

**THE
PARLIAMENTARY DEBATES
OFFICIAL REPORT
IN THE FIRST SESSION OF THE ELEVENTH PARLIAMENT OF THE REPUBLIC
OF TRINIDAD AND TOBAGO WHICH OPENED ON SEPTEMBER 23, 2015**

SESSION 2015—2016

VOLUME 6

HOUSE OF REPRESENTATIVES

Friday, June 17, 2016

The House met at 1.30 p.m.

PRAYERS

[MR. DEPUTY SPEAKER *in the Chair*]

PAPERS LAID

1. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Penal/Debe Regional Corporation for the year ended September 30, 2005. [*The Minister of Finance (Hon. Colm Imbert)*]
To be referred to the Public Accounts Committee
2. Audited Financial Statements of Caroni 1975 Limited for the year ended June 30, 2014. [*Hon. C. Imbert*]
3. Audited Financial Statements of Caroni 1975 Limited for the year ended June 30, 2015. [*Hon. C. Imbert*]
4. Audited Financial Statements of Lake Asphalt of Trinidad and Tobago (1978) Limited for the year ended September 30, 2009. [*Hon. C. Imbert*]
5. Audited Financial Statements of Lake Asphalt of Trinidad and Tobago (1978) Limited for the year ended September 30, 2010. [*Hon. C. Imbert*]
6. Consolidated Audited Financial Statements of the Urban Development Corporation of Trinidad and Tobago Limited for the financial year ended December 31, 2008. [*Hon. C. Imbert*]
7. Annual Audited Financial Statements of Caribbean New Media Group Limited for the year ended December 31, 2014. [*Hon. C. Imbert*]

Papers 2 to 7 to be referred to the Public Accounts [Enterprises] Committee.

**JOINT SELECT COMMITTEE REPORT
(Presentation)**

The Attorney General (Hon. Faris Al-Rawi): Thank you, Mr. Deputy Speaker. I wish to present the following report standing in my name:

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

Mr. Deputy Speaker, having presented that report, may I beg to move that the committee be allowed an extension of 13 weeks in order to complete its work and submit a final report by September 09, 2016.

Mr. Deputy Speaker: Hon. Member, we will deal with that at the appropriate stage, please.

Hon. F. Al-Rawi: Much obliged.

PRIME MINISTER'S QUESTIONS

**Prime Minister's Security Detail
(Details of)**

Mr. Ganga Singh (Chaguanas West): Thank you, Mr. Deputy Speaker. Question to the hon. Prime Minister: Could the Prime Minister state whether his security detail traditionally made up of Special Branch personnel has been replaced by soldiers of the Special Forces Unit attached to the Defence Force?

The Prime Minister (Hon. Dr. Keith Rowley): Thank you very much, Mr. Deputy Speaker. Mr. Deputy Speaker, as a public official who conducts public business and is exposed to the elements and being afforded the protection of the State's agencies, I am not prepared in this arrangement to discuss any security afforded to me or to any other public official or any citizen for the benefit of their own security. Thank you, Mr. Deputy Speaker. [*Desk thumping*]

Dr. Moonilal: Thank you very much, Mr. Deputy Speaker, through you to the Prime Minister. Is the Prime Minister therefore saying that he will not answer the question whether or not his security detail is still comprised of Special Branch officers?

Hon. Dr. K. Rowley: Mr. Deputy Speaker, the language of Parliament is English and I just spoke in English and I will speak again on this particular matter, that with respect to the personal security arrangements afforded to me or to any other person in the country, particularly a public official exposed to the elements, this is not the appropriate way and I will not engage in stripping away anybody's security in Trinidad and Tobago. [*Desk thumping*]

**Trip to Ghana
(Total Cost Incurred)**

Mr. Barry Padarath (*Princes Town*): Mr. Deputy Speaker, through you to the hon. Prime Minister, could the Prime Minister indicate the total cost, inclusive of the full delegation, of his recent trip to Ghana?

The Prime Minister (Hon. Dr. Keith Rowley): Mr. Deputy Speaker, there are two questions here to me, one No. 2 and one No. 17. I have got an answer which I believe might not be correct. And so, as not to provide the incorrect information to the Parliament, I would not like to answer this particular question. There is a No. 17 that includes the same question which I am convinced is correct. So, I can answer this in No. 17.

Mr. Deputy Speaker: Supplemental? Well there is no supplemental as a result.

Mr. Singh: No. No. No. That was not an answer.

Mr. Deputy Speaker: Question 3.

Mr. Singh: No. No.

Mr. Deputy Speaker: No. He said that—remember question 17 includes the Ghana trip, so everything would be inclusive in question 17. So we will take it at that stage, hon. Members. So we will now move on to question No. 3 which is also the Member for Princes Town. Hon. Member.

**Trip to Ghana
(Details of)**

Mr. Barry Padarath (*Princes Town*): Mr. Deputy Speaker, through you to the hon. Prime Minister: Could the Prime Minister state the names and designations of the delegation on his recent trip to Ghana?

The Prime Minister (Hon. Dr. Keith Rowley): Yes, Mr. Deputy Speaker, happily so. The delegation to Ghana was headed by myself as Prime Minister of Trinidad and Tobago. I was accompanied by the Minister of Foreign and Caricom Affairs, Sen. The Hon. Dennis Moses; we were joined along the way by the Minister of Energy and Energy Industries; we were also joined in London on the way to Ghana by the Minister in the Office of the Attorney General and Minister in the Office of the Prime Minister. I was accompanied by Professor Ken Julien,

advisor to the Prime Minister on energy; Mr. Gerry Brooks, Chairman of the National Gas Company; Mr. Andrew Jupiter, Chairman of Petrotrin; Mr. Selwyn Lashley, Permanent Secretary in the Ministry of Energy and Energy Industries.

Mr. Deputy Speaker: Supplemental question, hon. Member, Princes Town.

Mr. Padarath: Hon. Prime Minister—[*Interruption*]

Hon. Dr. K. Rowley: There were some other officials who accompanied the delegation. The Press Secretary to the Prime Minister, Mrs. Arlene Gorin-George; the Protocol Officer to the Prime Minister, Mr. Bruce Lai; a videographer, a photographer and two security officers.

Mr. Deputy Speaker: Thank you, hon. Member. Member for Princes Town.

Mr. Padarath: Hon. Prime Minister, having indicated that Professor Ken Julien is the advisor on energy affairs to the Prime Minister, is the Prime Minister prepared to indicate the remuneration package for Professor Julien, as well as if he can also indicate to us the date of assumption for Professor Ken Julien's serving as an advisor to the Prime Minister on energy affairs?

Mr. Deputy Speaker: Hon. Member, you are—yes, Professor Ken Julien was mentioned, but you are taking it down a different trend in terms of your questioning, the remuneration part and also with regard to the special advisor. So I will not entertain those two questions at this time. Hon. Member for Princes Town, again.

Plywood Factory, La Brea (Details of)

Mr. Barry Padarath (*Princes Town*): Mr. Deputy Speaker, through you to the hon. Prime Minister, could the Prime Minister indicate when the residents of La Brea and surrounding constituencies can expect the commencement of the plywood factory that he has promised as part of Government's plan to stimulate investment?

The Prime Minister (Hon. Dr. Keith Rowley): Mr. Deputy Speaker, the Government of Trinidad and Tobago recognizes La Brea and environs as one of the depressed areas within the economy of Trinidad and Tobago [*Crosstalk*] and has made commitments to the people of La Brea and environs that on coming into office we will make every effort to ensure that we take steps to encourage into that district, industries, one of which is a possible plywood industry. I can assure you that discussions are under way to see whether such an industry can be

attracted to Trinidad and Tobago, and if it is attracted, the preferred area at this time would be in La Brea. However, we have taken steps to bring about other kinds of industries in La Brea and in the very near future we will be able to advise this Parliament and the country as to what we have accomplished and not promised with respect to the people of La Brea and environs. [*Desk thumping*]

Mr. Padarath: Mr. Deputy Speaker, through you to the hon. Prime Minister. Prime Minister in light of the recent protests in La Brea regarding jobs, can you indicate to us some of the other industries that you speak of?

Hon. Dr. K. Rowley: Any industry, whether it is based on hydrocarbon supported purely by energy availability, agriculture or what, the area of La Brea and environs will be open to receive any such industry. And insofar as we are in discussions with potential investors, those discussions will remain behind closed doors until they have been concretized.

However, the La Brea area has potential for attracting industry based on our resources and we look forward to the time when we could upgrade the industrial infrastructure in La Brea. [*Desk thumping*]

Mr. Padarath: Hon. Prime Minister, you spoke about the potential of La Brea attracting other industries, do you have any specifics with regard to short-term measures that will be able to create employment in La Brea and surrounding areas in light of these protests?

Hon. Dr. K. Rowley: Our short-term measures are based on encouraging the housing construction and agriculture at this time.

\$50 Billion Loan Ceiling (Details of)

Mr. Rodney Charles (*Naparima*): Thank you, Mr. Deputy Speaker. Through you, to the Prime Minister, could Prime Minister indicate how much money has been borrowed to date from the \$50 billion loan ceiling which was approved by Parliament?

The Prime Minister (Hon. Dr. Keith Rowley): Given the fact that we were running out of cash as a result of the utilization of oil that we had available, the raising of the loan ceiling by \$50 billion to allow the Minister of Finance to access more money above the limit that existed at the time, the Ministry of Finance has to date borrowed \$4.6 billion: in November, \$1.5 billion was borrowed; in May 2016, \$1.1 billion; in June 2016, \$2 billion. For a total to date of the \$50 billion ceiling, we borrowed only \$4.6 billion. [*Desk thumping*]

Mr. Charles: Could the Prime Minister indicate the projects on which these borrowed moneys were spent?

Hon. Dr. K. Rowley: As was outlined by the Minister of Finance on numerous occasions, these borrowings are part of the Consolidated Fund. The moneys go into the Consolidated Fund. Money is fungible. You do not identify which dollar bill was spent on which item. You fund the Consolidated Fund. And if you ask me, I would say really, the hospitals, the schools and your salaries. [*Desk thumping*]

Mr. Deputy Speaker: Supplemental again.

1.45 p.m.

Mr. Charles: Would the Prime Minister not say that it will be better to spend borrowed moneys on investment possibilities rather than on consumption items or recurrent expenditure?

Hon. Dr. K. Rowley: Mr. Deputy Speaker, I am sure you understand that the Consolidated Fund in the budget funds the Development Programme and the Recurrent—[*Crosstalk*]

Mr. Deputy Speaker: Prime Minister, hold on. Hon. Members, I am not going to tolerate extensive crosstalk. We have only started 14 minutes, and I continue to hear some chatter coming from the end of the sitting Parliament.

Mr. Padarath: [*Inaudible*]

Mr. Deputy Speaker: Hon. Member for Princes Town, I am speaking. I am not going to tolerate it. Please! So, continue hon. Prime Minister—the constant chatter.

Hon. Dr. K. Rowley: I forget the question. What did you ask me again?

Mr. Charles: Would it not be better to spend the money on investment options rather than on recurrent expenditure?

Hon. Dr. K. Rowley: Yes, as I was saying to you, Mr. Deputy Speaker, the Consolidated Fund, the budget allocation has the Development Programme, and it has recurrent expenditure, it has public debt. When you aggregate into one pool of money it is not as if you are not spending on the Development Programme. We are spending on the Development Programme that is on the way now, and in other instances you can borrow specifically for specific projects. That is not what is happening here. We are borrowing to cover a fiscal gap in a budget that has recurrent and development programmes, so there is no fear that we are spending

money only on recurrent, because there are elements of development programmes in there.

Dr. Rambachan: Hon. Prime Minister, you indicated \$4.6 billion was borrowed thus far, and you gave three tranches. The \$2.5 billion that was drawn down from the HSF is not included in that, this 2.5 is additional to, well—not borrowing but drawdown—additional to the 4.6, meaning that \$7.1 billion has so far been accumulated by way of loans and the HSF for the Government to meet its obligations.

Hon. Dr. K. Rowley: Mr. Deputy Speaker, the information that I have from the Ministry of Finance as of June 2016 is that they have borrowed \$4.6 billion. Whether they borrowed from the HSF, or from Republic Bank, or wherever, I do not know at this time. And I do not know whether the \$2.5 billion that the Minister of Finance spoke about, whether he has accessed all of that at this time. So, that question is a little premature.

Mr. Deputy Speaker: Hon. Member for Caroni East you still have a question?

Dr. Gopeesingh: No, that was the same question.

Proposed Visit to Jamaica (Treatment of Caricom Citizens)

Mr. Rodney Charles (Naparima): Could the Prime Minister state the context of his proposed visit to Jamaica and the steps taken to give effect to the 2013 CCJ ruling in *Shanique Myrie v Barbados*?

The Prime Minister (Hon. Dr. Keith Rowley): Mr. Deputy Speaker, for decades Trinidad and Tobago enjoyed a very, very cordial and brotherly relationship with Jamaica. As a matter of fact, I in my formative years spent part of it in Jamaica. Unfortunately for the people of Trinidad and Tobago, a Prime Minister in 2010 went to Jamaica and referred to our generosity to the Jamaicans during our period of better fortunes in such a way that Jamaicans felt insulted, and since then there has been a simmering resentment in some quarters to Trinidad and Tobago's arrogance about this question of Trinidad not being an ATM machine for Jamaica. At that time, members of the business community in Jamaica and others set about to organize a boycott of Trinidad and Tobago's goods.

And, as you know, Mr. Deputy Speaker, Jamaica is one of our largest markets for manufactured goods, and such a boycott would have damaged us irreparably.

We did take steps to appease that sentiment in Jamaica, and we thought that it had gone away, but it simmered under the surface, and then recently there were complaints in Jamaica about the treatment of some Jamaicans who arrived in Trinidad and Tobago and did not gain entry, because our Immigration felt that they did not qualify to enter. That has reopened the sore of the ATM machine, and persons again started advocating that Trinidad and Tobago be punished by having our goods boycotted in Jamaica. My visit to Jamaica is to better relations between Trinidad and Tobago and Jamaica, and to indicate our brotherly love. [*Desk thumping*]

Mr. Charles: Mr. Prime Minister, is the real reason the fact that we have not implemented the rulings of the CCJ in respect to *Shanique Myrie v Barbados* in terms of orienting our immigration officers to treat our fellow Caricom citizens in a brotherly manner?

Hon. Dr. K. Rowley: Mr. Deputy Speaker, it is unfortunate that people in Trinidad and Tobago who should know better are advocating these things without information. The matter pertaining to the Shanique Myrie ruling is engaging various officials at the Ministries of Foreign and Caricom Affairs, and also the Attorney General, and Legal Affairs, National Security and Trade and Industry. Trinidad and Tobago continues to abide by its obligations under the revised Treaty of Chaguaramas which established Caricom and the single market and the economy. So, therefore, it is not correct to say that we are not carrying out any court ruling. That is not a correct statement. And coming from the people in Trinidad and Tobago who should know better, if they are simply advancing other people's arguments to serve their purpose, and possibly the intent—I do not want to ascribe ulterior motive.

Mr. Charles: Would the Prime Minister agree that the facilities at the Immigration Detention Centres at which Jamaican citizens are held are up to the required standards?

