



TWENTIETH REPORT OF THE
PUBLIC ACCOUNTS

(E N T E R P R I S E S) C O M M I T T E E

FOURTH SESSION OF THE 11TH PARLIAMENT

Examination of the Audited Accounts, Balance Sheets and other Financial Statements of the Palo Seco Agricultural Enterprises Limited for the financial years 2012 to 2017



Public Accounts (Enterprises) Committee

The Public Accounts (Enterprises) Committee (P.A.(E).C) established under Section 119(5) of the Constitution of the Republic of Trinidad and Tobago is mandated to consider and report to the House of Representatives accordingly on:

“(a) the audited accounts, balance sheets and other financial statements of all enterprises that are owned or controlled by or on behalf of the state; and

(b) the Auditor General’s Report on any such accounts, balance sheets and other financial statements.”

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Mr. Wade Mark	Chairman
Dr. Tim Gopeesingh	Vice - Chairman
Mrs. Jennifer Baptiste-Primus	Member
Mr. Fitzgerald Hinds	Member
Mrs. Cherrie-Ann Crichlow-Cockburn	Member
Dr. Nyan Gadsby-Dolly	Member
Ms. Amrita Deonarine	Member

Committee Staff

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Ms. Hema Bhagaloo	Assistant Secretary
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Table of Contents

Members of the Public Accounts (Enterprises) Committee	4
Executive Summary	5
Introduction	8
Establishment	8
Mandate	8
Ministerial Response	8
State Enterprises Performance Standards	8
Election of the Chairman and Vice Chairman.....	8
Establishment of Quorum.....	8
Change in Membership	9
Methodology	10
Determination of the Committee’s Work Programme.....	10
Fourth Session Work Programme	11
The Inquiry Process	12
Palo Seco Agricultural Enterprises Limited’s Background.....	13
Issues, Observations and Recommendations	16
Concluding Remarks.....	22
APPENDIX I.....	24
Present were:.....	24
Excused were:.....	24
APPENDIX II	31
Verbatim Notes of Meetings	31

Members of the Public Accounts (Enterprises) Committee



Mr. Wade Mark
Chairman



Dr. Tim Gopeesingh
Vice Chairman



Dr. Nyan Gadsby-Dolly
Member



Mrs. Jennifer Baptiste-Primus
Member



Mr. Fitzgerald Hinds
Member



Ms. Amrita Deonarine
Member



Mrs. Cherrie-Ann Crichlow-Cockburn
Member

Executive Summary

The Public Accounts (Enterprises) Committee (PA(E)C) is the Parliamentary Financial Oversight Committee tasked with the responsibility of examining the audited accounts of all State Enterprises that are owned or controlled by the state. The Committee examined the **Audited Accounts, Balance Sheets and other Financial Statements of the Palo Seco Agricultural Enterprises Limited (PSAEL) for the financial years 2012 to 2017** and produced this report to highlight its findings and recommendations.

This report details the issues, endorsements and recommendations made by the Committee to improve PSAEL's performance. The issues identified in this report were found during the period under examination (2012 to 2017).

During this inquiry, the following issues arose:

- 1. The history of the PSAEL since its incorporation;*
- 2. The reasons for the change in the PSAEL's mandate;*
- 3. The number of acreage under the PSAEL's supervision and remit;*
- 4. The lack of proper land demarcations in the PETROTRIN Vesting Order of 2015;*
- 5. The status of the transfer of 3,725 acres to Heritage Petroleum Company Limited;*
- 6. The land management services offered by the PSAEL;*
- 7. The number of squatters who qualify for squatter regularization;*
- 8. The percentage of PSAEL's land that are currently occupied by squatters;*
- 9. The steps taken to address the illegal occupation of squatters on the PSAEL's lands;*
- 10. The amount of rent paid on average by a tenant;*
- 11. The challenges encountered by the PSAEL to recover outstanding tenancy fees;*
- 12. The status of the review of the PSAEL's strategic plan;*
- 13. The revenue generation potential of the PSAEL's lands;*
- 14. The frequency in which the PSAEL surveys its lands and the number of new illegal structures detected during each survey; and*
- 15. The status of the squatter regularization exercise conducted by the PSAEL.*

In light of the Committee's findings, the following recommendations were made:

- *PSAEL should ensure that its goals and objectives are formulated in line with its new mandate and submit a status update on the review and amendment of the Strategic Plan which best reflects the company's new mandate to the Parliament no later than November 30, 2019;*
- *The MOF-ID should formulate a team of representatives from the PSAEL, MALF, Heritage Petroleum Company Limited inclusive of the MOF-ID, so that each organization is kept duly informed when it comes to land transfer matters such as decision making, resource requirements, process accomplishments and any deadlines that may arise and submit a status on this team development to Parliament no later than November 30, 2019;*
- *With respect to the lands which will be retained by with PSAEL once 3,725 Acres have been transferred to Heritage Petroleum Company Limited, PSAEL should ensure that the 1,397 Acres remaining are properly demarcated and outlined for specific uses so that there are designated areas where lands can only be used for a singular purpose in an attempt to prevent sporadic distributions of land use;*
- *PSAEL should also revise its land use plan and land policy to ensure that it properly reflects and documents the different zoned areas of PSAEL's lands. A status update on this initiative should be submitted to the Parliament no later than November 30, 2019;*
- *Given that PSAEL's new mandate allows for the continued provision of land management services, PSAEL should enhance its marketing strategies as a way of attracting new and potential land-owners/clients who require land management services whether it be to private entities or to other state agencies and submitted a status update on the marketing strategies and the revenue received from the marketing strategies to the Parliament no later than November 30, 2019;*
- *Upon the granting and receipt of a Mining License by the MEEI, PSAEL should establish a viable and sustainable business plan to ensure profitability and longevity consistent with Mining License and the Minerals Act Chapter 61:03;*
- *With respect to the 125 squatters who are eligible for regularization in accordance with the State Land (Regularisation of Tenure) Act, Chap. 57:05, PSAEL should continue its efforts of pursuing avenues that will determine the land entitlements of each eligible squatter which should improve the regularisation process and allow for the effortless issuance of licenses, leases and certificates of comfort;*

- *For the 53 persons who cannot be regularized, PSAEL should look at the possibility of land sales/leases as a means of generating some form of income from having those squatter illegally occupy their lands;*
- *To effectively contain and prevent any more squatting on PSAEL's land, the company should reestablish a land security team that should not only continuously survey the lands, but should also document existing squatter activities, discourage persons from attempting new encroachments. This team should be sufficiently resourced to not only police the lands but should also be equipped with machinery that could remove new constructions if persons do not want to cease and desist from squatting;*
- *PSAEL should conduct a survey of its land and identify whether or not the 178 squatters identified truly illegally occupy thirty (30 %) percent of their lands and submit a report of the findings to the Parliament no later than November 30, 2019;*
- *As a means of ensuring that all tenants timely pay their rental fees, the PSAEL should conduct annual rental and renewal drives as a way of allowing tenants or their representatives to come in and payoff of any outstanding payments. In the event that the current tenant/lessee is unable to continue payments proceedings should be undertaken that would transfer the rental payments to an able-bodied person still residing in the country; and*
- *PSAEL should continue pursue any and all statutory means available to them that will allow them to recover as much outstanding sums due to them from the Ministries and Statutory Agencies that continue to owe PSAEL.*

Introduction

Establishment

The PA(E)C of the Eleventh Republican Parliament was established by resolution of the House of Representatives and the Senate at the sittings held on Friday November 13, 2015 and Tuesday November 17, 2015 respectively.

Mandate

The Constitution of the Republic of Trinidad and Tobago mandates that the Committee shall consider and report to the House on the audited accounts, balance sheets and other financial statements of all enterprises that are owned or controlled by, or on behalf of the State.

In addition to the Committee's powers entrenched in the Constitution, the Standing Orders of the House of Representatives and Senate also empower the Committee (but not limited) to:

- a. send for persons, papers and records;
- b. have meetings whether or not the House is sitting;
- c. meet in various locations;
- d. report from time to time; and
- e. communicate with any other Committee on matters of common interest.

Ministerial Response

The Standing Orders¹ provide for the Minister responsible for the Ministry or Body under review to submit within sixty (60) days a paper to the House responding to any recommendations or comments contained in the Report which are addressed to it.

State Enterprises Performance Standards

The PAEC used the State Enterprises Performance Monitoring Manual as a benchmark to examine the performance of State Enterprises. The manual outlines the framework for compliance with official policy and the monitoring mechanisms to be used in assessing such compliance. The Government of Trinidad and Tobago monitors the performance of State Enterprises to ensure that these enterprises successfully execute their mandates and maximize value for money for the national stakeholders and shareholders²

Election of the Chairman and Vice Chairman

In accordance with section 119(6) of the Constitution, the Chairman must be a member of the Opposition in the Senate. At the first meeting held on Wednesday December 2, 2015, Mr. Wade Mark was elected Chairman and Dr Tim Gopeesingh was elected Vice Chairman of the Committee.

Establishment of Quorum

The Committee is required by the Standing Orders to have a quorum so that decisions can be made. A quorum of four (4) Members, inclusive of the Chair or Vice-Chairman), with representatives from both Houses was agreed to by the Committee at its First Meeting.

¹ Standing Order 110 (6) in the House of Representatives and 100(6) of the Senate.

² <http://www.finance.gov.tt/wp-content/uploads/2013/11/State-Enterprise-Performance-Monitoring-Manual-2011.pdf>

Change in Membership

On November 27, 2018 a decision was made at a sitting of the Senate to replace Mr. David Small as a Member of the Committee with Ms. Amrita Deonarine.

On July 21, 2019 Mr. Foster Cummings appointment as a Senator was revoked.

Methodology

Determination of the Committee's Work Programme

At its second meeting on Wednesday January 13, 2016, the Committee agreed to prioritize thirty-four

(34) State Enterprises as follows:

- Caribbean Airlines Limited (CAL)
- Caribbean New Media Group (CNMG)
- Caroni Green Limited
- Community Environmental & Protection Enhancement Programme Company Limited (CEPEP)
- Education Facilities Company Limited (EFCL)
- Estate Management and Business Development Company Ltd. (EMBDC)
- Evolving Tecknologies and Enterprise Development Co. Ltd (eTECK)
- National Commission for Self Help Limited
- National Entrepreneurship Development Company Ltd. (NEDCO)
- National Enterprises Limited (NEL)
- National Gas Company of Trinidad and Tobago Limited (NGC)
- National Infrastructure Development Company Ltd. (NIDCO)
- National Insurance Property Development Company Ltd. (NIPDEC)
- National Quarries Company Limited (NQCL)
- National Schools Dietary Services (NSDSL)
- Palo Seco Agricultural Enterprises Ltd (PSAEL)
- Petroleum Company of Trinidad and Tobago (PETROTRIN)
- Point Lisas Industrial Port Development Corporation Ltd. (PLIPDECO)
- Port of Spain Waterfront Development Ltd.
- Rincon Development Ltd.
- Rural Development Company of Trinidad and Tobago Ltd.
- Sport Company of Trinidad and Tobago (SportT)
- Telecommunication Services of Trinidad, Tobago (TSTT)
- Trinidad and Tobago Fashion Company Ltd.
- Trinidad and Tobago Mortgage Finance Company Limited (TTMF)
- Trinidad and Tobago National Petroleum Limited (NP)
- Tourism Development Corporation (TDC)
- Union Estate Electricity Generation Company Limited
- Urban Development Corporation of Trinidad and Tobago (UDECOTT)

- Solid Waste Management Company Limited (SWMCOL)
- Vehicle Management Corporation of Trinidad and Tobago (VMCOTT)
- National Flour Mills Limited
- Community Improvement Services Limited
- Government Human Resource Services Company Limited (GHRS)

Fourth Session Work Programme

At a meeting held on December 5, 2018, the Committee identified the following entities for examination in the Fourth Session of the 11th Parliament:

- National Petroleum Marketing Company Limited (NP);
- Caroni (1975) Limited;
- Cocoa Development Company of Trinidad and Tobago Limited;
- Palo Seco Agricultural Enterprises Limited (PSAEL);
- Trinidad & Tobago Free Zones Company Limited;
- Trinidad & Tobago Creative Industries Company Limited;
- Export Import Bank of Trinidad and Tobago (EXIMBANK);
- InvesTT;
- Trinidad & Tobago International Financial Centre Management Company Limited;
- Rural Development Company of Trinidad & Tobago Limited (RDC);
- Taurus Services Limited; and
- Portfolio Credit Management Limited.

