabilitative programmes to deal with gambling addictions. The second fund which we will be putting in place, to which the establishments would be required to contribute, will provide assistance for sports development, arts and culture and community development.

Funds will be managed by a committee of five to nine members appointed by the Minister with experience and qualifications in addiction, and gambling addiction particularly, sports development, arts and culture, finance and accounting and, of course, community development. The funds will present audited accounts and report to the Minister annually and the Minister shall in turn report to Parliament on the use of these funds.

As part of our continuing effort to ensure consumer protection, codes of conduct will be developed. The commission will create codes of conduct and policies to ensure fairness in the conduct of gambling, and informed consumer participation governing matters such as advertising of gambling, provision of information, so customers can make informed choices, and publication of

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gambling odds. So you would need to say if they were to participate what are the odds of people winning.

It shall be mandatory for any gambling establishment to make available to patrons the rules of every game at a prominently accessible location on the premises; to prominently display minimum and maximum betting wagers for every game and to provide such guidance and assistance to patrons as to enable them to decide on the merits of playing a game, as decided by the commission.

The Act, I suppose it should go without saying, makes it a criminal offence to cheat at gaming or betting, in particular by deception or interference with the process by which gambling is conducted, or with a gambling machine or device. So you cannot rig the machines, it will be a criminal offence.

As I indicated, Mr. Speaker, our AML and CFT provisions are quite comprehensive and well-defined, but what it will do for us is ensure that the persons who own and operate these establishments will be able to bank comfortably with any financial institution, because these financial institutions will be aware that these organizations have the type of money laundering arrangements in place that will protect the financial institutions from any charges of them being complicit in AML, CFT violations.

The licensing and supervision compliance and enforcement processes are designed to prevent gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime, by ensuring that only suitable applicants would be granted operating licences—as I said, we will have a process for ensuring that you are suitable, before you get the licence—to ensure the ongoing assessment of the suitability of licence holders, as part of the commission's compliance activities; that the suitability of licence holders will be reconsidered in the light of any subsequent criminal activity and to ensure AML/CFT compliance by licensees.

The commission will have the ability to undertake in-depth background investigations into an applicant's financial business and taxation history, as well as any criminal or other records. So this will be a part of the process which owners and operators and senior managers of gambling establishments will have to undergo.

The gaming licence application process and subsequent investigation is really just intended to prevent organized crime from infiltrating the industry, and we know the potential for that being so.

2.15 p.m.

Mr. Speaker, the application criteria will be, as I said, very stringent, including rigorous fit and proper criteria. You know, right now in the banks you cannot manage a bank unless you meet certain fit and proper criteria. This will now be extended to gambling and gaming institutions in Trinidad and Tobago. So, literally if you are a managing director of the gambling establishment you will go through the same process as if you are the managing director of a bank, you will have to go through all of the processes that are required to ensure that you are fit and proper.

As I said you would be required to submit in-depth background information on your financial business and taxation history as well as any other criminal or other relevant records, and any failure to cooperate will lead to rejection of the application. And as I said there will be extensive interviews that would be part of this process. We also, as I said, the AML/CFT provisions will be extended to, again, I quote just for clarification:

Owners, directors of the companies that will be operating these establishments, significant shareholders—and a significant shareholder will be anybody who owns 5 per cent or more of the gambling establishment, associates of the organization, trustees of the organization, and as I said, senior managers or key employees of the licensee.

So, I just thought I should emphasize that again because it does now extend to employees of the institution.

Mr. Speaker: You have three more minutes.

Sen. The Hon. L. Howai: Okay. Thank you, Mr. Speaker. As I said, the AML/CFT provisions are quite extensive and will be ongoing. So, it is not that okay you have now complied, you have gotten the licence, and everything is all right. It means that you will have to continue to ensure that you manage your business and you conduct your business in such a way as to ensure that you can continue to hold the licence.

There are a number of powers which the commission will have for enforcement, which will allow them the right to inspect licensed premises, to monitor activities, and the right to have access to and examine documents, records and devices. And because of this and these enforcement provisions which gives an authorized person, as authorized by the commission, the power to enter and inspect any licensed premises, to monitor activities, as I said, examine machines,

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take copies of documents, records or information, investigate complaints and remove and retain anything that they reasonably believe is being used or has been used to commit an offence. Mr. Speaker, this Bill requires a three-fifths majority.

There are extensive criminal penalties, offering betting or gaming activities in public places without a licence, allowing minors to participate in gambling, employing minors in gambling activities and so on. So, all of those are quite extensive. There will also be in-depth transitional arrangements, because clearly we cannot put ourselves in a situation where we compromise the current establishments that exist in Trinidad and Tobago, so there will be transitional arrangements which I do not have time to go into but which will ensure that there is smooth transition for existing establishments into the new regime, and there are a few consequential amendments. Amendments to the Gambling and Betting Act, which will require—which, again, I do not have the time to go into but which is well developed and expanded on in the legislation.

In conclusion, Mr. Speaker, what we would see here with this Bill, is a robust governance structure with strict licensing and enforcement arrangements in line with our public policy objectives and international standards, with stringent measures in place to address the industries vulnerability to money laundering and terrorist financing, to prevent criminal and corrupt element from infiltrating the sector, to protect the vulnerable and ensure that gaming is conducted honestly and fairly. It will also ensure that gambling remains a legitimate form of entertainment for Trinidad and Tobago within the context of what we have here.

I think I have 20 seconds, Mr. Speaker, so the emphasis on this Bill is ensuring that criminal and subversive elements do not infiltrate the industry, will protect consumers and protect the vulnerable.

With those words, Mr. Speaker, I beg to move. [*Desk thumping*]

Question proposed.

The Minister of Transport (Hon. Stephen Cadiz): Thank you, Mr. Speaker. I am very glad to join this debate and I want to declare my interest upfront, I am not a gambler, but not that I am against gambling, but just to let you know from where I will be coming from.

The two previous Ministerial positions that I held in trade and in tourism, gambling came into both of those Ministries, they were part of both of those Ministries, since we had the horse racing industry under the Ministry of Trade, and then of course in the tourism industry. Again, we see our Caribbean

neighbours like Aruba and St. Maarten, Santo Domingo, Puerto Rico, all have an extensive gambling industry, which adds to the offer for tourism.

So, it is not new to me, and what also is not new to me is the current conditions of the industry, and I think for some time now Trinidad and Tobago has been—maybe using the word “battling” might be a bit strong, but really and truly looking at how to bring some order and control into the industry, I think it was in the previous regime, the then Prime Minister, I think, caught a “vaps” one day and I think the industry was at risk of being actually closed down, because he felt that there was no control. So, whether or not it was for regulatory reasons or for religious reasons, or whatever, but there was some talk about what we know as gambling, the casino gambling business, and I think even horse racing, those industries might have been closed down.

So, I do not support the closure of it, but I do without a doubt support regulation. And as the Minister of Finance and the Economy in his presentation, when he spoke about money laundering and terrorism of how easy it is right now under the present situation, or lack of controls, of how easy it is really and truly for the industry to be laundering and also at some stage the possibility of financing other illegal activities like terrorism.

So, control, yes; bringing it under control without a doubt for the State to be able to earn or get its taxes that are due to the State, to be able to do it in a managed way, I think is absolutely essential. But, of course, like everything else, once an industry is properly managed and controlled the industry can thrive. So, by putting in controls and putting in regulations, and taxing the industry more than how they are being taxed now is not by any means the death of the industry.

As the Minister of Finance and the Economy indicated, there will be more investments coming into the industry when people understand that the industry is in fact a well-controlled managed industry, and therefore what we would see with the passing of this Bill is an expansion of the current gaming industry in Trinidad and Tobago, in a much more defined and regulated manner.

So, we all know, and I do not think—again, it is nothing new that we all know there is and has been abuse of the current antiquated member’s club legislation. I understand that going into a members’ club, well, up until recently literally you had to become a member at the door. That is what the regulation or that is what the law allowed, and you just walk up to the door, would you like to be a member? Yes, and you sign your membership form right there and all of a sudden you are a member, so you are allowed in the club.

And, of course that is an abuse of the system. So, here it is that for decades we have operated under a system that really and truly does not add any value whatsoever to the industry, and what has happened also, you know, you hear the industry saying, we are legitimate casinos members, and we are legitimate members' clubs. But how legitimate are you as against the person operating a garage operation around the corner? It is the same member club legislation, and therefore whether or not you have a nice, big facility with air conditioning, and bars, and restaurants, and parking, and security, and what have you, as against the person around the corner operating under the same legislation, you basically in the same boat. So, again, with this Bill it seeks to regulate the industry where all are now equal, all are going to come under a very strict authority of the gaming authority that this legislation wants to establish.

Mr. Speaker, there are about, from what we understand, 120 so-called establishments, let me use that word. About 120 so-called establishments of various sizes and degrees of operation. Some offer full-blown gambling services and others have slot machines or roulette machines, or whatever it is and they are limited in the type of gambling that you can have there. But, the fact is, that there are about 120, and the Minister of Finance and the Economy, I think he quoted about 7,000 people operating in the industry and, again, you are talking about another 30,000 dependant on the industry by supplying goods and services to the industry, so you have the direct employment of about 7,000 people. Then he also spoke about what is escaping the revenue net upwards of maybe \$400 million. And when I say escaping, it is because the legislation is not tight enough that there are numerous loopholes in the system whereby the Government and the State does not realize the full potential of the industry.

So, these are things that we have to look at, and then, of course, without the necessary controls or audits, what happens with the gaming machines themselves, because there is no legislation to govern how the gaming machines are set, how they are serviced, what is operating at 100 per cent efficiency, what is not and, again, the authority would bring all of that under control whereby anybody going into an establishment at least feels—I do not know if you want to say, again, feels safe, but feels that there is a better chance—now that this industry is being regulated—coming out smiling rather than always coming out vex. So, it is something that we would fully support.

Then, of course, the issue of the money laundering, and with money laundering comes all kinds of other activities: drugs and prostitution and all the very negative sides of the gaming industry. So, again that is something that we

have to find a way to deal with all of that, and I do feel that when you read this Bill, that this Bill speaks to bringing the industry under this authority to be able to control a lot of the negative side of the industry.

So, Mr. Speaker, when you go through this Bill, in the Explanatory Note, it says that it is recognized too that these sectors have the potential to contribute meaningfully and positively to the national economy if regulated effectively by creating employment prospects not only in the sector but in other sectors servicing that sector thereby creating greater tax revenues. So, there is also besides the actual employment, then, of course, you are talking about the receipts to the State.

One of the things that struck me when I was looking at the Bill is the issue—and in the definitions—of a vulnerable person, and, again finally recognizing that there are people who are weak, they might not just be a weekend or once every now and again, a user of the establishment, this is that they have an illness, and it is recognized that that is very much part and parcel of the gaming industry. In the United States it is estimated that 1 per cent of the population is addicted to gambling. And, you know, when you think of it, if you use that as a benchmark for Trinidad, and say, well, look, if that is the case then is that an international standard, then just think about where we are in Trinidad and Tobago with 1.3 million people.

2.30 p.m.

But you do have people who, in fact, do get addicted to gambling and this Bill speaks again to that person.

“Vulnerable person’ means a person who exhibits an addiction to gambling as evidenced by—

- (a) his indebtedness to an extent that he cannot pay gambling related debts; and
- (b) his inability to—
 - (i) meet his basic needs or family obligations because of gambling related debts; or
 - (ii) meet the obligations of his job because of his addiction to gambling.”

This is serious business, that you have an industry that has a very negative side of it and if it is going to have a very negative side of it in the legislation or in any regulation we have to be able to speak to that, recognize that, deal with it and face it head-on.

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The Bill then goes on, of course, and I am going to go through the Bill, not clause by clause, by any means, but just go through the various clauses of where the Gambling (Gaming and Betting) Control Commission, where it is established and then, of course, there is the whole structure there with chairman and deputy chairman, members, various members being appointed, and therefore there is that control by this gaming commission of being able to set the standards of the gaming industry as we go along.

Then there is the issue of the licensing regime of the various licenses—numerous different licenses. You have:

- (a) a Gaming Operators License...
- (b) a Gaming Owners License...
- (c) a Bookmakers License...
- (d) a Promoters License...
- (e) a Gaming Machine Operating License...
- (f) a Gaming Machine Distributor License...
- (g) a Technical Operators License...
- (h) a Premises License...
- (i) ...Personal License...and
- (j) any other licence as the Commission may stipulate from time to time..."

So again it is bringing everything under control. You will fall under one of the various licenses that are there, if not multiple. So again we speak about regulation.

The location, I was told today that there are—well there are two establishments that jump out. There is one on Independence Square, which is on the main thoroughfare of people going to and from work, et cetera. Is that really and truly where we should be having—I am not going to judge that, but I am just saying—is that a place that we should have a casino? Downtown, where people are going home or walking past the casino, is that a right place for it?