Mr. Deputy Speaker: Member, in terms of the question, in keeping with the original question, I am not going to entertain that question, sir, in keeping with the particular.

Implications of Current Borrowing

(Details of)

Mr. Rodney Charles (*Naparima*): Given substantial current borrowings and an imminent additional US \$1 billion, could the Prime Minister clarify the collective implications for our debt to GDP ratio, our credit ratings and interest rates paid on future borrowings?

The Prime Minister (Hon. Dr. Keith Rowley): I am very happy that my colleagues on the other side are focusing on the debt to GDP ratio which grew dramatically between 2010 and 2015 [*Desk thumping*] so now we are on the same page. Including the proposed \$1 billion international bond issue, the debt to GDP ratio is estimated to be 53.2 per cent. A credit rating attempts to give an indication of the risk level of the investing environment of a country, and is used by investors when looking to invest in particular jurisdictions. In addition to projections for economic and financial risk, it also takes into account several factors, including political risk and country risk, or country-specific factors, which could adversely affect a country's ability to repay the debt. As such, to isolate the impact of the proposed US \$1 billion on the country's credit rating will not be possible at this time, given the vast array of consideration that goes into establishing a country's credit rating. The considerations in respect of the interest rates are similar in nature, given the fact that Trinidad and Tobago's interest rates are impacted by several factors including US Treasury rates and the outlook for international commodity prices as well as domestic liquidity in the case of domestic borrowings.

Mr. Charles: Would the Prime Minister tell us whether it is correct that in September last year the debt to GDP ratio was 46 per cent, and I am now hearing a figure of 53 per cent, does this mean that it has changed negatively in the last few months?

Hon. Dr. K. Rowley: I know my colleague the Member for Naparima does not listen to us when we talk on this side, but had he been listening, Mr. Deputy Speaker, he would have heard the Minister of Finance saying daily, since he came into office as Minister of Finance, he has been regaled and presented with debt that was unknown to any of us, except those who incurred it. And insofar as increased debt has been coming onto the Government's books, clearly with the economy not growing as fast as the debt was coming in, the ratio will change. So, it has been changing, and in fact it has been changing—on a daily, a weekly, or a monthly basis?

Mr. Imbert: Daily.

Hon. Dr. K. Rowley: Daily basis. Because the millions and billions they spent during the election campaign that were not reported to the country, we are now finding them out one by one; a billion here and a billion there. [*Interruption*]

Mr. Deputy Speaker: Hon. Member for Caroni East, you are okay? Hon. Member for Tabaquite.

Dr. Rambachan: Thank you, Mr. Deputy Speaker. Could the Prime Minister indicate—whether you have the information—as to how much of the debt to GDP ratio between 2010 and 2015, or 2009 and 2015 was created as a result of the moneys that had to be borrowed in the Clico matter?

Mr. Deputy Speaker: Hon. Member, please! I would not entertain the question, and I have one more. Hon. Member for Naparima.

Mr. Charles: Thank you very much, Mr. Deputy Speaker. The Prime Minister has said that the change in the debt to GDP ratio has been as a result of the new debt that he says that he gets on a daily basis. If that is correct, would the Prime Minister agree that when we came into power in 2010 we were left with outstanding Clico debts, HCU debts, and 83 outstanding wage negotiations? So that argument cannot—

Mr. Deputy Speaker: Hon. Member! Hon. Member, if you had not gone into the specifics of it and you had just said 2010 I would have been able to tolerate it. But with regard to the specifics and the examples we will need to move on.

OAS Plenary Session (Government's Position)

Mr. Ganga Singh (*Chaguanas West*): Could the Prime Minister indicate the Government's position at the OAS Plenary Session due to take place on June 23, 2016 which was called to discuss the threat to democracy in Venezuela?

The Prime Minister (Hon. Dr. Keith Rowley): A special meeting of the Permanent Council will be held on June 23, 2016—and that is the Permanent Council of the OAS—at which time the Permanent Council will receive a report from the OAS Secretary General on the situation in Venezuela. The meeting is being convened at the request of the OAS Secretary General in accordance with Article 20 of the Inter-American Democratic Charter (IADC). The council will be called upon to make its decision by the majority of the votes—and there are 18 votes there—as to whether, and I quote:

“...an unconstitutional alteration of the constitutional regime that seriously impairs the democratic order...”

exists in Venezuela. The Permanent Council could do one of three things:

1. consider that there is no alteration;
2. consider that although it may exist, it is not sufficient as to seriously impair the democratic order. In this case the procedure ends right there;
3. consider that there is such an alteration.

Trinidad and Tobago has supported the reopening of an effective dialogue between the Opposition and the Government in order to find ways to encourage political stability, social development and economic recovery, most recently, via the special communiqué on Venezuela adopted by the ACS Summit on June 04, 2016, and the declaration on the situation in Venezuela approved by the Permanent Council of the OAS on June 01, 2016. Given that the charter has been invoked by the Secretary General as opposed to an OAS member-state, particularly one not linked to imperialism, the credibility of the entire process could be called into question.

The ability of the Permanent Council to determine whether there has been an unconstitutional alteration of the constitutional regime that seriously impairs the democratic order, is constrained by the fact that it will be making an assessment on the basis of a report to be tabled by a secretary general who, with his previous intemperate and unsanctioned remarks, can no longer serve as a force for peaceful dispute resolution in the Venezuelan context. More benefit might be derived from the efforts of former President José Luis Rodríguez Zapatero of Spain, Martin Torrijos of Panama and Leonel Fernández—

Mr. Deputy Speaker: Hon. Prime Minister your time has expired, Sir. Supplemental?

Mr. Singh: Prime Minister I listened very closely to your statement thus far, but what would be Trinidad and Tobago's position at that plenary session? [*Desk thumping*]

Hon. Dr. K. Rowley: Trinidad and Tobago's position is to stick and sail very close to the wind with respect to the founding principles of the OAS, and I have spelt them out there for you in 1., 2., and 3., what is available, and a report on the situation in Venezuela is to be presented. When that report is presented the gathering, including Trinidad and Tobago, will determine whether any of these options apply. So at this stage we have no other position but to recognize the duly elected Government of Venezuela, whether it be the president or the congress, and to not interfere in the business of Venezuela in a way that is inimical to their interest or runs counter to our principles in the OAS.

2.00 p.m.

Trinidad and Tobago, as Venezuela's closest neighbour in the Caribbean, we acknowledge that the choice of the Government of Venezuela is for the people of Venezuela. [*Desk thumping*]

Mr. Deputy Speaker: Supplemental, the Member for Chaguanas West, hon. Member.

Mr. Singh: Thank you, Mr. Deputy Speaker. Was this matter raised when His Excellency, President Maduro, visited Trinidad and Tobago, support from Trinidad and Tobago for Venezuela at the OAS?

Hon. Dr. K. Rowley: Which matter?

Mr. Singh: Through you, Mr. Deputy Speaker, support for the Venezuelan Government at the OAS, at this Special Permanent Council meeting.

Hon. Dr. K. Rowley: This matter was never raised at any time in my contact with President Maduro.

**Policy and/or Operational Measures
(Protection of Lesbian, Gay, Bisexual and Transgender)**

Mr. Ganga Singh (*Chaguanas West*): Thank you, Mr. Deputy Speaker. Could the Prime Minister state the policy and/or operational measures that are in place to protect persons who are lesbian, gay, bisexual, transgender in Trinidad and Tobago?

The Prime Minister (Hon. Dr. Keith Rowley): Mr. Deputy Speaker, I think he left out some people. Mr. Deputy Speaker, I want to make it abundantly clear that every citizen of Trinidad and Tobago, regardless of who he or she may be, they have the protection of the written Constitution in letter and spirit in Trinidad and Tobago. [*Desk thumping*] And in order to give effect to that protection of the Constitution, all the State agencies including the police have a duty to protect every citizen of Trinidad and Tobago regardless of who they sleep with or “doh sleep with” or how they do it.

Mr. Singh: Thank you Prime Minister. Would you be instituting a policy measure to change the law relating to buggery which affects this community?

Hon. Dr. K. Rowley: The Attorney General of Trinidad and Tobago gave a legislative agenda recently, a written agenda to this House and I do not seem to recall that that item was on the list.

Mr. Padarath: Prime Minister, recently the Chairman of the Equal Opportunity Commission indicated that she believed that there was need to include sexual orientation in the Act. Could you indicate what is the Government's position on this?

Hon. Dr. K. Rowley: I would not take your word that she said that. [*Crosstalk*] I would not take your word for it because I do not think I could risk that. So I cannot respond.

**Mitsubishi Plant Project
(Renegotiated Terms and Conditions)**

Mr. Ganga Singh (*Chaguanas West*): Thank you, Mr. Deputy Speaker. Could the Prime Minister indicate when a statement would be made with regard to the renegotiated terms and conditions of the Mitsubishi plant project, in light of the assurance given on March 18, 2016 that the Government would report to the country when an agreement is reached?

The Prime Minister (Hon. Dr. Keith Rowley): Yes, Mr. Deputy Speaker, and hon. Member, a commitment was given here that we will report. What has happened is that the final dotting of i's and crossing of t's has taken a little longer than we expected, but I can report that we are very close to completion and as soon as that completion is had, a statement would be made by the Minister in the Office of the Prime Minister.

Dr. Tewarie: Supplemental. Prime Minister, has any of the progress on the project been affected by the renegotiation?

Hon. Dr. K. Rowley: Progress means different things to different people. We would say that progress has only been made with the work that we have done so far, otherwise the project was dead in the water. [*Desk thumping*]

Dr. Tewarie: Prime Minister, was the physical work on the site in question, was it affected, that is to say, was it stopped or did the physical work continue?

Hon. Dr. K. Rowley: Physical works on the site continued and that was part of the problem because there were physical works to build a plant which had to use gas for which there was no gas and what was attempted to be contracted was a gas supply contract that would have scandalized this country.

Mr. Deputy Speaker: Hon. Members, we have one more minute allocated for Prime Minister's Questions. So are we to take question No. 11? Hon. Member for Couva South.

**Public Sector Workers
(Back Pay Owed)**

Mr. Rudranath Indarsingh (*Couva South*): Thank you, Mr. Deputy Speaker. Could the hon. Prime Minister advise this House as to how much of the \$4.2

billion back pay owed to public sector workers has been paid and when will the remaining sum be fully settled?

The Prime Minister (Hon. Dr. Keith Rowley): Mr. Deputy Speaker, 50 per cent of the back pay will be paid in cash in fiscal 2016 which ends on September 30th. Options still to be determined to pay the balance owed in fiscal 2017 are still to be discussed. With respect to the cash payment the sum of \$309.2 million will be paid in June 2016. This represents the amount of the back pay audited or processed for payments and owed to officers in the police service, the prison and the fire service. The balance of the 50 per cent cash owed will be paid during the months of July and August 2016 provided that all the relevant pay sheets have been processed and audited in the requisite departments.

Mr. Singh: Mr. Deputy Speaker, I know that the time is up but I know it has been a practice and a convention of this House that the Prime Minister is given the opportunity to answer all the questions on the Order Paper. [*Desk thumping*]

Mr. Deputy Speaker: Hon. Members, there are eight more questions. What are the views of the House or the wishes of the House? Could you put the question, Member for Chaguanas West?

Mr. Singh: That the House continues to deal with Prime Minister's Questions until the completion of the questions on the Order Paper.

Mr. Deputy Speaker: Right. Is that the wish of the House, hon. Members?

Hon. Members: Yes.

Mr. Deputy Speaker: Okay. We will continue. Go on to question No. 12. The Member for Couva North.

Coastguard Patrols (Implementation of)

Miss Ramona Ramdial (Couva North): Thank you. Could the Prime Minister confirm if coastguard patrols along the western coast of Trinidad and Tobago have been implemented and if so, is it a long-term measure?

The Prime Minister (Hon. Dr. Keith Rowley): The answer is, yes.

Central Hotspot Areas (Joint Army/Police Patrols)

Miss Ramona Ramdial (Couva North): Could the Prime Minister identify the hot-spot areas of central Trinidad where the joint army/police patrols have been deployed?

The Prime Minister (Hon. Dr. Keith Rowley): Mr. Deputy Speaker, at an earlier time in this House my colleague from Couva North did make a very spirited representation with respect to the presence of the joint army patrols and we did give a commitment that army/police joint patrols will function wherever in the country the criminal element deserves such a response.

I can tell you, Mr. Deputy Speaker: Southern Main Road, First Street, Second Street, Immortelle Street, Smith Street, Carlos Street, Juman Street; Southern Main Road, Edgar Street, Charlotte Street, Balisier Avenue, Mary Street, Jennifer Street, Jane Street, Aneisa Street, Cumberland Street; in fact, nearly all the streets.

There is also: Annabelle Street, Beatrice Street, Christine Street, Dianne Street, Ellen Street, Macaw Street, Francis Street, Pelican Avenue; Kathleen Street, Grant Street, White Street, Lynch Lane, Lower Couva North; Noel Street, Sanford Street, Boundary Road, Junon Street, Teelucksingh Street; Yallery Street, Macaulay Park, Southern Main Road, Nelson Street, Carli Bay Road; Cemetery Street, Copeland Street, Richmond Street, Perth Avenue, Orange Valley; Waterloo Road, Couva Main Road, Brazilia Avenue, Cameron Street, John Baptiste Road; Greig Street, Ganeesingh Street, Manse Street, William Street, Rowan Street; Campbell Street, Main Street, Cemetery Street, DeMontbrun Street, Post Office Street; Mt. Pleasant Road and Rivulet Road, Diamond Road, Mt. Pleasant Road, Springvale Circular Road—[*Interruption*]

Mr. Deputy Speaker: Hon. Member, let us hear. Go ahead. You have completed, Sir?

Hon. Dr. K. Rowley: You want some more streets? [*Laughter*]

Mr. Deputy Speaker: Hon. Member for Princes Town, you had a comment?

Hon. Dr. K. Rowley: That indicates very good coverage in central Trinidad. [*Desk thumping*]

Mr. Padarath: Mr. Deputy Speaker, to the hon. Prime Minister. Prime Minister, you said, progress means different things to different people. Are you prepared to stand by the Minister of National Security's position that the Government's crime plan or lack thereof is yielding results?

Mr. Deputy Speaker: Hon. Member, we will move on. Question No. 14. Hon. Member for Oropouche West.

Privacy Rights

(Details of)

Mrs. Vidia Gayadeen-Gopeesingh (Oropouche West): Could the Prime Minister indicate what is the Government's position on privacy rights of citizens in the Republic of Trinidad and Tobago?

The Prime Minister (Hon. Dr. Keith Rowley): I want to give the Member the assurance that all rights afforded to any citizen of Trinidad and Tobago under the Constitution will be protected and preserved and respected by this Government. [*Desk thumping*]

Mrs. Gayadeen-Gopeesingh: Hon. Prime Minister, is it then I could safely infer that the rights are absolute and not qualified?

Hon. Dr. K. Rowley: I have again—English is the language of the House. I have made no such statement and I will be very offended if the Member goes outside of this House and say I said that. There are very few things in life that are absolute and with respect to even the entrenched matters in the Constitution, there are situations where provision is made to abridge some of those rights because the circumstances warrant it. So I am not to be quoted as talking about absolute rights.

