

Election of Chairman

Monday, September 10, 1990

HOUSE OF REPRESENTATIVES

Monday, September 10, 1990

The House met at 10.10 a.m.

ELECTION OF CHAIRMAN

Clerk of the House: Hon. Members, I have to inform you that the Hon. Speaker of the House, Mr. Nizam Mohammed and the Hon. Deputy Speaker, Dr. Anslem St. George, are both absent from the country. In accordance with Standing Order No. 5 (2) it is my duty to call upon the House to elect from amongst Members present who are not Ministers or Parliamentary Secretaries, a Chairman for today's sitting of the House.

Under these circumstances such election is conducted in accordance with Standing Order No. 3(1). I now call upon you to elect a Chairman and invite nominations therefore.

The Minister of Industry, Enterprise and Tourism (Dr. The Hon. Bhoendradatt Tewarie): I beg to nominate Mr. Theodore Guerra, the Member for Port-of-Spain South, to chair today's proceedings.

Seconded by Hon. Joseph Toney.

There being no other nominations, the Clerk of the House declared Mr. Theodore Guerra duly elected Chairman of the House of Representatives.

[MR. CHAIRMAN *in the Chair*]

PRAYERS

Mr. Chairman: Hon. Members, this House will now be suspended for five minutes.

10.15 a.m.: *Sitting suspended.*

10.18 a.m.: *Sitting resumed.*

PAPERS LAID

1. Certificate and Report of the Auditor General on the Accounts of the Republic of Trinidad and Tobago for the year ended December 31, 1989 and on Audit Activities conducted during the year [*The Minister of Finance (Hon. Selby Wilson)*].

Papers Laid

Monday, September 10, 1990

2. Central Bank of Trinidad and Tobago Annual Economic Survey for the year ended December 31, 1989. [*Hon. S. Wilson*]
3. Central Bank of Trinidad and Tobago Annual Report for the year ended December 31, 1989 [*Hon. S. Wilson*].
4. Report of the Auditor General on the Accounts of the St. George East County Council for the year ended December 31, 1984 [*Hon. S. Wilson*].
5. Report of the Auditor General on the Accounts of the Trinidad and Tobago Racing Authority for the year ended July 31, 1985 [*Hon. S. Wilson*].
6. Report of the Auditor General on the Accounts of the Trinidad and Tobago Racing Authority for the year ended July 31, 1986 [*Hon. S. Wilson*].

[Papers 4 to 6 to be referred to the Public Accounts Committee.]

7. Report of the Auditor General on the Accounts of the Trinidad and Tobago Small Business Development Company Limited for the year ended June 1, 1989 to December 31, 1989 [*Hon. S. Wilson*].
8. Report of the Auditor General on the Accounts of Trinidad and Tobago Mortgage Finance Company Limited for the year ended December 31, 1989 [*Hon. S. Wilson*].

[Papers 7 and 8 to be referred to the Public Accounts (Enterprises) Committee.]

9. The Ombudsman Ninth Annual Report—December 6, 1985 to December 5, 1986 [*The Minister of Industry, Enterprise and Tourism (Hon. Bhoendradatt Tewarie)*].
10. Medium Term Macro Planning Framework, 1989—1995 [*The Minister of Planning and Mobilization (Hon. Winston Dookeran)*].

SELECT COMMITTEE REPORTS

Presentation

Institute of Internal Auditors (Inc'n) Bill

The Parliamentary Secretary in the Ministry of Youth, Sport, Culture and Creative Arts (Mr. Kenneth Butcher): Mr. Chairman, I beg to present the report of the Special Select Committee of the House of Representatives appointed to consider and report on a private bill for the incorporation of the

Institute of Internal Auditors of Trinidad and Tobago and for matters incidental thereto.

Caribbean Forest Conservation Association (Inc'n) Bill

Mrs. Muriel Donawa-Mc Davidson: Mr. Chairman, I beg to present the report of the Special Select Committee of the House of Representatives appointed to consider and report on a private bill for the incorporation of the Caribbean Forest Conservation Association.

Confederation of African Associations (Inc'n) Bill

Mrs. Muriel Donawa-Mc Davidson: Mr. Chairman, I beg to present the report of the Special Select Committee of the House of Representatives appointed to consider and report on a private bill for the incorporation of the Confederation of African Associations.

School of Philosophy (Inc'n) Bill

Mr. Raymond Palackdharrysingh: Mr. Chairman, I beg to present the report of the Special Select Committee of the House of Representatives appointed to consider and report on a private bill for the incorporation of the School of Philosophy.

Office of the Ombudsman

The Minister in the Office of The Prime Minister (Mrs. Margaret Hector): Mr. Chairman, I beg to present the report of the Joint Select committee of the House of Representatives appointed to "Review Legislation establishing the Office of the Ombudsman in order to strengthen that Office so that it may provide more effective resolution of the citizens' grievances and curb bureaucratic abuses."

Broadcasting and Televising of Debates

The Minister of Industry, Enterprise and Tourism (Dr. The Hon. Bhoendradatt Tewarie): Mr. Chairman, I beg to present the report of the Joint Select Committee of Parliament appointed to consider and report on all aspects relating to the broadcasting and televising of the proceedings of Parliament.

10.25 a.m.

Public Accounts (Enterprises) Committee

Mrs. Muriel Donawa-McDavidson: Mr. Chairman, I beg to present the First Report of the Public Accounts (Enterprises) Committee for July 1987—August 1989.

Committee of Privileges

The Minister in the Office of the Prime Minister (Hon. Margaret Hector): Mr. Chairman, I beg to present the First Report (1989—1990 Session) of the Committee of Privileges of the House of Representatives.

ORAL ANSWERS TO QUESTIONS

The Minister of Industry, Enterprise and Tourism (Dr. The Hon. Bhoendradatt Tewarie): Mr. Chairman, I beg to move that the questions to Ministers for today's sitting be deferred.

Mr. Trevor Sudama (Oropouche): Mr. Chairman, may I have a say in this matter? I wish to say that all the questions on the Order Paper for today's sitting are in my name. These questions were deferred from the last sitting of the House which I believe was held on August 10 this year. Having regard to the circumstances which existed in the country before August 10, I was quite willing to have a deferral of these questions to the next sitting to allow the Government ample time to put its disordered house in some sort of order. It is now one month since the last sitting of the House and I cannot see why, in the interval, a response to these questions could not have been prepared for this House.

My concern is whether this House is being used in a certain way; whether it is regarded as a humbug by members of the Government; whether in fact this much touted democratic principle about which we have been hearing so much in the last few weeks, is rather a convenient pretext in order to bring this House and its proceedings into a form of disrepute.

Mr. Chairman: Member for Oropouche, I will ask you not to make a speech. I understand your concern about the questions being deferred. Have you been consulted on the question of the deferral?

Mr. Sudama: One Minister came to consult with me—the Minister of Health. I do not know if he is still the Minister of Health. He did come to consult with me and I told him whatever he had to tell me, he should tell the House. That was the level of consultation with respect to this matter. I think it is really unfair to this House—

Dr. Tewarie: Mr. Chairman, I did not think that the deferral of the questions was such a big issue, but since it is, we are prepared to answer two of the questions to the Minister of Works, Infrastructure and Decentralization, and ask the leave of the House to defer the remaining questions.

Mr. Chairman: Could you indicate which are the two questions?

Dr. Tewarie: Questions numbers 49 and 50.

Mr. Sudama: Having regard to the fact that this might be the last sitting before the recess, I hope you understand the urgency on my part to have these questions answered in this session of Parliament.

San Fernando Bye-Pass Road

49. Mr. Trevor Sudama (*Oropouche*) asked the Minister of Works, Infrastructure and Decentralization:

With respect to the dualling of the San Fernando Bye-Pass Road from the Mon Repos Roundabout, could the Minister state:

- (a) What date this work was commenced?
- (b) What is the length of the roadway which has been completed to date?
- (c) What is the expenditure to date on this work?

The Minister of Works, Infrastructure and Decentralization (Dr. The Hon. Carson Charles): Mr. Chairman, this work commenced on July 4, 1988 but was curtailed on December 14, 1988 due to lack of funds. The project recommenced on August 4, 1989.

The length of roadway completed to date is 1.25 kilometres from Mon Repos Roundabout to 50 metres south of Rushworth Street. There may have been additional work completed in the past week or so.

Expenditure to date totals \$3,330,224.44. That is the point at which the 1.25 kilometres was completed.

Mr. Sudama: Could the Minister indicate why his Ministry commences work during the rainy season when during the course of those months you have the least productivity because of weather conditions?

Dr. Charles: Mr. Chairman, I indicated that the project commenced on July 4, 1988 and was curtailed on December 14, 1988 due to lack of funds, not due to rain. There is no difficulty in commencing projects in July. In fact, the rains fall almost all year now.

Mr. Sudama: It was recommenced in August 1989—I have a second supplemental question Sir. Could the Minister indicate to this House when this very expensive piece of road might be open to the public?

Dr. Charles: Mr. Chairman, I do not think it is a very expensive piece of roadway. I am advised that the project is now completed but I have not been there in the past two weeks. It should therefore be open to the public as soon as we can arrange an opening.

Solomon Hochoy Highway

50. Mr. Trevor Sudama (*Oropouche*) asked the Minister of Works, Infrastructure and Decentralization:

With respect to the collapse of the northbound section of the Solomon Hochoy Highway at Claxton Bay, could the Minister state:

- (a) When did the roadway collapse?
- (b) Whether the Government has any plans whatsoever for the repair of the roadway?
- (c) Whether he is aware of the very dangerous and hazardous condition of the roadway and grave risk it poses to motorists?

The Minister of Works, Infrastructure and Decentralization (Dr. The Hon. Carson Charles): Mr. Chairman, in October 1985, a large section of the north bound carriageway of the Solomon Hochoy Highway at Spring Village, Claxton Bay, collapsed because of earth movement.

The Government has plans to repair the roadway, however, the Ministry considered it necessary to utilize consultants to undertake designs for the landslip reinstatement. In February 1988, a consultancy contract was awarded to Trinidad Engineering and Research Limited for an investigation of the landslip and design

of corrective measures, as well as evaluation of tenders. Further land movement during the rainy season of 1988—a rather memorable rainy season to those of us who were paying attention—necessitated additional soil testing and a review of the original design. In February 1990, tenders were again invited for repair of the landslip but after receipt of these tenders, it was decided on the advice of the Central Tenders Board to re-tender.

New tenders were invited on April 7, 1990. Tenders were closed on July 19, 1990 and as soon as an award is made by the Central Tenders Board, arrangements will be made to start the work.

The Minister of Works, Infrastructure and Decentralization is aware of the dangerous and hazardous conditions of the road and wishes to assure all Members that all efforts are being made to repair the landslip as a matter of urgency.

10.35 a.m.

The following questions stood on the Order Paper in the name of Mr. Trevor Sudama (Oropouche):

**Naparima/Mayaro Road
(Resurfacing)**

51. With respect to resurfacing work on the Naparima/Mayaro Road and the San Fernando-Siparia-Erin Road, could the hon. Minister of Works, Infrastructure and Decentralization inform the House as follows:

- (a) The sums expended under Development Expenditure and Recurrent Expenditure on each highway for the years 1987, 1988, 1989 and 1990?
- (b) The distance of roadway resurfaced on each of the above highways for the years 1987, 1988, 1989 and 1990?

San Fernando General Hospital

52. Does the Ministry of Health have any immediate plans for the extension of the San Fernando General Hospital in order to have increased bed space available to relieve the chronic over-crowding at that institution?

**Income Tax
(Collections and Refunds)**

53. Could the hon. Minister of Finance state the total of income tax collected from and refunds made to individual taxpayers in each of the years 1987, 1988, 1989 and 1990 with respect to the previous years' income?

Questions, by leave, deferred.

ORDER OF BUSINESS

The Minister of Industry, Enterprise and Tourism (Dr. The Hon. Bhoendradatt Tewarie): Mr. Chairman, I seek leave of this honourable House to defer consideration of motion No. 1 on the Order Paper in the name of the Hon. Prime Minister and to proceed to deal with item No. 2.

Question put and agreed to.

Mr. Humphrey: Mr. Chairman, I do not think I will get another opportunity to raise this matter, but since it was on July 27 when we were debating this very motion that the House was traumatized by events, and on the last sitting of this House on August 10, I had requested a special meeting of all Members of the House so that an exchange of information, data and facts could occur between those who were held hostage for five days and those Members of this House who were outside conducting affairs, so that Members would be apprised of the truth, the whole truth and nothing but the truth, before we go out in public and speak to the people about those events. An agreement was reached that such a meeting would be held. Although I hear whispers that what I am doing now is contrary to the Standing Orders, I do not see myself getting another opportunity to raise this matter. I am requesting again that such a meeting be held.

Mr. Chairman: I am sure the Member for St. Augustine is aware that he is contravening the Standing Orders. Will you please not try to embarrass the Chair this morning.

Mr. Humphrey: I am not trying to embarrass the Chair.

**TRINIDAD AND TOBAGO TELEPHONE (AMDT.) BILL
Senate Amendments**

The Minister of Finance (Hon. Selby Wilson): Mr. Chairman, I beg to move the following motion standing in my name:

Trinidad and Tobago Telephone (Amdt.) Bill *Monday, September 10, 1990*

Resolved:

That the Senate Amendments to the Trinidad and Tobago Telephone (Amendment) Bill 1990, listed in Appendix I be now considered.

Question put and agreed to.

Clause 4.

