

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

SESSION 2017—2018

VOLUME 14

HOUSE OF REPRESENTATIVES

Friday, September 29, 2017

1.30 P.M.

The House of Representatives having assembled, and it being the first meeting of the Third Session of the Eleventh Parliament of the Republic of Trinidad and Tobago, the Clerk of the House read the following Proclamation:

REPUBLIC OF TRINIDAD AND TOBAGO

No. 7 of 2017.

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

[L.S.]

ANTHONY T. A. CARMONA
President

A PROCLAMATION

WHEREAS it is provided by subsection (1) of section 67 of the Constitution of the Republic of Trinidad and Tobago, that each session of Parliament shall be held at such place within Trinidad and Tobago and shall commence at such time as the President may by Proclamation appoint:

Now, therefore, I, ANTHONY THOMAS AQUINAS CARMONA, President as aforesaid, do hereby appoint Tower D, International Waterfront Centre, 1A, Wrightson Road, Port-of-Spain, Trinidad, as the place at which the Third Session of the Eleventh Parliament of the Republic of Trinidad and Tobago shall be held and 1.30 p.m. on Friday the 29th day of September, 2017, as the time at which the said Session shall commence.

A Proclamation

Friday, September 29, 2017

Given under my Hand and the Seal of the President of the Republic of Trinidad and Tobago at the Office of the President, St. Ann's, this 21st day of September, 2017.

PRAYERS

[MADAM SPEAKER *in the Chair*]

LEAVE OF ABSENCE

Madam Speaker: Hon. Members, the hon. Maxie Cuffie, MP, Member for La Horquetta/Talparo has requested leave from the sittings of the House for the period 29th September, 2017 to the 1st of November, 2017; the hon. Ayanna Webster Roy, MP, Member for Tobago East and Miss Ramona Ramdial, MP, Member for Couva North have asked to be excused from today's sitting of the House. The leave which the Members seek is granted.

PAPERS LAID

1. Trinidad and Tobago Housing Development Corporation (Vesting) (Amendment to the First Schedule) (No. 4) Order, 2017. [*The Minister of Housing and Urban Development (Hon. Randall Mitchell)*]
2. Audited Financial Statements of Rural Development Company of Trinidad and Tobago Limited for the financial year ended September 30, 2014. [*The Minister of Finance (Hon. Colm Imbert)*]
3. Audited Financial Statements of Rural Development Company of Trinidad and Tobago Limited for the financial year ended September 30, 2015. [*Hon. C. Imbert*]
4. Audited Financial Statements of Rural Development Company of Trinidad and Tobago Limited for the financial year ended September 30, 2016. [*Hon. C. Imbert*]
5. Audited Financial Statements of Estate Management and Business Development Company Limited for the financial year ended September 30, 2011. [*Hon. C. Imbert*]
6. Audited Financial Statements of Estate Management and Business Development Company Limited for the financial year ended September 30, 2012. [*Hon. C. Imbert*]

Papers Laid

Friday, September 29, 2017

Papers 2 to 6 to be referred to the Public Accounts (Enterprises) Committee.

7. Report of the Auditor General of the Republic of Trinidad and Tobago on the Statement of Recovery of Expenses of the Ministry of Energy and Energy Industries for the year ended December 31, 2016. [*Hon. C. Imbert*]
8. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Siparia Regional Corporation for the year ended September 30, 2011. [*Hon. C. Imbert*]
9. Report of the Auditor General of the Republic of Trinidad and Tobago on the Financial Statements of the Princes Town Regional Corporation for the year ended September 30, 2011. [*Hon. C. Imbert*]

Papers 7 to 9 to be referred to the Public Accounts Committee.