Mrs. Gayadeen-Gopeesingh: So, hon. Prime Minister, can you kindly perhaps tell this House what are some of the rights? [*Crosstalk*]

Mr. Deputy Speaker: Hon. Member, please, Members. Hon. Prime Minister, please. Members, next question, please. Question No. 15, Member for Caroni East.

Income Tax Act (Amendment to Section 4)

Dr. Tim Gopeesingh (Caroni East): Through you, Mr. Deputy Speaker, could the hon. Prime Minister state what is the Government's position regarding an amendment to Section 4 of the Income Tax Act to address the more accurate collection of revenue in Trinidad & Tobago?

The Prime Minister (Hon. Dr. Keith Rowley): Mr. Deputy Speaker, I have two answers. I am going to give you the one for inside the House today eh, because there is another one for outside. My colleague, the Member for Caroni East, the purpose of the Income Tax Act, Chap, 75:01 is defined as— [*Interruption*]

Mr. Deputy Speaker: The Member for Princes Town, please, please. This is the second time in the sitting and we are at 2.13 p.m., please.

Hon. Dr. K. Rowley: And we have four doors in the Chamber. Let me begin again. Some injury time. I crave your indulgence to start over.

Mr. Deputy Speaker: Proceed hon. Prime Minister.

Hon. Dr. K. Rowley: The purpose of the Income Tax Act, Chap. 75:01 is defined as:

“An Act to impose a tax upon incomes and to regulate the collection thereof.”

The successful administration of the Income Tax Act is established on the assumption of voluntary compliance. Section 4 expressly states that, and I quote:

“Every person having any official duty or being employed in the administration of this Act shall regard and deal with all documents, information, returns, assessment lists, and copies of such lists relating to the income or items of the income of any person, as secret and confidential, and shall make and subscribe a declaration in the form prescribed to that effect before a Magistrate.”

Incomes falling under this Act are detailed under section 5 and include income from any trade or business. The declaration of this income by taxpayers is inherent in the system and the security of knowing the information is kept confidential.

In short, Mr. Deputy Speaker, is that the current arrangements, as spelt out here, where under the law there is a confidentiality requirement where persons income tax details are secret and confidential. In attempting to reach persons who may be hiding income from the BIR and other entities, those investigations are stymied and stalled against this section which says that we cannot tell you, we cannot help you, because we have to keep your confidence. Whether the money is stolen or under-reported it is a confidential matter.

2.15 p.m.

The Government is considering an amendment to this Act and we hope—it is already drafted I am told—that when we bring it to this House, that our colleagues on the other side will support it so that investigations can be concluded in the manner that they should be. [*Desk thumping*]

Dr. Gopeesingh: Would the hon. Prime Minister indicate then, what in essence you are considering as amendments to the Act so we can have some knowledge of them before?

Hon. Dr. K. Rowley: The Attorney General's Office is in consultation on this matter and we will indicate as soon as the draft is available for sharing with you.

Dr. Gopeesingh: Notwithstanding what you said but bearing in mind what the hon. Minister of Finance had indicated in the budget presentation to form a revenue authority, is that part of the amendment that you are considering; and if so, when?

Mr. Deputy Speaker: Hon. Member, I would not entertain the question. It is bordering on additional information. Let us go on to question No. 16.

**Collection of Revenue
(Measures to be Implemented)**

Mr. David Lee (Pointe-a-Pierre): Thank you, Deputy Speaker. Could the hon. Prime Minister state what measures and mechanisms will be implemented by the Government to improve the collection of revenue from the energy sector and other business entities?

The Prime Minister (Hon. Dr. Keith Rowley): A number of measures are being considered.

- 1 If there are outstanding assessments to be made on the energy industries where outstanding taxes have not been paid, those discussions are in fact taking place in some areas with some companies.
- 2 We are ensuring that we do not do what was done before, which is to commit to allow 100 per cent write-off on capital expenditure in the energy sector. That currently prevails and would end in two years' time. We do not anticipate that that is an absolute requirement to encourage energy exploration in Trinidad and Tobago. We believe that there can be exploration, we can facilitate, but to ask for 100 per cent write-off in one year is to undermine the revenue stream of Trinidad and Tobago, and we consider that development not to work very well for us.
- 3 In terms of collecting other taxes owed—to improve the efficiencies with respect to staffing of the relevant department to ensure that those persons who are tardy in their tax compliances would be encouraged to change their attitude. We will bring before this House the recommended way of increasing and improving our tax collection on an ongoing and sustainable basis and, that is, the requirement to establish a single collection agency, a revenue authority, and we trust that on that occasion, when that comes to this House, our colleagues on the other side will see the wisdom and join us in instituting that to help collecting taxes in Trinidad and Tobago.

Dr. Gopeesingh: Bearing in mind the recent statements with respect to the weaknesses in the collection of the tax related to the amount of gas being used and gas supplied where there are weaknesses in the system, would the hon. Prime Minister indicate what he plans to do going forward to help strengthen that area where there would be accuracy in the information with respect to the revenue to be derived from the gas situation?

Hon. Dr. K. Rowley: This matter has attracted the attention of the Energy Committee of the Cabinet, and one of the things that we have to do, and we are beginning to do that, is to provide greater monitoring of the cargoes that leave Trinidad and Tobago for the international market and to pay closer attention to what is required, for the interest of Trinidad and Tobago.

We are of the view that we have not been sufficiently mindful of the possibilities of inaccurate information reaching us with respect to our share of certain cargoes and the Energy Committee is looking at that at the moment, and we also ensure that we have available to us the adequate professional staff whose job it will be to ensure that we are not short-changed in these matters.

Dr. Gopeesingh: Would the hon. Prime Minister indicate if there is any consideration at all for renegotiation between the Government and some of the major energy companies with regard to the amount of shipments that are permitted for the State in relation to the amount of shipments made by the major producers of the gas and the exporters of the gas?

Hon. Dr. K. Rowley: We are always willing and ready to do negotiations if such negotiations have the potential to improve our position with respect to our corporate partners. Some of those discussions are taking place, and have taken place, and will continue to take place, and hopefully where the negotiations allow for an outcome we expect that they will be in our interest.

Prime Minister's Two-Week Visit (Total Cost)

Dr. Bhoendradatt Tewarie (*Caroni Central*): Could the hon. Prime Minister provide this House with the total cost of his recent two-week visit to the United States, Ghana and the United Kingdom?

The Prime Minister (Hon. Dr. Keith Rowley): Mr. Deputy Speaker, the visit led by myself, as Prime Minister, to the United States, Washington and New York, Ghana and the United Kingdom, during the period May 03 to 12, 2016, was \$1.871 million. This difference shows a savings of \$180,000 as compared to a

similar visit of an earlier time. The breakdown is as follows:—did you ask for the breakdown? It compares very favourably with a target year in an earlier time of \$11 million.

So we are well below what has been accustomed. I can give you the assurance that we took only the bare bones of the staff and personnel required. We walked with no extras, no family members, no powder puff man, no handbag man, nothing like that. Just straight officers who were required for the business of the trip. [*Desk thumping*] And may I add that first-class travel was afforded only to the specific few officials for whom first-class travel was approved and appropriate.

Increase in Cybercrime (Proposed Measures to Curb)

Mr. Ganga Singh (*Chaguanas West*): Thank you, Mr. Deputy Speaker. Hon. Prime Minister, given the recent reports of an increase in cybercrime, could the Prime Minister state whether his Government intends to implement any immediate measures to treat with the increase in these offences?

The Prime Minister (Hon. Dr. Keith Rowley): Thank you, Mr. Deputy Speaker. In December 2012 a National Cyber Security Strategy was approved by Cabinet. In March 2014 both pieces of legislation were introduced into the Lower House of Parliament. Stakeholder issues affecting the passage of the Bills: it was believed the particular clauses in the Cybercrime Bill were similar to clauses in the Children Act, 2012; and further the clauses in the Cybercrime Bill carried a higher penalty than those in the Children Act, 2012.

Members of the Opposition, as well as the Trinidad and Tobago Publishers and Broadcasters Association, stated that certain clauses in the Cybercrime Bill infringed on the rights and freedoms of press, and freedom of speech. The Ministry in response deleted subclauses 21(2) and 21(3) and the Bill subsequently lapsed in 2014. There were some consultations later on because in May 2015 both Bills were once again introduced into the House.

The Cybercrime Bill was reintroduced with the following changes from its predecessor: the offence of child pornography was removed; the offence of luring was retained; Part V of the Bill, Child Offenders, was removed; subclauses 21(2) and (3) were removed; and new penalties for all crime—\$1 million and three years, and \$2 million and five years, save and except offences against critical infrastructure which was increased from \$2 million to \$5 million and computer-related forgery which was increased from \$20,000 to \$1 million.

Concerns were raised by Members of Parliament, as well as various media groups in Trinidad and Tobago, stating that the Cybercrime Bill infringes on the freedom of the press. The following concerns were raised: illegal acquisition of data; unauthorized receiving of data; offence by body corporate; and before we could have taken any decision the Bill lapsed in June 2015.

On Wednesday, June 15, 2016, consultation was held with the media associations based on the concerns raised by them. The outcome of that meeting, the media associations have undertaken to provide a response to the relevant clauses in the Bill under query, and that is where the matter stands at the moment, actively being pursued.

Mr. Singh: Hon. Prime Minister, you indicated that the Bill is being actively engaged by the Office of the Attorney General. Is there a time frame when that matter will be brought before the Parliament?

Hon. Dr. K. Rowley: The Attorney General has kindly advised that it will be within a month.

Non-Payment of Contractors (Impact on Construction Industry)

Dr. Surujrattan Rambachan (Tabaquite): Thank you, Mr. Deputy Speaker. Hon. Prime Minister given the recent reports regarding the possible non-payment of hundreds of millions of dollars outstanding to contractors, could you please tell this House, what impact, if any, this will have or is having on the construction industry?

The Prime Minister (Hon. Dr. Keith Rowley): The hundreds of millions of dollars owed to contractors have to be audited to ensure that we are paying millions of dollars for work done and contracts properly executed. [*Desk thumping*] That matter has attracted the attention of many agencies and, Mr. Deputy Speaker, I can tell you the exercise of verifying what is owed by the State has turned up some very shocking actions on the part of public officials who have been fast and loose with public moneys.

Over and above that, however, whenever it has been determined that moneys are well and duly owed to contractors and others, those moneys are recognized by the State, and we do recognize that substantial sums are owed to contractors. And insofar as those sums have passed the muster as I just mentioned, that they are due to be paid for goods and services provided, the Minister of Finance has been and continues to take steps to ensure that we can discharge those liabilities in a timely manner.

We do know and we concede that because of the country's financial situation, we are having to be a little delinquent with respect to discharging our liabilities to contractors, but we want to give the contractors the assurance that with the recent progress made at the Ministry of Finance, much more positive responses are on the way. [*Desk thumping*]

Dr. Khan: Hon. Prime Minister, thank you for that answer because there are a number of CEPEP contractors who participated in the health sector infrastructure initiative and a lot of them are owing suppliers a lot of money, and some of them are starting to lose their assets like their cars, their houses, et cetera, and being taken to court. Could the hon. Prime Minister—they have already been audited—look into this matter to see how fast these contractors could be at least given some sort of relief?

Hon. Dr. K. Rowley: I am not going to assume the responsibility of the Minister of Finance, but I will say insofar as the verifications have shown that these moneys are owed, I have every confidence that the Minister of Finance, within our straitened circumstances, will seek to bring relief to those who have qualified for those payments.

But I must also say that in a plethora of areas there was a whole landslide of improperly awarded contracts amounting to hundreds of millions of dollars which require careful scrutiny before any public money is paid, and I trust that that does not apply to small contractors in CEPEP. Because Mr. Deputy Speaker, it should be of concern to the public where there are contractors who could be telling the country that they are owed hundreds of millions of dollars from agencies that did not have any money to pay them, because it raises immediately what kind of procurement processes were taking place where agencies could have contracted the State in that way and now leave liabilities of hundreds of millions of dollars, meaning that contractors were bankrolling the country to that tune. We have to check and verify before we pay. [*Desk thumping*]

2.30 p.m.

Dr. Rambachan: Mr. Prime Minister, are you aware that because contractors have not been paid, a number of important projects, bridges, for example, in significant areas have actually been shut down and the projects closed because the contractors cannot finance the projects?

Hon. Dr. K. Rowley: I am not aware of any specific project of that nature, but if that is the case, the work becomes part of the Development Programme of the Government going forward.

URGENT QUESTIONS
Children's Life Fund
(Interpretation of Sections)

Mr. Barry Padarath (*Princes Town*): Mr. Deputy Speaker, through you to the hon. Attorney General: Has the Attorney General finally resolved the interpretation of the sections in the Children's Life Fund related to provision of critical and urgent care to children?

The Attorney General (**Hon. Faris Al-Rawi**): I am pleased to say yes.

Mr. Padarath: Mr. Deputy Speaker, through you to the hon. Attorney General: Could you indicate to us what mechanisms have been put in place by your office to ensure that a reoccurrence similar to this does not occur again?

Hon. F. Al-Rawi: There is no need for mechanisms, Mr. Deputy Speaker, mainly because the phenomenon is one which was unique to this particular situation. In fact, it is quite interesting to note that in the period 2010 to 2016, approximately 54 people were declined by the Children's Life Fund and of them, 30 people died. This is something which is certainly to be taken in the round and therefore, the attempt to sensationalize the life of a child in a circumstance where there have been 30 deaths in the period of the operation of this Children's Life Fund is rather unfortunate. [*Desk thumping*]

Dr. Moonilal: Thank you very much, Mr. Deputy Speaker and the Attorney General could answer yes or no to my whole question as well. Is he aware that Navine Harripersad died waiting on the interpretation from the Attorney General's office? Yes or no? [*Desk thumping*]

Hon. F. Al-Rawi: Mr. Deputy Speaker, I am aware quite tragically that Navine Harripersad has indeed passed away. I am not aware that it was on the advice of the Attorney General. I am very pleased to say that the Children's Life Fund has, in fact, confirmed to me that there were three other cases that were in the mix in the workout of the legislation, that of Zaria Tull, Darius Frank and Jaden Sylvester and that all of these persons have been told that their applications have been approved. I have ensured personally that this has been done and taken that very extra step, even though this does not fall within my portfolio, to ensure that this is conducted in an appropriate fashion. [*Interruption*]

Mr. Deputy Speaker: Hon. Member for Princes Town, no more supplemental questions, Sir.

**Chief Executive Officer–Ghana Gas
(Details of Visit)**

Mr. Barry Padarath: Mr. Deputy Speaker, through you to the hon. Minister of Energy and Energy Industries: Given the recent fluctuations in the price of oil including today's decrease, could the Minister indicate whether she met with the Chief Executive Officer of Ghana Gas and whether this meeting is expected to result in any immediate relief of our current economic pressures?

The Minister of Energy and Energy Industries (Hon. Nicole Olivierre): Thank you, Mr. Deputy Speaker. Mr. George Sipa-Adjah Yankey, Chief Executive Officer of Ghana National Gas Company, commonly called Ghana Gas, came to Trinidad on Thursday, June 9th to attend the 2016 Reliability and Lubrication Engineering Conference held over the period June 8th to 10th which was held by the Society of Tribologists and Lubrication Engineers, Caribbean Region in collaboration with the Society of Maintenance and Reliability Professionals, Caribbean region. Mr. Yankey was invited to receive an award for his contribution to the development of the natural gas industry in Ghana. Given that he came in a private capacity, a meeting with the Minister was neither required nor requested.

