

10.00 a.m.: *Meeting resumed.*

OFFICIALS FROM THE LAND SETTLEMENT AGENCY

Mr. Ossley Francis	Chairman
Mr. Hazar Hosein	Chief Executive Officer
Mrs. Sasha Darbeau	Manager, Tenure Regularization Unit
Mr. Satchianand Bassaw	Senior Design Engineer Infrastructure
Mr. Everson Beeda	Land Use Planner

Mr. Chairman: Good morning and welcome to the sixth meeting of the Joint Select Committee on Land and Physical Infrastructure. I would like to take this opportunity to welcome the Land Settlement Agency as well to recognize both our viewers and listeners. I will like to also remind members and officials to turn off their cellphones or at least place them on silent and/or vibrate. The purpose of this meeting is to continue the examination into land tenure issues and to explore what might be some of the possible solutions to these challenges.

The role of the Committee is firstly to examine the issues that arose and your responses to questions that have been forwarded. Secondly, we are to aid in the improvement of the operations of entities with responsibility for land tenure, hopefully resulting in more efficient and effective organizations. I would like to advise that this hearing is being broadcast live on the Parliament Channel 11, Parliament Radio 105.5 FM, and the Parliament's YouTube Channel ParView. Members of the viewing and listening audience, of course are free to send comments via email at parl101@ttparliament.org or on our facebook page at facebook.com/ttparliament or on twitter at [ttparliament](https://twitter.com/ttparliament).

I would like to take this opportunity to welcome the officials of the Land Settlement Agency and I now invite you to introduce yourselves.

[Officials introduce themselves]

Mr. Chairman: And my name of course is Stephen Creese and I am an Independent Senator and I will take this opportunity to invite our members starting on my immediate right to introduce themselves to you.

[Members of the Committee introduce themselves]

Mr. Chairman: The objectives of this enquiry are basically the following: To determine the land tenure issues affecting Trinidad and Tobago; to examine the management of the Office of the Commissioner of State Lands and assess how effective this management has been in the achievement of the policy directors related to land tenure issues and thirdly, to examine strategies to deal with the major challenges with respect to land tenure in Trinidad and Tobago.

I wish to now acknowledge the submission sent by the Land Settlement Agency and to invite the Chairman, Mr. Ossley Francis to make some brief opening remarks. Chairman.

Mr. Francis: Thank you very kindly, Chairman and members of the Committee. We are here this morning as you all have requested our presences to appear before you all, to response to questions and answers that most likely you will pose to us to assist the Parliament and the Committee in the good and proper functioning of the Land Settlement Agency. Chairman, I am accompanied by my technocrats and professionals who have been in the Land Settlement Agency for quite a long period of time and that most of the questions that will be posed I will invite the technocrats to respond accordingly. I thank you very much.

Mr. Paray: Good morning again. My first question will go to, I guess, Mr. Chairman, and you would have one of your technocrats answer. In your submission one of the measures the LSA implemented in an attempt to control squatting on State lands was, if I can quote:

Pursuing legislative amendment to its governing legislation as well as

to the State Land Act.

What is the status of these legislative amendments to the State Land Act, if you can give us an idea of where you are with that up till then?

Mrs. Darbeau: Good morning once more, Mr. Vice-Chairman. The Chairman has indicated that I should respond. The Land Settlement Agency has very early on recognized that it is an implementation agency of work on state land so that during the course of amendments the Land Settlement Agency's governing legislation we saw it necessary to recommend and propose that certain commensurate amendments be also done to the State Land Act. Again, with a view to looking at better measures to contain squatting.

The last Cabinet in 2014 approved a policy and a draft Bill was done by the Chief Parliamentary Counsel, CPC. In furtherance of that policy that Bill would have been submitted for ventilation before the Legislative Review Committee. However, the new Cabinet has to review that policy, it has to review that Bill and see whether there are additional amendments or adjustments needed.

The current Minister that governs the Land Settlement Agency would be forwarding a note very soon to look at, to bring before the Parliament that existing mandate and Bill to see what adjustments may be needed. This would also have to be looked at in collaboration with the Minister responsible for the Commissioner of State Lands, because they fall under another Ministry. So it has to be done in part. That more or less is the status of those amendments.

Mr. Paray: Just a follow up. Could you identify to the viewing public which Ministry that the LSA now falls under and you identified that the Commissioner of State Lands now sits on another Ministry. In your view, is that a hindrance or do you think that the splitting would work towards the benefit of moving the LSA forward? Thank you.

Mrs. Darbeau: I am not sure if I am qualified to give my opinion on that but let me answer your first question. The LSA falls under the Ministry of Housing and Urban Development. The Commissioner of State Lands falls under the Ministry of Agriculture, Land and Fisheries. There are positives and negatives, member, and we have worked with that dichotomy, that split portfolio before. We just need to ensure that all parties are seeing in a uniform manner what is best way forward for dealing with state land and control of squatting on state land. Once we have that common view the different Ministries should not be a hindrance. So at this point I think it might be premature to suggest it is a hindrance at all. We have to test it and I am sure it would be productive.

Dr. Francis: Good morning. This hearing is going to be viewed by the public, many of whom might not know what the exact purview of the LSA is. I mean, it is clear that we have a number of entities that are concerned with the control or utilization of state land. So it might provide some useful context if you could just, someone could state briefly, what the specific purview of the LSA is.

Mr. Hosein: Good morning, Chairman and members. The main mandate of the LSA is the regularization of squatters in accordance with Act 25 of 1998, the State Land (Regularisation of Tenure) Act, Act 25. Regularization of squatters involves many things. It involves tenure, it involves infrastructure, improvement to where squatters are. There are approximately 251 sites listed in the Act in Trinidad and three in Tobago. The LSA is responsible for sites listed in Trinidad, 251 sites listed. Apart from that, there are approximately another 100 sites, 100 sites that are not listed in the Act. The LSA was mandated to regularize squatters who applied in accordance with the Act. Squatters had until the year October 27, 2000 to apply for regularization and those who applied in accordance with the Act are the ones that we are processing now. That is the main mandate.

Apart from the mandate of regularization of squatters we are also responsible for provision of alternatives in the form of land under the Act for landless persons. We have a responsibility for community development and micro-enterprise so as to create sustainable communities that we are attempting to develop.

Dr. Francis: Mr. CEO, so the LSA is only concerned with state lands on which squatting is an issue.

Mr. Hosein: Exactly so, member.

Dr. Francis: Thank you.

Mrs. Jennings-Smith: Chairman, through you, in your policy document that you have submitted to us here, I am referring to page 29, question X. Can you tell this Committee, can you tell us what action has been taken by the LSA to improve or to resolve these issues? And at the same time, how successful were these measures?