Senate amendment reads as follows:

Delete this Clause and substitute the following:

"4. The Act is amended by inserting immediately after Section 3 the following new Section:

"Power to vest asset of Textel in company	3A (1) In Subsection (2) and (3)— 'director' means a director of Textel; 'Minister' means the Minister to whom responsibility for finance is assigned; 'Shareholder' means a Shareholder to Textel.
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(2) Where an agreement has been entered into by the Company with the Shareholders or with the directors on behalf of the Shareholders for the acquisition by the Company of the undertaking or part of the undertaking of Textel, the Shareholders may by resolution authorize the issuance of a power of attorney conferring on the Minister authority to transfer to and vest in the Company as from the appointed day such existing property, assets, rights, power, liabilities and obligations of Textel, as the Shareholders may think fit.

(3) Where a power of attorney is issued under subsection (2), the Minister may make a vesting order transferring to and vesting in the Company as from the appointed day such existing property, assets, rights, powers, liabilities and obligations of Textel as he may be authorized to transfer by the power of attorney.

(4) Without prejudice of the generality of subsection (3), the effect of a Vesting Order as regards such part of the undertaking of Textel to which the Vesting Order relates shall

Trinidad and Tobago Telephone (Amdt.) Bill *Monday, September 10, 1990*
[HON. S. WILSON]

be that on and from the appointed day and without further act, deed or assurance—

- (a) Every existing contract to which Textel was a party, whether in writing or not, shall be construed and have effect as if—
 - (i) the Company had been a part thereto instead of Textel;
 - (ii) for any reference, however worded and whether expressed or implied, to Textel, there was substituted as respects anything falling to be done on or after the appointed day, a reference to the Company; and
 - (iii) any reference, however worded and whether expressed or implied, to the directors or to any director, officer, clerk or servant of Textel were, as respects anything falling to be done on or after the appointed day, a reference, as the case may require, to the directors of the Company or to such director, officer, clerk or servant of the Company who corresponds as nearly as may be to the first mentioned director, officer, clerk or servant.
- (b) any account between Textel and a customer shall become an account between the company and that customer;
- (c) any existing instruction, direction, mandate, power of attorney or consent given to Textel shall have effect as if given to the company;
- (d) any negotiable instrument or order for payment of money which is expressed to be drawn on, or given to or accepted or endorsed by Textel, or payable at any of its places of business, shall have effect as if it had been drawn on, or given to or accepted or endorsed by the Company, or payable at the same place of business of Textel;
- (e) any security transferred to the Company that immediately before the appointed day was held by Textel as security

for the payment or discharge of a debt, liability or obligation, whether present or future, actual or contingent, shall be held by and be available to the Company as security for the payment or discharge of that debt, liability or obligation; and any such security which extends to future advances or future liabilities shall on and from the appointed day be held by and be available to the Company as security for future advances by, and future liabilities to the Company in the same manner in all respects as future advances by or future liabilities to Textel were secured thereby immediately before the appointed day;

- (f) any security provided by or for Textel that immediately before the appointed day was held as security for the payment or discharge by Textel of a debt, liability or obligation, whether present or future, actual or contingent, shall be held by and be available to a holder as security for the payment or discharge by the Company of that debt, liability or obligation; and any such security which extends to future advances or future liabilities shall on and from the appointed day, be held by and be available to the holder as security for future advances to, and future liabilities of, the Company in the same manner in all respects as future advances to or future liabilities of Textel were secured thereby immediately before the appointed day;
- (g) any judgement or award obtained by or against Textel and not fully satisfied before the appointed day shall be enforceable by or against the Company, as the case may be.

(5) The provisions of sub-paragraphs (ii) and (iii) of subsection (2)(a) shall apply to any statutory provision, to any provision of any existing contract to which the Company was

Trinidad and Tobago Telephone (Amdt.) Bill Monday, September 10, 1990
[HON. S. WILSON]

not a party and to any provision of any other existing document not being a contract as they apply in relation to a contract to which subsection (2) (a) applies.

(6) The provision of the Stamp Duty Act shall not apply to the transfer and vesting of any of the property, assets, rights, powers, liabilities or obligations of Textel in the Company.

Mr. Wilson: Mr. Chairman, I beg to move that the House doth agree with the Senate in the said amendment.

Question proposed.

Question put and agreed to.

10.45 a.m.

MUNICIPAL CORPORATIONS BILL

Senate Amendments

The Minister of Works, Infrastructure and Decentralization (Dr. The Hon. Carson Charles): Mr. Chairman, I beg to move,

That the Senate amendments to the Municipal Corporations Bill listed in the appendix be now considered.

Question proposed.

Question put and agreed .

Clause 2.

Senate amendments read as follows:

- A. In the definition "Appeal Board", in the second line, for "88" substitute "3".
- B. In the definition "Corporation", in the second line immediately before the word "electors", insert the words "Mayor, Aldermen, Councillors and"
- C. In the definition "Municipality", in the third line immediately after the words "section 3", add the words "or section 4".

Dr. Charles: Mr. Chairman, I beg to move that the House doth agree with the Senate in the said amendments.

Mr. Sudama: Mr. Chairman, I assume that you are proceeding clause by clause with respect to the approval of these amendments made in the Senate. There was no indication that all the amendments would be taken at the same time, since I intend to say a few words on some of these amendments.

Question proposed.

Question on amendment put and agreed to.

Clause 5.

Senate amendment reads as follows:

In the first line, for the word "section" substitute the word "subsection".

Dr. Charles: Mr. Chairman, I beg to move that the House doth agree with the Senate in the said amendment.

Question proposed.

Question put and agreed to.

Clause 8.

Senate amendment reads as follows:

In line 1 of sub-clause (1), insert immediately before the word "electors" the words, "Mayor, Aldermen, Councillors and."

Dr. Charles: Mr. Chairman, I beg to move that the House doth agree with the Senate in the said amendment.

Question proposed.

Question put and agreed to.

Clause 11.

Senate amendment reads as follows:

A. In paragraph (b) of subclause (6) insert the following immediately after the word "Act" appearing at the end thereof—

"except that such person is not disqualified to be a candidate by reason only that—

(a) he resides, or

Municipal Corporations Bill
[HON. C. CHARLES]

Monday, September 10, 1990

(b) his qualifying property is situated in the electoral area but in an electoral district other than the electoral district for which he seeks to be a candidate."

B. Insert a new subclause (7) immediately after subclause (6) to read as follows:

"(7) In subclause (6), 'electoral area' and 'electoral district' have the meanings assigned to those expressions in section 2 of the Boundaries Commission (Local Government) Act."

C. Renumber the existing subclause (7) as subclause (8).

D. In paragraph (i), of the renumbered subclause (8), insert immediately after the word 'Act' appearing at the end thereof, the words 'or under Part VI of this Act'.

Dr. Charles: Mr. Chairman, I beg to move that the House doth agree with the Senate in the said amendments.

Question proposed.

Question put and agreed to.

Clause 25.

Senate amendment reads as follows:

In subclause (3), insert the following words immediately after the word "office" appearing at the end thereof: "and the Chief Executive Officer shall forthwith send to the Minister a copy of the notice".

Dr. Charles: Mr. Chairman, I beg to move that the House doth agree with the Senate in the said amendment.

Question proposed.

Question put and agreed to.

Clause 36.

Senate amendment reads as follows:

In paragraph (a) of subclause (2), for the words "other officer" where they occur in the fourth and fifth lines, in the thirteenth line, and in the fifteenth and sixteenth lines, substitute the words "other person".

Dr. Charles: Mr. Chairman, I beg to move that the House doth agree with the Senate in the said amendment.

Question proposed.

Question put and agreed to.

Clause 40.

Senate amendment reads as follows:

In line 1 of paragraph (h) insert immediately after the word "day" the words "of July".

Dr. Charles: Mr. Chairman, I beg to move that the House doth agree with the Senate in the said amendment.

Question proposed.

Question put and agreed to.

Clause 41.

Senate amendment reads as follows:

In line 7 of paragraph (d) delete the word "reservoirs".

Dr. Charles: Mr. Chairman, I beg to move that the House doth agree with the Senate in the said amendment.

Question proposed.

Question put and agreed to.

Clause 43.

Senate amendment reads as follows:

"The Chief Public Health Inspector	43. The Chief Public Health Inspector shall be directly responsible to any Medical Officer of Health on the Corporations and, where there is no such Medical Officer of Health, he shall be directly responsible to the Chief Executive Officer."
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Mr. Panday: There appears to be an error, Mr. Chairman.

Dr. Charles: Mr. Chairman, the error is that the word "establishment" is omitted after the word "Corporations".

Municipal Corporations Bill
[HON. C. CHARLES]

Monday, September 10, 1990

I beg to move that the House doth agree with the Senate in the said amendment.

Question proposed.

Question on amendment put and agreed to.

Clause 45.

Senate amendment reads as follows:

Delete subclause (2) and substitute the following:-

"(2) Subject to subsection 2(5) of the Industrial Relations Act, a Council shall be responsible for the appointment, promotion, discipline, suspension and dismissal of its employees not being officers of the corporation as defined in section 2 of this Act."

Dr. Charles: Mr. Chairman, I beg to move that the House doth agree with the Senate in the said amendment.

Question proposed.

Question put and agreed to.

Clause 46.

Senate amendment reads as follows:

"Council to consult appropriate organization 46. It is the duty of a Council to consult with the recognized majority union as certified by the Recognition and Certification Board established under the Industrial Relations Act with a view to the conclusion between the Council and that union of such agreements as appear to the parties to be desirable with respect to the establishment and maintenance of machinery for—

- (a) the settlement by negotiation of terms and conditions of employment of persons other than officers employed by the council;
- (b) the promotion and encouragement of measures affecting the safety, health and welfare of such persons employed by the council; and
- (c) the discussion of other matters bearing on efficiency in the operation of the services provided by the Council."

Dr. Charles: Mr. Chairman, I beg to move that the House doth agree with the Senate in the said amendment.

Question proposed.

Question on amendment put and agreed to.

Clause 69.

Senate amendment reads as follows:

Delete paragraph (a) of subclause (1) and substitute the following:

"(a) Finance, planning and allocation of Resources;"

Dr. Charles: Mr. Chairman, I beg to move that the House doth agree with the Senate in the said amendment.

Question proposed.

Question put and agreed to.

Clause 77.

Senate amendments read as follows:

In the first line, delete the word "and".

A In the marginal note, immediately after the word "require", insert the word "returns".

B In the third and fourth lines of the subclause, delete the words "by this section".

Dr. Charles: Mr. Chairman, I beg to move that the House doth agree with the Senate in the said amendments.

Question proposed.

Question put and agreed to.

10.55 a.m.

Clause 90.

Senate amendment reads as follows:

In the third and fourth lines of subclause (3) delete the words, "shall conferred by this Section".

Dr. Charles: Mr. Chairman, I beg to move that the House doth agree with the Senate in the said amendment.

Question proposed.

Question put and agreed to.

Clause 111.

Senate amendment reads as follows:

In the fifth line delete the words "with the approval of the Minister."

Dr. Charles: Mr. Chairman, I beg to move that the House doth agree with the Senate in the said amendment.

Question proposed.

Question put and agreed to.

Clause 113.

Senate amendments read as follows:

In subclause (4):

A. Delete paragraph (b) and substitute the following:

"(b) surcharge the amount of any expenditure disallowed upon any officer or member responsible for incurring or authorising the expenditure; and, in the case of members, where it does not appear from the resolutions of the Council or Committee which particular members of the Council concurred in authorising any expenditure, every member present at the meeting at which such expenditure was authorised shall be deemed to have so concurred until he proves the contrary."

B. In subparagraph (f) (ii), in the fifth line, for the word "an" substitute the words "a cheque or".

C. In subparagraph (f) (ii) substitute for the word "Minister" appearing in line 7, the words "Auditor General".

D. Delete subparagraph (f) (iii) and substitute the following:

"(iii) a surcharge shall not be made under this section upon a member of a Council by reason only of his authorising an illegal payment if he satisfies the Auditor General that the payment

was authorised by the Council or its Finance and Planning Committee and that before he authorised or concurred in authorising the illegal payment he had not been advised by any officer that in the opinion of the officer the payment was illegal."

Dr. Charles: Mr. Chairman, I beg to move that the House doth agree with the Senate in the said amendments.

Question proposed.

Question put and agreed to.

Clause 115.

Senate amendment reads as follows:

In subclause (4), add the following words immediately after the word "certificate" appearing in line 2, "purporting to be".

Dr. Charles: Mr. Chairman, I beg to move that the House doth agree with the Senate in the said amendment.

Question proposed.

Question put and agreed to.

Clause 116.

Senate amendment reads as follows:

In subclause (1), substitute for the word "persons" appearing in line 3, the word "officers".

Dr. Charles: Mr. Chairman, I beg to move that the House doth agree with the Senate in the said amendment.

Question proposed.

Question put and agreed to.

Clause 118.

Senate amendment reads as follows:

In subclause (1), substitute for the words "to the finance committee" appearing in the penultimate line, the words "for approval to the Finance and Planning Committee".

Dr. Charles: Mr. Chairman, I beg to move that the House doth agree with the Senate in the said amendment.

Question proposed.

Question put and agreed to.

Clause 121.

Senate amendment reads as follows:

In subclause (7) substitute for the words "this subsection" appearing in line 3 the words, "subsection (6)".

Dr. Charles: Mr. Chairman, I beg to move that the House doth agree with the Senate in the said amendment.

Question proposed.

Question put and agreed to.

Clause 138.

Senate amendment reads as follows:

In the first line, delete the word "all".

Dr. Charles: Mr. Chairman, I beg to move that the House doth agree with the Senate in the said amendment.

Question proposed.

Question put and agreed to.

Clause 142.