Mr. Padarath: So I take it, hon. Minister, you did not meet with the CEO?

Hon. N. Olivierre: As has been repeatedly stated by the Prime Minister during Prime Minister's Questions time, the language of this Parliament is English and I was quite clear in my response. [*Desk thumping*]

Mr. Padarath: Hon. Minister, is it true that both yourself and the hon. Prime Minister refused to meet with the CEO of Ghana Gas because they refused a proposal for a private-public partnership?

Mr. Deputy Speaker: Hon. Member, are you talking from a point of fact?

Mr. Padarath: Yes.

Mr. Deputy Speaker: Proceed.

Mr. Padarath: Could the hon. Minister indicate whether or not it is true that the Minister of Energy and Energy Industries and the Prime Minister refused to meet with the CEO of Ghana Gas because the CEO of Ghana Gas refused to entertain an advancement of a proposal for public/private partnership? [*Interruption*] I will stop at that.

Dr. Rowley: Mr. Deputy Speaker, I crave your indulgence. [*Interruption*]

Hon. N. Olivierre: Let me respond.

Mr. Deputy Speaker: Prime Minister, please. [*Continuous interruption and desk thumping*] Members, please. Minister of Energy and Energy Industries, the first part of the question, please. Proceed.

Hon. N. Olivierre: That is not true.

Mr. Rowley: Mr. Deputy Speaker.

Mr. Deputy Speaker: Hon. Prime Minister, on a point of order, Sir?

Port of Spain Prison (Locks)

Dr. Roodal Moonilal (*Oropouche East*): Let me just ensure this question here. Yes, thank you very much, Mr. Deputy Speaker. [*Interruption*] It is my question. Mr. Deputy Speaker, to the Minister of National Security. Given the recent directive to the prison authorities by the Minister in the Ministry of the Attorney General, could the Minister of National Security indicate when the locks at the Port of Spain Prison will be changed?

The Minister of National Security (Hon. Maj. Gen. Edmund Dillon): Mr. Deputy Speaker, enhanced measures have been taken at the Port of Spain Prison. I will not say when the locks will be changed in the interest of the security of the prison officers and the prisoners concerned.

Dr. Moonilal: Thank you very much. Could the Minister indicate whether or not this process is in train to change locks as directed by the Minister in the Ministry of the Attorney General?

Hon. Maj. Gen. E. Dillon: Mr. Deputy Speaker, I will not say whether it has not been done or not. I said that measures have been taken to deal with security at the Port of Spain Prison. [*Desk thumping*]

Dr. Moonilal: Thank you very much. Mr. Deputy Speaker, my final supplemental to the Minister of National Security. In light of the statement of the hon. Prime Minister that we are losing the war against the criminal elements, do you see this as an indictment on your performance?

Mr. Deputy Speaker: I would not entertain that question, all right. Question No. 4, Member for Fyzabad.

**Rousillac Hindu School
(Details of)**

Dr. Lackram Bodoë (Fyzabad): Thank you, Mr. Deputy Speaker, through you to the Minister of Education: In light of the fact that 189 students of the Rousillac Hindu School are now at home due to on-going construction of their school, can the Minister indicate when the Rousillac Hindu School will be ready for occupation by the students?

The Minister of Education (Hon. Anthony Garcia): Thank you very much. Construction commenced on June 25, 2013 for a new primary school, Rousillac Hindu, with a capacity for 240 students. Overall completion of the school building was 71 per cent as of October 2015. The contractor has sent in a claim for review and approval for an additional floor. This matter is awaiting review and approval of the EFCL board.

The contractor claimed that slow progress of work was attributed to the building of a school with three floors for the price of two floors. Students were previously accommodated at the community centre until parents took the decision to keep them at home. The estimated time for completion of this school building is dependent on the resolution of the contractor's claim for additional works. Once the contractor has been reengaged, the remaining work is projected for completion in six months. Thank you.

Dr. Bodoë: Thank you, Mr. Deputy Speaker. Is the hon. Minister aware that the decision to keep the children at home was based on a fire report that stated that the Rousillac Community Centre was unfit?

Hon. A. Garcia: Mr. Deputy Speaker, I am not aware of that report.

ORAL ANSWERS TO QUESTIONS

The Minister of Planning and Development (Hon. Camille Robinson-Regis): Mr. Deputy Speaker, I would like to ask for a deferral of the following questions for one week: Question Nos. 120, 121, 113, 145, and 131 and I would like to ask for a deferral for two weeks of Question Nos. 132 and 133. And Mr. Deputy Speaker, I would like to ask for a deferral of Written Question 101. In fact, there are 37 questions on the Order Paper for today and we are answering 34.

The following questions stood on the Order Paper:

**Promotion of Internal Tourism
(Details of)**

- 120.** Could the Minister of Tourism state whether there are plans to promote internal tourism as a means of generating income and employment and if so, whether the Constituency of Naparima is included in such plans? [*Mr. R. Charles*]

**Priority of Road Works
(Details of)**

- 121.** Could the Minister of Works and Transport state:
- a) the criteria used by the Ministry to prioritize road works across the country;
 - b) whether the Ministry received a priority list of road works earmarked for repair in the constituency of Naparima; and
 - c) if the answer to part (b) is in the affirmative, could the Minister state the commencement dates for these road works? [*Mr. R. Charles*]

**Beaucarro Main Road, McBean
(Stoppage of Road Rehabilitation Works)**

- 113.** Could the Minister of Works and Transport state:
- a) the reasons for the stoppage of road rehabilitation works along the Beaucarro Main Road in McBean, since September 08, 2015?
 - b) the resumption date of the works; and
 - c) the expected completion date of works? [*Mr. R. Indarsingh*]

**Rapid Rail (Mass Transit) System
(Details of)**

- 131.** With regard to the feasibility study for the Rapid Rail (Mass Transit) system, could the Minister of Works and Transport state:
- a) the total amount paid to date;
 - b) the payment dates;
 - c) the total amount outstanding; and
 - d) the proposed timeframe to complete the final payment? [*Dr. T. Gopeesingh*]

**Waterfront Project
(Details of)**

- 132.** With regard to the construction of the Waterfront Project, could the Minister of Housing and Urban Development state:
- a) the total amount paid to date;
 - b) the payment dates;
 - c) the total amount outstanding; and
 - d) the proposed timeframe to complete the final payment? [*Dr. T. Gopeesingh*]

**Government Campus Plaza
(Details of Outstanding Payments)**

- 133.** With regard to the construction of the Government Campus Plaza, could the Minister of Housing and Urban Development state:
- a) the total amount paid to date; and
 - b) the total amount outstanding to complete the final payment? [*Dr. T. Gopeesingh*]

**Public Service
(Details of Vacancies)**

- 145.** Could the Minister of Public Administration and Communications indicate:
- a) the current number of vacancies in the permanent establishment of the public service;
 - b) the current number of vacant contract positions in the public service; and
 - c) the plans to fill vacant positions in the public service? [*Mr. R. Indarsingh*]

Questions, by leave, deferred.

**Central Bank
(Details of Legal Fees)**

- 95. Mr. David Lee** (*Pointe-a-Pierre*) asked the hon. Minister of Finance:
- Could the Minister state:
- a) the total amount expended on legal fees by the Central Bank over the past ten (10) years;

- b) the names of the attorneys paid; and
- c) the fee paid to each attorney?

The Minister of Finance (Hon. Colm Imbert): Thank you, Mr. Deputy Speaker. This question requires the Minister of Finance to seek information from the Central Bank of Trinidad and Tobago. The Central Bank is of the view that the Central Bank Act contains very strict confidentiality provisions which the bank is obligated to comply with. The bank has indicated that section 56 of its Act states that the bank shall preserve and aid in preserving secrecy with regard to all matters relating to the affairs of the bank.

It is my intention to hold discussions with the Central Bank to see whether they can relax this provision and provide the required information because I am of the view that this information should be made available, but I am bound by the position of the Central Bank because it has cited its governing legislation.

Mrs. Persad-Bissessar SC: Thank you very much. Through you, the hon. Minister of Energy and Energy Industries answered a similar question in another place.

Hon. Member: Energy?

Mrs. Persad-Bissessar SC: Yes, energy.

Hon. C. Imbert: Energy? Bound by the Central Bank?

Mrs. Persad-Bissessar SC: The hon. Minister of Energy and Energy Industries answered questions with respect to boards on which Mr. Gerry Brooks sits, NGC. [*Interruption*]

Hon. C. Imbert: That is not Central Bank. Wrong question.

Hon. Members: Wrong question.

Mrs. Persad-Bissessar SC: Legal fees, I withdraw. I thought you were dealing with the other one, legal fees. Will file that under FYA. [*Laughter*]

Mr. Lee: Thank you, Mr. Deputy Speaker. Supplemental to the Minister of Finance. Could the Minister of Finance be gracious enough to ask what sort of time frame he is looking at to seek information on this matter from the Central Bank?

Hon. C. Imbert: Sure, Mr. Deputy Speaker. When I was on the other side, I had asked a question to the then Minister of Finance and Economy with respect to

the number of persons employed at the Central Bank over a particular period of time under the tenure of the last Government and the Central Bank, at that time, cited the same confidentiality provision.

2.45 p.m.

I cannot give an exact time frame but I can say to hon. Members of this House that I am of the view that certain information should not be withheld from the public of Trinidad and Tobago. So I will diligently hold discussions with the Central Bank to see where they will relax and withdraw from their posture, with respect to this matter. [*Desk thumping*]

Mr. Singh: Thank you, Mr. Deputy Speaker. Is the Hon. Minister of Finance of the view also that the allocations of foreign exchange on an annual basis—the information ought to be shared with the public of Trinidad and Tobago? [*Desk thumping*]

Hon. C. Imbert: Thank you, Mr. Deputy Speaker. I would be happy to answer that question. The hon. Member is mixing apples and oranges. The information related to foreign exchange is strictly prescribed by law and involves a breach of a specific provision in the Central Bank Act, the Financial Institutions Act. The question of legal fees paid by the Central Bank is not covered by any specific provision within the Central Bank Act, or staff numbers for that matter. So the Central Bank is relying on a general provision relating to secrecy. With respect to foreign exchange that was a specific breach of a specific provision. [*Desk thumping*]

Dr. Gopeesingh: Would it not be under the Attorney General's ambit for all matters related to legal fees and in the ambit of the Ministry of Finance as well, money paid out of the Consolidated Fund, whether it is legal fees or ex fees and all matters related to legal fees are under the ambit of the Attorney General, therefore, the information should be available?

Mr. Deputy Speaker: I will allow the question. Proceed, Minister of Finance.

Hon. C. Imbert: Thank you very much, Mr. Deputy Speaker, I will also be happy to answer that question. In the first instance, the money that the Central Bank uses to pay its expenses is derived from the interest charged on the overdraft at the Central Bank. It is not money from the Consolidated Fund, per se.

Secondly—[*Interruption*] well you should know that—attorneys hired by the Central Bank have nothing to do with the Office of the Attorney General. The Central Bank is an independent institution, hires its own attorneys and it is not a matter for the Attorney General, under the PNM.

Mr. Gerry Brooks
(Remuneration Details)

96. Mr. David Lee (*Pointe-a-Pierre*), asked the hon. Minister of Finance:

Could the Minister state:

- a) the state enterprises (inclusive of subsidiary companies) to which Mr. Gerry Brooks was appointed as either a Chairman or Board Member from September 8, 2015 to present; and.
- b) the remuneration package, inclusive of allowances for each appointment?

The Minister of Finance (Hon. Colm Imbert): Thank you, Mr. Deputy Speaker, and in fact although the hon. Leader of the Opposition is a little confused, a similar question was asked in the other place.

The state enterprises, inclusive of subsidiary companies to which Mr. Gerry Brooks was appointed as either a chairman or a board member from September 08, 2015 to present are as follows: the National Gas Company of Trinidad and Tobago Limited, of which he is the chairman and he receives a monthly fee of \$10,000 for that; the National Energy Corporation of Trinidad and Tobago, of which he is the chairman and receives a monthly fee of \$10,000; Phoenix Park Gas Processors Limited, he is the chairman and receives a monthly fee of \$10,000; La Brea Industrial Development Company Limited, he is the chairman, receives a monthly fee of \$6,500; NGC/CNG Company, he is the chairman, he receives a fee of \$6,500; NGC Pipeline Company, he is the chairman, he receives a fee of \$6,500; Trinidad and Tobago NGL, he is the chairman and he receives a fee of \$6,500; NGC Petrochemicals, he is the chairman and he receives a fee of \$6,500; NGC Netherlands, he is a director for which he receives no fees; NGC E&P Investments (Netherlands) B.V., he is a director for which he receives no fees; NGC E&P Netherlands Coöperatief U.A., he is a director, for which he receives no fees. The total for the NGC Group of Companies is \$69,000 per month.

Mr. Brooks is also a Director of the National Enterprises Limited by virtue of his chairmanship of the NGC, for which he receives a fee of \$4,000 a month. He is also a Director of NEL Power Holdings Limited, by virtue of his directorship in NEL, for which he receives a monthly fee of \$3,200.

He was a Director of National Helicopter Services and he resigned from that company in April 2016, again as a result of his chairmanship of NGC, and he is also a director of Telecommunications Services of Trinidad and Tobago Limited,

as a representative of NEL on TSTT's board by virtue of the fact that NEL is managing the 49 per cent of TSTT that belongs to Cable and Wireless that is to be disposed of, for which he receives a fee of \$5,000.

It is to be noted that on May 31st, the President of NGC advised that effective May 25th, although it has been the standard practice to pay travel allowances to chairmen of NGC and its subsidiaries, Mr. Brooks has requested that all payment of travel allowances be discontinued with immediate effect.

May I also say, Mr. Deputy Speaker, by way of example, that the former disgraced Chairman of FCB under the People's Partnership, received a total of board fees from the People's Partnership of \$71,000 a month.

Mr. Deputy Speaker: Come on Members. Hon. Member for Siparia, we need to move on, but go ahead I will give way.

Mrs. Persad-Bissessar SC: Thank you very much, Sir. Hon. Minister, you indicated that the travel allowances were discontinued, am I to understand you, from May 31st? Would he have received any prior to that, on the boards?

Hon. C. Imbert: Mr. Deputy Speaker, obviously.

Mrs. Persad-Bissessar SC: Sir, supplemental.

Mr. Deputy Speaker: Proceed hon. Member for Siparia.

Mrs. Persad-Bissessar SC: Thank you. Through you, Sir, hon. Minister, would he have received any telephone allowances for any of these directorships?

Hon. C. Imbert: Mr. Deputy Speaker, this is the information available to me, that he is in receipt of board fees. He discontinued the receipt of travelling allowances. I am not familiar with any telephone allowances, and I wish to reiterate, this is a long-standing practice, which this PNM Government is reviewing, and I can tell you, as of now, that the policy of this Government will be to apportion directorships on subsidiaries among members of the parent board, unlike the former PP administration.