Mr. Hosein: Chairman and members, again, as I said earlier, the LSA work is the regularization of squatters. Approximately 23,000 squatters applied for regularization in accordance with the Act. The work of the LSA over the years has been, we have been involved in developing squatting sites, improving squatting sites, putting in full infrastructure, that is, roads, drains, water systems, electricity, et cetera, and bringing these sites up to full standards so that at the end of the day we can grant the squatters tenure, one and also they can be granted leases, marketable leases when we get all the statutory approvals.

Now, we have been involved in developing squatting sites over these years. To date we have developed approximately 30 squatting sites out of the 251 sites. So generally that is what we have been doing. Apart from that, on the tenure side we have been processing the applicants who have applied for regularization under the Act, as I said before 23,000 applicants, we have been able to give

approximately 8,000 certificates of comfort to date, but apart from that we have processed many others. We have approximately 4,500 persons who have applied, who lack in jurisdiction so cannot be processed any further and the balance of applicants are being processed at this time, approximately, 9,000.

Mrs. Jennings-Smith: Mr. Chair, I would like to continue. In my constituency, Toco/Sangre Grande is listed as one of areas with the highest amount of squatting. But we have seen through meetings with your agency, which we welcomed, that many of these people have been living on these sites for about 30 odd years. But most of these sites have been declared agricultural lands. Can you tell us what is your plan to do that or is there any hope of achieving any kind of headway with respect to those people, because they are living there for 30 years and, you know, I know it is not within the remit of the LSA. But can you tell me if some negotiations is taking place with the Ministry of Agriculture, Land and Fisheries, if we can so do at this point in time when we are looking at the diversification and the agenda, the governments agenda with respect to agriculture. So can you tell us what is in train with respect to those areas?

Mr. Hosein: Chairman and member, you are right. The area of Toco/Sangre Grande is one of the highest populated squatting areas in the country. There are a number of sites in that area that is listed under the Act. The LSA has done work in that particular area and I can call a couple of sites that have been developed. We have developed Pine Settlement, we have developed Picton, we have developed KP Lands and at this time we are developing an area called Kangalee. So that is one of the areas in the country that has seen out of the 30 sites or so that we have developed, the most development to date.

One of the issues in this area is that much of the land in the area is forestry reserve. So it is reserves. And that is the area that we should not be encouraging

squatters and we should try to protect as much as possible for our future. Yes, there are agriculture lands in the area and the Ministry of Agriculture, Land and Fisheries, the Commissioner of State Lands has the jurisdiction to assist in protecting those lands and for the allocations of those lands. But we are challenged in this area mainly because the lands are generally forest reserves and it includes a lot of the environmentally sensitive areas that should not be squatted upon.

Now, a lot of the new squatting that is happening has been occurring recently in this area, and I say recently, between the years 2010 to 2015 we have had a high growth of squatting in the particular area and that is a challenge to the LSA to control and for our development plans in the area. As we seek to come up with our development plans, land use, engineering designs, you have new squatters invading these areas which is a challenge for the LSA for future development. Because it is a continuous cycle. As we try to improve you have new persons invading these sites.

Mrs. Jennings-Smith: Mr. Chairman, I just want some more clarification. I really was referring, in particular, to those on those lands for 30 odd years, where permanent structures have been erected. I really want to know, what is your plan in dealing with those? Those are people on forested areas which we term forest reserve and this is a question that is being asked by my constituents on a daily basis. Could you give us some clarification on the way ahead?

Mrs. Darbeau: Thank you CEO and Chairman. Member, it is a process that we need to engage in terms of the various stakeholder agencies with responsibility. So for instance, Pine Settlement being a forest reserve we have gone ahead and we have gotten the Town and Country Planning approval for the outline and for the laying out of the lots and we have done as much as we could with the relevant approvals we have gotten so far. But the handle of being a forest reserve is still

there. To do that, we have to engage the conservator forest. It is actually a very detailed process which we have had to also have meetings with the Attorney General's office in terms of how you de-reserve an area to make it eligible for residential approval. Until that is done the persons here will not be able to receive a marketable lease. They might receive a lease, but it would not be one that they can now pass on to a third party purchaser or another party, because once they do that search it will show up as a forest reserve and we need to de-reserve it.

Apparently there are several policies in place with the forestry division that is coined, a no net loss policy, so that once you propose to de-reserve an area of forest you also have to identify a fresh area for reservation. So the forestry reserves of the country would not be depleted. We have been in discussions, active discussions with the relevant members of the Attorney General's department, the conservator of forest and the EMA as recently as last week Tuesday. We would have had a meeting in terms of taking that process forward. We are doing as much as we could to drive that process because the work is already done, the infrastructure is done, the surveys are done, all the amenities are in, all we need to do is have that de-reservation take place.

It will follow the same pattern in the other areas including Kangalee which part is environmentally sensitive. I think what the CEO alluding to is that while we take these steps to bring relief to the members or the residents who have been there for so long we have to also not make the mistake of encouraging the spread because it will just make the problem even so much larger. It will mean more areas to de-reserve, the spreading, it just means that when we have reached a certain point or boundary we have to now expand and look at the process again from start.

So, we are looking at it but we have to be very careful about what area is

being de-reserved, what area is change of users is being looked at. We have to work in sync with these regulatory approval agencies and we are following every guidance we have gotten we are pushing for that to happen. But it has to be done with a mindful approach that we cannot allow this to spread.

Mr. Francis: Mr. Chairman, let me assist my technocrats and to respond to the question posed by the member, Glenda Jennings-Smith. In particular, Valencia, Sangre Grande, that is a forest reserve. And that prior to 2010 the LSA gave no certificate of comfort to squatters in the scientific reserves, in the forest reserves and on the river banks. Simply to contain squatting and the Act says, it is clearly written that the scientific reserves, squatting must not be encouraged and we must do everything, the Act said that, to discourage it.

What happened since 2010, 2011, 2015, the records are there to prove. The outgoing Land Settlement Agency Board took a decision and it is on record, to give squatters certificates of comfort as long as they live on state lands, regardless whether they live on the river banks or in the scientific reserve, on the TGR, on the recreation grounds just give it to them and that has happened. It has put us, this new board, at a great dilemma to find a place and a space to accommodate the squatters who were handed certificates of comfort. So when we make one step forward, in one year, in the second year it is 10 steps backwards. That is a dilemma that we in the LSA have to grapple with. It is not easy.

10.25 a.m.

Mr. Chairman: What have you proposed by way of response to that? You have stated what the problem is, but what proposals are on the table to deal with that now?

Mr. Francis: Chairman, this new Board that I head, we are now reviewing it and we are going to apply the law as it exists under Act 25 of 1998. That is the

proposal.

Chairman, it is the law, but what you find is that the Board that left took up unto themselves and introduced a policy. A policy is not the law. They issued a policy to just give people Certificate of Comfort as long as they are on state land.

Mr. Chairman: Do you anticipate that relocation will now be an option?