Senate amendments read as follows:

A. In subclause (3), substitute for the word "Minister" appearing in line 3 the words "Chief Technical Officer (Works)".

B. In subclause (4), substitute for the word "Minister" appearing in line 1 the words "Chief Technical Officer (Works)".

Dr. Charles: Mr. Chairman, I beg to move that the House doth agree with the Senate in the said amendments.

Question proposed.

Question put and agreed to.

Clause 162.

Senate amendment reads as follows:

In subclause (3) substitute for the words "Minister responsible for Public Works" the words, "Chief Technical Officer (Works)".

Dr. Charles: Mr. Chairman, I beg to move that the House doth agree with the Senate in the said amendment.

Question proposed.

Question put and agreed to.

Clause 200.

Senate amendment reads as follows:

In subclause (3) substitute for the word "of" appearing between the words "copy" and "legible" in line 4, the word "in".

Dr. Charles: Mr. Chairman, I beg to move that the House doth agree with the Senate in the said amendment.

Question proposed.

Question put and agreed to.

Clause 213.

Senate amendment reads as follows:

Delete the words "subject to approval of the Minister" appearing in lines 1 and 2.

Mr. Ramnath: The Minister is excluded.

Dr. Charles: Mr. Chairman, I beg to move that the House doth agree with the Senate in the said amendment.

Question proposed.

Question put and agreed to.

Clause 232.

Senate amendments read as follows:

A. Insert immediately after paragraph (m), the following new paragraphs (n) and (o):

Municipal Corporations Bill
[HON. C. CHARLES]

Monday, September 10, 1990

"(n) the maintenance and control of burial grounds and crematoria, subject to the provisions of the Public Burial Grounds Act and the Cremation Act;

(o) the provision, maintenance and control of public pastures and recreation grounds, subject to the provisions of the Recreation Grounds and Pastures Act;"

B. Re-letter the existing paragraph (n) as (p).

Dr. Charles: Mr. Chairman, I beg to move that the House doth agree with the Senate in the said amendments.

Question proposed.

Question put and agreed to.

Clause 234.

Senate amendment reads as follows:

In subclause (3) substitute for the word "Minister" appearing in line 3, the word "Association".

Dr. Charles: Mr. Chairman, I beg to move that the House doth agree with the Senate in the said amendment.

Question proposed.

Question put and agreed to.

Clause 235.

Senate amendment reads as follows:

In subclause (1), delete the word "on" appearing in line 7.

Dr. Charles: Mr. Chairman, I beg to move that the House doth agree with the Senate in the said amendment.

Question proposed.

Question put and agreed to.

Clause 237.

Senate amendment reads as follows:

Delete and substitute the following:

Tenure of Office 237. Subject to this Act, a member of the Disciplinary Committee shall be appointed for a term of office not exceeding three years and upon the expiration of his term of office he shall be eligible for reappointment."

Dr. Charles: Mr. Chairman, I beg to move that the House doth agree with the Senate in the said amendment.

Question proposed.

Question put and agreed to.

Clause 238.

Senate amendment reads as follows:

Insert immediately after the word "Minister" appearing in line 1, the words "by Order".

Dr. Charles: Mr. Chairman, I beg to move that the House doth agree with the Senate in the said amendment.

Question proposed.

Question put and agreed to.

Clause 241.

Senate amendment reads as follows:

Substitute for the words "the Minister" appearing in the last line, the words "Order of the President".

Dr. Charles: Mr. Chairman, I beg to move that the House doth agree with the Senate in the said amendment.

Question proposed.

Question put and agreed to.

Clause 245.

Senate amendment read as follows:

Municipal Corporations Bill
[HON. C. CHARLES]

Monday, September 10, 1990

- A. In subclause (1), substitute for the word "be" appearing in line 1, the word "by".
- B. Delete paragraph (a) of subclause (2) and substitute the following:
"(a) refer the complaint to the Disciplinary Committee;".
- C. In paragraph (c) of subclause (2) substitute for the word "of" appearing in line 3, the word "that".
- D. In subclause (3), substitute for the words "deal with the complaint" appearing in the last line, the words "direct that a charge of misconduct be laid."

Dr. Charles: Mr. Chairman, I beg to move that the House doth agree with the Senate in the said amendment.

Question proposed.

Question put and agreed to.

11.05 a.m.

Clause 246.

Senate amendment reads as follows:

Delete the first three lines and substitute the following:

"When the Disciplinary Committee directs that a complaint be laid—"

Dr. Charles: Mr. Chairman, I beg to move that the House doth agree with the Senate in the said amendment.

Question proposed.

Question put and agreed to.

Clause 247.

Senate amendments read as follows:

- A. In subclause (2) insert immediately after the word "private" appearing at the end thereof, the following:-

"but if the person whose conduct is being inquired into requests otherwise by a notice in writing delivered to the secretary before the day fixed for the inquiry, the Disciplinary Committee may conduct the inquiry in public or otherwise as it considers proper."

- B. Insert immediately after subclause (2) a new subclause (3) to read as follows:

"(3) An inquiry may be adjourned at any time from time to time."

Dr. Charles: Mr. Chairman, I beg to move that the House doth agree with the Senate in the said amendment.

Question proposed.

Question put and agreed to.

Clause 250.

Senate amendments read as follows:

- A. In paragraph (f) of subclause (1) insert the following words immediately after the word "it" appearing at the end thereof:

"but any person whose conduct is being inquired into shall be advised of his right to object to answer any question under clause 5(2)(d) of the Constitution."

- B. Delete paragraph (d) of subclause (2) and substitute the following:

"(d) refuses to be sworn or to affirm, or to answer any relevant question, when required to do so,

is liable to attachment on application made to a Judge of the High Court and may be punished as for contempt of that Court."

Dr. Charles: Mr. Chairman, I beg to move that the House doth agree with the Senate in the said amendments.

Question proposed.

Question put and agreed to.

Clause 252.

Senate amendment reads as follows:

Delete paragraph (b) and reletter the remaining paragraph (c) as (b).

Dr. Charles: Mr. Chairman, I beg to move that the House doth agree with the Senate in the said amendment.

Question proposed.

Municipal Corporations Bill
[HON. C. CHARLES]

Monday, September 10, 1990

Question put and agreed to.

Clause 272.

Senate amendment reads as follows:

Delete and substitute the following:

Continuation
of Collective
Agreements and
Union
Representation

"272 Upon the commencement of operations by the Municipal Corporations referred to in section 4 (in this section, otherwise referred to as "successor Municipal Corporations")—

(a) any Collective Agreement that immediately prior thereto affected workers who were employees of a County Council shall continue to have effect in relation to such workers and shall bind a successor Municipal Corporation by which such workers are employed;

(b) a trade union which immediately prior thereto represented workers employed by a County Council shall continue to represent such workers in their industrial relations with any successor Municipal Corporation by which such workers are employed."

Dr. Charles: Mr. Chairman, I beg to move that the House doth agree with the Senate in the said amendment.

Question proposed.

Question put and agreed to.

New Clause 273.

Senate amendment reads as follows:

Insert a new clause 273 immediately after clause 272 to read as follows:

Extension of
term of Office
of serving
members

273. (1) Notwithstanding the provisions of any written law relating to the term of office of members of the councils constituting the local authorities, the term of office of members of local authorities holding office on the 13th September, 1990, is hereby extended for a period

Municipal Corporations Bill
[HON. C. CHARLES]

Monday, September 10, 1990

of one year or to such date as the President may specify by order published in the Gazette whichever first occurs.

(2) In this section, "local authority" means the council of a Municipal Corporation referred to in section 3 or a county council within the meaning of the County Councils Act."

Dr. Charles: Mr. Chairman, I beg to move that the House doth agree with the Senate in the said amendment.

Question proposed.

Mr. Sudama: Mr. Chairman, I have deferred to the Leader of the Opposition.

Mr. Basdeo Panday (Couva North): Mr. Chairman, in accordance with the Standing Orders, we do not debate or re-debate a bill that has been debated in this House which has gone to the Senate, has been amended and has returned to this House. Surely that applies to the existing clauses in the original bill. However, this clause is a completely new one, it did not exist in the original bill and it seems to make a fundamental change in the laws of the country. As it reads, its effect is to suspend the local government elections which should have been held by September 13, 1990 because the term of office of the members of those councils and municipalities come to an end on that date.

There is a feeling generally pervading the country and I share that feeling, that anything—

Mr. Chairman: Hon. Member, may I refer you to Standing Order 59(3):

"When the House proceeds to the consideration of Senate amendments, each amendment shall be read by the Clerk and may be agreed to, or agreed to with amendment, or disagreed to. Upon any such amendment being disagreed to, an amendment may be made to the Bill in lieu thereof, but no amendment may be proposed to a Senate amendment save an amendment strictly relevant thereto, nor may an amendment be moved to the Bill, unless the amendment be relevant to or consequent upon either the acceptance or rejection of a Senate amendment."

I do not think you are entitled to make a contribution save and except to propose if you have an amendment to this.

Municipal Corporations Bill
[MR. CHAIRMAN]

Monday, September 10, 1990

Mr. Manning: No. That cannot be so.

Mr. Panday: With respect, I am prepared, and I must indeed be guided by your ruling, but if you are correct, then this is an example of abuse of parliamentary privilege. To bring before this Parliament a provision so fundamental as—even the PNM were not so bad—to postpone a local government election and say you cannot debate it in this House because you introduced it in the Parliament. If that is so, so be it.

I am moving that this clause be deleted and I am moving that I am entitled under the provisions of the Standing Orders to debate that amendment. If, Mr. Chairman, we cannot debate so fundamental a thing, it is an abuse of Parliament and it is no wonder that we are in the state we are today where people feel that this Parliament is a farce. You have ruled and I will abide by your ruling. My humble submission is that I moved an amendment which is, that this clause be deleted and I am entitled to debate this clause.

Mr. Chairman: As the hon. Member is well aware and I am prepared to be guided by him if the hon. Member could show me the authority for being able to debate this.

Mr. Panday: The Standing Orders themselves, Mr. Chairman. This House could never have intended that a provision so fundamental would be introduced into the Senate and would come here for rubber stamp. This is where the elected representatives of the people are; they are not in the Senate; these matters are not debated in the Senate and merely come here for rubber stamp. I am saying that the spirit of the Standing Orders is my authority; that if so fundamental a proposal is put forward as an amendment introduced in the Senate, when it comes to this House I am entitled to debate it.

Mr. Chairman: May I hear the Leader of Government Business.

Mr. Ramnath: What happen Toney, you need psychiatric help?

Mr. Toney: Abuse me personally. That is all you can do.

Mr. Chairman: Order please!

Dr. Tewarie: Mr. Chairman, in as much as the clause to which the hon. Leader of the Opposition refers is new clause 273 that was introduced in the other place, the Government is quite prepared to allow debate on this clause.

Mr. Chairman: It is not whether the Government is prepared to allow debate; I would like to be guided, and if you can assist me with the authority for so doing, please do so.

Mr. Ramnath: Mr. Chairman, there is a provision to suspend the Standing Orders, which can be applied in this matter, that is Standing Order 90, which states:

"(1) Any one or more of these Standing Orders may, after notice or with the leave of the Speaker, be suspended on a motion made by a Member at any sitting."

Mr. Chairman: Are you making that motion?

Mr. Ramnath: No. I am assisting the Chair as to what may be used.

Mr. Chairman: May I hear the Member for San Fernando East.

Mr. Manning: Mr. Chairman, may I suggest that we suspend the sitting for a few minutes so that we can work this thing out? Surely, it never could have been intended that a matter as fundamental as this be not debated.

Question put and agreed to.

Mr. Chairman: The sitting is suspended for five minutes.

11.16 a.m.: *Sitting suspended.*

11.17 a.m.: *Sitting resumed.*

Mr. Chairman: Hon. Members, there will be a debate but it will be confined solely to this new clause, 273.

Mr. Basdeo Panday (Couva North) : Mr. Chairman, as I was saying, there is a view that is pervading the country that this Government did not intend to hold local government elections in any event; and that they had, in fact, introduced the bill which sought to reform local government as a ruse so that they can delay the holding of local government elections. They may feel that the events of July 27 came as a blessing in disguise, in that they now apparently intend to use that as an excuse to postpone the local government elections.

Be that as it may, they display an attitude to elections which is really not very different from the former regime. You recall that the PNM had, on several occasions, postponed local government elections. But just as the postponement of elections in those days resulted in an explosion in the society, I think it is my

Municipal Corporations Bill
[MR. PANDAY]

Monday, September 10, 1990

duty to warn this House and to warn the country about the consequences of postponing elections.

There is a further feeling of the House that not only local government elections will be postponed, but other elections will be stretched out as far and as long as possible. As a matter of fact, the nominal Prime Minister and the effective Prime Minister, none of whom are in the House today, by their statements have done nothing to abate those consequences. A recent statement was made by the effective Prime Minister, that the general elections are constitutionally due in March, 1992. That is not correct. That is a totally false statement. In fact the Constitution provides that elections are due, in December 15, 1991.

What the Constitution does provide is that in the event that an election cannot be held because of some untoward occurrence—earthquake, pestilence, fire and so—where it is impossible to hold elections, then the elections may be postponed for a period of three months awaiting the end of whatever occurrence is taking place. That is the Constitution, not that they are constitutionally due in March at all. They are constitutionally due in December of 1991. What I meant to say is, that statements like that tend to indicate to the public that this Government is afraid of elections. They do not want to face elections at all.

I warn that in a democracy free and fair elections constitute the most integral part of the democratic system. It is a safety valve for the frustration that a wicked government inflicts upon the population during its term of office. Like a balloon—you cannot keep pumping a balloon indefinitely, sooner or later if you do not provide some kind of valve, it is going to explode. That is what is happening to us. I hope to God this Government does not further bring this nation to ruin by, first of all, postponing the local government elections; and secondly, by insisting that elections are constitutionally due in March of 1992.