The Inquiry Process

The Inquiry Process outlines steps taken by the Committee to conduct the inquiry into the operations of PSAEL. The following steps outline the Inquiry Process agreed to by the PA(E)C:

- I. Identification of issues in the Audited Accounts, Balance Sheets and other Financial Statements of PSAEL for the financial years 2012 to 2017;
- II. Preparation of Inquiry Proposal for PSAEL. The Inquiry Proposal outlines:
 - a. Background;
 - b. Objective of Inquiry; and
 - c. Proposed Questions.
- III. Questions were forwarded to PSAEL on January 31, 2019. Written responses were received from PSAEL on February 15, 2019;
- IV. Determination of the need for a Public Hearing based on the analysis of written submissions. In this instance, a public hearing was held on March 13, 2019.
- V. After the public hearing, a written request for additional information was sent to the PSAEL on March 18, 2019. The responses were subsequently received on May 3, 2019.
- VI. Report the Committee's findings and recommendations to Parliament upon conclusion of the inquiry.

Palo Seco Agricultural Enterprises Limited's Background

Palo Seco Agricultural Enterprises Limited (PSAEL) was born out of predecessor Company - Palo Seco Estates Limited and incorporated on October 11, 1956 as a wholly owned subsidiary of Trinidad Petroleum Development Company (TPD). The Company had various name changes over the period as the name was changed on November 16, 1977 to Trinidad-Tesoro Agricultural Company Limited and again on January 8, 1986 to its current operating name.

From inception to the mid -nineties, the main focus of the company was agricultural. In July, 1994 the Ministry of Finance directed PSAEL to manage the agricultural and residual landholdings of the Trinidad and Tobago Oil Company Limited (TRINTOC) and Trinidad and Tobago Petroleum Company Limited (TRINTOPEC).

In 1993 with the merger and vesting of the oil related assets of TRINTOC and TRINTOPEC into the Petroleum Company of Trinidad and Tobago Limited (PETROTRIN) pursuant to the Petrotrin Vesting Act No. 27 of 1993 PSAEL's core function became the provision of estate maintenance and estate management services to PETROTRIN, in addition to its ongoing Agri-Business.

In January 1996 PSAEL was restructured. Staff from PETROTRIN was seconded to PSAEL to manage PETROTRIN's residual assets. In June 2000, PSAEL formalized a Management Contract with TRINTOC, TRINTOPEC and PETROTRIN, for the provision of estate maintenance and estate management services, for an agreed management fee.

As a result of a change in its mandate, in 2004, PSAEL ceased its agricultural activities, which included products such as pasteurized milk, cocoa, citrus and other short term crops and focused mainly on project management services to both the Government and PETROTRIN.

In 2006 the Company was incorporated as a Special Purpose State Enterprise and aligned under the Ministry of Works and Infrastructure. PSAEL, like other State Enterprises, was incorporated as part of the Government's initiatives to accelerate the delivery of the infrastructure required to advance the Country's social and economic development, towards the achievement of the 2020 developed Country status. One of the core functions of PSAEL was the provision of services such as procurement, designs, project execution to completion for Ministries and State agencies lacking the institutional

capacity to manage projects. In addition to this, PSAEL continued to provide estate surveillance and estate management services to PETROTRIN, TRINTOC and TRINTOPEC.

PSAEL's Management Contract with PETROTRIN, TRINTOC and TRINTOPEC expired on August 30, 2006. However, the Company continued to provide uninterrupted services pending the execution of a new agreement.

Between 2007/2008, the Company was realigned under the Ministry of Local Government, with responsibility for providing infrastructural development in communities across the south western peninsula of Trinidad, while continuing to provide services to PETROTRIN and its predecessor companies.

In September 2013 as a result of Government's decision to restructure line Ministries, PSAEL was realigned, with direct reporting relationship to the Ministry of Works and Infrastructure. This relationship was again changed and effective September 11, 2015 PSAEL was realigned to the Ministry of Rural Development and Local Government.

Effective May 31, 2014, the informal agreement between PSAEL and PETROTRIN was terminated and on September 14, 2015 PSAEL entered into individual Land Management Services Agreements with PETROTRIN, TRINTOC and TRINTOPEC for a two (2) year period ending September 13, 2017.

PSAEL's landholdings comprise 5122 Acres 0 Roods 28 Perches concentrated in Palo Seco and Coora/Quarry with a large percentage of the acreage unoccupied. However, while PSAEL has Tenancy and License agreements for the occupation of certain parcels of lands, the revenue generated is minimal. Additionally, Statutory tenants are afforded certain rights in terms of renewal of tenancy on the same terms and conditions, as well as the option to purchase at fifty (50%) percent of the Open Market Value of the land.

Effective January 22, 2015 approximately 3,725 Acres (1,507.2 Hectares) of PSAEL lands was vested in Petrotrin pursuant to the Petrotrin Vesting Order No. 27 of 2015. Title to these lands however was not formally transferred to Petrotrin.

Effective September 19, 2017, PSAEL was realigned under the Ministry of Agriculture, Land and Fisheries with a new mandate to "leasing lands for agricultural purposes and maintaining its current arrangement with Petrotrin and other State owners of land."

Notwithstanding this, as at 2018 the State Enterprises Investment Programme, states that PSAEL is mandated to "upgrade and develop communities as well as to assist Ministries in the implementation of large scale physical infrastructure work. PSAEL remains responsible for overseeing the non-oil assets of PETROTRIN, TRINTOC and TRINTOPEC."

Issues, Observations and Recommendations

In the Committee's examination of Palo Seco Agricultural Enterprises Limited, the following issues were identified and the corresponding observations and recommendations proposed:

- **PSAEL's changed mandate and subsequent Review of its Strategic Plan**

Prior to its repositioning under the Ministry of Agriculture, Land and Fisheries (MALF) effective September 19, 2017, PSAEL's mandate was the "upgrade and development of communities as well as to assist Ministries in the implementation of large scale physical work" inclusive of management of non-oil assets of Petrotrin, Trintoc and Trintopec. As of March, 2018, PSAEL's mandate was changed to reflect the leasing of lands for agricultural purposes and the continued role of land management services to Petrotrin and other State entities. As a result, PSAEL's current Strategic Plan is not aligned with its new mandate. Notwithstanding this, PSAEL indicated that its Strategic Plan was being reviewed and amended with a view to streamline and synchronize the plan in keeping with its current repositioning under the MALF.

Recommendation:

- ***PSAEL should ensure that its goals and objectives are formulated in line with its new mandate and submit a status update on the review and amendment of the Strategic Plan which best reflects the company's new mandate to the Parliament no later than November 30, 2019.***

- **Process to transfer title to the lands from one State Agency to another**

Effective January 22, 2015 approximately 3,725 Acres (1,507.2 Hectares) of PSAEL lands was vested in Petrotrin pursuant to the Petrotrin Vesting Order No. 27 of 2015. Title to these lands however was not formally transferred to Petrotrin. In essence, the title of the lands remained with PSAEL upon Petrotrin's closure on November 30, 2018. By virtue of the Miscellaneous Provisions (Heritage Petroleum, Paria Fuel Trading and Guaracara Refining Vesting) Act No. 17 of 2018, 3,725 Acres of PSAEL lands were vested in but not yet transferred to Heritage Petroleum Company Limited. Given the circumstances, PSAEL itself retained an estimated 1,397 Acres/ (565.3) Hectares of land. Officials from the PSAEL indicated that, although the lands were transferred with the Petrotrin Vesting Order No. 27 of 2015, the legislation did properly demarcate, list or identify the specific 3,725 Acres of PSAEL's lands to be transferred. However, the lands in question were identified as having oil concentrations as well as identifiable oil installations. Another stumbling block mentioned was PSAEL's legal and social responsibility pursuant to the Land Tenants (Security of Tenure) Act for the

tenants situated on these portions of lands which have oil interest. After requesting a breakdown of the land transfer process, the following steps as identified by the PSAEL represent the processes required and responsible agents for the official transfer of title to the lands from one State Agency to another. This process is not conclusive as there may be other steps processes and agencies that may be involved based on the nature and status of the title to the lands.

	PROCESSES	RESPONSIBLE AGENTS
1	The parcels of land must be surveyed	Private Surveyors contracted by the requesting Institutions
2	Upon receipt of the approved survey plans, a Valuation of the lands are to be conducted	Private Valuators contracted by the requesting Institutions
3	Title Searches to be conducted	Search/Legal Clerks contracted by the requesting Institutions
4	Preparation of Conveyance documents	Attorneys contracted by the requesting Institutions
5	Registration of Title documents at Registrar General's Office	Attorneys contracted by the requesting Institutions

Recommendation:

- ***The MOF-ID should formulate a team of representatives from the PSAEL, MALF, Heritage Petroleum Company Limited inclusive of the MOF-ID, so that each organization is kept duly informed when it comes to land transfer matters such as decision making, resource requirements, process accomplishments and any deadlines that may arise and submit a status on this team development to Parliament no later than November 30, 2019.***

- **Land use plan and policy development**

All of PSAEL's landholdings which currently comprise 5122 Acres lands were initially intended for agricultural purposes. In terms of how the lands have been utilized since, portions have been utilized for residential, institutional, commercial and industrial uses. Officials from the PSAEL informed the Committee that despite its new mandate to lease lands for agricultural use, the PSAEL still has obligations in terms of leases for commercial, industrial, institutional and residential purposes despite being zoned for agricultural use. Having managed these lands since its incorporation, PSAEL was able to record and compile the location and the use of these lands and as a result of continuous surveillance, prepared a land use plan and a land policy as guides. In order to treat with the uses that exist thereon, PSAEL obtained permission from the Town and Country Planning Division of the Ministry of Planning & Development to allow change of land use. For instances where lands have oil installations, certain standards on setback distances as stipulated by the Ministry of Energy and Energy Industries

(MEEI) were maintained and enforced. The following table as provided by PSAEL, shows the disaggregated use of PSAEL's lands.

PURPOSE		ACREAGE(IN ACRES)
a.	Residential Use	74.013
b.	Agricultural Use	724
c.	Institutional Use	3.41
d.	Commercial Use	6.1
e.	Industrial Use	1772.063
f.	Vacant/ Encumbered Lands	2542.414
Overall Total		5122 Acres

Recommendation:

- *With respect to the lands which will be retained by with PSAEL once 3,725 Acres have been transferred to Heritage Petroleum Company Limited, PSAEL should ensure that the 1,397 Acres remaining are properly demarcated and outlined for specific uses so that there are designated areas where lands can only be used for a singular purpose in an attempt to prevent sporadic distributions of land use.*
- *PSAEL should also revise its land use plan and land policy to ensure that it properly reflects and documents the different zoned areas of PSAEL's lands. A status update on this initiative should be submitted to the Parliament no later than November 30, 2019.*

- **The monetization of PSAEL's remaining lands**

By virtue of the Miscellaneous Provisions (Heritage Petroleum, Paria Fuel Trading and Guaracara Refining Vesting) Act No. 17 of 2018, 3,725 Acres of PSAEL lands were vested in Heritage Petroleum Company Limited. As a result, PSAEL retained an estimated 1,397 Acres/ (565.3) Hectares of land. PSAEL indicated that it intends to establish land-use priorities with a view of generating revenue from their lands whilst allocating same in an equitable, legal and sustainable manner. Additionally, efforts were being made to operationalize PSAEL's oil sand quarry pursuant to the acquisition of its Mining License from the MEEI. It was stated that preliminary investigations had commenced on the commercialization of potential mineral resources (oil sands and sedimentary material) from PSAEL

lands in the south western peninsula. PSAEL also mentioned that it will continue to offer premium land management services given its rich institutional experience and heritage in land management.

