

Leave of Absence

Friday, January 25, 1991

HOUSE OF REPRESENTATIVES

Friday, January 25, 1991

The House met at 1.40 p.m.

PRAYERS

[MR. SPEAKER *in the Chair*]

LEAVE OF ABSENCE

Mr. Speaker: The hon. Member for San Fernando East has been excused from today's sitting.

PAPERS LAID

1. Report of the Auditor General on the Accounts of the Government Employees' Provident Fund for the year ended December 31, 1984. [*The Minister of Finance (Hon. Selby Wilson)*]
2. Report of the Auditor General on the Accounts of the Government Employees' Provident Fund for the year ended December 31, 1985. [*Hon. S. Wilson*]

Papers 1 and 2 to be referred to the Public Accounts Committee.

WRITTEN ANSWERS TO QUESTIONS

The following questions stood on the Order Paper in the name of Mr. Raymond Palackdharrysingh (Naparima):

Firemen

8. a) Would the Minister of Justice and National Security kindly state the names of those persons appointed as recruit/firemen with effect from December 15, 1990?
- b) Would the Minister state the criteria by which persons are selected to become recruit/firemen?

Auxiliary Firemen

9. a) Would the Minister of Justice and National Security state the criteria for hiring fire guards and auxiliary firemen?
- b) Would the Minister indicate whether there are exceptions to the normal procedures of hiring such persons?

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

Firearms Licences

10. Could the Minister of Justice and National Security state:

- a) How many applications have been made to the Commissioner of Police by members of the public for the issue of licences for small firearms in each of the years 1987, 1988, 1989 and 1990?
- b) How many applications have been successful in each of the aforementioned years? and
- c) What are the criteria employed by the Commissioner of Police in granting such licences?

The Minister of Justice and National Security (Hon. Joseph Toney): Mr. Speaker, with respect to questions 8 to 10, I have spoken to my friends on the other side: the hon. Member for Oropouche and the hon. Member for Naparima and I have kindly asked them for a deferment of two weeks to which they have consented. Thank you.

Questions, by leave, deferred.

PAYE Deductions

11. Mr. Trevor Sudama (Oropouche) asked the Minister of Finance:

- a) Whether all the moneys collected by the firm, Universal Contractors Ltd. of Avocat, Fyzabad, in respect of PAYE deductions from their employees up to and including the year 1988 have been remitted to the Board of Inland Revenue as required by law?
- b) Whether TD 4 slips have been issued to all the firm's employees in respect of each year of income as required by law?

The Minister of Finance (Hon. Selby Wilson): Mr. Speaker, I must apologize but the answer to this question is not yet ready and I ask for a deferral. I am sorry I did not communicate with the Member for Oropouche before today.

Question, by leave, deferred.

NIS Deductions

12. Mr. Trevor Sudama (*Oropouche*) asked the Minister of Labour, Employment and Manpower Resources:

Could the Minister state:

- a) Whether all the moneys collected by the firm, Universal Contractors Ltd. of Avocat, Fyzabad, in respect of NIS deductions from their employees up to and including the year 1988 have been remitted to the National Insurance Board as required by law?
- b) Whether the firm permitted the employees to scrutinize their NIS contribution cards?

The Minister of Industry, Enterprise and Tourism (Dr. The Hon. Bhoendradatt Tewarie): Mr. Speaker, I would also like to ask for a deferral on that particular question.

Question, by leave, deferred.

LEO DESVIGNES (MEMORIAL)

SPECIAL SELECT COMMITTEE

Mr. Theodore Guerra (*Port of Spain South*): Mr. Speaker, I beg to move the motion standing in my name on the Order Paper.

Be it resolved that the House adopt the Report of the Special Select Committee of the House of Representatives appointed to consider and report on an appropriate Memorial for the late Member of Parliament, Mr. Leo DesVignes.

Your Committee was appointed on Friday, August 10, 1990 and we held two meetings, on Monday, August 13, 1990 and Friday, September 20, 1990.

Your Committee, through the Chairman, invited all interested persons to submit memoranda with respect to an appropriate Memorial for the late Member of Parliament, Mr. Leo DesVignes.

Your Committee received responses from a number of individuals and I think I ought to read them into the record. They were Mr. Richard William Thomas; Mr. Vernon U. Lequay; Mr. Frederick Austin; Morvant/Laventille Improvement Organization; Mr. Richard Lutchman; Senator Professor John Spence; Senator Fr. Winston Joseph; Fr. Kenneth Spence; Mr. Ralph H. Lee; Ms. Linda Superville; Mrs. Sandra McIntrye-Trotman.

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Your Committee examined memoranda received and discussed the proposals in addition to proposals made by members of the Committee.

It was strongly suggested, among other things, that others who died in the tragic incident should not be ignored. Our recommendations hereunder reflect our agreement to such a suggestion to the extent that it could have been accommodated in our terms of reference.

Your Committee is also of the view that the costs to be incurred in giving effect to recommendations should not be extravagant and should not, as far as practicable, be an additional burden to the state. Further, that an appropriate memorial should be functional while being symbolic to both the Parliament of the country and the national community at large. Such a memorial should pay due regard to Mr. DesVignes' role as a community leader, Member of Parliament and a patriot.

Our recommendations are as follows:

1. That the Diamond Vale Trade Centre earmarked for construction in the constituency of Diego Martin Central carry the name of the late Member.
2. That the Retiring Allowances (Legislative Services) Act Chapter 2:03 be amended with retroactive effect to provide for the survivors of Parliamentarians who die while serving as Members of Parliament.
3. That a portrait of Mr. DesVignes be mounted in the Parliament Chamber. We thought that we would ask the Central Bank to defray the cost to be incurred in giving effect to this proposal. It should be done locally, if possible.
4. That an Endowment Fund be established for the education of children of those persons who died as a result of the insurrection. At a later stage, this Endowment Fund could be utilized to assist deserving cases.
5. That a Memorial Service be held under the auspices of the Parliament in conjunction with the Inter-Religious Organization for all those persons who died as a result of the event of July 27, 1990. This service should be timed to coincide with the commissioning of an appropriate plaque.
6. That a plaque bearing the names of all persons who were killed in and around the Parliament during the insurrection be installed in an appropriate manner in the Rotunda area of the Red House. An "Eternal Flame" to

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symbolize our need to be ever vigilant in the protection and security of our democratic and peace-loving way of life, should accompany the plaque. Expenses in this regard to be met by contributions from the general public.

Mr. Speaker, I beg to so move.

[Secoded by Mr. Kenneth Butcher]

Mr. Speaker: Hon. Members what is in effect before the House is really the consideration of the recommendations in the Report. By way of procedure, I am suggesting that the House resolve itself into committee to consider the recommendations one by one. This is subject to what Members may have to say. I take it that this is a non-partisan and non-controversial matter. Rather than having an open debate since it is a House Committee that has brought this Report here, we should look at the recommendations and have discussions on the recommendations. In order to facilitate this, it can only be done when the House is in committee. Under normal circumstances, motions are not considered in committee by the House, only bills. There is no provision for us to resolve into committee. What I have suggested to the Minister of Justice and National Security is that there is a provision in the Standing Order where we can suspend the Standing Orders and proceed in the manner in which I have suggested. Is that agreed on or is there anyone who wants to have an open debate on this?

1.50 p.m.

The Minister of Justice and National Security (Hon. Joseph Toney): Mr. Speaker, I beg to move that Standing Order 90, be invoked to allow the House to be resolved into committee to look at the Report as put forward by the Special Select Committee, on the appropriate memorial for the late Member of Parliament, Mr. Leo DesVignes. I beg to move Mr. Speaker.

Question put and agreed to.

House in Committee.

Mr. Chairman: Hon. Members, unless there is contrary view, I propose for the House Committee to address the recommendations in the same order as they are reflected in the report. Is that agreed upon?

Hon. Member: We are not in possession of the Report.

Mr. Guerra: It was circulated months ago.

Mr. Chairman: Recommendation No. 1. Do we have any discussions or recommendations on this?

Mr. Butcher: Mr. Speaker, I just wanted to suggest that we have a time-frame on this because this trade centre was proposed in the late 1970s and I would not like to see the trade centre go on and on and not constructed. I suggest that we have, maybe a cut off point in the year 1991 for it to be constructed.

Mr. Chairman: Does anyone have a response to that suggestion?

Mr. Wilson: Mr. Speaker, with respect to the recommendation that has been made, whereas I do appreciate the urgency and concern of the Member for Barataria/San Juan, I would just like to advise that there is a designated site for this centre but there is some difficulty in the land being free. So there may be some difficulty—not that we should not set a deadline date, but I would just like to caution that the land is tied up in such a way and there may be some difficulty.

Mr. Chairman: Can we then perhaps add a sentence to the first recommendation to indicate the view of the Member for Barataria/San Juan?

Mr. Smart: In what terms, Mr. Chairman?

Mr. Chairman: General terms.

Mr. Smart: We have to be careful though, Mr. Chairman, to attempt to circumscribe the executive in matters of this kind. I am not sure whether the procedure would be right, for the House to tell the executive exactly when to construct a particular building. We all wish to see that building constructed, but as the Member for Point Fortin has indicated, there might be some constraints put in the way. He has mentioned one, but there might be others we have not foreseen at this time. So, I want us to be careful about putting a time limit on the recommendations.

Mr. Guerra: I think that the sentence should be “that the Government should be urged to expedite the construction of the trade centre, preferably in 1991”.

Miss Nicholson: I do not know if it is of any importance. If the House takes a decision whether it is built in 1991 or 1992, does not that decision stand that when it is built it will be named after the individual? I thought that we must make all the effort to see that we go as urgently as possible but I am wondering whether the House should take the decision, when the building should be built.