Mr. Francis: Well the Act says that. The Act says that we must find a place and a space in a designated area, in accordance with the Act, to accommodate those persons who were granted or given Certificate of Comfort. We cannot now withdraw it, Chairman. It is already in their possession, and Valencia/Sangre Grande is not the only place. You have it rampant in Trinidad.

Mr. Chairman: But within the context of Valencia/Sangre Grande and the question of relocation, is it physically, geographically possible given that this is one of our forest reserve areas? When I look at the map, most of what I see, that area is forest reserve.

Mr. Francis: Yes, Chairman, it is possible.

Mr. Paray: Mr. Chairman, I hear you in terms of the previous board making decisions that you clearly claimed that did not fall within the ambit of the law. The legal representation on the board at that time, who would have given—because I am sure no sitting board should ask any agency to break the law and who would have been the person sitting there that allowed this to happen, Mr. Chairman?

Mr. Francis: Chairman, do you really want me in the public view to identify the name? I do not think it is proper for me to do that. I beg to withhold my silence on that, Member of Parliament for Mayaro.

Mr. Solomon: Chair, if I may? Just from a legal perspective, a Certificate of Comfort is not a lease in itself. Am I right in that?

Mr. Francis: You are correct, Mr. Solomon.

Mr. Solomon: A Certificate of Comfort, from my understanding a bit, is merely that you will not be evicted or removed forcefully, and it provides a certain level of comfort for the person holding the certificate.

Mr. Francis: You are correct.

Mr. Solomon: It is not a lease.

Mr. Francis: No, it is not.

Mr. Solomon: Alright. And is it that your end game is to provide a lease?

Mr. Francis: Yes.

Mr. Solomon: Right. Okay. So a person with a Certificate of Comfort does not necessarily mean that that person cannot be relocated?

Mr. Francis: You got that one right.

Mr. Solomon: So it maybe a short-term measure that the previous Board may have utilized to provide comfort is what I am asking.

Mr. Hosein: May be if I can help here, Chairman and member? When someone gets a Certificate of Comfort, traditionally that person sees that, he views this as a permanent document, and that is the misconception. And naturally so, people tend to improve the quality of their lives once they get this document in their hands. So they think they have a Certificate of Comfort, and what they do is to improve the quality of their housing. They probably convert from a wooden structure to a concrete structure. Then it becomes must more difficult in the future to remove that person if even you have to make that decision.

Mrs. Jennings-Smith: Mr. Chairman, hence the reason why I asked the question about persons there who have been for 30 years and build concrete structure. I really wanted to know what was the position, where we are heading?

Mr. Chairman: I think the Chairman said the law is the law and they cannot change the law.

Mr. Smith: Thank you, Chairman, through you. In the capacity before I was Member of Parliament for Diego Martin, I was the Chairman of the Diego Martin Regional Corporation and just like Sangre Grande we also have a big issue in the Diego Martin area with regard to squatters and so on. But a number of people who live in the Diego Martin area and throughout ask about in terms of how we enforce and educate the public with regard to squatting. I read in your submission you mentioned public advertising where you all try and control squatting through billboards, newspapers and so on—because I have not seen it, and a number of the public ask me why we do not do it and I saw it in the submission—but how often is it done; during what period of time; and how do we calibrate the success with regards to the money spent to educate and show in the media that we are doing something?

Mr. Francis: Member Smith, you are so very correct. You ask: how do we measure the expenditure as against success? There is not much that we can show. We do it as a matter of course to sensitize the public that squatting is illegal. And I will say here and to you, members, the public is well aware of the role and function of the LSA and our authority, and the powers that we have with respect to squatting and the powers we do not have because there is a court judgment delivered by—and it is in the public domain so I can call the name publicly—Justice Carol Gobin, and that judgment was delivered in the year 2011, January 2011, and it is in the public domain. That judgment says that the Land Settlement Agency does not have the power or the authority to go unto state lands and demolish squatters' houses. Chairman, members of the Committee, that is the law.

We in the LSA, between the period 2002 and 2010, made a brilliant attempt to contain squatting, and it was a policy that we adopted from a Cabinet Note—a Cabinet Minute and we were challenged in court that a policy is not law and we

lost the matter, and having lost that matter squatting became rampant in Trinidad. There is no letting up. So that Member Smith asked the question what is the end result of the moneys spent in advertising and sensitizing the public. The public knows very well that the LSA cannot break nor demolish their houses. That is not within our remit. It may surprise you, members, but that is the role and function of the Commissioner of State Lands in accordance with the law.

Dr. Francis: Mr. Chairman, through you, two questions. I was going to ask this one second, but I will ask it first. Seeing that you have just mentioned the role of the Commissioner of State Lands, what is the nature of the operational relationship between the LSA and that office; how effective is it; how efficient is it? That is one. And just for my curiosity, as a state agency, does the LSA know where all the state lands are? Is there a reliable registry of state lands in this country that can be verified? Thank you.

Mr. Francis: Chairman, I respond to my namesake, Member of Parliament for Moruga. We do have close monitoring with respect to squatters on state lands and we do advise the Commissioner of State Lands on a regular basis, continuously, of all the squatters that we pick up in Trinidad who are on state land, we bring it to their attention. Not only the Commissioner of State Lands, we go one step further and we advise the regional corporations throughout Trinidad, all in an attempt to get a buy-in from these two agencies who have the power. They have the power, we do not have the power, to take the squatters to the court of Trinidad and Tobago to get them to desist from squatting.

As I said earlier on, we made an attempt under Cabinet directive in 2006, but we were challenged—and I will not call the name of the lawyer who challenged us because it is in the public domain—and we lost the matter. That is the answer to member Lovell's question. And if we know where all the state lands are—

Dr. Francis: No, no. I am asking about effectiveness. Is the LSA—how should I phrase this correctly? When you bring matters to the Commissioner of State Lands, do you see the requisite action at the rate that the LSA would like to see it? I am asking the contentious question.

Mr. Hosein: Chairman, member, maybe I can help with that. Maybe the numbers could bring some clarity to that. Since 2013—and we will go back to 2013—for the last two and half years we have sent notices to the Commissioner of State Lands on a weekly basis. We have sent approximately 4,000 notices of illegal structures, brand new illegal structures on state lands since 2013 to now—4,000. We send this on a weekly basis. And as my Chairman said, it is also sent to the regional corporations.

The records are there to prove. How many of these out of that 4,000 has been dealt with? I cannot count any of them. We have sent the same notices to the regional corporations who have the powers under their legislation to deal with illegal structures that are constructed in their regions, and we have not been informed of any action that has been taken against any illegal structure, any show cause notice, we are not aware of it for the ones that we have sent to them. So if that can help in telling you—the relationship is there. We submit on a weekly basis. We have now put a system in place where this is sent electronically as well on a weekly basis to the Commissioner of State Lands and we attempted to do the same thing to the regional corporations. So they have real time information on which to act, but whether or not action is being taken is another question.