Recommendations:

- *Given that PSAEL's new mandate allows for the continued provision of land management services, PSAEL should enhance its marketing strategies as a way of attracting new and potential land-owners/clients who require land management services whether it be to private entities or to other state agencies and submitted a status update on the marketing strategies and the revenue received from the marketing strategies to the Parliament no later than November 30, 2019 ; and*
- *Upon the granting and receipt of a Mining License by the MEEI, PSAEL should establish a viable and sustainable business plan to ensure profitability and longevity consistent with Mining License and the Minerals Act Chapter 61:03.*

- **Squatter Containment**

Pursuant to PSAEL's last squatter verification exercise conducted in 2017, the exercise identified approximately 178 squatters, of which 53 could not be regularised. Those unable to be regularized are either in locations that were in close proximity to an oil installation, living in structurally unsound homes or are incompliant with the State Land (Regularisation of Tenure) Act, Chap. 57:05. PSAEL indicated that the 178 persons illegally occupied 30 percent of the lands currently under their remit. In an attempt to prevent further illegal encroachments, PSAEL indicated that on a monthly basis surveillance exercises were conducted where one (1) to two (2) new constructions would be identified. PSAEL stated that they would either issue verbal notices to quit or issue written formal notices to quit. If failure to comply occurs further notices to quit are sent and if refusal to quit occurs, the commencement of legal proceedings or demolition ensues. PSAEL however pointed out that it did not have an enforcement unit and in the past was reliant on Petrotrin's security unit which would supply enforcement support when PSAEL issued notices to quit, litigation letters or demolished new constructions. With the closure of Petrotrin, PSAEL identified enforcement and security of its lands as an immediate requirement and indicated it had proposed the addition of a security enforcement unit to its organizational structure. In the interim, PSAEL stated that it would outsource security assistance whilst awaiting the approval for a security enforcement unit. PSAEL indicated that continued incursion of squatters on its lands and on those it manages adversely impacts on the availability of landholdings for agricultural, residential, institutional commercial, and industrial uses.

Recommendations:

- *With respect to the 125 squatters who are eligible for regularization in accordance with the State Land (Regularisation of Tenure) Act, Chap. 57:05, PSAEL should continue its efforts of pursuing avenues that will determine the land entitlements of each eligible squatter which should improve the regularisation process and allow for the effortless issuance of licenses, leases and certificates of comfort;*
- *For the 53 persons who cannot be regularized, PSAEL should look at the possibility of land sales/leases as a means of generating some form of income from having those squatter illegally occupy their lands;*
- *To effectively contain and prevent any more squatting on PSAEL's land, the company should reestablish a land security team that should not only continuously survey the lands, but should also document existing squatter activities, discourage persons from attempting new encroachments. This team should be sufficiently resourced to not only police the lands but should also be equipped with machinery that could remove new constructions if persons do not want to cease and desist from squatting; and*
- *PSAEL should conduct a survey of its land and identify whether or not the 178 squatters identified truly illegally occupy thirty (30 %) percent of their lands and submit a report of the findings to the Parliament no later than November 30, 2019.*

- **Tenancy fees and rental collection challenges**

Of the 532 tenants that PSAEL has, the tenancies of 213 of these persons have expired. To update its tenant register and renew expired leases, PSAEL undertook a process that involved identifying all tenants with expired leases and then issuing rental leases instead of statutory leases. This will allow the rental fees attached to each lease to be subject to rents at open market rates. With regards to the remaining tenants and lessees, pursuant to the Land Tenants (Security of Tenure) Act, they were subject to peppercorn rents with a majority of them averaging around \$7.20 yearly. The only challenge PSAEL faces with respect to these persons was that when these tenants die, no legal representative nor immediate family member of the deceased comes forward to properly advance the transfers to someone else. Other instances arise where persons have migrated or the tenancies were not properly administered which both affect the continued collection of rent.

Recommendation:

- *As a means of ensuring that all tenants timely pay their rental fees, the PSAEL should conduct annual rental and renewal drives as a way of allowing tenants or their representatives to come in and payoff of any outstanding payments. In the event that*

the current tenant/lessee is unable to continue payments proceedings should be undertaken that would transfer the rental payments to an able-bodied person still residing in the country.

- **Outstanding sums due from Ministries and other Statutory Agencies**

Significant delays in the payoff of outstanding sums due from Ministries and Statutory Agencies have significantly affected PSAEL ability to operate efficiently, effectively and as economically sustainable as it can. Officials from PSAEL pointed out that in both past and present, PSAEL Boards and management teams have been writing and visiting the statutory bodies that owe them trying to coerce them to pay what is owed. It was also highlighted that most of the PSAEL's bad debts are from state enterprises and the Ministry of Agriculture, Land and Fisheries. It was further stated that the PSAEL has been following the directive given in the State Enterprises Performance Monitoring Manual that states that state agencies cannot litigate state agencies. As a result, PSAEL has had to resort to other methods of trying to encourage their state brothers and sisters to pay off the outstanding funds before they become significant such as via formal e-mails, letters and phone calls.

Recommendation:

- ***PSAEL should continue pursue any and all statutory means available to them that will allow them to recover as much outstanding sums due to them from the Ministries and Statutory Agencies that continue to owe PSAEL.***

Concluding Remarks

PSAEL's current primary responsibility entails leasing lands for agricultural purposes and the management and surveillance of the non-oil assets of Trintoc, Trintopec and other private companies. One of the company's strengths has been the wealth of experience in estate and land management services it has gathered over the course of its long history of servicing the non-core land assets of the oil and gas sector, making the company well positioned to provide this service to all sectors.

It is important that the PSAEL is one of a few State Enterprises that continues to function without Government Subvention, and has been largely compliant with all their statutory requirements. Given that the company is poised to advance to a new mandate, its strategic focus will now be on the efficient and effective management of lands. With this in mind, PSAEL noted that it will have the potential to offer its skill-sets to all State agencies as well as whoever else requires its services.

By virtue of the Miscellaneous Provisions (Heritage Petroleum, Paria Fuel Trading and Guaracara Refining Vesting) Act No. 17 of 2018, 3,725 Acres of PSAEL lands were vested in but not yet transferred to Heritage Petroleum Company Limited. Given these circumstances, PSAEL still retains ownership of approximately 1,400 acres of land and the company made it known that it intends to diversify its portfolio into additional income streams consistent with Government's renewed focus in the agricultural sector and plans to significantly increase the sector's contribution to GDP and employment allocating a significant portion of for agricultural leasing.

The company indicated that it also intends to become self-sufficient by establishing viable business ventures consistent pending the Ministry of Energy and Energy Industries approval of the PSAEL's mining licence for oil sand. The company also plans to commercialize their land assets in the South-Western peninsula of Trinidad as a means of pursuing business ventures that can profit off of the sedimentary materials located there.

The Public Accounts (Enterprises) Committee respectfully submits this Report for the consideration of the Parliament.

Sgd.
Mr. Wade Mark
Chairman

Sgd.
Dr. Tim Gopeesingh
Vice-Chairman

Sgd.
Mr. Fitzgerald Hinds
Member

Sgd.
Mrs. Cherrie-Ann Crichlow-Cockburn
Member

Sgd.
Mrs. Jennifer Baptiste-Primus
Member

Sgd.
Dr. Nyan Gadsby-Dolly
Member

Sgd.
Ms. Amrita Deonarine
Member

**THE PUBLIC ACCOUNTS ENTERPRISES COMMITTEE –
FOURTH SESSION, ELEVENTH PARLIAMENT
MINUTES OF THE THIRTY- SIXTH MEETING HELD ON
WEDNESDAY, MARCH 13, 2019 AT 9:38 A.M.
IN THE A.N.R ROBINSON (WEST) MEETING ROOM, LEVEL 9 AND
IN THE A.N.R ROBINSON (EAST) MEETING ROOM, LEVEL 9,
OFFICE OF THE PARLIAMENT, TOWER D, THE PORT OF SPAIN
INTERNATIONAL WATERFRONT CENTRE, 1A WRIGHTSON ROAD,
PORT-OF-SPAIN.**

Present were:

Mr. Wade Mark	-	Chairman
Dr. Tim Gopeesingh	-	Vice Chairman
Ms. Amrita Deonarine	-	Member
Mrs. Jennifer Baptiste-Primus	-	Member

Excused were:

Dr. Nyan Gadsby-Dolly	-	Member
Mr. Fitzgerald Hinds	-	Member
Mr. Foster Cummings	-	Member
Mrs. Cherrie-Ann Crichlow-Cockburn	-	Member

Ms. Hema Bhagaloo	-	Assistant Secretary
Mr. Darien Buckmire	-	Graduate Research Assistant

COMMENCEMENT

- 1.1 At 9:38 a.m. the Chairman called the meeting to order and welcomed those present. Ms. Cherrie-Ann Crichlow-Cockburn, Mr. Fitzgerald Hinds, Mr. Foster Cummings and Dr. Nyan Gadsby-Dolly were excused from the meeting.

THE EXAMINATION OF THE MINUTES OF THE THIRTY- FIFTH MEETING

- 2.1 The Committee examined the Minutes of the Thirty- Fifth (35th) Meeting held on Wednesday February 6, 2019.
- 2.2 There being no omissions or corrections, the Minutes were confirmed on a motion moved by Dr. Tim Gopeesingh and seconded by Mrs. Jennifer Baptiste-Primus.

MATTERS ARISING FROM THE MINUTES OF THE THIRTY-FIFTH MEETING

- 3.1 With reference to items 3.1, the Committee agreed to defer the review of the Work Programme for the Fourth Session of the Eleventh Parliament at the next meeting.
- 3.2 With reference to item 4.2, the Chairman informed the Members that the Sixteenth Report of the Committee was laid in the Senate on February 12, 2019 and the House of Representatives on February 15, 2019.
- 3.3 With reference to item 6.5, the Chairman informed the Members that questions for additional information were sent to the Cocoa Development Company of Trinidad and Tobago (CDC TTL), the Ministry of Agriculture, Land and Fisheries (MALF) and the Ministry of Community Development, Culture and the Arts (MCDCA). Responses to the additional information were received by the Secretariat from the MALF and MCDCA on February 15, 2019 and February 20, 2019. The CDC TTL requested an extension to March 15, 2019 to submit their responses.

REVIEW OF THE COMMITTEE'S QUORUM

- 4.1 The Chairman proposed that the quorum for committee's meeting be reduced to three (3) Members inclusive of the Chair or Vice-Chairman, with representation from each House. A discussion ensued. The Committee agreed to defer the review of the Committee's quorum at the next meeting.

OTHER BUSINESS

- 5.1 The Chairman informed the Members that the Speaker of the House of Representatives invited the Committee to attend a training session on Gender responsive budgeting: A tool to support Trinidad & Tobago with implementing the 2030 Agenda, scheduled for Tuesday March 26, 2019 at 9:30 a.m. to 12:00 p.m. and Wednesday March 27, 2019 at 1:30 p.m. to 3:00 p.m. Members were asked to confirm their attendance no later than March 22, 2019.

PRE-HEARING DISCUSSION RE: PALO SECO AGRICULTURAL ENTERPRISES LIMITED (PSAEL)

- 6.1 The Chairman reminded the Members that the purpose of the meeting was to examine the Audited Accounts, Balance Sheets and other Financial Statements of the PSAEL for the

period 2012 to 2017 and to improve the PSAEL delivery of services in an efficient, effective and economic manner.

- 6.2 The Members discussed the issues of concern and the general approach for the public hearing.
- 6.3 There being no further business for discussion *in camera*, the Chairman suspended the meeting at 10:16 a.m.