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Mr. Butcher: The reason I want to get going on this is because that building is going to be a functional one and would cater for a number of persons stretching as far as Point Cumuna coming right up to Cocorite, Petit Valley, Four Roads, *etc.* It is going to house, maybe 250 students during the course of the year—both boys and girls. This thing has been outstanding for quite a number of years and I feel if we really want to make a meaningful mark to the late Leo DesVignes, we should have that building constructed in a given time-frame. I understand it is under design/construct/finance under the Fincor Loan and the only problem is that there were some squatters on the property whose status should be regularized. I cannot see that this should take any undue time to have those squatters regularized and whatever else is needed to have that building constructed within the year 1991 and have it designated. I feel that would really be paying tribute to the late Leo DesVignes. He was very concerned and always interested in that building and really to make a mark would be to have it completed within a given time-frame—if it takes a year and a half, two years whatever, but I would like to see a time-frame placed on that. As I said, it was first conceptualized in the late 1970s, we are in 1991.

Mr. Chairman: The Member queried the terms under which the recommendation should be made. I think hon. Members will agree with him that one cannot actually pin down the executive. In light of that I am wondering whether a sentence like “Every effort should be made to commence construction as early as possible” is satisfactory to all. As I said, it can be done in general terms if we wish to do that.

Miss Nicholson: I want to clear the air on the issue. Are squatters the issue? An encumbrance situation, that is the problem.

Mr. Wilson: I support the position you are advocating. I think that will reflect the spirit of our intention.

Mr. Chairman: The suggestion is that we insert at the end of the first proposal, the following sentence—

“That every effort should be made to commence construction as early as possible.”

2.00 p.m.

Mr. Chairman: Do we have anyone dissenting on that? Shall we accept the recommendation as amended then? Thank you very much. Recommendation No.

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2. Member for Port of Spain South, do you want to give a brief background to this?

Mr. Guerra: Section 5 of Chapter 2:03 says;

"Subject to the provisions of this Act the retiring allowance shall be paid to any person who has served as legislator for periods amounting in the aggregate to not less than eight years and has ceased to be a legislator and either

- (c) (i) has attained the age of 55 years; or
- (ii) not having attained the age of 55 years and produced medical evidence to the satisfaction of the appropriate Minister that he is incapable by reason of infirmity of mind or body of discharging the duties of a legislator and that such infirmity is likely to be permanent."

Leo DesVignes, having served just four years in this House does not qualify under section 5 for any retiring allowances for his legislative service, and having regard to the manner in which he died in the House while performing his duties as legislator, whilst serving as a Member of Parliament, we felt that provision should be made for the protection of his survivors.

Mr. Smart: Just by way of information, the Government took a decision some months ago for the estates of all persons who were employed with the Public Service and who died during the course of events of July 27 for their estates to be paid three years' salary, and that the education of children of persons who died while serving the Government, would be taken care of. I just thought I should indicate that by way of information.

Mr. Humphrey: On this score, can we consider the possibility of a group insurance for all Members? If we had thought of it prior to July 27, then our late colleague would have been included in the terms of the insurance, and you would not have the problem to confront now. I accept that politics in any country is a hazardous profession, but then group insurance is an easy facility that would avail every Member the opportunity to leave their families with some degree of security, in the event that any such thing should happen. I do not think it would cost us very much even if it were a voluntary scheme, even if we had to finance it ourselves. I do not think it would cost us very much to have such an insurance.

Mr. Chairman: We have three situations for your consideration, bearing in mind that this particular report and the recommendations bear specific reference to the late Member of the House.

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With respect to the group insurance I think that while it may be something valid, that has to be addressed to the Salaries Review Commission to lay down these salaries and other conditions of service. When the committee considered this recommendation we were thinking about Members who died in the line of duty, so to speak, not just while serving. It is just stated here in general terms in the report. One wonders whether the information provided by the Attorney General would adequately take care of the situation with respect to the late Member.

Mr. Palackdharrysingh: The question does arise as to the length of time the provision made by the Government would be in effect. I think that is a slightly different matter from what is being discussed here. As was pointed out, here it is a Member of the Parliament has died in the service of his country in the Parliament Chamber itself and there is no provision whatsoever, as pointed out by the Member for Port of Spain South, to give any sort of support for his family. I believe that the recommendation as presented here, is a good one and that the Attorney General's office should look at it as expeditiously as possible to try to fill the spirit of the recommendation.

Mr. Chairman: It is definite that active consideration is being given to the survivors of the late Member and that is already being addressed. The question now is, if the Committee feels that the matter is being adequately addressed, perhaps we can delete the recommendation.

Mr. Marshall: I think the recommendation here listed as item No. 2 goes beyond the issue of simply the late Member of Parliament. The attempt is being made here to put something in place on a more permanent basis. I think at the moment the Act does not provide for any sort of benefit for the survivors of Parliamentarians who may find themselves in a similar situation. The attempt here is to deal with that. I feel it is a very important matter.

Mr. Fox: These recommendations, I understand, were advanced by other Members.

Mr. Chairman: With respect to the survivors of all those who died in the events of July 27, some kind of compensation is being worked out and a decision has been taken by Government to look after the dependants of all those who died, including the late Member.

2.10 p.m.

Mr. Smart: It has been agreed that a sum of three years' salary, be paid to the estate of the deceased, that is, those entitled to benefit from the estate would get that sum of money. In addition to that, arrangements have been made for the education of the children of those persons who died to be taken care of; the children of those persons who were employed with the state and who died, and also Leo DesVignes as a Parliamentarian.

While I have the floor, Mr. Chairman, I suggest that we look at this proposal very carefully because it is, in fact, a term and condition of, as it were, the employment of a Parliamentarian. Section 141 of the Constitution provides for the establishment of the Salaries Review Commission, whose job it is to make recommendations for the terms and conditions of certain officers, including Parliamentarians.

So that I think, Mr. Chairman, that if we accept this recommendation we would, in fact, in a sense be usurping the functions of the Salaries Review Commission, which at this time was mandated by the President to carry out a full review of the terms and conditions of all the officers who fall under the purview of the Salaries Review Commission. So that they are at this moment looking at the terms and conditions of Parliamentarians.

I think that it might be a good idea for the Parliamentarians, if it were possible, to make recommendations to the Salaries Review Commission, so that I think this matter could be taken up in the report of the Salaries Review Commission rather than at this stage.

Mrs. Donawa-McDavidson: May I suggest, Mr. Chairman, in light of the information from the Hon. Attorney General, that we delete this item and that we ask the Government, whether as a paper or statement, or whatever it is, the very said thing that has just been repeated be placed as a Parliamentary paper so that we would be certain that a commitment has been made and these conditions will be looked after. Because what, in effect, would be happening is that we may have duplication.

Mr. Sanderson: Mr. Chairman, this Special Select Committee was asked to bring forward recommendations to the House to deal with the specific situation resulting from the July incident. The information that the hon. Attorney General is providing to this committee here, even though that information might be factual, to Members of the House it is now information to us that would actually put us in a

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better light on a broader horizon, *vis-a vis* the Salaries Review Commission, as he rightly puts it.

What we are actually dealing with here is a specific situation of the Select Committee looking at the premature ending of one's life while serving as a representative.

The second recommendation deals as it is in the law, with legislative services. It is quite specific that if one is to actually receive a remuneration, based on what is specific in the law, and the late Member's service ended prematurely, I think it is right and incumbent upon the committee to recommend whatever is necessary so that his estate, or whoever, receives some survivor's benefit, in particular as it relates to July 27.

On the wider scope of things, I believe that all Members should be somewhat particular here now, since the law as it is does not provide for premature ending of lives while serving the Government, or the country.

I believe that there must be some consideration, as it is presented by the committee, in relation to the premature ending of life, which is before us presently.

Mrs. Donawa-McDavidson: I just wanted to clear my mind. I am realizing a term of reference which says this committee has been set up to consider and report on an appropriate memorial for the late Member of Parliament, Mr. Leo DesVignes. Correct me if I am wrong, but my impression is that this committee is to do something that relates to Leo DesVignes as a memorial, something that we can all look back on. While I can see the intention of the committee, it appears to me that the Committee may have gone beyond its terms of reference.

Mr. Chairman: Let us delete the word "an". I am trying to get on with it. Let us delete the word "an" at the top here. It should be "appropriate memorial." We have to look at the proposals cumulatively. That would solve the problem.

Mrs. Donawa-McDavidson: I understand that a memorial is something that reminds us of the contribution, the service or the thing that was done by a particular person, and you do something that stands out significantly on behalf of the person. I am working on memorials myself, and I am thinking in terms of all the things that the individual person may have done that would probably inspire us and help us go forward.

The suggestion at No. 2 seems to me to be one that should appropriately come from some other forum and not necessarily as part of a memorial, because we are

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talking in terms here, not of the Member for Diego Martin Central, but we are talking in terms of all Parliamentarians. I am not disputing that some consideration should be given. My question is whether it is appropriate under this particular committee.

Mr. Chairman: As I said, you delete the word "an" at the head there. It should be "appropriate memorial" and we are to take the proposals or the recommendations altogether.

The committee will have to be guided by the advice of the Attorney General on this matter.

Mr. Guerra: The law which governs retiring allowances is Chap. 2:03. What the Committee has done is to recommend an amendment of Chapter 2:03 so that Leo DesVignes is not falling under section 8 or 9, but would be entitled to the benefits prescribed in section 11.

We have made the recommendation to Parliament. If it means that Parliament should approach the Salaries Review Commission to change the terms and conditions of service, or if it means that Parliament should pass legislation, we have made the recommendation to Parliament.

Dr. Tewarie: Mr. Chairman, I do not know if I could be of any assistance on the matter, but if I could garner the sentiments expressed by the Member for Diego Martin East, the Attorney General, and my friend from Port-of-Spain South, I feel that this is a matter which, all the circumstances being considered, we can delete, and the recommendation itself could be one coming from the Lower House to the Salaries Review Commission to be considered when they are considering all the terms and conditions of Members of the Lower House.

Mr. Raphael: Would that not mean that if we accept what the Attorney General has suggested, the decision of the Salaries Review Commission would have retroactive effect?

Mr. Chairman: What the Attorney General is saying is that Cabinet has already taken a decision to compensate the survivors of those persons who died.

Mr. Raphael: Three years, to me, is not appropriate for Leo DesVignes at all.

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Mr. Chairman: Together with arrangements for the education of the children of those who died.