Dr. Moonilal: Thank you very much, Mr. Deputy Speaker. I am still trying to recover from that arithmetic. Is the Minister of Finance confirming as well that this excludes the provision of cellular phones, laptops, iPads given in the capacity as chairman, and is the Minister confirming that this is the highest paid political appointment in the history of Trinidad and Tobago, inclusive of Prime Ministers?
[Desk thumping]

Mr. Deputy Speaker: The first part of the question, feel free to answer.

Hon. C. Imbert: Mr. Deputy Speaker, I think in order to re-educate the hon. Member, Miss Nyree Alfonso was under the—[*Continuous interruption and crosstalk*] Mr. Deputy Speaker, I am answering the question.

Mr. Deputy Speaker: Members, please. Minister of Finance proceed.

Hon. C. Imbert: Thank you very much, Mr. Deputy Speaker. In answer to the supplement about the highest paid, let me give an example of a highly paid person under the PP, who received more for the subsidiaries of FCB than Mr. Brooks is receiving for the subsidiaries of NGC. Miss Nyree Alfonso received \$7,500 for FCB Holdings; \$11,000 a month for FCB; \$7,500 a month for First Citizens Investment Services. [*Continuous interruption and crosstalk*]

Mr. Deputy Speaker: Hon. Members, please give the Minister of Finance the opportunity to answer the questions posed.

Hon. C. Imbert: Could I answer them in silence, please.

Mr. Deputy Speaker: Let us hear the answer, please? I also want to be in a position to hear. Proceed.

Hon. C. Imbert: I wish to repeat, I am responding to the supplemental about whether this is the highest paid person, and I said, Mr. Deputy Speaker, that the total of NGC fees is \$69,000.

I shall now go to another highly-paid person under the PP, to answer that supplemental, and can I do so in silence, please, Mr. Deputy Speaker?

Mr. Deputy Speaker: Proceed, proceed.

Hon. C. Imbert: They keep shouting. I do not know why. Nyree Alfonso, \$7,500 for directorship on First Citizens Holdings; \$11,000 for directorship on First Citizens Bank; \$7,500 on First Citizens Investment Services; \$7,500 for First Citizens, Costa Rica; \$7,500 for First Citizens, Barbados; \$7,500 for First Citizens Brokerage and Advisory; \$7,500 for First Citizens Investment Services, Barbados; \$7,500 for First Citizens, St. Lucia; \$7,500 for First Citizens Financial Services, St. Lucia; for a grand total of \$71,000, which, as far as I know, is more than \$69,000. So the highest-paid appears to be this person, under the People's Partnership.

Mr. Lee: Through you, Mr. Deputy Speaker, I seek some clarification to my question in (b). When I filed the question, I filed it around May 13th, so the

remuneration of Mr. Gerry Brooks, as far as allowances are concerned, I am seeking clarification to ask if I can get that information, as far as the remuneration allowances from September 8th to May 2016.

Mr. Deputy Speaker: That information was provided earlier.

Mr. Lee: No, no, not the allowances.

Hon. C. Imbert: Mr. Deputy Speaker, you are absolutely correct. I provided all of the information and the question asked from September 8th to present. It does not say anything about May 18th, and I was very, very clear that at the present time, Mr. Brooks has discontinued the receipt of his travel allowances with the exception of one board. I, therefore, answered the question as you are absolutely correct, Mr. Deputy Speaker. [*Desk thumping*]

Cerebral Palsy Programme (Status Update)

100. Mr. Barry Padarath (*Princes Town*) asked the hon. Minister of Social Development and Family Services:

Could the Minister give a status update on the Cerebral Palsy Programme under Unemployment Relief Programme, Social?

The Minister of Works and Transport (Hon. Fitzgerald Hinds): Thank you very much, Mr. Deputy Speaker. This question deals with the Cerebral Palsy Programme that we found in the Unemployment Relief Programme and my reply is as follows: this unwholesome project appears to have begun in August 2011, when persons led by one Crystal Jones who purported to represent the Cerebral Palsy Association of Trinidad and Tobago and who further claimed to represent mothers, fathers and caretakers of children afflicted by cerebral palsy, approached the Ministry of the People and Social Development, under the stewardship of the then Minister, one Glenn Ramadharsingh.

I am advised that a decision was taken by the Ministry of the People and Social Development to employ these persons as area foremen in the Unemployment Relief Programme of the then Ministry of Works and Infrastructure.

3.00 p.m.

Employment contracts were issued to some of these persons, in which they were appointed as caregivers in the URP; in the event, they were hired as area foremen in the said URP. Mr. Deputy Speaker, in this arrangement, the

representatives of the Cerebral Palsy Association of Trinidad and Tobago and the Cerebral Palsy Society of Trinidad and Tobago prepared and forwarded to the URP a list of names of persons who were to be paid on a fortnightly basis through the URP. The URP merely accepted these recommendations without more. In the event, the list forwarded began at approximately 166 persons. By the time of its discontinuance, records revealed that some 292 persons were so engaged, and together were paid approximately \$264,960 per fortnight.

Records also revealed that in this ungainly arrangement, no cross referencing, no investigation or verification was ever done to determine whether the claimants were all persons who had responsibility for children afflicted with cerebral palsy, or whether they were otherwise employed, or whether they enjoyed support from other available programmes of the Ministry of the People and Social Development, to the benefit of such persons.

Many claimants produced no ID cards, addresses frequently changed, and even some of the children, in whose names this ill-conceived programme was intended to benefit, had their names mysteriously changed from the same claimant over time, or had their names omitted all together.

Upon assumption of office as Minister of Works and Transport, and having responsibility for the URP, I reviewed this ungainly and unwholesome project, which revealed tremendous opportunity for mismanagement, graft and abuse. For example, 142 such claimants were never submitted, either by the Cerebral Palsy Association or the Cerebral Palsy Society of Trinidad and Tobago. These appeared to have been included on the list by elements of the URP, for no explicable reason or without any apparent justification.

Mr. Deputy Speaker, investigations have so far revealed pro forma invoices, for thousands of dollars' worth of sewing machines, tools and equipment that were supposed to have been issued to the claimants, as part of the training component that was promised; this, of course, was never done and the association has since advised this Member that no equipment or tools were ever distributed to any of them. *[Interruption]*

In the circumstances, the project was quite properly discontinued as at May 2016, and the bona fide parents of children who suffer with cerebral palsy have been directed to the Ministry of Social Development and Family Services, where thorough assessments will be carried out, and appropriate programmes that will benefit such persons will be made available to them, when they meet the relevant requirements.

Thank you, Mr. Deputy Speaker. [*Desk thumping*]

Mr. Deputy Speaker: Supplemental, hon. Member for Princes Town?

Mr. Padarath: Mr. Deputy Speaker, through you, to the hon. Minister, after all that song and dance, could the Minister categorically say that there is no programme with respect to cerebral palsy, under the Ministry of Social Development and Family Service?

Hon. F. Hinds: Mr. Deputy Speaker, I know nothing of song and dance. What I know here is that the facts, as I have revealed them, require further investigation, [*Desk thumping*] and the Member could be assured of that, by police.

Land Settlement Agency (Details of)

104. Mr. Rushton Paray (*Mayaro*) asked the hon. Minister of Housing and Urban Development:

With regard to the Land Settlement Agency, could the Minister state:

- a) the number of applicants on the database for the Residential Lots Programme (Land for the Landless) by geographic region;
- b) the number of successful applicants interviewed between September 2015 to February 2016;
- c) the number of lots developed from September 2015 to January 2016;
- d) the number of lots earmarked for distribution in fiscal 2016;
- e) the sites being developed for this programme and the acreage involved; and
- f) the next random draw (lottery) date for distribution of lots under this programme?

The Minister of Planning and Development (Hon. Camille Robinson-Regis): Thank you very much, Mr. Deputy Speaker. The number of applicants on LSA's database, that is application forms received for the Residential Lots Programme, as of April 25, 2016 is, 56,075. LSA's statistics by geographical region are as follows:

- Arima, 3,826 applications received;
- Chaguanas, 5,414;

- Couva/Tabaquite/Talparo, 7,627;
- Diego Martin, 1,781;
- Penal/Debe, 2,331;
- Point Fortin, 1,315;
- Port of Spain, 2,119;
- Princes Town, 5,090;
- Rio Claro/Mayaro, 1,317;
- San Fernando, 6,005;
- San Juan/Laventille, 5,486;
- Sangre Grande, 2,928;
- Siparia, 1,567;
- Tunapuna/Piarco, 8,403;
- Tobago, 26;
- Miscellaneous, 840;

Giving a total of 56,075.

In answer to part (b) of the question, Mr. Deputy Speaker, no interviews were conducted between the period September 2015 to February 2016. Interviews are generally based or have been generally based on random draws, and there were none in this period due to an ongoing process of policy review with respect to this programme. The third and last random draw of lots was conducted on July 01, 2015. The majority of the 300 selected persons were interviewed before September 2015.

Part (c): No lots were fully developed during the period September 2015 to January 2016, as development works are continuing.

It is interesting to note, however, Mr. Deputy Speaker, that notwithstanding the fact that there are over 56,000 applicants for this programme, from every geographic area in Trinidad and Tobago, over 98 per cent of the lands developed or under development prior to September 2015, occurred only in UNC-controlled constituencies. [*Crosstalk*]

Mr. Imbert: How much? Repeat that.

Hon. Member: One hundred per cent.

Hon. C. Robinson-Regis: Ninety-eight per cent—[*Interruption*]

Mr. Imbert: Ninety-eight per cent?

Hon. C. Robinson-Regis:—of all the lands developed or under development prior to September 2015, occurred only in UNC-controlled constituencies. [*Interruption*]

Mr. Deputy Speaker: Let us hear the Member, please.

Hon. C. Robinson-Regis: In answer to part (d) of the question, no lots in this programme are earmarked for distribution prior to the review of this, and associated housing and settlement programmes.

In answer to part (e), there are 20 sites with a total acreage of approximately 472 acres under development at this time. Again, Mr. Deputy Speaker, I would like to emphasize the point that of the 20 sites under development, 19 were planned in what was at the time UNC-controlled areas; [*Interruption*] 19 out of 20.

In answer to part (f) of the question, no date has been set for any further random draws, as the policy framework associated with this programme is currently under review. Upon completion of that policy review, so as to ensure coherence, equity, transparency and efficient targeting in the execution of the Government's public housing and land settlement programmes going forward, random draws may be restarted. In any case, there will be no random draws until lots are prepared and have the necessary statutory approvals for distribution.

Thank you, Mr. Deputy Speaker. [*Desk thumping*]

Mrs. Newallo-Hosein: Thank you very much, Mr. Deputy Speaker, to the hon. Minister, a supplemental question. In light of the fact that the LSA will be doing a policy review, will that impact negatively on the persons who have been successful at the previous draws, and who have not been allotted any parcel of land as yet? Will they be affected as a result of this new policy review? Thank you.

Hon. C. Robinson-Regis: I am not exactly sure what that question is attempting to ask, but the law is very clear. There was a cut-off date of the year 2000, but what is being reviewed is the policy in terms of how the applications are processed, and how people access the land. [*Interruption*]

Dr. Moonilal: Thank you very much. Mr. Deputy Speaker, to the Member answering the question on behalf of hon. Minister of Housing and Urban

Development, is the hon. Member aware that the sites chosen to develop the Land for the Landless Programme were selected earlier by a former PNM administration? [*Desk thumping*]

Hon. C. Robinson-Regis: Mr. Deputy Speaker, as usual with Members opposite, that is totally incorrect. [*Desk thumping*]

Dr. Rambachan: Mr. Deputy Speaker, given the pains that the hon. Member for Arouca/Maloney took to indicate that the 98 per cent that she said of development work took place in UNC-controlled constituencies, by any stretch of the imagination, is the hon. Minister indicating or suggesting that there will be future discrimination in the [*Interruption*] policies of the Government against UNC areas? [*Desk thumping and crosstalk*]

Hon. C. Robinson-Regis: Thank you very much, Mr. Deputy Speaker. The Member for Tabaquite is obviously admitting that there was discrimination. [*Desk thumping*] I would like to say that God forbid if they come back in office, I am sure that kind of discrimination will resume. [*Desk thumping*]

Dr. T. Gopeesingh: Mr. Deputy Speaker, I wish to withdraw questions 115 and 116.

The following questions stood on the Order Paper in the name of Dr. Tim Gopeesingh (Caroni East):

**Purchase of Two Naval Vessels
(Details of Debt Ceiling)**

115. Could the hon. Minister of Finance state whether the budgetary allocation for the purchase of two naval vessels was covered within the debt ceiling prior to September 7, 2015?

**Government's Credit Balance
(Amount owed)**

116. Could the hon. Minister of Finance state the credit balance owed by the Government as at September 30, 2015?

Questions, by leave, withdrawn.

**Sowing Empowerment Through Entrepreneurial
Development Programme
(Details of)**

117. Mrs. Christine Newallo-Hosein (Cumuto/Manzanilla) asked the hon. Minister of Social Development and Family Services:

Could the Minister state:

- a) the criteria to access the \$15,000 grant through the Sowing Empowerment Through Entrepreneurial Development Programme;
- b) the turnaround time for processing applications;
- c) the amount of funds allocated; and
- d) the current balance of this Vote?

The Minister of Social Development and Family Services (Hon. Cherrie-Ann Crichlow-Cockburn): Thank you, Mr. Deputy Speaker. To be eligible for the Seed Grant, applicants must be:

- 1. Citizens of Trinidad and Tobago;
- 2. 18 years or older;
- 3. Unemployed persons whose household income falls below the poverty line, with an interest in business and a business idea;
- 4. Employed persons whose household income falls below the poverty line;
- 5. Unemployed persons who have a desire to be trained in a specialized area for gainful employment;
- 6. Start-up or potential business owners whose household income falls below the poverty line; or
- 7. Existing micro business owners whose household income falls below the poverty line.

With respect to:

- (b) The turnaround time for processing applications should normally be six weeks.
- (c) The amount of funds allocated for fiscal 2016 was \$3.5 million; and
- (d) The balance in the Vote as at the end of April 2016 was \$864,830.

3.15 p.m.

Mr. Deputy Speaker: Supplemental.

Mrs. Newallo-Hosein: Thank you. Can the hon. Minister state how many persons have accessed this grant from September 2015 to date, please? Thank you.

Hon. C. Crichlow-Cockburn: Mr. Deputy Speaker, 148 applications have been received during that period.

Mr. Deputy Speaker: Thank you. Supplemental? Last one, proceed.

Mrs. Newallo-Hosein: Thank you. 148 were received, how many were, in fact, approved and how much moneys have been allocated for them? [*Crosstalk*]

Mr. Deputy Speaker: Hon. Minister are you in a position to give that information now?

Hon. C. Crichlow-Cockburn: Not at this time, Mr. Deputy Speaker.

Mr. Deputy Speaker: Okay. So, again, we will have it in writing, hon. Member. [*Crosstalk*] File accordingly, Hon. Member.

Extension of Electrification Programme (Cumuto/Manzanilla Grounds)

118. Mrs. Christine Newallo-Hosein (Cumuto/Manzanilla) asked the hon. Minister of Public Utilities:

Could the Minister indicate whether the electrification programme will be extended to the following grounds in the constituency of Cumuto/Manzanilla:

- a) the Four Roads Tamana Ground, Tamana;
- b) the Sanatan Ground, Guaico Tamana; and
- c) the Clarke Road Ground, Manzanilla?