THE PALO SECO AGRICULTURAL ENTERPRISES LIMITED (PSAEL)

- 7.1 The Chairman called the public meeting to order at 10:20 a.m.
- 7.2 The following officials joined the meeting:

Palo Seco Agricultural Enterprises Limited (PSAEL)

- Mr. Lionel Wayne De Chi - Chairman
- Ms. Geeta Rampersad - Chairman – Audit Committee
- Mr. Adrian Jeffers - Chairman – Finance and Investment Committee
- Ms. Sandra Elcock-Stanislaus - Chairman – Personnel and Organizational Committee
- Mr. Farrell Philbert - Chairman – Tender Committee
- Ms. Elizabeth Mohammed-Ali - Chairman – Lands and Projects Committee
- Ms. Laura Williams – Pran - Chief Executive Officer - Interim (CEO)
- Ms. Sabrina Singh - Corporate Secretary
- Ms. Keisha Whitaker - Civil Technical Engineering Consultant
- Ms. Sacha Sinanan - Legal Counsel

Ministry of Agriculture, Land and Fisheries (MALF)

- Ms. Ramdai Sookdeo - Deputy Permanent Secretary
- Ms. Neela Maharaj - Director, Agricultural Planning Division (APD)
- Ms. Joan Smith - Planning Officer (APD)

Ministry of Finance – Investments Division (MOF-ID)

- Ms. Yvette Babb - Director, Social and Economic Transformation (Ag.)
- Ms. Kimberlene Pascall - Business Analyst (Ag.)
- Mr. Varuna Ramdial - Senior Audit Analyst

7.3 Key Topics Discussed:

16. The history of the PSAEL since its incorporation;
17. The mandate of the PSAEL during the period 2012 to present;
18. The reasons for the change in the PSAEL's mandate;
19. The status of the PSAEL sources of revenue generation;
20. The number of acreage under the PSAEL's supervision and remit;
21. The lack of proper land demarcations in the PETROTRIN Vesting Order of 2015;
22. The status of the transfer of 3,725 acres to Heritage Petroleum Company Limited;
23. The possible oil production capabilities of the lands to be vested in the Heritage Petroleum Company Limited;
24. The land management services offered by the PSAEL;
25. The number of Statutory tenants on the PSAEL's lands;
26. The number of squatters who qualify for squatter regularization;
27. The percentage of PSAEL's land that are currently occupied by squatters;
28. The steps taken to address the illegal occupation of squatters on the PSAEL's lands;
29. The amount of rent paid on average by a tenant;
30. The challenges encountered by the PSAEL to recover outstanding tenancy fees;
31. The impact of the non-collection of rents, fees and other revenues on the PSAEL's revenue generation capabilities;
32. The appointment date of the PSAEL's Board of Directors and Interim CEO;
33. The status of the review of the PSAEL's strategic plan;
34. The revenue generation potential of the PSAEL's lands;
35. The frequency in which the PSAEL surveys its lands and the number of new illegal structures detected during each survey;
36. The status of the verification exercise conducted by the PSAEL's;
37. The steps taken to recover outstanding debts from delinquent debtors;
38. The justification for a lack of a project management unit;
39. The need for a formal risk management policy, fraud policy and whistleblower policy;
40. The reasons for drastic reduction in the allocation for security as reported in the audited financial statements for the year 2017;
41. The reasons for the drastic reduction in PSAEL's staff complement between the period 2012 to 2018;
42. The number of persons on the PSAEL's proposed organizational structure;
43. The relevance of the PSAEL;

44. The prospect of the PSAEL returning to agricultural production and services;
45. The PSAEL's role in facilitating agricultural and livestock management services to other state enterprises;
46. The status of the legal action taken against the PSAEL by the employee union; and
47. The oversight role of the MALF and the MOF in addressing the issue of illegal squatters.

Please see Verbatim Notes for the detailed oral submission by the witnesses.

- 7.4 The Chairman thanked the representatives from the Ministry of Finance – Investments, the Ministry of Agriculture, Land and Fisheries, the PSAEL, members of the media and the public for their attendance.
- 7.5 The Committee agreed that additional questions for written submission should be sent to the PSAEL and the Ministry of Agriculture, Land and Fisheries.
[Please see Appendix 1]

ADJOURNMENT

- 8.1 The Chairman indicated that the Committee's next meeting would be held on **Wednesday March 20, 2019 at 9:30 a.m.**
- 8.2 There being no other business, the Chairman thanked the Members for their attendance and the meeting was adjourned.
- 8.3 The adjournment was taken at 12:10 p.m.

We certify that these Minutes are true and correct.

CHAIRMAN

SECRETARY

March 13, 2019

ADDITIONAL INFORMATION REQUESTED

Additional Questions arising from Meeting of the Public Accounts [Enterprises] Committee

PALO SECO AGRICULTURAL ENTERPRISES LIMITED (PSAEL)

1. Provide a breakdown of the following:
 - a. The number of tenants, licensees and lessees that occupy PSAEL's lands;
 - b. The number of acreage each tenant, licensee and lessee occupies; and
 - c. The purpose of their land use.
2. Provide a breakdown of how much of PSAEL's 5122 land acreage is currently being used for:
 - a. Residential purposes;
 - b. Agricultural purposes;
 - c. Institutional purposes;
 - d. Commercial purposes; and
 - e. Industrial purposes.
3. What percentage of PSAEL's land has oil production capabilities and is producing oil?
4. State the process that must be followed upon the issuance of a Vesting Order that seeks to transfer rights and title of land assets from one state agency to another including the persons/institutions responsible for each stage of the process.
5. Provide a copy of the correspondence dated November 21, 2017 from the Ministry of Agriculture, Land and Fisheries (MALF), which directed the PSAEL to cease all recruitment, promotion, compensation change or benefit enhancement unless approved by the Ministry.
6. Provide a copy of the letter from the MALF which gave the directive to move away from land and project management to agriculture and livestock management.
7. What is the status of the legal matters brought against the PSAEL from employee unions and third party suppliers for breach of contract?
8. What are the challenges experienced by the PSAEL and the measures in place to allow the PSAEL to be efficient, effective and economically sustainable?
9. Provide a copy of the 2000 survey which revealed that there were 1500 squatters on the land owned/managed by the PSAEL as well as a disaggregation of the squatters on PSAEL, PETROTRIN, TRINTOC and TRINTOPEC.
10. Provide a joint report on how the Ministry of Finance – Investments Division, MALF and the PSAEL will approach the issue of lack of security and policing of the PSAEL lands and illegal squatter containment by April 18, 2019.

MINISTRY OF AGRICULTURE, LAND AND FISHERIES (MALF)

1. Provide a copy of the correspondence dated November 21, 2017 sent by MALF, to the Palo Seco Agricultural Enterprises Limited (PSAEL) which directed the PSAEL to cease all recruitment, promotion, compensation change or benefit enhancement unless approved by the Ministry.

2. Provide a copy of the letter the MALF sent to the PSAEL which gave the directive to move away from land and project management to agriculture and livestock management.
3. Provide a joint report on how the MALF, Ministry of Finance – Investments Division and the PSAEL will approach the issue of lack of security and policing of the PSAEL lands and illegal squatter containment by April 18, 2019.

APPENDIX II

Verbatim Notes of Meetings

VERBATIM NOTES OF THE THIRTY-SIXTH MEETING OF THE PUBLIC ACCOUNTS (ENTERPRISES) COMMITTEE HELD IN THE ANR ROBINSON (EAST) MEETING ROOM, LEVEL 9, (IN PUBLIC), OFFICE OF THE PARLIAMENT, TOWER D, THE PORT OF SPAIN INTERNATIONAL WATERFRONT CENTRE, #1A WRIGHTSON ROAD, PORT OF SPAIN, ON WEDNESDAY, MARCH 13, 2019, AT 10.20 A.M.

PRESENT

Mr. Wade Mark	Chairman
Dr. Tim Gopeesingh	Vice-Chairman
Mrs. Jennifer Baptiste-Primus	Member
Ms. Amrita Deonarine	Member
Ms. Hema Bhagaloo	Assistant Secretary
Mr. Darien Buckmire	Graduate Research Assistant

ABSENT

Dr. Nyan Gadsby-Dolly	Member
Mr. Fitzgerald Hinds	Member
Mrs. Cherrie-Ann Crichlow-Cockburn	Member
Mr. Foster Cummings	Member

PALO SECO AGRICULTURAL ENTERPRISES LIMITED

Ms. Laura Williams-Pran	Chief Executive Officer (Interim)
Ms. Sabrina Singh	Corporate Secretary
Ms. Keisha Whitaker	Civil Technical Engineering Consultant
Ms. Sacha Sinanan	Legal Counsel
Mr. Lionel Wayne De Chi	Chairman
Ms. Geeta Rampersad	Chairman - Audit Committee

Mr. Adrian Jeffers	Chairman - Finance and Investment Committee
Ms. Sandra Elcock-Stanislaus	Chairman - Personnel and Organizational Committee
Mr. Farrell Philbert	Chairman - Tender Committee
Ms. Elizabeth Mohammed-Ali	Chairman - Lands and Projects Committee

MINISTRY OF AGRICULTURE, LAND AND FISHERIES

Ms. Ramdai Sookdeo	Deputy Permanent Secretary
Ms. Neela Maharaj	Director, Agricultural Planning Division (APD)
Ms. Joan Smith	Planning Officer (APD)

MINISTRY OF FINANCE - INVESTMENTS DIVISION

Ms. Yvette Babb	Director, Social & Economic Transformation (Ag.)
Ms. Kimberlene Pascall	Business Analyst (Ag.)
Mr. Varuna Ramdial	Senior Audit Analyst

Mr. Chairman: Good morning, and welcome to the officials from the Ministry of Finance Investments Division, the Ministry of Agriculture, Land and Fisheries, the Palo Seco Agricultural Enterprises Limited as well as members of the media and the public. My name is Wade Mark, I am the Chairman of the Public Accounts (Enterprises) Committee. The Committee on Public Accounts (Enterprises) or the Public Accounts (Enterprises) Committee has a mandate to consider and report to the both Houses of Parliament on the audited accounts, balance sheets and other financial statements of all enterprises that are owned or controlled by or on behalf of the State; the Auditor General's report on any such accounts, balance sheets and other financial statements, and whether policy is carried out efficiently, effectively and economically and whether expenditure conforms to the authority which governs it.

The purpose of this meeting of the Public Accounts (Enterprises) Committee is to examine the audited accounts, balance sheets and other financial statements of the Palo Seco Agricultural Enterprises Limited for the period 2012—2017. Our Committee is desirous of hearing about the challenges being faced by the key stakeholders at the Palo Seco Agricultural Enterprises Limited, in an attempt to determine some of the possible solutions to these challenges. The role of our Committee is to help the Palo Seco Agricultural Enterprises Limited to improve its delivery of

services in an efficient, effective and economic manner.

May I inform you that this meeting is being held in public and is being broadcast on the Parliament's Channel 11 and Radio 105.5 FM, and the Parliament's YouTube Channel, *ParlView*. May I at this time invite the officials from the Investments Division of the Ministry of Finance, the Ministry of Agriculture, Land and Fisheries and the Palo Seco Agricultural Enterprises Limited in that order, to introduce themselves for the records. The Ministry of Finance Investments Division.

[Introductions made]

Mr. Chairman: Thank you all. Before I invite the Deputy Permanent Secretary to make a brief opening remark—*[Crosstalk]* Yes, yes. Sorry, my error. May I take this opportunity to invite my colleagues to formally introduce themselves. Sorry about that. I start on my immediate right.

[Introductions made]

Mr. Chairman: Thank you all. Yes, before I proceed to ask or invite the Deputy Permanent Secretary of the Ministry of Agriculture, Land and Fisheries to make some brief opening remarks, as well as the Chairman of the Palo Seco Agricultural Enterprises Limited, may I advise all present if you have mobile phones, put all on silent or on vibrate and when you are about to speak there is a button you press, a red light will emerge and when you are through you press that said button and the red light will disappear, so that the other person can have full audio when he or she is speaking. May I now invite the Deputy Permanent Secretary to make a few opening remarks at this time.

Ms. Sookdeo: Chairman, other members of the Committee, distinguished panel, members of the media, ladies and gentlemen, good morning. The Ministry of Agriculture, Land and Fisheries has oversight of nine state agencies or state enterprises. The Palo Seco Agricultural Enterprises Limited, PSAEL as we call them, is one of them. Please note that PSAEL has been realigned with different Ministries a number of times in the past. The last realignment was with the Ministry of Agriculture, Land and Fisheries and that was on the 19th of September, 2017. We are happy to be here to clarify issues with regard to PSAEL and our oversight of this state enterprise. Unfortunately the PS of the Ministry of Agriculture, Land and Fisheries, Ms. Lydia Jacobs was unavoidably absent today.

Mr. De Chi: Thank you, Mr. Chairman. Again, good morning to you and your panel. Mr. Chairman we consider it a privilege to share with this Committee our audited financial statements for the financial years ended, October 01, 2012, to September 30, 2017. Our audited financial statements are on time and without qualification.

Palo Seco Agricultural Enterprises Limited was formed out of a predecessor company called the Palo Seco Estates Limited and incorporated on October 11, 1956, as a wholly owned subsidiary of Trinidad Petroleum Development Company. The company had various name changes over the period as the name changed on November 16, 1977, to Trinidad Tesoro Agricultural Company Limited, and again on January 08, 1986, to its current operating name.

From inception to the mid-'90s the main focus of the company was agricultural. In 1995, the Ministry of Finance directed PSAEL to manage the agricultural and residential landholdings of Trinidad and Tobago Oil Company Limited and Trinidad and Tobago Petroleum Company Limited. In 2006, the company was incorporated as a special purpose state enterprise company under the Ministry of Works and Infrastructure. PSAEL, like other state enterprises, was incorporated as part of the government's initiatives to accelerate the delivery of the infrastructure required to advance the country's social and economic development towards the achievement of the 2020 developed country status.