Mr. Wilson: Mr. Speaker, just to correct the impression that the Member for Arouca North has given, what Cabinet has agreed to do is to pay to the estate of Leo DesVignes three years' salary as a lumpsum.

I would like to point out that even if this amendment goes through, what this amendment is seeking to do is to provide some ongoing pension, and that pension of necessity will have to be calculated on the contributions made by Leo DesVignes while he served as a Member of Parliament. That pension, I daresay, would be a very minimal amount, very small.

It is not true to say that three years' salary is not enough. No compensation is enough, given the circumstances in which he died. I am just pointing out that the magnitude of the contribution—the decision by Cabinet far exceeds the recommendation here in (2). This would have to be calculated on the contributions he made. That pension would be very minimal.

Mr. Sanderson: Mr. Chairman, I realize that recommendation No. 2 would be a bit controversial. However, my understanding, in looking at the recommendation, is that the Retiring Allowances (Legislative Services) Act Chap. 2:03 should be amended. I think the question of "be amended" is not before us. We do not know what the amendment is. If we are to look at comparative institutions, and I support the Member for Arouca North, one's life does not equate to three years' salary at all, and in cases of premature ending, special consideration should be given in a manner that would be deserving.

I believe that it is a debatable subject, and a proper and fitting amendment that would actually put forward the quantum would be a further subject, but not as it is in whatever document or whatever Act that we are looking at, as referred to by the Member for Point Fortin.

So I believe that the amendment that should be proposed, when it is proposed, should deal with it in detail in relation to the quantum, based on the period the individual served. However, we should be mindful of what are actually discussing here—something that would be worthwhile, fitting in relation to a memorial that relates to the premature ending of Leo DesVignes' service as a parliamentary representative.

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I think that when that amendment is brought forward, we all as Members would debate it, and I think that a fitting amendment, whoever is preparing it, should come before the House.

2.25 p.m.

Mr. Wilson: Mr. Chairman, the recommendation proposed here appears to be a general recommendation affecting all Parliamentarians, not just Leo DesVignes, so one could not fix a quantum. I suggest that a formula will have to be used and it would shorten the qualifying period for one's beneficiary if one dies while serving as a Member of Parliament. As I read it, it is not really a recommendation specific to Leo DesVignes, it is a recommendation affecting all parliamentarians regardless of how you die, even if you die of natural causes.

Mr. Chairman: I think the intention of the recommendation was that you make provision for the survivors of the late Member and also for any other Member, after him, who may suffer a similar fate. Those words, "while serving as a Member of Parliament", should really be, "who died in the line of duty." That was the intention.

Mrs. Donawa-McDavidson: Mr. Chairman, let us say Mr. Panday got a heart attack and he dies in Parliament—

Mr. Panday: Wishful thinking. I shall be here forever.

Mrs. Donawa-McDavidson: I am only asking a question.

Mr. Chairman: We will have to get the legal draftsmen to define what "line of duty" means; the set of circumstances that will be encompassed by such an expression. We would have to be guided by the Attorney General in this matter. What is your suggestion, Mr. Attorney General?

Mr. Smart: I recommend that we delete the recommendation in view of the fact that the Government has already taken very substantial steps to take care of the survivors of the deceased and also, because of the role that one expects the Salaries' Review Commission to play in accordance with the Constitution in determining the terms and conditions of Parliamentarians.

On the advice of the Minister of Finance, I suggest, that the recommendation should note what the Government has already done in terms of providing compensation for the family of the deceased Member of Parliament.

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Mr. Chairman: The Minister of Finance has indicated—and this is something worth considering as well—that even though the recommendation is accepted, compensation would not be meaningful because if it is accepted it has to be computed on the basis of some kind of formula and this takes into consideration, as the Minister of Finance said, contributions made by the late Member. Shall we say then that we would take the advice of the hon. Attorney General and delete the recommendation?

Mr. Raphael: Mr. Chairman, what we must take into account is the fact that if one dies in a motor vehicle accident, figures are not worked out on that basis.

Mr. Leo DesVignes died as a result of a gunshot wound in Parliament and special consideration should be given and it should not be taken in a general sense. One Parliamentarian died in the Red House and a special formula should be developed in respect of him and, in my view, three years' compensation is not sufficient. I should like whoever is responsible to take that into account because if you die as a result of an accident you get far more than that. It is there to bargain and normally they take into consideration 10 times the first year's salary.

Mr. Chairman: Shall we delete recommendation No. 2?

Mrs. Donawa-Mc Davidson: We should not just delete this recommendation but it should be referred to some appropriate body for consideration based on the motives for establishing that recommendation. Do not just delete it and leave it hanging; the thoughts expressed should be examined by the Salaries' Review Commission or whoever else.

Mr. Guerra: Mr. Chairman, the committee has recommended that Chap. 2:03 be amended, whatever the formula is, so as to bring the retiring allowance to the beneficiaries of the estate of Leo DesVignes; it is a formula which will be worked out by the draftsmen. The Salaries Review Commission may make recommendations but it cannot amend Chap. 2:03; we will have to come here in Parliament and amend it.

Mr. Sudama: Mr. Chairman, can I enquire whether the Member for Port-of-Spain South is recommending that in addition to whatever provision the Government has made, that something additional besides the three years' salary and the provision for the education of the children.

Mr. Guerra: Yes, Mr. Chairman.

Mr. Chairman: What is your view?

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Mr. Sudama: My view is that we accept the decision of the Government in this particular case and we refer any additional question of compensation to a special institution.

Mr. Chairman: The Attorney General is saying that it ought to be the Salaries Review Commission.

Mr. Sudama: I have no objection to that.

Mr. Chairman: There is a suggestion before the committee at this stage. The mover of the motion is saying that recommendation No. 2 should be accepted in addition to what Cabinet has agreed upon with respect to the survivors of the late Member.

Further to that, the Member for Oropouche has suggested that the recommendation should be referred to the Salaries Review Commission.

Mr. Smart: Mr. Chairman, what we can do is take note of the views expressed here because, in fact, it would be for the President to refer matters to the Salaries Review Commission. As I said, the Salaries Review Commission is now in the process of doing a general review. We can somehow bring the views of this committee to the attention of the Salaries Review Commission and I am sure that they will deal with them in the course of the overall review that they are doing.

In view of all that has been said, I urge that we, in fact, delete the recommendation and we bring to the attention of the Salaries Review Commission, the views expressed here, with a view to the Salaries Review Commission delivering a report which hopefully can be accepted and if at the end of that it is necessary to amend the particular Act that we are looking at, we can then do so. I think this is the proper procedure in accordance with the Constitution.

Mr. Chairman: Who will take the initiative to bring this matter to the attention of the Salaries Review Commission?

Mrs. Donawa-McDavidson: If we take a decision in Parliament, obviously the Government has to take the initiative—not necessarily an individual—and the appropriate Minister would be the one who would put forward the proposal.

Mr. Guerra: Mr. Chairman, what Cabinet has done is make an *ex gratia* payment—

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Mr. Chairman: We are not on that anymore. We have clarified that by saying that recommendation No. 2 should be accepted in addition to the provisions that the Cabinet is making for the survivors of the late Member.

What we are talking about now is the recommendation itself and what is before us is the suggestion that we delete the recommendation but draw the matter to the Salaries Review Commission. The stage we have reached now is, how do we do that? Is it proper for the Government or the executive to bring such a matter to the attention of the Salaries Review Commission? If not, then who will do this?

Mr. Sudama: I suggest that we put the responsibility on the Speaker of the House of Representatives to relay to the Salaries Review Commission the sentiments expressed in this House.

Mr. Smart: Mr. Chairman, I just did not express it as yet but that is the line of my thinking.

2.35 p.m.

Mr. Toney: It is only the President who can refer matters to the Salaries Review Commission. In the circumstances, Mr. Chairman, you will have to relay the sentiments to his Excellency, who will then refer the matter to the Salaries Review Commission.

Mr. Chairman: The suggestion is that we delete the second recommendation and that the Speaker of the House of Representatives refer the matter to his Excellency the President.

Mr. Smart: Mr. Chairman, I do not think there is need to refer the matter to His Excellency. The Salaries Review Commission is, at present, conducting a review. My information is that some of the officers whose terms and conditions are now being reviewed have been asked to see the Salaries Review Commission. So that, in the course of their review, I suspect—I cannot speak for them—they will be talking to persons whose terms and conditions they are in the process of reviewing. Under those circumstances, I suggest that it may be possible for the Speaker to have an audience with the Salaries Review Commission and bring to their attention the sentiments expressed.

Mr. Chairman: I think the safer route is for the Speaker to raise the matter with his Excellency, the President, and take it from there.

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Mr. Raphael: Mr. Chairman, I am not clear. This is a special case that we are dealing with, the deceased Mr. Leo DesVignes. I would like to know from you whether the Salaries Review Commission will give any special consideration, as suggested, with respect to higher compensation—not three years.

Mr. Chairman: We are not dealing with the Cabinet's decision at all. We are dealing with the recommendation that is before us in the report.

Mr. Raphael: The Salaries Review Commission will be dealing with current funds. I am talking about the deceased.

Mr. Chairman: If there is acceptance of the recommendation and there is need to amend the law, it would be amended with retroactive effect to cater for the survivors of the late Member. That is exactly what is reflected in the recommendation.

Mr. Sanderson: Mr. Chairman, am I to understand that in your recommendation to His Excellency the special case of Leo DesVignes would be mentioned in taking up the entire recommendation for all Members?

Mr. Speaker: Recommendation No. 3.

Mrs. Donawa-McDavidson: Why the Central Bank and not the Government? I do not think that portrait would be that expensive that the cost could not be incurred by Government instead of the Central Bank. I think the state should do that.

Mr. Speaker: The last paragraph in the introduction of the report stated:

"Your Committee is of the view that the cost to be incurred in giving effect to recommendations should not be extravagant and should not, as far as practicable, be an additional burden to the state."

This is what the committee is bearing in mind.