You see, I believe that the Government recognizes—and I feel sorry for it—that it is afraid to face the polls, having smashed up the dream of nation-building in February, 1988. It most likely feels that it is a fraudulent replacement of what the national community had put in place in December, 1986. It may feel that it has no legitimacy, no right to rule. I am sure it recognizes, however, that having gone through that period of betrayal, having betrayed the nation's wish in 1988, that it has put the nation into a tail-spin. Its Members have gone adrift. Even at today's sitting, one can see the chaos that exists on the Government benches. They do not know if they are going or coming. They forgot the Standing Orders.

They cannot answer questions. It is a Government adrift. Even when they answer "aye" to your questions, it sounds like a groan. It is a Government that is totally without will, totally without direction and to tell people that in spite of this—

Mr. Myers: On a point of order, Mr. Chairman. I heard your ruling explicitly that the debate will have to be confined to the clause before us. I have heard nothing in the contribution so far that has anything to do with the specific clause before us.

Mr. Chairman: Overruled.

Mr. Panday: I imagine the attempt here was either to put me off, because I am sure the gentleman is not so sick that he does not realize that what I am talking about is the postponement of elections, which is the gravamen—I know you will enjoy that—the gravamen of the court—that is the postponement of elections. What I am saying is when people resort to the postponement of elections it is a sign of fear.

11.25 a.m.

Mr. Chairman, it seems despondency has given way to fear. My point is that they must recognize that no government has become so unpopular in so short a period of time, so that there are some people who cannot wait for the opportunity to throw them out. Is that the reason they insist on postponing election?

When we look at the clause it says that the elections may be postponed for one year or a shorter time. What are they saying? That they are sure in one year's time elections can be held or are they telling us that in one year's time they would come for a second postponement? That has happened in this country already. I imagine my friend from San Fernando East is going to have tremendous difficulty commenting upon this postponement of election since his own Government has participated in this kind of abuse in the past.

Be that as it may, to postpone elections, in my humble, respectful view, is to build up frustration to the point of explosion. In a democratic society that is the safety valve which our people have in order to express their disenchantment with the Government. Local government elections were fixed by law to be three years and it was not by mistake that three years was fixed; in three years if local government officers or county councillors were not performing they must be removed. There is a view that in many areas they are not performing, sometimes because they cannot perform and they must have an opportunity to go to the

Municipal Corporations Bill
[MR. PANDAY]

Monday, September 10, 1990

people and tell people we cannot perform because central government is not releasing funds or whatever the case may be. We owe it to the councillors and the local government officers to be able to go to the people every three years and explain their stewardship, why they have failed or succeeded as the case may be. When you postpone the elections you not only frustrate the population, you also frustrate the councillors. If you block that only channel that really gives vent to democratic expression I am saying that this Government is laying the foundation for the build-up of frustration to the point of explosion. I have warned them in the past that what they are doing will result in their own demise. The postponement of this election is one such event.

Why can this Government not tell us that we have a state of emergency for three months, which as you know I voted against, and at the end of the three months they would set the date for the local government elections? No such explanation has come before us, they simply moved an amendment in the Senate in a most back-handed way, stealthily, to postpone local government elections. I am humbly submitting that when you mock the democratic process you shall pay an awful price for that. I thought they would have learned that.

They mocked the democratic process in the past. In February, 1988 they mocked the democratic process—we elected a government, they installed another and they paid a price. The trouble is, if they pay the price by themselves I have no trouble with that but they make the nation pay the price with them so that it is my business to point out that when they frustrate the democratic process they pay the price. And what they want is sympathy, they want us all to come and cry; they want to cry on our shoulders, they want us to feel sorry for them. They bring the nation to ruin and we must feel sorry for them. They talk about "oh, we have lost our political innocence on July 27". We lost our political innocence a long time ago. In reality in fact, loss of innocence is an analogy derived from rape and our democracy has been raped several times since Independence. It was raped in 1961, when voting machines were introduced here to split the popular will; in 1970 it was raped again when scores of young men were arbitrarily jailed; in 1988 when our people were betrayed and the popular will betrayed and now they come to postpone elections.

In each of the cases to which I have referred you will note, Mr. Chairman, that there has been a political backlash. Like everything else, for every action there is a reaction. There is, has been and always will be and there is going to be a reaction to this postponement of the local government elections. *[Interruption]* I

can tell you, I know you need to be educated, you are sitting in a state of loss of will. The postponement of this election, in my humble view, would convey to the population that this Government is afraid of elections. That is the first reaction it is going to have among the population, that this Government is afraid of elections. Having regard to the fact that the postponement is taking place during an emergency, it is going to send a message to the population that the emergency is being used as an excuse not to face the people and the feeling is going to be built-up in the population that since they have the power after three months to extend the state of emergency they may well do that. That in my humble view is going to be the reaction to the postponement of these elections.

If they continue to keep misleading the population by stating that general elections are constitutionally due in 1992, I submit that is going to exacerbate the feeling of fear of facing the people. The fact that they have postponed this election means that our population is going to look with great concern to what is going to happen in Diego Martin Central. Will they postpone that one? Will they seek to hide behind some clause in the Constitution in order to prevent a bye-election there?

I have noted that in the newspaper some political commentators having said that the Speaker has to declare the seat vacant. If you are holding some kind of service for someone or building a monument, and do not declare the seat vacant, that must be either hypocrisy or abuse of the Constitution; to be constructing a monument for someone who has unfortunately died if his seat is not declared vacant.

11.35 a.m.

People are going to look at these things and frustration is going to develop in the society. That is the point I am making. I think that the postponement of these elections is also going to raise fears in the minds of the population that the Government being so afraid of facing the people will rig the next government elections. I think that is a fear that is going to develop in the minds of the people as a result of this postponement of local government elections.

Dr. Charles: Mr. Chairman, on a point of order. The statement about rigging elections is totally irrelevant to the clause before us. The hon. Member says that he is dealing with the postponement of elections.

Hon. Member: Rigging will not help you.

Municipal Corporations Bill
[MR. PANDAY]

Monday, September 10, 1990

Dr. Charles: This is a dangerous accusation about rigging of elections. This is out of order and it is also inciting—

Mr. Chairman: It is out of order and it is also inciting.

Mr. Panday: Very well, Mr. Chairman. I was not accusing him of rigging. In fact, I was talking about the postponement and saying that the postponement at this time of the year is going to create a reaction from the population. Those who have ears to hear and do not hear generally feel.

I think there is also going to develop among the population a feeling that the Government is going to use the state of emergency to instil fear, to introduce draconian legislation into the Parliament and will use the cohesive machinery of the state to remain in office—that is, not to face the population. You are not holding election because you fear to face the population, and if you fear to face the population, the population is entitled to speculate that you may use the cohesive machinery of the state in order to hold on to the office of the state.

The postponement of these elections is going to damage, incalculably, the economic atmosphere in the country. You will remember that I had argued, when you sought to extend the state of emergency for three months, that it was not the wisest thing—

Mr. Chairman: The hon. Member knows that we have already debated that issue so he should not raise it.

Mr. Panday: I am not raising it. What I am saying is just as that would have dampened the economic spirit, so too the postponement of these elections, in my humble view, is going to dampen the desired investment and business expansion. Why is it going to do that? No matter what the Government says here, people are going to ask why is the Government really postponing these elections? If the answer is because you are afraid, then you create uncertainty in the political atmosphere, and with a great uncertainty in the political atmosphere, that flows over into the economic sector. People are afraid to invest because they have a Government that is unable, that is afraid to face the people, and that may use machinery other than election to stay in power and, therefore you may create political instability.

I think that they ought to reconsider this question of postponing elections. Why are elections being postponed? Is the Elections and Boundaries Commission not ready? It is so important to hold local government elections

now even if they have to hold them under the existing system and take their time to introduce the new system if they wish—that is their business.

Dr. Charles: Mr. Chairman, I thank the hon. Member for giving way. I just want to enquire if he is saying that elections should not be postponed at all or whether he is questioning the length of time for which the councils are extended. In other words, is he saying that elections should be held during the present month of September?

Hon. Member: You are the Minister, you should be—

Mr. Panday: Mr. Chairman, he digs a hole; he fills it with water; he is drowning, and he asks me whether I think there should be water in the hole or not. I cannot understand it. They have created a situation where they cannot hold the elections tomorrow; they cannot hold the elections on time because today is the 10th.

Miss Nicholson: If you had gone on Nelson Island you would not say what you are saying.

Mr. Panday: I am happy to see that this is the reaction that is coming from a destitute Government.

Mr. Chairman, I give way so that the honourable lady can explain herself further.

Mr. Chairman: Order please! Order!

Mr. Panday: I plea for her.

Miss Nicholson: I plea for you—"Silver Fox"

Mr. Panday: That is the way I tune up people who are desperate; people who do not know if they are coming or going; people who have lost the will and the confidence to survive but they are stubborn.

Mr. Ramnath: You should have been with me under Bilaal Abdullah. I would have loved to see you in there.

Mr. Panday: I seem to be antagonizing the dear lady and I seem to be rising up my useless friend in front here.

Dr. Tewarie: Mr. Chairman, this is improper reference to—

Mr. Panday: No, no, no—useless Prime Minister.

Mr. Chairman: Would you withdraw that?

Mr. Panday: Yes, Mr. Chairman. I do not wish to rise them up. I am sorry for them. I know that they are languishing under severe pressure. They have lost the will to carry on, and that must be a terrible thing for them, but I expect that they are going to behave in this way until such time that we face the polls.

It does not matter to me when the Government holds election. It does not matter to me at all. They can run but they cannot hide, and that is the important thing.

Hon. Member: Where were you on July 27?

Mr. Panday: My old lady used to tell me—bless her soul—that time is longer than twine. It means that every rope has an end, and their end is nigh.

I ask the Government to reconsider this amendment, to withdraw it. It can have an extension for a month so that the population will begin to move back into a state of normalcy, so that the population will expect that the democratic process will not be violated by the Government and elections will be held. I invite the Government to withdraw this amendment and introduce an amendment that postpones the local government elections for only one month.

Mr. Chairman: Are you proposing an amendment to this?

Mr. Panday: Yes, Mr. Chairman, that the elections be postponed for one month.

The Minister of Agriculture, Food Production and Marine Exploitation (Dr. The Hon. Brinsley Samaroo): Mr. Chairman, I wish to make a few comments on the remarks of the hon. Member for Couva North in relation to his various claims against this particular Government. The Member for Couva North talked about rigging elections. He talked about mocking the democratic process of which he accused this Government. I should like to read an article from the *Mirror* of Tuesday, September 4, and to ask them whether they have answered the question raised by someone who contested in their recent election—Mr. Renwick Garraway—who accused them of that. (*laughter*). They can laugh but they must answer these charges which are made in the Trinidad and Tobago *Mirror* where he is quoted as saying that the elections were rigged, and I use his direct words as quoted in this newspaper of this date:

"The UNC gone through and I am not only saying so because I have been defeated by Parasram. The party has suffered heavily by the manner in which the elections were conducted."

These are the people who are now saying that this amendment is being sought so that the NAR will rig the elections. Indeed, they know how to rig elections.

"I have resigned and many other senior members are doing likewise."

The Member for Couva North talked about us mocking the democratic process. When Mr. Justice Cross was appointed as High Commissioner to London and a certain gentleman was appointed as President of the Senate, the Member for Couva North publicly said that it was a slap in the face of NAR members. Yet a few days afterward, he unilaterally decided that no members of the executive of his party can sit in the Senate, when in fact there are very competent members on his executive who have done a good deal to organize the party—they are consultative members. He now blames the Government for not consulting, mocking the democratic process, yet he unilaterally decides that no member of his executive will be in the Senate. He unilaterally decides that Senators in his party must come from outside and they do not have to belong to the party.

11.45 a.m.

Hon. Member: Big business.

Dr. Samaroo: What about the members of his party—when the intention is to bring everybody from outside? Those who live in glass houses must be very careful when they are throwing stones at other people.

He talked about the Government creating a situation in which the Government wishes to postpone elections, that the Government had a hand in creating the insurrectionary events of July 27—he must be very careful about

making charges which can recreate that situation—to give us an opportunity to postpone elections, when this government had gone on record in setting up the elections in Guaico/Cumuto when we were quite clear on the possibility of losing elections, but because it was constitutionally due, we decided to have that election. We have said publicly that elections will be called when elections are due. The reason we are calling for a postponement at this particular time is

Municipal Corporations Bill
[HON. B. SAMAROO]

Monday, September 10, 1990

because we have been advised by the security in this country that it is not advisable at this time to bring the country into an election, either local government or general. That is the advice that the Government has received and when the Government received this advice from those who are in charge of security, the Government has to be very careful.

Mr. Ramnath: Would the Member give way to a question? Could he tell us who is in charge of security at this point in time?

Dr. Samaroo: I do not think it is necessary to answer that question.

Mr. Chairman: I do not think you are permitted to answer that question.

Dr. Samaroo: But if this Government gets advice that it is not advisable at this particular time, we are not saying we are going to postpone the elections for six or seven months, or for a year, but we have to depend on the advice that the Government receives, and as a responsible government, one has to listen to that advice and that is why we have asked for a postponement.

Mr. Sudama: Were you receiving advice before July 27 on security matters in this country?

Dr. Samaroo: That is the fact of the matter. I have to agree with the Member for Couva North that it is very important—I do hope when the Member for Couva South is replying he would explain to us how they happened to lose the whole Caroni County Council. They are talking about one small election in Guaico/Cumuto. I have asked him many a time to explain how they lost a whole county council in Caroni and we are not having those explanations.