Between 2007 and 2008, the company under the Ministry of Local Government, was responsible for providing infrastructural development in communities that cross the south-western peninsula of Trinidad, while continuing to provide services to Petrotrin and its predecessor companies. In September of 2013, PSAEL reported directly to the Ministry of Works and Infrastructure and on September 11, 2015, PSAEL was under the Ministry of Rural Development and Local Government. PSAEL landholdings comprised of 5,122 acres which was focused mainly in Palo Seco, Quarry and Coora area with a large percentage of acreage unoccupied. Effective September 19, 2017, PSAEL was under the Ministry of Agriculture, Land and Fisheries, and was given a new mandate to lease lands for agricultural purposes and to maintain its current arrangement with Petrotrin and other state owners of land.

In light of the new mandate from the Ministry of Agriculture, Land and Fisheries and with the closure of Petrotrin on November 30, 2018, PSAEL has directed its efforts to the generation of revenue from land management services and the monetization of its land assets. It currently has a land management services arrangement with Trintoc, Trintopec and BHP Billiton. Attempts are currently being made to service land management services on other state and private entities while approval for additional services from Trintoc and Trintopec are pending.

Pursuant to the Miscellaneous Provisions (Heritage Petroleum, Paria Fuel Trading and Guaracara Refining Vesting) Act, No. 17 of 2018, 3,725 acres of PSAEL lands were vested in Heritage Petroleum Limited with PSAEL retaining an estimated 1,397 acres of land. The intent now is to establish the land use priorities with a view to generate revenue by allocating these lands

in an equitable and legal and sustainable manner. Additional efforts are currently ongoing to operationalize PSAEL's oil sand quarry, pursuant to its mining licence from the Ministry of Energy and Energy Industries. Preliminary investigations have also commenced on the commercialization of potential mineral resources from PSAEL lands in the south-western peninsula.

PSAEL continues to have the potential for offering premium land management services and is well positioned with a rich institutional experience and heritage in land management. It continues to function without a subvention. It is compliant with all statutory requirements and poised to take advantage with the new strategic focus in the efficient and effective management of lands.

Mr. Chairman, please note that the period under review is 2012—2017. However, this Board was appointed in 2018. I have with me members of the board and management and we will approach the answers to your questions as a team. May I also indicate that our Financial Accountant has also reported ill this morning. So we are also at that disadvantage, but we will attempt to answer all the questions you ask.

Mr. Chairman: And how long has your Financial Accountant been with the company?

Mr. De Chi: About five years.

Mr. Chairman: Five years?

Mr. De Chi: Two years.

Mr. Chairman: Two years now? Are you through, Mr. Chairman?

Mr. De Chi: Yes. Thank you.

Mr. Chairman: Thank you very much. At this time I will ask the Vice-Chairman of our Committee to lead off in seeking some clarification on the operations of this very important state enterprise. [*Crosstalk*] And Dr. Gopeesingh has a very important commitment and he will have to leave us at around 11.15 a.m. So I will ask him to lead off at this time.

Dr. Gopeesingh: Thank you very much, Mr. Chair, and welcome to all members here this morning. The first issue I would seek to, on behalf of the Committee, to get some understanding and appreciation of, is your acreage which you are supposed to be responsible for. From your history that you just gave and from what you submitted to us, it is approximately 5,100 acres of land that you had under your control. And from 2015, 3,725 acres were vested in Petrotrin pursuant to the Petrotrin Vesting Order, No. 27 of 2015. And from Parliament recently we heard that this land was now vested in Heritage, the company Heritage. Could you explain the vesting from where you were, PSAEL, to Petrotrin, to Heritage? Where is it now? Has it been vested in Heritage or is it still with Petrotrin?

Ms. Williams-Pran: Vice-Chair, if I may. Pursuant to the initial vesting of the 3,725 acres, by virtue of the Vesting Order, 15 of 2015, those lands were vested by virtue of that order. However, title to the lands was not transferred to Petrotrin. So the lands in essence remained with PSAEL. Those lands are under freehold interest. By virtue of the 2018 order, I should say, Miscellaneous Provisions (Heritage Petroleum, Paria Fuel Trading and Guaracara Refining Vesting) Act, the same acreage, 3,725 acres of PSAEL lands were transferred in favour of Heritage. What it means is that the lands remained with PSAEL, title to the lands was not transferred to Petrotrin. So I believe the intent now is to transfer title to Heritage.

Now if I may just add, although the lands were transferred, when we saw the legislation they were not properly demarcated and pursuant to the first order in 2015, they were listed and identified, but again proper demarcation was not done. And on those lands PSAEL has critical obligations, and when I say critical, it is such that we have a legal and social responsibility to tenants pursuant to the Land Tenants (Security of Tenure) Act. So even though those lands are vested, we have a legal obligation to tenants on portions of those lands.

Another thing too, as a result of it not being demarcated, portions of the lands—well, they are identified by blocks. So portions of these blocks have oil interests, there are oil installations. So we assume that the portions that have the oil installations are what they are interested in. But the challenge is, although it has been transferred or vested by virtue of the Miscellaneous Provisions (Heritage Petroleum, Paria Fuel Trading and Guaracara Refining Vesting) Act in 2018, proper or formal title was not transferred. So the lands in terms of title remain with PSAEL.

Dr. Gopeesingh: If I am to get you clearly, that 3,725 acres were those acres owned by PSAEL, they have their title to it but they are not well properly delineated and that title was supposed to be transferred to Petrotrin; it was not. And that same title was supposed to be transferred from Petrotrin to Heritage and it has not, because PSAEL still holds the title to the land. So when it is mentioned that the vesting order will effect a transfer, any vesting order has—well, possibly has gone on, but the title of the land still belongs to PSAEL. Correct?

Ms. Williams-Pran: Yes, Sir.

Dr. Gopeesingh: And you mentioned something about the delineation of the property of the lands. Could you just explain a little more for us when you say that it has not been properly delineated?

Ms. Williams-Pran: In order to explain this I will need to refer to the Vesting Order 27 of 2015 which first transferred the assets to Petrotrin. What it did, the order listed all the blocks to be transferred and even though it listed all the blocks there was a notation that stated portions to be

transferred in the order. There were no surveys attached to that order to identify what portions were transferred from the blocks to Petrotrin. So that is what I mean, they were not properly demarcated or delineated.

So really and truly, that is why I said earlier some of the blocks, there are oil installations or rigs, whatever oil facilities on the blocks and we are assuming that the portions that contain those facilities are what they are interested in in terms of the transfer. But definite demarcation has not been done. So it is up in the air in terms of what portions of these blocks really belong to—really should be vested in Petrotrin and now by virtue of the 2018 Act, in Heritage. And again, as a result of that it left us in a situation because we have statutory tenants on portions of those blocks. And I would refer to an exercise we did recently in-house where we tried to identify the blocks that were transferred. And when we looked at it, the majority of the blocks in Palo Seco, where the majority of our statutory tenants are, will be affected. But as a result of there being no demarcation, it left us in a challenging situation because we have to treat with—we have an obligation to these tenants. So that is my explanation.

Dr. Gopeesingh: What I am getting from you is a very concerned confusion in terms of the land parcels which are supposed to have been given over or by the Vesting Order to Heritage but you do not know where it belongs, what really—they really want. So the 3,725 acres that they claim have been vested onto Heritage, you do not know what has really been vested. And the title still belongs to you all. And then the other 1,000-plus acres—so which ones are you still responsible for, because you are now under the Ministry of Agriculture, Land and Fisheries by virtue of the new realignment. So what parcel are you all still responsible for? Is it the 5,000-plus acres or the 3,725 or the difference between—the 1,397 acres? Which ones are you responsible for now?

Ms. Williams-Pran: Currently we are still responsible for the 5,100 acres because officially, legal title to these assets, these lands, these blocks were not transferred. And again, because of our commitments we are obligated under legal terms to treat with those blocks. So we are responsible for the entirety.

Dr. Gopeesingh: So at the moment the Heritage Company which has just been formed does not know what oil fields or what oil acreage they really have within that 5,000 acres because they have not been surveyed properly. So how are you managing, how is PSAEL managing all the acreage within that 5,000 acres? How do you know which is oil, how do you know which is agricultural land because the Ministry of Agriculture, Land and Fisheries is now asking you to manage the agricultural land. So how do you know of the 5,100 acres, what is oil-producing, what is under oil tenancy and what is agricultural? I see massive confusion there and I am sure—you related that.

Could you give us some clarity if you can?

Ms. Williams-Pran: We have been managing these lands for quite some time and we have a rich record in terms of the location and the use of these lands. So as a result of our continuous surveillance exercise we have not just yet prepared a land use plan but we have a land policy that guides us. So, for instance, on those blocks that we own if there are oil installations we have to ensure that we maintain the setback distances. There are certain standards on setback distances that must be maintained according to the Ministry of Energy and Energy Industries. So—could you just repeat, I feel as though I am straying from the question. Could you please repeat the question in terms of what exactly you want clarification on?

Dr. Gopeesingh: So the 5,000-plus acres of land you have, 3,725-whatsoever was supposed to have gone to Heritage, the rest for agriculture or kept for agriculture under the Ministry of—your whole new portfolio is now under Ministry of Agriculture, Land and Fisheries. But you have oil production on your land. How are you managing that confusion, which is agriculture, which is oil production, and who are your tenants on your land? Are there companies that are producing oil on the land? And if so, are you getting royalties or who is getting it, where does PSAEL come? And that—there is, the royalties are collected by the Ministry of Finance from the Ministry of Energy and Energy Industries. How is that being done?

Ms. Williams-Pran: Of the 5,000 acres, all of the lands are zoned for agriculture, historically. Portions of some of these blocks have oil installations on those and those oil installations are specifically treated with by Petrotrin. PSAEL has no jurisdiction over those. So we have maps that clearly identify where those oil installations are. So we are aware and we know where. In terms of our agricultural lands, portions of some have been changed to residential use, some of them have been changed to institutional use as well as commercial. So although we are now aligned with the Ministry of Agriculture, Land and Fisheries and our current mandate is strictly, well, I should not say strictly but aligned with leasing lands for agricultural use, we still have obligations in terms of leases for commercial, industrial, institutional as well as residential. But all our lands are zoned for agricultural use. In order to treat with the uses that exist thereon we get or obtain permission from Town and Country for change of use. But currently all the lands, even the ones upon which oil installations are located thereon.

In terms of royalties, PSAEL arrangement or I should say former arrangement with Petrotrin, Legacy Petrotrin now, we had no interactions or no responsibility to treat with royalties on behalf of that company. We treat with the non-core oil assets. So we treat with their tenants on their behalf and mostly managing the lands, non-oil lands on their behalf.

Dr. Gopeesingh: So if I am to conclude my questions with you, would you be able to give this Committee an appreciation of the acreage utilized by the oil production area, and would you be able to identify the sizes of these, and then what is used for your other four areas that you spoke about? Are there untenanted people on your land because we have been hearing about that as well?

So could you give us an appreciation of what acreage is for oil, how much for the other areas? You have that answer now, or you will want to—?

10.50 a.m.

Ms. Williams-Pran: Because of the challenge I mentioned earlier as it relates to these parcels and the demarcation of the blocks, I am unable at this time to provide that information in terms of what portions of the land are allocated for oil use or oil mining, and what portions are under industrial, residential and the other uses.

Dr. Gopeesingh: So the 3,725 acres which have been vested now to Heritage, that 3,725, the title still held by PSAEL, but they also have oil production areas on that land as well as non-oil production areas?

Ms. Williams-Pran: Yes.

Dr. Gopeesingh: All right, thanks.

Mr. Chairman: May I follow-up from what my colleague had asked earlier? Would you say Ms. Laura Williams-Pran, the Acting Chief Executive Officer, the two legal orders in 2015, issued vesting 3,725 acres of lands that were under your jurisdiction to Petrotrin, that order is just a paper order, and the reason why it is a paper order is because legal title still rests with the Palo Seco Agricultural Enterprises Limited. So Petrotrin, in legacy Petrotrin, at that material time in 2015 had a legal order, but that order could not have been effected because title still remained with Palo Seco Agricultural Enterprises. Am I right?

Ms. Williams-Pran: Yes, you are. In terms of the—these parcels are still with PSAEL. The transfer of them has not been officially done. So title, it still remains with PSAEL. You are correct.

Mr. Chairman: Can I ask you further, the legal notice vesting, that is vesting the same amount of lands to Heritage Petroleum Company Limited, but with Palo Seco Agricultural Enterprises Limited still being in effective ownership of the title of those lands amounting to 3,725. Can I conclude, as I did earlier, that that legal vesting order is just a paper vesting order because effectively title remains with Palo Seco Agricultural Enterprises Limited? Am I right?

