SENATE

Tuesday, March 22, 2016

The Senate met at 1.30 p.m.

PRAYERS

[MADAM PRESIDENT *in the Chair*]

LEAVE OF ABSENCE

Madam President: Hon Senators, I have granted leave of absence to Sen. Daniel Solomon who is out of country.

SENATOR'S APPOINTMENT

Madam President: Hon. Senators, the instrument of appointment has not yet arrived from His Excellency the President and, therefore, I ask that we stand this matter, the oath of the temporary Senator, be stood down.

JOINT SELECT COMMITTEE
(APPOINTMENT OF)

Madam President: Hon Senators, I have received the following correspondence from the Speaker of the House of Representatives:

"March 15, 2016

Sen. the Hon. Christine Kangaloo
President of' the Senate
Office of the President of the Senate
Level 2, Tower D.
International Waterfront Centre
1A Wrightson Road
Port of Spain

Honourable President,

Establishment of Joint Select Committee
and
Appointment of Members

At a sitting held on Friday March 11, 2016 the House of Representatives agreed to the following resolutions:

No. 1

'Resolved:

That *the Family and Children Division Bill, 2016* be committed to a Joint Select Committee for consideration and report by April 29, 2016.'

No. 2

'Resolved:

That, provided it receives the concurrence of the Senate, the following Members be appointed to serve on the Joint Select Committee on the Family and Children Division Bill, 2016:

Mr. Faris Al-Rawi, MP

Mr. Randall Mitchell, MP

Mrs. Ayanna Webster-Roy, MP

Ms. Ramona Ramdial, MP

Mr. Barry Padarath, MP'

Accordingly, I respectfully request that you cause these matters to be placed before the Senate at the earliest convenience.

Thank you.

Respectfully,

Bridgid Mary Annisette-George

Speaker"

CONDOLENCES
(LINCOLN MYERS)

Madam President: Hon. Senators, as you are aware, former Senator, Lincoln Wakefield Myers, passed away on March 15, 2016. I now invite Senators to offer tributes.

The Minister of Agriculture, Land and Fisheries (Sen. The Hon. Clarence Rambharat): Thank you, Madam President, for the opportunity to offer these words in memory of my predecessor, the late Lincoln Myers. Madam President, I knew Mr. Myers well enough to know that he would not expect us to spend time glorifying his name.

At his funeral service last Saturday, Father Robert Christo summed it up. Lincoln lived from the heart in service of the least, the little, the lowest and the last. He focused on our institutions, particularly this one, the Parliament. He focused on the planet, exceptional, but fragile.

Lincoln Myers never shirked responsibility. He spoke his mind and he acted. But, Madam President, Lincoln Myers would be remembered for two things, above all, one led to the other. Upon the steps of the Hall of Justice in 1985, then Opposition Senator, Lincoln Myers, led a 40-day fast, a vigil, a counter-position in support of his view that the work of this Parliament must never be stymied, frustrated or embarrassed. It was a ground-breaking exposition locally of the view that Parliament ought to in word and in practice be truly supreme. From that fast, flowed his candidacy in the general election that followed. His victory, the only one still, over a serving Prime Minister, and that ushered his entry into the Lower House.

Ultimately, Madam President, it was not his physical or other challenges that frustrated Lincoln Myers. It was the sad and inexplicable failure of the authorities to pursue to the end the brutal slaughter of his family's housekeeper, Ann Dhanraj—July 2016 will be 20 years. I would not be faithful to the memory of a man that I loved and admired if I did not say that his final 20 years were overshadowed by this unsolved murder, this one very personal. It is my hope for this family and Ann Dhanraj's family that this file may still produce justice.

Rest in peace, Lincoln Myers.

I thank you, Madam President.

Sen. Wade Mark: Thank you, Madam President. Madam President, I feel compelled to join the Senate in honouring the distinguished life of a dedicated countryman, Mr. Lincoln Myers, who passed on Tuesday, March 15, 2016: Senator, Minister, politician, commentator, husband and father.

Mr. Myers entered the Senate in 1983 and served until 1986 contributing to various pieces of legislation. He then entered the House of Representatives as the Member for St. Ann's East and served for the period 1986 to 1991. In that time, Mr. Myers held the office of the Minister of Food Production, Marine Exploitation, Forestry and the Environment and will always be remembered for his dedicated service as a parliamentarian.

In addition to donning the already heavy hat of a parliamentarian, Mr. Myers would remain steadfast in fostering good governance in our twin island Republic. I think I speak on behalf of the entire Opposition Bench and probably all Senators when I say that we will never forget 1985, when a steel-willed Senator Myers fasted from 6.00 a.m. to 6.00 p.m. for 40 days on the steps of the Hall of Justice. He fasted to bring light to the Public Accounts (Enterprises) Committee of Parliament, and the importance of parliamentary oversight and executive

accountability. Mr. Myers fasted and would be remembered for his 40-day unadulterated pilgrimage to the steps of the Hall of Justice where he sought to highlight allegations of corruption as an unwavering anti-corruption crusader. As the present chairman of the PA(E)C, I am proud to walk in the shoes of a man who displayed such pure feelings of stewardship and a sense of duty. I can only hope that this PA(E)C can strive to uphold the accountability mechanisms that Mr. Myers and so many others before me have fought to make possible.

Lincoln Myers' legacy of excellence, loyalty and commitment in service will never be forgotten by the political community. Despite, Madam President, being confined to a wheelchair in recent times, Mr. Myers formed various civil society groups, including his last effort, "One Accord". He also championed the idea of compulsory national service for young people and remnants of his contributions still remain on his facebook profile page, a forum which I might add many mature parliamentarians present today have yet to brave.

In addition, whilst regularly attending Parliament at the Red House, he drew attention to the fact that he had to be physically accompanied into the Chamber, and that the Red House lacked elevators to facilitate the differently abled. In sum, Madam President, Mr. Lincoln Myers was a committed Senator, Minister, parliamentarian and a patriot of Trinidad and Tobago.

On March 15, 2016, Trinidad and Tobago truly lost a man of honour and sincerity. In respect of his beliefs and convictions, I pray that such an example is not lost upon today's society. I also pray that Mr. Myers' family can take solace in the fact that his internal health struggles are over, and that he rest in peace, and I encourage my colleagues to join me in taking up his external struggle for a better society.

On behalf of the Opposition Bench, we send sincere support to his family and loved ones as they grieve his loss. Thank you, Madam President.

1.45 p.m.

Madam President: Sen. Mahabir.

Sen. Dr. Dhanayshar Mahabir: Thank you very much, Madam President. Madam President, I was fortunate to meet the late Lincoln Myers on a few occasions, and whenever I met and I conversed with him I always got the sense that Mr. Myers was an individual who entered public life, a person who entered the public domain because he really thought he could make a meaningful difference, using the political arena, in the lives of people. He believed that we as

a society did not exhaust our potential and we could so do if only we could eliminate selfishness, greed, corrupt practices and dishonesty at the level of the State and in the political arena.

The manner in which he conducted himself and his convictions indicated that he truly believed that there was hope for a brighter Trinidad and Tobago, given the enormous potential that we as a country had, if only we could do that which is right. He practised what he preached. He was firm in his convictions, and in whatever he did he brought honour to himself and to the Parliament of Trinidad and Tobago. He brought honour to the Chamber and the House of Representatives in the manner in which he discharged his functions. And the loss to us is, as a society, the loss of an individual who understood what public service was about.

He understood that there was something deeper and greater than one's own personal interest, there was a society that we could build, there was a community that we could enhance, there were people who looked towards us in the political arena for guidance, for light and for leadership, and he provided those. Whenever we in this Chamber lose our way, I think it would be instructive for us to remember the life of Mr. Myers and the manner in which he conducted his affairs in the public domain so that we could be inspired to regain the reason and to live the reason why we are occupying seats in this Chamber. That is the loss to the wider society.

The loss to a family, of course, is always severe and always great and to his wife and to his children who have lost a husband and a father, I say, deepest condolences from the Independent Bench; and to his family members, wife, children, immediate family, other relatives, I think from the Independent Bench we would like to say, he was an inspiration to all of us, and his life and his legacy will continue to guide us as we continue to debate in the better interest of Trinidad and Tobago, and in that way we will continue to pay homage because his memory will live. I thank you, Madam President.

Madam President: I wish to join with those who have paid tribute to the late Lincoln Myers in extending condolences to his family. As has been said, Mr. Myers served Trinidad and Tobago as a parliamentarian in both Houses. So committed was he to his country and his fellow man that even after he ceased being a parliamentarian he continued raising awareness on several national issues. Persons like Mr. Myers remind and show us what public service and love for one's fellow citizens really mean. May Mr. Myers example of selfless commitment to country inspire us as persons in public life towards even higher

standards and an ever deepening commitment to the principles which he embodied in his public life. To his wife and family, we extend our heartfelt sympathy. Hon. Senators, we will now rise and observe a minute of silence.

The Senate stood.

Madam President: Please take your seats. Hon. Senators, I hereby instruct the Clerk of the Senate to convey to Mr. Myers' family, the sentiments that had been expressed today.

PAPERS LAID

1. Audited Financial Statements of Caribbean Airlines Limited for the year ended December 31, 2012. [*The Minister of Finance (Hon. Colm Imbert)*]
2. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Mayor's Fund of the Chaguanas Borough Corporation for the year ended September 30, 2010. [*Hon. C. Imbert*]
3. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Mayor's Fund of the Chaguanas Borough Corporation for the year ended September 30, 2011. [*Hon. C. Imbert*]
4. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Mayor's Fund of the Chaguanas Borough Corporation for the year ended September 30, 2012. [*Hon. C. Imbert*]

JOINT SELECT COMMITTEE REPORTS
(Presentation)
Public Procurement and Disposal of Public Property (Amdt.) Bill, 2015

The Minister of Rural Development and Local Government (Sen. The Hon. Franklin Khan): Madam President, I have the honour to present the following report as listed on the Order Paper in my name:

Report of the Joint Select Committee appointed to consider and report on the Public Procurement and Disposal of Public Property (Amdt.) Bill, 2015.

Whistleblower Protection Bill, 2015

Sen. Foster Cummings: Madam President, I have the honour to present the following report as listed on the Supplemental Order Paper in my name:

Second Interim Report of the Joint Select Committee appointed to consider and report on the Whistleblower Protection Bill, 2015.

Senate Standing Orders Committee

Sen. Nigel De Freitas: Madam President, I have the honour to present the following report as listed on the Supplemental Order Paper in my name:

First Report of the Senate Standing Orders Committee, First Session (2015/2016), Eleventh Parliament.

URGENT QUESTIONS

Lay-Offs of Workers
(Steps Taken)

Sen. Wade Mark: Thank you, Madam President. To the hon. Minister of Labour and Small Enterprise Development: Are any steps being taken to protect the jobs of workers, given that within the last week more than 1,000 persons have been laid off as it appears that there are more lay-offs to come?

Madam President: Before I call on the Minister, please be reminded in answering the Urgent Questions that you have two minutes to respond. Hon. Minister of Labour and Small Enterprise Development. [*Desk thumping*]

The Minister of Labour and Small Enterprise Development (Sen. The Hon. Jennifer Baptiste-Primus): Thank you very much, Madam President. In response to the hon. Senator's question, the Ministry of Labour and Small Enterprise Development has made a public appeal to employers of this country to consider retrenchment as a last resort. There are other options that employers can consider, for example, Madam President, the reduction in work week, switching workers from one area of operations to the other. Employers also, Madam President, can also consider their sacrifice to the situation, a reduction in their profit expectations. With regard to the other steps that the Government has taken through the Minister of Labour and Small Enterprise Development, we have been discussing with the private sector. We have been discussing with the Energy Chamber, the American Chamber, Trinidad and Tobago Manufacturers' Association, and other employers, other ways and means that could still the tide of retrenchment. Thank you, Madam President.

Sen. Mark: Madam President, may I ask the hon. Minister, in respect of the first area that mention was made of, whether, for instance, any efforts have been made thus far to engage the employers as it relates to using alternative forms of engagement, rather than retrenching workers, as you identified earlier on in your contribution?

Sen. The Hon. Baptiste-Primus: Madam President, I do not think I can add to what I just said, but suffice it to say, Madam President, our engagement with the employers' sector, the business sector, in this country continues because all stakeholders have to bring to bear their own perspective and their plans and procedures as we go forward. It is a very troubling time, Madam President, and the Government continues to urge the employers and we remain open to working with them, as we are doing right now, Madam President, for a jobs expo on Tuesday, April 05, where we are bringing on board employers who are coming with actual jobs on the day.

We are inviting all retrenched workers to that jobs expo so their skills could be matched with the employers who are there on that day. So I would even encourage my fellow Senator, Wade Mark, to join with us in encouraging other employers to come on board, and the retrenched workers to register with our National Retrenchment Register, which was launched last Friday.

Madam President: Sen. Mark, are you giving way to Sen. Hadeed?

Sen. Hadeed: Supplemental, Madam, Minister, could you indicate what steps the Ministry of Labour and Small Enterprise Development has been taking to protect the jobs of employees who work with the state corporations and with Government Ministries?—as they themselves are also laying off workers. Have you given the instructions that workers should be retained as much as possible in the state enterprise system?

Sen. The Hon. Baptiste-Primus: Madam President, it suggests to me that is a completely new question, but, nonetheless, I understand the concerns, not only among my senatorial colleagues but within the hearts and minds of Trinidad and Tobago. Each Minister has responsibility for his or her own Ministry. I am not in a position to dictate to an individual Minister how a Ministry should go about organizing its work, but, I dare say, Ministers who are present here and who have listened to your questions would be so guided.

Madam President: Sen. Mark.

Plant Closures and Massive Job Losses (Government's Intention)

Sen. Wade Mark: Thank you, Madam President, to the hon. Minister of Labour and Small Enterprise Development: With the increase in plant closures and massive job losses, does the government intend to urgently amend the relevant pieces of legislation to give priority to the claims and benefits of workers?

The Minister of Labour and Small Enterprise Development (Sen. The Hon. Jennifer Baptiste-Primus): Thank you, Madam President. In response to this second question, the simple answer is, yes, we intend to amend the following pieces of legislation as a matter of priority. As a matter of fact, through you, Madam President, to Sen. Wade Mark, the Government's policy—one aspect of Government's policy is a comprehensive review of the labour legislation, as well as other interconnecting pieces of legislation. For example, we intend to amend the Retrenchment and Severance Benefits Act, No. 32 of 1985; the Companies Act, No. 35 of 1995, Chap. 81:01; the Bankruptcy and Insolvency Act, No. 26 of 2007; and that will be relevant to the situation applicable to ArcelorMittal, and, of course, I have said the Industrial Relations Act of 1972, as amended.

Madam President: Sen. Mark.

Sen. Mark: Madam President, may I ask the hon. Minister whether these pieces of legislation are going to be subject to the tripartite mechanism? Or is the Government going to move with post-haste to come to the Parliament with the appropriate amendment, particularly the one affecting the Bankruptcy and Insolvency Act?

2.00 p.m.

Sen. The Hon. J. Baptiste-Primus: Madam President, through you, in response to the follow-up question. This Government's order of business stems from an understanding and an appreciation of the consultative process. So the first move would be to engage the employers and to engage labour in terms of receiving from them their perspectives on how these pieces of legislation ought to be amended, and of course the Government, we will bring our perspectives to bear, come up with a model amended form, send it back out for their comments and then we will then bring it to the Parliament, of course after the Cabinet would have agreed to it.

Sen. Mark: Hon. Minister, given the urgency of the moment, could you envisage or could you share with us what is your possible time frame you anticipate for these consultations to take place so that legislation can be brought to Parliament within the shortest possible time?

Sen. The Hon. J. Baptiste-Primus: Madam President, through you, whilst I understand the need for urgency, we cannot embrace expediency at the expense of the input of the stakeholders. So that I am quite sure having discussions with the employers, having discussions with the trade unions, both parties, as well as the Government, we understand the need for the matter to be dealt with expeditiously.

But I cannot lock in to a time frame in terms of telling you, well within the next three months amendment will come to the Senate or to Parliament, or the next six months. We will work with a sense of urgency to address these amendments. And in that context when I meet with particularly the employers and labour, I will continue to impress upon them.

Madam President: Sen. Ameen.

Foreign Exchange Crisis (Parallel Black Market)

Sen. Khadija Ameen: Thank you, Madam President, question to the Minister of Finance. Is the Minister aware that there is a parallel black market for the US dollar that is mushrooming in light of the foreign exchange crisis in this country?

The Minister of Finance (Hon. Colm Imbert): [*Desk thumping*] No.