The Member for Couva South and the Member for Couva North must seek to explain to this country the very misleading kind of advice and information that they are giving. I would just like them to inform the country about this. *Sunday Express*—September 9, 1990—Leader of the UNC talking about the expansion of the geographical base of his party and the fact that they are gaining support throughout the country.

Mr. Ramnath: True.

Dr. Samaroo: He said:

"It's expanding enormously. In fact, more than three-quarters of our offices are along the East/West Corridor."

I do not know whether the hon. Member for Couva North consulted with the Member for Couva South before he made that statement. I would like to read an interview in the *Sunday Guardian* of August 12, 1990, given by the Member for Couva South in which he was asked this very question about the broad-based nature of the party and listen to what he said.

Mr. Chairman: Could the hon. Minister show me the relevance of his statements?

Dr. Samaroo: I certainly will, Mr. Chairman. They have accused this Government of having no will, no direction; of misleading the public; of bringing a fraudulent replacement of government. These are the charges they have made against this Government and I wish to demonstrate that they are trying to remove the motes in our eyes when the beam in their own eyes is as large as ever. That is the point I am trying to illustrate. Therefore, on the one hand you have the Member for Couva North talking about the wide-based nature of the party and on the other hand the Member for Couva South is saying:

"You have to look at the development of the party. The vast majority of our members are of East Indian descent and that is quite normal having regard to the fact that the leadership were in the NAR representing constituencies comprised in the main of East Indians and, quite naturally, our following would reflect that pattern."

Yet, his leader says that they are broad-based, the whole nation. Let me continue:

"But we have made efforts to attract non-Indians into the UNC. They included going into the areas that once opposition parties never dared to go into, like Diego Martin, Carenage, Port-of-Spain East, Laventille, where we have set up party structures. The response has not been very good from the non-Indian population."

So the leader is saying on the one hand that they are expanding and most of the offices are in the north; the deputy leader or the real Ayatollah of the party is now saying that the response has not been very good from the non-Indian population. He went on to say:

"People are very careful and coward in making that jump."

Municipal Corporations Bill
[HON. B. SAMAROO]

Monday, September 10, 1990

These are his words. Yet, the leader said in an interview at the weekend that they are very strong on the East/West Corridor and the Ayatollah said they are not going into these areas.

Mr. Ramnath: Call local government elections.

Dr. Samaroo: When the elections are called for Diego Martin Central, I hope that those Members will demonstrate the tremendous support that they are claiming they are having.

When we talk about duplicity; when we are talking about mockery of the democratic process; when we are talking about rigging elections; the UNC knows how to do it as I have demonstrated, therefore they have no moral authority in condemning the Government for postponing the elections at this particular time.

I wanted to address this particular point about the fact of our postponing the elections. I will try to indicate quite clearly that the Government does not consider it right at this particular time to have the elections as scheduled, not for any reason of fear, not for any reason that we did not want to have elections when they are due. We have gone on public record as saying that when the elections are due they must be held. We have an emergency situation. The advice and the information generally is that it is not appropriate to have an election at this particular time.

In the same way that the Member for Couva North goes around the country and speaks about the feeling abroad is this, that and the other, we also have the right to say that the feeling abroad in the country from party supporters and from people generally is that it would now be inappropriate to hold the elections. The country has gone through a very traumatic experience and the country needs some time before we put them through the trauma of a new set of elections.

For these reasons, I indicated that the elections are going to be temporarily postponed largely because of the fall-out of events of July 27, but once we judge that the situation has improved and that the country is now in a situation to take an election, we give you the assurance that we shall proceed and have those elections when such elections are due.

11.55 a.m.

Mr. Patrick Manning (*San Fernando East*): Mr. Chairman, I was hoping that this debate would not have come to pass in this Parliament at all, a debate on a clause in a bill designed to extend the life of the existing local government

bodies. But before going into that, I am sure you will permit me the latitude to extend congratulations to the hon Member for Couva North who now occupies the office of the Leader of the Opposition. I am sure that the hon. Member for Couva North, I sincerely hope, will continue in that office the standards and the dignity that we believe have been displayed from that office in the recent past.

Mr. Chairman, we, in the PNM, have had serious reservations about the Government's determination and willingness to call elections of any kind in this country for some time. Indeed, ever since the results of the bye-election in Guaico/Cumuto where in a three-party race, the ruling party came third, we began to form the impression that the Government was becoming shy of facing the electorate again.

At the beginning of this year, 1990, the Political Leader of the PNM addressed the General Council of the party and instructed the party through the General Council to commence the exercise of the nomination of candidates for the local government elections on existing boundaries. We explained to that august body a view that was gaining some currency in the national community and which we shared—our leaders of the PNM and the members of the party shared—that the Government would have used the proposals for local government reform as a mechanism to postpone the local government elections. That is what we thought.

We knew that local government elections would have been postponed. It was clear to us because of the attitude of the Government. It was very clear to us. When we looked at the situation, we could not foresee that a state of emergency would have been declared. What we saw was the Government bringing comprehensive proposals for local government reform that would have been the subject of lengthy deliberations and using the inability to complete those deliberations properly and on time as the excuse for the postponement of local government elections.

I have with me here a series of press releases issued by the Leader of the Opposition at the time, in which we have been keeping the national community advised of the progress that we had been making in our own preparations for the local government elections, seeking at all times to keep local government elections in the minds of the population because we were fearful of what we perceived to be an inclination on Government's part, not to want to have elections.

Municipal Corporations Bill
[MR. MANNING]

Monday, September 10, 1990

Press release here dated March 24, 1990, where the political leader of the PNM meeting with various constituencies and other officers of the party discussing local government election proposals. March 23, another press release, talking about a committee that had been set up by the party to look at it and ending with a statement that goes this way:

"Meanwhile, the nomination of candidates for the local government elections continue and is taking place within the framework of existing local government boundaries."

for a number of reasons. One of the reasons being that we were fearful that the Government would have used the proposals for reform of local government to delay the local government elections. A news release—April 24, 1990. Do you see how early we started? Quite early in the year talking about this matter, and seeking to act in a manner to make it difficult for the Government to frustrate the democratic process and the will of the population. That is what we were seeking to do. We were constantly keeping it in the public's eye. We were holding our discussions at the level of the party. We were holding public discussions. We had embarked on the procedures within our party designed to ensure that we were ready for a local government election on the due date, due as it was, by September 13.

I think it is a matter of great importance that no other political party in the country has, as of now, taken steps to identify candidates in preparation for the local government elections which the hon. Minister, in speaking here today, has indicated that they had intended to call on September 13. The PNM has already announced some of its potential candidates, more than half—about 70 of them. More than that, we have already gone to the other stage where about 90 per cent of the candidates are already identified. What was left to be done was just the mopping up operations, just the identification of the 10 or 12 candidates.

No other political party in the country has done that. Therefore when the hon. Minister comes here today and indicates that it was Government's intention to hold the elections on time and has been frustrated by a declaration of a state of emergency, I ask the question: Where is the evidence? Who would have been candidates? On what basis would the ruling party have held their elections by September 13 when those elections were due? It is nothing more than talk. They can demonstrate nothing, no steps that they may have taken in their own organization that could convince the population, or indeed Members of this

Parliament that the Government indeed was sincere in its stated objective of holding elections on time.

Mr. Humphrey: Could you give way to a question? Is it a possibility that the Government could have had elections on time and not needed any candidates at all, not contested those elections?

Mr. Manning: Mr. Chairman, the ways of the Government are very strange to me.

Incidentally, I was sitting in the Parliament today and I was listening to the contribution of the hon. Member for Nariva, and the comments that were being made about the party that forms the official Opposition. It merely confirms in my, own mind what I had always been saying, that whatever else may be said, the population of this country elected 33 Members to Government and three to the Opposition, and that we are facing the spectacle of NAR in Government, NAR in Opposition, arguing from the perspective of the same manifesto. Mr. Chairman, no amount of ridicule is going to change the facts.

12.05 p.m.

This is a press release of July 24, 1990, coming from the PNM, talking about local government and deliberations of the general council on Sunday, April 22, where we discussed the local government elections at length. The political leader raised a number of considerations to the general council which we believed were germane to a review of local government elections in the country. In this particular press release 13 issues were raised, pointing out that these were matters for consideration for local government reform and that they were so weighty in our view that to properly consider those matters, to have the appropriate consultations required and to put local government reform into legislative form, in our view, would take a period of time that would have called for the postponement of local government elections, hence our insistence that local government elections be held on the basis of existing boundaries and on time, by September 13, the due date.

Mr. Chairman, we were not the only ones expressing that kind of concern. In the *Trinidad Guardian* of Friday, April 13, 1990, there is an article titled "Councillors express concern over local government reform" under the byline of Gail Alexander. Permit me to read in part:

Municipal Corporations Bill
[MR. MANNING]

Monday, September 10, 1990

"More importantly though, Members said they were greatly alarmed about the planned proposals to undertake without proper study the crucial and sensitive task of restructuring local government areas, the association said."

That is the Association of Local Government Bodies. The article states further—

"They reject the view that there is need for wholesale restructuring of the system of local government boundaries. We agree some measure of redefinition appears to be required, but we are firmly convinced that no proposal for change except the conversion of Chaguanas into a municipality should be attempted before the extension is given proper study."

The need for proper study was uppermost in the minds of the members of the Association of Local Government Bodies, as indeed it was uppermost in the minds of the members of the general council of the People's National Movement when we said that the thing needs proper study, when we said that elections should be held on time and on the basis of existing boundaries. What has transpired now?

We anticipated that a parliamentary mechanism would have been used to frustrate it but not the one that is being used here today. Since one is not permitted to make reference to what takes place elsewhere I cannot go into the details of it, but that is what we anticipated. But a different mechanism has now presented itself, therefore the Government can come to the Parliament and seek to convey the impression that: "No, we were not going that way at all, we were ready, we were going to hold the elections, but the intervention of the state of emergency now puts us in a position where we are advised", as the hon. Minister has said, "that it is not in the nation's interest at this time to call local government elections because of security considerations".

On Tuesday, July 10, 1990, another newspaper report—and this was said in the Parliament—headlined—"Manning sees plot by Government to stop local government elections" and the reporter is the distinguished Mr. John Babb. We said it, it is nothing new, we were saying it all the time, we are not surprised in the least. Permit me to read into the parliamentary records a press release issued by us on May 4, 1990—

"PNM wants local government elections on time."

That is what it was entitled. I just want to put it into the record because there are people who will come in due course and search for the records and they will see

that the country today is being run by a Government that says one thing and seeks to do another. It states:

"Political leader of the PNM met yesterday with the party's central executive at Balisier House and brought the party up to date on the latest, as it relates to the local government elections. As a consequence the central executive agreed to express the PNM's concern over the determination of the Government to implement a new system of local government prior to the local government elections.

The PNM reiterated its view that the government's proposed decentralization programme is seriously defective requiring widespread discussion, consultation and modification before any attempt is made to implement the proposed plan."

This is dated May 4. The article goes on—

"The PNM reaffirmed its stand that the local government elections should be held on the basis of existing arrangements and that by the due date of September this year. As a result the PNM and the central executive agreed to accelerate the speed at which candidates are being screened with a view to completing the screening exercise in the shortest possible time."

This is a PNM press release with our preparation for local government elections. It goes on—

"The PNM will hold a consultation of all party members to discuss the PNM's position on local government reform on Saturday, 16th June, 1990 at Balisier House, 1 Tranquillity Street, Port-of-Spain."

It goes on to say—

"The results of this consultation would form the basis of the PNM's manifesto for local government elections."

We had taken steps, as we have demonstrated, to identify candidates, to consult with party members as a necessary prelude to the writing of an appropriate manifesto. We had taken steps, we had prepared. Regrettably, no other party in the county had done that, and in particular the ruling party did not do it and therefore would have been in no position whatsoever to hold local government elections on the date it was constitutionally due, September 13, 1990.

Municipal Corporations Bill
[MR. MANNING]

Monday, September 10, 1990

Dr. Charles: Mr. Chairman, on a point of order, the elections were not constitutionally due on September 13, 1990.

Mr. Panday: They intended to deceive when they began the negotiations.

Mr. Manning: Mr. Chairman, I would have expected the hon. Minister to tell us the date. He cannot just get up and make a statement like that; he must remember he is in government. What is the date? Tell us the date.

It is very noticeable that when the hon. Minister of Works, Infrastructure and Decentralization spoke recently on the possibility of a postponement of the local government elections he used every argument except the state of emergency as a reason it should be postponed. The Minister responsible for Local Government was the one saying so, therefore I am very surprised today to hear the Member for Nariva, another Minister, coming to this Parliament and using, as the only reason, the existence in the country of a state of emergency and, therefore, Government's inability to do what it was supposed to do. There are lessons that members of the Government have not learnt.

When people get the impression that the democratic processes are not being permitted to work, they are being frustrated by those who have the power to frustrate them, then the door is left wide open for the use of means other than democratic means for achieving social and political change. I wish members of this Government to take great cognizance of this point of view.

12.15 p.m.

They might believe that merely because they have the voting power they can come to Parliament and put a proposal—and it is 33 of them; three of us—they could say—*[Interruption]*. Would you like to talk?

Mr. Chairman: Can we have some order please! Go ahead.

Mr. Manning: Mr. Chairman, what the Government has to understand is that it has temporarily been given the authority to run this country for a period of time and sooner or later that time comes to an end. If that Government believes that merely because it has the power to act it is free to do what it wishes, then I put them on notice that they have nothing. What in fact they have done is to subvert the democracy of this country which has been responsible for the standard of living that we now enjoy. Therefore, I just want to indicate that I am not surprised by the proposal. I am not in the least bit surprised.