Mrs. Donawa-McDavidson: Using the very arguments by the committee that Mr. DesVignes is a special person and that his circumstances were different, I think this is one area in which the state should be pleased to mount that portrait and not necessarily the Central Bank. Historically, it should be something done by the state for a citizen who has served and died under very unfortunate circumstances.

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Mr. Robinson: Mr. Chairman, may I point out that the Central Bank is a state institution. Though I agree, I would prefer that the expenditure be a charge on the Consolidated Fund rather than the Central Bank.

Mr. Sanderson: Mr. Chairman, what kind of portrait does the committee have in mind?

Mr. Guerra: The committee thought that we ought to get one of our best local painters to do a portrait of Mr. DesVignes on canvas, which should be framed and hung in the Chamber.

Mr. Sanderson: Since the matter is before the committee, is it possible for this select committee to reconsider the question of a portrait and have established a bust, as we had in the other place?

Mr. Chairman: This entire report is now in the hands of the House as a committee. It is no longer in the hands of the special select committee.

Mr. Sanderson: I now suggest, Mr. Chairman, that instead of a portrait, we have a bust, as we had in the other place.

Mr. Chairman: Are there any other suggestions or comments?

Mr. Shand: Mr. Chairman, on the question of the bust, I might just add a little intimate information to this subject. During the course of the captivity in the Red House, one of the Muslimeen said to me as he was criticizing Parliament:

"Look at you all, look at your Chamber, look at the busts that you have there—two old colonial legislators. How about something of our own people—present time?"

Just a bit of local colour to this question of the bust. Thank you.

Mrs. Donawa-McDavidson: I could use that argument and say why not the bust of Eric Williams who has been Prime Minister of this country from Independence? One has to be very careful how far we go. While the bust may appear to represent another group of persons, I get the impression that this is something telling us what happened before. If they are talking in terms of busts, then I think historically, the purpose of busts in Parliament should relate historically to what those busts were intended. I think the original idea of a portrait on canvas is most appropriate.

Mr. Chairman: Are there any other comments?

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Mr. Fox: I hope that the funeral expenses for Leo DesVignes would be looked into and taken care of.

Mr. Chairman: Let us keep within the confines of the report. I said we are dealing with the recommendations in order as they appear in the report.

Are there any other observations on recommendation No. 3?

We have two suggestions before the House. Firstly, that instead of a portrait, there should be a bust to be placed in the Parliament Chamber. The Member for Fyzabad has suggested a bust in place of a portrait. Do we have majority support for that?

Question put and negatived.

Mr. Chairman: The second suggestion is that we accept the recommendation except that the portrait should be done at Government's expense.

Question put and agreed to.

Mr. Chairman: Recommendation No. 3 is accepted with the amendment that the Government should be requested to defray the cost to be incurred, instead of the Central Bank.

Would the Attorney General like to comment on recommendation No. 4?

2.45 p.m.

Mr. Smart: In view of what I said earlier that the Government has taken a decision to assist with the education of those persons employed by the Government and the Parliament who died during the course of the hostage-taking, I suggest that it may not be necessary for us, at this stage, to proceed with recommendation No. 4.

Mr. Guerra: Mr. Chairman, this is bigger than the *ex gratia* payment that is being made by Government—"that an endowment be established for the education of children of those who died as a result of the insurrection. At a later stage, this endowment fund could be utilized to assist deserving cases."

We are looking at a permanent endowment fund which will take care of the education of these children even up to university standard. Also, that this fund be continued. For example, there might be some disaster, a large fire in which parents may die and the children thereunder will be catered for in this endowment fund. We are not only thinking of the persons who died as a result of the July 27

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incident; we are thinking about the future and whenever there are cases of this sort, the fund is already in place to be able to provide for these children.

Mrs. Donawa-McDavidson: Mr. Chairman, I have a little problem and this is why earlier on, I referred to the terms of reference. There was a lot of emphasis on Leo DesVignes and now we are talking in terms about people who die as a result of fires, and other deserving cases. These are points well taken, but I am sorry to say they are not in the right and appropriate place. The Attorney General suggested that we take the decision of Government because as I understand it—I am not sure if I am right—the children would be taken care of. Further, in discussing the question of the children's education, there must be an age limit. Is there no age limit for the children?

Dr. Hosein: May I assist the Member for Laventille? Cabinet's decision, first of all, makes specific reference to a limited named group of children. In other words, it is not open. All the children of persons who died have been listed; they have been looked into by the Social Welfare Department; their needs assessed in terms of education and the decision was taken that the situation would be reviewed every year, and the Government's offer extends to their education up to university level. Of course, some of them may not go very far so it is to be reviewed every year in terms of assessing the children's educational needs right up to university level.

Mrs. Donawa-McDavidson: Is that a decision they are making, or is that an endowment to be established for the education of children of those persons who died as a result of the insurrection? It seems to me to be an ambiguity.

Dr. Hosein: The decision of Government relates to all the children of those who have died.

Mrs. Donawa-McDavidson: I am referring to recommendation No. 4 which goes beyond the terms of reference. They are saying, "At a later stage, this endowment fund could be utilized to assist deserving cases." I am pointing out that this part of the recommendation does not fall under the terms of reference. It may fall under some other government institution or other ministry. To me, it seems to be duplicating.

Mr. Guerra: Mr. Chairman, the memorial to Leo DesVignes is that the memorial fund be named the Leo DesVignes Endowment Fund, so that his name would be perpetuated by that fund.

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Mr. Chairman: Is that clearer now?

Mrs. Donawa-McDavidson: I am not seeing anything stating that the fund be called the Leo DesVignes Fund. In the first place, what I see is that the Diamond Vale Trade Centre be named the Leo DesVignes Trade Centre.

Mr. Chairman: That is what it means.

Mrs. Donawa-McDavidson: It cannot mean that if they did not say that.

Mr. Chairman: May I read from *Hansard* what I said about this committee since you have great difficulty in understanding what we are doing:

"**Mr. Speaker:** Hon. Members, I now appoint a committee headed by the Hon. Speaker to make recommendations to this honourable House of ways and means that this House can honour our late colleague. The committee will comprise the following: . . ."

The recommendations here are the ways and means that the committee has suggested, subject to what the House has to say for honouring the late Leo Des Vignes. So if an endowment fund is established it is obvious that it is going to be the Leo DesVignes Endowment Fund.

Mrs. Donawa-McDavidson: No. 2 could have said, the retiring allowances be called the Leo DesVignes Retirement Allowances, and No. 3 could have been called the Leo DesVignes Portrait. They should have made a general statement. I am only making a comment. I am not disputing the recommendations but they should have named everything Leo DesVignes. Are you understanding me, Mr. Chairman?

Mr. Chairman: I am wondering if you could call a piece of legislation, Chap. 2:03, an amendment to that Leo DesVignes memorial.

Mrs. Donawa-McDavidson: You are saying to me that No. 4 means the Leo DesVignes Endowment Fund. If No. 4 can mean that then the same applies to No. 2. I am understanding the intention and enthusiasm of the committee to look after things that should be looked after. All I am commenting on is what is the appropriate forum, or institution to do what.

Mr. Chairman: Now that you have asked that question which is a very relevant consideration, perhaps we can get someone from the committee to deal with that. The hon. Members raised the question of administration of this fund. Can we give the committee some light on this?

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Mr. Guerra: That suggestion came from a Member of the other place. He has suggested that certain administrators from the business community and the University of the West Indies be placed on this management body of the endowment fund.

Mr. Wilson: Mr. Chairman, how is this fund to be funded?

Mr. Guerra: By contributions from the general public.

Mr. Sudama: Mr. Chairman, since this question of the endowment fund is going to take a lot of deliberation, I suggest that we accept the provision that the Government has made and set up a committee to look into the question of the purposes, the funding, and the disbursement under this endowment fund proposal before us. I am not sure that all the questions with respect to the endowment fund could be addressed or resolved in this committee.

Mr. Chairman: I was looking at the correspondence relating to this recommendation. What is your suggestion?

Mr. Sudama: That the question of an endowment fund as suggested by the committee be looked at again either by this committee or by a special committee with respect to its funding, its purposes and disbursement, *etc.*, since it appears to me that all the questions relating to this endowment fund proposal cannot be addressed or resolved by this committee.

2.55 p.m.

Mr. Wilson: Mr. Chairman, if the principal purpose of the endowment fund is to provide for the education of the children of the deceased, including Mr. Leo DesVignes and others, then I do not think we need to pursue the establishment of the fund since the Government has already taken a decision to provide for the education of the children of the deceased and others who died as a result of the July 27 incident. Therefore, I suggest that there is no need to spend time in examining the methodology of establishing a fund. Therefore, I support the view of the Member for Laventille that the recommendation be deleted.

Mr. Chairman: I will put the question to the House, and that is, that recommendation No. 4 be deleted in light of Government's decision to provide for the education of the children of all those who died.

Question put and agreed to.

Mr. Chairman: Recommendation No. 5 is:

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"That a memorial be held under the auspices of the Parliament in conjunction with the Inter-Religious Organizations for all those persons who died as a result of the events of July 27, 1990. This service should be timed to coincide with the commissioning of an appropriate plaque."

The following has to do with recommendation No. 6, which I think we can consider together with No. 5:

"That a Plaque bearing the names of all persons who were killed in and around the Parliament during the insurrection be installed in an appropriate manner in the Rotunda area of the Red House.

An 'Eternal Flame' to symbolize our need to be ever vigilant in the Protection and Security of our Democratic and peace-loving way of life, should accompany the Plaque. Expenses in this regard to be met by contributions from the general public."

Mr. Humphrey: Mr. Chairman, shortly after the events of July 27, 1990, I had a chat with you and I think that you supported the idea of establishing a mini museum in the Parliament, commemorating those events. Instead of locating this plaque in the Rotunda could we not consider, wherever the museum is established, including it in that location? Many things which have been collected by you, could be put on display and it would, in fact, have a much more dramatic effect, than a plaque on its own with the names of those who lost their lives.

Mr. Sudama: Mr. Chairman, may I suggest that we deal with the question of whether we should put up a plaque and its location could be another issue. If we get over that hurdle, I think we could proceed in dealing with the recommendations.