Mr. De Chi: Mr. Chairman, I would like to defer that question to our legal lawyer on our board, Ms. Elcock, who has a more in-depth appreciation of the legality of this system.

Mr. Chairman: Yes, can I ask Ms. Elcock to help us?

Ms. Elcock-Stanislaus: Pleasant good morning once again. It is just clear to say that even though the vesting order had been published, there are processes that need to be followed thereafter to move title from just the paper to the actual ownership. So there will be surveys that have to be conducted, there will be valuation that has to be conducted, there will have to be registration. That entire process is what is missing, and that just moves from the paper to the actual ownership, and that was never done. So hence the ownership of the land is retained by PSAEL from 2015 and then it has again been vested in 2018, and that process has to be done.

Mr. Chairman: So effectively what you are saying, Madam, is that the lands that were supposed to be properly vested in accordance with the procedures outlined by your good self, those procedures not being effected means that the lands are effectively in the ownership and control of the Palo Seco Agricultural Enterprises Limited. Am I right?

Ms. Elcock-Stanislaus: Well said, Sir.

Mr. Chairman: Now, what I would like to clarify further is this. Can you provide this Committee—the Legal Advisor to Palo Seco—in writing, the actual process or stages that must be followed upon the issuance of a vesting order where one agency is seeking to have lands effectively transferred to another? Can you provide us with that in writing so we as members of this Committee can have an appreciation of it? Because we have had two instances where in 2015 and 2018 vesting orders have been issued legally, but the processes, and stages, and phases that are supposed to be completed in order to give proper effect to that order still are pending, so we would like to have clarification.

I would like to ask the Acting CEO if she can clarify, or the chairman, or even the legal advisor—can you tell this Committee how many statutory tenants are there at this time under your legal control on the Palo Seco Agricultural Enterprises Limited lands comprising 5,000-and-plus acres? How many?

Ms. Williams-Pran: There are 532 tenants.

Mr. Chairman: Five hundred?

Ms. Williams-Pran: Yes, and 32.

Mr. Chairman: Thirty-two. These are legally statutory tenants. Can you also share with this Committee whether there are—I do not want to say trespassers, but are there persons who have occupied illegally spaces that are under your jurisdiction; and if that has happened, can you tell this Committee how many illegal visitors you have on your premises or on the land spaces that you are supposed to be effectively in charge of? Can you share with this Committee?

Ms. Williams-Pran: PSAEL does have illegal persons on our land spaces, and we have approximately 178 persons pursuant to our last verification exercise.

Mr. Chairman: And can you tell us what steps are you taking to either regularize those persons who are in occupation or what steps you are taking to address their illegal occupation?

Ms. Williams-Pran: Of the 178 persons, there are persons who do not qualify to be regularized pursuant to our land policy, and those persons, our initial reaction is to serve them a notice to quit. Of the ones who qualify pursuant to our policy, we invite them to apply to formalize their occupation and then we go through PSAEL's process in terms of regularization which entails obtaining our requisite board's approval and subsequently forwarding it to get Cabinet's approval.

Mr. Chairman: How many would you say out of the 100 and—how many?

Ms. Williams-Pran: 78.

Mr. Chairman: How many out of the 178 would you say would qualify according to your records, and therefore, it would leave us with the balance as being not qualified?

Ms. Williams-Pran: Of the 178 I stated before, according to our records we have approximately 53 persons we have identified who cannot be regularized, and the remainder we are proceeding with them in terms of treating with their regularization.

Mr. Chairman: All right. Could you tell us—I read somewhere in your submission that you were having some difficulty in collecting tenancy fees, licence fees, and this has been going on for some time now. In fact, if my memory does not fail me, since 2011 we have had some challenges in that department. Could you share with us what is the situation with that? Is the Palo Seco Agricultural Enterprises Limited as it relates to statutory tenants—there were 500 that you mentioned—are they paying fees, are they paying rent? What are they paying? And are you actually collecting or do you have a challenge in collecting those fees from those tenants that are in legal occupation?

Ms. Williams-Pran: Of the 532 tenants that we have, 213 of these persons, their tenancies have expired. So as a result of that, we are in the process now of regularizing them which will take the form of issuing normal leases, not statutory leases. So they will be subject to rents at open market rates. Of the remaining—pursuant to that, the Land Tenants (Security of Tenure) Act, they are subject to peppercorn rents. The only challenge really that we have been facing with these persons is when these tenants die, what happens is you tend to find that we do not have the legal personal representatives or the appropriate representatives coming forward, and we have instances where persons have even migrated or the tenancies are not properly administered so we are unable to advance the proper transfers so that we can continue with rent collections and so on. So issues pertaining to the death of the tenants is where we have challenges. However, PSAEL is obligated

by law to continue with collection of these peppercorn rents once these persons submit their notice to renew within the stipulated period.

Mr. Chairman: And what is the method employed in collecting these rents, particularly those who have not exceeded their period and you want to give them new leases, how do you collect rents from these people? Do they come and knock on your door, your office, and give you \$2.00 and say, “This is my rent”? How is it done?

Ms. Williams-Pran: Yes. We have a cashier at our offices in Pointe-a-Pierre and they come to us and make their rent payments.

Mr. Chairman: You want to share with us what is the rent? Is it yearly, is it—peppercorn, is it \$1.00, 50 cents, 25 cents—peppercorn rent? How much is each tenant asked to pay given the Land Tenants (Security of Tenure) Act, under that?

Ms. Williams-Pran: In the majority, those rents are around \$7.20.

Mr. Chairman: Is that yearly?

Ms. Williams-Pran: Yes, yearly.

Dr. Gopeesingh: Can I ask you on that 3,000-plus acreage, how many oil-producing wells are on that? Are there oil-producing wells on that acreage, and if there are, how many are there?

Ms. Williams-Pran: There are, but at this time I am unable to advise on that matter. Our interest is not really these oil-producing wells. Our land management services allow us to be aware of them, but not to quantify them. So as a result, I am not in possession of that information so I cannot provide that information.

Dr. Gopeesingh: You have title for the land, but you are unaware of where these wells are. Who are operating these oil-producing wells within that acreage? Is it just the former Petrotrin?

Ms. Williams-Pran: Legacy Petrotrin held an agreement with us, a head lease for some of the blocks upon which they have their oil-producing activities ongoing.

Dr. Gopeesingh: So those blocks are identified?

Ms. Williams-Pran: Yes, they are listed on the agreement.

Dr. Gopeesingh: Is it just Petrotrin alone has these blocks, or are they leased to any other company for production of oil as far as you are aware?

Ms. Williams-Pran: According to our records and as far as I am aware, it is just Petrotrin.

Dr. Gopeesingh:—that is producing oil on this acreage. Is there active production of oil as you are aware because you are the owner?

Ms. Williams-Pran: I am unable to comment on that in terms of whether it is active or inactive.

Dr. Gopeesingh: All right. Thanks.

Mr. Chairman: Yes. May I ask what is the total sum of, let us say—do you collect taxes? Because you also said you collect licences or licence fees and you also have these peppercorn rents that you collect, would you want to share with us on this Committee, what is the total sum of taxes, fees, rents outstanding to the Palo Seco Agricultural Enterprises Limited? Do you have that figure as at the current time, or—

Ms. Williams-Pran: I do not have that figure at this time. Same can be provided at a later time.

Mr. Chairman: In writing? Because I would have wanted to ask you even though you do not have those figures, how have those figures impacted on your operation, your income generation activity? Because I realized that you are self-sufficient, meaning that you do not get any Government subvention based on what the Chairman of your company said a short while ago. So every cent, every dollar is needed for you to survive. So I wanted to know how this outstanding sum could be or may be affecting your income, revenue generation activity. So maybe you can put that in writing, or if you want to share with us now, Mr. Chairman?

Mr. De Chi: Yes, Mr. Chairman. As we indicated earlier, before we were moved to the Ministry of Agriculture, Land and Fisheries, PSAEL was engaged in project management activities and the income generation came from the project management phase and that is how PSAEL conducted its operations. But as you rightfully said, because we do not receive a subvention, all income coming into the company is welcome and useful for its operations at this point in time. As you would recognize from our submissions, we are owed quite a lot of outstanding revenues from a lot of these project management activities and we are in the process of trying to recover these funds.

Mr. Chairman: I will ask Mrs. Baptiste-Primus at this time, and then Ms. Deonarine, and then I will come back because I have a number of questions to raise.

Mrs. Baptiste-Primus: Thank you kindly, Mr. Chairman, and good morning once again. Mr. Chairman, your board is of recent vintage you indicated that, when in 2018 was the board appointed?

Mr. De Chi: The board was appointed in May of 2018.

Mrs. Baptiste-Primus: In the responses you gave you spoke about the strategic plan of the organization, the present strategic plan is not in alignment with the new mandate of the company. Yes?

Mr. De Chi: Some of it.

Mrs. Baptiste-Primus: All right. Could you share with this Committee what is the new mandate of the company?

Mr. De Chi: Our mandate as outlined from the directors from our Ministry of Agriculture, Land and Fisheries is to land management and of agricultural holdings primarily.

Mrs. Baptiste-Primus: So that, is the board in the process of reviewing the strategic plan?

Mr. De Chi: Yes, we are.

Mrs. Baptiste-Primus: How far along are you all with regard to the review of that strategic plan?

Mr. De Chi: We have just begun the review of the plan. So we are still working with the old plan and we are looking to tweak this particular plan because some of it is still useful. But because we have been moved away from our project management activities and into this new mandate, we are looking to rationalize the existing plan at this point in time.

Mrs. Baptiste-Primus: Could you share with this Committee what were some of the delays that—what is the revenue generation potential of the PSAEL lands?

Mr. De Chi: At this point in time we are looking at two areas. We have at this point in time—we are looking at our mining licence with the Ministry of Energy and Energy Industries with respect to oil sands quarry and we are also looking at a mining of some sedimentary sand in the south-western peninsula of the country as well. Those are the two areas of revenue generation at this point in time that we are primarily looking at.

Mrs. Baptiste-Primus: I want to turn a little to—so would you say that that would present PSAEL with a diversified stream of income?

Mr. De Chi: Yes, I would say. What we have been doing is that we are continuing to reduce our expenditure, and so our expected income from these two activities, we expect those things to cover our expenses.

Mrs. Baptiste-Primus: Mr. Chairman—

Mr. De Chi: Can I also add that we still have some land management services agreements with other—with Trintoc and Trintopec, and I believe BHP Billiton. So we also receive revenue from those sources.

Mrs. Baptiste-Primus: All right. I think I heard earlier on a statement that a large percentage of the land under discussion remains unoccupied. I cannot recall if it is you Mr. Chairman, or your interim CEO, but what percentage of the lands are occupied by squatters?

Ms. Williams-Pran: I would say approximately 30 per cent of our lands.

Mrs. Baptiste-Primus: 3-0?

Ms. Williams-Pran: Yes, is occupied by squatters.

Mrs. Baptiste-Primus: And what is PSAEL—have you all taken a decision to regularize these squatters? What is the decision taken with regard to the squatters? Mr. Chairman? Well, it has to

be a board decision before it reaches the CEO.

Mr. De Chi: We take direction from the reports that come to our board from our land section. We also follow the legal aspects of the Acts that guide the illegal occupation of our lands and we make decisions based on that. So we take our advice from our land estate supervisor and we act on those things.

Mrs. Baptiste-Primus: So that PSAEL has 532 tenants. I think it is you Madam CEO, interim CEO, would have given that information. So you have 532 legal tenants. Are you in a position to say how many illegal, meaning squatters, exist?

Ms. Williams-Pran: Earlier I would have conveyed that we have approximately 178 squatters on our lands and a portion of that amount is currently being regularized, and a minority, I would have given the figures before.

Mrs. Baptiste-Primus: You are not only responding to me. You are speaking to the public of Trinidad and Tobago. They would not have that information.

Ms. Williams-Pran: Let me give you the figures again. Approximately 178 persons are illegal on our lands, and of that amount we have identified 53 persons who we are unable at this time to regularize and for reasons that either they are close to an oil installation which is really unsafe for their occupation, or we just cannot regularize because of the location, the nature of the structure, and the law in terms of the regularization Act and our policy.

Mrs. Baptiste-Primus: How often does PSAEL survey the land it manages to prevent new squatters from coming on board?

Ms. Williams-Pran: We do surveillance on a monthly basis.

Mrs. Baptiste-Primus: And are you all in receipt; have you all looked at the situation; has a pattern emerged; approximately how many new squatters entered PSAEL lands at any given time? Because if you survey monthly, then I would want to believe that you are on top of the game.