I categorically reject the assertion of the hon. Minister that the delay is purely as a consequence of state of emergency. If the Government wanted to demonstrate good faith, all it had to do was to give a commitment here in this debate this morning, that as soon as the state of emergency is lifted it is going to announce the date for local government elections. They are scared of elections of all kinds. I do not want to even go too much into the Diego Martin Central situation except to say that we in the PNM are ready, willing and able any time they are prepared to call any elections. Do not believe that if the elections are not called, you do something to the PNM. In fact, you do it to the society and you do it to the cause of democracy which has all of us in this Parliament today.

Mr. Trevor Sudama (*Oropouche*): Mr. Chairman, I just wanted to clarify a statement which I made and which perhaps may have been misrepresented by Members of this House. When I said that the hon. Member for Couva North was the Leader of the Opposition for the time being, I meant for the time being until he is elevated to higher office.

Hon. Member: In the sky.

Mr. Panday: Thank you, Sir.

Mr. Sudama: The whole question of who is leader and who is not leader, I recall on that fateful day of July 27, the Member for Toco/Manzanilla asking me, in those fateful moments: Who is your leader? As you are well aware, I did not have a chance to respond to him, and today I want to respond to him by asking him who is his leader.

Mr. Toney: You saw him on display in the Red House.

Mr. Sudama: Is it the absentee landlord of Carriacou? Who is the leader of the NAR today?

Mr. Toney: When you wanted insulin—

Mr. Sudama: That is why we cannot have elections today. That Government and that party is in a total shamble. You have a dog fight for leadership and you have a paralysis of Government. That is one of the basic points I want to make.

Mr. Toney: On the telephone he was begging the leader to bring insulin and he could not find him. Ask John Humphrey.

Mr. Sudama: Mr. Chairman, I want to inform my friend that I do not use insulin. It shows the pettiness. He was speechless for four days.

Hon. Member: He slept all through.

Mr. Sudama: I do not know if he took a dose of whatever. I do not want to be distracted.

Mr. Chairman: Please come back to the subject.

Mr. Sudama: Yes. As has been pointed out, the signs of a postponement of this local government election were there all along. One of the questions I want to ask the Minister of Decentralization is: If he wanted to have the local government elections on time, why is it he brought a bill to the House of Representatives to reform local government in July, 1990 when it has to go through certain processes in order to have elections in September, 1990? Whom do they think they are trying to fool? They do not fool the population of Trinidad and Tobago.

They talked about the bye-election of Cumuto and their commitment to holding elections on time. It is the result of the bye-election in Cumuto that has us in this situation of suspending local government elections. It is the fear. If they went to local government elections before a general election and they lost that local government election—which is very likely to be— what would have been their chances for the general election? That is known to the whole population.

They talk about their commitment to holding elections when they are constitutionally due. They talk about the democratic process and their commitment to the democratic process. When we had the difficulty in the NAR in early 1988, it was clear that the wish of the electorate of Trinidad and Tobago was that we should have fresh elections in order to give whichever Government that came into power a credible mandate to govern. My feeling is that if the Government had taken that route in 1988, today we would have had a Government which had legitimacy, credibility and we would in fact have pre-empted the events of July 27. It is not that they do not know. Maybe they do not read Ryan for a number of reasons.

Sara polls published on June 26, 1988—one and a half years after this Government came into power—said very clearly, when the population was interviewed, to let the people decide. I quote:

"Prime Minister ANR Robinson should call fresh elections to allow the public to decide who should govern the country."

That was the overwhelming view of the population in 1988, and you talk about democratic process and responsibility.

Furthermore, the majority of the population said that our dismissal from the Government was unjustified. They made that very clear in 1988. If this Government felt that our dismissal from the NAR and from the Government was justified, surely it was so simple to go back to the people and ask them what they thought about the actions of the Prime Minister and what they thought of the consequences for the Government which was elected in December, 1986.

12.25 p.m.

Mr. Chairman, they talked further, some of the then ill-informed people in the media, about the unprincipled and unethical behaviour of the UNC members continuing to sit in Parliament. Let me deal with that.

The former Leader of the Opposition mentioned about people electing a government and an opposition. People, before they vote, do not know who is going to be government and who is going to be opposition because if they knew that beforehand, I wonder if his party would have got 103,000 votes in 1986. What people do is vote for a representative of a constituency and they are influenced in so doing by the party to which that representative belongs. If it is that when that representative falls out with the party under which he is elected and he is deemed to have lost his mandate, there is provision in the law which says you go back and you arrange for a bye-election to be held and you have that mandate given by the electorate.

What has prevented them? We were expelled by the NAR in September 1988, two long years ago. They are in control of government business. What has prevented them from drumming up the Standing Orders and for arranging for a bye-election to be held if that were their view, so that the people would have decided. But you see they are fearful of the people to deliver judgement on them. I have no problem in going to a bye-election and seeking a fresh mandate from the constituents of Oropouche. I am sure of all my parliamentary colleagues in the UNC.

Dr. Tewarie: If the Member would give way, I just want to say that all he had to do to achieve that is to resign his seat and have the election held.

Municipal Corporations Bill
[MR. SUDAMA]

Monday, September 10, 1990

Mr. Sudama: Have you heard of Acts 15 and 16 of 1978? That is the law. Why do you wish me to go around the law? You implement the law and I am prepared to stand the consequences of such implementation. But you are fearful of calling bye-elections because you are a government and a party fearful of the people of Trinidad and Tobago.

Mr. Chairman: Hon. Members, we will break for one hour and 15 minutes.

12.30 p.m.: *Sitting suspended.*

1.50 p.m.: *Sitting resumed.*

Mr. Chairman: Member for Oropouche, we have lost the services of the public address system so if you would speak loud enough the reporters can get all your words.

Mr. Trevor Sudama: I will do my best, Mr. Chairman.

When we adjourned for the luncheon break, I was on the point of enquiring why the Government had not implemented the law if it felt that was the proper thing to have done in order to declare the seats of current UNC Members vacant and to have bye-elections held. As in fact we are reading in the press, some statements have been made by Members of the NAR to that effect. As I said, I have no problem whatsoever in going back to the people in my constituency to seek a fresh mandate and also I believe I speak for my colleagues in that respect.

The point I want to raise, however, is that Act, No. 16 of 1978 makes provision for bye-elections to be held in the situation in which we find ourselves only in the first four years of the life of the Parliament. In the fifth year of the life of the Parliament there is no obligation on the part of the Government to hold a bye-election. If I were to interpret the words of one of the deputy leaders of the NAR correctly, he seems to be threatening that this is, in fact, what the NAR may do; that is, to implement the law in the fifth year in the life of the Parliament when there is no obligation on the part of the Government to call a bye-election to fill the vacancies in the respective seats which may have been declared vacant.

All I want to say is that with that also, I have no problem. But it will merely indicate to the country the Government's commitment to the democratic process where it has waited three years and more, in order to implement the law and by so doing, disenfranchise six constituencies in Trinidad and Tobago from representation in this Parliament.

If such a situation arises, you can rest assured that my colleagues and myself will be going throughout the length and breadth of this country to alert the population to the subterfuge which may be inflicted on the democracy in this country, and the attempt to hide behind legalities, and not in fact to enforce the spirit of democracy in this country. As I said, I have no problems whatever if that is what the Government intends to do.

I want to raise another issue and that has to do with the consequences for the operations of local government for the delivery of services by the various local government bodies. When the Government gave the indication to this country that they were going to institute reform of local government, when a state of uncertainty was introduced into the workings of the local government bodies, a state, in fact, of suspended animation in which the local government bodies found themselves, what you had as a consequence of that announcement was a virtual paralysis of local government operations. It has happened in almost every local government body. Not only that, some of the public servants took it upon themselves to become arrogant and to tell elected representatives of the people, in the form of councillors, that they did not have to submit to any directions from the council members. They were not employed by the councils and the council members, therefore they were not responsible, and they did not recognize the authority of the council.

I do not know whether the Minister is aware of this, but this is a situation that has intensified over the months. In certain councils the Chief Executive Officers and other senior personnel are telling the councillors: "you all do not matter." By doing so they are bringing the system of local government into disrepute. How could you do that on the one hand and come to this House and say that you are championing reform of local government? One of the reasons—by no means the only reason—why the events of July 27 took place, was the over-centralization of authority in our system of government and in the lack of accountability. People were not persuaded to try—there was not the mechanism to try to influence the decisions with respect to improvement of their own lives through a system of decentralized decision-making.

This bill which was brought to the House and subsequently went to the Senate, is not even worth the paper on which it is written, simply because it does not address the fundamental problem of local government and devolution of power. It does not address the fundamental problems of finance, the availability of finance for local government

Municipal Corporations Bill
[MR. SUDAMA]

Monday, September 10, 1990

Dr. Charles: On a point of order, Mr. Chairman. I believe the hon. Member has strayed quite far from the amendment that we are debating.

2.00 p.m.

Mr. Sudama: Mr. Chairman, I would try to relate what I am saying to the amendment before us. It is part of the whole syndrome of people not having confidence in the system of local government. Part of that has to do with the fact that you are going to postpone elections for local government bodies and no one knows for sure when these elections would actually be held. We have been told that it is a postponement for a maximum of one year. I ask the Minister: Does the Government contemplate having two elections in one year? Do they contemplate having a local government elections as well as general elections which are constitutionally due by December 15, 1991; in the same year? The other alternative is to have local government elections during the course of this year but from what I have heard here today it is hardly likely that those elections would be held this year.

It is this lack of honesty on the part of the Government which so dismays the population of this country. The excuse we are hearing is that the country is in an unsettled state. That may be so, but while they are saying that the country is in an unsettled state and there are problems of security, at the same time this Government maintains that what happened on July 27 was really an aberration. If this was an aberration which did not have much support and significance in the country, why is it that they are unduly delaying the calling of elections? I feel that they ought to answer. As soon as reasonably possible these elections should have been held.

You see, Mr. Chairman, the holding of elections is a fundamental principle of the democratic process we are supposed to live by in this country, because it says that the people, in the final analysis, will decide the fate of governments; the people will decide their own destiny and they do that by electing people to represent them. When you deny them that opportunity, what you are doing is imposing your own views on the population and, therefore, you are eroding your own legitimacy. It goes against the principle of accountability, that is why you have the problem in the Caroni County Council, because those people in that council who are playing games could no longer play games after an election has been held, they probably would not be there after an election is held. What the Government is doing by postponing the election is creating a situation to

undermine the very democracy which it so glibly champion in this country and elsewhere.

This question of putting the population through the trauma of an election. Where did the Member for Nariva get the impression that when there is an election it creates trauma? I thought it was the right of the people to have elections in due course of time. I do not know where he has gotten that impression. Is he deciding for the electorate of this country when they would not be in a state of trauma and when they would be in a state of trauma? On what authority is he arrogating on himself that power to decide for the electorate of this country? In a democracy the people have the right to be wrong if they so wish, they have the right of full freedom of choice. In a democracy you do not attempt to protect the people from themselves. They are their own protection if you are going to have true democracy in a country.

Dr. Tewarie: Mr. Chairman, if the hon. Member would give way. A lot of what the hon. Member has said is really quite irrelevant and in a way misleading to this honourable House. The clause before the House which we are debating has to do with the extension of the life of county councils for one year and the possibility therefore of calling elections some time within the 12 months. The hon. Member is presenting his case as if we were abolishing elections for all times.

Mr. Sudama: I am not presenting that case at all. I am presenting the case where they are not holding elections as and when they are due and not giving this House the time when they would be holding these elections; why they are postponing these elections and not giving a satisfactory commitment to this House that they would be holding elections at the earliest, convenient, possible time. Nothing has been said in this House. The only Member to have spoken for the Government side was the Member for Nariva who said nothing on these matters. When the Minister was introducing these amendments he said nothing.

On the question of this being unsettled times and, therefore, they have to postpone elections, I want to just quote to this House what the leader of the NAR said in 1970 on the very question of whether elections should be held on time or not. You would recall, Mr. Chairman, in 1970 it was also a period of difficulty in this country. In those days we heard the call that you must have confidence in the people, that you ought not to postpone elections. Here is what he had to say:

"Mr. Robinson's contribution to that debate . . ."

Municipal Corporations Bill
[MR. SUDAMA]

Monday, September 10, 1990

that was in 1970—

“was sneered at by the then Attorney General, Mr. Karl Hudson-Phillips, who dismissed much of what Mr. Robinson had to say in that debate.”

Mr. Chairman: Hon. Member, if you are quoting from the document, would you please cite it.

Mr. Sudama: It is the *Sunday Express* of September 9, 1990.

Miss Nicholson: Mr. Chairman, on a point of order. Let us know who is speaking there. Is it Mr. Selwyn Ryan or the Prime Minister? Is he quoting from the *Hansard* or the newspaper?

Mr. Chairman: Hon. Member, if you are quoting debates of this House you are to have the authority of the *Hansard*. The *Express* newspaper is not the authority on debates of this House.

Mr. Sudama: Mr. Chairman, the newspapers have been used, it has been quoted here today.

Mr. Chairman: As authority for what other people have said on other subjects other than parliamentary debates. You must get the authority of the *Hansard*.

Mr. Sudama: Let me quote from the *Express* of Sunday, September 9, the author is one Dr. Selwyn Ryan:

"Robinson's contribution to that debate was sneered at by the then Attorney General, Karl Hudson Phillips, who dismissed much of what Robinson had to say in that debate as 'political strumpetry' (a strumpet is a whore). Angered, Robinson replied that "the hon. Attorney General was descending to the lowest possible level and the whole country should know the character of the person we now have as Attorney General.'

