

*Leave of Absence*

*Friday, February 8, 1991*

**HOUSE OF REPRESENTATIVES**

*Friday, February 8, 1991*

The House met at 1.40 p.m.

**PRAYERS**

[MR. SPEAKER *in the Chair*]

**LEAVE OF ABSENCE**

**Mr. Speaker:** Hon. Members, the following Members have been excused from today's sitting: The Member for Tobago East (Hon. A.N.R. Robinson), the Member for Arima (Mrs. G. Pollard), the Member for St. Augustine (Mr. J. Humphrey) and the Member for Couva South (Mr. K. Ramnath).

**PAPERS LAID**

1. Administrative Report of the Trinidad and Tobago Racing Authority for the period August 1, 1987 to July 31, 1988. [*The Minister of Industry, Enterprise and Tourism (Hon. Bhoendradatt Tewarie)*]
2. Report of the Auditor General on the Accounts of the Trinidad and Tobago Television Company Limited for the year ended December 31, 1987. [*The Minister of Finance (Hon. Selby Wilson)*]
3. Report of the Auditor General on the Accounts of the Trinidad and Tobago Television Company Limited for the year ended December 31, 1988. [*Hon. Wilson*]
4. Report of the Auditor General on the Accounts of the Trinidad Mortgage Agency Company Limited for the year ended December 31, 1989. [*Hon. S. Wilson*]
5. Report of the Auditor General on the Accounts of the Trinidad and Tobago National Petroleum Marketing Company Limited for the period January 1, 1989 to February 28, 1990. [*Hon. S. Wilson*]

*Papers 2 to 5 to be referred to the Public Accounts (Enterprises) Committee.*

## WRITTEN ANSWERS TO QUESTIONS

**Recruit Firemen**

**8. Mr. Raymond Palackdharrysingh** (*Naparima*) asked the Minister of Justice and National Security:

- (a) Would the Minister 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?

**The Minister of Justice and National Security (Hon. Joseph Toney):** Mr. Speaker, I have spoken to my friend from *Naparima* and he has kindly consented to accept an oral response.

The appointment and recruitment of persons into the Fire Service does not fall within the jurisdiction of the Minister of Justice and National Security. The Public Service Commission is the body empowered to make such appointments and, consequently, determines the criteria for selection. In the circumstances, such questions should be referred to the Chairman of the Public Service Commission who is the competent authority to respond.

**Mr. Sudama:** Can the Member permit a supplementary question? Is the Minister denying that the Fire Service Department made these appointments of recruit/firemen being referred to in this question? Are you denying that?

**Mr. Toney:** Mr. Speaker, if I could repeat the answer for my friend—

**Mr. Sudama:** I do not want you to do that. I want you to answer my supplementary question. I do not want you to repeat an answer.

**Mr. Toney:** The appointment and recruitment of persons into the Fire Service does not fall within the jurisdiction of the Minister of Justice and National Security—

**Mr. Sudama:** But these people are something else! I have evidence to the effect and I will publicize it.

**Mr. Panday:** They are worse than the PNM.

### Auxiliary Firemen

**9. Mr. Raymond Palackdharrysingh** (*Naparima*) asked the Minister of Justice and National Security:

- (a) Would the Minister 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 Minister of Justice and National Security (Hon. Joseph Toney):** Mr. Speaker, the criteria for the appointment of fire guardians and auxiliary firemen are set out respectively in the Agricultural Fires Act; Chap. 63:02 section 5 (1), (2) and (7) and Regulation 3(1) of the Agricultural Fires Regulations and the Auxiliary Fire Service Act, Chap. 35:54 section 4.

### Firearms Licences

**10. Mr. Trevor Sudama** (*Oropouche*) asked the Minister of Justice and National Security:

Could the Minister 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?
- (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, there are no available statistics regarding the number of applications made by members of the public for the issue of licences for small firearms or the number of applications in the years 1987—1990. The pertinent records were destroyed as a result of the destruction of Police Headquarters on July 27, 1990.

The Commissioner of Police has sole responsibility to grant a firearm licence. Chap. 16:01 section 17 of the laws of the Republic of Trinidad and Tobago is relevant. The criteria for the granting of firearm licences are set out in section 16 of Chapter 16:01.

**Mr. Sudama:** Could the Minister state whether there is any procedure in the Ministry of National Security to review decisions of the Commissioner of Police in this respect?

**Mr. Toney:** Mr. Speaker, the law is that the Commissioner of Police has sole responsibility to grant a firearm licence.

**Mr. Sudama:** So he is a law unto himself.

**Mr. Palackdharrysingh:** So what is the use of the Minister in all these things?

#### ORAL ANSWERS TO QUESTIONS

*The following questions stood on the Order Paper in the name of Mr. Govindra Roopnarine*

#### Telephone Services (Extension)

**13.** Would the Minister of Works, Infrastructure and Decentralization state whether an extension of telephone services will be made available to the residents of Penal Rock Road between the 3 3/4 mile and 8 mile mark in 1991?

#### Roads Re-sheeting

**14.** Would the Minister of Works, Infrastructure and Decentralization state whether re-sheeting of the following roads will be undertaken in 1991?

- (a) That portion of roadway between Mohess Road and Penal Junction along the Siparia/San Fernando/Erin Road?
- (b) San Francique Road?
- (c) Penal Rock Road?
- (d) Clarke Road?
- (e) Rochard Road?

#### Coromat River (Dredging)

**15.** Would the hon. Minister of Works, Infrastructure and Decentralization state whether dredging of the Coromat River will continue in 1991?

**Mr. Sudama:** Mr. Speaker, the Member for Siparia is absent and we are asking for a deferral of these questions.

*Questions, by leave, deferred.*

**1.50 p.m.**

**IDB LOAN—APPROVAL  
(PROJECTS IN THE PETROLEUM SECTOR)**

**The Minister of Energy (Sen. The Hon. Herbert Atwell):** Mr. Speaker, on April 26, 1988 and January 13, 1989 the Government of Trinidad and Tobago, through letters from the Prime Minister and then Minister of Finance and the Economy submitted a loan application to the Inter-American Development Bank (IDB) in the amount of up to US \$260 million (TT \$1.11 billion). This loan was to be drawn on the ordinary capital resources of the bank for projects for the secondary oil recovery and modernization of the Trintoc/Point-a-Pierre refinery. The total cost of the projects is estimated to be US \$403 million (TT \$1.712 billion). In addition to the IDB, the European Investment Bank, the Exim Bank of Japan, Texaco Trinidad Inc., Trintoc and Trintopec will provide the rest of the necessary financing.

The secondary oil recovery projects involve the production of crude oil by the injection of steam into certain oil reservoirs in Trintoc's Forest Reserve and Point Fortin crude oil fields. The projects also include the production of crude oil by water flooding, that is, the injection of water into oil reservoirs in the Trinmar Soldado main field.

There are several kinds of risks associated with the projects and safeguards have been provided to minimize their impact. Firstly, there are risks involved in the successful completion of the secondary recovery and refinery modernization projects. To guard against this risk, the co-ordination of difficult and complex engineering tasks will be guaranteed by the hiring of a specialized consulting firm to manage the execution of the project. Moreover, the economic analyses indicate that delays of up to two years do not make the project unprofitable.

Secondly, there are risks associated with the unpredictability of the oil market. The terms and conditions of the loan include the following:

- (i) an amortization period of 15 years;
- (ii) a grace period of four years;

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- (iii) a disbursement term of four years.

The rates of interest to be applied during the life of the loan will be variable, and will be determined by the bank in accordance with its lending policy.

In response to the loan application, and because the preparation for the projects was still incomplete, the bank sent several orientation missions to Trinidad and Tobago to assist the Government and its executing agencies in preparing the supporting documents for the loan application. In addition, the bank financed feasibility studies through the pre-investment phase of operations and a short-term technical co-operation exercise to assist the borrower in the preparation of an environmental diagnosis.

In April, 1990 the bank sent an analysis mission which evaluated the feasibility of the project and completed the necessary research. In July, 1990 a mission from the executing agency visited the bank's headquarters to discuss the financial projections. In September and November, 1990 negotiations took place both in Washington and Port of Spain, following which the various contractual conditions were finally agreed upon.

The projects are generally geared towards strengthening Trinidad and Tobago's petroleum product export capacity in future through investments that would capitalize on those already existing in the hydrocarbon sector.

The benefits which will accrue to the country include, but are not limited to, the following:

- (i) The upgraded Point-a-Pierre refinery, which will have a final capacity of over 160,000 barrels per day, will be in a position to compete effectively, both in terms of price and quality of products. This facility will thus be a viable operation into the twenty-first century.
- (ii) An increase in the supply of local crude for refining is expected from the secondary recovery projects. The heavy oil project has a target to recover 13.2 million barrels, while the Trinmar water flood project is expected to yield an additional 16.8 million barrels of crude.
- (iii) Over the 15-year period of the loan, the projects will yield net foreign exchange earnings estimated at US \$1.323 billion (TT \$5.62 billion).
- (iv) Peak employment during construction and/or implementation is estimated to be as follows:

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- |                                    |       |        |
|------------------------------------|-------|--------|
| (a) Refinery upgrading (1991—1994) | 1,100 | pesons |
| (b) Heavy oil project (1991—1992)  | 525   | "      |
| (c) Trinmar waterflood             | 400   | "      |

I am pleased to announce that on Wednesday, February 6, in a congratulatory telephone call to the honourable Prime Minister, the President of the Bank, Dr. Enrique Iglesias, informed him that the loan of US \$260 million which equals TT \$1.11 billion was approved by the bank on the said day.

The Government of Trinidad and Tobago particularly welcomes this loan at this time which is of major importance to the energy sector, in particular, and the Trinidad and Tobago economy as a whole.

This honourable House will wish to note that this is the first occasion in which a sectoral loan by the bank as been granted to a country like Trinidad and Tobago, thereby illustrating the confidence held by the bank in the future of this country.

In this respect, I commend all those persons in the relevant ministries and the state-owned oil companies for the hard work which they have put in to ensure success of this venture.

#### **STAMP DUTY (AMDT.) BILL**

##### Senate Amendments

**The Minister of Finance (Hon. Selby Wilson):** Mr, Speaker, I beg to move,

That the Senate amendments to the Stamp Duty Bill listed in the Appendix be now considered.

*Question proposed.*

*Question put and agreed to.*

*Clause 2.*

*Senate amendment reads as follows:*

In paragraph (1), substitute for the words "Fourth Schedule" appearing as a marginal note, the words "Fifth Schedule" and substitute for the word "Fourth" appearing between the words "the" and "Schedule" in line 6, the word "Fifth".