Then there is another one in Newtown which is obliquely across from a primary school, okay. Is that right? And I think the gaming industry, the owners of the various casinos, et cetera, will start to think more and say, this is not right, we should not have a gaming establishment obliquely across, right across the road from a primary school. It just does not fit it. It is like having a bar opposite a school. It is just not right for that to be like that.

So when we talk about location, the persons will be able to object to a gaming establishment being established in their particular neighbourhood for whatever reason. They can write the Commission and object to it. So again it gives the residents of the area or the municipality or whatever they are saying, that they object to having a particular gaming establishment in this particular place, not that they are going to ban again, this is not about banning the establishments, but by putting control in it. And therefore if it is a school area, that is not the place for a casino, it is just not the place.

Mr. Sharma: What about a mandir?

Hon. S. Cadiz: School, mandir, temple, church, mosque, NGO anything, whatever, anytime you feel there is an issue with it.

We spoke about the Commission being able to carry out investigations of the applicant and any proposed or existing associate or employee. Again, about checking people. Who are these people? Who are the people operating this industry? And, again, there is nothing wrong with that. It is cleaning up the industry, let the industry be able to stand up to scrutiny at all times.

Then we talk about the issue of taxes, the payment of taxes, and again when we talk about the receipts, for instance, that the Government receives now as against what it actually should be, and therefore in Part VI, clause 66, it states, and I am not going to read it, but it is all there about what the taxes on gambling tables and other devices, what those are going to be? And I am pretty sure that the persons who operate a successful casino will understand that there is a cost to operating, like everything else and therefore fair is fair. If the Government takes a—if it is a fair thing on the taxes then really and truly nobody should really and truly be overly concerned about that. And, of course, the Minister also spoke about the rehabilitation fund and the development fund. And again very, very critical. So when we talk about the vulnerable person:

“The Rehabilitation Fund is established to assist non-governmental organizations and other groups working with vulnerable persons and their families suffering the effects of gambling addiction and other forms of harm or exploitation associated with gambling.”

People tell me serious gamblers would bet which fly is going to go on the mango first. They will see two flies flying around in a room, which one will go on—and that is addiction.

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So when you have a situation like that where it is chronic, you could imagine people, I do not care how much money you are earning, I do not care if you are a senior executive earning that level of salary or you are a labourer, the fact of the matter is, if you have a gambling addiction it needs to be dealt with. Just like alcohol addiction, just like drug addiction or any other type of addiction. And therefore through the Commission, this gaming control commission, the Rehabilitation Fund will be established to assist people.

And again that is par for the course in all other jurisdictions or many of them in developed countries have where either the gaming industry pays for it or somehow money is channeled to these rehab funds for people with the various addictions, and in this case gambling addiction. And then the Development Fund Committee which, of course, will be for sports and culture, in helping fund sports, culture and the arts. So finally, the arts, culture and sport will have, again, additional funding coming in to assist them. And I think that is very, very laudable and I would really like to thank the Minister for ensuring that those two funds are here in the Act.

Then of course we go down to the accounts on audit. When we are talking about the funds there is a procedure, there is a process by which these funds are going to be disbursed for the rehab fund and the Development Fund. Again, that is going to be very structured so it will be properly managed.

One of the areas that the Minister spoke about, of course, is the area of cheating, and how many times have we heard, I mean again, me, not being a gambler, but you are still hearing the talk about people going into a casino, winning at a table, winning X amount of dollars at the table, and then all of a sudden somebody comes and tells them, well, you know the ceiling in this casino is X. So when the person thought that they would have won X amount of dollars, \$20,000 or something like that, and all of a sudden the ceiling at the payout is \$10,000 or \$15,000. That is cheating, fraud, robbery, I do not know how you want to call it, but as far as I know that would be cheating.

And therefore when we talk about cheating in the casinos, whether it is through that type of instance; whether the tables are being interfered with; whether the machines have been interfered with, the whole aspect of cheating is going to be dealt with here. And therefore the person patronizing, anybody patronizing in the facility and the establishment will feel more secure that at least I have—it is a game of chance—so I have a better chance of winning here, knowing fully well that cheating is a crime under this Bill and I am not too sure what the fines are, but knowing the Minister of Finance and the Economy, I think

the fines will be substantial when it comes to issues of cheating. Therefore establishments will look at this in a totally different way, bringing order and management into the system.

So these are very laudable, this Bill really and truly in dealing, in trying to put management and order into the system, I think that this Bill very much serves the purpose. Then we talk about minors, about a person under this:

“...Act, a minor is a person who is under” the age of—“eighteen years...”

And the Bill provides where you cannot own a casino if you are under 18 years. You cannot get a license for a casino if you are under 18 years. You cannot enter a casino if you are under 18 years. And therefore that—from where it is that we have children at risk, the Bill seeks to deal with that. So you cannot work, you cannot go into the casino, you cannot gamble if you are under 18 years old.

So, all in all it covers all aspects, I would think, of gambling, and I think the industry, the gaming industry should be very happy with this Bill the way it is structured. I think the gaming industry, for those persons who are serious in the industry they understand that this Bill will also weed out the fly-by-nighters. It will also eradicate people who are in this business for illegal and illicit means. And again from where it is that the owners of these establishments want to run a solid business, the Act speaks to that. To create the controls, putting in the controls, et cetera, to make sure that that does in fact happen.

So, Mr. Speaker, the industry therefore, if properly controlled and administered, it can bring significant benefits to the country. It can bring significant employment, and if it is that we are now employing 7,000 people, roughly, with a properly structured industry that might very well double.

I understand that a lot of the people who work in the industry are women, and therefore it will create all kinds of other opportunities for women, and I hope the gaming industry, as the Prime Minister made the statement the other day, that they pay equal, the remuneration packages, there is equity in the remuneration package so women are earning the exact same money as men and not the other way around. I hope the gaming industry—it is not in the Bill, but I hope that, and I think the Minister of Labour and Small and Micro Enterprise Development—

Mr. McLeod: You are not talking about equity, you are talking about equality.

Hon. S. Cadiz: Equality, that there is equality in the system. So significant employment opportunities in all aspects of the industry we will be gaining that.

What about the tourism industry. Again, many, many people, a huge percentage of people who travel, tourist gaming, they might not actually go for the gaming only, but if there is a regulated gaming industry at that destination it is highly likely that you are going to see more tourist coming in, more hotels being built, more jobs being created. Of course, the hotel industry is a massive employer and therefore you are going to see quite a significant increase in the hotel industry, with new hotels being built, new resorts being built, because again the gaming industry lends itself to a resort-type business. So again it is all very, very positive.

So, Mr. Speaker, there is really and truly, when you look at this Bill it is not that we are going to over regulate, and as I said before this is not about shutting down any industry, this is about bringing law and order and management to the industry. The gaming industry, of course, can make a significant contribution to the development of the country. You know, when you look at what the taxes and licensing fees, et cetera, when you look at the city of Las Vegas, in Nevada, if you remove the gaming industry out of Las Vegas, I am not too sure Las Vegas will actually survive. But Las Vegas now is not only about gaming. Las Vegas is about everything else even though they say, whatever you do in Las Vegas it stays in Las Vegas. Right, Member for Tobago West.

Hon. Member: It is true.

Hon. S. Cadiz: No, the fact of the matter is that a huge business, a huge tourism business has been created in the City of Las Vegas, in Nevada, and gaming is probably, I am pretty sure that if you look at what gaming represents when it comes to Las Vegas, it is starting to turn, where gaming was at 100 per cent of the income and now you start seeing entertainment of all types and shopping and everything else in Las Vegas.

So it does have that possibility of creating a much more vibrant industry in all aspects.

2.45 p.m.

So, Mr. Speaker, a Gaming Authority, without a doubt, is an important and integral part of a successful gaming industry and with the right and competent

persons at the helm with integrity and good business ethics, the industry can be properly developed, but it must be done so holistically, so that all aspects of the development and nurturing can be covered.

So, again, the investment in the industry, we really and truly have to look at what is going to be required; how do you manage these establishments; what type of people, training, experience and education are you going to need in the gaming industry. Because with it being regulated, again, it lends itself to all kinds of new investment which means these huge opportunities on all aspects.

So as far as the labour market is concerned, we would need to see the gaming industry understand their requirements and not necessarily start to say that they need to import labour. We have enough experienced, qualified, bright people in Trinidad and Tobago that can be very much part and parcel of a successful gaming industry. And it means, then, that the owners, in recognizing that, maybe could come back to the Government and to say, “Well, look, now that we have done this, we are going to see a huge increase in the employment opportunities in the gaming industry and, therefore, we would want to have other types of training and education for the industry.”

So, Mr. Speaker, I just want to commend the Minister of Finance and the Economy in bringing this very, very critical, very important Bill to the Parliament, a Bill long time in coming. There have been too many questions being asked about the gaming industry, and finally we have a Bill here that will answer and deal with all of those questions, and we will have a—soon, with the passing of this Bill—very successful, a very healthy and a gaming industry that will allow, again, for new investment.

Mr. Speaker, I thank you. [*Desk thumping*]

Mr. Speaker: The hon. Member for Couva South. [*Desk thumping*]

The Minister of State in the Ministry of Finance and the Economy (Hon. Rudranath Indarsingh): Thank you very much, Mr. Speaker, as I join the debate on this very important piece of legislation, the Gambling (Gaming and Betting) Control Bill of 2015, a Bill which focuses to provide for the establishment of the Gambling (Gaming and Betting) Control Commission for the purpose of regulating the gaming and betting sectors which are both on a global and international level, vulnerable to infiltration by money launderers and also the very topical issues—well, both are very topical issues in the context of money laundering and terrorist financing. There will always be an ongoing debate, or a raging debate, as it relates to the issue of gambling and whether gambling serves

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the interest of a society, families, minors, the vulnerable and also the economy of a country.

But before I go on, it is important to—and I think today again shows the lack of commitment on the part of the Opposition to the people of Trinidad and Tobago. Their continued absence from the Parliament of Trinidad and Tobago sends a signal that, indeed, they are not interested in the issues that have a very important role for the people of this country. Because we have heard the importance of the gaming industry and the casinos or the private members' clubs in relation to the level of employment that they provide. Approximately 10,000 persons are employed in this industry and, in addition to the fact that 10,000 persons are employed in the industry, statistics will point you in the direction where 71.4 per cent of these workers are women and 70 per cent of the workers are single mothers, and children depend on these single mothers and dependence, too, is in excess of three persons per worker.

That is why it is important to, again, examine whether the Opposition is really serious about focusing on being the alternative government of Trinidad and Tobago because I think that all the players within the context of the gaming sector would want to hear from the Opposition, what is their position as it relates to this particular piece of legislation which has been presented so well by the Minister of Finance and the Economy.

I want to quote from an article that was written by Mr. Clint Chan Tack, on Tuesday, October 02, 2012, and it says, under the headline: “Rowley: Government dishonest”, and I quote directly from the article which says, and I quote:

“On the plans to increase taxes on the gaming industry, Rowley declared, ‘That is part of the national hypocrisy where we are pretending that we are against casino gambling, when in fact we have a roaring casino gambling industry in this country which does not to have legislation covering it or controls’.”

And the article goes on to focus:

“Saying this industry poses a big problem...”

And it quotes the Leader of the Opposition and the Member for Diego Martin West. And I quote:

“‘because it can be the source of some very serious underhand activity’, Rowley said the State is continuing to tax it on an ongoing basis ‘while not admitting there is a casino industry’.”

And I thought, Mr. Speaker, that taking the importance of this particular piece of legislation, we would have wanted to hear from them whether they are in support of this particular piece of legislation, or have they changed their position on the industry because it is always important to understand the history of the PNM as to how they deal with persons who are the workers in the society. Because we must never forget—and this is why they would have missed a golden opportunity to make their position clear, not only to the Government, but to the national community because we must ask—and I think that all players within the gaming sector must ask—“has the PNM changed its position on the issue of casinos and private members’ clubs in Trinidad and Tobago?” Because you have to go back to understand what has been the position of the PNM.

And whilst I quoted the present leader of the PNM and the Leader of the Opposition, I also want to go back and focus on the then Prime Minister, Prime Minister Manning, in 2006, and again to quote from *Newsday* of October 14, 2006—[*Interruption*]

ARRANGEMENT OF BUSINESS

Mr. Speaker: Hon. Members, I seek your leave to revert to the item of business, “Statements by Ministers”. Do I have the leave of the House?

Assent indicated.

I now call on the hon. Prime Minister. [*Desk thumping*]

STATEMENT BY MINISTER

Mr. Jack Warner (Provisional Arrest)

The Prime Minister (Hon. Kamla Persad-Bissessar SC): I thank you very much, Mr. Speaker. Mr. Speaker, it is with no pleasure that I make this statement in this honourable Chamber this afternoon to, through you, let Members know, and of course let the public know, that the Government of Trinidad and Tobago has received a request from the Government of the United States for the provisional arrest for the purposes of extradition of Trinidad and Tobago citizen Jack Warner, alias Austin Jack Warner, pursuant to the Extradition Treaty between the Government of the United States and the Government of Trinidad and Tobago, signed March 04, 1996, the Extradition Treaty.