It is, however, interesting to note that in October, 1970, Robinson felt that, given the crisis of confidence which was consuming the society, elections should be called. Robinson in fact called on Dr. Williams to follow the example of President De Gaulle of France:

'If you have no confidence in the people, and if you think the people have no confidence in you, then there is a normal democratic procedure which is adopted.'"

What is the situation today with the NAR Government? Does it fall into that same category where the people have no confidence in them? They have no confidence in the people, the people have no confidence in them. What is the normal democratic procedure to pursue in such circumstances?

2.10 p.m.

Then he went on to say what General De Gaulle did. General De Gaulle went to the country with a programme and asked the country to support him or not to support him as the case may be. Do they have the guts to go to the country? If they had the guts, they would have gone to the country way back in 1988. You see, it is the fear of the people, and it is the fear of losing which is behind this effort to subvert the democratic process in Trinidad and Tobago, and I want to say that it certainly did not start with the NAR Government.

In 1958 the PNM Government lost the Federal elections to the Democratic Labour Party. In 1959 the PNM Government lost the local government elections to the Democratic Labour Party, and in 1961 we had the introduction of the voting machine to subvert the democratic and electoral process. We seem to have a history of glibly talking about commitment to democracy and the actions of both the previous and present regimes point to the other direction.

We heard talk about rigging of elections raised by the Member for Nariva.

Dr. Tewarie: He did not raise it.

Mr. Sudama: We heard talk about rigging of elections mentioned by the Member for Nariva.

Dr. Tewarie: Your head is like a swiss cheese.

Mr. Sudama: Mr. Chairman, I do not want to get involved in an argument with the Member for Caroni East who himself was accused of rigging the elections to the NAR executive. He had to resign and he had to withdraw from the Government in that elections.

Dr. Tewarie: That is how you misrepresent events.

Mr. Sudama: Why did you not contest the post of Deputy Leader?

Dr. Tewarie: Mr. Chairman—

Mr. Sudama: He interrupts me and when I respond to him he is appealing to you for protection. I should be appealing to you for protection.

Mr. Chairman: Having regard to your experience in this House, I do not think you need to appeal to me for protection.

Mr. Sudama: What I want to say on the question of rigging is that rigging may not be a deliberate thing. Let us assume that you exclude 67,000 voters from the electoral list by one means or the other, and let us assume that 67,000 voters represent 10 per cent of the electorate of the country who did not have the opportunity to exercise their franchise, what would be the outcome of such an electoral process with such a large percentage of people who did not have the opportunity and the right to exercise their vote?

It is in that context the whole issue of rigging was raised, and they ought to tell the country what is being done to clarify that situation where thousands of names do not appear on the electoral list. They do not understand that this is a much bigger issue; it is not just a question of postponing an election. We are looking at the commitment to the democratic process in this country, which is involved. We are looking at the question of how a government which has been elected to office treats the population.

Dr. Charles: Would the hon. Member give way to a question? Perhaps the hon. Member would wish to indicate whether his difficulty is with the duration of the term involved in the extension or whether he does not think that there should be any extension at all of the term—elections should take place within a month or two. Is that his proposal? Is it that he has a problem with the actual length? I should like to respond to these matters.

Mr. Sudama: Yes, I have a problem with the actual length which has not been specifically stated. What I am saying is that if even we agree that there are unsettled conditions at this point in time, to talk about postponement in terms of a year, giving the country the impression that unsettled conditions may exist for a year. Why not state that the elections would be postponed for a maximum of six months or three months for that matter, and at the end of that period you review the situation? You are giving no such commitment and you want the situation to exist, you want the Ministry of Decentralization to rule by fiat, to ignore the elected representatives of the people for a maximum of one year.

Dr. Charles: How does “rule by fiat” arise in the extension of term of office of Members?

Mr. Sudama: I will come to that if he wants to know what rule by fiat is. He apparently does not know what is happening in his own Ministry. Find out how

the officers of the various local government bodies are treating councillors at this point in time in a state of uncertainty where local government elections have been postponed. They are a virtual law unto themselves, and they are saying in no uncertain words that they may take instructions but not from a councillor. They ignore whatever motions are passed in the various councils and they take instructions from the Ministry of Decentralization. Where is the democratic principles that this Government is trying to uphold? Apparently he does not know what is going on in his own Ministry [*Interruption*]. That is correct. The Member for Siparia is absolutely correct, he is part of this conspiracy to subvert the functions of elected representatives of the people.

[Dr. Charles rose.]

Mr. Chairman: Member for St. Joseph, I am sure that the Member for Oropouche knows that he is guessing and he would withdraw that statement.

Mr. Sudama: That really is a question of fact. I do not know if you can rule.

Mr. Chairman: You shall not impute any improper motives to any Member of the House.

Mr. Sudama: Maybe he thinks that it is not improper.

Mr. Chairman: What he thinks is important. I say that it is not improper and that is why I asked you to withdraw it.

Mr. Sudama: If the Member is offended, then I withdraw it.

Mr. Chairman: Not if the Member is offended, I say it is improper and I order you to withdraw it.

Mr. Sudama: I have to submit to your directions and I can see the makings of a replacement Speaker. I withdraw. The Member takes offence, but I know what I am saying is true. I have evidence of it not only with the Ministry of Decentralization—

Mr. Chairman: I need an unqualified withdrawal—not what you know is true—an unqualified withdrawal.

Mr. Sudama: I withdraw the statement that he is involved in a conspiracy with officers at the various local government bodies.

If you think that it is just this Member for Oropouche that has no confidence in him as a Minister in the Ministry, there was his own colleague, the Member

for Ortoire/Mayaro, who hit at the Ministry of Works, Infrastructure and Decentralization.

Mr. Chairman: What is the relevance of that to the amendment before the House?

Hon. Member: He is just wasting our time here.

2.20 p.m.

Mr. Sudama: Mr. Chairman, the relevance of this is that when you have a situation existing as it is today—

Mr. Chairman: Would you get on to the business—

Mr. Sudama: —as to the suspension of the life of elected bodies, what you have is public servants arrogating onto themselves—

Mr. Chairman: Get on to the amendment please.

Mr. Sudama: —and that arrogation of power to themselves is something which is not in the best interest of democracy.

Mr. Chairman: The Member's speaking time has expired.

Motion made, That the hon. Member's speaking time be extended by 30 minutes. [*Mr. Govindra Roopnarine*]

Question put and agreed to.

Mr. Sudama: Mr. Chairman, I will just take a few minutes to really confirm to this Parliament that I am totally opposed to the manner in which this amendment to this bill has been introduced. The other place is not a representative body and if they are talking about postponing elections and extending the life of an elected body, I think this was the place to have introduced that in the first place. It is a critical question. Here it has come from the other place and what we were supposed to do is merely rubber stamp it as a matter of formality.

We should have had a comprehensive statement from the Government to the situation as it exists in Trinidad and Tobago today which justified this *carte blanche* approval that they are requesting from this House. It shows the Government up in a very bad light and it is difficult to know any government in Trinidad and Tobago which is perceived in a worse light than this NAR Government. It is indeed very difficult.

To use the events of July 27 in this indiscriminate way—sometimes I think, Sir, that the events of July 27 may have been a Godsend, according to the deputy political leader of the Government even though it came through the operations of the Imam—so they will now have a pretext to do a number of things in the name of national security and a national lapse of responsibility which was so blatant before July 27, 1990. Now they have this opportunity to do whatever they wish to do in the name of national security. I am not convinced and people of this country I feel certain, are not convinced, either of the *bona fides* of this Government or the sense of responsibility of this Government or its commitment to the democratic process.

Therefore, in such circumstances, I urge this Government in the interest of the continued political, economic and social stability of Trinidad and Tobago to relieve itself of office, to go to the electorate to seek a fresh mandate as soon as it is conveniently possible. I also want to say in opposing, that the Government is using the maximum term as prescribed by the Constitution and other legislation, as a fixed rule to determine the tenure of office of the Government. The democratic process—

Mr. Chairman: Are you on the amendment or on the life of Parliament?

Mr. Sudama: On the question of the postponing of elections.

Mr. Chairman: Postponing of the local government elections, not elections in general.

Mr. Sudama: They say that they are extending the life of the councils. I am asking, on what authority?

Dr. Tewarie: The authority of Parliament.

Mr. Sudama: The Member knows their credibility in this country is such that they really do not have that authority.

Mr. Chairman: My credibility?

Mr. Sudama: No, the credibility of the Members of Parliament.

Mr. Chairman: I thought I heard you say "your credibility".

Mr. Sudama: I am responding to the Member for Chaguanas who is taking the opportunity to respond to me. Because you see, if they do not have credibility they are not considered to be legitimate. All they are doing is hiding behind legality when they have no credibility outside with the population.

Mr. Chairman, I cannot, therefore, support this amendment in the form in which it has been proposed and I think in opposing this, I would be saying two things. One, that this is not in accordance with the wishes of the people of Trinidad and Tobago; and secondly, that this Government has been less than forthcoming with the population of this country and in so doing, it has violated one of the basic tenets of the democratic principles of accountability.

Thank you very much.

The Minister of Works, Infrastructure and Decentralization (Dr. The Hon. Carson Charles): Mr. Chairman, I do not intend to deal with all the matters raised because many of them are not relevant to the matter before us. The matter before us is our proposal via the amendments introduced in the Senate, to extend for a period of one year at most, the term of office of members of the councils.

I asked on two occasions for clarification from Members making their contributions as to whether they had a difficulty with any extension of office at all or whether the difficulty was with the length of such extension. The first Member who spoke and of whom I asked the question, did not really respond directly, but the Member for Oropouche did respond and I gather from what he was saying that his difficulty was really with the length of time. In other words, the Member for Oropouche felt that we should not extend the office by a full year. Members are entitled to have different views on the matter of course. That is what Parliament is for.

2.30 p.m.

I want to make it very clear what this amendment does. It does not seek to postpone local government elections. It is very difficult to get such clarity sometimes in our debate, even though I think this is what the population demands of us. It does not seek to postpone local government elections for any period of time whatever. The legislation does not seek to postpone elections. The legislation seeks to extend the life of the council. The reason we need to extend the life of the council is because we did not anticipate holding such elections shortly after the expiration of the term of office. I have said it before publicly and in the other place that were it possible to hold elections, let us say, in the middle of October, then one might argue that there is no need to extend the life of the council for one month.

There would have been no need to extend the term of office if we were holding elections in the middle of October, or sometime during the month of October. I am not saying that is the intention. I will come to that point. I am clarifying the issue with respect to legislation because so much confusion has now been brought into that. The term of office of members had to be extended because the councils are run by the Chairmen and Mayors who remain in office and the Chief Administrative Officers. Therefore the very point which the Member for Oropouche made where he spoke of public officers having too much influence in the councils, running the show, so to speak, that is exactly what will happen if you had a postponement of elections. In other words, you have elections in October or November or so and you had no full council but just the Chairmen and Mayors. Therefore once you are going to have elections held some significant amount of time after the end of the terms of members, that is to say after September 13, it makes good sense to provide for the extension of the life of the councils. Therefore elections can be held in November, December, January, February. They can be held any time during the year. What we have done is provided for the continuation of the full council rather than leaving just the Chairmen and the Mayors there, as was done by the People's National Movement in previous time. I notice the contribution of the Member for San Fernando East; this was done by his party some time before, not extending the full life of the council and allowing the Chairmen and Mayors to continue there. Instead of doing that we provide for the extension of the term of the entire council, so all the councillors can continue their business. If we hold elections within that year at any point in time, then at that point the term of office of the council would come to an end and new elections will be held and new councillors would be in office. That is the first point of clarification of all of this confusion which has been brought into this.

The second point of clarification refers to the time at which elections are due. Let me start by saying that it is important that when Members, especially members of the legal profession speak in this Parliament, I think it is important that they seek to be accurate and not to mislead and give the wrong impression. Those like myself who are not trained in that particular field, seek advice before speaking on such matters. Having sought advice I can say that those who are familiar with the Constitution of the Republic, as provided in section 68(2) which reads:

Municipal Corporations Bill
[HON. C. CHARLES]

Monday, September 10, 1990

"Subject to subsection (3), Parliament, unless sooner dissolved, shall continue for five years from the date of its first sitting after any dissolution, and shall then stand dissolved."

Mr. Sudama: On a point of order. I thought he said I was irrelevant and I was not speaking on the proposals to extend the life of the local government bodies. I want to know whether the Minister now is relevant in terms of the point that he is making.

Mr. Chairman: You will not continue along those lines. We are dealing with the extension of the life of the local government bodies.

Dr. Charles: Mr. Chairman, I take it then that I am not in any position to respond to specific statements of misinformation made by honourable Members in this debate before I spoke.

Mr. Chairman: I did put the Member of Oropouche in the proper order, therefore there is no need for you to reply to that. This is irrelevant to the debate before the House and therefore let us get on with the bill.

Dr. Charles: I am prepared to get on with this. Just for clarity, I was not referring to comments by the Member for Oropouche.

Mr. Chairman: The Chair does not wish any further clarification.

Dr. Charles: If the Chair so desires, Mr. Chairman—

Miss Nicholson: On a point of order, Mr. Chairman. I think he was referring to the Member for Couva North.

Mr. Chairman: I understand the Member full well. There is no need for clarification.

Dr. Charles: I am prepared to proceed along that line. I hope that I am able to clarify some other matters. If I am not able to do, I am sure you will tell me when I should stop.

With respect to the extension of the life of the councils, I take it that I am not able also to speak on the matter of postponement of elections, because that is not what the bill intends. I am trying to be clear so that I do not get into trouble again. With respect to the specific issue of when elections are due, it is again very clear that there is no constitutional provision for the holding of local government elections this year by September 13. That is what I sought to do

when the Member for San Fernando East said that elections were constitutionally due by September 13.