10. Ministerial Response of the Ministry of Works and Transport to the Fourth Report of the Joint Select Committee on State Enterprises on an Inquiry into the Operations and Administration of the Vehicle Management Corporation of Trinidad and Tobago (with specific focus on the repair and acquisition of vehicles for State Bodies). [*The Minister of Planning and Development (Hon. Camille Robinson-Regis)*]
11. Ministerial Response of the Ministry of Works and Transport to the Eighth Report of the Public Accounts Committee on the Examination of the Report of the Auditor General of the Republic of Trinidad and Tobago on a Special Audit of the Public Transport Service Corporation. [*Hon. C. Robinson-Regis*]

JOINT SELECT COMMITTEE REPORTS

(Presentation)

State Enterprises

Caribbean Airlines Limited

Mr. Fazal Karim (*Chaguanas East*): Madam Speaker, thank you very much. I have the honour to present: Fifth Report of the Joint Select Committee on State Enterprises on an Inquiry into the Administration and Operations of Caribbean Airlines Limited.

Borrowing Practices of State Enterprises

The Minister of Social Development and Family Services (Hon. Cherrie-Ann Crichlow-Cockburn): Thank you, Madam Speaker. Madam Speaker, I have the honour to present:

Sixth Report of the Joint Select Committee on State Enterprises on an Inquiry into the borrowing practices of State Enterprises with an emphasis on regulation of borrowing, purposes for borrowed funds, and sustainability of debt servicing ratios.

**Human Rights, Equality and Diversity
Human Rights of Remandees at Remand Prisons**

The Minister of Community Development, Culture and the Arts (Hon. Dr. Nyan Gadsby-Dolly): Thank you, Madam Speaker. Madam Speaker, I have the honour to present:

Fifth Report of the Joint Select Committee on Human Rights, Equality and Diversity on the Examination of the Human Rights of Remandees at Remand Prisons.

JOINT SELECT COMMITTEES

**Standing Order 79(3)
Gambling Gaming and Betting Control Bill, 2016**

The Minister of Planning and Development (Hon. Camille Robinson-Regis): Thank you very kindly, Madam Speaker. Madam Speaker, having regard to the decision of the House made pursuant to Standing Order 79(3), I beg to move:

That the Gambling, Gaming and Betting Control Bill, 2016 be referred to a joint select committee hereby established; and

Be it further resolved that this committee be mandated to adopt the work of the Joint Select Committee in the Second Session and report by March 31, 2018.

Question put and agreed to.

**Standing Order 79(3)
Cybercrime Bill, 2017**

The Minister of Planning and Development (Hon. Camille Robinson-Regis): Thank you very kindly, Madam Speaker. Madam Speaker having regard to the decision of the House made pursuant to Standing Order 79(3), I beg to move:

That the Cybercrime Bill, 2017 be referred to a joint select committee hereby established; and

Be it further resolved that this committee be mandated to adopt the work of the Joint Select Committee in the Second Session and report by March 31, 2018.

Thank you, Madam Speaker.

Question put and agreed to.

COMMITTEE OF PRIVILEGES

(Member for Diego Martin West)

Mrs. Kamla Persad-Bissessar SC (*Siparia*): Thank you, Madam Speaker. In accordance with Standing Order 32 of this House, I seek your leave to raise a matter concerning privileges of this House. The matter is in respect of statements made on the 16th of September, 2017, by the hon. Prime Minister and Member of Parliament for Diego Martin West whilst attending a health fair at the Diego Martin Boys RC School. When interviewed, the Prime Minister and Member for Diego Martin West stated:

If there is wrongdoing, identify the wrongdoing and hold people accountable. I don't know that we should be overdoing it and I am not afraid of identifying people I associate with because I do not knowingly associate with crooks, except in Parliament.

These statements were broadcast on national television and reported in the print and electronic media. In his statements, the hon. Prime Minister and Member for Diego Martin West made damaging, disparaging, negative and contemptuous reflections and imputations upon Members of this House including the Speaker and the parliamentary staff. The Prime Minister and Member for Diego Martin West, *inter alia*, reflected upon Members of this House including the Speaker and parliamentary staff, asserted that:

- (i) Members of this House, including the Speaker and parliamentary staff, were crooks;
- (ii) Members of this House, including the Speaker and parliamentary staff, were persons of ill and questionable character;
- (iii) Members of this House, including the Speaker and parliamentary staff, were involved in illegal and criminal activities;

Committee of Privileges
[MRS. PERSAD-BISSESSAR SC]

Friday, September 29, 2017

- (iv) Members of this House, including the Speaker and parliamentary staff, were persons of ill repute.