Ms. Williams-Pran: Yes, I will admit that we are in the sense that on a monthly basis we have a fixed rate and we have a—it is usually regular. One or two we would pick up in terms of illegal occupation, and immediately, either we will issue verbal notices to quit, or we will issue written formal notices to quit followed by subsequent notices where we see failure to comply and then we will go to either litigation or demolition.

Mrs. Baptiste-Primus: How long have you been the interim CEO?

Ms. Williams-Pran: For approximately one month.

Mrs. Baptiste-Primus: This is more than recent vintage. Mr. Chairman, what steps are being taken to recover bad debts by the company? Is there any robust plan to do so?

11.20 a.m.

Mr. De Chi: Yes, we have been—well before my time, the past board and the past management team, they have been writing and visiting. If you look at the list of the bad debts, most of the bad debts are state enterprises and Ministry of Agriculture. We have a directive straight from the State Enterprises Performance Monitoring Manual that states that we cannot litigate. We have to use other methods of trying to encourage our state brothers, sisters, family, to pay us our funds because it is significant.

Mrs. Baptiste-Primus: Have you all considered reaching out to the Investments unit of the Ministry of Finance?

Mr. De Chi: We have made those reports already. We have done those things.

Mrs. Baptiste-Primus: Well my question was not quite that, Mr. Chairman. I enquired whether or not you all had reached out for assistance because the Ministry of Finance possesses officers of very wide and varied experiences and would understand what kind of strategy to use given any peculiar circumstances because if these are state enterprises and Ministries—.

Mr. De Chi: We have written, that is all I can tell. Since this board has been in operation, we have aggressively pursued some of the entities and we have been able to recover some of the funds. There are some areas where the major part of funding is tied up in some level of litigation and which we cannot commit at this point in time.

Mrs. Baptiste-Primus: Mr. Chairman, I will pause for now. Thank you.

Ms. Deonarine: Okay. My first question is with relation to the project management services. Right. So because you all no longer earn majority of your revenue from project management services, you all have basically moved away from that, does that justify the reason for not having a project management unit?

Mr. De Chi: Yes, because if we are no longer involved in projects and we have been mandated to move away from that activity, right, we saw no need for us to have engineers and stuff.

Ms. Deonarine: Okay. So I see in your submissions that you all said that on-going training is taking place in the field of project management or was that done already?

Mr. De Chi: That may have been an error and that is not happening at this point this time.

Mr. Jeffers: That was for the period under review which is—

Ms. Deonarine: 2012 to 2017?

Mr. Jeffers: That is right. Correct.

Ms. Deonarine: Okay, thank you. With respect to the submission the Chair asked for on the detailed assessment of the different procedures that you all need to follow in order to vest or to

transfer the ownership of the assets, is it also possible to provide in that submission, Chair, if you would permit, to indicate whose responsibility each one of those procedures fall under?

Mr. De Chi: We will provide the answer along with your request as well.

Ms. Deonarine: Thank you. So with respect to the illegal occupiers of the land, given that you said your last estimation was around 178 illegal occupiers of the land, that verification would have been last month?

Ms. Williams-Pran: That verification was done late 2017.

Ms. Deonarine: Correct me if I am wrong. Was it not previously indicated that the assessment of new illegal occupiers of the land is being monitored on a monthly basis?

Ms. Williams-Pran: Yes, we do surveillance on a monthly basis but in terms of the figures, according to our records, the last verification exercise was done late 2017.

Ms. Deonarine: When do you expect the next verification exercise to be conducted?

Ms. Williams-Pran: We will conduct one soon for the reason that we intend to move quickly and advance in terms of our leasing and regularizing of these occupants. So we are earmarked to conduct one soon but the challenge is resources, manpower.

Ms. Deonarine: With respect to the 53 persons who cannot be regularized based on your last assessment which was late 2017 and you outlined the reasons why they cannot be regularized, what exactly will happen with them? They will be given notice that they need to vacate?

Ms. Williams-Pran: Our initial step, when we identify an illegal person on our lands, is to serve a notice, either verbal or in written and we will give them a number of notices, for the most five, to give them enough time to remove themselves from the land. If it is a situation where they are close to an oil installation and it is unsafe and a risk for them in terms of their occupation there, we will attempt to remove them or proceed to litigation.

Ms. Deonarine: Okay. All right. So I want to move to page 16 of your submission where you all would have spoken about the risk management and I see here that you all do not have a standard risk management policy. Could you outline the reason or reasons for not having a formal risk management policy?

Mr. De Chi: We inherited this position and at this point in time, we use the State Enterprises Performance Monitoring Manual and to guide our risk management issues.

Ms. Deonarine: Okay. So as part of your new strategic plan, would a comprehensive risk management policy be incorporated?

Mr. De Chi: We intend to do so. We are reviewing the present strategic plan and we will put the issues that are lacking in place.

Ms. Deonarine: Okay. So given that you all are following the State Enterprises Performance Monitoring Manual to identify and mitigate risks up to this point, can you identify what risks you all have mitigated in the past?

Mr. Jeffers: I could answer that. The risks that were mitigated in the past can be found into the internal audit reports which is in Schedule F in this manual here.

Ms. Deonarine: Okay. All right. Now I want to move to the fraud policy and whistle-blowing policy. Do you all have a fraud or whistle-blowing policy in place?

Mr. De Chi: At present, we do not have a fraud or whistle-blowing policy as far as I am aware.

Ms. Deonarine: Were fraudulent activities ever identified or detected in the past?

Mr. De Chi: Our audit reports would have indicated any activity in that area and recommendations would have been made and those things would have been corrected from the advice given to management.

Ms. Deonarine: Okay. So therefore, given that it may have been identified in the internal and external audit process in the past, do you see a need for having and ensuring that having a fraud policy and whistle-blowing policy as part of your strategic plan in the future?

Mr. De Chi: I would say so, yes.

Ms. Deonarine: Okay. I will pause for now, Mr. Chairman.

Mr. Chairman: I have a few questions to ask Ministry of Agriculture and Palo Seco. First of all, when you mentioned, Acting CEO, that 30 per cent of the lands of Palo Seco Agricultural Enterprises are under illegal occupation, is it 30 per cent of 5,177 acres or is it 30 per cent of your portion that when you move away, when this proper title is given, or are you operating on the basis—well if I were you, I would operate on the basis of 5,177 until further notice. Can you advise us to 30 per cent of the 5,000?

Ms. Williams-Pran: Yes, it is 30 per cent of the entire amount, 5,000.

Mr. Chairman: Now I did a rough calculation, unless my maths crazy but I am seeing some—over 1,536 acres of land. Now, I do not know if that is my crazy maths but I cannot understand how a minority, and we talk about 72 persons or 78 persons and out of the 78, 53—no, I think it is 178 if I am— Just remind me, I do not want to get the figures wrong. How many persons are illegal occupying your lands at this time? Is it 178?

Ms. Williams-Pran: Further to our last surveillance verification exercise, it is 178.

Mr. Chairman: And out of the 178, we have about 53 whose arrangement or whose occupation cannot be regularized. Is that correct?

Ms. Williams-Pran: Correct.

Mr. Chairman: Good. Therefore it means that if we are generous, we have 178 persons including those who cannot be regularized occupying 30 per cent of the lands of Palo Seco and when we boil it down on average, each man and woman on that piece of land is in possession of about nine acres roughly on average. So I would like the Palo Seco Company to provide to this Committee in writing a detailed breakdown of every single tenant or every single occupier of your lands and from the survey that you have conducted, how many acres each occupy. Because you are talking about 1,536 acres of land, state land, the people's land, that is occupied by 178 persons, including the 53 undesirables that you mentioned or who will not qualify to be there in any event. So give us a detailed breakdown because you must, as land managers, be able to know how many acres of land these 178 persons are in occupation of. Am I right?

Mr. De Chi: Mr. Chairman, we will do an update of the verification as fast as we can and we will provide you with that answer in writing.

Mr. Chairman: We would like that. I want to compliment the Palo Seco Agricultural Enterprises Company, even though you are of recent vintage in terms of being in occupation at the board level for being able to be almost surviving without any state support and/or assistance. I do not know of any state enterprise that I am aware of that does that. I think you might be unique in that regard. I cannot recall one state enterprise. If they are not self-sufficient in terms of generating their own profits, many of them depend on the State for support. So I want to say that this is very important. When I look at the history of your organization, you initially started off in agriculture and you were involved in the production of agriculture. You produce citrus and other fruits but you no longer do so based on your mandates that have changed over the years.

I have observed from the submission that you have made that you have no security. I see security, in terms of expenses, \$500 for 2017; in 2016, \$17,418. How can you manage, maintain and secure 5,177 acres of state land without a security unit? I do not understand. If you could explain to this Committee or maybe we missed something. Maybe you do have a security force and maybe you will explain to us how many members make up that security force and how do they go about securing the 5,177 acres. Because I dare say, if you had a security force, I cannot see where strangers can invade your space and occupy and seize 30 per cent of your land if you had proper security. So explain to this Committee. Do you have a security service? Do you have a security force to secure your property and your land that you are responsible for? Can you explain?

Ms. Williams-Pran: Mr. Chairman, PSAEL does not have a security firm. We do not have an enforcement unit. But what happened in the past as a result of our relationship with Petrotrin,

Petrotrin had a security unit and their security unit would assist us in terms of enforcement when we have to issue our notices to quit and so on. They will treat with that on our behalf and any encroachment that they observe, they will assist us. So our security or enforcement was highly dependent on support from Petrotrin's security.

As a result of their closure in November and pursuant to our realignment, we are currently in the process—well, we have identified that challenge now and that is something that we have identified in our proposed org structure for the organization. However, plans are afoot to have enforcement in place and what we are doing in terms of our notices to quit and so on, we are going to outsource assistance to serve those things to effect the notices to quit, so that is the support that we have right now.

Mr. Chairman: Now, it means to say that the Palo Seco Agricultural Enterprises Limited is really faced with severe challenges, very severe challenges, and if you are not careful, the rate at which illegal entry is being made onto your lands, within a very short period of time, you may go from 30 per cent to maybe 90 per cent and you will be held hostage. This is something that the line Ministry and the Ministry of Finance has to take on board very seriously.

Now, we have seen from a document that was submitted by the Palo Seco Agricultural Enterprises Limited that a survey in 2000 revealed that there were 1,500 squatters on lands owned and managed by the PSAEL and these squatters occupied at least 200 acres. That is what we are seeing in a document that was submitted by your good self; that is the Palo Seco. So I find it strange that if a survey in 2000 reveals 1,500 squatters, how that could boil down to 178 and out of the 178, 53 undesirables? Something is wrong in your company and I will tell you why I say so. You have no security so you have to depend on whatever labour force or personnel you have within your area and on Petrotrin. Petrotrin is dead, buried, “it gone to heaven” so you have no more Petrotrin to depend on so you have to depend on your own strength.

But I have noticed and this is where I come to the Ministry of Agriculture. How can a company operate with 16 members of staff after having a complement in 2015 of 48, remained 48 in 2016? No, I am wrong, let me just get the correct figures for you. That is vacancies that I am talking about here. Let me deal with numbers of—yes, I have the numbers here. In 2016, the figures I have here: 55; 2016, 47; 2017, 37; 2018, 16 and in 2012, there were 72. I would like the Ministry of Agriculture, Land and Fisheries to tell this Committee whether it is the intention of the Ministry of Agriculture to close down the Palo Seco Agricultural Enterprises Limited because you cannot move from a staff of 72 in 2012, 48 in 2016 to 16 in 2018.

And what is even more alarming, inexplicable and baffling is that the Ministry of

Agriculture by correspondence dated November 21, 2017, instructed, directed, the Palo Seco Agricultural Enterprises Limited to cease all recruitment and promotion, compensation change or benefit enhancement unless approved by the Ministry. Now, I do not know. The Deputy PS, could you tell us what is the status of this decision; whether you have changed that decision and what are you doing to help this company or to assist this company?—because this company, to me, is on the verge of collapse and closure the rate they are going. By next year, they will go from 16 to 10 and the next year, they gone to five and the next year, zero and the company dead, closed. Explain to this Committee this directive issued to the Palo Seco indicating they cannot recruit anybody, they cannot promote anybody. How is this company to survive? How it is to grow? How it is to carry out its mandate if the line Ministry put it in a cold storage? It does not make sense to this Chairman so I am asking you to clarify for this Committee this development. It is disturbing.