Mr. Warner is wanted to stand trial for racketeering, wire fraud, and money laundering offences in the United States. Specifically, Mr. Warner is charged in the United States District Court for the Eastern District of New York, New York, in an indictment filed on May 20, 2015 with the following offences:

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Count 1: Conspiracy to knowingly agree to conduct or participate in racketeering activity relating to wire fraud and other offences which either engages in, or affects interstate or foreign commerce in violation of Title 18 United States Code, Section 1962(d).

Counts 9 and 23: Conspiracy to devise any scheme or artifice to defraud, including for the intangible right of honest services, using wire, radio or television communications to execute such scheme or artifice in violation of Title 18, United States Codes, sections 1343, 1346 and 1349.

Counts 10 and 11: Devising any scheme or artifice to defraud, using wire, radio or television communications to execute such scheme or artifice in violation of Title 18, United States Code, section 1343.

Counts 12 and 24: Conspiring to transport, transmit and transfer monetary instruments and funds from places inside the United States to and through places outside the United States and to places in the United States from and through places outside the United States, with the intent to promote the carrying on of specified, unlawful activity in violation of Title 18, United States Code, sections 1956(a), 2(a), and 1956(h).

Count 13: Transporting, transmitting and transferring monetary instruments and funds from places inside the United States to and through places outside the United States, and to places in the United States, from and through places outside the United States with the intent to promote the carrying on of specified unlawful activity in violation Title 18, United States Code, sections 1956(a), 2(a).

Mr. Speaker, each of these offences is punishable under the United States law by more than one year imprisonment. The indictment also contains forfeiture allegations pursuant to Title 18, United States Code, sections 981(a), 1(c), 982(a)(1), 982(a)(6), 982(b), 1963(a) and 1963(m). Title 21, United States Code, section 853(p) and Title 28, United States Code, section 2461.

On May 20, 2015, the United States District Court for the Eastern District of New York issued a warrant for the arrest of Mr. Warner, based on the charges in the indictment. The arrest warrant remains valid and executable.

Mr. Speaker, I am told by the hon. Attorney General that the request from the United States Government of our Central Authority for the issuing of the provisional arrest warrant for Mr. Warner, pending commencement of extradition proceedings, a request being made with respect to the extradition treaty, the provisional arrest warrant was issued and I am told by the hon. Attorney General that an arrest warrant is now in the hands of the Trinidad and Tobago Police Service for execution.

Mr. Speaker, I say it gives me no pleasure. The Member is a Member of this honourable House. The matter is now in the hands of law enforcement officials and judicial officers for due process according to the laws of Trinidad and Tobago.

I thank you very much, Mr. Speaker.

3.00 p.m.

GAMBLING (GAMING AND BETTING) CONTROL BILL, 2015

Mr. Speaker: The hon. Member for Couva South.

Hon. R. Indarsingh: Thank you, Mr. Speaker. I was on my legs and had indicated that based on—and I am sure that the more than 10,000 employees in the private members’ clubs and the over 70-odd clubs that we have operating in Trinidad and Tobago will want to know the position of the PNM as it relates to this particular piece of legislation which has been brought to the Parliament of Trinidad and Tobago, today. Because as I said, Mr. Speaker, the Leader of Opposition, that is the current Leader of the Opposition, has made his position clear in an article that was written in 2012 and, today, I wanted—and the PNM would have missed a golden opportunity to clarify for these 10,000 employees and their relatives and dependents what would be their position on this particular piece of legislation. Has it changed in relation to what was the position adopted by the then Prime Minister and political leader of the PNM, in the person of the Member for San Fernando East? Because within recent times—and I want to quote before I focus on the PNM of today—the then Prime Minister—and I quote from the article that was written by Mr Clint Chan Tack, Saturday, October 14, 2006:

“PRIME MINISTER Patrick Manning yesterday told protesting private members clubs and casino workers that the Government stands firm on its opposition against casinos and casino-type establishments and the local gaming industry will be restructured so it complies with the law.”

And also in 2011, again, from an article written by Geisha Kowlessar in the *Trinidad Guardian*, dated November 17, 2011, and I quote:

“Manning made another impassioned call to shut down the industry at a news conference at his San Fernando East constituency office two weeks ago. He also...we agreed to a five-year phase-out period. But since... May’—of—‘2010’—he indicated that—‘there has been a proliferation of casinos...’”

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That is the issue that I wanted to pose to the Leader of the Opposition and the PNM. Have they changed their position on the issue of gambling, and what is their position as it relates to this particular piece of legislation given the track record of the PNM in dealing with workers in Trinidad and Tobago?

The Leader of the Opposition in recent pronouncements and attempting to outline a vision 2030—which is really a rehash of the Vision 2020 that he and the PNM would have subscribed to when he fell under the leadership of the Member for San Fernando East—the Member for Diego Martin West has indicated that the rapid rail, the Revenue Authority, the Ministry of the People and Social Development, the Ministry of Local Government would all be—well, the rapid rail and the Revenue Authority would be brought back, but in the context of the Ministry of Local Government, the Ministry of the People and Social Development and the Ministry of Tobago Development, these Ministries would be shut down, forcing thousands of persons on the breadline and also a restructured public service and so on.

In keeping with the rehash of Vision 2020 into a new vision 2030 of the PNM, I think it would have been incumbent upon the PNM to declare their position today in relation to this particular piece of legislation and what is their position on the casino industry in Trinidad and Tobago. And I think that this is where the population of Trinidad and Tobago must hold the PNM accountable for their continuation of absconding their parliamentary responsibility and also in putting their position forward in a very clear and articulated manner to the national community of Trinidad and Tobago.

Mr. Speaker, it has been said and indicated that this particular piece of legislation will focus on the establishment of a licensed regime that will establish stringent criteria for obtaining a license which will assist in reducing the potential for money laundering and terrorism financing. The key features of the proposed legislation will focus on, and it is found in clause 5 of the Bill which focuses on the following:

- (a) to protect minors and other vulnerable persons from being harmed or exploited by gambling;”

And in this regard, I want to go directly to the legislation and turn my attention to pages 68 and 69, which in the legislation under Division 2 – Minors. It is under clauses 81, 82 and 83. It says:

“(1) for the purposes of this Act, a minor is a person who is under...eighteen years of age.”

81(2):

“A person commits an offence if he knowingly invites, causes or permits, whether directly or indirectly, a minor to gamble.”

And 81(3) tells you that:

“A person who contravenes subsection (2) commits an offence and is liable on summary conviction to a fine of three million dollars and to imprisonment for two years.”

And in addition, under clause 82:

“A person who knowingly invites, permits or causes a minor to enter licensed premises, other than a race track, commits an offence and is liable on summary conviction to a fine of three million dollars and to imprisonment for two years.”

Mr. Speaker, it goes on to outline under clause 83(2):

“A person commits an offence if he knowingly employs a minor to perform any function on premises in respect of which any of the following have effect:

- (a) a casino licence;
- (b) a gaming lounge licence;
- (c) a betting shop licence;
- (d) a bookmaker’s licence; or
- (e) an off-track betting shop...”

What this really tells you, Mr. Speaker, is that this Government is committed to protecting the youth, and we are exemplifying this in this particular clause in this legislation. And from the outset, this Government has really focused on the well-being of the child and going all out in our various pieces of legislation and so on to ensure that minors and children are indeed protected by our Prime Minister, the hon. Kamla Persad-Bissessar, and the People’s Partnership.

Mr. Speaker, it has not only been demonstrated in this particular piece or in these two clauses of this legislation, where we are sending a very strong message to the adults in the community that you must not engage in activities that would mislead our young, would mislead our minors and so on, we will deal with

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citizens in a very decisive manner, in a very strong manner if they are prepared to lead our children and our minors down the wrong road. Because as I said from day one, we have continued to focus on the well-being of the child through the vision, and leadership of the Prime Minister, clearly demonstrated in the establishment of the Children's Life Fund, which today has saved the lives of approximately 200 young children in Trinidad and Tobago.

In addition to that, Mr. Speaker, from the point of view of the protection of minors and so on, we have established the Children's Authority, we have through the Ministry of Gender, Youth and Child Development, Minister De Coteau, the Member of Parliament for Moruga/Tableland, has been pursuing an aggressive thrust in relation to policies and legislation to ensure that minors and children are protected within the society, and against predators who may seek to prey on the vulnerability of children.

In addition to the focus on children too, it has been seen in the overall vision of the Government in the pursuit of the educational thrust, where we have ensured that up till today 95,000 laptops have been successfully distributed to all successful primary school children in this country, and at a time when those on the other side, those within the PNM would have told you that this particular initiative would not have lasted one year when it was first launched by the hon. Prime Minister and the Member for Caroni East, the distinguished Minister of Education, who has ensured that universal early childhood education has become a primary source of delivery in terms of successful delivery for the young people and the minors of Trinidad and Tobago.

So from where I sit, Mr. Speaker, this particular clause in the legislation gives that sense of comfort, and I am sure that it will also give a sense of comfort to the adults within the community—the parents of the community— knowing fully well that their children are indeed protected if for some reason the adults or persons in the industry seek to engage in any kind of activity that will mislead their loved ones.

In addition to this, Mr. Speaker, the legislation focuses on ensuring that gambling is conducted in a fair and open and responsible manner. Also, in this regard, it is important that we bring some kind of protection too, to those persons who are actually participating in gaming or what we will call being involved in gambling.

In clauses 75 and 76 of this particular piece of proposed legislation, I wish to reiterate what has been the focus and thrust of this Government through this particular piece of legislation.

3.15 p.m.

And clause 75(1) states:

“A person commits an offence, if in the course of a business, he manufactures, supplies, installs or adapts gambling software without a licence issued under this Act.”

And 75(2) says, Mr. Speaker:

“For the purposes of this section, ‘gambling software’ means computer software for use in connection with gambling but does not include anything for use solely in connection with a gambling machine.”

And clause 75(3) indicates:

“A person who contravenes subsection (1) commits an offence and is liable on summary conviction to a fine of five hundred thousand dollars and to imprisonment for six months.”

And clause 76(1):

“A person, whether a licensee or an associate of an employee or patron in, a gambling establishment, shall not cheat at any gambling activity.”

Clause 76(2):

“For the purposes of this Act, ‘cheating’ means to alter the selection criteria which determine—

- (a) the result of a game or race; or
- (b) the amount or frequency of payment in a game or race.

(3) A person shall not—

- (a) alter or misrepresent the outcome of a game or other event on which wagers have been made after the outcome is made sure, but before it is revealed to the players;”

Mr. Speaker, it goes on in (b), (c), (d), (e), (f), and (g) and so on to focus on this very critical issue of the potential of cheating and the implication or consequences if persons should engage, and the consequences they would be subjected to. Again, giving that strong message from the Government of Trinidad and Tobago that we are prepared to protect those whom, too, are participating in gaming or gambling, Mr. Speaker.

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In addition to this, we must see this piece of legislation in the context of our economy of Trinidad and Tobago. Trinidad and Tobago's economy cannot exist in "ah closed shop". The economy of Trinidad and Tobago exists within the framework of a global economy, and in that context, we have to display a sense of responsibility to the international community, and the treaty obligations that we have signed onto to ensure that we set the standards as it relates to compliance from the point of view of anti-money laundering and terrorist financing.

So, from that point of view, we have to pursue legislation and bringing legislation to this House will ensure that we demonstrate from a governmental point of view that we understand the stakes that are at hand, we understand our responsibility within the framework of the global economy. Because, I say so in the context too of the number of financial institutions we have operating in this country and in this regard we have what we would call or what we might say, counterparty relationships. And in this regard, we have a responsibility, not only to the institutions themselves but the Government has a responsibility to bring legislation that will fulfil or make it incumbent upon these financial institutions too, to fulfil their roles and responsibilities to their clients, and also to fulfil the responsibility of what we would call the regulatory reporting framework.

Because we have to understand that we cannot run from gambling. Gambling is here and through this particular piece of legislation that has been brought to the Parliament of Trinidad and Tobago is not a sign that the Government is encouraging gambling. The Government is in no way encouraging gambling, but it is putting the regulatory framework in place to ensure that it is properly regulated, and in the context of being properly regulated, persons can be held accountable.

In that regard, it means too that if persons are found wanting in their actions from a citizen's point of view, they will be called upon to face the music in the context of money laundering and terrorism financing. That demonstrates for me a sense of responsibility on the part of this Government in fulfilling its overall responsibility and mandate to the people of Trinidad and Tobago. Because, we have to understand too that we have not only a responsibility to the financial institutions and minors and the vulnerable in the society, but it is important to understand that for the first time—

Mr. Speaker: The speaking time of the hon. Member has expired. Would you like an extension?

Hon. R. Indarsingh: Certainly, Mr. Speaker.