Hon. Member: What a waste of time.

Mrs. K. Persad-Bissessar SC: The Member imputed that:

- (i) Members of this House including the Speaker—

Madam Speaker: Member. May I ask please that you observe the Standing Orders, please, for Members who are not speaking. Please continue.

Mrs. K. Persad-Bissessar SC: Thank you, Madam Speaker—imputed that:

- (i) Members of this House, including the Speaker and parliamentary staff, were not persons who law-abiding citizens should associate with;
- (ii) Members of this House, including the Speaker and staff, were not to be trusted in carrying out their public duty.

Madam Speaker, parliamentary privilege is the hallmark of parliamentary practice offering protection from interference from whatever source and safeguarding the freedom, authority and dignity of the Houses of Parliament. [*Desk thumping*]

The Constitution of the Republic of Trinidad and Tobago, the Standing Orders of the House of Representatives and May's *Parliamentary Practice* provide guidance as to the law, practice and usage with respect to parliamentary privilege. In particular, sections 55 and 56 of the Constitution and Standing Order 32 and May's *Parliamentary Practice*, 24th Edition, pages 202, 203, 258 and 262 to 264. May's also speaks to constructive contempt as including reflections on the House and upon Members even though the particular individuals are not named or otherwise indicated. See page 258 of May's where it also states that constructive contempt also includes molestation, page 262.

In addition to cases referred to in May's about reflections/molestation as a contempt, cases can be found in the Commonwealth and in our own jurisdiction. The House of Representatives in 2009 sanctioned UDeCOTT for the publication of a statement in the form of a full-page ad in response to a statement made by an MP, concluding that it was a contempt of the House by seeking to intimidate the Member in the execution of his duties as a Member of the House.

Madam Speaker, our very existence here in this Chamber is by way of constitutional mandate. The protection that is afforded by the Constitution and the Standing Orders and the settled practice of this House is designed to protect the sanctity and the dignity not only of Members but also of this honourable House. [*Desk thumping*]

The statements of the hon. Prime Minister and Member for Diego Martin West were intentional, reckless and contemptuous and reflect upon all Members of this House, [*Desk thumping*] including the Speaker and the parliamentary staff. These statements, most certainly, reflect upon the character of all Members and were uttered in such a manner to bring this House and Members of this House into odium and ridicule.

The statements made by the hon. Prime Minister, Member for Diego Martin West, have had the effect of severely adversely affecting the credibility of members of this House in the performance of their duties as Members of Parliament.

The Prime Minister and Member for Diego Martin West also reflects upon the constitutional presence and conduct of Members in this House and this may in itself amount to contempt with respect to the constitutional role and conduct of Members in our parliamentary democracy.

The reflections referred to above from May's and those in our own jurisdiction amounting to contempt are similar to those made by the Prime Minister and Member for Diego Martin West; whether or not the particular Members are named or otherwise indicated does not matter, May's page 258. In the context in which the statements were made, it is clear that the conduct of a Member and/or Members of this House was being reflected upon. Indeed, given the nature and character of the statements made and the subject matter upon which the Prime Minister and Member for Diego Martin West was commenting, it is clear that the statements were made as a reflection upon the character and reputation of Members.

In the circumstances, Madam Speaker, I wish to submit that the Prime Minister, Member for Diego Martin West, has committed a contempt by his actions and statements which have negatively reflected on Members of the House bringing them all into ridicule, odium and contumely. His actions have also brought indignity to the House of Representatives.

I therefore request that this matter be referred to the Committee of Privileges for its consideration and report. [*Desk thumping*]

Madam Speaker: Hon. Members, I hereby reserve my determination on this matter and shall give my decision at a subsequent date.

Adjournment

Friday, September 29, 2017

ADJOURNMENT

The Minister of Planning and Development (Hon. Camille Robinson-Regis): Thank you very kindly, Madam Speaker. Madam Speaker, I beg to move that this House do now adjourn to Monday, October 02, 2017 at 1.30 p.m. at which time the Minister of Finance will present the budget speech. Thank you very kindly, Madam Speaker.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 1.48 p.m.