Sen. Ameen: Madam President, with your guidance I want to ask the Minister if he could look into this matter, because it is something that the citizens are feeling and experiencing on the streets and perhaps at some other time he may be able to enlighten Parliament?

Madam President: Hon. Senator, the Minister has indicated that he is not aware, so I do not think that I can offer any further guidance to what he has responded.

Let me just say that the time for the urgent questions has now expired, and I just want to direct Members' attention to the fact that Urgent Questions will take up 10 minutes of the time. Right? The question supplement is 10 minutes.

ORAL ANSWERS TO QUESTIONS

National Gas Company (Details of)

21. Sen. Wade Mark asked the hon. Minister of Energy and Energy Industries:

In light of the recent decision of the Board of the National Gas Company (NGC) to implement a salary, benefits and bonus freeze for 2015 and 2016, could the Minister state:

(i) whether the consent of the Minister was obtained;

(ii) whether direction was sought and received from the Chief Personnel Officer in arriving at its decision;

(iii) whether there had been any prior consultation with the employees of the NGC Group; and

(iv) whether the payment of bonuses for staff was budgeted by NGC in its budget for 2015 and 2016?

Madam President: Before I call on the Minister, please be reminded all Ministers that you have five minutes to answer these questions. Hon. Minister of Energy and Energy Industries.

The Minister of Energy and Energy Industries (Hon. Nicole Olivierre): Thank you, Madam President. Madam President, as hon. Senators will be aware, on a global scale and specifically within Trinidad and Tobago we have all been impacted by sustained low prices of commodities in the energy industry. This is projected to continue into the foreseeable future resulting in significantly lower revenues and earnings, much lower than have been experienced over the past five years.

The NGC Group of Companies has not been spared the effects of reduced revenues and profits. As such, it is imperative that steps be taken to ensure the NGC group remains viable and efficient. As a group, NGC has sought to implement the necessary measures to proactively address this challenging environment and focus their efforts on maximizing their revenue streams and controlling the major areas of expenditure.

In the specific case of salaries and benefits, NGC's board looked at the various options to manage cost increases while at the same time ensuring that salaries and total compensation remain competitive.

Consequently, the board implemented the following measures: No. 1, no market adjustment in salaries for 2015 and 2016; 2, no merit increase in salaries in 2016 for the 2015 period; and 3, a ceiling of gain share payment at six weeks base salary for both 2015 and 2016.

In the current economic climate, as Minister, I could not object to this approach to cost savings by the company. Thank you, Madam President.

Sen. Mark: The hon. Minister did not understand the question, but, Madam President, it is very clear. Could I ask the Minister, through you, whether the hon. Minister consented to the board's decision? That is the point I am asking.

Hon. N. Olivierre: May I repeat my last statement? In the current economic climate, as Minister I could not object to this approach to cost savings by the company.

Sen. Mark: Madam President, may I also ask the hon. Minister whether the NGC board in this instance sought and received from the Chief Personnel Officer any direction? Because that is a question that has been stated here.

Madam President: Sen. Mark, the question has been posed and answered by the Minister. So it does not help for you to re-ask the question. So is there a question that you want to pose to the Minister arising out of her response?

Sen. Mark: Well, Madam President, you must guide me on this matter, because I have asked a question, you have approved it and the Standing Orders are very clear that the questions must be answered. And what I am saying is that (ii), (iii) and (iv) have not been answered. So I am just asking for your guidelines on this.

Madam President: Sen. Mark, as you are well aware, the Presiding Officer cannot instruct a Minister how to answer a question. The question—the Minister has answered the question and put certain information to the Senate. So you have a choice of either asking supplementary questions based on what the Minister has answered.

Sen. Mark: I am guided by your ruling.

Madam President: Sen. Mark.

Sen. Mark: I am hearing a muttering, muttering.

Madam President: Sen. Mark.

Sen. Mark: I am being disturbed.

Madam President: Sen. Mark, could you pose the question to the Minister, please?

US Dollar Accounts at Commercial Banks (Owners' Access to)

26. Sen. Wade Mark asked the hon. Minister of Finance:

A. Could the Minister of Finance inform this Senate whether persons who have maintained US dollar accounts at the commercial banks are able to fully access their accounts?

B. If the answer to (A) is in the negative, could the Minister state what steps are being taken by the Central Bank to address this?

The Minister of Finance (Hon. Colm Imbert): Thank you, Madam President, [*Desk thumping*] response to question 26. All persons who have maintained US dollar accounts have full access to their accounts at the various

commercial banks by way of bank drafts or wire transfers. However, if persons require cash from their US dollar accounts, their ability to receive US cash would depend on the amount of US currency held by commercial banks at the particular point in time. Accordingly, the answer to part B is not applicable.

Government Pensioners
(Increase of Pensions)

27. Sen. Wade Mark asked the hon. Minister of Finance:

> Could the Minister of Finance inform this Senate as to whether he intends to raise the pension of government pensioners in order to maintain parity with persons receiving senior citizen pensions?

The Minister of Finance (Hon. Colm Imbert): Madam President, response to question number 27. There is already parity between the two pensions because both are $3,500 per month.

Central Bank Governor
(Directions re US dollars)

28. Sen. Wade Mark asked the hon. Minister of Finance:

> Could the Minister of Finance tell this Senate whether he intends to issue any further specific or general directions to the Governor of the Central Bank, given the shortage of US dollars on the foreign exchange market?

The Minister of Finance (Hon. Colm Imbert): Thank you, Madam President, the response to question 28. The Minister of Finance is reviewing the Government's fiscal and monetary policy at this time. In fact, we keep fiscal and monetary policy under review all the time, and will give directions to the Central Bank in due course if such directions are deemed to be necessary.

I also wish to give this Senate the assurance that I will continue to liaise with the Central Bank on a regular basis in order to ensure that Trinidad and Tobago's exchange rate remains at an appropriate level.

Bullying in Schools
(Steps to be taken)

29. Sen. Wade Mark asked the hon. Minister of Education:

> Could the Minister of Education inform this Senate as to the specific steps being taken to deal with the issue of bullying in schools?

The Minister of Education (Hon. Anthony Garcia): [*Desk thumping*] Madam President, research done on bullying by the Student Support Services Division in the Ministry of Education found that the most prevalent forms of

bullying in schools in order of significance were: fighting when angry; ignoring other students on purpose; being cruel to others when in a state of anger; cursing others; name-calling and teasing.

Madam President, the Ministry of Education, being cognizant of these factors, has implemented a number of strategies to address the issue. These include individual, whole-school and inter-ministerial measures. At the individual student level, several programmes and counselling services have been implemented by officers of the Student Support Services Division including conflict management; communication skills; emotional intelligence; problem solving and anger management at both primary and the secondary schools.

These programmes are intended to help students better understand themselves and others so that they may respond to conflicts and solve problems in a non-violent way. At the whole-school level, a whole-school approach ensures that all members within the school community have an equal responsibility in ensuring the best outcomes for the students. One example of a whole-school approach specific to bullying is the improvement in supervision of students which is a key mitigating factor for monitoring the incidence of bullying. Deans, in collaboration with school safety officers, security officers and the teachers are required to ensure that students are properly supervised at all times along with patrols in areas of the school where incidents are most likely to occur.

Policies for students entering the compound, as well as guidelines for undesirable student behaviour have been provided through the National School Code of Conduct.

The whole-school approach involves deans, teachers, guidance officers, social workers, safety officers and security officers. The Ministry of Education Teacher Training Division provides training to principals, teachers and heads of departments in classroom management, conflict resolution, problem solving and improving understanding of regulations as they pertain to treating with aberrant student behaviour.

Further, through the parenting in education programme the Ministry is collaborating with other Ministries in addressing areas as bullying, violence and indiscipline, parental roles and responsibilities and the effect of alcohol and drugs on learning. A total of 327 workshops involving 26,188 parents have been conducted thus far.

At the inter-ministerial level, Madam President, the Ministry of Education has partnered with the Ministry of National Security community police to closely monitor high-risk students and assist in addressing school violence from students who display high-risk behaviours. Police youth clubs are also supporting through the engagement of high-risk students.

Madam President, notwithstanding the various measures undertaken by the Ministry of Education, it is constantly challenged on a daily basis with reports of violence and indiscipline in schools. However, every effort is being made to rise to the challenge. The Ministry will continue to optimize its strategy to treat with bullying within the broader context of violence and indiscipline inclusive of threats from outside the school. Thank you.

2.15 p.m.

Sen. Mark: Madam President, through you, could I ask the hon. Minister, from what he has provided to us here, whether this bullying is a widespread phenomenon at the secondary and primary school levels in the Republic of Trinidad and Tobago?

Hon. A. Garcia: Madam President, while I can safely say that bullying is not widespread in all our schools, there are some schools where bullying has taken over, and that is what is causing most of the problems. So, to answer Sen. Mark quite clearly, no, it is not widespread in all our schools. There are schools where we do not have that level of bullying as has been reported.

Sen. Mark: Through you, again, Madam President, would the hon. Minister indicate to us, what additional measures are you contemplating in order to address the possible escalation of bullying in our secondary schools apart from what you have identified on a limited scale?

Hon. A. Garcia: Madam President, I think I was most explicit—the number of measures that I have outlined as sufficient to deal with the question of bullying in our schools, and I do not think I can answer anymore.

Depreciation of Currency
(Measures Taken to Arrest)

45. Sen. Wade Mark on behalf of Sen. Wayne Sturge asked the hon. Minister of Finance:

Could the Minister indicate what measures he intends to implement to arrest the steady depreciation of our currency?

The Minister of Finance (Hon. Colm Imbert): Thank you, Madam President. The Central Bank supervises and monitors the demand and supply of foreign exchange in the financial system in Trinidad and Tobago, and intervenes when it considers it necessary to do so in order to establish the prevailing exchange rate. However, from time to time the Minister of Finance will consult with the Central Bank in order to ensure that the Trinidad and Tobago exchange rate remains at an appropriate level.

Schoolchildren Violence and Gang Activity

46. Sen. Wade Mark on behalf of Sen. Wayne Sturge asked the hon. Minister of Education:

Could the Minister indicate what immediate steps the Government intends to take to protect the nation's children, given the increased frequency of violence and gang activity among schoolchildren?

The Minister of Education (Hon. Anthony Garcia): Madam President, the Ministry of Education has taken a number of immediate steps to protect the nation's children given the increased frequency of violence and gang activity among schoolchildren. The Ministry of Education has adopted a zero tolerance approach to violence and indiscipline in schools. Errant students will not be allowed to continue to disrupt schools. I repeat, errant students will not be allowed to continue to disrupt schools. The Ministry intends to remove these students and provide options for placement in alternative programmes along with the necessary guidance and counselling support. Principals have been asked to develop critical- incident profiles for their schools, especially in high-risk areas. Measures being implemented are:

1. Reviewing and strengthening the security complement at high-risk schools and the mandatory use of scanners at school entrances;
2. Establishment and maintenance of appropriate and a secure perimeter fencing;
3. Installation of CCTV and other electronic monitoring and detection devices to provide enhanced security capability;
4. Implementation of a system of supervision for all classes, along with the conduct of random searches—no student should be left unsupervised; and
5. Introduction of additional policy guidelines for access to schools, supervision, reporting incidents and suspensions.

These measures are being supported by the guidelines provided in the national school code of conduct discipline matrix.

Further, the Ministry of Education has engaged and received a commitment from the Teaching Service Commission that all vacancies for the position of principals, vice-principals and deans will be filled in the shortest possible time. Greater student engagement is another strategy being used to address the increased frequency of violence and gang activity among schoolchildren. In this regard, the Ministry of Education is working with schools to strengthen student involvement in student councils, cadets, scouts, girl guides, sporting clubs and

other extracurricular activities. This will be supported by training in conflict management and anger resolution. Training for principals and teachers in areas such as classroom management, conflict resolution and mediation, along with the parenting in education programme, is also being strengthened.

Further, stakeholder engagement is yet another strategy to deal with increased frequency of violence and gang activity amongst schoolchildren. The Ministry continues to partner with the Parent Teachers Association, the Trinidad and Tobago Unified Teachers Association and the local school boards, and has extended its partnership with the Trinidad and Tobago Police Service, the Defence Force and the Family Services Division of the Ministry of Social Development. This has resulted in the expansion of police youth clubs and increased police/army patrols and support Mentorship and Peer Mediation Programmes. These all form part of the education landscape, especially in high-risk schools.

Madam President, these are some of the measures being implemented as the Ministry continues to review and strengthen its strategies to treat with violence and gang activity in our schools. Thank you.

DEFINITE URGENT MATTERS
(LEAVE)

Large-Scale Retrenchment of Workers

Sen. Wade Mark: Madam President, in accordance with Standing Order 16, I seek leave to move the adjournment of the Senate for the purpose of discussing a definite matter of urgent public importance: the large-scale retrenchment of workers due to plant closures and the pending detrimental impact on the social, financial and emotional stability, and harmony of our society.

The matter is definite as it concerns a recent spike in the wave of retrenchment in several key economic sectors. The matter is urgent because it addresses the economic survival of a growing number of displaced employees, the ability of these suddenly unemployed persons to provide basic amenities for their families and the low possibility that these retrenched persons would be able to sustain an acceptable standard of living in the worsening financial environment.

The matter is of public importance because as these job losses occur, there is a ripple effect across families and communities, which, if left unaddressed will burgeon into a serious social crisis for Trinidad and Tobago. Thank you, Madam President.

Madam President: Hon. Senators, I am not satisfied that this matter, as presented, qualifies under this Standing Order.

Food Security Predictions
(Worsening Foreign Exchange Crisis)

Sen. Wade Mark: Madam President, in accordance with Standing Order 16, I seek leave to move the adjournment of the Senate for the purpose of discussing a definite matter of urgent public importance: the recent predictions for food security in the country because of the worsening foreign exchange crisis.

The matter is definite as it addresses the specific issue of the ability of the supermarkets and other suppliers to sufficiently meet the food demands of the population. The matter is urgent because the continued decline in the availability of foreign exchange is seriously hampering the ability of local distributors to meet their financial commitments with regard to imports. The matter is of public importance because an ample supply of food is a basic necessity for human survival, and any scarcity or shortage will impact negatively on every person and household in Trinidad and Tobago. I thank you, Madam President.

Madam President: Hon. Senators, I am not satisfied that this matter qualifies under this Standing Order.

JOINT SELECT COMMITTEE
(APPOINTMENT OF)

The Minister of Rural Development and Local Government (Sen. The Hon. Franklin Khan): Madam President, having regard to the correspondence received from the Speaker of the House, I beg to move that the Senate concur with the House of Representatives in the establishment of a Joint Select Committee to consider and report on the Family and Children Division Bill, 2016.

Question put and agreed to.

Sen. The Hon. F. Khan: Madam President, I now beg to move that the following five Senators be appointed to serve on the Joint Select Committee on the Family and Children Division Bill, 2016. They are as follows:

Mr. Michael Coppin

Mr. Hafeez Ali

Miss Nadine Stewart

Miss Khadija Ameen

Miss Melissa Ramkissoon

Question put and agreed to.

ARRANGEMENT OF BUSINESS

Madam President: Hon. Senators, with your leave may we revert to an earlier matter on the Order Paper. I am now in receipt of the instrument of appointment from His Excellency.

SENATOR'S APPOINTMENT

Madam President:

"THE CONSTITUTION OF THE REPUBLIC OF TRINIDAD AND TOBAGO

By His Excellency ANTHONY THOMAS AQUINAS CARMONA, O.R.T.T., S.C., President and Commander-in-Chief of the Armed Forces of the Republic of Trinidad and Tobago.

/s/ Anthony Thomas Aquinas Carmona O.R.T.T. S.C.
President.

TO: MR. WAYNE ANTHONY MUNRO

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

NOW, THEREFORE, I, ANTHONY THOMAS AQUINAS CARMONA, President as aforesaid, in exercise of the power vested in me by section 44(1)(a) and section 44(4)(b) of the Constitution of the Republic of Trinidad and Tobago, do hereby appoint you, WAYNE ANTHONY MUNRO, to be temporarily a member of the Senate, with effect from 22nd March, 2016 and continuing during the absence from Trinidad and Tobago of the said Senator Daniel Solomon.

Given under my Hand and the Seal of the President of the Republic of Trinidad and Tobago at the Office of the President, St. Ann's, this 22nd day of March, 2016."

OATH OF ALLEGIANCE

Senator Wayne Munro took and subscribed the Oath of Allegiance as required by law.

2.30 p.m.

PRIVATE MEMBERS' MOTION NO. (1)
(RECUSAL OF MADAM PRESIDENT)

Madam President: Hon. Senators, at this juncture I wish to advise that I will not be presiding over the debate of the Motion which is listed as No. (i) on the Order Paper. Some of the issues involved in the Motion are known to me by virtue of an office that I held at a time relevant to some of the matters set out in the Motion.