Mr. Chairman: There are two stages as we consider this matter:

1. Whether we should have a plaque bearing the names of all persons who were killed in and around the Parliament during the insurrection.
2. The location.

Mr. Chairman: Secondly, the recommendation is that it should be installed in an appropriate manner in the Rotunda area. I am wondering—this committee did not have the benefit of any kind of technical advice—whether it should not be installed in an appropriate location in the compound of the Red House. We should

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base our decision on technical advice, perhaps from the Ministry of Works. As I said, we did not call in and seek any technical advice on this.

Mr. Richardson: Therefore, I suggest that, in the final line, we delete the words "Rotunda area of the..." so that the recommendation would read, "be installed in an appropriate manner in the Red House", or "in an appropriate place in the Red House".

Mr. Chairman: "... in an appropriate place on the Red House compound."

Mr. Wilson: "... in an appropriate public viewing place."

Mr. Chairman: "... be installed within the precincts of the Red House."

Mr. Shand: Mr. Chairman, since we are amending sentences so that the recommendation will be precise and clear, I presume that the committee has in mind that the names of all persons who were killed in and around the Parliament, would exclude the names of insurgents. Because the recommendation as it reads, does not make that clear. Secondly, does the committee consider the vicinity of the Police Headquarters to be in and around the Parliament?

Mr. Chairman: The term "precincts of the Red House", would be taken to mean, the building and the pavement around.

Mr. Wilson: Mr. Chairman, when I read it, I visualized that the police officers who died in the line of action would be included in that plaque, whether they were in the precincts of the Red House or not. I think it would only be reasonable to include, on such a plaque, officers who were serving in the line of duty. That was the interpretation I was putting to it and I suggest that we include on that plaque, all those persons who either worked in the Red House or those who were serving and who died in the line of duty.

Mrs. Donawa-McDavidson: Mr. Chairman, I think that we should consider the point raised by the Member for St. Ann's West. It is specified that the persons to whom we are referring, died around the Parliament.

3.05 p.m.

Mr. Chairman. I think in the first line, if we insert the word "innocent" before the word "persons"—that the plaque bearing the names of all persons who were killed in the line of duty and around Parliament—

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Mrs. Donawa-McDavidson: The man who was doing the killing, in his view, it was in the line of duty.

Mr. Chairman: That is in the Government's view—the view of the House is that those who died in the line of duty would be those—“that a plaque bearing the names of all persons who were killed in the line of duty in and around the Parliament, during the insurrection.”

Mr. Robinson: It does not appear to be wide enough to cover, for example, persons in the public gallery.

Mr. Chairman: I was saying instead of “in the line of duty” we say “all innocent persons.”

Mr. Robinson: Or victims of the insurrection.

Mr. Chairman: Once we understand what the intention is. Should it now read: “That a plaque bearing the names of all victims of the insurrection.”

Mrs. Johnson: Victims who died, not victims who survived.

Mr. Sanderson: For argument sake, since we are dealing with the victims who died, I remember specifically reading in one of the newspapers that there was this victim who died as a result of a stray bullet in her kitchen, as a result of the insurrection. How would we deem such a person? I raise the question because of what Minister Wilson suggested. In his mind's eye he was taking into consideration the Police Headquarters as being in the vicinity of the Parliament. There are other people who died as a result of the incident but not within the vicinity of Parliament. For argument sake, how will we put those others?

Mr. Chairman: I believe that what the committee had in mind was that we would concentrate on the names of those victims who died in and around Parliament as a result of the insurrection.

Mr. Guerra: For that matter, the committee thought that those who died in the effort to take over Parliament, the people who were killed innocently—like at Police Headquarters, those are the people whose names we thought ought to be on that plaque. When you look at the final paragraph of our recommendation, you will see that it is a reminder that we should ever be vigilant that this would not happen again.

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Mr. Chairman: In that initial stage people were killed within the compound of the Red House and at Police Headquarters. Are those the people the committee had in mind? Is that what you are saying hon. Minister of Finance?

Mr. Wilson: I still feel that to the extent that it is possible to identify persons who died as a result of the insurrection, whether they were in the Red House or not it should cover the case which the Member for Fyzabad brought to our attention. I think what we want to commemorate is the incident and the effects of it and I think to the extent that it is possible to identify innocent persons who died as a result of the insurrection, we should include their names on the plaque.

Mr. Chairman: We have two proposals, where the committee had in mind “those persons who died in and around the Red House and Police Headquarters” and the suggestion that this plaque should include the names of all innocent victims who died as a result of the insurrection.

Mr. Guerra: Speaking for members of the committee, we do not see any problems with that.

Mr. Chairman: Very well. “A plaque bearing the names of all innocent victims who died as a result of the insurrection be installed within the precincts of the Red House”. This is on the understanding—and this is not going to be stated—that we get the technical advice from the Ministry of Works. Are we agreed on that?

Assent indicated.

Mr. Chairman: Now there is another suggestion in that very recommendation—an eternal flame to symbolize our need to be ever vigilant in the protection and security of our democratic and peace-loving way of life, should accompany the plaque and the expenses to be met by the general public.

Mr. Toney: On this recommendation, I was wondering if we could not be consistent with recommendation (3) and say that “expenses in this regard ought to be met by the State” rather than by contributions from the general public.

Mr. Chairman: Expenses in this regard to be met from public funds rather than by contributions. So we delete “by contributions from the general public” and say, “to be met by public funds.” What about this eternal flame? I do not know much about this.

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Mr. Sanderson: Instead of an “eternal flame”, could it not be an “eternal light?” The difference is that a flame is an open fire, a light is one that can be on continuously. I am looking at the health and safety aspect, of having an open flame within a building.

Mr. Chairman: The suggestion is that if we get agreement on the principle, that the matter be referred for technical advice.

Mrs. Donawa-McDavidson: You could make a flame without light. There are many things that look like light that are not light.

Mr. Chairman: So we will refer the matter. We agree in principle but we would rely on technical advice.

Mr. Smart: I wonder if you will allow me to go back to the first part of recommendation No. 6 where you used the adjective “innocent” to qualify victims. I am slightly uncomfortable with the term “innocent victims”. I wonder if victims alone would suffice because the protagonist, the aggressors would hardly be considered victims. It just troubles me very slightly; it is not a major point, but it troubles me slightly.

Mr. Chairman: Very well, I do not think we have a problem with that.

Mrs. Donawa-McDavidson: I am not sure that this is the appropriate place but I would like to make mention of the fact that there were two policemen trying to get me home—there were six of them in all—but two of these policemen were injured. The vehicle that we were in was shot at from the top of Picton Street right down to Warner Street. These two policemen are still ill. One lost two toes the other is badly injured and they are still off duty. I would like to ask whether the committee that is now considering other aspects of whatever it is, whether something could not be done for those two policemen—either for medical attention or with some sort of assistance.

3.15 p.m.

Mr. Robinson: May I say at once, that once the matter is drawn to the attention of the Government, policemen would be taken care of. I am surprised that this is not taking place. If it had been drawn to the attention of the Government they would have been taken care of.

Mrs. Donawa-McDavidson: They were City policemen not the Government policemen. I just wanted to be sure that I explained that I am referring to the City policemen.

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Mr. Robinson: The question is whether it was reported and to whom. I am shocked to hear that they were not taken care of.

Mr. Chairman: I think the matter should be drawn to the attention of the appropriate quarters. We go back to No. 5.

Mrs. Donawa-McDavidson: Would the appropriate quarters be the Minister of National Security or the Prime Minister?

Mr. Toney: Yes, we can discuss the matter afterwards.

Mr. Chairman: That a memorial service be held under the auspices of the Parliament, in conjunction with the inter-religious organization, for all those persons who died as a result of the events of July 27, 1990. This service should be timed to coincide with the commissioning of the plaque in recommendation No. 6. A memorial service is the recommendation.

Question put and agreed to.

Mr. Fox: I had raised this point earlier on. Initially it was suggested that the Government should stand the expenses of the cremation of Leo DesVignes. It is my understanding that the City Council may be approached to waive the cost.

Mr. Chairman: I think that you can take this matter up with those who are directly related to it. Now that we have considered the recommendations can you move that we—

Mr. Wilson: There was a suggestion that the House might wish to note the actions already taken. I was wondering whether recommendations should not be appropriately amended to note what actions are being taken by the Government.

Mr. Chairman: It would be reflected in the records. When the hon. Member is winding up he can state that.

Mr. Guerra: I beg to move that the matter be now reported to the House.

House resumed.

Mr. Guerra: I beg to report that the Report of the Special Select Committee of the House of Representatives appointed to consider and report on an appropriate memorial for the late Member of Parliament, Mr. Leo DesVignes was considered in committee and passed with amendments.

Mr. Chairman: Before we went into committee I take it that the Member for Baratara/San Juan seconded the motion.

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Question put and agreed to.

Resolved.

That this House adopt the Report, as amended, of the Special Select Committee of the House.

3.25 p.m.

[MR. DEPUTY SPEAKER *in the Chair*]

**REGULARIZATION OF TENURE
(STATE LANDS)**

Mr. Trevor Sudama (*Oropouche*): Mr. Deputy Speaker, I beg to move the following motion standing in my name:

Whereas an Act titled "The Regularization of Tenure (State Lands) Act No. 20 of 1986" was duly passed by both Houses of Parliament and assented to on August 29, 1986;

And whereas the above mentioned Act made provision by law for regularizing the status of thousands of residents of this country occupying state lands;

And whereas such regularization is urgent and imperative to bring much needed relief to these residents;

And whereas high expectation was raised that the plight of the residents would be ameliorated by the passing of the said Act:

Be it resolved that this House call upon the Government to take immediate steps to implement the provisions of the Regularization of Tenure (State Lands) Act No. 20 of 1986.

Today, I want to raise the issue of the regularization of squatting on state lands and, in particular, to ask this House to recommend to the Government, to prevail upon the Government to implement the Regularization of Tenure (State Lands) Act No. 20 of 1986.