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

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*Question proposed.*

*Question put and agreed to.*

*Clause 3.*

*Senate amendment reads as follows:*

- A. Substitute for the word "Fourth" appearing in the marginal note the word "Fifth".
- B. Substitute for the word "Third" appearing between the words "The" and "Schedule" in line 2, the word "Fourth".
- C. Substitute for the word "Fourth" appearing in the heading of the new Schedule, the word "Fifth"

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

*Question proposed.*

*Question put and agreed to.*

#### NATIONAL CARNIVAL COMMISSION BILL

*Order for second reading read.*

**The Minister of Youth, Sport, Culture and Creative Arts. (Hon. Jennifer Johnson):** Mr. Speaker I have the honour to move that a bill for the establishment of a National Carnival Commission of Trinidad and Tobago be read a second time.

The intention of this bill before the House is so clearly spelt out in the notes, that there seems to be little need of debate to convince hon. Members that the measures the bill requires Parliament to take in respect of carnival, its development, organization and industrial exploitation, are obviously very long overdue and should have no difficulty from the hon. Members of this House, or anyone else, in passing the law.

Nonetheless, there are important points connected with the urgency with which the industrial production and organization of carnival must be undertaken by this Government that can bear examination, careful scrutiny and, of course, analysis. These matters respecting both the bill and the corporate body which it purports to create, will be raised to give hon. Members the opportunity to engage in their amplification and emphasis, in order to further recommend the bill for the full



support of this honourable House. I intend, therefore, to comment upon the salient points and features pointed out in the explanatory notes and refer them to the relevant sections of the bill.

Before doing this, however, I wish to raise the point of the urgent need for the Government, the people of this country, to establish ownership of the traditional national festival which is carnival, to preserve it in its true original form as a positive native art form before foreign claimants take it over and transform it beyond its indigenous identity so that it cannot be recognized as an original artistic creation of our people.

**2.00 p.m.**

Tragic as this may be, however, there is a far more urgent objective that needs to be pursued. This is the recognition of the national cultural value of the almost universal nationwide artistic talent and disposition in all our people that is a vision, a work ethic and creativity and a devotion to work which, if organized properly, managed and harnessed can form the base of a very solid and reliable “industrial revolution” which would be capable of making our country into a new productive society, based on a viable, progressive and productive work ethic which slavery and the plantation system have discouraged in our people.

The love of work, Mr. Speaker, and the application and exploitation of the creativity endemic in the talents of our people have an enormous potential for economic, social and, of course, political advance and progress in what we call our global village of today. This bill before this House recognizes in the annual carnival exercise, this potential for infinite creativity, this pursuit of achievement, this joy of invention, of innovativeness.

The need to have this potential and human energy organized and harnessed to the national development plan which we have been designing since the inception of this present Government, is implicit in the spirit and intention of the bill before this House today. The speed with which carnival and calypso, particularly Trinidad style, has spread through migrant nationals to the United Kingdom, Canada, the United States of America and the Caribbean, is a major factor in the decision by this Government to take steps to set up efficient machinery by which our carnival can be converted into a functional machinery for generating hard currency revenue at the present time before the outer world produces, what we would like to call in the carnival community, an imitation Carnival and Calypso festival.

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Of course, this will cancel their demand for Trinidad carnival. Homemade carnivals in the foreign lands will reduce cruise ship passengers to Trinidad Carnival. Who, of course, Mr. Speaker, will come here to see carnival if they can get it in Brixton, in Nottinghill, in Chicago, in Brooklyn, and of course, in Miami?

We now examine the responsibilities of the proposed statutory body, the National Carnival Commission of Trindad and Tobago. In the explanatory note, I wish to just read a few. It says at paragraph (2): To make carnival national, cultural and commercial. Carnival, Mr. Speaker, to some extent is already national, if only, in a very spiritual sense. However, for many reasons it does not directly touch every citizen, in reality. What the bill implies is that we should aim at sensitizing all citizens to the fact that, in some way or the other, carnival impinges upon their social, cultural, economic welfare and development.

This is not nationally appreciated and, as a result, the exploitation of carnival as a revenue generator, as a national catalyst for co-operation and, of course, community harmony, and as a national exercise with room in it for everyone, irrespective of race or class or creed, is one of the major objectives of this bill. Indeed, people who work and play together, stay together.

The second objective of this bill is the preservation and marketing of our cultural products, particularly carnival products. Mr. Speaker, all of us know that culture is both spiritual and material, and to some extent more spiritual than material. Carnival produces tangible material commodities. Traditionally, the masqueraders threw away their costumes on Tuesday midnight and went home to decide what to play next year. This tragedy of waste is a terrible disease which has inflicted and has infected all aspects of our national psyche. The bill seeks to arrest this malady and set up appropriate infrastructure with power to explore adequate markets with the demand for the marvels of our artistry and creativity produced by the genius of the mas camps and, of course, convert them into hard currency.

To the extent that public funds will always subsidize carnival, to that extent will the proposed commission be under obligation to turn every non-perishable carnival product into a saleable item in the foreign markets. To that extent, will the board be expected to treat carnival as a joint industrial enterprise between the public and the private sectors, in which the maximization of returns on financial investment by the artistes, the craftsmen, the businessmen and the Government is relentlessly pursued by the experts in finance, production and marketing sitting on the board of the commission.

The third objective is the researching, the preserving and the permanent displaying of our carnival products. The traditional custom in Trinidad and Tobago has been to keep carnival and its works under cover for a greater part of the year, perhaps, so that it becomes a well-kept secret held back to increase the cultural shock until January of each year. One objective of the commission is to give more exposure, not only to future carnivals, but to build up museums and repositories of the ancient carnival art and the renowned carnival artists of the past, so that a national awareness of carnival achievement, historically and contemporary, will pervade the nation and serve as a catalyst, a challenge, and an encouragement for the living artistes to excel, and perhaps also for the stimulation of the up-and-coming generation, particularly our very young people, to engage in this very important artistic creativity.

Therefore, Mr. Speaker, the establishment of display centres, carnival cities, and exhibitions of carnival art, both inside the country and in foreign parts, will generate national artistic pride and serve to integrate the population on the basis of art and creative talents despite our cultural and racial diversity. Our art will slowly weld us into one spiritually integrated people with a history of creativity memorialized in our carnival museum.

The fourth objective would be to conduct, regulate and, of course, co-ordinate the public carnival activities, annually and national-wide. The national dispersal of carnival through the several towns and villages present a tremendously wide variety of events connected with carnival each year. There is need to harmonize, regulate and streamline the associated operations across the nation. The commission will therefore undertake this task in order to give some kind of systematic ordering of the operations which will provide regulated and infrastructural frames of reference within which the population as a whole can play their mas. By organizing certain standard competitions, the commission will function as a provider of standard models for private organizers to follow by keeping a healthy balance between official enterprises and, of course, the popular undertakings, all within the context of the national festival of the annual carnival celebrations.

The fifth would be the development and maintenance, the revision of rules, regulations, *etc.*, for the conduct of carnival. As a social and cultural institution in a changing society, there is need for the consistent upgrading of arrangements, of regulations, of rules, with respect to the form, the structure and social direction of such an important festival. The commission will serve as a guardian of the rights of

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the people as much as custodian of the law, the rules and regulations which would guide our organizers.

The authority exercised by the commission includes the adjustment of regulations and rules in accordance with social innovations so that internal conflicts, which we are so familiar with, conflicts particularly over different points of views, and very important, new perspectives may be able to be kept at a minimum. The commission will therefore function as an umpire between the authorities and the carnival organizers. This would help the festival to maintain a balance and social equilibrium in the popular matrix of this great fiesta.

Finally, the carnival-related industries. The commission would be entrusted with the identification, the evaluation, the enhancing and the marketing. This section of the bill projects carnival as an industry. There will be downstream associated activities with the potential for small business enterprises. As good organizers and managers of business, the commission will expect not only to carry out research which we are sorely in need of, but also having identified carnival-associated activities with sale potential, it would have the job of exploring and finding outlets for marketing these products and cultural commodities within the other side of the country.

In light of the foregoing argument, this seems to be the most significant, and I truly believe that this is the most significant, challenging and potentially productive function the Commission will be called upon to perform. It deals also with the statutory duties of the commission to develop marketing strategies for carnival artistic products. In this connection, these products will take, of course, the tangible material commodities and, of course, entertainment, performing arts, which will be shows, expositions, concerts, *etc.* These two types of cultural products are now in great demand.

I look forward to contributions related to the various aspects of this bill, contributions that will guide us in making the kind of legislation that will be necessary to enhancing carnival.

May I take this opportunity—since it is a day or two just preceding the national festival, or the day before the five-day carnival—to congratulate our citizens who, in spite of all of the events of 1990, and also, given the background, of what is happening in the Gulf today, notwithstanding all those events, they have come forward with enthusiasm and have been working towards making this festival a success. I congratulate them for their discipline and their participation in the pre-

carnival arrangements which have been extremely well-organized. I wish all our visitors who have come here for the first time, an enjoyable carnival. I also welcome our citizens abroad are here for the festival. I understand quite a number of them, notwithstanding all the difficulties, have come back for carnival this year. I welcome them and I hope that they will have an enjoyable carnival. Mr. Speaker, I beg to move.

*Question proposed.*

**Mr. Basdeo Panday:** (*Couva North*): Mr. Speaker, if this bill will bring to an end the perennial problem that surfaces at carnival time: the trauma, the fighting and the threats between those who participate in carnival and the governmental authorities, then I will support this bill wholeheartedly.

The background to the present carnival has been one of threats by the National Carnival Commission, counter-threats, bulldozing, and all these have been reported in the press. I am sure, Mr. Speaker, you are well-aware of them as I am.

**2.15 p.m.**

One thing that has come out from all of this is a clear indication by the Government that it intends to keep a tight control over the organization of carnival so that it can continue to use it as a political football year after year. That is the key to all the conflict that has taken place in the past leading up to the present carnival and it is also a key, I am afraid, to the present legislation. That is why I say that if this piece of legislation would bring to an end all the trauma associated with the pre-carnival period, then I will support it wholeheartedly.

In the *Express* of Friday, September 20, 1990—"Pandemonium in trouble, cloud still hangs over sponsorship"; in the *Mirror*, November 13, 1990—"Carnival in Crisis"; "NCC gets ultimatum from masmen—Give us a fair deal." I do not know whose money they are spending taking out full page advertisements in order to justify their positions. This is the scenario that accompanies every carnival celebration in this country.