Accordingly, so as to protect and preserve both the dignity of and the respect required to be shown to both that office and the substantive office I hold, I have chosen not to preside over this particular debate. My decision on this occasion is consistent with a previous decision which I had taken not to involve my substantive office in the approval of the Motion. The Motion was approved by the Vice-President.

Hon. Senators, the sitting is therefore suspended for 10 minutes to allow the Vice-President to take the Chair.

2.32 p.m.: *Sitting suspended.*

2.41 p.m.: *Sitting resumed.*

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

CENTRAL BANK GOVERNOR
(Condemnation of Government's Actions)

Sen. Wade Mark: Thank you very much, Mr. Vice-President. I beg to move the following Motion standing in my name:

Whereas the Central Bank of Trinidad and Tobago is established under Chap. 79:02 of the laws of Trinidad and Tobago as a body corporate with the purpose to promote monetary credit and exchange conditions that are most favourable to the development of the economy;

And whereas as the institution that manages monetary credit, exchange conditions and interest rates, Central Banks worldwide are expected to be independent of political interference;

And whereas the Bank is managed by a Board of Directors and the day to day management of the Bank is entrusted to the Governor who shall be appointed by the President for a period of five (5) years;

And whereas section 10(1) of the Central Bank Act stipulates that the Governor shall be answerable to the Board for his acts or decisions;

And whereas there has been no public disclosure by the Board of Directors or otherwise with regard to apparent reasons for the dismissal of the Governor owing to his actions or decisions;

Be it resolved that the Senate condemn the actions of the Government in its dismissal of the Governor of the Central Bank on December 24, 2015.

Mr. Vice-President, I want to thank you for the opportunity to debate this very important issue affecting our country and our democracy. One of the pillars of any democratic system of governance is the strength of the country's independent institutions. Two institutions whose independence is closely monitored and viciously guarded are the Judiciary and the Central Bank. Independence of the Central Bank does not mean no communication with the Executive.

Mr. Vice-President, this country up to recent time has always respected the independence of the Central Bank. The Executive, bankers, trade unions and public commentators have all shown respect to the office of the Governor and the Central Bank as a whole. The current Government whilst in Opposition falsely accused the then PP Government of undermining the independence of institutions. We all thought that they were serious about protecting those institutions that they accused us of undermining.

However, it turned out that they had another devious and destructive agenda. From the moment the last Governor's appointment was announced, the PNM or the Government, then Opposition, and its agents—many of them, I would not call names—began an unrelenting attack on that particular individual, the office and the Central Bank. The attack continued with the agents of the PNM using all avenues to pressure the Governor to leave and create public opinions against the then Governor. This has been unprecedented in this country and our Caricom and, in fact, the Commonwealth of Nations. The Opposition, now in Government and their agents went so far as to blame the US dollar shortage on the last Governor.

Mr. Vice-President, the US dollar shortage is worse under the current Governor—that is, the new one that has been appointed, Dr. Alvin Hilaire—and not a word from these agents who hounded the last Governor out of office. The attack went so far that a senior director of a large bank here in Trinidad and Tobago published over 18 articles criticizing the Governor. To our surprise, the board of that bank never saw it fit to rein in the director for criticizing the regulator. But then again that is what goes on.

Just recently we heard about no confidence in a major indigenous local bank. It seems that there is no respect for anything by this new administration. Mr. Vice-President, the last Governor never compromised the issue of monetary policy. He went about doing his work to the best of his ability. Communication with the public was quite frequent and welcomed. He opened up the Central Bank to the people. Monetary forums were held throughout the country: Debe in your own homeland, Tobago, Chaguanas and even in Port of Spain. The then Governor, this new Governor rather, has huge shoes to fill and we await his approach. We are seeing some disturbing signs but we await his approach. Let us hope it is different from those of his masters because they will have a plan for him too if he does not conform to their policies.

2.50 p.m.

Mr. Vice-President, one of the low points in all of this is that trade unionists that began criticizing the last Governor on the issue of monetary policy, left, right and centre—the agents of the Government—are now very quiet. They are very silent. It is as if they have adopted the Christmas song, "Silent Night". They are silent because the last Governor has been replaced. They called for his removal.

Mr. Vice-President, I want to tell you that before that decision was taken to remove the Governor, and before any decision is taken to remove a Governor of a Central Bank, any civilized government would pay attention to two essential confidence-building measures. They would pay attention to the recognition of the sanctity of security of tenure of the office. They would pay attention to that—the sanctity of security of tenure of that office. And secondly, they would pay attention to the implications of such action on the global, financial stage: what would be the implications when such action is taken against a Governor? These are confidence-building matters that you have to deal with. But it did not matter.

The former Central Bank Governor said the country was in a recession. They attacked him. Today, everybody is now saying the country is in a recession. So it is ironic that the individual who was attacked for declaring recession, it is now being said that the country is, in fact, in a recession. I read somewhere where the Minister of Finance said that is a fact, it is in a recession. So, it is going into about three months now since the Governor was arbitrarily and summarily dismissed from his job, not by the board of directors according to the law. Mr. Vice-President, I quoted section 10(1) of the Central Bank Act and it tells you who the Governor is accountable to. He is answerable to a board of directors for all his actions and decisions. He is not accountable to the Cabinet or to the Minister of Finance. He is accountable to a board of directors, in accordance with 10(1) of the Act.

At today's date, as we speak today, the new Government, the Government of Trinidad and Tobago, has not been able to issue a formal and official statement on the arbitrary and capricious dismissal or removal or termination of the former Governor of the Central Bank. Trinidad and Tobago and the world have not seen an official statement from the Government of Trinidad and Tobago who advised the acting President to remove the Governor of the Central Bank. This is unprecedented. This is unheard of.

Mr. Vice-President, at this time the board of directors of the Central Bank, to whom the former Governor was answerable and accountable for his decisions and actions, has also failed to issue a formal statement to the nation as to why the former Governor's appointment was revoked or terminated. We have not heard from the board of directors of the Central Bank. This kind of behaviour is reminiscent of what we have witnessed in Zimbabwe under Mugabe and what we recently witnessed in Nigeria under "Lucky". I think he lost the election.

Hon. Senator: Goodluck Jonathan.

Sen. W. Mark: Goodluck Jonathan—thank you very much, Senator—of Nigeria. He dismissed his Governor, attending a conference somewhere in Africa and he was summarily dismissed by Goodluck Jonathan who is no longer—luck is no longer his way. He lost the election.

So the former Governor was properly appointed. He possessed all the relevant qualifications. He was announced recently as one of the top 50 graduates of the University of the West Indies when it celebrated its 50th Anniversary. [*Interruption*] UWI, not by who. UWI, the University of the West Indies, where you were a lecturer at one time and you gave up your post to be a politician.

Mr. Imbert: Where you got your degree from?

Sen. W. Mark: You "doh have tuh" worry about that. You have to be worried about other things I am coming to just now. When I am going to come to you, then you become worried, not now. You just stay quiet right now.

Mr. Vice-President, let me go on, with all these mutterings that I am getting on that side. Mere hours, as I said, when the gentleman came into being as a Governor, they began to attack him left, right and centre in this country. But you know what? No problem. They accused the Governor, literally, of changing the old system of allocation, and like how somebody went up midnight to remove a particular—

Sen. Hadeed: A weather vane.

Sen. W. Mark:—weather vane on the Red House, is the same way they went and dismissed this gentleman, almost on the eve of Christmas. Christmas Eve night—Christmas Eve day—to show you how heartless that regime is. On Christmas Eve, the 24th—

Mr. Imbert: It was the 23rd.

Sen. W. Mark: No, "yuh fire him on the 23rd in de Cabinet, buh he get de letter on de 24th".

So, Mr. Vice-President, the question here, they accused him at the time of shortages in US currency because he introduced a new allocation system. And I remember the Minister of Finance when he was on this side, described the man as an OJT. It is on the *Hansard* record—described him as an OJT. That was the disrespect and contempt that he had for the Governor then, of the Central Bank. There was an agenda formulated in Opposition to get rid of the Governor and when they got into office they did all that they could have done until they saw the back of the Governor. You remember, Mr. Vice-President, when the Central Bank issued US $500 million into the system and everybody "start to ask, 'wey de money gone. Wey de money gone'"? Everybody asked the question, and when the gentleman provided answers, they say, "yuh" breach confidentiality. That was all part of the entrapment. So he revealed at a monetary forum where the money went and he outlined all the players who were involved in that process.

I want to tell you, Mr. Vice-President, the nation must not be fooled into believing that the disclosure of the names of these 18 recipients was the reason why the Governor of the Central Bank was removed. I think the Government has a duty and a responsibility to tell the country today, the real reason why the Governor was removed.

Mr. Vice-President, they embarked on a campaign to destabilize the Governor whilst they were in office to get rid of him, and I will give you some instances of the machinations of the Government when they sought to undermine the Governor of the Central Bank. You know what they did? When the time came for the term of chairmanship of the Deposit Insurance Corporation—expired in August—elections was in full swing, so the last Government did not appoint him—I would admit that—but when they came in on the 7th or on the 23rd or before that, they had September, October, November and they dismissed him on the 24th of December. So they had days and weeks in December. You know what they did? They left that post of chairman vacant for almost three and a half months. They never appointed the Governor. The first time in 50 years the Deposit Insurance Corporation was without a chairman for almost four months because the Government had an agenda to get rid of Jwala Rambarran.

You know what is the next episode, Mr. Vice-President? For the first time in 50 years—the alternate to the Governor of the International Monetary Fund is always the Governor. It is the Minister and the alternate is the Governor. They refused to appoint Jwala Rambarran as the alternate. You know who they appointed instead? The Minister of Planning and Development. My information—and I stand corrected, and the Minister when he is speaking he must tell the country who is the alternate to him on the International Monetary Fund. Is it the Minister of Planning and Development? And why it is, for months you refused to appoint the Governor of the Central Bank on that board as your alternate? Why? Why did you refuse to do that? First time in 50 years—because the bank was formed in '64. First time in 50 years you had a Minister who was the alternate instead of a Governor.

Never happened in the history of Trinidad and Tobago since the Central Bank was formed in 1964. Why was that done? Because you were involved in machinations to undermine and to get rid of the Central Bank Governor.

3.05 p.m.

They accused him as part of the conspiracy of establishing, as I said, a foreign exchange allocation system where there were 12 players, and there are always 12 players, and there are still 12 players, but 10 of them are getting money. Ninety-five per cent of the foreign exchange that is sold by the Central Bank goes to eight commercial banks, and one of them, Republic Bank, gets about 27½ per cent of the foreign exchange allocation. I understand in the years gone by they used to get less than 15 per cent. We must ask the question: who increased the allocation to Republic Bank from 15 to 20 per cent, to almost about 30 per cent?

You have a director on that Board. I understand he is the chairman of some Economic Advisory Board. He is a director. And whilst we cannot get foreign exchange in this country, Republic Bank bought a bank in Ghana for tens of millions of US dollars, if not hundreds of millions, and then they went and bought a second bank in Suriname. So when the Central Bank is issuing foreign exchange to these eight commercial banks and this one commercial bank gets 28 per cent, instead of giving it to the business community and to individuals, they are taking our foreign exchange to buy a bank in Ghana and to buy a bank in Suriname, and all this thing took place in the period when Jwala Rambarran was the Governor of the Central Bank. So they blamed him.

So the Governor of the Central Bank is responsible for foreign exchange shortage in the country. What nonsense! It is ludicrous to even talk about it. It is energy prices that are falling, and production that is falling, that is resulting, Mr. Vice-President, in a fall in foreign exchange earnings and conversion. That is

simple. How could he be responsible? When they reordered him to reintroduce the old system in October of 2015, it was reintroduced. Today, Mr. Vice-President, if you go in the bank, you cannot even get cash from your own foreign exchange account. The Minister admitted that today. Republic Bank must tell this country, and all of them on that Board of Republic Bank, what they were doing with all the foreign exchange that they were getting. So they blamed him for the foreign exchange.

Today, the Minister again in his normal way, told us what? The Governor of the Central Bank, or the Central Bank, deals with demand and supply into the foreign exchange. The IMF comes and tells us be flexible with foreign exchange. What does it mean, Sir? What is worse, I saw where Dr. Terrence Farrell says in the newspapers, in the *Business Guardian*, let the dollar slide. "Doh" stop it. So let it go to $10, it does not matter. It must slide, and when we talk about a black market, Minister says "he eh know nothin bout that". Well I want to tell him today if he does not know about that, I am telling him and Trinidad and Tobago there is a parallel black market in the Republic of Trinidad and Tobago [*Desk thumping*] and businessmen are being called upon to take $7 and $8 for US $1 in order to import things in this country. So there are a lot of speculations as the IMF said, and precautionary approaches taking place to foreign exchange shortages in this country. Why all this pressure?

You know, Mr. Vice-President, I am wondering, the Malcolm Jones saga, I wonder if that is coming to haunt us. I wonder if the reason why they got rid of Jwala Rambarran as Governor of the Central Bank is because of this statement I am about to read. This is a statement delivered by Mr. Jwala Rambarran at a conference, or at some meeting, entitled, "Trinidad and Tobago Coalition of Service Industries, National Service Week". It is dated November 06, 2013. It is the Trinidad & Tobago "Financial Sector: Creating the Future We Want". Hear what he says:

> "…Ladies and Gentlemen…"

He is talking about the collapse of CL Financial and the big players involved in it, and some of the players are financiers of the PNM. Some of the big players are financiers of the PNM. Hear what he said:

> "I wish to indicate that the CL Financial failure is the subject of three...investigations."

The first one:

> "…the Central Bank commissioned a forensic investigation which resulted in the filing of a civil suit claiming damages against former leading CL Financial executives and their related companies."

Here is the press release. It is a press release dated June 07—the Central Bank on June 07, 2011. Ewart Williams would have been the then Governor. I will not detain you with all the details here.

> "Second, the Director of Public Prosecutions is investigating the prospect of laying criminal charges against these former leading executives."

I want to repeat that.

> "...the Director of Public Prosecutions is investigating the prospect of laying criminal charges against these former leading executives."

And the third one referred to the:

> "...Commission of Enquiry has completed its deliberations and is expected to produce a report into the circumstances behind the"—failed—

And whilst that is going on, I refer to an article by Anthony Wilson, May 26, 2013:

> "Heavily armed police officers from the Inter-Agency Task Force…last week raided the offices of financial-troubled insurance company Clico and its parent company CL Financial, looking for evidence to support the criminal case that the…(DPP) is building against former high-ranking executives of the"—company. That—"was confirmed by the police…"

Mr. Vice-President: Senator, what newspaper was that?

Sen. W. Mark: This is the *Trinidad Guardian* by Anthony Wilson, and it is dated Sunday, May 26, 2013. They have the names of them here. The people who their civil lawsuit has been filed against, and they have the names of the people who criminal investigations have been launched against.

So I am wondering, Mr. Vice-President, whether we are going to have some kind of approach taking place very shortly, where some lawyer is going to write to somebody and say to them, "You know what is happening? The evidence is insufficient. We should discontinue this matter." I wonder if that is the reason why they got rid of Jwala Rambarran, to get possibly some of their friends off the criminal hook. I am just asking. I am just asking. I do not know. I am asking. But what is even more interesting is an article written in NewsGram, an Indian-based paper, and the headline is Trinidad and Tobago "central bank sacks Indian-origin governor Rambarran".

Sen. Khan: "Doh go there, nah."

Sen. W. Mark: No, I "ain't" going there. Ah quoting for you. I "ain't" going there. I want to quote this article. If you go on the website you could get it. I have the website name, www.newsgram.com. Here is what they say:

> "'The cabinet took the decision after careful deliberations,' Imbert said. "Rambarran"—and I quote:
>
> "…had named three companies for violation of foreign exchange laws. The companies had written to Imbert to complain about this and pledged to take legal action."

This is in a newspaper that is published in the Republic of India.

I would like the Minister of Finance to tell us today, whether three companies who apparently violated the foreign exchange laws of this country had written to him about this and had pledged to take legal action in the matter? And I want to find out, Mr. Vice-President, if that could be one of the reasons why Jwala Rambarran may have been dismissed as well.

Mr. Vice-President, these are very serious matters, you know. You do not play around with a Central Bank. We have a Central Bank today, where I see the Minister is boasting in today's papers, he meets with the Central Bank every Wednesday. I saw in the papers today where the Minister is quoted as saying, "…he meets with the Central Bank every Wednesday..." He wants to control the Central Bank. He wants to control the Governor of the Central Bank. He wants to control monetary policy of the Central Bank. We have a duty and a responsibility to reform the Central Bank Act of Trinidad and Tobago, and to make it more autonomous. There must be more operational freedom and independence for the Central Bank of Trinidad and Tobago.