Mr. Deputy Speaker, the question of squatting is rather a large and serious problem affecting this country. You will recall that it was in response to the problem as it affected so many citizens and residents of Trinidad and Tobago that we who are on this side of the House, and some Members on the other side, had engaged in implementing the Sou Sou Lands concept to bring land within the affordability of the low income groups of this country. It was a method of self-

help. It was a method for those who were in need to participate in the provision of this very essential need, the provision of land for the purpose of building.

It was the previous Government of the PNM, when they were confronted by the initiative of the Sou Sou Lands movement, which decided to bring this bill to Parliament in order to regularize the status of people who were squatting on state lands.

Today I have to make mention of the political opportunism involved in the timing of the bringing of that bill to Parliament. When the Government was confronted with the fact that squatting was a problem—which had a long history, and particularly squatting on state lands—and after 30 years in office, it had to bring this law just a few months prior to the 1986 general elections.

Nevertheless, Mr. Deputy Speaker, we did not oppose that piece of legislation simply because we felt that however insignificant the action of the then PNM Government might have been, we should have been thankful for small mercies. We did not oppose that piece of legislation, as I said, and we went along with it in 1986, but we went along with it after we pointed out to the House and the country the inadequacy of that limited solution that was proposed by the then PNM Government. And today you have the lapse of four-and-a-half years since that law was promulgated and assented to.

We are today, up to this point in time, not told why that law could not be implemented—the Regularization of Tenure (State Lands) Act No. 20 of 1986. I think the Government owes a duty to the House and country to specifically state why that law will not be implemented and why the hopes of so many thousands of citizens cannot be met.

The first time that I was apprised of this law, Act No. 20 of 1986, which deals with regularization of squatters on state lands was when I was shown a letter written to the General Secretary of the Trinidad and Tobago Land Tenants and Ratepayers Association dated March 8, 1990. One of the paragraphs in that letter states as follows:

"I have to inform you that Cabinet, at its meeting held on August 10, 1989 agreed *inter alia* that—

- (a) the Regularization of Tenure (State Lands) Act No. 20 of 1986 be repealed;

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- (b) the responsibility for the regularization of residential squatters be placed under the administration of the Ministry of Settlements and Public Utilities which bears responsibility for the execution of government's overall settlements policy."

The questions I have to ask today of the Government are: Is the Government proceeding on the assumption that this Act has already been repealed? Is the Government proceeding in a manner which seeks to regularize squatters on state lands while this Act is still current, and doing so under the aegis of the Ministry of Settlements and Public Utilities? Because when I look at the programme, as outlined in the *Public Sector Investments Programme 1991*, and the projections with respect to the settlements, we have been told that the amount allocated for the Public Sector Investment Programme for 1991 includes \$58.7 million of investment expenditure. The major aspect of the programme will be implementation of the settlements and squatter regularization programme, for which a loan agreement of US \$66.1 million was signed in June, 1990.

And then, it goes on to say that:

"One of the matters which will be addressed is the improvement of the living conditions of approximately 2,500 squatter families located on approximately 11 sites in Trinidad and Tobago. This will be achieved through the regularization of land titles and, therefore, structure upgrading."

My question to the Government is: Will this programme take place under existing law, that is, the Regularization of Tenure (State Lands) Act 1986? If it is going to do so, and if Cabinet has taken the decision for the repeal but has not yet brought that decision to Parliament, is the Cabinet usurping the functions and responsibility of the Parliament of Trinidad and Tobago?

Now, we know the manner in which they operate. There was a specific reason when this bill came before the House why we supported it. We felt that it was better to have rights established by law rather than to have benefits conferred by administrative arrangements. That is, arrangements under the administration of the Ministry of Settlements and Public Utilities.

When rights are established by law, Mr. Deputy Speaker, those rights are known publicly, and redress under those rights is available to the citizens at large. We are against, wherever it is possible, decisions being made under the umbrella of administrative secrecy. This is why when this matter was debated in 1986 we supported it.

I want to give an example. The Act confers an obligation on the Commissioner of State Lands to execute a lease once the tribunal which was supposed to be set up under this Act has made a decision. A right was conferred on the citizen, that the Commissioner of State Lands had to execute a lease and therefore, the citizen, the squatter, had the protection of a statutory deed of lease. If the administration refused to comply with that requirement, then he had recourse in law.

If, however, this Act is to be repealed and the matter is at the discretion of the administration in the Ministry of Settlements and Public Utilities, does the citizen have an equivalent recourse to the enforcement of his rights? The answer is, he does not. This is why we are suspicious of the intention to repeal this Act and to handle the matter through the administration and the bureaucracy of the Ministry of Settlements and Public Utilities, because the scope for patronage will be wide open. The citizen will not have that right as determined by law.

3.40 p.m.

Mr. Deputy Speaker, another issue was raised with respect to the expeditious handling of matters and a commitment was given that the Act would operate in such a way that the issue of squatters' regularization and applications made under the Act will be dealt with expeditiously. So that cannot be an argument why the matter now is not being dealt with under law, but is to be dealt with as a matter of administrative convenience. That commitment was given when this matter was debated. To be served by regularization was to prevent confusion under the existing arrangements.

You have a situation in Trinidad and Tobago where what has developed with respect to squatting is a market for squatting where people go onto state lands and other lands, take hold of these lands and then buy and sell property for which they have no legal right. In order to enforce whatever rights they claim to have, what is happening today is that strong-armed methods are being employed in order to maintain control over portions of lands which are squatted upon. It was felt that if this matter was regularized by law then this element of confusion and the possibility of violence and the uncertainty and so on would be avoided.

When this matter was debated in 1986, we pointed out the gross inadequacy of the measure, the limited number of people who would benefit as a result of this. When the matter came up, the proposal in that bill was to establish a cut-off date as at December 2, 1977, and it only applied to squatting on state lands and only to residential squatting. So that you were only dealing with a fraction of the problem.

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Nevertheless, we felt that at least a start would be made in the right direction in terms of regularizing that specific element of the problem.

On that occasion we pointed out that the problem of squatting was a very large one—I shall talk about the magnitude of the problem later—and the fact that if you are to solve the problem of squatting in Trinidad and Tobago you have to attempt to deal with the root causes of it; that if you allowed a situation to develop whereby you are merely regularizing a situation in an *ex post facto* manner you will never be able to get on top of that problem.

In 1986 the PNM Government was attempting to regularize the problem as it dated back to December 2, 1977, and whatever had developed between 1977 and 1986 was left in abeyance to have been dealt with at a later date. This was because the Government did not approach the problem in terms of its root causes. On that occasion, we also adverted to the question of certain difficulties which would have been encountered in the implementation of that Act but we felt that those difficulties could have been addressed and the Act could have been implemented and we would have at least begun to deal with the problem of squatting in Trinidad and Tobago.

Mr. Deputy Speaker, the previous PNM Government took a very curious attitude to the problem of squatting in Trinidad and Tobago. At one time the Attorney General, under the PNM, stated categorically that people who squatted had no legal right to the parcels of land which they occupied. At one point in time they saw it as a matter of strict legality.

When we asked the question in this House: What ought to be done with the squatters? The then Attorney General, Sen. Russel Martineau, said that the squatters should go back from whence they came. I asked him whether he was thinking in terms of a biological solution when he made that statement. As the elections approached, as the Sou Sou Lands movement was gaining strength and momentum, they decided to change their tactics. While they claim that squatters had no right under the law, the Constitution of Trinidad and Tobago in its preamble did make mention of the fact that:

"Whereas the people of Trinidad and Tobago—

- (a) have affirmed that the Nation of Trinidad and Tobago is founded upon principles that acknowledge the supremacy of God, faith in fundamental human rights and freedoms, the position of the family in a society of free men and free institutions, the dignity of the human person and the equal

and inalienable rights with which all members of the human family are endowed by their Creator; "

Specifically, it stated:

"(b) respect the principles of social justice and therefore believe that the operation of the economic system should result in the material resources of the community being so distributed as to subserve the common good, that there should be adequate means of livelihood for all, that labour should not be exploited or forced by economic necessity to operate in inhumane conditions but that there should be opportunity for advancement on the basis of recognition of merit, ability and integrity;"

In other words, the Constitution recognizes that the country should be so organized that it respects social justice and the operation of the economic system should result in the good of the whole community being subserved, which included the question of adequate housing for the community. So that here in the preamble to the Constitution the question of adequate housing was adverted to. Therefore, there was what you might call constitutional protection for people who are in this situation where they had to resort to squatting. We had pointed out that to the then PNM Government and it was the subject of litigation as well.

Mr. Deputy Speaker, what did this Act propose? In essence, this Act proposed that a tribunal should be set up, to which tribunal people who wanted their status regularized would apply. After applications had been made and certain procedures followed, the tribunal would make a decision. If that decision was in the affirmative, then the people who made such applications would have their conditions regularized; they would have their infrastructure upgraded and they would have the facility of being granted a deed of lease for 30 years—with an option to renew that lease for another 30 years—on that portion of land which they occupied.

3.50 p.m.

So that by the act of regularization they would have afforded security to these people who had been in an insecure position and who operated under threat of eviction on a day and night basis, because when they came to evict, they came at all odd hours of the day and night and they terrorized squatters and their families. Agents of the state engaged in acts of terrorism on the squatters of this country. We thought that was totally unacceptable in a society which had respect for human

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dignity. Therefore, this issue of regularization would have, in some measure, dealt with that problem.

Where there were disputes with respect to occupancy of portions of state lands where people were squatting, the tribunal had the authority to deal with those disputes. Having made a decision, the Commissioner of State Lands and the Director of Surveys were obliged under the law to act upon the decision of the tribunal. This is where the real protection for squatters lay; once the Act was implemented they would have had legal rights to the land.

Mr. Deputy Speaker, what are some of the root causes of squatting in Trinidad and Tobago? The first is the fact that there is inadequate addition to the affordable housing stock in the country, both in terms of facilities available for sites as well as in terms of affordability for the construction of houses.

