

Leave of Absence

Friday, August 30, 1991

HOUSE OF REPRESENTATIVES

Friday, August 30, 1991

The House met at 1.40 p.m.

PRAYERS

[MR. SPEAKER in *the Chair*]

LEAVE OF ABSENCE

Mr. Speaker: Hon. Members, the hon. Member for St. Ann's West (Mr. Eden Shand), has been granted leave of absence until September 14, 1991.

PAPER LAID

Twenty-third Report of the Salaries Review Commission of the Republic of Trinidad and Tobago—August, 1991. [*The Minister of Industry, Enterprise and Tourism (Dr. The Hon. Bhoendradatt Tewarie)*]

ORAL ANSWERS TO QUESTIONS

National Quarries Limited

63. Mr. Trevor Sudama (*Oropouche*) asked the Minister of Industry, Enterprise and Tourism:

Could the hon. Minister state whether any privately owned quarries in Tobago were purchased by National Quarries Limited in 1987 and if so, could he advise who the owner/owners of these quarries were?

The Minister of Industry, Enterprise and Tourism (Dr. The Hon. Bhoendradatt Tewarie): Mr. Speaker, on the basis of information received from National Quarries Company Limited, no quarries were purchased by that company in Tobago, in 1987.

Hon. Surujrattan Rambachan
(Construction/Repair of Schools)

64. Mr. Trevor Sudama (*Oropouche*) asked the Prime Minister and Minister of the Economy:

Could the hon. Minister state whether the Minister in the Ministry of Industry, Enterprise and Tourism, Mr. Surujrattan Rambachan, has the authority to arrange for the construction and/or repair and/or extension of Government

or Government assisted schools in Trinidad and Tobago and, if so, who gave him such authority and to whom is he accountable for such activity?

The Prime Minister and Minister of the Economy (Hon. A.N.R. Robinson): Mr. Speaker, the terms in which this question is couched are too vague to enable the Prime Minister to answer. The hon. Member should state the act or acts complained of which he alleges were committed by the Minister referred to and then the Prime Minister would be in a better position to investigate and provide an answer.

I suggest that in future the hon. Member seek legal advice when he is framing his questions and such advice would be readily available from the hon. Minister of Social Development and Family Services.

Mr. Sudama: Is the Hon. Prime Minister aware that the Minister in the Ministry of Industry, Enterprise and Tourism, Hon. Surujrattan Rambachan, has been organizing and has stated to the residents of the area that he is responsible for the repair of certain schools in the Oropouche constituency, namely, the Woodland Hindu School, the Toolsa Trace Hindu School and the Suchit Trace Hindu School?

Mr. Robinson: Mr. Speaker, I am aware that the hon. Member for Oropouche has made similar claims in other circumstances in the past. He must specify what he means by organizing and arranging. What are the acts committed? What are the acts complained of? He organizes and arranges also.

Mr. Sudama: The acts complained of are that he has put himself in the position of supervisor of the contractors concerned who are working on the schools in question; also that he is responsible for the recruitment of labour on those schools. Is this part of the general patronage of his government which he is pursuing in a desperate attempt to win an election?

Mr. Robinson: Mr. Speaker, that is what we call a rolled up question. Will the hon. Member please separate his questions so that I can answer them *seriatim*.

Mr. Sudama: May I ask a second supplementary question? Does the Minister in the Ministry of Industry, Enterprise and Tourism have any responsibility for education and educational institutions in this country?

Mr. Robinson: Mr. Speaker, all citizens in the country have some responsibility for education and educational institutions.

Mr. Sudama: Another supplementary question. Has he any ministerial responsibility for the construction or repair of government or government assisted secondary schools in Trinidad and Tobago? Mr. Speaker, you see this evasiveness in this Parliament is making a mockery of this system of parliamentary democracy. I am asking him whether the Minister has any ministerial responsibility. That is the question I am posing to him. You are a great constitutional expert.

Mr. Robinson: Mr. Speaker, all ministers in the Government have ministerial responsibility for all aspects of the work of the Government.

Mr. Sudama: And why was he fired? I want a copy of that last response.

Mr. Robinson: Because he had no legal responsibility; he had no constitutional responsibility.