I have read where, for instance, the Minister quoted extensively in the newspaper: he was not informed, the Governor misled him, did not give him proper information. Because the Central Bank Act today, as it is currently structured, allows a Minister to have extreme influence in the running of the Central Bank. That is wrong. The influence is too great, and that is why, Mr. Vice-President, the Central Bank Governor may have been at that time very adamant that he has a right not to really engage in too much consultation at that time.

3.20 p.m.

But I want to ask something, Mr. Vice-President. If our foreign exchange reserves is being sold to the commercial banks and the commercial banks are doing whatever they want with our foreign exchange reserves, is it not—and

when people go to the bank, when I go to the bank to get a couple dollars, I "cyah" get it. When other citizens go to the bank to get moneys for medical and for educational expenses, they cannot obtain it, and you are hearing big business taking control of the money supply in terms of foreign exchange, and they are blaming the former Governor for the shortfall. What is the Governor to do? He releases the names, he gives the information. He tells you who is getting what and how much and what quantum and they say, "Ah ha, we ketch him, we will take him down now", and that was what happened.

But I want to tell you something. There is something called credibility. There is something called credibility in monetary policy and if you do not have credibility, Mr. Vice-President, you are going to be in some difficulty. And I believe that there are certain implications that will arise out of this development that has taken place. We have to look at the possibility of monetary—Mr. Vice-President, could you advise me on how many minutes I have again?

Mr. Vice-President: You have almost five more minutes.

Sen. W. Mark: Okay. I want to say, Mr. Vice-President, that in an era of transparency and at a time of the country's foreign exchange reserves being plundered, it is impossible for the people not to be aware of what is taking place. The haemorrhage of our foreign exchange reserves by some 18 recipients cannot simply be captured under the fig leaf of confidentiality. What is important more in this situation, the national interest versus private interest? That is the conundrum that we are faced with today.

But I want to indicate, as I wind down, that there is a document written by Dr. Fabian Amtenbrink and he says that there are three pillars of Central Bank governance. One is independence, one is democratic accountability and the last one is transparency. We have to be conscious that when we talk about transparency and accountability in our country, we need to pay attention to these important features of a central bank. Central Bank should have institutional autonomy, financial autonomy, functional autonomy, organizational autonomy and there should be political independence in terms of the Central Bank.

You cannot whimsically move a governor as we have done in Trinidad and Tobago. In the European Union, as an example, you can only move a governor if he is in breach of his qualifications and if he commits gross misconduct and there is a supreme court you can go to or a tribunal. But you just do not take—a Minister takes a note to Cabinet and the political directorate just decide to sign off and say well, look, terminate. It "doh" happen in this civilized society. So, Mr.

Vice-President, it is clear beyond a shadow of a doubt that the last Governor was removed from office because of political reasons and perhaps other reasons. I sought to get clarification on those and I hope that the Minister will provide us.

The question one has to ask: does the Government have a problem with a governor appointed by another Government? We did not have one with Ewart Williams. He was there and we kept him. We did not fire him. We did not remove him. Or do they have a problem with a governor from a rural area? I do not know, I am just asking.

This Governor, Mr. Vice-President, is a citizen of this country, a man who has worked hard and long to achieve what he has been able to achieve and we find it most regrettable and very tragic that this Government could have whimsically, capriciously, arbitrarily remove the Governor on what I call some grounds that, if you check in law, any lawyer could come up with a position in the way that they wanted. But when it goes to court—I understand from what I read in the papers, it is going to court—I hope that justice will be served, but that is not the point here. The point is, what is the future of our country in this regard: the stability, the creditability and the whole question about confidence-building in the process?

So we on this side call on this Senate to condemn the actions taken by this administration in arbitrarily removing the Governor of the Central Bank in the way that they did. It is inexcusable, it is indefensible, it is unacceptable, the way that they have gone about treating with this particular issue and I call on the Minister of Finance to clear the air on all of the points that I have raised here, particularly that matter that came out of India and the matter of the investigations, criminal and civil, involving some of their financiers and whether that was the real reason for the matter. I beg to move. [*Desk thumping*]

Sen. Gerald Hadeed: Mr. Vice-President, I beg to second the Motion and reserve my right to speak at a later time.

Question proposed.

The Minister of Finance (Hon. Colm Imbert): Thank you very much, Mr. Vice-President. Before I begin, I would simply like to advise Sen. Mark, through you, that there is no need to shout, my hearing is perfect and the decibel level of his contribution does not improve its content.

Now, Sen. Mark made a number of statements which are wrong in fact, wrong in assumption, wrong in interpretation. I would start with the first one with respect to what he said about the Governor not being accountable to the

Government or the Ministry or Minister of Finance and I will read into the record section 12 of the Central Bank Act which Sen. Mark studiously avoided. Section 12, Central Bank Act, Chap. 79:02:

"The President may terminate the appointment of a Governor or a Deputy Governor or any director if the Governor, Deputy Governor or any director—

(a) becomes of unsound mind or incapable of carrying out his duties;

(b) becomes bankrupt or compounds with, or suspends payment to, his creditors;

(c) is convicted or sentenced to a term of imprisonment;

(d) is convicted of any offence involving dishonesty;

(e) is guilty of misconduct…"

That is section 12(e)

"…in relation to his duties;

(f) is absent, except on leave granted by the Board, from all meetings of the Board held during two consecutive months or during any three months in any period of twelve months;

(fa) fails to comply with section 16(1);"

—of the Act. Section 16, Mr. Vice-President, I will deal with that in due course.

"(fb) contravenes any provision of any prescribed Code of Ethics in respect of which he is liable to termination of his appointment;

(fc) becomes disqualified for holding office…or

(g) fails to carry out any of the duties or functions conferred or imposed on him under this Act."

I will repeat section 12(e) is that the President may terminate the appointment of the Governor if he:

"is guilty of misconduct in relation to his duties;"

Or:

"(g) fails to carry out any of the duties or functions conferred or imposed on him under this Act."

Now, Mr. Vice-President, at the end of the contribution of Sen. Mark, he made some reference to this matter going to court, he said he had read it in the newspapers. Well, Mr. Vice-President, I do not intend to fall into error as former

Speaker of the House Mark fell into error when he reported to the other place that he had received a notice from the High Court of proceedings in a particular matter when, in fact, that was not so. I am aware of a pre-action letter written by lawyers, on behalf of the former Governor of the Central Bank, to the Central Bank and in that particular letter, the lawyer says:

> We are pursuing the procedural failings of the revocation of his instrument of appointment with His Excellency the President Anthony Thomas Aquinas Carmona SC.

So that there is a pre-action letter in existence written to the Central Bank and contained therein is a statement that lawyers for the Governor are pursuing the revocation of his appointment with the President of the Republic. That is as far as I know it to be at this point in time. I am not aware whether any letter has been written to the President. I have not received any correspondence nor has the Attorney General, as far as I know. But a process has commenced and when I look at the sub judice rule, it speaks to active proceedings in any court of record. So I am going to be careful in what I have to say because I have no intention of falling into error.

Now, let us deal—go back to section 12 of the Act. And I must say that some of the things that Sen. Mark has said bear a striking resemblance to the contents of this pre-action letter written to the Central Bank.

Sen. Mark: Okay, I am part of it then. [*Laughter*] I am part of it.

Sen. Gopee-Scoon: You confirming?

Sen. Mark: No, no, "he drawing me in".

Sen. Gopee-Scoon: I was wondering if you are confirming.

3.35 p.m.

Mr. C. Imbert: Mr. Vice-President, this is the season of Easter and if one is familiar with the trial of Jesus Christ, when Pontius Pilate asked Him: "Are you the King of the Jews?" Jesus answered: "It is you who say it." I did not accuse Sen. Mark of anything. [*Desk thumping*] I would take that passage from the *Bible* and say it is you who say it, not I. It is you who say it.

So, as I said, some of the things said by Sen. Mark bear an uncanny resemblance to some of the statements made in that pre-action letter written to the Central Bank. I have not accused Sen. Mark of anything. It is he who says it, not I.

But I have in my possession the Instrument of Revocation of the Appointment of the former Governor of the Central Bank, issued by the Acting President on the 23rd day of December, 2015, and it speaks to the power vested in the President by section 7(1) of the Central Bank Act, but it also refers to section 12(e) and section 12(g) of the Central Bank Act. What the Acting President said in this instrument is:

> In exercise of the power vested in me by section 7(1) and section 12(e) and (g) of the Central Bank Act, I do hereby terminate and revoke your appointment as Governor of the Central Bank.

Let me go back to 12(e). It speaks to:

> "…misconduct in relation to his duties;"

And 12(g) refers to failure:

> "…to carry out any of the duties or functions conferred or imposed on him under this Act."

It is not true to say, therefore, as it is alleged by Sen. Mark and others, that this matter was whimsical. It is clear, crystal clear, that action was taken in accordance with 12(e) and 12(g) of the Central Bank Act, which speaks to misconduct and also failure to perform duties.

I also wish to correct an inaccurate statement made by Sen. Mark, where he said—let me make sure I do not misquote him—there has never been any official statement from the Government or the Minister of Finance. These were his exact words:

> The Government has not been able, up to today, to issue a formal statement with respect to the termination of the appointment of the former Governor of the Central Bank.

I would also read into the record a public document, a press release issued by me on December 24, 2015, and in that press release, which was published in the newspapers and on the radio, and on television, and I assume Sen. Mark was in Trinidad and Tobago on December 24, 2015, and this is what I had to say then:

> "The Minister wishes to advise that after long and careful deliberation, the Cabinet took a decision at approximately 1:00 pm yesterday,"—which would have been the 23rd—"at its regular weekly meeting, to request the President to terminate the appointment of the former Governor in accordance with sections 12(e) and 12(g) of the Central Bank Act. The Cabinet Minute, the

> necessary instruments and other legal documents were sent to President's House just after 2:00pm for the consideration of Her Excellency, the acting President.
>
> Her Excellency,…subsequently signed the instrument of revocation…"—at about—"7:00pm, or about 4 - 5 hours after the documents were sent to President's House.
>
> The Cabinet's decision was based primarily on legal advice from both internal and external counsel, including senior counsel, who advised that the disclosure by the former Governor of the names of the largest users of foreign exchange in Trinidad and Tobago and the amounts of foreign exchange that they used was a breach of section 56 of the Central Bank Act and section 8 of the Financial Institutions Act.
>
> In addition to this, Cabinet took note of the fact there was a need to restore confidence in the confidentiality of the banking system and in the governance of the Central Bank."

This press release, Mr. Vice-President, was sent out to all media on the official letterhead of the Ministry of Finance in my name, on December 24, 2015, and published by all media. It is, therefore, incorrect—wrong—of Sen. Mark to say there has never been a formal statement with respect to this matter. That is simply untrue.

Let me return now to the Central Bank Act. Sen. Mark made the statement, which is also incorrect, that the Governor is not accountable to the Government or the Minister of Finance and he referred to section 10(1) of the Central Bank Act.

But as I said, Sen. Mark avoided section 12, where it makes it clear that the appointment of the Governor is terminated by the President, once certain conditions are present, and I specifically highlighted 12(e) and 12(g).

In this particular case, Mr. Vice-President, in our laws, when the word "President" is used without any other words, for example, there are laws where the word "President" is used with respect to an appointment or an action, where the words "in consultation with the Prime Minister and the Leader of the Opposition" follow, in that case, the President acts in his own discretion. But where the word "President" appears on its own, without any qualification and without any other words, "President" means Cabinet.

So the Central Bank Act makes it clear that it is the Cabinet who advises the President and the President acts on the advice of the Cabinet. He has no discretion with respect to this matter, with respect to the appointment and the revocation of

the appointment of the Governor of the Central Bank. And, therefore, it is simply incorrect, as Sen. Mark has told us, that the Governor is not accountable to the Government or to the Minister of Finance. That is just wrong, because if it is the Government that causes the appointment to be made and if it is the Government that causes the revocation to be made, then certainly the Governor is accountable to the Government in the performance of his duties.

Now, let us dig further into this because Sen. Mark made a number of statements that are just wrong. And before I get into other statements that he made that are just incorrect, I wish to say he spoke about some publication, he did not really identify the source. He said some publication from India, of which I have no understanding or knowledge. I am not aware of that particular publication that you are referring to, Sen. Mark. But he posed the question: Did the three companies involved in foreign exchange violations—I do not know how he knows that companies are engaged in foreign exchange violations, because the whole question of breaches of the Foreign Exchange Control Act is a matter for the Central Bank and also the Minister of Finance. So how Sen. Mark knows that three companies were involved in foreign exchange violations is a mystery to me. But he quoted some publication, which caused him to ask a question: Did three companies involved in foreign exchange violations write the Minister regarding the Governor and say they were taking legal action? I have no knowledge whatsoever of anything that Sen. Mark is talking about, with respect to this matter.

However, in this place, Mr. Vice-President, I have come in this place during the budget debate and on other occasions, most recently with the Finance Act, No. 1, and I have read into the record, not hidden anything—read into the record in this place on live television for all to hear, including Sen. Mark, that a number of companies in Trinidad and Tobago had expressed concern about the actions of the former Governor. And I read into the record that the Chamber of Commerce, which is not one company, it is a lot of companies, had stated that customers and depositors of commercial banks are severely aggrieved at the betrayal of confidence, given the high expectation of privacy in these matters. The Chamber is also concerned that this is a dangerous precedent that could lead to further disclosure of any confidential information if the action goes unchecked. That is in December of 2015, a press release from the Chamber of Commerce.

The Bankers Association also issued a press release suggesting a loss of confidence in the former Governor of the Central Bank. And when the banking sector and the commercial sector losses confidence in the Governor of the Central Bank, then the Government must pay attention.

I also, in this place—and Sen. Mark was present—reported that Republic Bank had written a letter dated December 07 to me, stating, among other things, that trust and confidentiality is so highly regarded in the banking industry that transgressors are swiftly and severely dealt with. The letter went on to say the administration of foreign exchange is the responsibility of the Ministry of Finance and we draw these concerns to your attention and trust you will provide some assurance that customers' legitimate concerns that their confidential bank information will not be disclosed.

I also, in this place, and Sen. Mark was present, referred to a letter written by Smith Robertson who said, among other things:

> We question the necessity for such a disclosure, as well as the Governor's motives. If it was his intention to advise the country as to who purchased foreign exchange, surely it would have been more appropriate to refer to the industries or sectors operating in our economy, rather than calling the names of firms. We see this as a clear breach of the code of client confidentiality and are totally dismayed and appalled that the Governor resorted to this type of action. Client confidentiality is a fundamental principle in the business of banking. And we have to believe the Governor should have known better.

I also, in this place, and Sen. Mark was present, referred to a letter from the Massy Group, who said, among other things:

> We feel certain that the Governor's actions are in breach of section 8(1), 8(7) and 55(2) of the Financial Institutions Act and section 56 of the Central Bank Act.
>
> We expect that the Government will not allow these breaches to escape consequences. We take note of the specific consequences for breaches that are contained within each of the Acts and expect the Government will pursue the enforcement of the law, as this sets a dangerous precedent for the disclosure of confidential information from corporations and individuals in the future.

So the point, Mr. Vice-President, is not as Sen. Mark would have us believe that all of this was secret; this was all out in the open. These letters were published in the newspapers. They were published by me in this Parliament, in the presence of Sen. Mark. So we all knew that Republic Bank had complained, that Smith Robertson had complained, that the Bankers Association had complained, that the Chamber of Commerce had complained, that the Massy Group had complained. And it was these facts, in addition to other things, that caused the Government to determine whether in fact—because we are not just going to take

this on the say-so of the private sector. They have a right to complain. They have a right to say they have lost confidence in the Governor of the Central Bank. That is their constitutional right to say so. But we are not just going to take what they say just like that.

So, as indicated in the press release, which, as I have said, Sen. Mark seems to be unaware of, we sought legal advice. I have made this crystal clear, in this place and outside this place, and we sought legal advice from internal counsel, external counsel. We sought legal advice from the Law Commission. We sought legal advice from the Attorney General's Office. We sought legal advice from Senior Counsel and we received legal advice. We did not just get one opinion. We got four, and because we wanted to be very, very careful because we are dealing with an important institution where the business community and banking sector has said they have lost confidence in that particular institution.

3.50 p.m.