I want to read an article that appeared in the *Express* of Thursday, November 29, 1990—

"There will be no parade of the bands in the Queen's Park Savannah next year if the demands of the National Carnival Bandleaders Association are not met. According to the Chairman of the National Carnival Bands Association, Terry Joseph, the National Carnival Commission (NCC) has been given a 14-

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day ultimatum to meet the demands failing which bandleaders will take a decision to boycott all the NCC competition venues. . . "

This is the kind of statements, Mr. Speaker, I am sure you are very familiar with. As I say, I hope that this piece of legislation would put an end to that. I doubt it, however, and I shall show you why later, when I begin to examine the provisions of the bill in detail. In order to substantiate the allegation I made, that carnival is, and has been for a long time, political football that is used by the Government as a cheap and not quite honest way of trying to attract votes, is a well established fact, I think, maybe, the ultimate came on Saturday, November 3, 1990, when we saw a headline in the newspaper—"Five days of carnival off." That statement meant that there was a talk to have five days of carnival. They are always trying to win some votes by pandering to the carnival players, never any concern of what really happens to carnival and what carnival is all about. They fail to distinguish between culture and art form, between culture and festival and they believe they could legislate culture—they could create culture by legislation. They are so wrong. In the midst of all of this is, how do we control so that we could use it? The quite ridiculous suggestion of five days of carnival was, of course, knocked to pieces and one wonders what really is the function of the National Carnival Commission in light of all the controversy, in light of everything that is taking place.

I wonder, as I say, about the provisions of this bill and whether this bill had anything to do with the carnival and the culture or whether it was really not yet another attempt by the Government to keep its stranglehold on everything that it can. For example, in the explanatory note and within the body of the bill, it says, that the purpose of this bill is to propagate carnival at home and abroad. There may be some connection between the Government and carnival at home. But to propagate carnival abroad? Has that got to do with tourism? Is not that a function of the Tourist Board which was set up to promote tourism? If this is a tourism function, why is not the Tourist Board performing? If it is not a tourism function, then what is the purpose of having a body that says it is going to propagate carnival both nationally and internationally? What is the linkage of promoting carnival abroad? What I have just heard—and I thought I heard that—was people would not come to Trinidad to see mas and play mas if they could go to Brixton in London. If you are promoting carnival abroad, why should the tourists come here to see carnival when they can see it abroad? I do not understand the contradiction. Or should we go abroad to play carnival? They must make up

their minds. I do not think they are clear in their minds because the Minister is making it plain that we must promote the genuine carnival here because if people can see the thing in Brixton, they would not come here. Yet you want to promote carnival abroad. Are you hoping that we would go there, or that they would come here? I just thought that maybe the Minister would like to clear it up in her mind. What is the objective of promoting carnival abroad if the object is to bring in tourists? I am sure that the Minister would take a few trips in order to ensure that carnival is well-organized abroad. I have no doubt about that. That is the syndrome, after all—\$3 million in one year, less than a year, of travelling.

**2.25 p.m.**

The former Minister in the Ministry of External Affairs and International Trade confessed that they are wasting money in travelling. I think he was a very frank gentleman when he said that he only engaged in four trips which wasted money and the rest are wasting much more than him. You must not get angry with him for speaking the truth. Never get angry with him at all. Let him speak the truth. If he thinks you are wasting money, let him say so. Maybe the hon. Minister will tell me what she means, by "the Commission which is to have its Head Office in Trinidad and Tobago could establish branches both internally and externally." Are they going to set up branches of this commission externally, in New York, London and Toronto, so that they could monitor carnival there? If you look at an objective of the bill, it is to monitor and promote carnival.

They are going to set up offices abroad, side by side with the tourist office, with BWIA and with the missions abroad. This one is to promote carnival. That is how this Government treats its population in a time of need. In a time when people cannot get food to eat, they are thinking of setting up further institutions. They already have the Tourist Board, BWIA, the External Affairs Ministry, the Export Development Corporation, IDC, but they are setting up another one. That is what it states here.

Mr. Speaker, this bill has nothing to do with ending the perpetual conflict between those who engage in carnival and those who seek to control it on the side of the Government. It has nothing to do with that. It states that one objective would be to make carnival a viable national cultural, commercial enterprise. If the Government were not involved in this, I would not be tempted to laugh. They cannot get BWIA to be a commercially viable enterprise, but they are hoping to make carnival a viable national commercial enterprise. Nothing that they have put

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their hands on has been able to be a commercial enterprise, economically viable, but they are setting up another institution. *[Interruption]*.

As a matter of fact, cement only became viable after they relinquished their hands—after they let their hands go from it, and wiped off \$94 million of the debt. If you tell me about Ispat, you are still saddled with those debts. The telephone company of which you were the General Manager, “bust”—everything. The Hon. Member for San Fernando East makes the point that I was going to make and that is, you are going to try to make carnival viable in Trinidad and abroad and you are going to price carnival out of the market as you have done with everything else you have touched. Anything that your palsied hand has touched has gone into oblivion, and you are touching carnival. I am afraid of that. You are putting your palsied hand on carnival and you will destroy it.

It states here that “the object of this Commission is to provide necessary managerial, organizational infrastructure”. I am not seeing them providing any kind of managerial, organizational infrastructure in any aspect of public enterprise in which they are engaged. For example, what about WASA? We need water. Do you think that your managerial infrastructure is good there? Electricity—I was out of electricity last night and almost every night in the South. What about thinking about something in managerial skills, or organizational infrastructure to give people electricity? Those things you already have. Show me you could do that. Show me you are capable of organizing even a parlour, a coal shop, or a roti shop as the case may be, and we will say, yes. But you are interfering in the people's carnival and you say that you are going to do this? You are going to destroy it in the very way that you destroyed everything else.

“...researching into, preserving and permanently displaying the annual accumulation of carnival products...”

I agree entirely with this objective that there is need for research into carnival, to understand it and so on. I agree entirely that we need to have on permanent display some of the marvellous carnival costumes which are produced from year to year. We should do this as a tribute to our craftsmen and our musicians. I have no doubt about that. But do you need the Carnival Commission of Trinidad and Tobago to do that? You have the National Carnival Committee, totally ineffective and inefficient, creating more problems than it solves. Are you expecting to have some of those people here or is this organization going to be a substitute for the NCC? If it is a substitute for the NCC, then I imagine the NCC is going out of being.



Am I right? Is anybody from the NCC going to be involved in this? Because then you are going to take those who have demonstrated the capacity to fail and bring them into an organization before you have started.

The real thrust, I think, of this bill, has also to do with the functions of the organization. I have dealt with the objects. As part of the functions of the organization, I see here:

"the regulation, co-ordination or conduct of all public carnival activities throughout the nation;"

I am amazed to see a clause like this constituting part of an organization which the Government intends to set up. They are going to regulate, co-ordinate or conduct all public carnival activities throughout the nation. I thought the whole essence of carnival was its spontaneity, the explosion of its *joie de vivre* which explodes at carnival time. They are going to control it.

I have been told and I have been brought to believe that carnival is carnival because of the absence of these regulations they talk about. We talk of an explosion of colour, an explosion of music, of joy and gaiety, spontaneity at its highest. Do you know what they now want to do?

"The functions of the Commission are:

- (a) the regulation, co-ordination or conduct of all public carnival activities throughout the nation;"

That is the one that really bothers me most—"throughout the nation." So that in Couva, in Cedros, in Mayaro and in Toco, and I imagine in Tobago, you want to have a finger in people's carnival pie. Why do you want to do that? Is that not evidence of what I was saying, that a large part of the real objective of this bill, is to permit the Government to continue its control and stranglehold over the carnival organizations and the carnival celebrations in the country?

I go on to quote from this bill. As part of the function of this National Carnival Commission is:

- "(b) the development, maintenance and review of rules, regulations and procedures for the conduct of carnival festivities throughout the nation."

So they want to have rules, regulations and procedures for the conduct of carnival. But do we not have that already? Do we not do that already when we see at every carnival time there is coming from the Commissioner of Police responsible for

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traffic, that certain roads will be blocked off and certain parts of the country would not be open to traffic? So surely it could not be that. If the hon. Minister proposes to counter the argument that I am putting forward that what they want to do is to regulate traffic and so on, I say, there already exists legislation and provisions and we see it at every carnival time, where there are regulations which regulate in a minimal kind of way, the carnival, merely to facilitate its spontaneity and not to dampen it. What regulations, rules and procedures is the Minister talking about? Do you want to have procedures to conduct it? What do you mean by conducting it? Would it not have been better if you had said you may provide certain rules and regulations to facilitate the expression of carnival? But no, you want to control the conduct. That is what you are saying in this bill. That is why I can never trust this Government.

**2.35 p.m.**

Mr. Speaker, they talk about part of the functions being—

“(c) the identification, evaluation and promotion of all carnival-related industries...”

As I have said, I have no problems with that; none whatsoever!

“...with a view to enhancing and marketing of their cultural products and services.”

Indeed that is long overdue. But I wonder if this Government can do that, if this is the body to do that. The people who are already involved in the NCC, are they coming into this?

“(d) the development and implementation of a marketing strategy for carnival with a view to optimizing the revenue-earning...”

As I said, I am bothered and disturbed. I am even more disturbed when I look at the provisions of the bill and I notice how they are going to constitute this body. What is going to be the composition of this body? I say this and I preface this because I believe that the less this Government has to do with carnival, the better. Leave it up to the people who play carnival: the bandleaders, the steelbandmen and so forth. These are the people who sweat, bleed and work night after night. Leave it up to them. Let them organize their own business. Facilitate where you can. Act as a facilitator, not as a controller. This is a bill to control, not to facilitate.

I say that because when I look at the composition of the body. *[Interruption]* My friend in the back says that this is a good point. I assure him that this is not the first and it shall not be the last.

I read from clause 5 (1):

"The Commission shall be managed by a Board of Commissioners...which shall consist of nine persons..."

I ask the House to note the number—

"...preferably with experience or training in finance, management, government,..."

I do not know why they want to be there—

"...international trade, law, export-oriented business, commerce, culture or the arts, appointed by instrument in writing by the Minister..."

The first point is that they are going to be appointed "by instrument in writing by the Minister". So, we start off with the Minister being the one to appoint and the only little leeway and the slight bit of control given to the people who are involved in mas, carnival and steelband is a minute bit of authority. Do you know what it is, Mr. Speaker? On this nine-man commission which the Minister will appoint are the following:

- (a) one nominee of Pan Trinbago;
- (b) one nominee of the National Carnival Bandleaders Association;
- (c) one nominee of the Trinidad and Tobago Calypsonians Association; and
- (d) such other persons as the Minister may appoint.