Mr. Chairman: Tell me something. Do you all do any kind of follow-up communication with either agency; the corporations or—

Mr. Hosein: We have regular follow-up, we have regular meetings, we have—

Mr. Chairman: And still no action?

Mr. Hosein: And there is still little or no action. I just want to draw an example of what is happening. We are presently developing an area called Sunries Ramlal in Penal as we speak, and as we speak we have brazen members of the public who are constructing where we are developing. Now the Drainage Department has earmarked a particular area for a detention pond—a vacant area for a detention pond—and the area has been overtaken by squatters who are claiming as their lands. So we have asked the Commissioner of State Lands and the regional corporation to intervene because on the one hand the state is spending millions of dollars to develop that particular area. An area has been earmarked for a detention pond so that we could complete this development and at the end of the day give leases to all the residents in the area because that is what we are attempting, but you have members of the public who are constructing as we speak. Just last week I was told another one is constructing in the middle of road where we are developing. But we send these notices to the Commissioner of State Lands and the regional corporation and there is little or no action.

Mr. Ali: Through you, Chair, could you indicate to me—there are about three questions here so I will pose all one time—with your records how many squatters do we have in total across the country on state lands? You also in your submission state that you have 4,469 lots that have been developed by the LSA and they are awaiting leases, how long will it take for those individuals to get the leases? And do these individuals, when you finish develop and issue leases, do they pay any sums of money to the state for those parcels of lands?

Mr. Hosein: Chairman, member, estimates of squatters. As I said earlier, we have approximately 23,000 squatters who applied for regularization under the Act and that was as at October 27th in the year 2000. As of today's date our best estimate puts the number of squatters at approximately 55,000 families—estimated 55,000

families—and if we multiply by four we are looking at well over 200,000 persons in Trinidad who are squatting. So that is our best estimate that we have. During the years 2009—2012 we conducted a comprehensive social survey and we were able to ascertain these numbers, and the numbers have grown over the years.

With respect to leases, your question on leases, yes we have developed approximately 4,400 lots and what we are attempting to do at this time is to get all the statutory approvals so we can move persons from the stage where they are in, whether at the Certificate of Comfort stage, they can move from that stage to the next one, which is getting their leases. Not every person who are on those 4,400 lots have applied for Certificates of Comfort. That is another issue. On those 4,400 lots we may just have about one-third of the persons who have applied for Certificates of Comfort. There are other persons on those lots who have not applied and not covered under our legislation. So that has to be dealt with by the Commissioner of State Lands as well.

Now what we have done over the years to get towards leases, we have put in full infrastructure, we are working with the regulatory bodies to get all the statutory approvals and we now have a pricing policy in place for persons to pay for these lots. Now the LSA is getting you to the point where we are saying we are offering you a marketable lease. Now it is up to the squatter, who is entitled under the law, to make that payment. We have put all the structures into place. The squatter now has to make that payment and has to buy-in to the idea that if he makes this payment he can have a marketable lease, one that he can take to the bank, he can use for collateral, et cetera, at the end of the day. But we have put all the necessary steps in place.

Mr. Chairman: What has the response been like in terms of paying?

Mr. Hosein: Now, we aggressively started this process in 2014/2015 moving

towards the lease stage because we have been able to get full approvals on approximately five sites to date. We have written to and communicated with the persons on these sites, the Certificate of Comfort holders and the persons who do not have Certificates of Comfort as well through the Commissioner of State Lands office, and the response so far has been moderate to the best. Persons, of course, are claiming that they do not have the finances to pay. We have even put things in place through institutions such as the TTMF, where we have negotiated with the TTMF to put soft loans in place—2 per cent loans—where they can now borrow from the TTMF at 2 per cent interest rate to pay for the land and even to construct new houses if they wish, but it is work in progress with the squatters.

Mr. Ali: Let me just follow-up with one question. I do not know if you will be able to answer, but at an average what is the cost a squatter have to pay on one of these lots? An average cost.

Mr. Hosein: The cost is based on a pricing formula. The lands are valued by the Commissioner of Valuations. It is on that basis the pricing formula works. The agreed price according to the pricing formula is five dollars per square foot for a squatter who is eligible under the Act, plus a premium of 20 per cent. That premium is based on the difference between the open market value and the five dollars a square foot. So lands situated for instance in Moruga where we have developed, because of market forces the price would be less than lands situated in Port of Spain. But an average from what we have calculated—and I can give you the example of Moruga again—the average price for a lot of land for a squatter who is entitled under the Act in Moruga would be between \$60,000 and \$80,000 for a lot of land.

Now that lot of land cost the State approximately between \$130,000 to \$160,000 to develop. So the squatter is getting a subsidized price at the end of the

day for that lot of land. The open market value of that said lot of land would be much more than the \$160,000. We have been given open market values for some of the lands that we have developed in different parts of the country as much as \$300,000 and \$400,000 for the lot of land.

Mr. Ali: And this lot of land is usually the 5,000 square feet, right?

Mr. Hosein: The Act says that it is 5,000 square feet more or less.

Mr. Paray: Mr. Chairman, does there exist in Trinidad and Tobago a land use policy? Has one been developed over the years in terms of a policy document as to land use?

Mr. Francis: Member for Mayaro, that question that you have posed should really be answered by the Town and Country Planning Division. They set the policy and the guidelines for agricultural lands, residential lands, commercial lands, industrial lands, they should have that policy. We deal and treat with in accordance with the remit of the Act, residential squatters on state lands. And may I, as a follow-up to my CEO's response to the question about the land pricing. We are an agent of the Government and the Government role, as you all are Government MPs, is to assist the citizens. Whether the poorer citizens, it is to assist the citizens in general, and that the \$5 per square foot is subsidized, grossly subsidized. It is a loan that the State engaged the IDB and it is the IDB money that the Land Settlement Agency utilized to develop those squatter sites, and that we take our cue from the Government of the day. I repeat, we take our cue from the Government of the day.

Mr. Hosein: Chairman, if we could just go back to the question on land use planning? For all sites that the LSA has developed to date we have engaged with Town and Country Planning as my Chairman says. They have a responsibility and we have engaged all the other agencies such as the EMA before we do any sort of development. We have been very proactive. For instance, we are presently

engaged in land use studies in three particular areas in the country—the greater Valencia area, the Point Fortin area and the Couva area. Large tracts of lands all over, close to 2,000 hectares, where we are developing a land use plan, not only for where the squatters are, but looking at the entire area and we are working with the Town and Country department, the EMA, the Ministry of Planning in coming up with a proper land use plan for these areas.

Mr. Chairman: I noticed that you made reference in your submission to two other state agencies that have some similar responsibilities. I am talking here about PSAEL, and I think it is the other state agency with responsibility for former Caroni lands. To what extent do these agencies represent any sort of difficulty for you in terms of applications you have received?