Mr. Speaker: Hon. Members, the question is that the speaking time of the hon. Member for Couva South be extended by 15 minutes.

Question put and agreed to.

Hon. R. Indarsingh: Thank you, Mr. Speaker. And as I focus on the issue of the vulnerable and families and so on, it shows that this Government, again, in its pieces of legislation that it brings to the Parliament of Trinidad and Tobago, focuses on the issue of people and people-centred development. It is for the first time, Mr. Speaker, that we must note that the gambling industry will be called upon to pay or, for the first time, the gambling industry will be taxed, and they will be called upon to make a contribution to manage or to address the social issues as a result of gambling, because we all know it. Whether it is gambling addiction, interfering with work, interfering with financial stability and so on, the Government is not burying its head in the sand to where we are making our position clear that while we have a responsibility or we are seeking to regulate the industry from a gaming point of view and put the legislation in place to give what we would call legislative teeth to these private members' clubs, because, at the moment, we could say, in a very guarded manner, they are operating illegally if we look at it in the context of the 1955 Act which was passed at that point in time.

So, it says very clearly for the first time and I am quoting from clause 14(1):

“The Commission shall—

- (a) regulate and control the operation of gambling in Trinidad and Tobago;
- (b) subject to section 93, provide such information to other regulatory and government agencies, including the Board of Inland Revenue, the Financial Intelligence Unit, the Integrity Commission, the Customs and Excise Division, the Commissioner of Police and the Betting Levy Board, as may be agreed between the Commission and those agencies;
- (c) seek to address, through Rehabilitation and Development Funds, the harmful and negative effects of gambling;”

And as a result of the revenues which are accumulated by the Commission, 2.5 per cent of the revenues of the Commission will be pumped into the Rehabilitation Fund and 5 per cent of the revenues of the Commission will go to the Development Fund, and these two funds will also be subjected to parliamentary oversight where the boards of these two funds will be called upon to submit parliamentary reports and—sorry, accounts and so on and to be subjected to appropriate auditing and accounting standards and also, this will be

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the overall responsibility too of the gambling and control commission, Mr. Speaker.

So, Mr. Speaker, it must be understood that this particular piece of legislation is very timely in the context of what it has set out to do, to ensure that it focuses on this very sensitive and very important issue in the context of the relevant stakeholders, what it attempts to do in addressing this particular issue. And it is a piece of legislation which will deal with a number of consequential legislation and to show that the overarching or the tentacles of gambling and how it will impact on other pieces of legislation mentioned in this Bill is the Gambling and Betting Act, Chap. 11:19; Proceeds of Crime Act, Chap. 11:27; Registration of Clubs Act, Chap. 21:01; the Trinidad and Tobago Racing Authority Act, Chap. 21:50; the Betting Levy Board Act, Chap. 21:53; the Police Service Act, Chap. 15:01; the Supplemental Police Act, Chap. 15:02; the Companies Act, Chap. 81:01; the Financial Intelligence Unit of Trinidad and Tobago Act, Chap. 72:01; the Cohabital Relationships Act, Chap. 45:55, the Prevention of Corruption Act, Chap. 11:11, the Liquor Licences Act, Chap. 84:10, the Firearms Act, Chap. 16:01.

So this must be seen in the very fact of the number of consequential amendments and the amount of legislation or pieces of legislation which is mentioned in this particular Bill tells you what the Government is attempting to do as we seek to regulate this very important industry. The industry has a responsibility, as I said, to providing 10,000 persons and more with employment. It provides a sense of income generation and economic well-being to single mothers, single parents and relatives and dependants.

Mr. Speaker, to underline the importance of this to single mothers, I want to quote:

Ms “Ayanna Francis, 30, of Mentor Alley, Laventille, is a reception supervisor at the Ma Pau Members Club. Her job is to greet clients as they enter the club. The starting salary, she said, compelled her to join the gambling industry. ‘I’m from Laventille, what people would call a high risk area. I’m a single parent, my daughter’s dad was shot and killed four years ago. With my job I have been able to take care of my daughter and help my mom. I have been afforded a lot of concession at my job to help my family live a much more comfortable life and have a better standard of living’, Francis said.

She said many single parents like herself and people who have just left school have been able to get lucrative jobs in the industry.”

3.30 p.m.

From a socio-economic point of view, Mr. Speaker, this is an important industry to the well-being of the people of Trinidad and Tobago. The Government of Trinidad and Tobago, through the Minister of Finance and the Economy and the Ministry of Finance and the Economy, understands the social ills. We understand that we need to protect the vulnerable. We understand that we need to protect families. We understand that we need to protect minors and this is indeed captured in this particular piece of legislation, a piece of legislation that will redound to the benefit of the wider economy of this country and indeed will continue to offer hope to the poor, the vulnerable and the dispossessed in the society. I thank you, Mr. Speaker.

Dr. Glenn Ramadharsingh (*Caroni Central*): Thank you very much, Mr. Speaker, for the opportunity. Allow me to congratulate the Minister of Finance and the Economy, Sen. Larry Howai, on bringing this landmark piece of legislation to the Parliament which is really long overdue and would have taken some rigorous amount of work by these various committees that he had set up.

In that regard, let me also congratulate the Minister in the Ministry of Finance and the Economy, who has assisted in large regard, with respect to this Bill and others, and that is the MP for Couva South, the hon. Rudranath Indarsingh and for his fine contribution here today.

Mr. Speaker, this is a piece of legislation that will create a regulatory framework for the gambling industry that has never been seen before in a very holistic way, that will have a positive social impact and protection for the vulnerable, as mentioned by the previous speaker.

I think when one looks at an article by Mark Fraser, in an extensive interview with the Minister of Finance and the Economy where he goes into great detail as he did today in this honourable House, highlighting the various clauses of the Bill, the powers of the commission that will be set up, the responsibility, the authority and also the fact that they will be able to enter upon the premises and seize pieces of equipment—that has some implications for the constitutional provision in the Bill.

I think the entire article—really, the Minister outlined the entire framework which he spoke about here and he went into great detail about all of the measures, including the purpose of the regulation; that the consumers, the players, would be protected; that it was against crime, money laundering; the type of regulation; and the licensing of operators, manufacturers. So we are not only regulating on one end but the entire spectrum of the operations, procedures for operating any

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gaming establishment, the day-to-day regulations of each type of gaming, the technical standards for games and systems, independent testing of machines, games and systems and control of movement of machine and games. All of this was instructive. But what really strikes is in the second to last paragraph of the article. It says that:

The unsatisfactory legal structure of the 1955 Act would give way to a more robust governance structure with strict licensing and enforcement arrangements, which will achieve the public policy objective.

So we are seeing work taking place that was attempted in 1955, but that has become much more relevant today because of global business practices, and where we now have an attempt globally to ensure that the proceeds of crime do not fund industries in our country, which has a double impact on us because it allows crime to flourish and it also allows terrorism to function and flourish in far away places and persons to be hurt by that terrorism.

Indeed, the Minister postulates that the country will benefit in the long run financially, and that this could very well bring in somewhere between \$300 million and \$400 million to the economy of Trinidad and Tobago. While the economy of Trinidad and Tobago, we know, is well-managed and strong, we have seen recently that the price of oil can drop and that can have consequences. But certainly, under this Government, we have seen that all government agencies have been continuing to function as normal and, indeed, the social net of the country had been protected and development continues apace, throughout the length and breadth of our country. But it always helps if we can find informal structures that exist in the society that are not well regulated and are illegal—for example “whe whe”—that exist in small communities. It is illegal. People can be jailed and prosecuted and the money does not come back to the Government to be regulated and spent back in the communities.

A significant number, and it is also very significant to mention that this Bill comes just after the Industrial Relations Act—the amendment to same was in this House—protecting the rights of workers, ensuring that the benefits of workers are protected and that more workers are brought in into the protection of their rights and the right to gather and their right to have a decent work agenda, to be part of the decent work agenda, as promoted by the ILO.

We would have seen that this legislation protects the vulnerable as well, because, indeed, the hon. Minister of Labour and Small and Micro Enterprise Development and the MP for Pointe-a-Pierre brings in domestic workers into the mainstream. This is a group that has been unprotected and their rights have been

trampled and potentially trampled upon by employers because, again, they were not part, they were not brought in under the ambit of the Industrial Relations Act.

Also significant—and I was very heartened to hear the contribution of the Minister of Housing and Urban Development about the protection of the rights of construction workers. So this is a Government that not only sought to protect domestic workers but we also had construction workers. Invariably, with the pace of development of this country, the investment that flows in sees us building major highways, the one from Debe to Point Fortin, the part that was recently commissioned from Oropouche to Rousillac in my own home town, has led to a feeling of elation and social elation in that community, pride that the Government has finally reached into that rural part of Trinidad and Tobago and transformed the community.

While the main road in the south-west peninsula has been developed and tended to by this Government, there is now a superhighway that will take people to Point Fortin, and others have been planned. I remember the Minister of Works and Infrastructure meeting quite recently and indicating that he was in a stakeholder session discussing the highway to Princes Town and that part of the country. So work is already taking place with other highways and that is done by construction workers. Construction workers are now being protected by the Industrial Relations Act.

I make the point because 7,000 persons on average, are employed by the private members' clubs. So this is a significant industry. Some 10,000 to 20,000 amusement machines, as the Minister, indicated, are out there and increasing every day. Some 30,000 persons are directly and indirectly impacted by this industry. That is a significant number of persons. Some \$600 million is involved and we do already bring in moneys into the coffers of Trinidad and Tobago by the Betting Levy Board, \$16 million to \$18 million and the Arima Race Track, \$100 million. So, gambling is an industry that does bring in significant income to the country. What we are dealing with today is the proper regulatory framework.

These 30,000 persons, many times, are in limbo because when they hear of legislation or they are in fear of legislation that is not properly constructed and they are in fear that the taxes will be exorbitantly high or the process will be too strict and the machines will have to go and they will lose their jobs. Many MPs would meet constituents who are business people and they would say: "Listen, we doh mind, yuh know, we doh mind paying. We doh mind if there is a regime, but tell us." The MP for Toco/Sangre Grande has signalled to me that he has met with

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persons like that. I myself, in my own constituency, have a lot of stakeholders who are very concerned about this Bill, and rightfully so.

But, the Minister would have set up two working committees. And I must applaud the Minister for his consultation, with a wide range of interest groups. I want to thank the Minister for taking the time to develop policy that is relevant, that is needed and that is discussed with the national community. Because, when we listen to him, he met with the members' clubs, the amusement organization, the Bankers Association, the Trinidad and Tobago Chamber of Commerce, the Racing Authority, the Betting Levy Board, the FIU, the THA, the Tobago Hoteliers Association, the Rape Crisis Centre, Families in Action, People Helping People, and then he engaged his consultants to take all of these views, to take the legislation from other countries and nations like the United Kingdom that had spearheaded work in this area and bring it in to this piece of legislation.

I want to personally commend the Minister of Finance and the Economy for his consultation with the widest range of persons and interest groups in the society. This is consistent with the intention of the Minister, to not only bring to bear a better regulatory framework but also to create positive social impact in this legislation, because of what is widely perceived, gambling being perceived as an activity that is an entertainment. So, I think he takes the opportunity to put proper regulatory framework but also create positive social impact.

Just to properly identify what we mean when we say we are trying to prevent money laundering, money laundering is the process—I am quoting from the Financial Intelligence Unit, the Anti-Money Laundering and Counter Financing of Terrorism (AML/CFT), which the Minister referred to many times in his presentation.

Money laundering is the process by which funds derived from criminal activity, dirty money, are given the appearance of having been legitimately obtained through a series of transactions.

So the money is apparently cleaned. It is done by placement, which is depositing cash into bank accounts. It is done by layering, which is going through a complex set of multiple accounts companies or accounting engineering and integration, which is cleaned, as apparently legitimate funds and used as income for criminal activity without suspicion.

3.45 p.m.

So these are the activities that we call money laundering, and this is what we are seeking to prevent in this Bill, and the financing of terrorism, where funds

may come from criminal sources such as the drug trade, smuggling of weapons and other goods, fraud, kidnapping and extortion. What this Bill is trying to do and will do is to distance the funds from the crime or source and to obscure the intended destination of the purpose of the funds.

So, basically, Mr. Speaker, the Bill ensures that persons who engage in crime and criminal activity, and finance terrorism and use that income to inject into businesses, that that will be stopped. So preventing crime within Trinidad and discouraging terrorism wherever it may exist. And that is consistent with what the Minister has described here today. Certainly, we know that in clause 5 of the Bill, at (a), the Bill seeks to:

- (a) protect minors and other vulnerable persons from being harmed or exploited by gambling;”

Certainly, we can see the work of this Government in Credo, the Credo Drop-In and Residential Development Centre, for socially displaced boys, that is in Port of Spain, here. The Government has so far spent \$8 million on a facility to ensure that young men who are homeless are properly housed, and are reformed and reintroduced into the society.