**Mr. Palackdharrysingh:** That is six.

**Mr. Panday:** Exactly. That is why I asked you to remember nine. Nine persons to be appointed by the Minister and only three persons on that board are going to be people who are directly involved in the Carnival—Pan Trinbago, National Carnival Bandleaders Association and Calypsonians Association. Why must the Minister appoint the six other persons? The Bandleaders Association and the Carnival Association, the Calypsonians Association, the people who are sweating, who are bleeding, why must they not have a say? Why do you insist on putting your palsied hands on everything? You must not do that.

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It is important to remember again, that although three persons shall come from organizations directly concerned with carnival, five will form a quorum. Nine persons appointed, three connected with carnival, five will form a quorum. The Minister will appoint six and five will form a quorum; then I am supposed to believe that this is going to solve all these problems we have from day to day in the pre-carnival period.

I am worried about this bill because I am worried about the interference of the Minister. In clause 5 (4)—

"The Minister shall appoint from among the Commissioners, a Chairman and a Deputy Chairman."

Why are you so undemocratic? Why do you not free up the people and allow them to choose their Chairman? Do you have to choose the Chairman?

First of all, the Minister should not have any power. I object to this bill on that ground, that the Minister should not have any power to appoint the six people. They should be appointed by the people who are involved in carnival. They should be entitled to appoint the entire board and choose their Chairman and Deputy Chairman.

I turn to clause 5(8).

"(8) The Board shall be responsible for the management, marketing and enhancement of Carnival."

There follows a long series of clauses in this bill which are concerned with the quorum; how much pay they will get; if the Chairman is absent and so on and so forth, a rigid structure which they alone must control. I have no problem about remunerating people for the services they perform. But do you know how they will be remunerated? Even the remuneration depends upon the Minister. I read from clause 7:

"The Commission shall pay to each Commissioner, in respect of his office, such remuneration and allowances, as the Minister may determine on a recommendation from the Commission, and to the Chairman, in respect of his office, such remuneration or allowances, in addition to any remuneration or allowances to which he may be entitled in respect of his office as a member, as the Minister may determine on a recommendation from the Commission."

**2.45 p.m.**

It seems to me that this bill is contemplating a massive bureaucracy, the very thing that has militated against the capacity of this country to attract foreign investment and against our economic prosperity in the country. This heavy hand of the bureaucracy we are seeing in this piece of legislation seems to be laying the foundation for an emergence of that kind of bureaucratic constraint with respect to the organization of carnival. I say that, because I see that it is provided by clause 9 (2) as follows:

“The Commission may establish subsidiary companies and companies engaged in related activities as well as acquire equity in other companies and in other undertakings engaged in carnival activities.”

When I read this, it reminded me of the Central Marketing Agency (CMA) in which the Government was involved. They set up the Central Marketing Agency which succeeded in all but ruining agriculture in the country. They are setting up a marketing agency now for carnival. I have no doubt as they ruined the farmers with the CMA they will ruin carnival and the carnival participants with this kind of elaborate structure that they anticipate. If they will only leave people to be free. Stop taking away people's freedom to even enjoy themselves. The court has to tell them that they have to give people freedom to worship. They want to take away people's right to worship where they want. Now they want to take away people's right and freedom to enjoy themselves at carnival. They must control it; they must regulate it; they must set up subsidiary companies to make sure that they have a finger in the pie.

Having set up this elaborate bureaucratic structure, they have introduced in this bill, provisions to ensure that it either becomes corrupt, or that it is not responsible to anyone; that there will be no accountability; no responsibility. I refer to clause 12(1) which says:

"No Commissioner or Officer shall be liable to surcharge."

Yet, as far as I am aware, if county councillors expend moneys which they ought not to spend, they can be surcharged. There are several departments in the public service in which public officers can be surcharged for wrongful expenditure of money. But we are setting up one here in which we ensure that neither the commissioner nor officer shall be surcharged, no matter what. I do not think that is something we should encourage. We have talked about accountability, responsibility and we must, at all times, introduce machinery to make

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accountability deeper and deeper and more significant as opposed to being less significant.

"(2) No action shall be brought against any Commissioner or Officer in respect of any act done *bona fide* in the execution of his duties.

(3) No Commissioner or Officer shall be subject to the discretion and powers of the Auditor General."

I did not believe that, I think that is a misreading. They put in a word that they should not put in. "No Commissioner or Officer shall be subject to the discretion and powers of the Auditor General". We are setting up a body and doing the exact thing for which we condemned the PNM. We condemned the PNM and we asked the country to vote against them because they refused to be accountable; that they had spent moneys and nobody would be surcharged and they throw away and pilfer people's moneys and so on, and the NAR comes to this House and do worse than that.

Even now, I do not know if I can recall in my years in this Parliament, that a bill was introduced that says that people were going to spend public moneys and that they were not subject to the discretion and powers of the Auditor General. I cannot recall in my whole history of being in this Parliament—and I have been here for almost 15 years—a single piece of legislation. Because when you come to funding, if I recall rightly, funding of the commission is to come from moneys appropriated by Parliament for the purpose—I thought I had seen that—from fees charged by the commission for services rendered and from funds obtained from such other sources. Public moneys, therefore, are going to be spent and we introduce a clause here in the dying days of this Government, which will never see the doors of this Parliament again, saying that no commissioner or officer of the organization shall be subject to the discretion and powers of the Auditor General. I cannot agree with this. I know they will make heavy weather of it but I cannot agree to this bill. I cannot agree to the expenditure of public moneys without control, or accountability.

It is hemmed in even further—

“(4) Where any Commissioner is exempt from liability as aforesaid, the Commissioner shall be liable to the extent that it would be if the Commissioner was a servant of the Commission.”

He is protected now under the whole question of agency of master and servant. Under the law relating to master and servant and the law relating to agency, he is given further protection. Yet among their functions are:

- "(5) Each officer charged with the receipts, accounting for or disbursement of moneys or with the custody or delivery of stores or other property belonging to the Commission shall be individually responsible for
- (a) the due and efficient discharge of his respective duties."

Where is the monitoring mechanism? Not the Auditor General, surely. Maybe they are going to have private auditors.

- "(b) the exercise of proper supervision of the accounts kept or controlled by him and all property entrusted to his care, and
- "(c) the due observance of all rules and regulations and of all orders and instructions prescribed for his guidance."

Provision is made for them to get a pension and secondment.

**2.55 p.m.**

Mr. Speaker, whereas previously I had referred to funding in the explanatory note, I have now found it in clause 18, and it says:

- "(1) There is hereby established the National Carnival Commission Fund (hereinafter referred to as 'the Fund').
- (2) The Fund shall comprise—
- (a) moneys appropriated by Parliament for the purpose;"

Among other things, of course.

Mr. Speaker, they crown it all off in subclause (3) by saying:

"The Minister with responsibility for Finance may give directions as to the amounts in which and times at which moneys referred to in subsection (2) (a) are to be paid to the Commission."

Now, the catch there is obvious. I think all of us who have participated in government know that the power comes from those who control the purse strings; who control the purse strings, control power, always. So that we have here that moneys will be appropriated by Parliament. But then we come down in the clause

and it says that the Minister of Finance will determine how, when, why, and to whom such moneys should be appropriated.

So that if they do not like what the commission is doing, and they do not like how the calypsonians and the bandleaders are behaving, the Minister of Finance could take the position that he is not going to release any money to them. Dictatorship, which occurs at places like Caroni, where the board, takes a decision to make payments to workers and the Government puts in its budget, yes, funds are allocated and then makes sure that these funds are never released.

So you are putting a clause in here which gives the Ministry of Finance specific powers not to release. He determines, in his discretion, whether he will give the commission money. If they are doing what he likes, fine. If they are promoting the party in power, fine. If the calypsonians are singing too many anti-government calypsoes, well, hold on; hold on a minute there.

I understand that my learned colleague went to the tent, and after the first five minutes he walked out because he could not take the “jamming”. He must do like me, take the “jamming.” I go and sit there and take the “jamming” the whole night. He got up and walked out.

Do you want me to give way, or is it a point of order?

**Mr. Smart:** As he has raised the matter, I think I ought to say something about it. In fact, that report in the *Mirror* newspaper was totally inaccurate. I had a previous commitment. I went to the opening of the tent, as I normally do once I am invited. However, I had a commitment at 9:00 o'clock, so I had to leave to go to the commitment. I since returned to the tent last week and had a ball. I saw the entire show.

**Mr. Panday:** I accept your explanation, my friend, but nobody else does. I accept your explanation.

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

*Question put and agreed to.*

**Mr. Panday:** Mr. Speaker, I thought I would point out the composition of the board, because I also would like to inform the House that this bill will give a tremendous amount of power to the commission. The commission will be able to own property. It will be able to borrow moneys. Clause 22(1) states:



"The Commission may, with the approval and direction of the Minister with responsibility for Finance, borrow money for the purpose of meeting any of its obligations or discharging any of its functions."

**Mrs. Johnson:** Mr. Speaker, I know I have my time to reply, but just a simple clarification lest the wrong impression be created.

Clause 25 deals with accountability to the Auditor General. The Commission's responsibility to the Auditor General is spelt out in subclauses (1) to (5).

**Mr. Panday:** Then will the hon. Member kindly explain to me what is meant by clause 12(3): "No Commissioner or Officer shall be subject to the discretion and powers of the Auditor General?"

**Mrs. Johnson:** I will.

**Mr. Panday:** Fine.

Mr. Speaker, the point I was making was that there is power in this but for the commission to own property, to borrow, and to make regulations. As far as I can see here, the hon. Minister has pointed out clause 25 to me which says that the commission shall keep accounts and records. It says that it shall submit a financial statement every year to the Minister.

**Hon. Member:** Like Football Massive.

**Mr. Panday:** That is right. Let me not steal my friend's thunder. That is unfair. He has got a very good point there, and that is, you have to have accounts for Football Massive. Where are they? But that is besides the point. Subclause (4) states:

"The accounts of the Commission shall be subject to audit by the Auditor General.."

The Member may want to remove the previous clause so that this will make sense.

I am hoping therefore, as I say, to be satisfied that I can support this bill, because I want to see an end to this conflict and this bitterness year after year taking place between the NCC and the persons involved in carnival. I am not persuaded at this stage that this piece of legislation is going to do that.

Thank you, Mr. Speaker.