Every opinion we received, Mr. Vice-President, made it very, very clear, that in the opinion of counsel, the former Governor of the Central Bank—I will just read into—one thing from the record:

> The Governor breached the duty of secrecy imposed on him by section 56(1) of the Central Bank Act, because the disclosure of the names of the companies and the exact amount of US dollars sold to each company by the banks, amounted to a disclosure of information regarding matters relating to the affairs of the bank, the commercial banks and their customers that had come to his knowledge in the course of duties.

And that is the important thing. The information that was published had come to the attention of the former Governor in the course of his duties, because the companies have a duty to disclose to the Central Bank through the commercial banks, the purchases and sales of foreign exchange. So that one of the legal opinions told us this. Another opinion told us:

> When the Governor identified the users of foreign exchange, the Governor breached the confidentiality provisions of section 8(1).

Sen. Mark: Give us the names, "nah"?

Hon. C. Imbert: Mr. Vice-President, can I speak without interruption? Thank you very much:

> When the Governor identified the users of foreign exchange, he breached the confidentiality provisions of section 8(1) of the Financial Institutions Act, regarding a customer or other person dealing with a licensee.

Another opinion, again, referred to section 8 of the Financial Institutions Act, and section 56 of the Central Bank Act, Mr. Vice-President.

So, that the Government did not act whimsically in this matter, at all. We took our time. We were very, very, very, very careful. We sought advice. We sought opinions, not one, not two, not three, but four opinions from Senior Counsel. So, when we received the advice we concluded that as I indicated in my press release, that the Governor had breached section 56 of the Central Bank Act, and section 8 of the Financial Institutions Act.

And, Mr. Vice-President, confidentiality is at the core of the banking system, not just in Trinidad and Tobago, but in the entire world. Once confidentiality is breached, then there will be a loss of confidence and there could be a systemic collapse of the financial sector. And this is not just "a particular bank" we are talking about, a commercial bank; we are talking about "the Central Bank" which is supposed to be the exemplar, which is supposed to be the leader, which is supposed to set the standard in terms of confidentiality of client/customer relationships.

Now, let me move on the other errors of fact, other erroneous statements made by the hon. Senator:

> "The Governor has a right not to engage in too much consultation with the Minister of Finance."

I wish we were in the old days and you could use language. Your Standing Orders have severely circumscribed my ability to speak about certain things. But I can say, Mr. Vice-President, that if one carefully examines the Central Bank Act, one sees that the Governor is obligated, "obligated", I will quote the particular sections. Section 49 of the Central Bank Act states:

> "The Board shall keep the Minister informed of the monetary and banking policy pursued or intended to be pursued by the Bank."

So it is not just present. It is future. So if, for example, a Governor intends to make a monetary policy statement, then section 49 makes it mandatory for the bank to keep the Minister informed of the monetary policy, that the bank is pursuing or intends to pursue. Not to keep it a secret, not to refuse to disclose the monetary policy when asked to keep the Minister informed. Section 50 of the Act states that in relation to monetary and fiscal policy:

> "The Minister may, after consultation with the Governor issue to the Bank…"

And, Sen. Mark, this for your edification in particular. Section 50 of the Central Bank Act states:

> "The Minister may…issue to the Bank such written directives…as may be necessary to give effect to the monetary and fiscal policies of the Government."

The word "Government" is crystal clear in section 50 of the Central Bank Act.

Sen. Mark: After consultation.

Hon. C. Imbert: And as we know, Mr. Vice-President, you know, I heard that sotto voce comment. What does consultation mean in the context of the law? It means that you inform, you advise, you let the other person know. So that the only requirement here, is for the Minister to consult with the Governor and advise the Governor of the fiscal and monetary policies of the Government, and having done that, the Minister is empowered to give written directives as may be necessary, to give effect to the monetary and fiscal of policies of the Government. Therefore, it is a fallacy. It is—[*Interruption*] Mr. Vice-President, may I speak without the interruption?

Mr. Vice-President: Hon. Members, please maintain a certain level of silence while the hon. Minister of Finance is making his contribution. Continue, hon. Minister of Finance.

Hon. C. Imbert: Mr. Vice-President, when hon. Sen. Mark was shouting, I kept quiet. I let him shout. I am asking for your protection that I can continue my contribution without interruption from Sen. Mark, because I know he does not like what I am saying. But it is a fallacy perpetrated and propagated by Sen. Mark and his colleagues that the Government has no role to play with respect to fiscal and monetary policy in this country.

But the law makes it clear, that the Minister of Finance Minister, and it is practical common sense, that the Minister of Finance can give directions to the Central Bank with respect to giving effect to the monetary policies of the Government. No serious country would have it otherwise, because the Central Bank is the Government's bank. The Government's Current Account is in the Central Bank, the Exchequer Account that they overdrew by $32 billion, and kept it secret, and it only came out in a committee meeting recently. And hon. Sen. Mahabir asked about this, about how has this happened? And was it—who approved this? But you had the UNC Members sitting there not wanting to admit it was a 2014 report they were looking at, when they were Government, when they overdrew the Exchequer Account by $32 billion, but the point is—[*Interruption*] I am now hearing a monotone coming from Sen. Hadeed.

Sen. Hadeed: "Yuh" misleading everybody.

Mr. Vice-President: Hon. Members, again, I ask, can we maintain a certain level of silence while the hon. Member who is on his feet is making his contribution? Thank you.

Hon. C. Imbert: The fact is that the Central Bank is Government's banker. The Central Bank earns its money by the interest it charges on the overdraft, because of the way in which the former administration managed the overdraft, the Central Bank earns a lot of money from that, because they charge the repo rate on the overdraft, the Government's overdraft. In fact, the Central Bank returned because they are not a profit—they are not an organization that is set up for profit. They are a non-profit organization. So after they received the income from the Government for the interest charged on the overdraft, after they have done their accounts and taken out their expenses, they return the surplus to the Government. We just received $800 million from them. Thank God for that.

But the point is, the Central Bank is the Government's banker. So that it is a fallacy to think that there should be a complete disconnect between the Central Bank and the Ministry of Finance. It is a fallacy, and when you look in our laws, it speaks to directions to be given to the bank on fiscal and monetary policy, with respect to exchange control.

Let me read the Exchange Control Act, Mr. Vice-President. In the Exchange Control Act in section 3, it speaks to the directives that can be given by the Minister, with respect to the management of foreign exchange. And this is why in answering some questions today, I indicated that the Central Bank is supervising and monitoring demand and supply for foreign exchange, and if it is considered to be necessary, if the Minister of Finance may give directions in accordance with the Exchange Control Act.

Now, that could not happen because have you—you see, the Members opposite, they speak with multiple personalities. [*Desk thumping*] So you have "one ah dem" asking the Minister of Finance, when is he going to intervene and give directions to the Central Bank with respect to foreign exchange? That is a question coming from them today. I answered it. Then you have Sen. Mark getting up and say "yuh cyar do it. Yuh must not have any relationship. Yuh must not speak to them. Yuh must not talk to dem." And the Governor is right, that he should not have any communication. But the law is quite different to the fallacies being propagated and perpetrated by Sen. Mark in this House.

I am being shown section 44 of the Exchange Control Act, which says:

> "No person who obtains information by virtue of this Act shall disclose that information otherwise than in the discharge of his functions…or for the purposes of any criminal proceedings;"

That is another confidentiality provision in a law that deals with foreign exchange. So, you know, when you listen to hon. Members opposite on the Lower Benches, [*Laughter*] not on the Upper Benches, you get the impression that, you know, the Central Bank is just this—"ah doh know wat to call it, dey some kind of isolated city, walled city, where yuh cyar get in, yuh cyar come out".

Sen. Gopee-Scoon: Gated.

Hon. C. Imbert: "—ah gated community, yuh cyar talk to dem. Dey pull up de drawbridge." [*Laughter*] It is not true, and it is necessary for this misinformation that is being propagated by Members opposite to be dealt with.

Another piece of misinformation was the statement made that under the former Governor, Republic Bank used to get 15 per cent of the total allocation of foreign exchange, which is now increased to 30 per cent under the new Government. Not true. The way foreign exchange is distributed to the commercial banks is based on their customer base, the number of customers that they have, who are doing transactions with them. Republic Bank being the largest bank in the country, with the largest customer base has always received approximately 25 per cent of the ForEx that is injected into the system by the Central Bank. This has been so for over 10 years, Mr. Vice-President. It is not 15 per cent that they used to receive. It is 25 per cent, and that is consistent with the amount of business they have, the amount of customers they have, the amount foreign exchange transactions that they do.

Mr. Vice-President: Hon. Minister, you have five more minutes.

Hon. C. Imbert: Thank you. Is this original time or total time?

Mr. Vice-President: Total time.

Hon. C. Imbert: Total time? Thanks very much. [*Interruption*] And under the former Governor I am told, when I looked at the numbers, Republic Bank's allocation went from 25 per cent to 23 per cent, and under the new Governor it is still in the 23 per cent to 25 per cent range. So that it is pure mischief on the part of Sen. Mark to come in here and make these false allegations, and allege a conspiracy to give Republic Bank more foreign exchange than it is entitled to. It is just mischievous, and I do wish that Sen. Mark would refrain from this level of political mischief.

4.05 p.m.

Let us look at any other evidence that he speaks about. He said something about—he referred to the Malcolm Jones matter and wondered aloud whether a lawyer will write to someone and say that the evidence is insufficient. But he should know, and if he does not know he could always consult with the distinguished criminal attorneys in this Chamber that criminal prosecution is the purview of the Director of Public Prosecutions. It is not a civil matter. So it is not some lawyer who will write somebody, it is the DPP that he is talking about by implication, by implication. The hon. Senator is indicating that the DPP will be minded, based on a letter from some lawyer, to discontinue criminal prosecutions. That is a reprehensible statement coming from Sen. Mark. Reprehensible! I am certain the DPP will do what he is supposed to do, and he will perform his duties in accordance with his oath of office.

So, Mr. Vice-President, I really do not want to talk too much more on this matter because, as I said, I have seen a pre-action letter written by attorneys acting on behalf of the former Governor to the Central Bank. Why they wrote the Central Bank? I do not know, because it is the President who appoints and the President who disappoints, not the Central Bank but, you know, lawyers will do things.

But I simply wish to say that it is public knowledge, public knowledge, based on an official press release coming out from the Ministry of Finance that the Cabinet took the decision to recommend to the President that the appointment of the former Governor of the Central Bank be terminated based on breaches of the Financial Institutions Act, and the Central Bank Act which led to considerations with respect to section 12(e) and section 12(g) of the Central Bank Act, which refer to termination of the appointment of the Governor in a case of misconduct and in a case of failure to perform his duties. I thank you, Mr. Vice-President.

Sen. Dr. Dhanayshar Mahabir: Thank you very much, Mr. Vice-President. Mr. Vice-President, much has been said this afternoon on this matter. Let me be as non-contentious as possible. We understand that this matter will reach the courts or may reach the courts at some time, and I do not wish in any way to prejudice what will happen there. But, Mr. Vice-President, it is important for us to understand, as we take a position, one way or the other on this Motion, on what is the subject matter that we are dealing with, we are dealing with an institution and that institution is the Central Bank. The Central Bank has as part of its name a bank, but it is not a regular bank like a commercial bank. The Central Bank is different from a commercial bank. In what way, and how does an identification of the differences lead us one way or the other in taking a position which is in the public interest?

Mr. Vice-President, let us identify what is perhaps the most essential feature of the Central Bank. It issues our currency. Every unit of currency that we have has appended to it the signature of the Governor of the Central Bank. Under the Central Bank Act, the Governor of the Central Bank is the only individual who can sign on a currency and have that currency as legal tender. Anyone else is committing massive fraud and liable to being imprisoned as a consequence for counterfeiting.

The Governor of the Central Bank in issuing the currency, based upon certain rules, the rules would be the ForEx he purchases, whatever bonds he can buy or Treasury Bills or whatever financing the law permits for fiscal deficits. He creates the monetary base, and the monetary base will then, under the action of the commercial banks, result in our money supply and that money supply is critical in what way for the health, well-being and welfare of citizens of Trinidad and Tobago.

It must not be so much as it causes inflation that is a loss in the value of the currency. It must not be so little that it will prevent the kinds of transactions we need for economic growth. It has to be just the right amount that will ensure that inflation is under control and that the exchange rate is stable. And through this money supply process, the Central Bank is able to use a lever called the interest rate. It uses the interest rate as its lever to determine the direction of what we call monetary policy.

When the interest rate is high we say monetary policy is tight. When the interest rate is lower, we say monetary policy is loose. What is the feature of monetary policy? The feature of monetary policy is this: the position on the interest rate, the position on inflation, the position on the exchange rate. It is based upon data.

There is always, in every Central Bank in the world, a research arm where the research officers in the bank are duty-bound in the Federal Reserve System, European Central Bank, Trinidad Central Bank, Eastern Caribbean Central Bank. The data they collect, the theory they use, the statistics that they have compiled are used to ensure that there is stability in inflation rates, exchange rates and interest rates. They, at the same time, have a keen interest on how that is going to affect unemployment and growth in the economy.

Mr. Vice-President, the analysis of the Central Bank which drives the decision on monetary policy is not open to public scrutiny as something else we would look at. It is ongoing. It is quietly done. The discussions between the research

staff and the governor is an ongoing process that we do not televise. The discussions between the Governor and the Board of Directors are not made open for a public hearing. It is done quietly, and it is always said that the best Central Bank is a central bank where the public does not even know of its existence, because it is controlling these monetary issues in a manner that is causing no concern and panic in the overall economy, and the Governor in discharging the monetary policy of his institution—not only here, across the world, Federal Reserve System, Indian Central Bank, the Central Bank of Mexico—the Governor is free to change the monetary policy as conditions in the economy changes. He changes it.

He can raise the interest rate, that is, increase the repo rate. He can lower the repo rate. He can undertake measures which are quick and which are reversible as he sees the economy driven by the data he has moving and where he wishes to go. This is in contrast, in contrast to fiscal policy. Fiscal policy is undertaken usually once a year. Soon there will be a mid-year review of our budget. Fiscal policy and budgets are one and the same. Soon there will be mid-year review, so we might have a second go at the fiscal policy of Trinidad and Tobago.

The process is open. The process, once it is done, takes a year to reverse. Fiscal policy does not have the flexibility, but we give the Governor of the Central Bank the flexibility, the freedom, the autonomy to discharge his functions without having to come to Parliament every time he wishes to raise the repo rate. It is the nature of central banking. If we were to confine the governor of a central bank by the process that is inherent in the Parliament, then he may be changing a variable long after the fact warrants a change, because it will take time to give him that kind of permission. In that respect, Mr. Vice-President, that in central banking, we give the Governor an autonomous function and driven by the data, and in consultation with his governors he will issue his monetary policy report.

I have heard the interactions and so on that must go on between fiscal and monetary, we will come to that. But the essential point here with monetary policy is that there is a level of autonomy and there is a level of confidence that we have that the Governor and his staff and the board of governors will do right by the people of Trinidad and Tobago. They are charged by the Central Bank Act to ensure that the public welfare, the public good, the public interest is promoted and it is protected so that the stability of our monetary economy maintains and is intact.

But, in addition, Mr. Vice-President, to the autonomous nature of a central bank with respect to the discharge of monetary policy, which is quick and which is reversible and which is continuous and data driven and behind closed doors, we see it when the report comes out and we discuss it and so on and they are free to change.

We know the Central Bank has another function. It is not a regular bank. It is the banker to the Government. I cannot open an account at the Central Bank. You cannot do it. No Senator in this Chamber can open an account with the Central Bank. The Minister of Finance, of course, has access to all the accounts because the Central Bank is the banker of Government historically. There is no rule which says that the Government should only bank with the Central Bank, you know.

In the ECCB countries, many of those countries like St. Kitts and so on, do have accounts with the commercial banks, because they share a common Central Bank. In our domain, however, the Central Bank for convenience, and for practicality and for efficiency, is the repository of our tax receipts, the amounts we receive from the oil companies and they act as banker to the Government. But, apart from that, no one here can open an account with the Central Bank.

The Central Bank is rather a regulator and the Governor of the Central Bank performs a regulatory function. What is regulation, economic regulation? The imposition of rules, backed by penalties, aimed at modifying economic behaviour. Why do we need the Central Bank as a regulator of our regular banks, aka commercial banks? Well, commercial banks take in deposits and they are supposed to provide these deposits on call when—[*Interruption*] Mr. Vice-President, 51(e), (f) and (g).

Mr. Vice-President: Hon. Members, in the same way that the other contributors thus far, we maintained a level of silence, I ask again, talking amongst yourself, just tone it down a bit whilst the Senator on his feet makes his contribution. Thank you.