We also heard from the Member of Parliament for Couva South who quite rightly remarked, that more than one—or just about 100 children were saved by the Children’s Life Fund. Again, here, typifying the governance priorities of this regime, protecting the children. Protecting the children who are just born, the baby grant for children who have just been born, and mothers who are now accessing this, and seeking to apply for this, who can now get assistance from the Government for their babies, because they may have had an unplanned pregnancy or they may have children, loss of job. Situations change, economic environment changes and so, they need that support.

So, the children are protected at birth, they are protected by giving life-saving surgery, they are given food support, 94,000 laptops have been given, through the Ministry of Education, to children throughout the country, so that they can educate themselves, and not be underdeveloped. So the Children’s Authority that is now kicking into gear, that package of legislation was almost like a pack of cards being played with over a period of eight years.

The Partnership Government in a period of five years, has been able to pass this package of legislation to protect children, and it is consistent with the legislation here today, where there are specific provisions, not only that minors are not exploited by gambling, but that no employment activity is done by a

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minor. Therefore, we want to applaud the Minister again, for that inclusion of the protection of minors and the vulnerable in the society. He also at section:

“5(e) "ensure consumer protection;”

—by including a code of conduct, by informing customers’ participation, publication of gambling odds. You know, these things can be hidden. The odds can be totally against you, and you go in there, and you are entertaining yourself at your demise. So this is a welcome where the signs will be prominently displayed, and the rules of the game are prominently displayed and available to the persons who are seeking entertainment. While I am there on that point, Mr. Speaker, at 5(c), and the Minister in this legislation says:

(c) prevent gambling from being a source of crime, being associated...used to support crime;”

This Government has gone head to head against criminal activity in this country. We must applaud the Government and the Minister of National Security for the initiatives that have been implemented. Establishment of the National Operations Centre that now, one central command receives information, filters it and gets it to the persons who need this information to function, to work and to plan and organize their lives.

The Rapid Response Unit, that we are seeing greater responses and faster responses; the Counter-Trafficking Unit; the improved visibility—and this is something—many times we are going back home late at night as Members of Parliament, the Ministers, and indeed leaving home very early, and it is so—it gives you a sense of security, when we see these patrols within the neighbourhoods and along the highway. We have never seen the presence of police along the highway before, as under this Government. Certainly, that is made even more efficient, with the integrated radio network, the application of GPS technology into the police service.

We know also that in collaboration with TSTT, 500 more CCTV cameras are going to be introduced to detect and monitor crime. We know that in various cities and in metropolis in the world—if you visit, for example, London or parts of New York, the people tell you big brother is watching, because when you ask a taxi driver, you say, “Look, speed up, I am a bit late. They say, oh, big brother is watching”, and that means that there are cameras throughout the roadway network, and in the capital city. They sometimes work, and at the end of the day when they go home, they get three tickets, which they do not know about. They get it in their mail, and they have to pay that fine, and that is the kind of system

we are going to, where crime does not go unpunished, because the person who gets away with that, will continue to do more serious crimes.

For our policemen we finally have security of knowledge, for the families that when their loved ones go out there, and if they are injured or killed in the line of duty, there is some protection by the State that was never there before. The State will compensate the family which is really not— never adequate compensation, but there was nothing there before and, therefore, they will have some money that they can look forward to.

We now have body cameras for the police, E99 Centres, 13 surveillance bays, the legislative agenda had been injected with so much legislation to deal with crime, but we were always debating crime over the five years. Whether it was the Interception of Communications Bill, the Anti-Gang Bill, the Bail (Amdt.) Bill, the Firearms (Amdt.) Bill, the Miscellaneous Provisions (Remand) Bill, the Evidence (Amdt.) Act, which also helps with securing video as evidence, so that witnesses, their testimony would be there, and it could be introduced as evidence.

I was also very, very pleased to hear the Minister talk about the fact that NGOs would be assisted, and there would be two funds, a rehabilitation fund and a development fund. The Rehabilitation Fund would be for NGOs, and it would also be dedicated towards rehabilitating those who are gambling addicts, and invariably in any type of entertainment there will be persons who are addictive, and who have become unwell. Certainly, some may have lost a lot of their material possessions, and have also lost socially, become socially displaced, due to gambling. Certainly, it is welcomed that the Minister integrates in the strict regulatory framework, a rehabilitation fund that can be accessed by NGOs.

Many times we meet NGOs and NGOs are very important. Civil society is very important, if not crucial in the modern day world, because we have recognized that the role of Government has been shrinking in many regards when it comes to social problems and issues. The Government really facilitates development and support, because the Government cannot get itself involved in dealing with every social ill in the society. In that regard we have seen, for example, we have Vision on Mission, dealing with ex-prisoners and playing a role in terms of reforming persons who have been on the wrong side of the law, and we do not want them to continue. So you have NGOs now, who on a day-to-day basis—and the Government would facilitate and support.

In the very same way, there will be NGOs that will develop here, that will be for gambling addicts and the families to give support, to give advice, to connect them to government services and agencies, food support, housing, land. In that

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regard, I really want to applaud the Minister of Land and Marine Resources for also protecting the vulnerable in the society. Because we have seen that Certificates of Comfort have been given to 2,000 families in Trinidad and Tobago recently, and presently, more are being processed.

I was at a function last week, where hundreds of persons there—MP Couva South, the MP for Arima, the MP for Couva North, where, for the first time in Trinidad and Tobago, in the history of Trinidad and Tobago, people had been living on lands that they did not have the title, they were squatters, and they were given Certificates of Comfort. In Cashew Gardens, in my constituency, on the train line, in other constituencies and throughout Trinidad and Tobago.

For the first time—and I know the Minister of Housing and Urban Development was instrumental in redirecting the policy, in terms of land for the landless. In this regard it was given—the project was given to the Minister of Land and Marine Resources, who is doing a wonderful job with implementing the policy. You saw persons waiting some five hours because they had to register, they had to be there from two o'clock, and they waited until eight o'clock in the night to receive a title for their land—199 years, it is the first time, so this is ground breaking, if not land breaking. [*Desk thumping*]

You know, the United Nations says, that the most compassionate thing you can do for a human being is to give him security of land, because without land, a man literally has nothing. Because he could have a job, he could have cars, he could have—but if he does not have title for his land, he could be virtually put out. That security of tenure is something that we really applaud that Ministry, for taking it to a different level, the next level.

So the rehabilitation of NGOs, the development and awareness programme—you see, it is not only restorative, it is also creating awareness. I think the Minister put it aptly, when he said, it is a legitimate form of entertainment, but we do not want persons to become addicted, and that that creates dependency problems, and abuse problems in terms of their families and losing their money and the spoils of their hard work.

4.00 p.m.

Also, there is a development fund. So money will not only be given to the rehabilitation of gamblers, but also to develop sports, art, culture and community development and, again, this is consistent with this Government. We have seen community development. Education in the country—this country is leaps and bounds of our Caribbean neighbours.

When you go to the United Nations or you listen to the speeches of some of our Caricom countries and they talk about the millennium development goals, they are virtually giving an apology speech. “Well, you know, we had the hurricane, so we cannot achieve half of the goals that we set”. Some others would indicate that they had some banking problem or banking sector investments did not materialize because of 9/11; persons did not come and invest in the Caribbean because of, you know, the trade destinations and so on, and our Prime Minister goes up there and says: “Listen, we have doubled tertiary education. Every child is in primary school. We have places for all our children. We have built 95 schools—our Minister of Education—53 ECCE centres.” It is just increasing.

Mr. Speaker: The speaking time of the hon. Member has expired. Would you like an extension? Would you like an extension? Member, you are over? Would you like an extension?

Dr. G. Ramadharsingh: One minute, yeah.

Mr. Speaker: Hon. Members, the question is that the speaking time of the hon. Member for Caroni Central be extended by 15 minutes.

Question put and agreed to.

Dr. G. Ramadharsingh: Thank you very much, Mr. Speaker. I had an entire 15-minute contribution on the education sector and how it protects the vulnerable in the society and creates a sense of empowerment in our country and really brings us into a First World-type arrangement. You know, the impact that this Minister is now having is now bottom up, where because our primary school students are becoming so brilliant with the introduction of the laptops. The laptops, Mr. Speaker, affects not the child, the family.

You know, you go to buy coconut—you go to the coconut vendor and he has to take his time off from the laptop, not his laptop, you know—that laptop has a red, black and white sticker imprinted on it—that is the laptop of the child in school showing the grandfather how to use Yahoo, how to use Google and how to set up a Facebook account so that they could see their family and talk to their family real-time.

Mr. Sharma: Not to cut the coconut though!

Dr. G. Ramadharsingh: “Nah”, and then you get your coconut after they chat. So this laptop is impacting the family. It has a space now. It is now a

window. In a house that has four windows, there are now five windows. The window of the laptop is a window to the world, a world of opportunity, a world of training and a world of excitement that this Partnership Government is willing to take the people of Trinidad and Tobago into for the next five years. I thank you, Mr. Speaker. [*Desk thumping*]

The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal): Thank you very much, Mr. Speaker. Mr. Speaker, I rise to make a short contribution on this very important Bill before us, and to thank the Member for Caroni Central for his contribution. The Member for Caroni Central, of course, is known to several of us for his love of country music, and I think “The Gambler” is also a song that he loves very much. He will tell us on another occasion when to fold, but it is not time to fold yet, because we have a few more matters to raise.

Mr. Speaker, I want to begin by congratulating the Minister of Finance and the Economy [*Desk thumping*] and his Ministry for bringing what has been a long-awaited piece of legislation to this honourable House. Mr. Speaker, through several years and several administrations, the regulation of this sector has been a matter that has been spoken about, argued about, bandied about and it has carried with it several dimensions to the national argument. As the Minister said earlier, on an earlier occasion, the former Prime Minister and Member for San Fernando East had himself expressed very strong views on this sector, and the work of this sector in Parliament, I believe then as the Minister of Finance as well.

There can be no doubt that this sector, like others, in particular the private security sector as well, is a sector that has been awaiting regulation for some time. I am happy as well that as we proceed with this that the Private Security Industry Bill is also quite prepared and will come to Parliament very soon for debate and passage and the Government is quite prepared to deal with that.

Mr. Speaker, in another incarnation, I know you also took a very active and keen interest in the private security industry. That Bill and that legislation first came to this honourable House in 1994 when Russell Huggins was Minister of National Security. Today, we have completed that work that has started. [*Desk thumping*]

It may well have been that the discussion on the gaming sector also originated at that time. Today, Sen. the hon. Larry Howai has brought a comprehensive Bill to address this sector. It goes without saying, almost by definition, this sector and discussions pertaining to the industry, raises a sort of dubious spectre of illicit activities, criminal in some cases, vice and so on, and we have been very careful

and cautious in our deliberations and in discussing this matter to separate those issues with the more progressive elements of this sector. There can be no doubt that this sector is a sector that provides entertainment, generates income, provides leisure, is linked to the hospitality industry, is linked to other sectors like restaurants, clubs and so on that generate enormous wealth and employment.

If we are to truly diversify this economy—and we have been talking of diversification for many, many years and every administration talk and talk about diversification—but, Mr. Speaker, what is diversification? Diversification is really getting your economy to be propelled by other sectors outside of the energy sector, outside of strictly oil and gas. If you could generate more wealth, more employment, more prosperity, greater income circulation in any sector outside of energy, you are diversifying the economy, and this Bill is really consistent with our overall strategy of diversification.

So, if you look at our diversification strategy, you will see health tourism where we have invested a lot of money in the construction of hospitals: the oncology centre, the Arima Hospital, the Point Fortin Hospital, the children's hospital and the San Fernando Teaching Hospital. That is linked not just to the provision of health services for the domestic sector, for the nationals of this country, but also to create that health tourism initiative and campaign so that Trinidad and Tobago could become a centre, a hemispheric centre, for health tourism for persons to come and undertake medical services and so on. Relatives, friends will travel and they will stay in Trinidad and we will generate the income there from the medical services but also hospitality and other sectors. Mr. Speaker, these things help with the taxi drivers, they help with the doubles vendor, they help with the restaurants, the shopping malls, et cetera. So you have that on the one side—[*Crosstalk*—with absolutely no harm to the environment as the Member for St. Augustine rightly reminds us.

Our initiative spoken to by Dr. Tewarie, Minister of Planning and Sustainable Development, for Chaguaramas creates another centre, to create an entertainment hub with a causeway, a water park, an entertainment centre, a mini Disneyland almost in Chaguaramas taking advantage of the natural environment there. We have objections there as well, because many people, their vision cannot see beyond taking a dip in the salt. Their vision is really to take a dip in the salt and speak of a calamity as if the intention of the Government is to prevent people from going on the beach and taking a dip in the salt.