**Mrs. Muriel Donawa-McDavidson** (*Laventille*): Mr. Speaker, this particular piece of legislation is one in which I have a personal interest. The PNM

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Government, in its effort to bring carnival to the masses of the people, has decentralized it and got total participation in the festival of carnival, established the Carnival Development Committee, of which I had the honour to be among its first members. It is the efforts of the People's National Movement and the sense of establishing the Carnival Development Committee that has brought carnival to the standard that it is today.

However, I think that by now all of us have come to recognize that cultural development is another perspective for the completion of the independence of the citizens of Trinidad and Tobago, of which the carnival festival is only one of the art aspects. Festivals generally bring out the creativity and the talents of citizens, as is evidenced in the carnival festival and other festivals held in Trinidad and Tobago.

I can understand the intention of the Minister in producing this particular bill. I am not certain whether it will be wise to rush this bill this afternoon because there are aspects of it that need second thought and really deep consideration, and an aspect of this bill of which I will personally like to be a part.

I am not certain whether the Minister in her presentation intimated whether discussions were held with the Bandleaders Association, the Carnival Association, *etc.* She did not intimate it in her presentation, and I hope in her reply—I have another commitment and I am not sure whether I will be present for her reply—but it is most vital that their views are properly understood and considered.

Provisions, however, for other aspects of festivals are also very, very necessary, because she made particular reference to the importance of providing opportunities for marketing, for export, for international affairs, *etc.* I feel that in Trinidad and Tobago festivals, as a whole, should be developed, and also they should be used as tourist attractions and make them equally marketable.

I think, in discussing the question of carnival festival—and I wish it were the National Festivals Commission instead of the National Carnival Commission, because I think even the Prime Minister's Best Village Trophy Competition is a very important aspect of festivals and one which can equally be developed and exported for the benefit of citizens elsewhere. I do not totally agree that the commission should be for national and international affairs because it is vital that carnival remains an industry of Trinidad and Tobago. But the marketing of carnival throughout the world—I hope that is what she meant when she talked about international. I am not sure whether it means having carnival abroad,

or whether it means the marketing, the organized marketing of all the downstream industries that can come out of carnival.

I also think that there are areas of our Independence and Republic celebrations which need to be catered for. As good as carnival might be, there are still numbers of citizens in this country who equally have talent, who have creativity, who will not, for whatever personal, religious or other reasons, participate in the carnival aspect of the festivals. Provision should therefore be made for other sections of the community who also can be allowed to participate in festivals to be given an opportunity. I think that this should be very carefully considered.

I also looked in the bill and did not observe whether the commission had a time limit, or whether it is going to be another commission like the Electricity Commission or the Statutory Service Commission. I think there should be some difference in the manner of the establishment of this particular commission and not be placed in the statutory, rigid aspect of other commissions, but allow it a certain amount of flexibility that people can be moved or shifted at will according to their performance, and so on.

**Mrs. Johnson:** If the hon. Member would be so kind enough as to repeat perhaps her last six sentences, I was distracted a bit.

**Mrs. Donawa-McDavidson:** What I am saying is that I believe the—and I wish I could say the National Festivals Commission, because festivals bring out the creativity and talents in people. They also create the opportunity to bring harmony and unity and everything that is necessary.

I was saying, hon. Minister, that I honestly believe that this commission should not be the type as the Electricity Commission or the Public Service Commission, a rigid commission, but some body that will be given a time-frame, whether five years with an opportunity to renew, according to the performance of the particular commission.

I also feel that in the establishment of this commission there should be similar activity, whether it is a sub-commission or some committee, but decentralization which will allow all parts of Trinidad and Tobago to be able to think, to operate, to create, in accordance with its own local situation, and allow its views to be passed on to whatever the central body is.

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**3.10 p.m.**

This is good business and I am not sure we should have a parliamentary committee because a commission like this should cut across partisan politics because we are dealing with culture and with the citizens; we are dealing with what one is born with, what is latent and what exists. Therefore, it should be a commission without too much political interference which will allow people to function and to operate and to be freer to create for our country, another industry.

This falls straight on my lap. I do not know who is copying from whom but next week, I will be holding my own press conference on how I believe this nation should be going *[Interruption]*. No, I am talking about my constituency. Whenever I speak in this House—what many people do not understand about the PNM is that you cannot better the aims and objectives of the PNM. What one can do is improve, expand, or add new dimensions, *etc.* That is what this bill is all about. In the audience, I see one of my favourite members of the Ministry of Sport, Culture and Youth Affairs and if the Minister should accept the advice of all these wonderful people, she would have an easy Ministry because many things are put—

**Miss Nicholson:** It belongs to you.

**Miss Donawa-McDavidson:** Yes, it belongs to me. It belongs to the country *[Interruption]* Mr. Speaker, it is really unfortunate that such a comment should come from the Member for Tobago West.

**Mr. Speaker:** Order, please! Please do not make reference to anyone in the public gallery except that person belongs to the Parliament.

**Mrs. Donawa-McDavidson:** I have an interest in that particular Ministry and I wish the Minister of Youth, Sport, Culture and Creative Arts well in her efforts. If anybody is undermining her, it is unfortunate. You are dealing with people and it is not always that people would see your point of view, but what appears to be that may very well be that the members of the Ministry might be trying to point out a different dimension or perspective to the Minister. I am certain that comment would not come from the particular Member who now holds that portfolio.

I sincerely hope that serious consideration is given to the one or two points I have made which I believe are very fundamental to that area of festivals for which there are so many citizens. I believe that if the Minister should put out a notice and say: “People who would like to make a contribution in this particular area, or

citizens who would like to send me a memo or send this bill for public comment,” she would be amazed at the number of people whom she never heard of, whose sole desire is to really see festivals or culture, generally, as an important aspect of our development. Remember that art form, is only another aspect of culture. I think the time has come when we should really give a definition when we talk about culture. Culture is all about the total development of all the citizens of Trinidad and Tobago. It is an area of development to which I believe tremendous attention must be paid for all sections of the citizens of Trinidad and Tobago.

Madam Minister, honestly, sincerely and truthfully, I can see the desire for the establishment of a carnival commission. However, I would prefer to see that under a festivals commission, all of them providing opportunities for export. I noticed you made tremendous reference to spirituality. I understand that you were referring to it as a gift that all of us possess and the opportunity to bring those gifts outside, but carnival is only one area from which these natural or spiritual gifts can be given. Whether it is appropriate for the same people to run the other areas of festivals or whether you should establish another body under this umbrella, festivals, committee to do other festivals, is something for which—*[Interruption]* A suggestion was made that there should be various subcommittees because this is a good industry, and coming from my own constituency of Laventille *[Interruption]* I am representing Laventille, the heart and the core of the culture of Trinidad and Tobago. If you are talking about steelband, whether it is schools steelband or national steelband, it is Laventille. If you are talking about musicians representing Trinidad and Tobago abroad, you are talking about Laventille. If you are talking about designing and creating costumes, you are talking about Laventille and if you are talking about singing and dancing, although I come from a part of Trinidad and Tobago where music is at its best—that is San Fernando; you will discover that many San Fernandians are in that area. That is why I made reference to San Fernando because I listened to Fonclaire and Fonclaire could be only Fonclaire because they came from San Fernando.

It is in that context that I have talked with feeling because I believe that now we have completed political independence under the People's National Movement; we have initiated action for cultural and economic independence under the PNM, and the present Government is there to carry through on the basis of what was set up. I still want to be a part of what I consider the most important aspect of national development. I plead with the Minister and the Parliament to either set up a parliamentary committee or something, that can give even deeper consideration

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to some of the proposals in what I consider a most important bill in the Parliament of Trinidad and Tobago, in the month of February, 1991, and on the birthday of the honourable Member for Diego Martin Central.

**Dr. Anselm St. George (San Fernando West):** Mr. Speaker, I rise to support this bill to establish a National Carnival Commission of Trinidad and Tobago. I thought that this was a straightforward and non-controversial bill but I guess I reckoned without taking the ability of the Opposition into consideration to import controversy into any bill or anything that is being discussed in the Parliament.

**3.20 p.m.**

My only complaint with this bill is that it is about four years too late. In 1987, just a few months after the first carnival of this Government, the Minister of Youth, Sport, Culture and Creative Arts invited members involved in carnival to a symposium. After that symposium, of which the topic was carnival, she invited a high-powered study group which was set up to analyze and advise the Ministry and to make recommendations with respect to the future of carnival in Trinidad and Tobago.

I am sure that the recommendations emanating from the report of this committee, is what formed the basis of this present bill. Carnival is billed rightly so and justifiably so, as the greatest show on earth. Any effort, therefore, to improve this great show should be complimented. I agree that the bill is aggressive and rightly enough, I support the Leader of the Opposition when he raised, I think, two valuable points, in clauses 9, and 12, and I am hoping when we reach the committee stage those would be clarified or amended. This bill, as I said, is aggressive but I am sure it will receive, nonetheless, the full support and approval of this honourable House.

May I take this opportunity to give a brief historical background of carnival. There seemed to have been some form of street celebrations involving thousands of people who continued both day and night, that is as far back even before the coming of Columbus to Trinidad. In 1595, we have record of the Spanish Catholic having some form of celebration which reminds us or which could be comparable to our carnival celebrations. In 1783, there was the arrival of the French who brought some semblance of carnival festivities. On the emancipation of the African slaves in 1834, there was some form of celebration which could also be compared. People in my age-group, would recall the progress of the "Tambour-bamboo" to

the melodic beat of the steelpan. So Trinidad and Tobago carnival will record from the “Jab-Jab” and “Jab Molassi, and “Pierrot Grenade” through the years to the incredible spectacle of “Saga-Boy” and “Tan-Tan”. There are also those who should remember and trace from the Belé dance to the Limbo and to the present Dollar-Wine dance.

Mr. Speaker, it is noteworthy to remind hon. Members that carnival celebrations were not restricted to any area but carnival celebrations involved every district throughout Trinidad and Tobago, therefore carnival could be truly termed, a national festival.

The main purpose of this bill is to establish a National Carnival Commission. This body will be responsible for the improvement of carnival, a national festival; to enhance its expression locally and internationally, to give expression at home and abroad to our wealth of indigenous culture. Some reasons why this is not only necessary, but urgent, are: other neighbouring territories are capitalizing on this Trinidad and Tobago tourist attraction. Some are even attempting to lay claim to calypso and steelband originating in their territories rather than where it truly belongs, in Trinidad and Tobago.