Mr. Hosein: In our Act there are approximately 65 sites that are listed in the Act that are on lands of either Petrotrin or PSAEL, and there are thousands of squatters on these sites. We have been working with and we have engaged these institutions over the years with a plan to developing and regularizing persons on those lands. But these agencies have the responsibility because the lands are vested in them and they have rights to the lands. We are constrained in our approach in regularizing squatters on these because they have a responsibility as well.

Now for former Caroni (1975) Limited lands, the responsibility lies with the Commissioner of State Lands and to a lesser extent with the EMBD.

Mr. Paray: I noticed in your submission, the last couple pages, you listed a lot of the challenges that the LSA experiences in terms of all the various bureaucracies involved. If you were to give me an idea, if all things being equal and all the different agencies of state were doing what they were supposed to be doing in a very effective manners, what would you estimate to be the time lag between, when an application is made for one of these pieces of land to the issuing of the deed?

That is the first part.

The second part. In your experience so far, in my understanding, it is the Commissioner of State Lands that actually gives the final sign off on these deeds, do you see that being a hindrance in terms of the speed of the processing? You and your agency may be working as fast and as best as you can, but when it goes across to the Commissioner of State Lands, has it been your experience that some of your bottle neck may be in that area?

Mr. Hosein: Now the question on time lag, Chairman and members, for processing of applicants, from application to tenure. Now that has a number of parts. One, it is the actual processing in terms of the legal documentation, a person who has applied for a Certificate of Comfort and then processing them in order to have that Certificate of Comfort, and eventually towards getting a deed of lease at the end of the day.

That is a long process, primarily because the issue of state lands, we have to be very clear whether the lands are indeed state lands or not state lands. Many persons have applied for Certificates of Comfort, they are on private lands, they are on lands of other state entities, and because we do not have—I do not think there is anywhere, in any of the organizations, any proper records which can clearly say Mr. X who has applied in this particular area in Sangre Grande is on state land or is on a forestry reserve. So we have to check every applicant to make sure where there application is. That is one.

The other part of the process involves the development works. Now development works, from taking a raw site to bring it up to the full standard takes approximately four years because you are engaged in the initial planning, land use planning, engineering designs, working with the different regulatory agencies, engaging of contractors, et cetera. The actual works itself will take approximately

four years from start to finish. Now all of that can happen if you have the finances to do it. Now we are also hamstrung by that as well because if you do not have finances you cannot engage in development.

Over the last five or six years, the LSA has been hamstrung for money for development. Our biggest budget over the last five years might have been about \$40 million in any one year. It is only in this particular financial year we got the largest budget over the last six years, we got \$70 million for development works. So that, and as I said before, the cost of development for one lot is approximately \$130,000 to \$160,000. So a lot of what we would like to achieve in terms of fast-tracking the process is dependent on financial resources.

Your other question dealt with the issue of leases. Yes, we work with the Commissioner of State Lands with respect to leases and the other agencies that have the responsibility, the Commissioner of State Lands works with the Chief State Solicitor's Department. And their administrative processes which, in our opinion, can move a lot faster but that is beyond our remit.

10.55 a.m.

Mr. Paray: Following up that, in the report on page 17 of your submission, under designation of sites and declaration of sites as designated areas, the report states that the LSA cannot issue leases for the Land for Landless Programme because none of the sites has been declared as settlement areas. The question is, do you think that if the LSA were given the autonomy to issue deeds of leases, that would improve on your delivery time for these deeds and so on?

Mr. Hosein: Certainly, if you have a one-stop shop where you have all the authority to do so, it would improve the time frame for issuing of leases.

Mr. Paray: Now, that being said, the legislation, under sections 16(1) and (2) of the regularization of State Act, where the President has the powers to give the

Chairman a certain amount of authority to do that, has that ever been considered as probably one of the changes that we can look at in the legislation?

Mr. Hosein: Under the legislation, the Chairman of the LSA has the power to sign leases for squatters who are protected by the Act and who have been granted a Certificate of Comfort, and those are the only ones that the Chairman of the LSA can sign leases for. All other leases have to be signed by the Commissioner of State Lands.

Mr. Paray: Okay.

Mr. Chairman: You were referring just now to the disparity between the cost of development as undertaken by your agency and what the pricing structure is, in terms of what you could recover from the resident. You also indicated that there is a time gap between when works are initiated and delivery time. I think you suggested as much as four years, if I am correct. What I was wondering is if within that time frame, would it be unreasonable to have a fee structure because any other situation, people would have been paying land taxes as it were or rentals, you know, if they were on private lands, good, they would be paying a rental fee to the substantive owner. What do you think about the possibility of charging rates to such occupants in the intervening period so as to provide basis for funding of your agency?

Mr. Hosein: The basis of applying the pricing policy is really based on the person having a lease.

Mr. Chairman: I am not talking here about price of the land, you know, I am talking about there is a disparity between the cost, the moneys which you would eventually recover, good, and what it cost to develop, and given that there is a time frame in-between the two—you indicated that there may be up to four years to get the development works organized and therefore get all the lease arrangements in

place, if it is possible. So I am suggesting, I am asking you, what you think about having a fee structure. We are not talking here about the sale price of the land, we are talking here that these people are occupying lands and if they were on a private situation, they would have been rate payers, land tenants. You follow me?

Mr. Hosein: Yeah. I will pass over to Ms. Darbeau for this question.

Mrs. Darbeau: Thank you, CEO. Mr. Chairman, I hear you and I think there are several ifs or conditions I would have to suggest would have to be lined up or be aligned for that proposal to be practical. For instance, we are dealing with squatters who have not yet defined or acquired an interest in the lands. Once you engage someone to start a payment, it may have the effect of that person acquiring an interest or being able to say in the future but I have invested by making these payments. At the point at which someone is a squatter or even the holder of a Certificate of Comfort, as Member Solomon said earlier, it is a licence; it is permission, it is protection, it is no interest. We are taking it a step further where the person is actually offering some form of consideration or some sort of rate for being in occupation. That might be building an interest.

Secondly, if the lands have not yet been developed to the stage where there are boundaries or defined designated area of occupation, they are paying in a vacuum. You are not sure if they are paying for 4,500 square feet or 5,000.

The last issue is probably the most challenging one. Very often we realize that the persons in occupation may not even be the persons who applied for the Certificate of Comfort. So we go on the site today, we find John Doe, but we find out, when we do our checks and our surveys and we look at all our documentary evidence, that it is Mary who is the Certificate of Comfort applicant but Mary may have migrated or deceased or moved to the lot next door. We have to be clear as to who we are engaging, who we are creating a relationship with, a contractual one

and payment takes us into the realm of a contractual arrangement. So I think that can work if—

Mr. Chairman: A tenant at will is a contractual arrangement, you know.