Mr. Speaker, we are very clear that all citizens of Trinidad and Tobago and visitors have access to all the beaches. These are the resources of our country and

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they will continue there, but we will develop Chaguaramas as a major Caribbean centre for entertainment, leisure, and children's activities—you create jobs, you circulate wealth. A small soup vendor, corn vendor, becomes a big vendor. Someone selling a pigtail bucket with blue water becomes a major vendor—opening a shop, a parlour, a minimart and then a supermarket, an entrepreneur. That is what you create when you create these centres for economic activity around entertainment. This is one such sector.

This sector has the possibility to generate enormous income redistribution, particularly for women, single mothers, in that category, where there is a dire need to create jobs, to create income-generating opportunities. This is a sector that deals with that. It is really sophisticating that initiative towards diversification. So, health tourism, Chaguaramas, the gaming sector develops in tandem.

You see, again, we talk so much of development and when development comes on our door we run, we run and hide literally. I remember a friend from Jamaica telling me, many years ago—coming to Trinidad and going to the east coast, I believe, Mayaro—that this is Negril, you know, 30 years ago. This is what Negril was 30 years ago. Negril today is, of course, a major tourist hub in Jamaica, and Jamaica itself is a global tourist hub. With the right development and the right investment in sectors—this is why we are very keen to build the highway from San Fernando to Mayaro. So Mayaro becomes the energy hub, the tourism hub to give rise to the all-inclusive entertainment, like Sandals and others who create that.

Mr. Speaker, once you have one of those business persons operating there, it would create competitiveness and you will have three and four, and the gaming sector will find the south-eastern part of the island also as an attractive location. So persons can come to Piarco International, get on a highway and immediately move on a highway without traffic lights or anything in 45 minutes, 50 minutes to Mayaro. That really is the vision.

As the country develops, we have the data that tell us that among the poorest areas—historically that is, not just today—is really our eastern coast. The eastern community is from Toco, Manzanilla coming down Mayaro, et cetera, and Matelot. So, we have the vision for that sector. We have built the highway, I believe. You have the Valencia—and we were there the other day for a meeting. A successful Monday night meeting was held there and many of us got an opportunity for the first time.

Mr. Speaker, I could get lost in this country now the way they are building highways. The rate the Member for Tabaquite is going, I got lost one night. I was

going Caroni somewhere and I did not know how to come off the road, because he put a highway there, and I really had no idea of how to come off the road to get into a village. I went Valencia to a Monday night meeting one night, and then something—I nearly got lost there too, because I did not know how we are coming out of this major highway.

You know, I hear the Leader of the Opposition now talking about vote for me we would put a highway to Toco, and then connect it with a boat to Scarborough. You know, Mr. Speaker, this Member for Diego Martin West who is not here now—I mean, what can I do? I cannot do anything about that. When ANR Robinson as Prime Minister was going to put a deep-water harbour in Scarborough, “he tell the Prime Minister, he say: ‘You are going to put a duck pond in Scarborough.’ That is the vision. He called the Scarborough Deep Water Harbour a duck pond. Today, promising a ferry service from Toco to Scarborough, promising a highway to Toco. Mr. Speaker, they could promise what they want, he objected to the University Campus in south Trinidad. [*Crosstalk*] He led a 10-man march against the plans in Chaguaramas.

4.15 p.m.

The Member for Chaguanas West was with him, he is not with him now, but he was with him, hand in hand, protesting Chaguaramas development, protesting development in south Trinidad. Mr. Speaker, you know, the Member for Arima—who is on the compound somewhere now—the Member for Arima has a very good analogy when he tells us in our meetings of the development from Diego Martin to Toco—all that happens and he takes us through the corridor. Mr. Speaker, we can also take you from Grand Bazaar straight down to Point Fortin with development, across the length and breadth of this country. We have the highway now in Valencia, more developmental work taking place there. This sector linked to further development in Mayaro through highway, through gaming, through hospitality, hotels, and so on.

So that the Member for Diego Martin West is fooling nobody by talking about highway to Toco and water service and ferry service, and so on. But they could not build the highway and did not want it, and he is on record as saying that if he comes into power he will succumb to the hunger striker and will stop the Point Fortin Highway. He is on record as saying that they will stop the Point Fortin highway—[*Interruption*]

Mr. Ramadhar: So those in Point must—[*Interruption*]

Hon. Dr. R. Moonilal: Yeah. So, Point, forget Point, now you are talking about Toco, Mr. Speaker, and saying cargo will leave Port of Spain but passengers—how are you reaching Toco? So we want to go to Tobago to spend two days for the holiday weekend, how are you going to Toco? You are taking three hours to go to Toco?—to take a ferry to cross 27 miles to Scarborough, Mr. Speaker, when you could go to Piarco and in 15 minutes you cross over by air, or you reach Port of Spain because the highway takes you now straight to Port of Spain, the highway, and you go to the boat in Port of Spain. You take a bit more time from Port of Spain—[*Interruption*]

Mr. Ramadhar: The environmental damage, “he doh care about dat.”

Hon. Dr. R. Moonilal: Yeah. And there is no assessment from him as to the environmental damage of a ferry and creating—because it is not a ferry, you cannot just bring like a boat, put it in Toco and say, “Jump on the boat and go Scarborough”. You have to develop there, some type of harbour, some type of docks, you know, some type of industry has to take place there. But, Mr. Speaker, in this season, when you are trying to convince people to vote for you for any reason, you jump quickly.

Mr. Ramadhar: It is a “ferry tale”.

Hon. Dr. R. Moonilal: Yeah. Mr. Speaker, the Member for St. Augustine, who is coming along now nicely with his language here, is suggesting that that is all but a “ferry tale”.

You see, Mr. Speaker, but that is the hypocrisy as well—that is the hypocrisy—and when they should be in the Parliament to be giving support and speaking to this important sector they are nowhere around—nowhere around. Mr. Speaker, earlier, a few of them were caught around the block somewhere here. They probably came to check accounts to make sure that their salary is still being paid, but they are not here for a debate. They are not attending the Parliament and taking part in the business so we have to be here to continue this. Mr. Speaker, this sector is a legitimate source of prosperity and entertainment, and can be regulated to deter crime, to protect the vulnerable, and to promote fair treatment for customers. Mr. Speaker, the Member for Caroni Central, you know, touched the point; you know, we really need to lift the society away from the danger, and sometimes the deep risk of village gambling, and so on.

Mr. Speaker, I remember—I do not want to say too much, but I remember my mother, you know, in the little parlour growing up, there would be this fella

passing on the road, morning and evening, and he would always have a few one-dollar bills in his hand, moving up and down the place—[*Interruption*]

Dr. Gopeesingh: Picking up mark.

Hon. Dr. R. Moonilal: Yeah. [*Laughter*] Mr. Speaker, you know, my mother will run outside to give him some number, or something, and, if she is fortunate enough, later in the evening he returned, you know, Mr. Speaker, and that operated. When the lotto—what you call the thing before? “Play Whe”—and when the Government system came in with that, you move into that, then she would put a next dollar or two. Mr. Speaker, this is not business I get involved into, as I said, I have never won six glass or a jug in a bazaar, so I am not very lucky when it comes to those things. I never even get something in a bazaar, so I do not try these things, Mr. Speaker. I do not try these things because I am in mortal fear of losing whatever small little I have, you know, Mr. Speaker.

Mr. Speaker, I really do understand the nature of this sector, and it is also linked—you know, many people may not know, but it is also linked to other sporting events. I had an opportunity a few months ago to tour a very, very big and majestic development in the Bahamas called Baha Mar, being built right now in the Bahamas, which they boast is probably the biggest casino gambling centre in the Caribbean that they are constructing. It should be open by now, I am not sure. It was supposed to open December and they put to May.

Mr. Speaker, but that is also linked to sporting activities, water sport, where you invite people now to come, because when people come for their water sports—and in Vegas, as you know, when you go for boxing, the boxing is also linked to the gaming. The boxing and sporting tourism is linked to gaming, and there is a symbiotic connection between gaming and sports. And, Mr. Speaker, look how we have integrated this; you know, people think sometimes you do things by “vaps”, and you do not think of what you are doing; we are building now the Aquatic Centre, we are building now Cycling Velodrome; [*Desk thumping*] we are building massive sporting events—world class sporting centres for major international teams from the United States and Europe to come for training.

Mr. Speaker, when people come here they come and you are putting on a massive sporting meet as they say; when you come here you bring your family, you bring your friends, you know, you bring supporters. They come to our country for support, and when they come here you have the hotels available, and so on, but you must also have the entertainment available.

Mr. Speaker, I have heard from colleagues of mine; you know, again, I do not want to say too much and go too far, in fear of being caught out myself, but, Mr. Speaker, colleagues of mine came from Europe once for vacation, so entertaining, so I asked some colleagues, you know, I said, well, you go to Tobago and I will meet you probably later in the week or on the weekend when I finish my working week I will meet you there, but relax in Tobago, and so on, it is beautiful. And I never forgot one colleague calling me on the phone and he said, “Rudy, I took a bath in the sea, I had a good swim, I read a book, tell me what else to do?” And I could not answer, Mr. Speaker. He said, “I read a book, I took a swim, I had a cocktail, tell me what else to do?”, and this person had three days to spend—three, four days, and he said, but what else am I doing?

Mr. Speaker, it dawned upon you that you need to promote a tourist centre as well with shows, with entertainment, with theatre, with gaming, to have options for persons, so when they come to your place that you are boasting about tourism, there are so many things to do; the families can go to the theatre, the children can go to a water world park, the adults can go to a gaming centre, casino, or whatever, where you might have a live show as well, you may have things happening.

So you need to build, and this is the diversification we speak about. It cannot be you go somewhere, you lie down on the beach, okay, you read a book and you take a cocktail and that is it. You cannot do that four days in a row like that, and then we wonder why people go to Bahamas, why they go Barbados, why they stay in Jamaica, why they go to Aruba and so on, and we do not have the necessary support institution, support industry, for our tourism drive, apart from the fact that, you know, you would take about five aeroplane to come to one place, and the problem with sea transport and air transport, and so on.

So this is an important step. Mr. Speaker, the legislation we are proposing will also protect the vulnerable, including minors and problem gamblers, address the vulnerability to criminal activity, prevent criminal and corrupt elements from infiltrating the sector, and ensuring that gaming is conducted in an honest and fair way, because, Mr. Speaker, we also have certain obligations under the International Anti-Money Laundering and Counter-Terrorism Financing regime. So that it is incumbent upon us to monitor and regulate this sector so that we do not run afoul of our international legal commitments to that regime, because, Mr. Speaker, I mean, it is no secret that the gaming sector, globally, if not properly monitored and regulated could also become a haven for money laundering, for terrorist financing as well—[*Interruption*]

Hon. Member: Prostitution.

Hon. Dr. R. Moonilal:—for prostitution, and other forms of corruption, and white-collar crime as well.

So, it is very important, Mr. Speaker, that we spend time building the necessary regulatory regime in place to ensure that we protect our society, and also protect the country from the infiltration of illicit international criminal activity. So, Mr. Speaker, we are extremely pleased to be here to support this legislation, and on the counter side, you know, people ask sometimes, “Why are you seeking to legalize gambling? Why are you seeking to regulate an industry”, because there are some people who believe that, you know, you should not even touch this sector, and some people do not have the courage to touch this sector. There were administrations in the past that did not have the courage. They did not have the courage to build the Point Fortin Highway, and they were clear—they could not build the Point Fortin Highway because they were scared. They were scared that they had to deal with the people, and they did not have the necessary participative and consultative culture to deal with a development project.

Mr. Speaker, now is a good time, tomorrow is the 28th; tomorrow would make five years that many, but not all of us, have been sworn in as Government and Cabinet Ministers [*Desk thumping*] in this country. Tomorrow is our fifth year anniversary, in that sense. Mr. Speaker, I have had the honour to serve as the Minister of Housing here, tomorrow—I hope there is no reshuffle tonight [*Laughter*—but tomorrow I will serve, I can become what I suspect to be the first Minister of Housing to serve five years as the Minister of Housing and Urban Development. [*Desk thumping*] Mr. Speaker, it is not an easy sector. We have checked the record and we will confirm it, but tomorrow—and we have had the courage to do certain things. We have had the courage to build the Point Fortin Highway.

Mr. Speaker, when I started five years ago, regrettably, we had to bulldoze crops and vegetables at a couple of locations to build homes. Mr. Speaker, five years ago people came in front my Ministry, “Moonilal must go”. I came to my door at the Ministry with farmers and people outside with placards. Mr. Speaker, they went to Woodford Square too to “chase me out ah tong”. Today, we have built a city in those places, [*Desk thumping*] we have built homes, 1,200 homes at Chaguanas, where the very people who held placards to protest are the very people who come in to say, “My son need ah house, my daughter need ah house, could you help?”.