Another important point is that carnival is big business, a tourist attraction and it should earn foreign currency. If it is complemented by a well-planned and aggressive advertising and publicity campaign in the print media as well as the electronic media, home and abroad, carnival could well be one of the biggest tourist attraction that the world has ever known. Carnival is a viable industry, no stone should be left unturned for its development. Carnival is a powerful medium through which community development could be encouraged in the marketing of carnival, not only the songs or the dances, but also our traditional drinks, our indigenous food, local condiments and home-made sweets, *etc.* All these could be given some sort of drive. Display of costumes, our craftsmanship, steel-bending, leather-craft, wire-bending or calypso and steelband music, all of which could form an important part of our thrust towards earning foreign currency. The long talked about museum should record our carnival history. This should form a prominent feature in the responsibility of the National Carnival Commission which we are now proposing. A permanent home for carnival should be uppermost in Government’s mind, in that it is estimated that approximately \$4 million per year is spent annually, I believe, to erect and dismantle the stands which adorn the Queen’s Park Savannah.

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**3.30. p.m.**

The aims and objectives of the Carnival Commission, in summary, should be to develop all aspects of carnival: the calypso, steelband music, dance, *etc.*, and to have them readily marketable; to promote effective management, improvement and efficiency of our carnival celebrations. Thirdly, advertisement and publicizing of our culture, the greatest show on earth. The next objective should be for carnival to get a home of its own.

Reference was made to overseas emphasis. It is not necessarily that we want to export our carnival but we want to export the by-products of carnival so as to enhance our tourist industry. This bill gives a strong appeal for Government's recognition of carnival—once more, the greatest show on earth—a most important component of our culture of Trinidad and Tobago. We urge full support of all Members of this honourable House because we think that this bill is necessary.

Before taking my seat, let me put in a plug for San Fernando. Part of the plans of the commission should entail a permanent home for carnival in San Fernando. We envisage that if we get sympathetic hearing from the Carnival Commission, some sort of project could be devised whereby all the energies could be exerted on carnival in San Fernando on carnival Monday, so as to take away some of the boredom from our visitors who have to see the same type of mas Monday and Tuesday in Port-of-Spain. That should enhance our San Fernando carnival. I am hoping that could be worked out.

Mr. Speaker, we made tours of mas camps recently in San Fernando and the cry and call from all leaders was that if they want a feather or the slightest bit of material, they have to travel all the way into Port-of-Spain. I am hoping that the Carnival Commission will take that plea and see what could be done.

Once more, this bill is such a straightforward, simple bill and except for two worthwhile comments made by the Leader of the Opposition, I am sure that we would get the support of all Members. Thank you.

**Mr. Trevor Sudama** (*Oropouche*): Mr. Speaker, I intend to be quite brief here this afternoon. However, I get the impression that the Members of the Government love to hear my voice. They want to get the ideas that we have on this side of the House and, therefore, wish for me to speak at length. But today I am going to disappoint them and I rise just to make a few points.



It was so obvious in the presentation of the Minister this afternoon that there is a great deal of confusion in her statement, simply because there is absolutely no philosophical grounding to two elements. The first is: What ought to be the proper relationship between the state and culture? In this case, carnival as an element of our national culture. What ought to be the proper relationship? The second is: What is the relationship between culture and economic development? From our own experience, what is the relationship?

It is because of this lack of understanding and appreciation of the philosophical principles involved that you have a Minister coming to this House parroting meaningless statements. When I listened to her it was as if she was in a state of euphoria unrelated to the reality of Trinidad and Tobago. She said that this carnival induces the creativity—and this is true—of our people and it displays their love of work—which is true but love of work confined in a certain way—and that it can provide the base for an industrial revolution in Trinidad and Tobago.

I listened and wondered—base for an industrial revolution; and that it had enormous potential for economic progress and development. In fact, she went on to propound that one of the real objectives of this bill was to sensitize all citizens of how necessary it was to engage in the carnival ethos because it impinges on all aspects of development of Trinidad and Tobago. So here you have a festival, admittedly almost important and the most national of festivals, but within it is the germ for the panacea for all our problems in Trinidad and Tobago. You will want to know why this panacea has not been effected before and it will now take a National Carnival Commission to put this in place and to solve all our problems for us: be it economic, social, political, whatever it is, national integration, unity; all we have to do, according to this Minister, is to implement this bill for the establishment of a National Carnival Commission. It just shows you how unrealistic they are in terms of government, and also in understanding the real problems which face Trinidad and Tobago.

I wish she will reread her speech. Perhaps she has read it for the first time in the House. If she reads it over and actually listens to what she said and listens to the nonsense, or the lack or sense, involved in her speech, she will understand what I am trying to say. The first point I wish to make, and it has been a policy on our side [*Interruption*—I will come to the Member for San Fernando East in a while. Do not try to jump the gun; I will not leave you out of this debate at all. I will not leave you out and the intervention of the PNM and what it has done to carnival in this country. Surely, you are not going to be left out of this debate.

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Our policy has been, as the Member for Couva North has pointed out, that the state should act as a facilitator of cultural development in a society rather than as a controller and regulator of culture. You cannot regulate culture. This is not an authoritarian society that you will sit there at the head of a Ministry with a Carnival Commission and regulate carnival and other aspects of culture in this country. That is antithetical to the very concept of culture, in fact the very history of our carnival which developed as a spontaneous form of protest against the culture of the colonizers and the upper classes in Trinidad and Tobago in colonial times. That is how it developed.

In it is the germ of what one person called, the species of theatre, which is an important aspect of carnival and its development. Today you have little theatre. What you have is the intervention of the state trying to structure and package this activity for the benefit of a few dollars more. Along with that is a heightened commercialism of this activity. Not that we should not try to make this activity viable in its own right but a heightened commercialism where the profits—and we have been told—go in a certain way and into certain pockets and not to the people who are really involved in creating carnival: the steelbandmen, costume designers and the calypsonians—the majority of them anyway. Yes, a lot of money is created. Where does this money go? What is the distributional aspects of this economic enterprise that we want to create? This is a question to which the Government should address itself.

My view is that what we ought to do is, let the groups come together who have been involved. Let us, first of all, have a comprehensive discussion of what their needs are, before trying to set up structures to meet their needs. You do not even know what their needs are. You have to have some measure of consensus with respect to the interests of the steelbandmen, calypsonians, costume designers, musicians and all these people to see how the Government could facilitate, without getting a bureaucratic structure in place in order to do that.

**3.40 p.m.**

Now I see that this Minister has the power to appoint all the commissioners and every power that may be exercised under this bill has to be with her approval. Why not a department of government? If you want advisors then you could have the three people who will form the membership of the commission, who are to be nominated by the various organizations, as advisors. Why not a department

of government? Because in effect this is what this Carnival Commission is going to be: a department of your Government, a department of your ministry, and what is amazing is that this commission, being subject to the directions of the Minister, has the right to create companies and branches.

So this Minister wants a conglomerate. She wants to compete with Mc Earney/Alstons and Neal and Massy. She wants a commission which will create companies and branches overseas. She wants a conglomerate in her own right. This is what is possible under the terms of this bill before us. This acquisition, accretion of power unto herself, that seems to be her only concern.

Then she made another point: that you have to act very fast because other people are trying to steal our carnival. Now if other people were not trying to steal the carnival of Trinidad and Tobago, you would never have cause to bring a bill for a National Carnival Commission. This is the logic of what she is saying.

Of course the reality is sheer expediency. In an election year you want to pacify the interests involved in carnival. Political expediency, nothing else and nothing more. She said that if you do not do this then the people in Barbados will claim carnival as their own; and the people in Jamaica will claim carnival as their own, and the people quite in Brixton and Miami and wherever else will claim carnival as their own. I advise her that they will claim carnival as their own anyway, whether you establish a national carnival commission or you do not establish a national carnival commission.

What you really have to do with this indigenous festival is to ensure that it maintains its creativity, its linkages with the society and, therefore, it will prosper as a local institution without wanting to compete with Brixton and Miami and wherever else you want to compete with. None of these countries have the historical development of carnival that we have in Trinidad and Tobago. They really cannot compete with you in that respect. Therefore, what you need to do is to facilitate that.

This thing about viable commercial activity—one of the first things that they should do is set up a commission of enquiry into the operations of the National Carnival Committee as it presently operates. There are thousands of patrons at that Queen's Park Savannah, thousands of other sources, thousands of dollars in other sources of revenues, yet when this National Carnival Commission submits its so-called accounts, there is always a deficit. They always lose money despite this wide patronage. They have expenditure. If you are telling me that is a perpetual state of

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affairs; that the expenditure of the National Carnival Committee will always exceed its revenue, how can you say that in one breath and talk about commercial viability in the next breath and that your aim under this bill is to make this carnival a commercially viable proposition? It is totally illogical.

This is why I said initially, that you have not thought out the implications of this. You have come to this House and you have read for us. You have displayed your reading skills. You have displayed, for the better part of your presentation, your reading skills with this bill. You could have given us the benefit of the doubt that we on this side possibly could read. You come here to read a bill without even seeking out what are the implications of the measure that you have before us. If you are saying that there is a necessity to subsidize carnival, what is the intent of this objective where you said, "The objects of the Commission are to make carnival a viable national cultural commercial enterprise?" What is commercial? Does commercial mean to lose money? That is foolishness by this Minister. They come here and we talk about commercially viable enterprise and they do not have a clue of what they must do in order to make this activity commercially viable, not a clue.

The other thing we hear a lot about—and it is true that a great deal of creativity is displayed at carnival time in the composition of calypsoes, in the music that is created, in the costume designs and it shows the talents of our people, but then it is a talent which is expressed in a certain way and within a certain milieu, and they talk about it. Why is it we had the Prime Minister complaining no end? I do not see him these days. It looks like he is permanently involved in touring mas camps and so on. He does not come to this House to discuss legislation which is before us. I cannot remember the last time he was here. He is touring mas camps. He does not go to the calypso tents, I understand. He avoids the calypso tents like a plague, but he goes to mas camps and steelband yards. He is not here, but every so often you hear him making statements. If only this creativity could have been transferred to other areas of national life of Trinidad and Tobago.

Therefore you are to address the question: why is it that this enormous energy displayed at this time, enormous creativity, is not really transferred? Because simply you are discussing two different situations. You are talking about the world of work and industry in which the motivation, perspective, and objective are a little different. That where you have longer term goals, you have a deferral of gratification. So that you are talking about a different syndrome and this foolish parroting of transferring all the skills and productivity which are involved in a

cultural activity through the world of work and industry and not understanding the realities of the differences involved and talking about industrial revolution!

This is why I said when I listened to her it was with an ear of unreality of a Minister of Government, totally ignorant of basic principles and totally ignorant of what really moves this society and issues of economic development and so on and comes here talking about industrial revolution; how carnival can create an industrial revolution and so on.