Sen. Dr. D. Mahabir: Thank you very much, Mr. Vice-President. Mr. Vice-President, the question before us is the role of the Central Bank as a regulator. Why do we need to regulate commercial banks? Commercial banks are deposit-taking institutions. They take in deposits and they are supposed to have these deposits available on call. So that I deposit funds yesterday, and if I want it next week, I ought to have some confidence that the regular bank will have the funds available to me.

In order to ensure that—because you see commercial banks, the way they behave is that they will take my deposits and they may invest it in securities that are not very liquid. They may invest it in bonds, the value of which will vary inversely with interest rates, so that when interest rates rise, they will take my deposit money, invest it in bonds and when they try to sell those bonds, they do not get too much for it putting my investments at risk.

4.20 p.m.

What does a Central Bank do? The Central Bank says, I understand the proclivity of the regular bank to make as much profit as possible, and I therefore will impose regulations on you to ensure that the depositor base is protected for two reasons: one, public interest, any depositor who deposits in a bank must have a reasonable guarantee that his funds are safe and secure. So the investments of a commercial bank will be regulated, and the Central Bank will do a second thing: for every $100 you take into deposits, I will ask you—as the Governor, acting in my capacity as Governor and as regulator—for $20. You do what you want according to the rules with 80, but for safekeeping, it is called the reserve requirement ratio, and this reserve requirement ratio can be varied depending on whether the Central Bank, the Governor as the head of the Central Bank, whether the Central Bank Governor is of the view that some banks are behaving a little more recklessly than others with respect to matching their assets and liabilities, their deposits of customers with what they are able to liquidate in the case that there is a large demand on their deposits.

There is that reserve requirement ratio. It can be 10 per cent, 15 per cent, 20 per cent; it can vary. The Governor does not have to come to Parliament to ask us to change what the reserve requirement—he does not have to ask the Minister either. The Governor, in consultation with his research staff and the Board of Governors, will indicate that we are looking at the reserve requirement ratio and we think it is in the public interest to have the reserve requirement ratio lowered—because banks are operating very prudently—or raised.

The second is a capital adequacy ratio that the Governor does not need the permission of the Minister or the Parliament to determine what is the amount of the bank's own wealth—the capital adequacy that the bank must have in case there is pressure on the bank. There is, internationally, and Central Banks tend to comply with, the Basel Accord. The Basel Accord on prudential banking regulations said that banks must have at least 10 per cent of the deposits of their own in their own capital to augment, of course, the reserve requirement ratio, and if they do that then it means that the financial economy is going to be stable. Why does the Governor want to impose these regulations? And why does a Central Bank Act give him the power to do that? Because the financial economy is fragile.

Banks live on trust. Till they are trusted they are nothing, and when they cease to be trusted they return to nothing, and, on that basis, there must always be trust and confidence, and in exchange for a bank that is following the rules, the

Governor stands ready to provide deposits of funds to it in case there is an attack on the bank by a massive withdrawal of deposits. All that is standard economics but we need to understand this is more about economics than it is about law. It is about understanding the institution that we are dealing with, understanding why there is a need for there to be an arm's-length relationship between the Governor and the fiscal authorities.

We have heard today that we need to have continuous collaboration, and we do. Take, for example, the wishes of a Minister of Finance who is of the view that we cannot have a currency that is depreciating rapidly, and the Minister of Finance, looking at the public interest from his perspective, may very well direct a Central Bank to indicate that we will need to stabilize the exchange rate. What will the Central Bank then tell the Minister of Finance?—"Minister, we understand, we share, we are one on the same page, but in order for us to comply with that directive of yours, to stabilize the exchange rate you need to balance your budget because monetary and fiscal will always go together". And that dialogue will take place, it cannot be that a Minister of Finance will tell a Governor that you need to stabilize the exchange rate, and, at the same time, he is running a huge fiscal deficit which will undermine and thwart the ability of the Central Bank to defend a currency.

It is for this reason the dialogue has to occur. There has to be an equilibrium between the monetary and the fiscal. We cannot depend on fiscal alone to take us out of our situation, nor can we depend on monetary alone. So there is a need for a dialogue, but once a dialogue has been in order and there is an accord on what is the business of the Minister—What is the business of the Governor?—it is to defend the public interest. The Minister has the public interest to defend, the taxation policy, the spending policy at the heart of fiscal policy is how do we so tax and spend so that there is adequate redistribution of income to the poor, underprivileged in the society, and, at the same time, we grow this economy.

There are a number of functions of budgeting, I would not go there, that is for academic discourse, but we allocate resources, we stabilize the economy, we ensure that there is adequate redistribution but there must be growth as well. There are functions for the Minister, there are functions for the Governor, and the functions are always one and the same. However, sometimes when the Minister wants to achieve something, or when the Governor wants to achieve something, they will come into conflict with the public interest, and it is in that situation behind closed doors that we are able to come to an accord and a discussion as to what we shall do, and what could we settle on given that we both are on the same page with respect to economic policy.

Mr. Vice-President, the Governor of a Central Bank is free to regulate. He regulates commercial banks, and one feature of regulation is that the regulated firms, the firms which are subject to regulation usually are not happy about it because they do not like the rules. In the US economy we saw what happened when derivative securities were not regulated, when banks purchased these, when huge banks like Citicorp, and so on, purchased these derivatives there was an absence of rules. They love it when there are no rules; and when they face collapse, they love it then when the Government will use taxpayers' money to come and bail them out. They need to operate with rules because rules are confining, they are anchors, and if the Governor is not free to impose the rules as he sees fit, in order for them to modify their behaviour, he will be derelict in his duties in discharging his functions and defending the public interest. I am not asking for an opinion, I know of that which I speak on this matter.

Mr. Vice-President, let us look at a third function of a Governor—two more minutes but I will come back after the break. Third function of a Governor: you know, a Governor of a Central Bank is someone who does not speak too much; he does not. He hardly makes public utterances, but, Mr. Vice-President, when he speaks we are supposed to listen. Janet Yellen, Governor of the Federal Reserve of the United States,—incidentally, she, of course, reports to Congress occasionally, she is brought before Congress. But Miss Janet Yellen, Governor of the Federal Reserve System is a Governor who, whenever she speaks on the policy with respect to the interest rate—and the Secretary of the Treasury cannot tell her anything about that, you know, that is a different system, that is an advanced economy—she, Mr. Vice-President, is going to make certain statements that will send ripples and jitters in the financial economy.

Bond prices and asset prices can rise or fall simply because of some statement she has made. She has a power that is not a direct regulatory power, the power she has is a power that central bankers have had since the days of the Bank of England, the first Central Bank; it is the power of moral suasion. The power of moral suasion is a simple power. It is a situation where I would like you to change your ways, and I will simply surrender some active regulation for some subtle regulations. And in making an organization change its ways—[*Interruption*]

Mr. Vice-President: Hon. Members, the time is now 4.30 and it is time for the tea break. This House will now stand suspended for 30 minutes, we would return at 5.00 p.m.

4.30 p.m.: *Sitting suspended.*

5.00 p.m.: *Sitting resumed.*

Mr. Vice-President: Sen. Mahabir. [*Desk thumping*]

Sen. Dr. D. Mahabir: Thank you very much, Mr. Vice-President, continuing after the tea break; the issue before us, as indicated earlier, is one that we need to understand. Many people in our society do not really understand what a Central Bank Governor does: what is his role, and how important is he for the stability of the economy? We have indicated, or I have indicated, and the economics profession has also indicated that there has to be an arm's-length relationship between the Governor of the Central Bank and the Minister of Finance.

What mischief, Mr. Vice-President, is going to be caused if the Governor of a Central Bank has to take instructions from a Minister of Finance? The mischief is this, the Minister of Finance will simply indicate to him, "I need you to extend my credit and, by extending credit, I will be able to stimulate the economy, and I will be able to get more people employed, either in make-work programmes or in real work programmes". But the real mischief is the mischief of inflation, the mischief of undermining the stability of the currency, the mischief of an unstable exchange rate; that is the problem. And because of the tendency of the fiscal authorities to want more than they have from tax revenues, there is always this inclination to run a deficit and to monetize the deficit.

To monetize means the Central Bank will simply create money to allow us to continue our expenditure programme, and because of the monetization of deficits, which have caused pressures across the world, in Latin America, the Caribbean, Jamaica, Guyana, Surinam, et cetera, we know that we would want the banker of Government, the central banker and the Minister of Finance to have a respectable healthy relationship but never a superior/subordinate one. It is a relationship between equals where I am in charge of the monetary authority, you are in charge of the fiscal; I work with you, you work with me, and together, as monetary and fiscal authorities, because there is one macro economy, an international economy we are dealing with, we are going to ensure that this economy continues to grow without inflation and with a stable exchange rate.

The independence of the Governor of the Central Bank is not based on the Governor being free to do as he pleases, it is based upon what the Central Bank Act itself indicates are his freedoms, and he does report. He reports to the Board of Governors, and, in many jurisdictions, the Governor, certainly in the United States, the Governor of the Federal Reserve reports periodically to the Congress on why she, Janet Yellen, undertook a certain course of action.

We saw the Governor, in the last 20 minutes that I spoke, as a regulator; that is an important function. Money does not manage itself. The money he creates and he puts his signature on must maintain a stable value, and the banks which are

in charge of expanding this money supply, via the loans they create, must do so prudently. They must follow international best practice. They must be well capitalized. If they do not, there is fragility in the financial economy. It is for this reason Governor Ewart Williams advised the then Minister of Finance that there should be some kind of lifeline for Clico because, in his view as Governor, if Clico collapsed the entire financial economy was going to also go down.

5.05 p.m.

And we could not do that because it would injure the public interest. Let us look, Mr. Vice-President, at the third very important function of a governor and this is perhaps his most important function. This is the moral suasion argument. This is when he speaks. Take, for example, the public complaints on excessive bank fees that we are charged. I understand that it is the hundreds of millions of dollars contributing to profits of the banks. The banks are a tight oligopoly. If they determine the fees on a checking account to be $20 per month, you have to pay that, if all of them have similar fees. There is some kind of coordination of the fees structure.

And a governor knowing that the Central Bank Act does not give him the power, Mr. Vice-President, to force them to lower their fees, simply in a speech to a group, an economic group, a social group, anywhere he is speaking covered by the press, he simply has to indicate that, in his view, the fees charged by banks under his regulation should be more in line with cost of service and not on the basis of their ability to charge. And if he says that, the banks will then take on it on cue, that, you know something? We must look at our fee structure. We must try to lower it because we are causing the Central Bank some discomfort and we do not wish to do that as banks, regular banks, because if we ever find ourselves in trouble, the regulator, the Central Bank, the Governor of the Central Bank will indicate you were badly behaved. You were not listening to me, and moral suasion is very important.

Let us look at this critical issue of foreign exchange. The foreign exchange in Trinidad and Tobago, Mr. Vice-President, 90 per cent of it is earned by the export of natural resources, oil and gas and associated products. The natural resources are really owned by the people of Trinidad and Tobago. We get royalties. The Government acts on our behalf and once the Government acts on our behalf it collects these royalties, it converts them at the Central Bank for TT currency. It pays its bills—that is the Minister of Finance will pay his bills. He will deposit in his exchequer 1, 2 accounts and so on, and the Central Bank then takes stock of

the foreign exchange submitted to it for conversion into TT currency. These form our reserves. Of course, we earn some from the rest of the private sector, but 90 per cent of the reserves come from oil and gas. And the Central Bank manages.

How does the Central Bank get the reserves? It simply gets the cheques and so on from the oil company, and instead of giving the Minister of Finance the ForEx, it gives him TT currency in exchange at the prevailing rate, and it keeps the US currency or whatever ForEx we have invested abroad in accounts which are readily available. These constitute our reserves incidentally. I would like to know how our reserves have behaved over the last month or so and exactly how many more import covers we have, because we cannot live without it. And because we cannot live without it, all of us have a right because of globalization to participate in international trade.

In past, Mr. Vice-President, whenever a citizen wanted foreign exchange for foreign education—I know of one citizen, he is currently speaking. In 1982 I wanted ForEx for grad education and I wanted 15,000 Canadian dollars to finance me for a year aboard. I applied to the Central Bank and the Central Bank stamped my form and I went to the commercial bank and I got my $15,000 to pay fees and to live. Three months ago I applied and one of the banks told me I could only get for education $1,000 at a time. The fees were $15,000 for my dependent now doing the same thing that I did 35 years ago. Clearly, clearly the policy of the Central Bank in 1982 is different from the policy of the regular banks today.

The Central Bank in 1982 was looking after public policy, public welfare and they held the view that at that time we should give priority to education, health and so on, to build up our human capital stock. Now that the Central Bank is no longer the manager of the disposition of the foreign exchange, it is now a function left to the commercial banks. Commercial banks, Mr. Vice-President, are motivated by profit, and the profit motivation of the commercial banks may not always be consistent with the public interest.

So that when it is revealed to me that the foreign exchange that was sold by the Central Bank did not come to be allocated to me to buy ForEx for education or to my mechanic who wants US $5,000 to import a used hydraulic lift and a few other pieces of equipment to upgrade his little garage, it went to Neal & Massy, it went to Southern Sales, it went to PriceSmart and the pharmaceutical companies, I knew as a citizen what the priority of the commercial bank was. The priority of the commercial bank was not looking after my interest. The priority was not looking after the little guy's interest. It was to look after the new car importer and not after the mechanic who wants to repair cars here. Clearly, it is important when

we look at the foreign exchange in Trinidad and Tobago to know what the priorities are. And if the priorities of the regular banks are not consistent with the public interest that is to build up our human capital base, then it is incumbent upon a governor to use his powers of moral suasion to send a signal to the bank. He can do it indirectly. He can call them in. He can indicate, "Bankers, I do not think you are allocating this thing equitably". They could take him on or they could refuse, or he could do it publicly. In doing it publicly he is acting within his right to according to standard convention of 500 years in moral suasion in getting the commercial banks to change and modify their behaviour.

I think in the debate this moral suasion aspect was lost, but we need to understand what he has to do. Why does he exercise moral suasion? He exercises it, Mr. Vice-President, because he wishes them to change in the public interest.

I have heard the Minister of Finance indicate 12(e) misconduct. Well I too read the Central Bank Act, and I too read 12(e) and I asked myself, where was the misconduct. If in discharging his function as he has a right to do via the convention of central banking, he found it necessary, it is his shoes, his decision to make that he is going to name names, he was—yes—[*Interruption*]

Mr. Vice-President: Hon. Senator, you have five more minutes.

Sen. Dr. D. Mahabir: Thank you. This five minutes will have to move very quickly. [*Crosstalk*] I was just offered an extra 30.

But you see, if in discharging his functions, the Governor of the Central Bank in defending the public interest he used his moral suasion argument and he found in his judgment—you see, everything is the judgment, you know. Did he act in a manner to injure the public interest or did he act in a manner to promote the public interest in discharging his functions in defending the public interest? Was it in his judgment important for there to be a knowledge transfer to the population that they must know who is getting what, and therefore, for them to know why you are not getting your $5,000 or your $10,000 and $15,000? So, it is okay. Maybe Southern Sales and Smith Robinson and so on—I have no problems with the names.

You see, let me tell you. The issue is this, Mr. Vice-President, we are dealing with the Central Bank as a regulator not as a bank. We must never equate the Central Bank as a bank. A bank has to protect the secrecy of information, a regulator has a right to look at all information, use that information and make sure that the information, once it gets into the public, serves to defend the public interest. [*Desk thumping*]

When I asked, Mr. Vice-President, where was the dereliction of duty? I asked myself, what was the harm? I see when the Governor made his statement for which he was wrongly condemned and in which I stood on record on the day in the Senate and I said, "No I do not agree with you", the Governor has to be given maximum leeway and he must be given an opportunity to use the information. If he ruffles feathers, fine, but the public interest that is the ultimate test. Was the public interest defended? [*Desk thumping*]

Mr. Vice-President, we need at all times to understand the role of the Governor. We cannot fetter him. We cannot clip his wings. He has an important duty and a task, and if in discharging that task he ruffles some feathers, especially the big powerful money interest in Trinidad and Tobago, I say, "Ah feel sorry all yuh", as long as the public interest was protected. And this has to be the ultimate judge.