The Minister of Public Utilities (Hon. Brig. Gen. Ancil Antoine): Mr. Deputy Speaker, the programme for the illumination of parks and recreation grounds provides for the lighting of parks, recreation grounds and other public recreational areas which fall under the jurisdiction of the local authorities throughout Trinidad and Tobago. The process for illumination of parks and recreational grounds is usually initiated by written requests from members of the public, including Members of Parliament, denominational bodies, village councils, social, sporting and cultural organizations, as well as individuals.

Once received, a site visit is conducted by staff of the project unit of the Ministry of Public Utilities and a request is made to the Trinidad and Tobago Electricity Commission (T&TEC) for a feasibility study. Projects as such are selected for implementation based on the feasibility report: the number of persons to be impacted and the availability of funding.

Mr. Deputy Speaker, as it pertains to the three grounds identified for the constituency of Cumuto/Manzanilla, no requests were received for the

illumination of Four Roads, Tamana and Clarke Road grounds. With respect to the Sanatan Ground, a request was received in June 2014. This ground is included on a list of recreational grounds currently being evaluated by T&TEC, a report of which is expected by the end of June 2016.

Mr. Deputy Speaker, it should be noted, however, that in the Cumuto/Manzanilla constituency a total of 11 recreational grounds have been illuminated under the programme as follows: Manzanilla Recreation Ground, Oropouche Recreational Ground, La Tosca Recreational Ground, San Louis Recreational Ground, Howsen Village Recreational Ground, Masjid Al-Momineen Play Park, Upper Cumuto Recreation Ground, Biche Recreational Ground, Freedom Trace Recreational Ground, Coalmine Recreational Ground and Lower Cumuto Recreational Ground. [*Crosstalk*].

Mr. Deputy Speaker: Thank you. Supplemental? Member for Cumuto/Manzanilla.

Mrs. Newallo-Hosein: Thank you, Mr. Deputy Speaker. Hon. Minister, I am not too sure why you had to go through the listing that we have, but thank you. I just want to advise the Minister that the Four Roads has been forwarded and Clarke Road, and I was just wondering if it is that you highlighted the other grounds to indicate that we would not—[*Interruption*]

Mr. Deputy Speaker: Question please, hon. Member.

Mrs. Newallo-Hosein: Would you therefore—would there be a discrimination because of the number of grounds that have been electrified so far? I just want to make sure that it will not be discriminated against.

Hon. Brig. Gen. A. Antoine: There will be no discrimination whatsoever. As I stated, there is a process to go through, and once we receive the application it will be processed and the grounds will be lit based on the availability of funds. [*Desk thumping*]

International Relations Officer

(Status Update)

119. Mr. Rodney Charles (*Naparima*) asked the hon. Minister of Foreign and Caricom Affairs:

Further to the response to House of Representatives Question No. 7 on December 11, 2015, could the Minister provide a status update on steps taken to regularize the position of International Relations Officer at the Ministry of Foreign and Caricom Affairs?

The Minister of Foreign and Caricom Affairs (Sen. The Hon. Dennis Moses): Mr. Deputy Speaker, thank you very much. The position of International Relations Officer is a contract position for periods up to three years with effect from dates of assumption of duty, and terms and conditions of employment to be determined by the Chief Personnel Officer. It is not an establishment position.

The Government is currently examining the issue of contract employment in the public sector, which will assist in defining national policy with respect to same in the public sector. The Ministry will be guided by the outcome of these deliberations and decisions. Thank you.

Mr. Deputy Speaker: Supplemental? Hon. Member for Naparima.

Mr. Charles: Thank you very much, Mr. Deputy Speaker. Is the Minister aware that over 80 per cent or so of the Foreign Service Officers are on contract, and this does not augur well for the long-term development of the human resources of the Ministry of Foreign and Caricom Affairs? [*Crosstalk*]

Sen. The Hon. D. Moses: Mr. Deputy Speaker, that awareness I do not share, I do not have it. By definition, Foreign Service Officers cannot come under the rubric of the thrust of the gentleman's question—the Member for Naparima. Thank you.

Mr. Charles: The question was that IROs represent a significant proportion of the officers in the Ministry of Foreign Affairs. Do you think that having them for an extended period on a contract basis is consistent with the human resource development of your Ministry? [*Crosstalk*]

Mr. Deputy Speaker: Hon. Minister? [*Crosstalk*] Okay Members, the hon. Minister has the floor.

Sen. The Hon. D. Moses: Mr. Deputy Speaker, that—[*Interruption*]

Mr. Deputy Speaker: Members on both sides, we need to hear the answer of the hon. Minister. Kindly proceed, hon. Minister.

Sen. The Hon. D. Moses: Mr. Deputy Speaker, that variation is not in harmony with the thrust of the question, and it is not linked in a way that I can respond here today. Thank you. [*Desk thumping*]

**Chaguanas East/Enterprise Area
(Request for Police Station)**

122. Mr. Fazal Karim (*Chaguanas East*) asked the hon. Minister of National Security:

With respect to the murder rate in the constituency of Chaguanas East, particularly in the Enterprise area, could the Minister indicate whether a request for a Police Station will be facilitated?

The Minister of National Security (Hon. Maj. Gen. Edmund Dillon): Mr. Deputy Speaker, the Trinidad and Tobago Police Service records crime data by police station districts and not by constituency boundaries. A number of factors are considered in determining the need to establish an additional police station in a particular area. These include the conduct of a feasibility study which assesses, inter alia: one, the volume of residential and commercial activities in the area, the proximity of the nearest or existing police station and the volume of reported crimes arising from the areas. The Enterprise area located in the Borough of Chaguanas is serviced by police officers attached to Chaguanas Police Station and by the officers of the Central Division Operation Unit, which operates from the Longdenville Police Post.

In the context of the crime situation and resource availability, the Trinidad and Tobago Police Service has deployed extensive resources to meet the demands of crime concerns in the Enterprise area. According to statistics from the Trinidad and Tobago Police Service, the number of murders recorded in the Enterprise area in 2015 was 14, and for 2016 to the end of May, six murders were recorded. Based on the available data, the Trinidad and Tobago Police Service does not deem it necessary to establish a police station in the Enterprise area at this time, Mr. Deputy Speaker.

Mr. Deputy Speaker: Next question. Question No. 123, Member for Chaguanas East.

**Land Tenants (Security of Tenure) Act
(Introduction of Amendment Legislation)**

123. Mr. Fazal Karim (*Chaguanas East*) asked the hon. Attorney General:

Could the Minister indicate whether the Government proposes to introduce legislation to amend the Land Tenants (Security of Tenure) Act, Chap. 59:54 (HOR Bill No. 9 of 2014)?

The Attorney General (Hon. Faris Al-Rawi): Thank you, Mr. Deputy Speaker. A rather unusual question, but I would answer it as follows: The House of Representatives Bill No. 9 of 2014 was first read in the House of Representatives on April 04, 2014 and it lapsed on July 30, 2014. It was managed, piloted entirely by the then Minister of Housing and Urban Development, the Member for Oropouche East, Dr. Roodal Moonilal. No explanation whatsoever was provided at all by him or the then Government for the failure to advance that Bill. It just died in 2014.

The present Government is, in fact, reviewing the data and policy which should stand behind data which may, perhaps, be related to that Bill, the House of Representatives Bill No. 9 of 2014.

Mr. Karim: Thank you, Mr. Deputy Speaker. Can I ask whether you are keenly interested still in reviving this piece of legislation?

Hon. F. Al-Rawi: I thank the hon. Member for the question. Through you, Mr. Deputy Speaker, indeed the issue of security of land tenure is a very significant one. It in fact correlates to an answer given by my learned colleague, the Leader of Government Business, in relation to the number of squatters and informal settlements in this country. It is something which has stood in the public domain to be answered for a very long time now, and we are pulling the statistical information so that a holistic policy can be provided and produced into legislation.

Mr. Deputy Speaker: Hon. Members, at this time, it is 3.25 p.m. and in accordance with Standing Order 29(10), the remaining questions will be postponed to the next sitting with the exception of questions 132 and 133 which were deferred for an additional two weeks. Kindly proceed.

MISCELLANEOUS PROVISIONS (ANTI-GANG AND BAIL) BILL, 2016

Bill to amend the Bail (Amendment) Act, 2008, the Miscellaneous Provisions (Bail and Kidnapping) Act, 2011, the Anti-Gang Act, 2011, the Bail (Amendment) Act, 2011, the Bail (Amendment) Act, 2014 and the Bail (Amendment) Act, 2015 [*The Attorney General*]; read the first time.

Motion made: That the next stage be taken at a later stage of the proceedings.
[*Hon. F. Al-Rawi*]

Question put and agreed to.

**JOINT SELECT COMMITTEE
(Extension)**

The Attorney General (Hon. Faris Al-Rawi): Thank you, Mr. Deputy Speaker. Having regard to the Fourth Interim Report of the Joint Select Committee appointed to consider and report on the Whistleblower Protection Bill, 2015, I beg to move that the committee be allowed an extension of 13 weeks in order to complete its work and submit a final report by September 09, 2016.

Question put and agreed to.

MISCELLANEOUS PROVISIONS (ANTI-GANG AND BAIL) BILL, 2016

The Attorney General (Hon. Faris Al-Rawi): Thank you. [*Desk thumping*] Thank you, Mr. Deputy Speaker. Mr. Deputy Speaker, I beg to move that:

A Bill to amend the Bail (Amendment) Act, 2008, the Miscellaneous Provisions (Bail and Kidnapping) Act, 2011, the Anti-Gang Act, 2011, the Bail (Amendment) Act, 2011, the Bail (Amendment) Act, 2014 and the Bail (Amendment) Act, 2015; be read a second time.

Mr. Deputy Speaker, the new Standing Orders of this House of Representatives permit me only 45 minutes to address a very significant bit of legislation before us. The Bill before us has 10 short clauses, including the prescription for short title, that the Bill is inconsistent with the Constitution, the requirement for commencement and then there are a few short clauses dealing with amendments to a series of Acts which one could categorize as bail legislation and the Anti-Gang Act.

3.30 p.m.

What the Bill does, in very short sense, is to seek to extend the life of the successive amendments of the bail legislation in Trinidad and Tobago to bring it forward from an expiry date of August 15, 2016, and to carry it forward two years. It seeks to do the same thing for the anti-gang legislation, which is also due to expire by way of the provision of a sunset clause contained in section 15 of the Anti-Gang Act, by a further period of two years. The Bill does one thing further; it seeks, Mr. Deputy Speaker, to cause what perhaps was a mistake to be remedied in relation specifically to another piece of legislation, that is the Miscellaneous Provisions (Bail and Kidnapping) Act, which was Act No. 9 of 2011, where for some reason it was not harmonized to expire, through the operation of a sunset clause, on August 15, 2016. That is the simple version of what is before us today.

The complicated version of what is before us today is a very different matter. There are in fact six pieces of law, one on the anti-gang, five on the bail amendment side, which we as a country have used in respect of the bail provisions from the period 1994 come forward to 2015, and in respect of the anti-gang legislation from the period 2011 come forward to 2015. We have used these two pieces of law in the arsenal of laws in Trinidad and Tobago to curb the criminality which affects our society. Now, Mr. Deputy Speaker, it is very important to note that our Constitution is abundantly clear that there is an enshrined series of rights contained in sections 4 and 5 of the Constitution.

Those rights are specifically contained in 4(a), that is the right to liberty and not to be deprived thereof except by due process of law; 4(b), that is the right for the protection of law, essentially; 5(2)(a), which is the right not to be subjected to any arbitrary detention or imprisonment; 5(2)(e), which is the right for a fair hearing; 5(2)(f)(iii), which is the right to reasonable bail.

Those are the enshrined rights that we are talking about, but we are talking about them in the context of section 13 of the Constitution, which as all lawyers, certainly, and Members of Parliament would know, makes it a fact that there are no absolute rights in terms of enshrined rights, and that these laws are qualified by the operation of section 13 of the Constitution in this particular instance where we can intrude or abrogate upon rights in a balancing act provided it is supported by a three-fifths majority of the Parliament in both Houses. Also and importantly, that it is proportionate insofar as a society such as Trinidad and Tobago which has due respect and regard for democratic principles as we do, and for the rule of law, insofar as we deem these abrogations to be necessary in our society.

Now, I have taken time to put it forward that way for a very specific reason. What we say here today in the House of Representatives, and elsewhere if it gets to the Senate is going to be the subject of judicial scrutiny in the local courts and certainly at the Privy Council, essentially because, and I wish to put Members upon notice, there are three active attacks upon the constitutionality of the bail laws in Trinidad and Tobago and, specifically, there is one that is in operation in respect of the construction of one of the amendments to the Bail Act, which was caused in 2015. The legislation is under consideration by the Judiciary right now. Specifically, we have in Trinidad and Tobago the case of CV 2015-03229, *Ryan Reno Mahabir v The Attorney General of Trinidad and Tobago*, which was heard by Madam Justice Gobin, and in the course of which she gave amendment to the law by causing an amendment to a particular section in the bail legislation in 2015 which caused an amendment.

There is CV 2015-03475, *Danielle St. Omer v The Attorney General of Trinidad and Tobago*, and there is CV 2016-0074, *Justin Stuart Charles v The Attorney General of Trinidad and Tobago*. Further, Mr. Deputy Speaker, we also have another case and that is of Brendon Taylor which has been stayed pending the outcome of the decisions in Danielle St. Omer's case and Justin Stuart Charles' case. In these cases, which bring frontal attack, one on a construction basis for the 2015 amendments to the Bail Act, and three of them on a frontal attack on the constitutionality of the bail law in itself as it exists right now, and, in particular, as it relates to amendments to the law in the period 2011 to 2015. There is a frontal attack on the constitutionality of these laws brought by none other a person than Anand Ramlogan of Senior Counsel, and one Gerald Ramdeen.

I picked out those two names because we are in a very unusual situation where a past Attorney General, and someone who has been appointed from time to time as a Senator by the United National Congress are bringing frontal attack to the laws which the UNC brought into life in the period 2011 to 2015 when, specifically—one can traverse the *Hansard* records beginning on December 10, 2010, straight through to March 31, 2015, ending in a contribution by a UNC Senator now, Sen. Wayne Sturge, another member of the UNC—when there are 14 references to be found in the *Hansard*, 14 contributions, including the Member for Oropouche East, all of which go on to say that the society is in such a desperate state of criminality.

I want to quote the words of Anand Ramlogan:

“The Constitution is not a grave or dead...”

We must “use the very Constitution to give us a weapon in the fight against crime. That is why we invite Members on the other side to support this measure without reservation...”

This criterion is met. There is just cause in this country to interfere with the fundamental human rights of those who wish to interfere and take”—it—“away altogether...”

There is compelling justification for this intervention to impose some restriction and limitation on the rights of those who wish to exploit others. We think that denying bail to gang members and persons charged with offences involving the use of a firearm, ultimately strikes the right balance...”

And so that tenor continued for the period 2011, 2012, '13, '14, '15, and only changed when the then Attorney General stopped being the Attorney General. I

want to say that I find it particularly bothersome, [*Desk thumping*] distasteful, grips you in the stomach, causes a reflex that causes you to swallow what you would otherwise feel when you see something of this type, to watch people take the information that they had whilst they held office, high office and take it into the courtroom of Trinidad and Tobago to set aside and damage Trinidad and Tobago in the fashion that they do now.