Again, this should be accurate. I did not intend to, in any way, do damage to his contribution, but it is important that we are accurate because we are trying to inform ourselves and the public. In fact, there is no legal provision, no provision in law, for local government elections to be held by September 13. That is also a fact. These facts are bothering some Members, but that is also a fact. I said before in the debate elsewhere, what the law provides for is that after three years the councils go out of office. On the 13th, they will go out of office. It is then reasonable that one holds local government elections shortly after that. If you held it a few weeks after, a month after, I felt that would be reasonable. Therefore I made the point previously that rather than trying to hold it exactly on the 13th, that was not the intention. We were working day and night, literally, to seek to get the bill passed to have all of the procedures gone through and all of the machinery put in place so that we would be in a position to hold such elections, if not on that day, shortly after. We realized that we were always in trouble. In fact, I said this. We were always seeking to do it, but having difficulty meeting a deadline. But then, quite frankly, I have some difficulty getting through with the contributions of some Members. But that is a fact.

You see, this bill is the result of a considerable amount of effort by certain officers and it was the view of many that we had no intention of passing this into law, we never thought of going all the way through the process. In fact it was expressed in many cases that we brought this entire exercise of decentralization and so on, just to “muddy the water” so that we could hold no elections. Total rubbish. And today’s contributions demonstrate how much rubbish that was. In fact, what we did—and I am not saying that we would not have been wrong, but rubbish, in fact, was spoken by other persons in other places and I see one Member has quoted from the contributions of a particular doctor.

2.40 p.m.

Mr. Chairman, I do not want to become irrelevant, but let me just say that I think we have shocked many people. Many people who thought that this was going to simply end up in a basket somewhere and perhaps there are others who, had they been responsible for the exercise, would have taken it exactly that way. In fact, that was the way of the People’s National Movement. Taking the record

Municipal Corporations Bill
[HON. C. CHARLES]

Monday, September 10, 1990

of the People's National Movement—I do not plan to go into the records in terms of reading out all their wrong-doings over the years—*[Interruption]* I understand the wrong-doings of the PNM are now behind us and I am prepared to follow that, in fact a particular learned gentleman said that the People's National Movement should repent and the National Alliance for Reconstruction should forgive. I have no difficulty with that, repentance deserves forgiveness. *[Interruption]*. Atonement also, I am advised by those learned in this particular field. I have no difficulty with that either. In fact, as I said, I did not intend to go through that long record, but since the Member for San Fernando East has spoken and since there was this reference to our entering into the exercise, not necessarily by that Member but by others, in order to postpone elections, I thought I had to make the point that in fact it has been the case previously where exercises started and were just not finished and therefore some Members had every reason to think that we would also start this and not have the guts to finish it. The fact of the matter is, that just was not the case.

I take this opportunity to put into the record the enormous contributions from individuals on this amendment, on the entire bill in order to complete this exercise. So that even if we have to deal with the amendment to provide for this extension of the term of office, we still needed to complete the exercise on this bill on this time. I think on their part that was a tremendous achievement. Even though there is still need for an extension of time, the bill is finished and if we do the rest of the exercises and get the blessing of Parliament it will become law soon. It would then provide for some of the other matters raised by the Member for Oropouche with respect to the authority of officers in relation to councillors and so on, which again are irrelevant, and we will complete them, of course and, I therefore will not comment on them.

Having explained that aspect of things with respect to the next few months' activities, I want to indicate that even with this amendment the day and night work is not going to stop. There is still a tremendous amount to be done and the people are prepared and they are doing it. The Elections and Boundaries Commission also has a tremendous amount of work to do and it is also prepared. We met with officers of the Commission and they have indicated that they need additional resources in order to complete the exercise in as short a space of time as possible. We are prepared to give—

Mr. Manning: Mr. Chairman, would the hon. Minister give way to a question? Would the hon. Minister be kind enough to let this honourable House

know how long it would take the Elections and Boundaries Commission to complete the exercise under this bill to facilitate the holding of elections?

Dr. Charles: Mr. Chairman, obviously I cannot indicate how much time it would take them, because in fact I was in the process of detailing—

Mr. Manning: But you did say it would take them a considerable amount of time, so I assumed you had consulted with them . . .

Dr. Charles: The last discussion with the Elections and Boundaries Commission took place only last week. If we give them a certain amount of resources they can do it in less than seven months; if we give them more resources they can perhaps do it in less than four months. In other words, it depends on how much resources we give them.

Mr. Sudama: Mr. Chairman, I do not see the difficulty the Member is having. Do you have a difficulty with holding elections in four months' time?

Dr. Charles: I am making the point—

Mr. Sudama: Are you giving this House the commitment that elections would be held in four months' time?

Dr. Charles: I indicated even though I am taking the risk of having Members start quoting months all over the place—

Mr. Chairman: I wish you would address the Chair and ignore other remarks from the floor and we would get on.

Dr. Charles: But Mr. Chairman, how can I ignore Members when they ask for intervention? I stand aside and they make their contributions. How can I just ignore them?

Mr. Chairman: I was referring to the last interruption. No one asked you to give way.

Dr. Charles: I have great respect for hon. Members as well as yourself, Mr. Chairman, so I seek not to ignore them as I will not ignore you at all.

As I said, the Elections and Boundaries Commission is prepared to work as fast as we can fund them and, therefore, we continue discussions with them. I was about to make the point that we are prepared to put at their disposal all the resources required to have this exercise completed very quickly. This is what we are about so that they too would do their work.

Finally, in my view, the amendment is also likely to find support among members of local government bodies, who through our discussions with them, were in fact quite concerned that they should have every opportunity to make the greatest degree of input into the urgent work which we are now about to undertake to prepare the new corporations in respect of administrative personnel, equipment and other such facilities required for the operations of the corporations. They would have therefore a few months in which they could make their input while we prepare the new corporation. So we will use our time very well and we hope we would not be in the position to deter the holding of elections by virtue of the amount of work to be done concerning the implementation of the proposals, the Elections and Boundaries Commission work and so on.

This is the goal of the Government with respect to the bill. It is also our goal to get this done as fast as possible so that this would not be in the way. This is in fact the only relevant thing at this point really, that this will not be in the way of the holding of an election.

I therefore wish to move that this House now agree with the Senate amendment to clause 273.

Mr. Chairman: Hon. Members, there was a motion to amend this amendment by the Member for Couva North. He proposed that we delete the words—

"one year or to such date as the President may specify by order published in the Gazette whichever first occurs."

and insert the words "for a period of one month".

Having regard to the Standing Orders this amendment to the amendment must be seconded. Is there anybody to second it?

[Seconded by Mr. T. Sudama]

Mr. Chairman: Hon. Members, I will first put the amendment to the amendment to the House. If that is carried then there will be no need for me to put the second question; if this is denied then we go on to the original amendment on the Order Paper.

Question on amendment to amendment put and negatived.

Question on substantive amendment put and agreed to.

2.50 p.m.*Existing Clause 273.**Senate amendments read as follows:*

- A. Renumber the existing clause 273 as clause 274.
- B. In the renumbered clause 274, insert the following new paragraph (f) immediately after paragraph (e):
 - "(f) the Electoral Candidates (Municipal Corporations) Qualification Act, 1987".

Dr. Charles: Mr. Chairman, I beg to move that the House doth agree with the Senate in the said amendment.

*Question proposed**Question put and agreed to.**Existing Clause 274:**Senate amendment reads as follows:*

Renumber the existing clause 274 as clause 275.

Dr. Charles: Mr. Chairman, I beg to move that the House doth agree with the Senate in the said amendment.

*Question proposed**Question put and agreed to.**Eleventh Schedule:**Senate amendments read as follows:*

Add the following at the end of the Eleventh Schedule:

REPRESENTATION OF THE
PEOPLE ACT
Chap. 2:01

FIRST SCHEDULE THE FIRST SCHEDULE is repealed and
replaced by the following schedule:

FIRST SCHEDULE
REGISTRATION AREAS

Municipal Corporations Bill
[HON. C. CHARLES]

Monday, September 10, 1990

The City of Port of Spain.
 The City of San Fernando.
 The Borough of Arima.
 The Borough of Point Fortin.
 The Borough of Chaguanas.
 The Regional Municipality of Diego Martin.
 The Regional Municipality of Laventille.
 The Regional Municipality of San Juan.
 The Regional Municipality of Tunapuna.
 The Regional Municipality of Piarco.
 The Regional Municipality of Sangre Grande.
 The Regional Municipality of Couva.
 The Regional Municipality of Tabaquite/Talparo
 The Regional Municipality of Rio Claro.
 The Regional Municipality of Siparia.
 The Regional Municipality of Debe/Penal.
 The Regional Municipality of Princes Town.
 The Regional Municipality of Mayaro.

LAW TO BE
AMENDED

AMENDMENT TO BE MADE

TRANSFERRED OFFICERS
 CONTINUITY OF SERVICE
 ACT
 Chap. 23:02

Long Title	In the Long Title, for the word "municipality" wherever it occurs substitute the word "Corporation".
Section 2	(a) For the definition "municipality" substitute the following: <p>"Corporation" means a Municipal Corporation continued or established under the Municipal Corporations Act 1990.</p>
	(b) In the definitions "officer" and "service", for the word "municipality" wherever it occurs substitute the word "Corporation."
Sections 3 and 5 substitute	For the word "municipality" wherever it occurs the word "Corporation".

Dr. Charles: Mr. Chairman, I beg to move that the House doth agree with the Senate in the said amendments.

Question proposed.

Question put and agreed to.

SELECT COMMITTEE REPORTS

ADOPTION

Office of the Ombudsman

The Minister in the Office of The Prime Minister (Hon. Margaret Hector): Mr. Chairman, I beg to move,

That this House adopt the Report of the Joint Select Committee of Parliament appointed to "Review Legislation establishing the office of the Ombudsman in order to strengthen that office so that it may provide more effective resolution of the Citizens' grievances and curb bureaucratic abuses."

Question proposed.

Question put and agreed to.

Report adopted.

Broadcasting and Televising of Debates

Office of the Ombudsman
[HON. M. HECTOR]

Monday, September 10, 1990

The Minister of Industry, Enterprise and Tourism (Dr. The Hon. Bhoendradatt Tewarie): Mr. Chairman, I beg to move,

That this House adopt the Report of the Joint Select Committee of Parliament appointed to consider and report on all aspects relating to the broadcasting and televising of the proceedings of Parliament.

Question proposed.

Question put and agreed to.

Report adopted.

Committee of Privileges

The Minister in The Office of The Prime Minister (Hon. Margaret Hector): Mr. Chairman, I beg to move,

That the First Report of the Committee of Privileges of the House of Representatives (1989/1990 Session) be adopted.

Question proposed.

Question put and agreed to.

Report adopted.

Mr. Patrick Manning (*San Fernando East*): Mr. Chairman, I merely rise this afternoon to place on record the fact that I have not seen that Report of the Committee of Privileges in our documentation and the report has not been signed by me as a member of the Privileges Committee. I wonder if anybody at all signed the report and whether indeed there was any meeting of the Privileges Committee at which it was determined that this approach should have been taken. I am not aware of it, and I thought that I should draw that to your attention so that proper note can be taken of the way this Government proposes to continue its business.

Mr. Chairman: This report was prepared on the direction of the Chairman of the committee.

ORDER OF BUSINESS

Committee of Privileges

Monday, September 10, 1990

Hon. Bhoendradatt Tewarie: Mr. Chairman, I seek leave of this House to deal with motions Nos. 7, 8, 9 and 10 on page 9 of the Order Paper under "Private Business".

Question put and agreed to.

SELECT COMMITTEE REPORTS

ADOPTION

Institute of Internal Auditors (Inc'n) Bill

The Parliamentary Secretary in the Ministry of Youth, Sport, Culture and Creative Arts (Mr. Kenneth Butcher): Mr. Chairman, I beg to move,

That this House adopt the report of the special select committee of the House of Representatives appointed to consider and report on a Private Bill entitled, "An Act for the incorporation of the Institute of Internal Auditors of Trinidad and Tobago and for matters incidental thereto."

Question proposed.

Question put and agreed to.

Report adopted.

3.00 p.m.

Caribbean Forest Conservation Association (Inc'n) Bill

The Parliamentary Secretary in the Ministry of Education (Mr. Oswald Hem Lee): Mr. President, I beg to move,

That this House adopt the report of the special select committee of the House of Representatives appointed to consider and report on a private bill for the incorporation of the Caribbean Forest Conservation Association.

Question proposed.

Question put and agreed to.

Report adopted.

Confederation of African Associations(Inc'n) Bill

The Parliamentary Secretary in the Ministry of Youth, Sport, Culture and Creative Arts (Mr. Kenneth Butcher): Mr. President, I beg to move,

Caribbean Forest Conservation (Inc'n) Bill

Monday, September 10, 1990

That this House adopt the report of the special select committee of the House of Representatives appointed to consider and report on a private bill for the incorporation of the Confederation of African Associations of Trinidad and Tobago.

Question proposed.

Question put and agreed to.

Report adopted.

School of Philosophy (Inc'n) Bill

Mr. Raymond Palackdharrysingh (*Naparima*): Mr. President, I beg to move,

That this House adopt the report of the special select committee of the House of Representatives appointed to consider and report on a private bill for the incorporation of the School of Philosophy of Trinidad and Tobago and for matters incidental thereto.

Question proposed.

Question put and agreed to.

Report adopted.

Motion made, That the House do now adjourn to a date to be fixed. [*Hon. B. Tewarie*]

Mr. Chairman: Before the House is adjourned, I am directed that if Members so wish, there are refreshments provided.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 3.04 p.m.