In fact, one man who was in front my office with a placard, “Moonilal must go”, he come to me now and say, “Remember you promise meh son to get ah

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house?” But if you do not have courage—that is the point I want to make, Mr. Speaker—if you do not have courage you cannot develop this country—if you do not have the courage, because there can be no development without conflict. You cannot have development without conflict, and there will be conflict on this matter, but we have the courage. The hon. Kamla Persad-Bissessar, Prime Minister, has the courage to confront this issue and bring the legislation and say, “Debate and pass”. It takes courage to do this because there are members of the society who will tell you, “Why are you trying to do this, this leads to all sort of problems and it is immoral”, and, you know, “lead to dark sector industries”, and people could be vulnerable, and so on, Mr. Speaker.

Mr. Ramadhar: We are here, we are now in control.

Hon. Dr. R. Moonilal: Yeah. And that is the point, it is here we are seeking to control, to monitor, to regulate, to prevent social and economic harm, to prevent endangering our children.

Mr. Speaker, look what we are doing, we are bringing laws to prevent endangering our children. What do they do? Mr. Speaker, they have children in their sports day—they have children in their sports day tumbling down with what is depicted as alcohol in their hands. That is what they do, they abuse children. Where in the PNM sports day—where it was? “I don’t know”, it was somewhere, Mr. Speaker, where in one part of the island at Macoya we had a peaceful, mass, mass, mass, [*Desk thumping*] rally with not one incident; over 25,000 people assembled and not one incident. In a family picnic environment you have little children—and, Mr. Speaker, they need to watch the law, because if that child is under 18 years old and handling alcohol like that, they may well be in breach of the law, and the General Secretary and Chairman of that party could be visited by the police for encouraging minors to participate with alcohol. And they call that a joke, they laugh at that, Mr. Speaker, but that is the culture that they are promoting in this country.

It is a culture where the Member for Diego Martin West, you know, would be in San Fernando “getting away” and another young child would be in the sports days tumbling down and stumbling down with what is depicted to be an alcohol bottle, and that is the culture that they want to bring back in this country. We must be warned about that level of immorality. And the same ones will come today and say we are passing a Bill to create more immorality, and so on, you know, when in their sports day they depict children in that manner. It is, Mr. Speaker, offensive. It is offensive; it is downright wrong to be using and abusing children

like that for your narrow political purpose—[*Interruption*—and using children. [*Crosstalk*] No—the same children who you did not want to give a laptop to, you want to give a bottle of that to. Yeah. So when we put a laptop “in de child hand, you put a bottle ah rum in dey hand”. That is the difference, Mr. Speaker.

Mr. Speaker: Yeah. I think it is a good time for us to pause, and we should return at 5.15. This sitting is now suspended until 5.15 p.m.

4.30 p.m.: *Sitting suspended.*

5.15 p.m.: *Sitting resumed.*

Hon. Dr. R. Moonilal: Mr. Speaker, thank you very much.

Before the break, I had sought to link the developments today with the Government’s very bold and courageous initiative to legislate this sector and regulate and monitor the sector, to prevent the abuse of the vulnerable, to deter crime that is related, a lot of white-collar crime that is related to this sector, to protect the vulnerable and, of course, to ensure fair treatment for the customers and patrons in this sector.

These initiatives are done within the overall framework of our strategy to diversify the economy and create various pillars of wealth and income redistribution, so that the economy is on a firm footing as we diversify away from the gas and energy sector.

I am convinced that with this legislation in place, we will have a vibrant sector with sufficient income and employment generation and wealth circulation throughout the island of Trinidad and Tobago, and ensure that we have economic growth because of this strategy, and with that we can be proud today that we will pass a Bill that will bring regulation to an unregulated sector for far too long.

Mr. Speaker, with those few words I thank you.

The Minister of Finance and the Economy (Sen. The Hon. Larry Howai): Thank you, Mr. Speaker. I would like to thank all the Members for their contribution to the Bill. As the Leader of Government Business and the other speakers pointed out, this is an extremely important Bill for regulating what has become very unregulated industry here in Trinidad and Tobago over the past few years.

We have seen a continuing proliferation of gambling establishments throughout Trinidad and Tobago. I would say that perhaps if you were to look at 10 years ago, the number of amusement machines in Trinidad and Tobago would have been perhaps enough that you could just count on the fingers of one hand,

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not even two. Now today, as I get up to speak, I am saying that the Ministry of Finance and the Economy has estimated that we are perhaps speaking of somewhere in the region of 10,000 machines in bars throughout Trinidad and Tobago. In fact, they think that estimate is very, very conservative. In fact, they use the term that that is a minimum number of machines in Trinidad and Tobago, and we could be speaking in the order of 20,000 and more machines in Trinidad and Tobago. So there has been a tremendous proliferation of gaming establishments of gambling, and this has continued to grow, to mushroom. If we do not take the step of trying to bring this under control, we are going to find that very soon we are on a runaway horse, if we are not there already.

Therefore, the purpose of bringing this Bill, as some of the Members on this side have mentioned, is that we need to stem the social implications of what is already an industry that has proliferated throughout the entire country. What we have to do is to move as quickly as we can to bring some form of regulation, some form of control, some form of management over what is a very disorganized industry, and one which is prone to so many social problems. There are issues around money laundering, there are issues around terrorist financing, but then there are concomitant issues that arise therefrom: prostitution, gunrunning, a number of other things that suddenly start to proliferate around this type of behaviour, human trafficking and so on. Therefore, it is so very important that we take appropriate action to bring this under control, and that is what this Government is doing.

As the hon. Leader of Government Business mentioned, it takes courage to do this. I want to compliment the hon. Prime Minister for having had the courage to say to us, let us move forward with this particular piece of legislation, [*Desk thumping*] because this is a piece of legislation that has been in the works for many years. There have been many different variations of this particular piece of legislation over the years, and I think in the past 15 to 20 years there have been at least three, and possibly four attempts, to put together a piece of legislation to bring to this honourable House. This Government made a commitment in 2013 that we would do so, and as the Prime Minister always indicates, we keep our commitments. Today we are here to speak on this Bill, which we are seeking to put through this honourable House.

The Bill itself contains about 94 clauses and six schedules, so it is not a very large Bill, compared to, for example, last night we were piloting in the Senate the Insurance Bill with 284 clauses. So this is not a very extensive Bill, but it is a very

important Bill because it touches so many lives in Trinidad and Tobago. There are so many people, and there is this scourge of gambling which, unless it is properly managed, could become uncontrollable.

There are reports of families where the main breadwinner at the end of week would go to the casino, rather than go home, and then on Saturday mornings when he walks out of the casino, there is no food on the table for his family to eat for the rest of the week. Therefore, it is something that we need to make sure that we control the harmful effects of this on the society as a whole. So while it is a small Bill, it is an extremely important Bill in the context of developing the type of society that we want to see for the future.

As I said, Mr. Speaker, I would want to again emphasize for the record, we looked at the legislation in a number of jurisdictions to ensure that what we were doing was not excessive, but also at the same time we had all the controls in place to ensure that the industry could develop, but that the industry itself would be properly controlled and therefore would meet the requirements of the money laundering and counterterrorism financing issues that are likely to come up as we go forward.

This is also an important Bill from the point of view of the FATF. The FATF as you know, there is a plenary going on here in Port of Spain today, it has been going on over the last couple of days. The FATF is in Trinidad and Tobago. We are the Deputy Chair of the CFATF, and I think the hon. Attorney General at the end of this year, when he comes back in as the Member for Diego Martin North/East, [*Desk thumping*] that he will continue—in fact, he moves into the Chair of the CFATF at the end of this year.

This is a matter which has a lot of importance for us, also from the point of view of compliance in a global environment, because we also have a round of evaluations going on now. The passage of this Bill will count as one of the things that Trinidad and Tobago has done to deal with money laundering in Trinidad and Tobago, and to set up a regime that allows us to be able to be counted among those jurisdictions where there is full compliance with anti-money launder and counterterrorism financing controls.

So we have looked at many jurisdictions. Also I just want to emphasize again, that we have done a tremendous amount of consultation with nearly every stakeholder that will be affected by this Bill. I want to make sure that Members, and for the records, the listening public, are aware that there has been tremendous stakeholder consultation in arriving at this point. In that regard, I want to recognize the members of the various members clubs who are here today:

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employees, managers, owner/operators and so on who are here to show their support for this piece of legislation. [*Desk thumping*] In fact, there is a widespread recognition of the fact that this piece of legislation is important.

Mr. Speaker, I want to congratulate the private members clubs and all those members involved in the industry, because they themselves have introduced, without any government putting any controls in place, a self-governance structure which would ensure that they deal with all of the issues that we have already started to enumerate. So they have already started to be proactive and started putting things in place, to ensure that they can comply. So by the time this law is passed, it is easy for us to move in the transition phase to a full implementation of this law, simply because the industry itself has started very proactively to put all the changes in place that they need to put in place, in order to ensure that they are compliant when the legislation is passed.

It is just to underline the fact that we have done tremendous consultation. I want to thank especially the civil society group which has kept a close eye on this, which has helped us to reach this point as far we have reached, and who were very instrumental in intervening and speaking with a number of stakeholders, and particularly in the social sector, to ensure that the legislation that we have before us is one that is robust, from the point of view of meeting the requirements of ensuring that we put the kind of controls that we must put in place to ensure that the ill effects of this particular industry does not spread throughout the society. Already we have a very unregulated industry, and with this particular arrangement being put in place, I expect that that we will be able now to start to realize the benefits and minimize the costs associated with it.

Notwithstanding the negatives, I want to emphasize again that international experience has shown that attempting to stamp out the gambling industry instead drives it underground. We all know, as the hon. Member mentioned, whe-whe. Whe-whe was born before Play Whe and that is something that various persons participated in. So the effect of trying to stop this, is only going to drive it underground, with all of the difficulties that arise from trying to contain the negative effects of these things. The United States tried that many years ago with prohibition, and all that happened is that you just had more moonshine factories than anything else in the country. The Mafia had a big role to play in that; that is right, bootlegging and so on. In fact, all of Chicago was probably a crime town in those days—till Mr. Ness showed up. [*Laughter*]

We need therefore to not put ourselves in a position where we drive these things underground, and we then have a whole long battle over trying to manage

the effects of it, but rather that we put arrangements in place to ensure that we could manage it properly and that it could make a fair contribution to the society in a meaningful way, as well as to the coffers of Government by way of additional revenues.

So what we have noted and what the research has shown, is that criminalizing gambling imposes more social cost than regulating gambling. I think that is something we need to recognize. Criminalizing it imposes more social cost than regulating it. Therefore it is better, when we do the cost benefit analysis, that we put a regulatory regime in place. So rather than shutting down the industry, it is this Government's position that it is wise to regulate it so that it could make a meaningful contribution.

From a historical, traditional and cultural perspective, the man on the street in Trinidad and Tobago has engaged in gambling for many years, and regardless of what we do, they will continue to engage in it. There has been the legal form of gambling, such as horse racing, the lotteries and more recently the Play Whe and Cash Pot, and then there are all kinds of other things. In the old days it used to have Missing Ball—for those of us who could remember Missing Ball and, of course, the illegal form of whe-whe and the sweepstakes. I think Minister Gopeesingh and myself will remember sweepstakes. [*Laughter*]

5.30 p.m.

So, in the late 1990s the Registration of Clubs Act was amended to facilitate the use of electronic gaming machines and table games. Unfortunately, the changes made to the Act were done without the necessary framework to regulate the mushrooming of the use of such games, and the consequence of this is that an unregulated subsector of the gambling industry has evolved.

So, as I said, Mr. Speaker, the gambling industry can be a legitimate source of prosperity and entertainment as the statistics have shown. I mean, the Ministry of Finance and the Economy has done some very rough calculations of what they think the turnover is, and there is a suggestion it could be as high, when you add up all the parts together, as about TT \$2 billion, in fact we think perhaps only about 30 per cent of that falls into the tax net. So that we think there is a substantial amount of benefit from a cash flow point of view for us to address this particular issue in a structured way.

I also want to say that the subsector as I said employs about 7,000 persons, and indirectly about 30,000 persons and provides in-depth service and hospitality industry skills training to low-skilled workers, especially women and very often

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Wednesday, May 27, 2015

single mothers. That is something that I mentioned earlier when I spoke to members from the members' clubs that, in fact, there were much more women who showed up this afternoon in support of the Bill than men, and I think that reflects the overall composition of the industry, and therefore one of the things we note out of it is that certainly single mothers tend to be more impacted by this particular industry, from the point of view of job creation for the persons who tend to be employed there—and women.

So, Mr. Speaker, the foundation of this Bill is located as clause 5, and I just want to reiterate that in this regard the Bill is aimed at protecting:

“minors and other vulnerable persons from being harmed or exploited by gambling;”

It will also:

“ensure that gambling is conducted in a fair, open and responsible manner;”
The Bill, it is expected, will also provide for consumer protection as well as for the collection of taxes. Further, it is expected that that Bill will prevent gambling from being a source of crime, or certainly reducing the possibility of that, or being used to support crime.

And a significance, Mr. Speaker, is that this legislation is being put in place to ensure compliance with international anti money-laundering and counterterrorism financing regulations to facilitate compliance with the Financial Action Task Force recommendations.