I have said some very strong words, Mr. Deputy Speaker, today because I feel incensed over the position, and I will tell you why. Leader of Government Business in the Senate whilst I sat as an Opposition Senator, Sen. Subhas Panday, specifically said on Tuesday, May 03, 2011, in relation to the sunset clauses which we now have before us, he said:

“...during”—the—“five years, I am certain that this Government will sit down, monitor, analyse this piece of legislation, and if there is a necessity to have it extended we shall come back to the Parliament and account to the Parliament how this legislation has been carried out.

This Government”—he said—“intends to be transparent and, as such, within five years we shall come back and report to the Parliament as to the action taken under this Act, whether it was effective; whether we need to amend it or whatever needs to be done.”

That was the Government’s commitment by the Leader of Government Business on the Senate Bench when we discussed the amendments to the Anti-Gang, when we did the Anti-Gang Act, and the Bail Amendments which we were doing on May 03, 2011.

Well I can tell you, Mr. Deputy Speaker, I came into the Office of the Attorney General and as Minister of Legal Affairs, the population knows now that I am on a mission to bring statistics from Trinidad and Tobago into the public domain, be they in relation to the prisons, be they in relation to the criminal justice system, be they in relation to children, be they in relation to marriages. For the first time ever the Office of the Attorney General is bringing raw statistics out to cause intelligent debate. But I can tell you one thing that I did not find when I went into the Office of the Attorney General, that is, any form of statistical information, material analysis, or anything to do with the Anti-Gang Act or the bail amendment provisions. I can tell you, as a matter of fact, that right now we have one Court of Appeal matter which in fact was filed today in the matter of *The Attorney General (as appellant) v Ryan Reno Mahabir* as respondent, which is a case conducted by Anand Ramlogan.

There are three challenges to constitutionality, as I have told you, frontal attack; two of these proceeding, one in reserve, one of them managed by Anand Ramlogan again, and in relation to the Anti-Gang Act there is one Court of Appeal matter and 43 High Court matters. In the context of the operationalization of the Anti-Gang Act, in the middle of a state of emergency put into effect with nearly 7,000 people arrested and released out of the system under the anti-gang legislation, it is no wonder that the last Government did not have the courage to do the statistical analysis and appreciation to equip this Parliament with material which we should today be discussing so that we can have an informed perspective on what the law should be.

Therefore, in the context of a frontal attack on constitutionality, in the context of a very real risk, which we must avoid, of causing legislation deemed to be *ad hominem*, meaning targeted to suit particular litigants, in the case of *Ryan Reno Mahabir v The Attorney General*, if we cause amendments to the law what we are going to have is the potential for the judicial exercise to be met with further complication.

We also have, Mr. Deputy Speaker, the very important issue of managing what we as a country intend to put down on the *Hansard* record for a justification for constitutionality. Let me say why I say that: I have already pointed that there are sections 4 and 5 rights to be considered under the Constitution, and that the exception is to be found in section 13. When one engages in an analysis as to what is proportionate within the meaning of the classic decisions, be they *De Freitas*, be they *Northern Construction*, be they whatever matters one may wish to come across as to the statements of proportionality, that the law goes only that there is a legitimate aim; that the law is necessary and goes only insofar by way of intrusion as it must; that it is proportionate. When one considers all of these factors it is important that Trinidad and Tobago has statistical information so that when a Privy Council enquires as to the status of this law and its constitutionality that we have the justification on the record.

3.45 p.m.

So let me dive immediately to putting a statement on the record as to where we stand in Trinidad and Tobago on this issue of the savaging of our country and our society. I do so, Mr. Deputy Speaker, for the extrinsic aid that the rule in *Pepper v Hart* will cause this parliamentary debate to be.

Trinidad and Tobago as we know is proximate to South America. Our country has been deemed to be a trans-shipment point for the flow of narcotics, with the legacy issues of guns, ammunition, with trafficking in persons involved. Crime,

criminality has burgeoned over the last few years. As of 2014, according to information from the Commissioner of Police, 92 known gangs identified and operating in geographical divisions in the police service. There is an estimated gang membership of approximately 1,500 people, as at 2014. Between 2011 and 2015, an average of 116 kilograms of cocaine have been seized per annum, with an average of 611 kilograms of marijuana seized per annum. The importation of illegal firearms and narcotics are intertwined with criminal activity, and gang-related activity is what drives these enterprises. Firearms are used in the drug trade obviously, and the commission of serious crimes we would see by way of statistical reference involves the use of firearms.

In 2014, 35 per cent of all murders were gang-related. In 2015, 33.6 per cent of all murders were gang-related. As of April 30, 2016, there have been 49 gang-related murders. For the period 2004 to 2015, the number of illegal firearms seized by the police has been increasing steadily. There has been an increase of over 500 per cent in the period 2004 to 2015. In 2009, 71.4 per cent of all murders were committed with firearms. In 2010, 75.3 per cent of all murders were committed with firearms. In 2013, 78.4 per cent of all murders were committed with firearms. In 2014, 75.3 per cent of all murders were committed with firearms, a steady trend up from 71, 75, 78, 75 per cent and counting.

For the period January 01 to April 30, 2016, a period of four months, there have already been 286 persons arrested and charged for possession of a firearm. *[Interruption]* Could the hon. Members calm themselves! The statistics show increase and uptick in the seizure of firearms at ports, coastlines. But what I found quite interesting, types of firearms seized and found for the years 2004 to 2016 include: revolvers, the number in 2004 was 39 and continuing in the years up to 2015. Listen to the trend up: from 39, 74, 61, 98, 129, 102, 102, 124, 110, 109, 140, 160; 2004, 39; 2015, 160. The categorization goes: pistols 2004, 42; 2015, 329 the number jumps to, continuously rising over the years; shotguns, 10 in 2004 seized, we get up to 62 in 2015, going through peaks of up to 79, 80, 46. Homemade shotguns, similar trend; rifles, from zero in 2004 to 30, trap guns increasing; flare guns; machine guns, zero in 2004, to 23 in 2015. *[Interruption]*

Mrs. Persad-Bissessar SC: And all these Acts were in force then.

Hon. F. Al-Rawi: Member for Siparia, keep your cool. Total, 122 firearms for 2004. When we get up to 2015, 691, Mr. Deputy Speaker.

Let us look to offences committed with firearms for the period 2009 to 2015. In 2009, and I want to go with percentages; if we look to the categories of

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murders, wounding, shootings and robberies, let us look at murders in the period 2009 to 2015. I will give you an idea of some of the numbers and then translate to percentages. In 2009, total committed, 507; total with firearms for murders, 364; 2015, total murders committed, 420; total with firearms, 340. But the percentages travelling through the years, 2009 to 2015, look like this: 71 per cent, 75 per cent, 71 per cent, 76 per cent, 78 per cent, 75 per cent, 80 per cent, a steady trending up of murders committed with firearms.

Wounding and shooting, the figures oscillate in the period 2009 to 2015, passing roughly 46 to 55 per cent and the figures staying constant. Robberies, same phenomenon; in 2009, 6,107 robberies committed, 1,872 with firearms. Total committed robberies in 2015, by way of example, 2,469; total with firearms, 608.

But I heard the hon. Member for Siparia say a short while ago, “Talk about 2016, talk about 2016”. Let us talk about it. When did we hear in Trinidad and Tobago about grenades? Right now in this country grenades are the conversation. It is no surprise grenades are the conversation. Why? Because we have had unprotected borders in the period 2010, in particular, to 2015 now into 2016, [*Interruption*] because of a decision to dismantle our security services and to leave our 360-degree border of water unprotected. And, therefore, when one looks to the position of having an uptick in crime, one recognizes that crime and the effects of crime start somewhere. It is obvious in our country that if you look to the phenomenon of grenades today there is a legacy and history behind it. [*Crosstalk*]

I listen to Members opposite often, Member for Oropouche East in particular, residing in a realm of comedy which is inexplicable to me, laughing at the tragedy of Trinidad and Tobago, in circumstances where there are tears and blood flowing on the streets, Mr. Deputy Speaker. But we look to this position now. Does the law and law such of this type—[*Interruption*]

Mrs. Persad-Bissessar SC: The statistics are indeed very frightening and as you are concerned I know we are and many others are with the rise in crime. But would you provide us with some empirical data, statistics as you say, how many persons are in jail without bail as a result of these bail provisions? [*Desk thumping*]

Hon. F. Al-Rawi: I thank the hon. Member for Siparia, who, as Prime Minister and head of the National Security Council, failed to regale Trinidad and Tobago with one scrap of statistical information. [*Interruption*] I can say for a fact that in the prisons exercise which we have engaged in, we have come across

2,300-odd persons in the remand condition, that is pre-trial detention, and right now I can tell you that we are disaggregating every single remand file across the cause of remand, the conditions in which they have been remanded, the types of offences and, particularly—[*Interruption*—she is saying now, “You do not know”. Members, settle down “nuh”, let us get into a debate; settle down. [*Crosstalk*]

Mr. Deputy Speaker, when we get to the statistical information it is important to recognize that in dealing with the expiry of this law on August 15, 2016, as we now have upon us, the work which should have been done in the period 2011 to 2016 by the last Government was not done. Therefore, in dealing with whether one should extend the sunset provisions by a further period of time, I have caused letters to go off to the Chief Justice, letters to go off to the Commissioner of Police, letters to go off to the Director of Public Prosecutions to pull the statistical information, so that we can have an intelligent discussion as to how these laws are operating within the parameters of their application.

We, in fact, also engaged the Opposition by way of direct correspondence and communication between the Leader of Government Business and the Leader of Opposition Business on the several days prior to today’s sitting, on their position in relation to this law. We invited them to have a discussion with us. We were told that the Opposition needed to have consultation after their caucus information, and then, lo and behold, we saw a letter from the Leader of the Opposition sent to the media first, us after, which has a position that says:

I wish to hereby—I am advised that the Government intends that the aforementioned Bill be taken at all stages of the debate at the next sitting of the House, Friday June 17, 2016, in recognition of the critical nature of the legislation in a fight against crime and the Government’s failure to engage the Opposition in any consultation to date on this Bill.

I pause. I wonder if the gap between seat number 25 and seat number 26 is so large and wide a chasm that there could not have been consultation between the Member for Chaguanas West and the Member for Siparia, when the email correspondence that passes between the Leader of Government Business on this bench and the Leader of Opposition Business on that bench puts a bold untruth to what the Member for Siparia has put in the public domain, Mr. Deputy Speaker, about no consultation.

ADJOURNMENT

The Minister of Planning and Development (Hon. Camille Robinson-Regis): Mr. Deputy Speaker, pursuant to Standing Order 50(3)—[*Interruption*] May I?

Adjournment

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Mrs. Persad-Bissessar SC: I am recording a breach of the Standing Orders.

Mr. Deputy Speaker: I have caught your eye, go on, please.

Hon. C. Robinson-Regis: Thank you very much. Pursuant to Standing Order 50(3), I beg to move that the debate on this Bill be adjourned at this time in order to facilitate further discussions on this matter, and to deal with a situation that seemed to have developed, that is not in fact the situation that had taken place with regard to this Bill.

As a consequence of this, Mr. Deputy Speaker, I beg to move that this House do now adjourn to Friday, June 24th, which is Private Members' Day, and I will ask the Opposition to indicate what they will be doing on that day.

Mr. Singh: Thank you, Mr. Deputy Speaker. I just merely want to correct the Attorney General, but perhaps I will do that in the debate. [*Crosstalk and desk thumping*]

Hon. Members: Yes, yes, yes! [*Continuous desk thumping*]

Mr. Singh: Yes, I will do that in the debate.

Mr. Deputy Speaker: Hon. Members, we are on the adjournment.

Mrs. Persad-Bissessar SC: You are a stranger to the truth!

Mr. Singh: Mr. Deputy Speaker, we will be dealing with the No Confidence Motion in the Attorney General on Private Members' Day.

Hon. Member: "Yuh running from dat!"

Mr. Deputy Speaker: Okay, hon. Members. Before putting the question on the Motion for the adjournment, there are two matters that qualify to be raised on the Motion for the adjournment of the House, filed by the Members for Couva North and Chaguanas West. I will now call on the Member for Couva North.

4.15 p.m.

Accounting for Public Funds (Failure by the THA)

Ms. Ramona Ramdial (*Couva North*): Thank you, Mr. Deputy Speaker. The matter on the adjournment is, of course, to examine the failure by the THA to account for public funds coming out of the Ministry of Finance. Mr. Deputy Speaker, for the longest while the THA has been in the public domain with respect to accounting to the public and to the people of Trinidad and Tobago with respect

to how public funds have been spent over the years. It is no secret that the last financial Auditor General's Report was in 2007, and in light of this, from 2007 to the present time there has been no other Auditor General's Report with respect to the financial expenditures.

Mr. Deputy Speaker, in 2012 the annual budget for the THA was around \$1.6 billion and, of course, in 2016 we saw that the annual [*Crosstalk*] budgetary allocations—[*Interruption*]

Mr. Deputy Speaker: Silence. Member for Siparia and hon. Minister of Finance, please.

Mrs. Persad-Bissessar SC: I am so engaged by the Minister of Finance in conversation.

Mr. Deputy Speaker: Both Members.

Mrs. Persad-Bissessar SC: I apologize.

Mr. Deputy Speaker: Hon. Member for Couva North is on the floor. [*Crosstalk*]

Ms. R. Ramdial: Thank you, Mr. Deputy Speaker. As I was reiterating, Mr. Deputy Speaker, in 2012 the annual budget for the THA was \$1.6 billion and in 2016 we see that the annual budget has increased to around \$2.7 billion for the THA. This is, of course, a very significant increase in budgetary allocations and therefore, in light of the absence of an Auditor General's Report from 2007 until present time, we find this highly acceptable on this side [*Crosstalk*] unacceptable, sorry, highly unacceptable to allow for these expenditures to continue without any sort of documentation with respect to how these funds were spent.

And, Mr. Deputy Speaker, I just want to refer to some figures over the past years that would have been given—and they are in the public domain—to the Parliament, of course, and to the Ministry at that point in time, the Ministry of Finance with respect to these moneys and the expenditure of these moneys.

With respect to tourism on the island of Tobago between the years 2001 and 2015, \$102,191,374 was spent on product development with respect to tourism. In addition to that, with respect to airlift to Tobago between the years 2005 to 2015, over a period of 11 years, a total of \$346,395,556 was spent on airlift in Tobago. Island promotion between the years 2005 to 2015 amounted to \$151,635,123 was spent during this time. Destination marketing amounted to \$5,233,136 within the last six months.

Mr. Deputy Speaker, and why I am quoting these figures is because we had an opinion or there is an opinion from the Tobago Hotel and Tourism Association

with respect to how these moneys were spent over the past years in terms of developing the tourism sector under, of course, the control of the THA.

In addition to that, there are some major projects under the THA at this point in time and I make reference to the Mantle Lodge at Speyside and Sanctuary Villa Resort at Black Rock for a total of \$32 million. However, \$60 million is the projected amount to be spent before these properties can be opened to the public. Now these properties will add 80 additional rooms to the island's stock, but at that cost one wonders and we are asking questions to the Minister of Finance with respect to these projects.