Mrs. Darbeau: Yeah but these are the tenants. They do not have any legal relationship yet. By definition, a squatter has no legal relationship yet with the landlord—there is no landlord. So that we have to be careful. I think it could work, Chairman, if in fact we are liaising with the parties who we are clear are the bona fide recipients of Certificates of Comfort who are within designated areas, who we are certain may move forward to the deed of lease stage. So like I said earlier, if all those ifs line up, we could probably deal with those. The persons who are on the lands who have no record of any application or whatsoever with the LSA, or we have no application from them to draw an inference that this is the person who has applied for this spot, it will be very difficult, I think. We will have to look at it very carefully.

Mr. Solomon: Through the Chair, you mentioned earlier on the regional corporations. I wonder if you could tell us which regional corporation has the most submissions from yourselves out of all the corporations.

Mr. Paray: Chair, Member, the regional corporations that have the most submissions would be the Sangre Grande area and the Point Fortin area. Those are the two that have the most submissions from the LSA.

Mr. Chairman: Are you all invited to the regional coordinating committee meetings at those corporations?

Mr. Hosein: A member of staff attends each one of those.

Mr. Smith: Chairman, and they would have attended the Diego Martin ones quite frequently and they were very helpful in helping deal with it in Diego Martin.

Mr. Hosein: Chairman, we attend, we make a case that we need assistance from

the regional corporations but it is not reciprocated. Again, we also invite the regional corporations, Chairmen and CEOs, to our regular meetings, which are held monthly at our office where we invite all the regional corporations to come together with us, together with the Commissioner of State Lands office. It is a coordinating meeting really where we try to come up with strategies to deal with this new squatting, unfortunately, not much action.

Dr. Francis: Mr. CEO, do they actually attend the meeting?

Mr. Hosein: Yes, it is well attended, but you do not have much action after that. So what we have done recently, Member, we have written to the Ministry responsible for the regional corporations asking for clarity with respect to the law and how the law should be applied. Because what you find is that each corporation that attends the meeting has a different perspective on the way action should be taken. So we have now written to the Ministry, the Permanent Secretary, asking for clarity and asking that if the Permanent Secretary could come and address the meeting when next we meet, to let the regional corporations, let the CEOs and the Chairmen know, this is the course of action that should be taken.

Mrs. Jennings-Smith: Chairman, I want to refer to page 1 in the submission by the LSA, item (h), monitoring and patrolling of sites, they say in Act 25 of 1998. And I want to say, in your submission, you indicated that the measures implemented to attempt and to control squatting were monitoring and patrolling. Do you have a special unit there to engage in patrolling of the sites?

Mr. Hosein: Chairman, Member, yes, we have a unit called our Containment Unit that monitors and patrols and reports each new incidents of squatting. Of course, it is a small unit in terms of the numbers. The total number of patrol officers, from my recollection, it is about 32 in total. It is all of Trinidad that is to be patrolled. There are 32 listed on this structure but we do not have a full complement at this

time.

But I can also say that at the Commissioner of State Lands office, there are hundreds of officers there who are employed for patrolling of these sites. At the forestry department, they have hundreds of forestry officers who are employed, who also have a responsibility for patrolling and reporting incidents of squatting, et cetera, and the destruction of the forest that is taking place. So we are very small in the scheme of things but we do monitor and patrol and we do report, as you see it from the numbers that we have presented, over 4,000 reports of new squatting over the last two and half years, three years.

Dr. Francis: Which lends itself to the obvious question, is there any level of coordination between these bodies in terms of that monitoring?

Mr. Hosein: Member, as we indicated before, our regular meetings are the means by which we are attempting to coordinate. We provide information on a weekly basis in writing and, as I said before, also we are attempting to do it electronically to these institutions so that they can take the necessary action and use the powers that they have, you know, to deal with the new squatting.

Mr. Chairman: I think we should cut to the chase in the sense that in terms of your actual recommendations, good, you indicated that land management authority will be the direction to go. Do you want to elaborate a bit on that?

Mr. Hosein: I will pass to Ms. Darbeau.

Mrs. Darbeau: Thank you, Chairman, thank you, CEO. I have been at the LSA for 10 years and I have been looking at the legislation for as many years. In the most recent version of my recommendations, I always start with identifying all state land clearly and having a designated authority. I am not going to take that term you used, land management authority, whatever it is called, a place which can be considered the repository of all information on state land. Not just physical

records but electronic records and not just records that are coloured pink saying it is state because those records may be from 1847.

We have to look at the current jurisdictional use. Certain lands may have been allocated for early childhood centres, for sporting complexes, for petition by farmers. There are so many things. They may have been the subject of a licence for mining and exploration, quarrying. There is no one place with all of this information. So in terms of recommendations and a body to take care of that, yes. We need to have that place because I live that headache of a Clerk doing a search and piecing together a puzzle. Sometimes doing a research for surrounding parcels of land to try to determine what the middle one is. So by the process of elimination, we determine, well it means this is probably so. Unfortunately, there is no one place which all of that information resides. That is a major, major constraint.

We also have to be mindful about transactions and the administration of state land in terms of allocations, assignments, any form of dispensing of state land, it needs to be done in a timely manner. Yes, I know Cabinet Minutes usually contain a lot of information but does that reach to the record holder to be reflected in the records; that hardly ever happens. And I have had to look at Cabinet Minutes as well to determine whether this land has changed jurisdiction. Has the process been completed? No. So it needs to have a review of that process in terms of any going forward.

We need to look at the administration in terms of the officeholders with responsibility for enforcement. I cannot ignore the need for legislative review, comprehensive legislative review—not just between the LSA and the state lands Act which governs the Commissioner's office but all offices and entities that deal with state lands. Persons must know where their responsibility lie, identify where

there are overlaps, where there may be duplicitous actions, agricultural and whatsoever.

And the recommendations would surround those two key factors: harmonizing policy with the law and making sure that we complete the process so that the layman or the technocrat or the politician or anybody, could get real-time information on the status of a parcel of land and know what they are entitled to, what can be done with it.

Mr. Chairman: Tell me something, from the information available to you, is there any state agency right now that at least from the electronic perspective has a repository of the state of occupation of lands, whether it is as squatters or as bona fide residents because you know now we are talking about electronic scanning. Is there any single state agency that has that kind of real-time information?

Mrs. Darbeau: Well, singly, the LSA has information. Now, when we provide information and we do our patrols, we take up the GPS coordinates of the structures that we pick up and we plot it. I would allow the CEO to indicate in terms of which agency may have the most, but I know Land and Surveys has information, the Ministry with responsibility for lands would have information, the LSA would have information on squatting. I do not know if there is anything additional.

Mr. Hosein: The Ministry for agriculture has a—there is a programme, List the Parcel Viewer, which they have attempted to incorporate all the different uses of state land and all the parcels of state land that have been given out. That is an on-going process where they are trying to update that. We are also part of that process, updating all squatters as Ms. Darbeau said, on to that and all the sites that we are developing, that information is put on to the list as well.