Mr. Vice-President, I will close. It is important for us in the difficult days ahead and in defending the public interest as I am duty bound to do, we need to preserve our institutions. We need to ensure that we do not unnecessarily interfere with their functioning. This country has had a history that is not so illustrious. We removed the Chief Justice Sat Sharma—a Chief Justice. We removed a chairman of a police service commission, Mr. Nizam Mohammed—both, both decisions overturned. We have removed a governor. Let us understand that we need to build and not destroy. If we build institutions we will be able to navigate the days ahead, but in dealing with the difficult economies let us make sure, Mr. Vice-President, that the institutions that deal with money and finance are kept intact and let us make sure we remove a fella for the dereliction of duty and not because for one reason or another we simply appear to be not in favour with him. Thank you very much. [*Desk thumping*]

Sen. Wayne Munro: Pleasant afternoon, everybody. It is my pleasure again to be in this honourable House to discuss this important Motion. We on this side, we the Senators on this side, join the Independent Bench in the condemnation of the action of the Government in the dismissal of the Governor of the Central Bank—[*Crosstalk*] we, in the dismissal of the Governor of the Central Bank on December 24, 2015. Right?

Mr. Vice-President, there are number of ways in which a Central Bank can contribute towards the economic growth and development of a country. When one talks about economic growth and development one must see the importance of a Central Bank as it relates to providing price stability throughout the country. Additionally, once you see a Central Bank, the Central Bank is there to provide a

level of management of the financial institutions that exist. The Central Bank is also there to provide a level of confidence as it relates to the overall management of the financial system and the finance sectors.

Mr. Vice-President, the monitoring environment that is in place must be able to allow companies, big and small, to operate on a level playing field. That is the role and the function of a Central Bank. Mr. Vice-President, the overall regulatory framework that is put in place via a Central Bank must be sound in order to continue to promote economic growth and development within our economy.

Mr. Vice-President, Trinidad and Tobago is going through what you call a recession. It is important for us in this House to understand what a recession is. A recession could be classified as low economic activity. A recession could be classified as GDP is falling over time, but the term recession if you go back and we go way, way back, I will go there because the Members opposite went there. I could go as far back as Genesis 39:1 in Egypt where the first governor Joseph he was there for the poor people and ensured that grain was made available for poor persons during hard times. He was first governor, that governor of Egypt. There was no concern about claims about financial irregularities. I am sure if something was done to accuse that governor, there would have been a tribunal in Egypt, and I am sure it would have been an independent one. Such an important post in Genesis 39:1. I am sure the process of natural justice would have taken place, Mr. Vice-President. [*Desk thumping*]

5.20 p.m.

Mr. Vice-President, one questions whether there was actually any misconduct in Egypt. Because, it was the policy of the Governor at that time, Governor Joseph, that caused Egypt to survive during the countries—the world, Egypt's—first overall recession. It is important for government policy to work alongside fiscal policy, especially during periods of recession. When government policy is working alongside the monetary policy, there are a number of advantages one can obtain.

Under the People's Partnership Government, there was increase in foreign direct investment as a result of the Central Bank having an accommodating policy with the Government of the day. So, there are positive results. Once the Central Bank and the Government are moving in the same direction, it leaves room for overall growth and overall prosperity in the country. During our term in Government, as monetary and fiscal policy was on that expansionary path during falling oil prices, guess what? It was accommodating for local businesses, it was

accommodating for foreign businesses. So, you see the important role of monetary policy, while it moves along with fiscal policy in the generation of confidence in the economy of Trinidad and Tobago during our period of stable prices.

But, how do we know if there is some disconnect? How do we know if there is something wrong in the economy? We know that something is wrong in our economy when the fiscal policy is saying one thing, contract, increase prices, removing subsidies, unnecessary items, and monetary policy on the other hand wants to create an enabling environment. One of the indicators that the economy is in trouble under the PNM Government is that we have reduced business activity. A large number of business closure is taking place because of the fight that existed between the then Central Bank Governor, monetary policy and this Government here, the People's National Movement Government. Whenever there is a fight between the fiscal policy and the monetary policy, Mr. Vice-President, you will also see a reduced business confidence in an economy. Check the journals, you will see that; check other economies, similar. Whenever there is a fight between fiscal policy and monetary policy, the first thing you will see in the economy is employment falling. In other words, the economy would experience massive unemployment. And these are some of the indicators to indicate that they on that side are mismanaging our economy to date. [*Desk thumping*]

Now, Mr. Vice-President, let me clarify this thing about fiscal policy and monetary policy. The fiscal policy is the Government policy on the one hand, and the monetary policy is the policies that are at the disposal of the Central Bank as they control the money supply. Once you control the money supply in the economy, you control a key variable that could lead to increase investment opportunities that stimulate an environment for growth, an enabling environment to the economy. But, on the other hand, once you restrict the economy, it means that the economy is not going on a particular growth path as one intends to come out of a recession.

Mr. Vice-President, let us go back to September. Let us be real. Let us be honest with ourselves. Can you identify any injection the PNM Government has made since they came into office? I ask them to name one. Soon as they entered the economy, what they decided to do? Increase the price of gasoline, contracting the economy. Any economist will tell you, who is worth a grain of salt, would tell you once the economy is collapsing, there is always a need for a degree of government intervention to work alongside monetary policy to get the economy going again.

Mr. Vice-President, there seems to be something wrong with the PNM policy. Under the PNM policy we have unemployment, people are being laid off by the days because of the disconnect between the monetary policy and the fiscal policy. It is like a marriage, there must be communication and they must move in the same direction. What we have seen? We have seen high prices, and in this honourable House we have known of a number of cases where poor persons cannot even buy basic food stuff. Persons are going to the groceries, single parents, and they cannot buy items. Because, the purpose of the Central Bank is to provide an enabling environment, when working alongside the Government, in order to create that atmosphere where everybody would be happy in this country. And that is not being done now. Where is the economist? Where is the advisory board? Where is it? You have no answer, because I have no answers neither. They are not performing at all to carry the country on a particular path.

Mr. Vice-President, there is something called the J Curve. What is this J Curve? The J-Curve effect, it states that, the longer you take to get an economy started up, it would be longer to restart the economy. Let me say that again so the Members on that side would understand. The longer you take to pump-prime the economy to get the economy started up, "it does be harder", or longer it will take, it is something called a lag effect. Let me explain, my father-in-law has an old 120Y—[*Interruption*]

Hon. Senator: It cannot start.

Sen. W. Munro: It cannot start, I know that. [*Interruption*] I know it cannot start. You should know. Right. You should know what engines cannot start in the country.

Mr. Vice-President, this car has been down for a while, and when he is trying to start up this gas engine, he had problems starting it up. It down for six months. It took him a year to get the engine started up, because you have to change a whole set of parts and so on. That is like the economy, Mr. Vice-President. The longer they take to put money in the economy, is the longer the effects will be to multiply employment and job creation in Trinidad and Tobago. [*Desk thumping*]

What we are seeing is a contraction. Since they came into office, cut back this, take back that, hardship, massive contractions. We have what? We have persons who have low income levels cannot buy basic food stuff because the Government is not working with the Central Bank as it relates to a policy forward to bring us out this recession. To date, we could talk about low business activity. Businesses are afraid to start up because of the high levels of uncertainty. The high levels of unemployment that is going through right now.

Mr. Vice-President, in a number of developing countries you see the Central Bank works along with the Government, and the Government works along with the Central Bank during periods of recession to drive the economy forward. It is a technical term, something call a stabilization or a knife-edge growth path. Whenever the economy is dipping they work together to provide employment. They work together to ensure that there is an adequate level of income in the system so that no one would be unemployed. There are targets to be set in terms GDP targets. The Minister never told us the GDP targets. The Minister never came to this honourable House and discuss anything about the targeted interest rates for growth and development. He never told us or give us any direction in which the PNM Government would be using to restart the economy. There is nothing in place to say how the economy would be restarted.

Mr. Vice-President, in terms of monetary and fiscal policy, there must be a working in terms of directions to get us out of this recession. If monetary policy is towards increasing growth and development, and the Government policy is directed towards causing increased unemployment in the country, it means that the two policies are not working in tandem. And when the policies are not working in tandem, it will lead to more hardship in Trinidad and Tobago. There are signs. There are signs that we are in a recession. Many signs. From the fiscal point as well as the monetary side. Particularly the fiscal side. Because, when we were in Government, and fiscal policy and monetary policy were going in the same direction, there was enough construction activity, because the financial sector provided the financial resources such that there would be growth and development, there would be increased employment, growth will take place within the economy.

Mr. Vice-President, whenever you are on that growth path, and true economic management, you would have the sustained growth of a number of variables in the economy. I ask myself this question, why the PNM Government is taking so long to restart the economy? Why? Is it that the J-Curve effect is lagged away because of ignoring the fiscal part of the policy? Or, is it the J-Curve effect is impacting negatively on their policy prescriptions?

Mr. Vice-President, when I look at this whole picture, I realize that the Central Bank, when we were in Government, we worked along with the Central Bank, and the Central Bank provided an enabling environment where there exists price stability. To date, could we say there exists price stability in Trinidad and Tobago economy? We cannot. The Central Bank worked with the Government in order to go forward to an enabling environment where there were increased economic

activity, construction increased, employment increased. But, can we say the same thing with this PNM Government in terms of the monetary aspects in which monetary policy—the aim of the monetary policy is to look at the rate of growth of the money supply, and the multiple effect the money supply has in terms of promoting economic growth and development, so that persons would not be unemployed, business would not close down. Once you have that correct mix and you are working alongside a central bank to promote growth and development, especially during periods of recession, the hardship that the country experiencing now indicates that there is a discontinuity; there is a conflict; there is no action. There is not even a J-Curve effect, because those on that side have never heard the term J Curve in economics to be able to understand what the J Curve is about.

Mr. Vice-President, monetary policy is important because, once you have the monetary policy in place you have growth taking place. Under the People's Partnership Government, when we worked with the monetary policy, the Central Bank, we worked alongside them to ensure high levels of employment. Because that is the objective. We worked alongside the monetary policy via the Central Bank to ensure price stability on the monetary sense. We worked along with the Central Bank to ensure that there was adequate level of growth and development occurring in this country. One must understand that whenever monetary policy and fiscal policy working in the same direction to achieve an overall objective in the economy, the country will grow. There will be progress, there will be growth. You will be satisfied, I will be satisfied, they will be satisfied, because everybody in Trinidad and Tobago will be happy as a result of the positive effects once you work alongside the Central Bank to achieve positive growth in the economy.

We, the People's Partnership Government, worked with the Central Bank. And when we worked with the Central Bank we ensured that a number of key economic variables were in place. There is something called a transmission mechanism. I wonder if they on that side know what a transmission mechanism is. There are two transmission mechanisms. There is the short transmission mechanism, and there is the long transmission mechanism. There is one school of thought that says, that in order to get us out of this recession, the Government must humble itself and work alongside a central bank, who has the knowledge, in order to grow the economy during the periods of recession. We knew how to grow the economy. The People's Partnership ensured that the monitoring policy maintained employment in Trinidad and Tobago, created an enabling environment that promoted growth and development in this country. Under the People's Partnership Government, there was tremendous capital formulation and capital

accumulation as a result with the working with the Central Bank. Can we say the same thing here? We cannot. Because, when you are looking at monetary policy, you must not be in a position to try to fight down the Governor of the Central Bank. They have fought down the Governor of the Central Bank. January, we are now what? We are in March. What are the targets? What are the monetary targets?

5.35 p.m.

I expected the Minister to come into this House and say the monetary targets for the new perspective as it relates to going forward, right, we expect a couple of ratchet effects to occur in the economy because of the rational expectations or even break it down as a simple language. All of that word means that what, we have a plan and we know what we are doing as it relates to monetary policy and fiscal policy.

When we work with the monetary policy, in order to have complementarity in the economy—guess what?—we have more money, you had more money, I had more money, the country had more money because monetary policy deals with growth in the money supply. And once you have growth in the money supply in the economy, money is like a blood for the economy and the more the money circulates, it means that what, automatically you have growth, employment developing in the country. More money means more job creation because business now will have activities, I will be able to spend; you will be able to spend. People spent more under the People's Partnership. They are spending less now. [*Crosstalk*] It is not Keynesian economic, my friend.

Hon. Senator: I am asking you because I never heard about it.

Sen. W. Munro: You never heard about increased spending.

Sen. Ameen: "Them doh ever talk, you know." Talk to the Chair, "nah".

Mr. Vice-President: Senator, please direct your contribution towards the Chair.

Sen. W. Munro: Definitely, definitely, I am a bit distracted. Somebody saying—

Mr. Vice-President: Continue your contribution and direct your contribution to me.

Sen. W. Munro: Okay. Mr. Vice-President, there is the classical view, there is the monetary view and there is the Post-Keynesian view, right, which I will not get into on that side, right. And once you have the money supply increasing and you have more economic growth, you have more persons being able to purchase

plant and equipment to start up business activity. The Governor is not there; that Governor is not there, January to March. Can the Government identify how many plant and equipment were improved to create sustainable employment in Trinidad and Tobago or they just cannot?—because their policies are directed towards contracting the economy.

During our term, the monetary policy facilitated infrastructural developments, like roads, creating more jobs for everyone. What is happening now? We see that from January to March we see something called anticipated inflation and inflationary expectations.

Mr. Vice-President, let me break it down for Members on that side. Inflationary expectations means that you expect prices to increase tomorrow for some reason. And once persons expect prices to increase tomorrow, what do they do? They tend to what? Business people tend to what, to jack-up prices now in anticipation of future price increases. As a result there are low levels of business confidence, there is a decrease in the overall level of economic activity across Trinidad and Tobago as well as decreasing persons' purchasing power.

Mr. Vice-President, the poor are buying less goods not because their income has been reduced, because the prices that they are being faced with, at the groceries and at the markets are very high. There are a number of things that are causing a disconnect between the monetary as well as the fiscal policy. And when you look at the monetary policy under the People's Partnership Government, I did up a chart, I did up a table as well so if Members on that side who want it they can check online for it. Looking at the monetary policy, the People's Partnership versus monetary policy, PNM.

Under the People's Partnership the topic of exchange control, foreign exchange—yes, persons have foreign exchange under the People's Partnership. Under the PNM, limited foreign exchange availability. Under the People's Partnership in terms of the enabling environment of the Central Bank we had low unemployment. Under the PNM we have what?—high unemployment. Under the People's Partnership administration we had sound monetary management because the Central Bank working alongside the Government policy in relation to bringing the economy to a growth potential. All we have now is what?—no management as it relates to monetary activities.

Under the People's Partnership we had high—an increased business confidence in the monetary sector because of something called complementarity in financial institutions. Under the PNM Government we have low business confidence in terms of the monetary policy and the way forward. In terms of the

People's Partnership we had monetary and fiscal policy working hand in hand with Government's fiscal policy. And for those on that side who do not know, fiscal policy could be classified into three groups. And they are waiting to hear what the groups are, which is good. You have what? You first have something called a balance budget, where you try to balance your budget, things being efficient. Yes I am teaching you. I know I am teaching you.

And the second one you have something called, Mr. Vice-President, you have a contractionary budget in terms of a budget deficit on the other hand the disequilibrium ones are the budget surplus. In terms of the People's Partnership, right, we had no foreign exchange speculation. Under the PNM, speculation is at an all-time high.

Mr. Vice-President, it is all to a doubt that the evidence has shown that the People's Partnership Government had an enabling policy to work alongside the former Governor of the Central Bank, to ensure that the economy was in a better place then. What has the PNM done now? They have brought us through a period of hardship and suffering. With that, thank you.

ADJOURNMENT

Motion made and question proposed: That the Senate do now adjourn to a date to be fixed. [*Hon. F. Khan*]

Easter Greetings

Mr. Vice-President: Hon. Senators, before putting the question on the adjournment, I invite Senators to bring greetings for the holidays of Easter and Spiritual Shouter Baptist Liberation Day.

Sen. Khan: Easter first?

Mr. Vice-President: Yeah, Easter first.

The Minister of Labour and Small Enterprise Development (Sen. The Hon. Jennifer Baptiste-Primus): Mr. Vice-President, as I rise to share some thoughts and to extend greetings to my fellow parliamentarians and indeed the national community on the occasion of Eastertide 2016, I could not help but be persuaded by a quotation from Philip K. Dick from his work entitled: *The Last Interview and Other Conversations*. He said this, and I quote:

> "We must content ourselves with the mystery, the absurdity, the contradictions, the hostility, but also the generosity that our environment offers us. It's not much, but it's always better than the deadly, defeatist certainty of the paranoid."

Of course, Mr. Vice-President, Mr. Dick was not at all referring to Trinidad and Tobago at the time he made this profound pronouncement. However, the compelling phrase in the statement forces us to recognize that, notwithstanding the various formidable challenges which confront us on a daily basis and with which we must grapple, we must pause and recognize that after all the environment in which we live does offer a generosity which may not be much but which can infinitely and abundantly exceed what may be offered elsewhere.