Mr. Deputy Speaker, in addition to that there have been certain financial commitments to various airlines with regard to attracting passengers to Tobago over the past years. From 2010 to 2011, \$14,316,812 was spent; 2011 to 2012, \$37,368,473 was spent on these financial commitments to the various airlines with respect to attracting passengers; 2012 to 2013 we had an expenditure of \$57,895,849; 2013 to 2014 we had \$60,250,402 spent; 2014 to 2015, \$52,845,385 spent, giving an overall total of \$222,676,921 spent over these years with respect to financial commitments to these foreign airlines.

The direct and indirect payments to these airlines, Mr. Deputy Speaker, over the last fiscal years, of course, were arranged over this period of time. And we need to ask the question: Did visitorship to the island increase because of these moneys that were spent over the past five years? Have they increased? And I just want to quote from, not quote, but make reference to a submission from the Tobago Hotel and Tourism Association where they stated that in 2005 Tobago had 88,200 international arrivals, but by 2015 that figure had dropped to 22,435 persons. However, in addition to that, we have seen a significant decline by 15 per cent with respect to tourists coming in 2015/2016.

However, Mr. Deputy Speaker, it is very important to note that regionally the tourism product has increased and there has been an increase of visitors to the Caribbean region by 7 per cent. So one needs to ask the question as to all of these allocations being given via the Ministry of Finance to the Tobago House of Assembly whether or not it is value for money and money well spent in terms of developing the island of Tobago and its tourism product. These are the questions that need to be answered.

Mr. Deputy Speaker, in addition to that, average hotel occupancy for 2015 in the region was 68.8 per cent per night at a rate of US \$299.44. Tobago only achieved 34 per cent occupancy and a per-night rate of US \$154. So they have also complained that the customer service has suffered from a lack of available staff,

poor training, loss of motivation to provide service and the employment by the THA of some 70 per cent of the workforce has further eroded any desire of young people to enter the hospitality industry or to work at all.

Mr. Deputy Speaker: Hon. Member, you have one minute.

Ms. R. Ramdial: Oh, wow. Thank you, Mr. Deputy Speaker. So in my wrap-up I just want to ask the Minister of Finance and—I know that he will be responding to me—whether or not we are going to continue to allocate such large sums of moneys to the Tobago House of Assembly to allow for no development at all for that island of Tobago. And, what is going to be done with respect to the allocation of moneys to improve the tourism sector of Tobago?

Because we have heard our Prime Minister use the Tobago House of Assembly as a model and as golden in terms of the autonomy and how they run the island of Tobago. And I am sure that there are many Tobagonians today who will disagree with the Prime Minister and disagree with the ruling Government when it comes to national development of Tobago. I thank you, Mr. Deputy Speaker. [*Desk thumping*]

The Minister of Finance (Hon. Colm Imbert): [*Desk thumping*] Thank you, Mr. Deputy Speaker. Upon listening to the contribution or the statement made by the hon. Member for Couva North, I have to pause and consider very deeply as to whether when the hon. Member was a Member of the previous Government whether she absorbed anything. Does the hon. Member, Mr. Deputy Speaker— [*Crosstalk*] I did not say a word when the hon. Member was speaking.

Mr. Deputy Speaker: Kindly proceed, hon. Member. Members, let us listen to the reply.

Hon. C. Imbert: And in all the years in Parliament of the hon. Member, has the hon. Member at one, at any time, read the Standing Orders, looked at May's *Parliamentary Practice*, educated herself on parliamentary conventions? Mr. Deputy Speaker, the Member is guilty of anticipation, of revealing confidential information that the hon. Member would have learnt in a joint select committee proceedings which is a serious breach of privilege. And in addition to breaching the privileges of this House by revealing information that would have been obtained in a joint select committee meeting before the report of the committee is laid in the Parliament, in addition to that, the hon. Member has demonstrated complete lack of understanding and knowledge of process and procedure in this

country. [*Crosstalk*] Mr. Deputy Speaker, there is too much shouting. I do not know what is wrong with them.

Mr. Deputy Speaker: Members, let us listen to—you had your opportunity, Members on the other side, so let us give the hon. Minister the opportunity to make his contribution, please. Silence, thank you.

Hon. C. Imbert: Thank you. And, Mr. Deputy Speaker, there really needs to be training and education of Members. Whether they have been here for five years or they may have been here for five minutes, there needs to be training and education of Members. Members of a joint select committee cannot use information that they have obtained by their membership of the committee to come and publicize matters before the report of the [*Crosstalk*]—Mr. Deputy Speaker, what is going on?

Mr. Deputy Speaker: Go ahead.

Hon. C. Imbert: No. No. Mr. Deputy Speaker, please. The Member for Caroni East keeps shouting across the floor. I beg your protection, Mr. Deputy Speaker.

Mr. Deputy Speaker: Member for Caroni East, is it on a point of order, Sir?

Dr. Gopeesingh: Yes. He is misleading the Parliament.

Mr. Deputy Speaker: Members, Members, we have heard of the pending adjournment of the sitting. Right? It is 4.12 p.m. and I am sure that most Members would like to ensure that the adjournment takes place before 4.30 p.m. so that we would not have to break and come back again. So let us continue, please, Members in silence so that the Minister of Finance can complete his contribution. You have the floor, Member.

Hon. C. Imbert: Thank you, Mr. Deputy Speaker. I simply ask that the Parliament engage in training of Members of Parliament so that they will know what they can do and what they cannot do. And now let us move to the subject matter.

The Member for Couva North should also know that the entity that audits the accounts of the Tobago House of Assembly is the Auditor General. The Member should know that. The way the system works, the Ministry of Finance in accordance with the annual appropriation releases funds to the Central Administrative Services in Tobago on a quarterly basis. The Central Administrative Services then prepares a cheque for the Tobago House of

Assembly and the cheque is then sent to the THA which disburses funds to various divisions within the THA. The THA, itself like any other entity within the system, submits monthly financial statements of recurrent and development programme expenditure and revenue to the Budget Division in the Ministry of Finance.

With respect to the accounting for the expenditure, Mr. Deputy Speaker, it is a well-known fact that it is the Auditor General's Department that examines the details and the records of revenue and expenditure, especially expenditure, with respect to the Tobago House of Assembly. It is my information that financial statements of the Tobago House of Assembly to the end of December 2014 or fiscal 2014, have been submitted to the Auditor General's Department by the Tobago House of Assembly. [*Desk thumping*] And I am told that the Auditor General's Department is in the process of reviewing these submissions which will find themselves in due course before the relevant Joint Select Committee of this House.

4.15 p.m.

In fact, I am told that less than one month ago the Statutory Authorities Service Commission JSC, a committee of this House, examined the Tobago House of Assembly, and the hon. Member is a member, so the hon. Member knows this, and the hon. Member also knows that these constitutional committees, section 66 committees, are empowered to look at accounts post facto and are empowered to look at issues contemporaneously. So all of those issues that the hon. Member spoke to with respect to tourism projects in Tobago will find their way into this House before the committee with respect to expenditure; at that time the Member can ask any question she desires with respect to the Manta Lodge and anything else that the Tobago House of Assembly is attending to.

I am just astonished that someone who has been in this Parliament for six years would have such paucity of knowledge and such a poor understanding of procedures to not understand that it is the Auditor General that audits the accounts, and it is the Joint Select Committee of Parliament that examines the expenditure of the Tobago House of Assembly. All I will say is whether the Member for Couva North is coming here as a proxy to ask questions posed by others in Tobago, "is de same cuttail" they will get in Tobago, Mr. Deputy Speaker. [*Desk thumping*]

Ms. Ramdial: Mr. Deputy Speaker.

Mr. Deputy Speaker: Hon. Member for Chaguanas West. [*Desk thumping*]
Chaguanas West.

Hon. Member: The Member for Couva North is craving your indulgence.

Dr. Gopeesingh: Insulting language, come on, man.

Mr. Deputy Speaker: Is it a particular Standing Order, Member for Couva North?

Ms. Ramdial: Just to indulge you, Mr. Deputy Speaker.

Mr. Deputy Speaker: No, Standing Order. I need a Standing Order in order for us to proceed. It is a Motion where no debates are involved, and I need to proceed to the next one.

Ms. Ramdial: Clarity.

Mr. Deputy Speaker: Clarity—[*Continuous crosstalk*]

Ms. Ramdial: Thank you. Thank you, Mr. Deputy Speaker. On a matter of clarity, I would—[*Interruption*]

Mr. Deputy Speaker: No, Member. Chaguanas West. [*Crosstalk*] No Standing Order? Chaguanas West, kindly proceed.

State Lands at Munroe Road (Government's Failure to Address)

Mr. Ganga Singh (*Chaguanas West*): Thank you, Mr. Deputy Speaker, I think my colleague was trying to catch your eye with a view to making an apology, but anyway. [*Desk thumping*]

Mr. Deputy Speaker, I rise on behalf of my constituents on a Motion on the Adjournment which is entitled the failure of the Government to meet and treat with hundreds of occupiers of state lands at Munroe Road, Cunupia. This is a matter some 60 years in abeyance, and that the occupants of that area have lived for several decades, and there has been a history associated with these state lands. And on April 05, 2016 they wrote the hon. Minister of Agriculture, Land and Fisheries, Sen. The Hon. Clarence Rambharat, and I would read into the record this letter because it is important:

April 05, 2016.

A special good day to you. We the members of the Munroe Road Action Committee write to you on behalf of 4,000 residents of Munroe Road Land Settlement Nos. 1 and 2. We request that you arrange an early meeting with us to discuss the following:

1. preparation and issuance of residential/commercial leases already decided by a Cabinet Note No. 2135 of August 20, 2015 by the last Government.
2. regularization of state lands for recreational facilities, government institutions and housing lots.

These lands are situated south of the Munroe Road Recreation Ground. The Government stands to benefit financially from the granting of these leases as it would collect \$3.50 per square foot or \$17,500 per lot for the 30-year lease. Our residents eagerly await a quick resolution to this long-lasting issue.

Thank you,

Yunus Tahir Mohammed, President

Mumtaz Mohammed, Secretary

Hashim Mohammed

Theresa Akaloo

Rajab Mohammed

Heeraman Jaggernauth

Haroon Mohammed

Keshore Roop

P.K. Kangal

Kaljam Ali.

And they sent letters to the Permanent Secretary, to the Parliamentary Secretary Sen. Avinash Singh and to the Acting Commissioner of State Lands.

Mr. Deputy Speaker, there has been no response since April, to this letter, so they came to my constituency, and I told them I would raise it as a Matter on the Adjournment in order to bring some measure of understanding today, to the hon. Minister of Agriculture, Land and Fisheries, as to what transpired over the years, that the security of tenure of these persons is important. They have engaged in a struggle, this working group, headed by Mr. Tahir Mohammed. Since 1998 they have been working on this, and there is a history. So, 1998 to 2016.

So, all you had to do was to acknowledge that letter. There has been no acknowledgement. And by now you would have an appreciation that the State

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undertook to survey the acreage; that the State surveyed the acreage, working with the working committee; that as a result of the survey there was a subsequent Cabinet Note that provided for the pricing of the square footage, because these residents have been in occupation for over 60 years, and that therefore there is need to bring this matter to closure. So, I am hoping that the hon. Minister of Agriculture, Land and Fisheries will acknowledge the letter, bring the community in for a discussion, and he would not behave like his colleague in the Senate and do it alone. [*Desk thumping*]

Hon. Member: What is the meaning of that?

Mr. G. Singh: Mr. Deputy Speaker, it is my hope as the Member of Parliament for Chaguanas West that this matter be resolved. The Munroe Road community is blossoming, and there is a burgeoning commercial area, but this deals first with the residential plots, and it is my hope and desire that the hon. Minister will meet and treat with this working group that is now over 16 years in existence.

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

The Minister of Agriculture, Land and Fisheries (Sen. The Hon. Clarence Rambharat): [*Desk thumping*] Thank you, Mr. Deputy Speaker, for the opportunity to respond to this Motion. Let me assure my friend, the Member for Chaguanas West, that this matter forms part of a very large problem in this country that I have spoken on numerous occasions about, and that is the failure of successive Governments to deal with the issue of occupation, regularization, squatting, renewal of agricultural leases on state lands, and generally, the breakdown of the system of administration relating to state lands, and this forms part of it.

Let me correct him. This matter is 71 years old, not 60. In 1945 a decision was taken to convert these agricultural lands into residential and commercial lands—1945. And after that decision 58 years passed, and it was a PNM administration in 2003, on the urgings of the very same group that the Member for Chaguanas West is speaking on behalf of, on their urgings, this matter was brought back on after 58 years. This is a block. It was surveyed into 283 one-acre parcels and half-acre parcels in 1945. And in 2003, Cabinet agreed formally to a change of land use from agricultural to residential, commercial and industrial, and after 2003 another period of time elapsed. The matter was taken up again in 2012, and I would say to the Member for Chaguanas West, his administration did a fair amount of work to bring this matter to the position it is in now. And his Motion talks about the

failure of the Government—there has been no failure. On the last administration and this administration, there has been absolutely no failure.

And I will tell you what happened since 2012. In 2012 the Commissioner of State Lands initiated the process for the survey of these lands by writing to the Land Survey Board of Trinidad and Tobago requesting quotations from licensed surveyors to do the surveys. In 2013 when the issue of funding the surveys, because in the normal course these applicants would have had to pay for the surveys, and again the last administration through Cabinet agreed that the State would provide the funding in the sum of \$3.5 million to conduct the surveys. That was in 2013. And thereafter, the Commissioner of State Lands moved expeditiously, which is rare, to have these surveyors selected, and to have the funding allocated, and the regularization was divided into five phases. The first phase, Phase I, the surveyor was Ganeshdath Ramcharitar who was appointed at a cost of \$621,000; second phase, L&S Surveying Services Limited, at a cost of \$621,000; Phase III, VOLTEC Engineering and Surveying Services Limited, at a cost of \$621,000; Phase IV, Survey Trinidad and Tobago Limited, at a cost of \$540,442.50; and the fifth phase, Curtis A. Gokool at a cost of \$631,350.

Mr. Deputy Speaker, out of these surveys 283 plots have been created. In each case, the surveyors have been paid, and the present status in relation to each phase is as follows:

- In relation to the first phase, the plans are awaiting final approval from the Town and Country Planning Division.
- In the second phase, the general plan and the lot plans have been submitted for approval.
- In the third phase, the surveys have been completed, and the plans have been submitted for approval.
- In the fourth phase, the final approval has been received and the general plan from Town and Country and from the Director of Surveys, and we are awaiting the approval from the Director of Surveys on the individual lot plans.
- And in phase five, we are awaiting the Director of Surveys' final approval on the survey plans.

So, Mr. Deputy Speaker, it is not a failure. This particular matter, unlike the matters affecting farmers and state-land users across the country, has proceeded with the pace and the direction that the Member for Chaguanas West wishes. And

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let me assure him that this matter under our watch would be brought to conclusion, having regard to the burdens placed on the Director of Town and Country, the Commissioner of State Lands, the Director of Surveys, this Government intends after 71 years to fulfil the promise of 1945, to have these leases issued to those residents of Munroe Road.

I thank you. [*Desk thumping*]

Question put and agreed to.

House adjourned accordingly.

Adjourned at 4.29 p.m.