**3.50 p.m.**

The other point I want to make here today, is the whole issue of the consumption aspect of carnival. May I preface what I want to say here by saying that the society is free to choose its levels of consumption. At the same time, you cannot have your cake and eat it. Whether we like it or not, carnival and the activities surrounding it are consumption-oriented activities, by and large. When you talk about all the fetes preceding carnival, the carnival shows, the days of revelry and so on, they are consumption-oriented activities, and there is a relationship between consumption and savings. Perhaps they do not understand this. There is a relationship.

If people so choose to consume or to have their expenditures, then that is their democratic right. I am truly amazed at a statement of the Governor of the Central Bank, Mr. William Demas, saying that we ought to save more—and this is true; we ought to save more, we ought to have more indigenous savings—and the only reason we do not have more indigenous savings is because we are bombarded by these foreign shows such as “Dallas” and “Falconcrest” and “The Young and the Restless”, which promote a luxury lifestyle in Trinidad and Tobago. This is why we cannot have more savings. He is saying this at the height of the carnival season. I do not know where Mr. Demas lives. Maybe his office is too high up in the Central Bank Tower to understand the relationship that he is propounding and the relationship of what he is saying to the carnival activities in the midst of which we are today.

If the Governor of the Central Bank is making foolish statements, he ought to be told he is making foolish statements—It is the luxury lifestyle which we see on television in “Dallas” and “Falconcrest” that is causing people in Trinidad to save less. I have never heard more utter rubbish. No wonder nothing useful seems to be coming out of the Central Bank in terms of analysis, and whatever; nothing useful.

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They were so quick to replace the former Governor, Uric Bobb, but replace him by whom?

I just make that point to raise the issue about carnival and economic development, and really they do not understand and they could never understand, as far as this country is concerned. Sure, you will try to attract foreign revenues. Carnival is a tourist attraction, and so on. You will try to do that. And if there is a net advantage to Trinidad and Tobago, fine. If there is a net advantage in terms of the foreign exchange expenditures you incur in order to earn those revenues, fine. This we do not know. Nobody has done a serious study about the foreign exchange aspects of carnival in Trinidad and Tobago, the carnival activities, and whether we in fact are a net loser or a net gainer of foreign exchange in that respect. It does involve a lot of importation. It does involve many other things which consume foreign exchange.

If you have certain objectives and you do not really understand what is involved here, you are going to find yourself in a great deal of confusion. That is so apparent from the provisions of this bill and from the presentation of the Minister here this afternoon.

I hasten to add that a society is free to choose its cultural activities. It is free to choose. If that involves a lot of revelry, a lot of frolic, a lot of having a good time, then it is free to choose that. Nobody, no government ought to try by fiat to curb that tendency. They may try to persuade them, that perhaps we should do things in balance and within limits, with proper perspectives, and so on. We on this side are not committed to that either: to controlling and legislating and giving directions to people as to how they ought to enjoy themselves. You must be fully aware that when you choose to enjoy yourself in a certain way, there are costs involved, and people should be told this in no uncertain terms.

So that to have all these high hopes for carnival—and it is a national festival, there is no doubt about; it is celebrated in all parts of the country by all groups, by all classes, by all races. It is a national festival, but it is a national festival that must be put in perspective as to what it involves, what it can be used for, what it can do and what it cannot do.

Do not come here and made these very unrealistic and euphoric statements about how carnival can provide the base for an industrial revolution in Trinidad and Tobago. There are so many elements of carnival that ought to be addressed. One of the most important elements that has to be addressed is the question of

behaviour on carnival days, not only the control of traffic, but the behaviour of citizens where they are carried away by their own involvement in the carnival activity, and so on. That, in my view, ought to be regulated to a certain extent so that people do not become vulgar and lewd and crude in their behaviour.

I recall that two years ago in the 1988 carnival, and if you had read the newspaper reports for the 1988 carnival, it reached the depths of vulgar behaviour in Trinidad and Tobago displayed over the television screen and caused the comments of many people writing editorials to the press talking about the vulgarity involved.

Now, this is a national festival. This is something of which we should be proud. But certainly let us keep it within limits and not allow this wanton permissiveness to prevail in this society where our own standards of morality and ethics are being slowly undermined. So that while we are full in praise, and so on, of this activity, this historical, cultural development in Trinidad and Tobago, let us have a sense of balance.

I do not want to sound today as if I am preaching, because my honourable friend from Naparima is more distinguished in that area, and any such incursions I will leave to him. But I am talking about standards being set for the young people of Trinidad and Tobago. Today carnival activities are being held in primary and secondary schools, and other educational institutions. If the impression is that this is what carnival is and that is how it ought to be enjoyed for you to have a good time, and that is what our national festival is all about, then all you are doing is sowing the seeds of a depraved society in the years to come. That is all you are doing.

I prevail upon the Government to look at that aspect of ways and means to persuade people to behave properly. Well, not "properly", but without going beyond the bounds of decency in their behaviour. Because I want to tell you, that it is one of the festivals in this country, and it is our major festival, but it is our major festival which has the capability of being associated with the worst type of behaviour of Trinidadians and Tobagonians, and you see the contradiction involved.

When we talk about culture, in one sense we talk about refinements, breeding, excellence and striving for excellence and so on, and then in another sense you have this accompanying culture, you have this crudity that is displayed from time to time in the carnival celebrations.

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Now, I find another oddity in this bill, and let me quote it. It says in clause 2:

"In this Act, 'Minister' means the Minister to whom the responsibility for Carnival is assigned."

I want to know if carnival has now been elevated to a Ministry. I would have thought that it would have said, 'Minister' means the Minister to whom the responsibility for culture is assigned", which incorporates carnival and all the other related activities of carnival. *[Interruption]* So that as the Member says that we are separating—from time to time, he makes some valid interventions, which are very rare.

So that carnival is something apart and separate from culture. So it is possible under this bill for the Prime Minister to assign carnival to the Minister of Finance, and he will be responsible for carnival, or to the Minister of Food Production, and he would be responsible for carnival. Some people might say that he himself is in a form of disguise, so maybe carnival would be a good choice for him to be responsible for. But more about this when I get to Rio Claro where I am going shortly, Mr. Speaker.

**4.05 p.m.**

Before I close I want to make a few references to the party to which my honourable friend from San Fernando East belongs. I do not have the time to go into the politics of the post-1956 era when the Government decided to intervene and make carnival a government enterprise. That is when it started, under the PNM because they saw themselves as the preserver of the culture of Trinidad and Tobago. They had this authoritarian outlook, anti-democratic outlook, that they would sit at the top of government and control everything in the society. This is why you had this unrestricted entry into the economic sphere—buy everything in sight, whether viable or non-viable—unrestricted entry into the cultural sphere. Control the culture and, therefore, you will control the people who subscribe to that culture. That was the mentality pervading at that time.

The history of state intervention does not start with this Government. It began with the last Government. As we said before, what we obtained in 1986 was not change but exchange because you have the same lack of philosophy being promoted by this present Government. It is the same kind of thinking, the same consciousness that is now being realized by the actions of this Government. So things have not changed in that respect. All we have is a new set of faces carrying on in the same way as the old regime carried on. It is the same kind of thinking that



persisted under the old regime and yet they want to know how the UNC will be different. They will know in due course where we are proposing a different vision, a different perspective for this society. I may have to write David Renwick personally on this matter. That seems to be one of his perennial concerns—of trying to get the UNC off the face of the political map of Trinidad and Tobago—also his colleague, Dr. Hamid Ghany. I am still to investigate which university gave him his Phd. considering the rubbish that is written in the *Trinidad Guardian*.

I am saying that our perspective with respect to state intervention in cultural activities will be quite different from the present Government and we will look at the whole panorama of cultural activities in Trinidad and Tobago.

While carnival is a key element in those cultural activities, there are other areas of cultural development in Trinidad and Tobago which ought to be supported and must be supported if we are to create a dynamic society which values equality and justice; a plural society; a society that provides an example to the world. We may not be able to create an industrial revolution but by welding the cultures together in Trinidad and Tobago, by respecting the respective heritages in Trinidad and Tobago, we may be able to create a society of which we can all be proud. Such a society will not need Government intervention in creating a National Carnival Commission to control carnival. Such a society will have its own impulses to look after its own cultural institutions without undue state involvement. Thank you very much.

**Mr. Patrick Manning** (*San Fernando East*): Mr. Speaker, I rise to make a very brief intervention in this debate. As I listened to the contribution of the honourable Minister and the contributions of various Members of this honourable House in this debate, if ever there was any doubt as to the intention of the Government in bringing this bill before the Parliament today, seeking to establish a National Carnival Commission for Trinidad and Tobago, all doubts have now been dispelled.

With your permission, I refer and direct the attention of hon. Members to the manifesto of the National Alliance for Reconstruction for 1986, which, at page 33, under “Cultural Priority” reads as follows:-

"An NAR Government will give every encouragement to the cultural and spiritual development of all our communities and will cherish the free and spontaneous process of cultural syncretism that is evolving and which will blossom and bloom in the future."

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Mr. Speaker, implicit in that statement, is the thinking of the framers of this particular aspect of this manifesto. What has come before the Parliament today is so much at variance with this, that one begins to wonder whether, in fact, the implementation of Government's policy is being carried out by those who wrote the manifesto in the first place, and whether they understand what has been written. What clearly it states here in the manifesto, is that there is a recognition of the spontaneous aspect to cultural development and you do not seek to control it, but you seek to encourage it. You encourage rather than control.

On the same page under the "National Commission on Culture", this is what the manifesto had to say:

"The NAR will appoint a National Commission on Culture..."

"will appoint", Mr. Speaker, not legislate—

"...to provide direction and to advise on matters related to cultural presentation and development."

Both these statements seem to suggest that a certain amount of freedom in the cultural development of the country is something that was recognized by those who wrote those two statements. As I read them both, I can see a clear view that seems to say it is a virtually hands-off position: "We are not going to unduly interfere in that cultural development, but we will do so only in the context of encouragement and only to the extent that regulation is necessary to facilitate the development of culture on the whole of which carnival forms a part."