When this matter was debated in 1986, I reported to the House that according to a survey done by Mr. William Demas—a 1980 report—the backlog in housing units in Trinidad and Tobago was 120,000. If this backlog was being met at the rate of 4,000 per annum, it would have taken anything like 30 years to come up-to-date, to get on top of the problem of the inadequacy of housing, which is related to the incidence of squatting. The greater the inadequacy the greater the incidence of squatting. This was the performance of the PNM Government after 30 years in office. They have boasted—if I can find the page—as to how well they have done. After an expenditure of \$1.5 billion in their 30-year term of office, we still had a backlog of 120,000 units. This is their boast. The Government's performance, since it took office, from the period 1960—1985, according to an NHA supplement dated October 27, 1985, it had provided 4,156 rental units. After being in power for 30 years, it has provided approximately 14,000 units in the field of mortgage housing and 1,880 developed lots. I went on to point out on that occasion that in two years of operation the Sou Sou Lands scheme had provided over 2,000 building lots as a result of self-help and the initiative of low-income people in the Sou Sou Lands project. I again want to remind this House that while they had the opportunity to regularize the status of squatters over 25 years, it was only months prior to an election that they brought the bill before Parliament, after the expenditure, as I said, of \$1.5 billion.

The issue of affordability was dealt with by an editorial in the *Trinidad Guardian* which I wish to quote for this House and which put the issue of the need for more housing stock in some perspective. I am not sure that I can find that

at this point in time, but it did advert to the question that when it came to the purchase of housing sites, the low-income man in Trinidad and Tobago had not the ghost of a chance in meeting the cost involved, simply because the price of land was escalating in value. Even the construction of a low-income housing unit, was to all intents and purposes, given the estimate provided by the Government, beyond his reach. Therefore, what the average citizen did, who could not afford these prices, was to resort to squatting.

The other reason this problem became one of such enormous proportion was that the regulations of the Town and Country Planning Division were to a large extent restricted in facilitating the supply of an adequate number of housing sites to be put on the market.

The other issue was the infrastructure requirements where developments were taking place and you had to get the approval of the Town and Country Planning Division and other agencies of Government. The capital infrastructure requirement was so high that when the lots eventually came onto the market they were beyond the financial scope of the average citizens of Trinidad and Tobago, particularly the low-income earner.

Mr. Deputy Speaker, we had mentioned in that debate that you ought to have different levels and degrees of sophistication of infrastructure to meet different income needs and different income requirements. What this required was a revaluation and re-assessment of the building codes and the planning standards in the country so that the cost of development in Trinidad and Tobago would not have been as prohibitive as they are today. I remind this House that what we are talking about is the root causes of the problems relating to squatting, and one such cause is the inadequacy of the amount of land which comes down to the housing market and which can be afforded by the average citizens of Trinidad and Tobago. You have all these obstructions being put in place.

I was referring to the issue of the *Trinidad Guardian* and their editorial. I am surprised that the *Trinidad Guardian* is expressing this touching concern for the small man. This is what it has to say in the editorial of May, 26, 1986.

Mr. Valley: Mr. Deputy Speaker, I wonder whether the hon. Member could inform us from what document he is quoting.

4.00 p.m.

Mr. Sudama: This is the *Hansard* report of May 28, 1986, my own contribution on the bill when it came before the Parliament. Unfortunately, the hon. Member was neither here nor in the other place. He is a newcomer, so I understand that he is not fully apprised of the historical background to this bill. He is what you might call a "Johnny-come-lately" in his sphere of representation.

This is what the *Guardian* had to say and I think it puts the matter into some perspective:

"The really poor man has no chance of buying government's so-called low cost housing..."

that is the PNM Government—

"which at no less than \$80,000 is something of a misnomer. He cannot buy the house built by the private developer either nor can he afford to buy building lots costing over \$20,000 each."

That is what the low-income man in Trinidad and Tobago was faced with in 1986. So he finds a piece of empty land and he builds his home. That is one of the root problems of squatting in this country—the inability of the small man to buy land for residential purposes.

The other reason I adverted to was the restrictive nature of the regulations of the Town and Country Planning Division which had to be addressed; the very high level of sophistication of infrastructure development which was required by the agencies of government, which did not take into account the low incomes of families in Trinidad and Tobago and having imposed such a high cost burden on developers, you found that the cost of the residential sites was beyond the reach of the average man.

Another reason to which I adverted in that contribution, was the approach of the then Government where it did not attempt to reach out on a self-help basis to incorporate the participation of residents and citizens on a self-help basis. If they had done that, then we would have had the cost of housing land and the cost of constructing houses, minimized. What they did was where they provided housing units, they got contractors to build the units, then they distributed those already built units on the basis of patronage. In the act of construction all sorts of corruption took place and there were very, very minimally constructed units selling for a very high price. Again, it was beyond the reach of the average low-income

person of Trinidad and Tobago and it is only those who had political contact were able to get access to these houses. However, if the Government had taken a different approach which we were then advocating in 1986 so that people would have helped themselves, so that there could have been a minimum but satisfactory level of infrastructure, we would have found that this problem would not have reached the proportion it reached in 1986.

Another root cause to the problem—and I am saying all of this because I want to give some advice to the present Government. If they do not deal with this problem of squatting in terms of the root causes, then we are not going to tackle this problem effectively and no amount of *ex post facto* squatter regularization will really be effective.

Another reason is the lack of opportunities in the rural areas; a lack of employment opportunities which would provide a reasonable standard of living and facilities. Therefore, what happens is that these people leave the rural community and flocked to the urban and semi-urban areas in search, primarily of employment and other facilities. You will find that most of the squatter establishments have been in or around urban areas, simply because of the fact that rural amenities are not being provided.

Then there was the question of unlimited illegal immigration which was condoned by the previous Government for political purposes which added to the squatter problem in Trinidad and Tobago. In 1986 when a survey was done, it was shown that there were over 110,000 illegal immigrants in Trinidad and Tobago. While I make this point, I also want to say that there is illegal immigration into all countries and this having taken place, you have to deal with the problem in a humane way. In 1986, we recommended that the status of illegal immigrants be regularized. If this wholesale illegal immigration was not permitted in the first place, then the squatting problem in this country would not have assumed the urgency which it assumed in 1986 when this bill came before Parliament.

Of course, another reason is the higher expectations of citizens who no longer are willing to live under crowded conditions. Where in the past, generations of families lived in the same house and on the same compound, with the passage of time, people had higher expectations. They are not willing to accept overcrowding but of course when they went out on their own, they could not afford housing sites at the same time and they resorted to squatting.

One of the indices of development is the fulfilment of reasonable higher expectations in a country. It is not a question that people were unreasonably expecting too much. The provision of basic housing facilities is a reasonable expectation on the part of citizens of Trinidad and Tobago.

As I am indicating and adverting to some of the root causes of the problem, perhaps the Minister in her response could indicate to this House—on the basis of her experience, and on the basis that we have been grappling with this problem for a very long time—what is the Government's position to date in dealing with the root causes of the problem of squatting in Trinidad and Tobago.

4.10 p.m.

As I indicated earlier, squatting for residential purposes on state lands is merely a small portion of the problem that we have to face today. In addition to that, we have the problem of squatting on state lands for agricultural purposes. Does this Government, in fact, have a policy to deal with squatting on state lands for agricultural purposes? Does it have a policy to deal with squatting on state-enterprises lands for residential or agricultural purposes? In that regard, I draw the attention of the House to the problem as it affects Caroni Limited and the thousands of people who are squatting on Caroni Limited lands and whose position up to this point, cannot be regularized, and they live in a state of uncertainty, anxiety and fear.

While I am on that point, I draw the attention of this House to the manner in which certain people attempt to take advantage of the situation of squatting in Trinidad and Tobago, purely for partisan political purposes. When the bill was passed in this House it was clear that it made reference only to state lands, that is, lands under the ownership of the state. The problem of squatting on lands of Caroni Limited was also a very serious problem. There were certain people associated with the ruling party, who went around and tried, post-1986, to fool the people squatting on Caroni's land giving them the impression that the Government, in conjunction with themselves, were going to regularize their positions. There was no law to that effect, the law related specifically to state lands.

Mr. Deputy Speaker, I draw the House's attention to an acknowledgement certificate issued by the National Land Tenants and Ratepayers Association. They have no legal status in terms of regularizing anybody's lands in Trinidad and Tobago. Here is this organization, taking it upon itself to misrepresent its position to the people of Trinidad and Tobago and issuing a certificate which gave the

impression that it had some influence or power over how Caroni Limited disposed of its lands. The certificate states:

"This certifies that (such and such a person) has been occupying lands of Caroni Limited measuring 50 x 100 before December 15, 1986 with a house on same or in the process of construction. This qualifies (him or her) for regularization."

It is signed by Abdool Wahab, President and Charlie Chankarsingh, Secretary of this National Land Tenants and Ratepayers Association.

The reason for this document is the fact that Abdool Wahab is an officer of the ruling party, temporary Senator, and a prospective candidate of the NAR for Couva North who utilized this form of misrepresentation in order to hoodwink certain people who have been squatting on Caroni's lands and doing this for partisan political purposes. The point I am trying to establish is that if we did not have this problem of squatting or if the problem of squatting had been effectively dealt with, then we would not have had people like Abdool Wahab going around and trying to exploit an unfortunate situation as it relates to squatting on lands of Caroni Limited. That is the point I am trying to establish. So long as this issue remains a big problem, then you would have people like Abdool Wahab getting into the picture for partisan political purposes.

Today, while this Act deals with the question of regularization of squatting on state lands and since Caroni Limited is wholly owned by the state, although it is a state enterprise, the Government has an obligation to tell the country what it is doing with respect to regularizing those people on Caroni Limited lands, whether they will be occupying those lands for agricultural or residential purposes. We are talking about a large group of people but it is a large group of people who are concentrated primarily in the counties of Caroni and Victoria. Whether directions have been given to Caroni Limited to tackle this problem of squatting as a matter of urgency, we do not know. It is incumbent on them. Since an election is in the air, perhaps they may take a leaf out of the book of the PNM and try to do something in an expedient manner, in order to attempt to attract votes in the 1991 general elections. I have no doubt that they may be coming up with something. They may have something up their sleeves. I also have no doubt that whatever they have up their sleeves, will never work, but at least they should make an attempt. Even if things are done for ulterior motives, if people in this country do benefit in some way from that kind of governmental action, we shall, as I said, be grateful for small mercies in Trinidad and Tobago.