Mr. Chairman: Okay. I have noted the recommendations you have made in

terms of possible revision for your governing legislation and I am also taking alongside, as you indicated, whatever they may call it, but an agency dealing with what we would expect a land management authority to handle. But do you feel that the mere revision of your legislation, the creation of an umbrella body, a land management authority, for want of a better term at this stage, would be sufficient? I know it is necessary but would that be sufficient? Or is there need for something other than redrafting your legislation, creation of an umbrella authority? Would those two things be sufficient to get to the bottom?

Mr. Hosein: Well, Chairman, that would be a start in moving in the right direction, the creation of some authority that has overall control. Not to say that the Commissioner of State Lands office does not have that at this time. It probably just mean getting all the administrative process in place and of course, giving an agency like the LSA the power to deal with new squatting and that is what is needed at this time.

Because if we continue with the rate of new squatting that is happening, we will be forever regularizing, we will be forever trying to develop areas, and this will be a cycle that we will not be able to stop.

Mr. Chairman: I was trying not to put words in your mouth but I will come to my point. With the creation of a designated land court, do you see that as having relevance to this situation?

Mr. Hosein: Ms. Darbeau.

Mrs. Darbeau: Thank you. Most definitely, Chairman. Actually, during the course of our recommendations, that was one of them. We have even looked at stretching the boundaries of existing tribunals or commissions, like perhaps the Environmental Commission, to expand to deal with designated matters of lands. It would not just serve the Land Settlement Agency or state land, there other pieces

of legislation out there that affect private land that refer to tribunals to deal with any disputes and they have never been created.

For instance, the Land Tenants (Security of Tenure) Act, it refers to tribunals that have to address the disputes under that Act and those tribunals do not exist. So persons with claims under that legislation have no other redress but to go before the High Court, and the High Court has a lot of matters to deal with. So extracting some matters that could be dealt with otherwise would be a step in the right direction.

Mr. Chairman: Okay. As you hinted at it and as your Chairman, I think, had raised it earlier, I will go there because—and I think the CEO lamented the fact that forest reserves, aquifers and so on are endangered by these squatting situations and, from my experience in the regional corporations, I am aware that hillside squatting has an impact on irrigation systems, drainage systems, across the entire east west corridor. The EMA, Environmental Management Authority, what has been your experience of their efficacy in all of this?

Mr. Hosein: Chairman, we have been working with all these agencies. As Ms. Darbeau pointed out, this was only last week, and I think it was last week Friday or so, we met with the EMA together with the Ministry of planning.

Mr. Chairman: But you have meeting with the regional corporations.

Mr. Hosein: And we have been meeting all of these agencies.

Mr. Chairman: To no avail.

Mr. Hosein: The most we can do, Chairman, is to point out what we think their powers are and what they should be doing to assist with the situation. And you are right, we are in danger, our forest reserves are being destroyed, our aquifers are being destroyed with new squatting. Hillside development, it is going to pose a threat to all of us in the future. It is posing a threat now to us and it will continue

to pose a threat to us in the future if we do not deal with this situation.

Mr. Francis: Chairman, let me embellish the point that my CEO has raised in response to your question. Chairman, for instance, Farm Road in St. Joseph opposite to WASA, if you dig four feet, water springs. It is an aquifer, it is. And over the years, Chairman, last administration—not the previous one between 2010 and 2015 I am talking about, prior to that—we refused to give CoCs to squatters in Farm Road because of the aquifer, four feet, water springs. The whole of Mount Lambert is within the same belt.

Chairman, the last—2010—2015, big ceremony, all in La Joya Complex, all about the place, CoCs handed out to squatters in Farm Road and they all have it. What does an administration do thereafter when Farm Road residents have Certificate of Comfort? We have to found a place to house them. Find a place because the Act says that and the last board did it with the consent and authority and with the powers that be at that time. It begs the question, where are we going? We make three steps to do the right thing and five years after, we make 10 steps to do the wrong thing.

Mr. Chairman: Are there any other questions?

Mr. Paray: Yes, Mr. Chairman. Are you satisfied with the current levels of manpower that you have at the LSA? That is one. Do you think that the LSA requires specialist positions that are not currently available to smoothen or to make better use of your manpower? And lastly, is there adequate use of technology in the delivering of your services at the LSA. And the reason why I am asking these questions is that part of our mandate really here is to make the appropriate recommendations to fix some of the issues that are challenging you at this time. So if you could answer those three questions, I would be happy.

Mr. Hosein: The LSA has an organization structure of approximately 193 staff. It

is all on contract. At this time, we have about 90 persons who are on contract at this time out of that. The structure in our mind is adequate to deal with our work, but we need the financial resources if we are going to have all the manpower in place to effectively deal with our mandate. So that is what is required. For instance, if we are to full the entire, we would require approximately \$35 million to full the entire structure for one particular year to meet payments for contracts' salaries. We are way below that in what we are given so we cannot full the structure as it should be to deal with it.

In terms of technology, we have improved quite a bit. As Ms. Darbeau pointed out, we have been engaging at the use of technology over the years. We have improved in terms of the technology. We now have GPS equipment, et cetera, where we have be able to get the coordinates of every structure that is out there, be it existing squatters who are protected under the Act or new structures that are going up, we have that technology in place, so we have improved a lot. So we are okay with respect to technology. It is the linkages that need to be formed with the other institutions that need to be improved.

Mr. Ali: Chairman, CEO, you indicated early about the—approximately about 55,000 families squatting and out of that 55,000, you also indicated in the submission here that you have about 23,000 to 28,000 that applied for Certificate of Comfort. How is the LSA treating with these rest of families noting that we understand that housing is a necessity for each and everyone one of us? And do you have any information with these squatters? Have they applied for housing through the NHA? Is it a duplication that they are applying to Certificate of Comfort and housing at the same time? So we could eliminate some of these, you know.

Mr. Hosein: Chair, Member, as I said before, approximately 23,000 persons

applied for Certificate of Comfort and you are right, the numbers—we estimate there are 55,000 squatters now on state lands alone. What is happening with the others, they are not protected under our governing legislation. Many of those squatters live in sites listed in the Act, did not apply, came long after the Act was passed, long after the date for applying for a Certificate of Comfort.

How are they to be dealt with? Now, they can only be dealt with in accordance with the law. The Commissioner of State Lands has the power under the state land Act to create villages but that has to be a policy that is carefully thought out because you have many persons who are now coming onto state lands who would expect to be regularized and they are entering onto protected areas and should not be regularized, so we have to be very careful how that policy is administered.

Mr. Chairman: Okay. I want to take this opportunity to invite the Chair—

Mr. Paray: Just following up from what Sen. Ali said that there is a desire to have a home by every single citizen in this country and you know I hear, Chairman, clearly in terms of the law has to be followed, it must be followed. But how do we, as a country, deal with those people who does not fall into all the requirements, the ability to get the loans, the ability to get soft mortgages and so on? Has the LSA thought or put any thought into what do we do with that batch of folks? Do we evict them? Where do they go? Because at the end of day, I cannot see that we are going to knock homes down, knock these squatting homes down, because they do not fall within the confines of the law or they do not have the financial wherewithal to apply to the home mortgage banks to get these 2 per cent loans. What is outside there? What is available for that section of our citizenry who will not fall into those categories?