#### **4.15 p.m.**

Much has been said this afternoon about the provisions of the bill, the many references made to the Minister and the powers that are being given to the Minister under this particular bill. Some transformation may have taken place between the time this manifesto was written and the time the bill was drafted. It is now absolutely clear to me, as it is to those of us on this side of the House, as I am sure it now is to hon. Members of the Government, that the object of this bill is not to facilitate; it is not to encourage; it is not to allow a spontaneous development as the manifesto envisaged quite properly, when you are talking about the cultural development of a people, but that the objective of this bill is to control. To say that the Government has not determined the relationship that the state should have with carnival, it is to underestimate the Government. By whatever route, whether it was

a philosophical base, which I rather doubt, or whether it was on the basis of pure pragmatism, which is what I suspect; it is opportunism.

The Government has come to the conclusion that what it wishes to do, is to control carnival, but to do it in such a way that it can get the political benefits of such control, while insulating oneself from the political fall-out that is associated with any attempt to control carnival. That is the crux of the matter. So the hon. Minister, year after year, is having difficulties in dealing with Pan Trinbago, with the calypsonians and the association from which they come; or is having difficulty in dealing with the steelbands' association with the bandleaders who are asking for this increased prize money, or this adjustment here and that adjustment there, and it calls for a lot of dialogue. For it to be successful it calls for a commitment to people, which as by now all of us know and the national community knows, this Government is not committed.

It calls for a basic commitment to people, to encourage in the way this manifesto envisaged and to permit a spontaneous development of the culture of Trinidad and Tobago by way of carnival. It has been very cleverly done and I wish to sound a note of caution. I wish to warn Pan Trinbago, in particular, that to be associated with this mechanism in the way they seem to be associated with it, is to lead Pan Trinbago into a trap that is going to benefit, not them, nor steelbandmen in this country, but is likely, they hope, to shore up the political fortunes of their party.

You would set up a commission of nine people, all appointed by the Minister but three appointed by the Minister on the recommendation of three organizations. One is Pan Trinbago, one is the Bandleaders Association and the other is the Calypsonians Association. That is three, but six others would be appointed by the Minister and the Minister is free to appoint as he or she sees fit. If we are to be guided by the antecedents of this Government, then the appointments are going to be largely political and politically dictated. Ostensibly, on this commission, the steelbandmen have a voice, the bandleaders have a voice, the calypsonians have a voice, but that voice in circumstances, especially as has been pointed out by one of my colleagues, where the quorum is five, is certainly circumscribed by the way the commission itself has to be set up. In fact, it is a mechanism that could be used by those who are so minded to quell the voice and the legitimate aspirations of steelbandmen, calypsonians and bandleaders.

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It is a question of control by a Minister. The bill makes reference, in several instances, to the amount of authority that the Minister will have. So that what clearly is taking place, is political control while you use, as your front line, a National Carnival Commission which will interact on a day-to-day basis with those who are involved, which will face all the flack and all the political fall-out, while the Minister and, hopefully, the party to which he or she belongs, gains the political benefit. That is what this mechanism is all about.

I draw your attention again on another aspect of this matter. It had been raised by one of my colleagues who spoke before. The NAR manifesto again at page 36. You see, we are talking integrity, and like the Member for Couva North, the hon. Leader of the Opposition, I am absolutely appalled that a piece of legislation can come to this Parliament in relation to an institution that is essentially going to be funded by the state, where the legislation specifically states that the Auditor General will not have jurisdiction. It specifically states it.

**Mrs. Johnson:** I thank the hon. Member for San Fernando East for giving way. As I said before, I know that I can reply, but I want to clarify at this moment. Pages 14 and 15, clause 25: "Accounts and audit" (1) to (6), particularly (6). I draw the attention of the hon. Member to (6).

**Mr. Manning:** I thank the hon. Minister for drawing my attention and the attention of the Parliament to (6). Permit me, Mr. Speaker, to draw your attention, the attention of the hon. Minister and the attention of hon. Members, to clause 12 of the bill which states as follows:

"(1) No Commissioner or Officer shall be liable to surcharge."

Mr. Speaker, do you think you could put that in the legislation in respect of the public service? As it now stands, there are regulations that guide the activities of public servants which expose them to surcharge, if in the conduct of their affairs, it can be demonstrated that there has been a great amount of negligence and there is a major liability evolving on the activity of any public servant.

In effect, as somebody else has pointed out, it is a Government department that they are setting up under ministerial control, insulating the Minister. What is going to happen here, is that by telling commissioners that they are not liable to surcharge, is to remove a major restriction, as it were, a major check and balance on the activities of commissioners in the context of public accountability. There is no question about that.

We go again.

"(2) No action shall be brought against any Commissioner or Officer in respect of any act done *bona fide* in the execution of his duties."

Do you understand the point? It takes it a step further. Not just no surcharge but you can take no action against it. Not just no surcharge.

Mr. Speaker, what is the responsibility of members of the boards of directors of a particular company? I ask you. Is it that a board of directors of a company can sit and take all kinds of decisions and be immune to actions of any kind, as we are seeking to say here, to indemnify the commissioners of the proposed National Carnival Commission?

"(3) No Commissioner or Officer shall be subject to the discretion and powers of the Auditor General."

*[Interruption]* What is meant by personal life? You are a commissioner by virtue of the fact that you are a member of the National Carnival Commission and it is in that context that the bill is drafted and, therefore, it is in that context that the individual has to be viewed, in looking at public accountability.

**Miss Nicholson:** Mr. Speaker, I am putting it to the House that the Member for San Fernando East is misleading the House. He is misleading the House against the background of clause 25 (1) to (6). Subclause (1) states:

"The Commission shall keep proper accounts and records of the transactions and affairs of the Commission and shall do all things necessary to ensure that all payments out of the moneys of the Commission are correctly made and properly authorised and that adequate control is maintained over the assets of, or in the custody of, the Commission and the incurring of liability by the Commission."

Look at subclause (4)—

"The accounts of the Commission shall be subject to audit by the Auditor General in all respects as if they were the public accounts of Trinidad and Tobago."

When the Auditor General comes in and you are caught in any direction, it goes to the Fraud Squad and action is taken.

**Mr. Speaker:** Order please! Can we continue?

**Mr. Manning:** Mr. Speaker, I must advise the hon. Member for Tobago West to be a little more careful in her utterances and to understand that when I talk on matters like these, I do so against the background of 20 years' experience in public life. I have seen Members come and I have seen Members go. I have no doubt that after the next election, I will see many Members go, I do not know who.

Mr. Speaker, one of the things the PNM is doing at this time is taking very careful note of all the actions of the Government. We take careful note of what the Government does right, seeking to incorporate those in what action we will take in the future and to the extent that the Government does things wrong, not only do we live up to our responsibility to draw this to the attention of the population so that the other side of the story could be seen, but we also analyze these things and come to some kind of conclusion as to what would have been the right and proper thing in those circumstances.

When the Government puts into this bill that—

“The Commission shall keep proper accounts and records of the transactions and affairs of the Commission and shall do all things necessary to ensure that all payments out of the moneys of the Commission are correctly made and properly authorised and that adequate control is maintained over the assets of, or in the custody of, the Commission and the incurring of liability by the Commission.”

What is the difference between that and the TTFA? What is the difference—Football massive, what is the difference?

**Mrs. Johnson:** Clause 4.

**Mr. Manning:** Clause 4? What is the difference? Clause 25 (2) says

“The Commission shall submit a financial statement in respect of a financial year to the Minister no later than three months...”

I understand all of that and you are quite right, as has been raised by one of my colleagues here. Suppose you find something is wrong, you go in clause 12 and you indemnify commissioners from all actions that have been taken. That is what you do.

Mr. Speaker, it is exactly the same mechanism that has been used in respect of Football Massive and I do not have to go into the details of it. As of now, nobody,

not even the Minister to whom the statement was presented, can properly account either to the Parliament or, to the best of my knowledge, to any other responsible body, on how state funds were expended in respect of the Football Massive exercise.

**Mrs. Johnson:** On a point of order. The hon. Member for San Fernando East is misleading the House. All the accounts relating to the exercise he mentioned have been properly dealt with.

**Mr. Manning:** I agree, properly dealt with including putting it before a commission of enquiry. What is wrong with the Minister today? The commission of enquiry is still meeting and this public—

**Mrs. Johnson:** Mr. Speaker, on a point of order. Again the hon. Member is misleading the House. The matter of Football Massive was not a subject of enquiry. There was no need for that to be a subject of enquiry.

**Mr. Manning:** I am very grateful to the hon. Minister for indicating to the Parliament that Football Massive was not the subject of enquiry. You see what they did is that they put everything else relating to football on that particular instant before a commission of enquiry, but for reasons best known to them Football Massive is excluded in circumstances when questions were put to the Minister in this very Parliament, that it was a Member of the PNM Opposition at that time in another place who was able to demonstrate to the Parliament that the figures did not add up.

Mr. Speaker, when I try to advise, if they listen to my advice, we will not get into all these difficulties. I thank you very kindly for your consideration.

They are talking about integrity. Page 36 of the NAR manifesto under “Institutional Independence”. The National Carnival Commission as contemplated under this bill is an institution. Listen to what the manifesto had to say:

“The NAR will respect the professional independence and management autonomy of bodies that are assigned specific responsibilities in the system of public administration. Such bodies will be required to operate within a broad policy environment as enunciated in the national policy and programme and adhere to the requirements of an enforceable system of public accountability.”

That is the point that is being made in relation to clause 25. It goes on to say—

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“To this end, the NAR will restore the status, integrity and professional conduct of all state institutions and which will include the following bodies:”

Would you believe at the top of the list is the Central Bank? In the event that you all did not know it, when Dr. Bobb ran into problems with the Government, the same thing, it was because he will not permit the Government to borrow over and above its statutory limit without a specific—

**Mrs. Johnson:** On a point of order. The Member for San Fernando East is irrelevant. We are not discussing the Central Bank here.

**Mr. Manning:** We are talking accountability. What I am trying to demonstrate to this Parliament is that the Government pays lip-service to the question of accountability. While talking one thing, it is doing something that is entirely different and, in fact, conducting its affairs in such a manner that it is subverting a system of accountability that has been built up, imperfect as it is, over the years, where it should have been seeking to refine as it went along.

They talk about the Judicial and Legal Service Commission and the Public Service Commission. It is quite clear to all of us that the object of this bill is to give the Minister, whoever he may be, control over carnival without exposing the Minister and the Government, either to the political fallout in terms of the need for consultation and consensus in policy development on carnival. *[Interruption]* No Mr. Speaker, in exposing the Government to the consequences that will normally be attendant on improper accounting and the requirements of accountability.

*Motion made and question proposed, That the House do now adjourn to Friday, February 15, 1991 at 1.30 p.m. [Hon. B. Tewarie]*

*Question put and agreed to.*

*House adjourned accordingly.*

*Adjourned at 4.35 p.m.*