Ms. Sookdeo: I was not aware that the PSAEL is on the verge of closure or anything like that. What I do know is that the mandate has changed and hence they are relooking the strategic plan and the intent of the organization. I could review that letter, that request that is made of PSAEL and provide the information at a later date because I am not aware of that being the mandate. But I know as a line Ministry, PSAEL and any other state agency, we could always have a discussion as to, you know, what the needs are, what are the issues they are facing, the challenges and we could come up with a compromise of some sort. If that was a mandate, it may have been a policy decision that the Permanent Secretary would not have had any control over.

Mr. Chairman: Well, Madam Deputy Permanent Secretary, the correspondence, you may not have been there or if you were there, maybe you occupied some other position.

Ms. Sookdeo: I was not there.

Mr. Chairman: It is dated November the 21st, 2017.

Ms. Sookdeo: I will look into it, Chairman.

Mr. Chairman: So what I am saying is that we would like a copy of this correspondence. Please submit a copy of this correspondence to this Committee dated the 21st of November?

Mr. De Chi: Mr. Chairman, could I make a comment on that? We have been directed but we are working on reorganizing the company. We have a new organizational structure which we have completing and we are sending to the Ministry for approval and the complement of staff members will be 18. That is the structure that we have at this point in time. We are submitting—we are awaiting approvals to put this thing in place and we would like to have this done as quickly as possible. So we are not going down. Hopefully, we are expecting to stabilize and go up.

Mr. Chairman: You said 18 or 80?

Mr. De Chi: 18.

Mr. Chairman: 8-0?

Mr. De Chi: 1-8.

Mr. Chairman: Oh, 18.

Mr. De Chi: Because of the movement away from the project management activity which had a huge complement plus the legal and estates department, we have reduced the numbers of the staff, particularly because the project management fees assist with paying the large staff numbers. Now that we are no longer involved in project management activities, we have reduced our expenses to accommodate for this purpose.

11.50 a.m.

Mr. Chairman: May I ask—I am happy you raised that point—may I ask on behalf of this Committee, a company like yours that is self-sufficient in generating its own revenues should be encouraged and complimented when it is doing things that allow it to generate its own income. I cannot understand why, if you were getting a reasonable amount of revenue from project management fees and you had moved away from agriculture—which I want to come back to in a short while—who directed your company to move away from that mandate of project management, in terms of you being able to generate fees from that to make your organization more self-sufficient and you would have more persons that you can engage, even to the point of employing maybe security personnel to guard your property? Who took that decision? Was that a Ministry of Agriculture, Land and Fisheries decision or your decision, based on your strategic plan?

Mr. De Chi: Mr. Chairman, I think you are in receipt of the letter from the Ministry of Agriculture, Land and Fisheries.

Mr. Chairman: No.

Mr. De Chi: You did not get a letter?

Mr. Chairman: I do not have a letter. I do not have a letter; that is why I have asked for that letter.

Mr. De Chi: I believe there is a letter that was from the Ministry of Agriculture, Land and Fisheries directing us to move away from project management activities into agriculture.

Mr. Chairman: That was what year, Sir?

Mr. De Chi: It was 2017.

Mr. Chairman: Do you have a copy of that letter, Sir? Do you have a copy of that letter?

Mr. De Chi: We will provide you with that information.

Mr. Chairman: I will appreciate that very much. Now, remember I made a statement very early that our Committee, Mr. Chairman, is here to help your company. We want to make the company more efficient, more effective, more economical in its delivery of services of a quality nature to your stakeholders and your customers. That is what we are here for. And, therefore, I would like to ask you or any member of the team: Do you see merit in the company in a period of global instability, uncertainty and even unpredictability where food security is very critical to any decent and modernized civilization? Do you think that it is an area—that is, agricultural production—that you had initially embarked upon earlier in your incarnation, in another incarnation, I should say? Would you want to share with this Committee whether this has ever crossed your mind or the minds of your board and your management, in terms of further sustainability of your organization getting into agricultural production once again, where you were once located as well, in terms of diversification and gaining new sources of income or revenue? Could you share with this Committee your thinking?

Mr. De Chi: Yes, thank you, Chair. Now that we are aligned under the Ministry of Agriculture, Land and Fisheries, the lands that are in our possession we use the facilities to facilitate the other agencies that are under the mandate of the Ministry of Agriculture, Land and Fisheries, particularly—I believe you had them on your Committee as well. The CDC, we are assisting then with some facilitation, the lands for the expansion of their cocoa production. Those are the things that we are doing as part of our remit. We are agricultural land management and in that case we are facilitating the increase in agricultural production in those areas by facilitating those companies. That is where we are at this point in time.

Mr. Chairman: That is cocoa. What about any other areas, rice production, fruit production, vegetable production? You have 5,177 acres of land, the bulk of which we are told by the acting CEO, agricultural in nature. So I am saying, well why do you not, as a forward-thinking company, look at that, focus on that area, look at that area, you are under the Ministry of Agriculture, Land and Fisheries, and see to what extent you can diversify your sources of revenue?

Mr. De Chi: We are also, as I say, we are facilitating and we are also seeking Cabinet's approval for persons who are involved in the agriculture that you are speaking about, livestock, other agricultural enterprises. We are facilitating and encouraging those people and by facilitating, by accessing and acquiring some of PSAEL lands. Let me ask the Vice-Chair to also elaborate on that.

Ms. Mohammed-Ali: Thank you again. Good day to everyone, including our viewing public,

who I think are key stakeholders in our enterprises as well, especially those in south-west Trinidad.

Chairman, I understand clearly what you are letting us know. But I want to tell you we have good news, and good news is that ever since we have been realigned under the Ministry of Agricultural, Land and Fisheries, that has been our mandate; to empower as much as possible the return to agri-activity, and actually south-west Trinidad does have a rich history of agri-activity. We had the old cocoa estates, Huggins estates. People from that era would know what I am speaking about. And I want to say that those lands were cocoa lands, but they were also livestock.

In the Chatham district we had the old Star Farm where milk was being produced. I do not know if you all may remember the Star Farm brand. Right? There were active, very active plantings being doing in Coora Road, which was one of the major producing—that was when Petrotrin was doing their agri-activities. So there was a history of successes agriculturally in south-west Trinidad. So I am saying that south-west Trinidad, we do have the vacant lands. What we are doing right now is strategizing to marry the lands to the production initiatives.

As a result of that we did do a review of a land policy, where we have now put in place for applicants to be reviewed by PSAEL, and we have been reviewing applicants. We have reviewed about 48 to date and where we see that those applications can move forward, we require that you do a business proposal, as we all understand. It must make sense. It is state resources and it must be vested for success. We are at the process now where we have proceeded to forward this to our line Ministry for action. So there is work going on in this aspect.

Mr. Chairman: I am very happy to hear this. I just want to also ask, there are a number of legal matters involving the unfair dismissal of workers. I see several of them, and those matters, I would imagine, are at the level of the courts. Could you give us an appreciation in writing—you may not want to share right now—the current status of these matters?

Mr. De Chi: Yes, we will.

Mr. Chairman: I appreciate that very much. Mrs. Baptiste-Primus, you do have any areas that you would like to clarify?

Mrs. Baptiste-Primus: Not at this time, Chairman, thank you.

Mr. Chairman: May I? There are many other areas that we will want to clarify but what we will do is to write to you, Mr. Chairman, the areas that we would like to further clarify, as it relates to your institution. But one of the key areas I would like to get some responses on before we leave here—both from the Ministry of Finance and the Ministry of Agriculture, Land and Fisheries—how are we going to address the tenuous security situation, in terms of the protection of the lands of the Palo Seco Agricultural Enterprises Limited. What steps would the Deputy PS want to advise

the Ministry would be taking in order to address this matter on an urgent basis? Because that is of concern to this Committee, based on what we have seen.

Ms. Sookdeo: We might have to have a discussion as to the best approach. But I know at the Land Management Division of the Ministry of Agriculture, Land and Fisheries we have monitoring officers who go out and actually monitor the fields that are state land. So maybe we could look at a similar unit, you know, of persons to do that function, since they do not have any security. So that could be a discussion we would have.

Mr. Chairman: Can I ask the Ministry of Finance, I know that you deal with oversight and you understand what is taking place there. What advice can you offer, as it relates to this threat where you have 30 per cent of the state lands of the Palo Seco Agricultural Enterprises being occupied illegally by individuals? What kind of advice would you want to offer at this time?

Ms. Babb: Chair, I think we will have to meet with the Ministry of Agriculture, Land and Fisheries and Palo Seco to have a discussion on that before anything could be—

Mr. Chairman: I would like to suggest—I want to thank you very much—we would like to get from the Palo Seco Agricultural Enterprises Limited and the Ministry of Finance and the Ministry of Agriculture, Land and Fisheries, if you all can submit a joint report to this Committee within one month of today's date on how we are approaching this issue of security of the lands of the Palo Seco Agricultural Enterprises Limited. We would like to have that within one month.

Mr. Chairman, one final submission. We would like you to submit to us any proposal, in writing, for the improvement of the organization. Because when we generate our report to the Parliament, as I told you we want to improve your organization. So if you can share with this Committee your thoughts on ways and means of improving and making your organization more efficient, more effective and more economical, we would appreciate. So we look forward to you submitting in writing your proposals for our consideration.

Before we bring down the curtain on our proceedings, I would like again to call, first of all on the Deputy Permanent Secretary to make some brief closing remarks, to be followed by the Chairman before we bring the proceedings to a close.

Ms. Sookdeo: I would like to just say thanks for asking us to come here to clarify issues, and it was certainly enlightening I must say and I appreciate the fact that the Committee is interested in looking at the challenges that PSAEL faces, with a view of assisting in improving the services they offer. Thank you.

Mr. Chairman: Mr. Chairman.

Mr. De Chi: Thank you, Chair. I have a small statement. PSAEL's current primary responsibility

entails leasing lands for agricultural purposes and the management and surveillance of the non-oil assets of Trintoc, Trintopec and other private companies. To this end, our strengths are a wealth of experience in estate and land management with a long history of servicing the non-core land assets of the oil and gas sector, making us well positioned to provide this service to all sectors.

PSAEL still retains ownership of approximately 1,400 acres of land and PSAEL intends to diversify its portfolio into additional income streams consistent with Government's renewed focus in the agricultural sector and plans to significantly increase the sector's contribution to GDP and employment.

We intend to become self-sufficient by establishing viable business ventures consistent with PSAEL's mining licence for oil sand and also to commercialize our land assets with respect to other business ventures with our sedimentary materials.

Finally, PSAEL has the potential to offer its skill sets to other private and state entities requiring our specialized services. I thank you very much.

Mr. Chairman: Before we close, Mr. Chairman and Deputy Permanent Secretary, in your submission, that is the Palo Seco, there is survey in 2000 that was conducted, can you make available to us a copy of that survey? Because you put it in your statement.

Mr. De Chi: In 2000?

Mr. Chairman: Yes, a 2000 survey, which revealed 1,500 squatters on the lands. So we would want to get a copy.

Ms. Williams-Pran: Just a clarification, Chairman. Earlier I would have mentioned and stated PSAEL has 178 persons or squatters on its land space illegally there. That 1,500 that is stated in that document relates to not only lands of PSAEL but lands of its agents, meaning Trintoc, Trintopec and PSAEL. So it is a cumulative figure and not really relative just to PSAEL. So that 1,500 came out of approximately 26,000 acres.

Mr. Chairman: All right, I just want to let you know that the report that I am referring to is the audit report of the land and estate management and it is a final report on land and the estate management, Palo Seco Agricultural Enterprises Limited, Ramoutar and Company, chartered accounts, dated October 2017. So I want to ask you to refer to that. All right?

In closing, if you can also provide us with a breakdown of all the changes that have been done as you have indicated, from the tenant, to residential, to commercial and is it industrial? If you can give us a breakdown of how many of these entities now occupy your space, we will appreciate it as well.

On behalf of this Committee, may I thank the members of the Ministry of Finance for

being here with us. We would like to thank the members and officials of the Ministry of Agriculture, Land and Marine Resources. I would also like to thank all those officials from the Palo Seco Agricultural Enterprises Limited for being here. We would like to thank the media, members of the public who view these proceedings and we would like to indicate to you that in the event that this Committee deems it necessary to recall you, we shall do so, giving you the appropriate notice, so that you can return. If not, well we will have a report generated. One thing you can be assured of, you will have a lot of questions coming your way, that you will have to respond to before we generate our report to the Parliament.

So thank you so very much for coming here. This meeting is now adjourned. Thank you very much.

12.10 p.m.: *Meeting adjourned.*