11.25 a.m.

Mr. Hosein: Chairman and member, the State has a responsibility in our view, to an extent, to provide solutions and of course that is being done through the Housing Development Corporation, under the Ministry of Housing and Urban Development. The LSA has a responsibility under the Act for regularizing squatters and for providing alternatives in the form of land and we have the programme, the Residential Lots Programme, Land for the Landless, which is a programme which is meant to do that, to provide alternatives for persons.

Coming back to the earlier question: whether many of those persons who are residing in squatting sites have applied to different institutions like the HDC for houses as well? Of course. We share a common database. We are aware that persons who are squatting have also applied for houses under the different programmes. Many persons who are squatting have also applied under the Residential Lots Programme, Land for the Landless, for alternatives as well. So, you are right. There is a responsibility to provide alternatives, so that we can help to house our people.

Mrs. Darbeau: Member, if I may just speak after the CEO. I think if it is the policy directive is to address those persons who are not covered and who may not qualify for housing schemes that require mortgages and what have you, there would have to be a legislative amendment to deal with those persons, in the sense that the date would have to be looked at. Every aspect of regularization would have to be re-examined. It may not be in the current format. It could be another format. It could be via the Commissioner of State Lands Office, the custodian of state lands. But it would have to be looked at or else it would always be outside of the Act. Unless there is some legislative policy or provision in place to address those persons, they would be outside.

In terms of the persons who may coexist in different applications or databases, at some point there would have to be a choice made. In the legislative review amendments that I have been working on, we have catered for those scenarios of persons who, after many years, may have inherited property or otherwise come into ownership of property, as well as applied under other land programmes, state land programmes as well. We have to look at a choice. We have to look at what is the supervening policy, whether a person would be entitled to benefit from two housing solutions offered by the State.

Perhaps, there may be room for nominating a landless relative without compromising the landlessness element of why is the State intervening in housing in the first place, it is to assist the landless. It is not for profit or for speculation. So once those parameters are kept and the elements are put in place, it may be possible to address that group, address a person who got an HDC house but has a COC, but it must be looked at very carefully to ensure that who the benefits redounds to is not someone who is going to be profiting from a state subsidized programme. That would be my view.

Mr. Paray: My final comment. I did some research under an Act called the Homestead Act in the United States and, perhaps, if you get some time you can take a look at it. They looked at finding a solution to similar problems where you have three, four or five people who may be having these squatting homes on one lot of land in the United States, of about 10,000 square feet. And under the Homestead Act, they gave a legal authority, through the Act, to have them stay in those spots. They gave them their 1,200 square feet, or 900 square feet as the case maybe. But there was a squatter tax that was paid. It was very, very minimal and the agencies were using these funds. So, one, they were not going to break these homes down because they were already settled there. There is a roof over their

heads. They have children and so on. But they were asked to pay a very minimal tax and some of that revenue was used to put into the infrastructure of designated areas. And eventually the understanding was that they would move into these areas. So, with probably a little bit of research as to what they are doing in other parts of the world, because I know there are areas where persons are suffering the same challenges as we have. We might be able to find some alternative solutions that you can put into the legislation for your recommendation and really, really not take the approach of going and knocking down these homes.

I am fully aware of following the law. We all sought to do that here in this Parliament. But we must have compassion, at the end of the day. As to how far that compassion goes, that is another question. But, really, we must find a way to treat with those that really do not fit under where the legislation would drop. So I ask you to do a bit of research on that matter.

Mr. Chairman: Chairman, I think you indicated that Justice Gobin's decision—
[*Interruption*]

Mr. Francis: True and correct.

Mr. Chairman:—have made it clear that you are not in the business of demolition.

Mr. Francis: We do not have the powers. Let me respond to member Paray, Chairman. A classic example, in the year 2009, the LSA had developed 703 first-grade squatter sites in Carapo Race Course. For those who had applied for Certificate of Comfort, we had approximately 300 squatters on that site and we put down first-class road, water reticulation. You got it right. And Chairman, member Paray, by July 2010, we lost 400-plus lots that were developed within that site and the HDC had promised faithfully to build duplex houses on those 400 additional sites to assist the housing population. Chairman, they all moved in, the same

squatters that Mr. Paray is empathizing with. They have seized three lots, 15,000 square feet. Some have seized 10,000 lots. Some have seized the 5,000 square feet and they are there at present. There is no legislation. We dare not touch them. They have chased out the patrol that the LSA has on its staff. They dare not enter.

Mr. Chairman and members of the Committee, all the moneys that the State spent in Carapo Race Course, the LSA staff dare not enter. So with all the empathy and sympathy, Mr. Paray, do not do this, do not do that, we are following the law, we are not entering.

Mr. Paray: Okay.

Mr. Chairman: Before we close, I would invite the Chairman to make your closing remarks unless that was your closing remarks. I would allow you to end on a better note, Mr. Francis.

Mr. Francis: Chairman, thank you very, very kindly and members of the Committee for inviting us. We appreciate very much the request and to share with you the frustration that the public officers, even putting our better foot forward on a continuous basis, it is the frustration that we endure. We endure frustration with our good effort, our commitment, our dedication and our loyalty to State and to the Government of the day. We are hamstrung on a continuous basis.

You would have heard us, Chairman, the CEO, Mrs. Darbeau and myself, we speak to you all with a certain form of passion and emotion. We ought not to, really. We ought to behave as others behave, without any emotion and passion but we do too much in the LSA to assist the downtrodden and if not the downtrodden, the society at large, and we are not being given the kind of support. If we were not made up of stronger steel we would just throw our hands in the air in surrender and walk away. But we have not done that, Chairman. Once again, thank you all very, very much. Thank you.

Mr. Chairman: Mr. Chairman, I want to take this opportunity, in closing, to really compliment yourself and your staff for this document, this submission which you all gave to us. It was quite detailed and I am satisfied that between yourself and your staff that a lot of hard work went into answering the questions we raised, and from the conversation we just had, I am satisfied that the Land Settlement Agency is in fact one which we as residents of this country can be proud of the work that you all do and the seriousness in which you engage yourselves. So I want to thank you for the effort that went into this submission and to assure you that this Committee has taken seriously your recommendations and your intimations over the last hour and a half. Because it is not every day that you are in a position to compliment those who serve the public for doing so well. And I think that is the common feeling here this morning. So, again, thank you for your submission and for the passion with which you presented and represented your organization this morning. Good.

I now wish to thank our viewers and our listeners, good, for sharing their time with us over the past hour and a half on the Parliament Channel and on the FM channel, good and, of course, to thank the fellow members of my Committee for their questions and their contributions to this session. This meeting now stands adjourned.

11.37 a.m.: *Meeting adjourned.*