Mr. Vice-President, this is the underlying theme I wish to dwell on this afternoon, as we may, during the Christian celebration of Holy Week which leads up to the glorious day of the Resurrection of our Lord Jesus Christ on Easter Sunday. We are all familiar with the religious drama which depicts the suffering death and resurrection of our Lord Jesus Christ. This depiction is normally referred to as, "The Passion" and the last two weeks of the Lenten period as the Passiontide.

Mr. Vice-President, the fact that we today, centuries later, join the rest of the world to celebrate, perhaps, the most important event in the Christian calendar, is testimony to the power and significance of this enduring tradition called Easter. In Trinidad and Tobago, however, this season has a character of its own, in that its commencement and preparation started on Ash Wednesday, the day after the nation would have participated in an explosion of colour and revelry during the annual Carnival celebrations. I am aware that many persons like myself make personal commitments at the start of the Lenten season, because it is their strong belief that there is no better time in the year to undertake a mental, spiritual, social and behavioral change geared to enhancing the quality of life pursued in the homes, the families, the communities and even at the national level.

In short, Mr. Vice-President, this Easter season offers us a glorious opportunity to reflect, assess and restructure our lifestyles, thereby reestablishing our priorities in short. Mr. Vice-President, undertaking a personal transformation and reengineering would do all of us a world of good. One of the redeeming attributes which is most evident during this Holy Season is the attribute of humility. This is most vividly displayed by the several experiences encountered by Jesus Christ during the period immediately preceding his crucifixion.

The Scriptures portrayed many instances of Jesus Christ humility during this season. From the use of an ass on his entry into Jerusalem, to his betrayal by Judas, through to the crowd shouting, "Crucify him, crucify him" and showing a preference for the release of Barabbas. Perhaps, Mr. Vice-President, we should take a page from the life of Jesus Christ at this time and show greater signs of humility in our encounters with others than we are currently displaying, if only for the season itself.

We as parliamentarians are consumed by the daily and weekly cut and thrust of our adversarial system of parliamentary politics, such that we can be carried away some times by our compelling desire to inflict political blows and score political points on our opponents. Let me urge my colleagues that at least at this time of the year, as I shared with my colleague earlier on, Mr. Vice-President, Sen. Wade Mark, when I told him it is Easter. Let me urge my colleagues that at least at this time of the year and consistent with the life and teachings of Jesus Christ, let us lay down our arms and agree to cease fire. Let us not be like that biblical figure who drew his sword and cut off the ears of the servant.

In closing, Mr. Vice-President, I must remind Members of this Chamber and indeed the national community that we in Trinidad and Tobago are extremely fortunate to have built and continue to build a nation that is multi-ethic, multi-cultural and multi-religious. But we have learned to respect and even celebrate our differences and uniqueness, such that the celebration of Easter is not restricted to members of the Christian Community. As a nation we must be touched by some of the injuring principles which emerge from the Easter experience centuries ago.

It is in this context, Mr. Vice-President, that it gives me greatest pleasure to extend heartiest Easter greetings and wishes to you and your family and to all Members on the opposite bench, my Independent senatorial colleagues, my own colleagues on this side of the Senate, your respective families, on behalf of this Chamber on our side and to the national community also and also on behalf of the Government of Trinidad and Tobago, I thank you. [*Desk thumping*]

5.50 p.m.

Mr. Vice-President: Thank you, hon. Minister of Labour and Small Enterprise Development. Sen. Hadeed.

Sen. Gerald Hadeed: Mr. Vice-President, it is my pleasure to bring greetings to the Christian community and to all the citizens of Trinidad and Tobago, and to all of us here in this House. Let me quote from the Gospel of John, Chapter 1:29:

> "The next day John seeth Jesus coming unto him, and saith, Behold the Lamb of God, which"—takes—"away the sin of the world."

We are grateful for the fact that over 2,000 years ago Jesus Christ made a sacrifice for the whole world. He took our place on the cross on Calvary. He died so that we can live. May the blessings that this season brings abide with you and your families; not only that, but may the knowledge of what He has done for us remain with you throughout the year. As we reflect on the sacrifice of Christ, let

us be mindful that we too will be called upon to make sacrifices that others will benefit. And on behalf of the Opposition, I wish again to extend a happy and safe Easter to all our citizens and to all of us here in this august Chamber.

I thank you. [*Desk thumping*]

Mr. Vice-President: Thank you, Sen. Hadeed. Sen. Richards.

Sen. Paul Richards: Mr. Vice-President and honourable House, it gives me great pleasure. I am humbled and honoured to be able to bring greetings on behalf of the Independent Benches as we celebrate Easter in Trinidad, Tobago and around the world, and in reflecting on these greetings and looking upon the last almost 40 days where we have embarked—many Christians around the world would have embarked—upon a period of fasting, a period of self-reflection, personal responsibility, sacrifice and delayed gratification, the lessons are extremely applicable to our lives in Trinidad and Tobago today, with the challenging times that we are facing.

We are also moving toward what is the most significant weekend in the Christian calendar where, on Thursday, Jesus Christ would have broken bread with His apostles—His disciples—and shared a meal with them, and shared His body and blood. We are also moving toward Good Friday, when He would have sacrificed His life so that all those who believe will be saved, and on Easter Sunday, where He rose from the dead, conquering death.

There are lessons in this for all, especially in Trinidad and Tobago, regardless of one's religious affiliations. There are universal messages in this, especially in these times for us in Trinidad and Tobago, where we face challenging times and we must usher in a new era of conservatism, of self-sacrifice, of reflection, of delayed gratification so that the future of Trinidad and Tobago can be assured. I believe it is our time now to sacrifice for the future generations as those in the past would have sacrificed for us.

There are many messages in this Holy Week for us all moving forward, and in this stead I think our nation's watchwords of discipline, tolerance and production are also very applicable. I think it is time that we can put aside our differences and observe shared values and shared principles, universal principles, in the interest of Trinidad and Tobago, just like many would have come together in this time, in this last 40 days to fast together, to pray together and looking forward to the Resurrection of Christ on Easter Sunday and life everlasting, which is also a parallel for sustainability in Trinidad and Tobago.

With that said, it gives me great pleasure, on behalf of the Independent Bench, to wish the Christian community, the national community and all, a happy and holy Easter and may God bless you all and may God bless Trinidad and Tobago.

I thank you. [*Desk thumping*]

Mr. Vice-President: Thank you, Sen. Richards.

Hon. Members, I also wish to join with you in bringing greetings to the Christian community and the nation on the celebration of Easter, an event that is the commemoration of the death and Resurrection of Jesus Christ, resulting in the fulfilment of God's promise to us. The events of Easter lead us to realize that He so loved the world that He gave His one and only Son, that whoever believes in Him shall not perish but have eternal life. The celebration of the Resurrection of Jesus Christ is the most important day in the Christian calendar as it embodies, not only the message of love, but one of hope and renewal of life. As such, we must all strive to show love to one another as Jesus Christ and God loves us.

It is through the repetition of the simple act of passing love on that we can truly reach our full potential. It is this capacity for love that God placed His faith in us and the realization of His, that we put ours in Him.

To the Christian community and all of Trinidad and Tobago, I wish you a holy and happy Easter and may God continue to bless us all. [*Desk thumping*]

Spiritual Shouter Baptist Liberation Day Greetings

Mr. Vice-President: Hon. Members, I now invite you to bring greetings for the Spiritual Shouter Baptist Liberation Day holiday.

Sen. Foster Cummings: Freedom, Mr. Vice-President, it is a word that stands out when I consider the occasion of Spiritual Shouter Baptist Liberation Day. The need for liberation, Mr. Vice-President, meant that significant constraint and oppression was present and that members of the Spiritual Baptist faith endured hardship in their quest to practise their religion in a free society. Undoubtedly, Mr. Vice-President, the 1917 Shouters Prohibition Ordinance presented both constraint and oppression to Spiritual Baptists in Trinidad and Tobago. Its eventual repeal on March 30th, 1951, indeed, allowed the members of the faith freedom to practise their religion without fear of being arrested or prosecuted. It was a liberation that they fought for. They were now free to worship and enjoy what is widely regarded as a fundamental right by citizens of our country.

The fact that the repeal of what we now consider oppressive legislation stayed on our law books for such a long time should clearly demonstrate to all of us who are privileged to serve in our Parliament that we are here not for self-gratification,

self-promotion or any such reason. We are here to assist in the dispatch of the people's business which must at all times redound to the benefit of all our citizens.

Mr. Vice-President, as recent as 1951, a significant number of our citizens referred to as "Shouters", whilst practising their religion, endured legal oppression which only came to an end through action taken in our Parliament. And so, as we look forward to this celebration in observance of the repeal of that oppressive piece of legislation, we are reminded that many who went before us fought for the freedoms we enjoy and take for granted today. Our Spiritual Baptist brothers and sisters have endured discrimination and hardship in the past. They have persevered and held fast to their faith, beliefs and practices and continue to strive forward.

Today, Mr. Vice-President, on behalf of the Government, I join with my colleagues and the rest of Trinidad and Tobago in wishing all members of the Spiritual Baptist community, of which I am a proud member, a happy, holy and spiritually enriched liberation day. May the story of the unwavering strength and endurance of the faith continue to be an inspiration to members, and non-members alike, and may the prayers and good works of the Spiritual Baptists continue to benefit and bless our nation of Trinidad and Tobago.

I thank you, Mr. Vice-President. [*Desk thumping*]

Mr. Vice-President: Thank you, Sen. Cummings. Sen. Mark.

Sen. Wade Mark: Thank you very much. Mr. Vice-President, permit me to take the opportunity in bringing greetings to the people of Trinidad and Tobago on the momentous celebration of Spiritual Shouter Baptist Liberation observance on Wednesday, March 30, 2016.

It was the late Archbishop Elton Griffith who was labelled "champion for the cause", who led the campaign for the repeal of the Shouters Prohibition Ordinance, ably assisted at that time by Albert Gomes. And on March 30, 1951, members of the Spiritual Baptist Shouter community were allowed to practise their religion freely. However, it was in 1996, under the administration of the hon. Basdeo Panday that the Spiritual Baptist Shouter community was granted a public holiday in memory of the struggle and in recognition of the repeal of the prohibition law. Trinidad and Tobago may boast of being the only country, globally, to celebrate a public holiday for the Spiritual Shouter Baptist faith. Locations such as Belmont and Morvant, to name a few, were popular for hosting feasts and thanksgiving as expressions of gratitude to God for His blessings.

This year, Mr. Vice-President, would mark the 21st anniversary of this major event. It was the United National Congress Government that provided the Baptists with lands to establish an African spiritual park, among other things, to establish schools for their people and to remove all semblance of oppressive legislation which prohibited and inhibited their advancement from the statute books of our country.

Mr. Vice-President, it was under the administration of Kamla Persad-Bissessar that the first ever Spiritual Shouter Baptist school was constructed and called the St. Barbara's Spiritual Shouter Baptist Primary School. Therefore, on the occasion of Spiritual Shouter Baptist Liberation Day, 2016, we on this side of the Bench—we in the Opposition—wish to extend our warmest and heartfelt congratulations to the Shouter Baptist community, in particular, and the national community, in general, and extend our blessings of peace and love on this, the 21st anniversary of the celebration of Spiritual Shouter Baptist Liberation Day.

Happy Liberation Day to the Shouter Baptist community. I thank you. [*Desk thumping*]

Mr. Vice-President: Thank you, Sen. Mark. Sen. Mahabir.

Sen. Dr. Dhanayshar Mahabir: Thank you very much, Mr. Vice-President. As I join the colleagues in the Chamber in bringing greetings on Spiritual Shouter Baptist Liberation Day on behalf of the Independent Bench, I feel compelled to read a section in our Constitution, "Rights enshrined". Under 4(1)—under 4 it says:

> "It is hereby recognised and declared that in Trinidad and Tobago there have existed and shall continue to exist, without discrimination by reason of race, origin, colour, religion or sex, the following fundamental human rights and freedoms, namely— "

And I refer to 4(h):

> "freedom of conscience and religious belief and observance;"

6.05 p.m.

The Constitution to date has always existed, but we know that in 1917 with the passage of the Prohibition Order in the legislative counsel, that this right for freedom of expression did not always exist in Trinidad and Tobago. When we actually read the Prohibition Order, I found that that was perhaps one of the best drafted pieces of law that I have ever seen, because under clause 2 and clause 3

they indicated that once two people gathered, if a magistrate held the view that they engaged in Shouter Baptist practices whether they indicated they were Shouter Baptist or not, whether they swore on oath that they were not Shouter Baptist, as long as the magistrate held the view that they were engaging in this practice, then they were guilty of an offence, charged £50 and there was absolutely no appeal. The decision of the magistrate was final.

Wherever two people got together and they engaged in a practice that in the opinion of the magistrate was associated with the practices of the Shouter Baptist Church, those two individuals were deemed to be engaged in an illegal gathering, and they too will be taken before the courts and the decision of the magistrate is final.

I think if I were in the law school, I will ask the draftspeople there, who are teaching legal drafting, to teach people how to draft the law, because when I read the original Ordinance, Mr. Vice-President, there was no way, not even the eminent attorneys in this Chamber could get somebody off in the manner in which that law was drafted. And the effect of such drafting, when I looked at what the people themselves had to say, it is recorded in this novel, *The Wine of Astonishment*, Earl Lovelace. While it is fiction, it captures really how the oppressed people felt, and if with your leave, Mr. Vice-President, I can quote a couple of paragraphs. Under chapter 3, "We Church", page 32, it said:

> "We have this church in the village. We have this church. The walls make out of mud, the roof covered with carat leaves: a simple hut with no steeple or cross or acolytes..."

And he continues:

> "We have this church where we gather to sing hymns and ring the bell and shout hallelujah and speak in tongues when the Spirit come; and we carry the word to the downtrodden and the forgotten and the lame and the beaten..."

The author continues:

> "All of a sudden they start to teach in their schools and in their church that we uncivilized and barbarous. They start telling the little children all kinda lies to scare them away from us—Spiritual Baptist bad, Spiritual Baptist stupid, Spiritual Baptist does deal with the devil, Spiritual Baptist ain't going to heaven. They frighten away the little ones so and draw away from us, especially those who were going to their schools—the bright little ones whose brains they will confuse with their education."

And finally:

> "But even so, enough of us remain. Enough of us remain to sing the hymns and clap hands and make a joyful noise unto the Lord who keep us and strengthen us to reach another day in this tribulation country."

What we know was that the people for 30-some years, who were oppressed, Mr. Vice-President, they found that their churches were destroyed, their icons were smashed, their places of worship desecrated. They were told that what they were doing was illegal. They faced a fee of £50. I would like to put £50 in today's value. I do not know what the inflation rate was. Enough to make them bankrupt. But that punishment, while they could break the icons, while they could destroy the churches, Mr. Vice-President, they could never destroy the spirit, they could never destroy an individual's right to freedom of worship, freedom of expression. And today in our Constitution, while we have that section on the freedom of religious practices, we know we owe a great deal to that dark period in our history when it was not always so and then when people were not free to believe.

And so, to the members of the Spiritual Baptist Church, on behalf of the Independent Bench, I would like to say, we thank you, we recognize your struggles. You have made a contribution to the society of Trinidad and Tobago. You have indicated to us that we must fight for that which we believe in and we will prevail. Halleluiah.

Thank you, Mr. Vice-President. [*Desk thumping*]

Mr. Vice-President: Thank you, Sen. Mahabir. Hon. Members, I too wish to the join with you in bringing greetings to the Spiritual Shouter Baptist community and the wider nation on the celebration of Spiritual Shouter Baptist Liberation Day.

A day by the mere fact of its recognition embodies the meaning of the word "faith", which by definition is to have confidence or trust in a person or thing, or the observance of an obligation from loyalty or fidelity to a person promised engagement, or a belief not based on proof, or it may refer to a particular system of religious belief.

It is this faith that would have been tested for 34 years with the passing of the Shouters Prohibition Ordinance. It is this faith that would have kept your ancestors going until its subsequent repeal in 1951. From persecution to praise, from praise to practice, yours is a faith tested, it is a faith realized. It is this struggle amongst other things that would no doubt have played some part in the sentiment put forward by our creator of the National Anthem in 1962, an anthem

as is publicly stated, reflects the nature and the strength of the people of Trinidad and Tobago, our courage as one nation working towards living in unity despite our diversity. Inherent in our aspiration to the words "Every creed and race, finds an equal place" is your struggle. For where "Every creed and race, finds an equal place", so too does every religion find equal expression.

And so, on the occasion of March 30, Spiritual Baptist Liberation Day, I wish that the strength in your faith continues to grow and that you celebrate in praise and thanksgiving. [*Desk thumping*]

Question put and agreed to.

Senate adjourned accordingly.

Adjourned at 6.13 p.m.