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I have raised this question of squatting because it is a critical problem in this country and it is a problem which is not insoluble, if we have the Government adopting the right policy, because the magnitude of the problem is such and given the amount of land under the control of the state and also ownership of land under certain state enterprises; given the kind of policies which we could adopt for bringing a large amount of land into the residential market and at affordable prices, if we tackle this problem in a comprehensive manner, we could deal with the issue of squatting and the unaffordability of housing sites in Trinidad and Tobago. What I do not understand is that this Government issued a new policy statement—the National Planning Commission—for agricultural development, land distribution and administration and squatting. I also understand that a consultation was held on September 30, 1989 on the basis of this document.

4.20 p.m.

I want this House to bear in mind that the decision for repealing Act No. 20 of 1986 was taken on August 10, 1989. Prior to this consultation, the Government of Trinidad and Tobago took a decision to repeal the Act but when the people who attended this consultation were given no indication, at that point in time, publicly, that the Government was repealing Act No. 20 of 1986 and that the Government was going to deal with the issue of squatting in an administrative way, many people who attended that consultation, went along with the idea that Act. No. 20 of 1986 which dealt with the question of squatting on state lands, would in fact be put into effect. There was no categorical, unequivocal statement to the effect that Act. No. 20 of 1986 will be repealed. I wonder if that was not deliberately done; if the people were not kept in the dark deliberately as to Government's intention and approach to this whole question of squatting.

I am very concerned that if the Government seeks to deal with this problem of regularization purely as an administrative matter, at the whim and fancy of the political directorate and the bureaucracy in the Ministry of Settlements, that justice will not be meted out to all the citizens involved. I am not sure because you cannot appeal an administrative decision. There is no recourse to law. The whole question of going to court is very problematic when the matter is dealt with in this way and I want to apprise the people of Trinidad on that score.

As it is today in 1991, the Government's policy with respect to addressing the regularization of squatters is very unclear, extremely unclear. No categorical statement has been made as to what its policy is. When we were campaigning in 1986, when I myself was speaking on behalf of the NAR party in 1986, we gave

categorical assurances to the population that in a country where the state owned such vast tracts of land, it would not be a great problem to identify sites suitable for housing which were not earmarked for other purposes, to be put for the use of the citizens of this country.

Also, that the infrastructure will be upgraded on those sites on state lands which are currently being occupied by squatters, and where the infrastructure could not reasonably be upgraded, then facilities for relocation would have to be implemented. Four years has elapsed and it is for this Government to state to what extent it has dealt with the issues of regularization of squatters and upgrading of facilities on state lands, and where it has done so, to what extent it has organized resettlements in Trinidad and Tobago for those who have been so affected and of course to what extent it has lived up to the promise of the manifesto of 1986.

My honourable colleague from St. Augustine, I am sure, will have much to say on the issue of settlements, the promises which were made in the 1986 manifesto and the performance of this Government in this regard. From what I know from my own experience, I believe that performance has been grossly inadequate, not only in terms of the promises but in terms of what actually has been done in this country with respect to the provision of housing sites. I have a situation in my own constituency—NHA settlements site at Wellington Road, Debe; that site of just over 100 lots, it is all related—

Miss Nicholson: On a point of order please. Let him deal with squatting please. Let us not open graves—

Mr. Sudama: That gives you an idea how she cannot appreciate the problem. The problem of provision of affordable housing sites is related to the problem of squatting. If you provide more affordable housing sites, then you would relieve the problem of squatting. I am afraid that a Minister of Government involved with us on this side, one who has very early on been influenced by the Sou Sou Lands approach to things, is not able to understand that simple point.

I want to make the point, that here you have a housing site at Debe, in my own constituency, having been completed in June, 1989 and the infrastructure, 18 months later, is growing into decay and disintegration; there is the inadequacy of the drainage system, to which I made reference and brought to the attention of the Member for Tobago West. Yet 18 months after, this Government cannot distribute those housing sites. The little it has done, it has not brought it to a successful conclusion by distributing these housing sites to the people who have paid down

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money on them so that some construction could proceed on those sites and, therefore, alleviate the acute problem of the shortage of land for residential purposes in this country. This is an action Minister who cannot—after 19 months of the completion of an NHA site, where all the infrastructure has been put in place—do the simple act of distribution. Action Minister!

I understand what is the problem. They are awaiting the date of elections and some distribution will take place as this year proceeds so it will be fresh in people's minds that the Ministry of Settlements has done something over its five-year term of office: it has distributed 100 lots in Debe or elsewhere. It is a question of the mountain labouring to produce a mouse.

BUSINESS OF THE HOUSE

Mr. Deputy Speaker: I think we will take our tea recess right now, but before doing that the honourable Speaker asked me to inform the House that he has received some communication from the Chief Personnel Officer and Secretary to the Salaries Review Commission dated January 23, 1991. This communication invited him to submit a memorandum on the matter of salaries and terms and conditions of service in respect of Members of the House of Representatives who are not Ministers or Parliamentary Secretaries. It is the honourable Speaker's intention to include in such a memorandum, the matter of amendment to the Retiring Allowances (Legislative Services) Act Chapter 2:03 to provide for compensation for the survivors of the Members of the House who die in the line of duty.

The sitting is suspended for half an hour.

4.30 p.m.: *Sitting suspended.*

5.05 p.m.: *Sitting resumed.*

REGULARIZATION OF TENURE (STATE LANDS)

Mr. Sudama: Mr. Deputy Speaker, when we took the tea adjournment, I was on the question of the affordability of land for housing in reference to the average citizen of Trinidad and Tobago. I was also making mention of the fact that the Government has completed resettlement sites in Trinidad and Tobago, but it has been tardy in distributing those sites, and as a result of that tardiness it is causing the problem of squatting to, in fact, become more acute.

I see the Ministry of Settlements and Public Utilities has a public advertisement, about its national settlements programme. This is in the *Trinidad Guardian* of January 19, 1991. Under that programme we are told that the average size of a lot is approximately 4,500 sq. ft. and the average cost of a lot on most sites ranges between \$15,000—\$25,000, which makes the price anything between \$3.50—\$5.25 per sq. ft.

My question to the Minister is: On the basis of the Sou Sou Lands approach which we were advocating before 1986—the involvement of the communities themselves in the purchase of the land and in the administration and management of the development—could not these costs be reduced? There may be an argument that they will put forward that \$15,000—\$25,000 is not a lot of money. For the average man in Trinidad and Tobago on a low income, the average unemployed person in Trinidad and Tobago \$15,000—\$25,000 is a lot of money. Even if he can pay over a 15-year period at the rate of \$1,000—\$1,500 per year, it is still a lot of money.

Was consideration given to minimizing the cost of housing lots under this programme, so that it could have been—

Miss Nicholson: I would just like to clarify. When you look at the market value of the prices in those areas that you are talking about, many of those areas are \$50,000 and \$60,000 per lot, and we do have communication with the people in those areas and most of those areas are over-supplied.

Mr. Sudama: The point I was making is that we are not here just talking about supply and demand. When we are talking about supply and demand, we are talking about effective demand. Effective demand means that those people with the income can engage in effective demand. A sum of \$15,000—\$25,000 cuts off a substantial number of families in terms of affordability. In view of the fact that only a limited number of lots are available at this price, you may have a segment of the population who can afford these prices, but that segment of the population is a very small one. By far the vast majority of people who have recourse to squatting are people who cannot afford lots at \$15,000—\$25,000. This is the point I am making.

I remember when we had engaged in the Sou Sou Lands project, in a project near to Penal, we were able to provide a lot of 5,000 sq. ft. for the price of \$4,500, granted that the level of infrastructure involved was not very high. The assumption was that the infrastructure would have been upgraded and improved over time.

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What the people had at that point in time was access to a site with the minimal infrastructure and that included putting down water mains but not electricity and paved drains. That is the only thing that was not estimated in that price of \$4,500. We are talking about 90 cents per square foot. The reason for that was that we were attempting to reach a market with very low-income people who could not really afford much more. *[Interruption]*

I am not here to tell you about the Sou Sou Lands company. What I want to tell you is that because the Ministry will not facilitate the provision of upgrading the infrastructure in the one project in which I was involved, people who would have liked to build homes cannot do so. If you do not have electricity and you do not have a water supply, for which her Ministry is responsible, how do you expect people to go out there and build houses? There are many people willing to build their own homes because of the very accessible site. I just want to bring that question to the attention of the House that the prices involved here are prices which exclude a substantial portion of the population who are in need of lots for the purpose of housing.

The other point I want to make is that the Government seems to have no policy with respect to minimizing or keeping under control the price of building material, because the housing stock has not only to do with the provision of housing lots but the capacity to build with a minimum expenditure of funds. What you have today, and what we had, in fact, proposed in 1986, is that a concerted effort be made to utilize indigenous raw materials and to wean people away from the importation of building materials. If we had gone in that direction with respect to house construction, and the provision of furniture, we would have been able to utilize our own indigenous resources and reduce the cost of housing. What you have today is that instead of a programme to utilize our own wood resources and other materials these resources are being exported in raw form, for example, the export of teak. A very valuable resource for the purposes of building is being exported for little or nothing, whereas here in Trinidad and Tobago we need that product for panelling, for furniture and for many other purposes. It is a governmental policy which runs contrary to the minimization of the cost of houses in Trinidad and Tobago.

I merely wish to state, in conclusion, that I think the Government owes it to the country to tell us exactly what it proposes with respect to the regularization of tenure of people on state land, who have been there without permission and also to inform this country, whatever policy it is pursuing, how it expects that policy to

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impact effectively on the problems which we face. Thank you very much. I beg to move.

[Seconded by Mr. R. Palackdharrysingh]

Question proposed.

Motion made and question proposed, That the House do now adjourn to Friday, February 01, 1991 at 1.30 p.m. [Hon. B. Tewarie]

Question put and agreed to.

House adjourned accordingly.

Adjourned at 5.20 p.m.