So, Mr. Speaker, I think I have said enough on—and I think we all recognize the importance of us certainly trying to regulate this industry in a more meaningful way than has happened to date. I wanted to perhaps highlight one or two parts of the legislation which did not come up in the course of the debate or the course of the discussion earlier today, which I think are important from the point of view of ensuring that the public at large understand a bit more of what is in this Bill.

And one of the things—and certainly the stakeholders themselves understand some of the requirements of this new piece of legislation—I want to refer to is clause 14 of the legislation, where it says here in 14(b):

“subject to section 93,”—the Commission shall—“provide such information to other regulatory and government agencies, including the Board of Inland Revenue, the Financial Intelligence Unit, the Integrity Commission, the Customs and Excise Division, the Commissioner of Police and the Betting Levy Board, as may be agreed between the Commission and those agencies;”

I want to say that what this Bill does, therefore, to pick up on one of the points made by the hon. Minister of Transport that one of the things that this Bill does, is that it allows for collaboration and therefore strengthens the enforcement capability of all the agencies of government. Mr. Speaker, you know we have passed some very weighty legislation including the Proceeds of Crime Bill recently, and all of these help to come together to create an environment where there will be less evasion and more compliance with the requirements of good governance here in Trinidad and Tobago. And, this is therefore a part of the legislation that we need to pay attention to, that what this legislation does, it helps to close off the gaps that would have existed from the point of view of ensuring the pursuit of illegal activities here in Trinidad and Tobago.

And I had spoken of the Prevention of Corruption Act and the point that was made by other Ministers and other Members of Parliament in speaking. Clause 18 actually deals with the Proceeds of Crime Act as spoken of earlier, but that is tied into the Prevention of Corruption Act, and clause 18 deals with this Prevention of Corruption Act, and it says:

“The provisions of the Prevention of Corruption Act apply where any person demands or accepts any fee, perquisite, bribe, gratuity, recompense or reward, whether pecuniary or otherwise, from any other person on account of anything done...”—and that—“person...is liable, on summary conviction to imprisonment and a penalty as stipulated in that Act.”

So, Mr. Speaker, what this does, it ties in all of the different enforcement arms of the government and it also ties in all of the pieces of legislation, prevention of corruption, proceeds of crime, and so on, into the legislation. One of the things too, the question or sort of suggestion made, and I just want to answer it—I think when the Member for Caroni Central was speaking, there was a suggestion made regarding the different types of activities that various clubs undertake, and in clause 50 there is a requirement for allowing persons to apply for more than one type of licence and, also, that for any person aggrieved by any decision of the Commission. So, you could apply to the Commission for a licence and the Commission could turn you down, but if they do turn you down and you are aggrieved by that decision you can appeal to the High Court.

So, what we have done in this Bill is try to find ways in which we might be able to ensure compliance with the legislation, but at the same time give the person so aggrieved an opportunity to be able to appeal decisions which have been made, and therefore we protect the rights of individuals.

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Another issue which was raised, Mr. Speaker, was the issue of the transition arrangements, how do we move from the unregulated environment to the regulated environment, and there are few clauses in this Bill which deal with that already. Clause 54 and clause 63, and I will just refer to clause 54 which says that:

“A person who, at the commencement of this Act, owns or operates a gaming establishment or owns or operates gaming machines, subject to the provisions of the Liquor Licences Act...shall within three months of the commencement of this Act, notify the Commission of the existence of its establishment and machines, providing such proof of existence...”

So, there is a three-month time frame when Members—and I am sure the owners and operators of the private members’ clubs and of the gaming machines, gaming establishments and so on, are probably even more au courant than I am regarding the fact that within three months there are certain kinds of things that they will need to do to ensure compliance with the legislation.

One question, I think it might have been the Member for Chaguanas East had raised the question of private gaming, and in clause 60(1) we say:

“Gaming shall be exempt from the provisions of this Act if it is private gaming.”

So, if at home you sit down and you decide to play a game of cards, clause 60, sub clauses (1) and (2) of the Bill allow you to sit at home and play some cards, and bet some money, put a “lil” \$5 on the game—now, one of the things they say is that there is no charge. Providing:

“no charge...is made for participation in the gaming;”

So, everybody has to put up their money equally and have an equal chance of winning. It must be equal chance gaming. If you take a cut and you say because it is your home is \$5, or you have to get one out of that and the other four sharing up, then you are going to jail. But, once you do not do that, you are all right.

So, the thing is, once it takes place in a private dwelling and the members of the public have no access, then you could sit down and play or, as I was saying, if you happen to be in, I suppose, the club somewhere and you are sitting and you are playing, but it is equal chance gaming, then you are allowed to do. So, the intention of the Act is not to be overbearing and burdensome, but to meet the needs of persons.

Mr. Speaker, there were a couple of clauses that I needed to make some amendments to, and in clauses 67 and 68 we are making a change and we are

changing—and we have circulated the changes to the Members—the Development Fund and the Rehabilitation Fund. We say in the Bill here:

“The...Fund is established to assist persons in areas of sport, health, arts and culture.”

But we realize this is not something for health and really it is more the community and social effects. So, we would like to change “health” to read “social and community”. So, it would be in aid of sport, social and community affairs, arts and culture. So, those are the changes we want to make in clauses 67 and 68.

Another question that came up in clause 78, is the question of Internet gambling. So, we say:

“A person commits an offence if he does anything in Trinidad and Tobago or uses remote gambling equipment situated in Trinidad and Tobago for the purpose of inviting or enabling a person in a prohibited territory to participate in remote gambling.”

So, basically what we are saying is do not go on the Internet and try to gamble or encourage other people to gamble on the Internet. So, basically, we are looking to restrict that part of what we are doing, and there is one final change, which is, I think it is clause 84. In clause 84 we had a fine of \$25 million and imprisonment for 15 years for false statements. When we looked at it we thought it was a bit oppressive, and we looked at what similar types of offences in other legislation carried, and we decided we are putting to the members that we make a change and that it be for five years and \$5 million. So, we made a change to make it consistent with some of the other pieces of legislation. That would be like Insurance Act, Securities Act, Proceeds of Crime Act and so on. So, what we have tried to do is to bring this into line with other pieces of legislation.

Finally, Mr. Speaker, some of the changes here in our policy document, we see the Betting Levy Board and the Trinidad and Tobago Racing Authority falling under the ambit of the Ministry of Finance and the Economy, and essentially what that does is bring all of the activities—already the National Lotteries Control Board falls under the Ministry of Finance and the Economy, and that is one of the areas of activity which will not be part of this Bill. The casinos, private members’ club, gaming and so on will be part of this, but the National Lotteries Control Board will be outside. And, eventually we see this evolving into omnibus legislation that will cover all aspects of gaming and gambling activities in Trinidad and Tobago, but for the time being we are starting with this and gradually we will bring the Betting Levy Board and the TTRA and the National

Lotteries Control Board under this, but those are already regulated by specific arrangements that are in place, this part that we are focusing on is the part that has no regulation and no control at the moment. So, that is the other area which we have rationalized as part of this entire exercise.

So, Mr. Speaker, with those few words, in respect of this particular matter, I beg to move.

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole House.

5.45 p.m.

House in committee.

Mr. Chairman: This Bill has 11 parts, 94 clauses, a Preamble and five Schedules. We are going to take the Bill in parts and address the clauses coming under each part. Do we have an agreement?

Hon. Members: Yes.

Mr. Chairman: Okay, let us go.

Clauses 1 to 66 ordered to stand part of the Bill.

Clause 67.

Question proposed: That clause 67 stand part of the Bill.

Mrs. Persad-Bissessar SC: Hon. Chairman, I beg to move that clause 67 be amended as follows:

In subclause (3) delete the word “health” and substitute the words “social and community work”.

Question put and agreed to.

Clause 67, as amended, ordered to stand part of the Bill.

Clause 68.

Question proposed: That clause 68 stand part of the Bill.

Mrs. Persad-Bissessar SC: Hon. Chairman, I beg to move that clause 68 be amended as circulated, namely:

In subclause (3) delete the word “health” and substitute the words “social and community work”.

Question put and agreed to.

Clause 68, as amended, ordered to stand part of the Bill.

Clauses 69 to 83 ordered to stand part of the Bill.

Clause 84.

Question proposed: That clause 84 stand part of the Bill.

Mrs. Persad-Bissessar SC: Hon. Chairman, I beg to move that clause 84 be amended as circulated, namely:

In subclause (2) delete the words “twenty-five million dollars and to imprisonment for fifteen years” and substitute thereof, the words “five million dollars and to imprisonment for five years”.

Question put and agreed to.

Clause 84, as amended, ordered to stand part of the Bill.

Clauses 85 to 94 ordered to stand part of the Bill.

Schedules 1 to 5 ordered to stand part of the Bill.

Preamble approved.

Question put and agreed to: That the Bill, as amended, be reported to the House.

House resumed.

Bill reported, with amendment.

Question put: That the Bill be now read a third time.

Mr. Speaker: This Bill requires a special majority and therefore a division is required.

6.00 p.m.

The House voted: Ayes 26

AYES

Moonilal, Hon. Dr. R.

Persad-Bissessar SC, Hon. K.

Mc Leod, Hon. E.

Dookeran, Hon. W.

Ramadhar, Hon. P. Gopeesingh, Hon. Dr. T.

Peters, Hon. W.

Rambachan, Hon. Dr. S.

Seepersad-Bachan, Hon. C.
Seemungal, Hon. J.
Khan, Mrs. N.
De Coteau, Hon. C.
Cadiz, Hon. S.
Baksh, Hon. N.
Griffith, Hon. Dr. R.
Baker, Hon. Dr. D.
Khan, Hon. Dr. F.
Douglas, Hon. Dr. L.
Samuel, Hon. R.
Indarsingh, Hon. R.
Roopnarine, Hon. S.
Ramdial, Hon. R.
Alleyne-Toppin, Hon. V.
Partap, C.
Sharma, C.
Ramadharsingh, Dr. G.

Question agreed to. [Desk thumping]

Bill accordingly read the third time and passed.

TRADE MARKS BILL, 2014

Senate Amendment

The Minister of Legal Affairs and Justice (Hon. Prakash Ramadhar): Mr. Speaker, I beg to move the following Motion in my name:

Be it resolved that the Senate amendment made to the Trade Marks Bill, 2014 listed in Appendix II be now considered.

Question proposed.

Question put and agreed to.

Clause 123.

Senate amendment read as follows:

“After the word ‘Regulations’ insert the words ‘subject to the negative resolution of Parliament’.”

Mr. Ramadhar: Mr. Speaker, I beg to move that the House agree with the Senate in the said amendment to clause 123 of the Trade Marks Bill, 2014. Mr. Speaker, I beg to move.

Question proposed.

Mr. Ramadhar: Mr. Speaker, I beg to move.

Question put.

The House voted: Ayes 26

Moonilal, Hon. Dr. R.

Persad-Bissessar SC, Hon. K.

Mc Leod, Hon. E.

Dookeran, Hon. W.

Ramadhar, Hon. P.

Gopeesingh, Hon. Dr. T.

Peters, Hon. W.

Rambachan, Hon. Dr. S.

Seepersad-Bachan, Hon. C.

Seemungal, Hon. J.

Khan, Mrs. N.

De Coteau, Hon. C.

Cadiz, Hon. S.

Baksh, Hon. N.

Griffith, Hon. Dr. R.

Baker, Hon. Dr. D.

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Roopnarine, Hon. S.

Trades Marks Bill, 2015

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Ramdial, Hon. R.

Alleyne-Toppin, Hon. V.

Partap, C.

Sharma, C.

Ramadharsingh, Dr. G.

Question agreed to. [Desk thumping]

ARRANGEMENT OF BUSINESS

Mr. Speaker: Hon. Members, I now seek the leave of the House to revert to “Introduction of Bills”. Do I have the approval of the House?

Agreed to.

INSURANCE BILL, 2015

Bill to repeal and replace the Insurance Act, Chap. 84:01; to reform the law relating to insurance companies; to regulate insurance businesses and privately administered pension fund plans and for other related purposes; brought from the Senate [*The Minister of Finance and the Economy*]; read the first time.

Motion made: That the next stage of the Bill be taken on Friday, May 29, 2015. [*Hon. Dr. R. Moonilal*]

Question put and agreed to.

ADJOURNMENT

The Minister of Housing and Urban Development (Hon. Dr. Roodal Moonilal): Mr. Speaker, I beg to move that this House do now adjourn to Friday, May 29, 2015 at 1.30 p.m. and to serve notice that it is the intention of the Government to debate the Insurance Bill, 2015, to continue debate on the Industrial Relations (Amdt.) Bill, to continue debate on the Cybercrime Bill and the companion Bill, the creation of the Cyber Security Agency, and time permitting, to continue debate on the Ombudsman Report before us—Motion No. 1.

Mr. Speaker, I beg to move.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 6.08 p.m.