Penal Vedic School (Completion of)

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

- 65.** (a) Is the Minister of Education aware of the continuing inconvenience caused to both students and parents of the Penal Vedic School by the unbearable delay in having the construction of that school completed and, if so, what action her Ministry is taking in the matter to expedite the completion of construction?
- (b) Could the Minister state the total of funds advanced to date by the Government to the Board of the Arya Prathinidhi Sabha for the construction of this school?

The Minister of Education (Hon. Gloria Henry): I would like to have that question deferred for one week please because of new information that has come to hand within the last couple of days.

Question, by leave, deferred.

1.50 p.m.

**Trade School
(Construction)**

71. *The following question stood on the Order Paper in the name of Mr. Kenneth Valley (Diego Martin Central):*

Would the Minister of Youth, Sport, Culture and Creative Arts kindly state when the Government plans to start construction of the trade school in Diego Martin which was promised in the 1991 budget?

The Minister of Industry, Enterprise and Tourism (Dr. The Hon. Bhoendradatt Tewarie): I seek leave of this honourable House for a deferral.

Question, by leave, deferred.

**DEWD Employees
(Severance Benefit)**

72. Mr. Kenneth Valley (Diego Martin Central) asked the Minister of Works, Infrastructure and Decentralization:

Would the Minister kindly state:

- (a) How many employees under the former DEWD programme are owed severance/retirement benefits by the Government?
- (b) Why have they not been paid?
- (c) When can they expect to be paid?

The Minister of Works, Infrastructure and Decentralization (Dr. The Hon. Carson Charles): Mr. Speaker, it is estimated that at the beginning of LIDP in early 1988, there were approximately 6,000 former DEWD employees entitled to be paid severance benefits in accordance with article 16 (a) and (b) of the industrial agreement between Government and NUGFW. Of this number, 4,409 have so far applied for severance benefits due to them. The number of such persons to whom payments were made to date is 4,080.

Mr. Speaker, the Ministry of Works, Infrastructure and Decentralization continues to process all applications in collaboration with the Treasury, and the Ministry of Finance to make payments on successful completion of processing to all applicants to whom payments are due within the limits of available funding in any particular year.

Despite the horrendous condition in which DEWD records were left by the previous administration, it is hoped that the severance payments to former DEWD employees will be substantially completed at the end of 1992. However, some disputes are likely to continue unresolved for some time further, due to the unsatisfactory state of the record-keeping practices of the former DEWD programme.

Mr. Speaker, may I also indicate the following figures for the benefit of the honourable House. Total number of persons who have been paid so far, 4,080; number for which severance applications have been approved and payments are still due, 135. In this respect, such persons must still complete their presentation of income tax records, and in some cases where persons have died, there must also be an indication of legal representatives.

Currently being processed are 194 applications. Total number of persons who have not yet applied is estimated at approximately 1,600.

SALARIES REVIEW COMMISSION

The Attorney General (Hon. Anthony Smart): Mr. Speaker, section 140 of the Constitution of Trinidad and Tobago provides for the establishment of the Salaries Review Commission to be appointed by the President of the Republic of Trinidad and Tobago acting in his sole discretion after consultation with the Prime Minister and Leader of the Opposition.

The function of the Salaries Review Commission which acts independently of the Government is to review the salaries and other conditions of service of the President of the Republic; Members and officers of Parliament; members of the higher Judiciary, the Industrial Court and the Tax Appeal Board; top managers in the Public Service, Central Bank, Public Utilities and Statutory Authorities; Senior Officers of the Protective Services and the Defence Force; senior diplomatic representatives; chairmen and members of commissions and boards; offices under the purview of the Judicial and Legal Service Commission that is, attorneys-at-law in the public service and magistrates; members of the Tobago House of Assembly and local government bodies; and officers of Niherst.

The report of any such review by the Salaries Review Commission is to be submitted to the President who, thereafter, must forward it to the Prime Minister for presentation to Cabinet and for laying as soon as possible thereafter on the Table of the House of Representatives and the Senate. In the face of strike action by attorneys-at-law in the public service and representation by members of the

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Industrial Court for improved remuneration and conditions of service, Cabinet, mindful of the need to ensure appropriate differentials in compensation to take account of differences in the levels of responsibility between one office and another, and to maintain relativities, agreed on December 6, 1990, to request His Excellency the President to approve a review by the Salaries Review Commission of the salaries of all the offices under the purview of the Salaries Review Commission.

By letter dated December 19, 1990, His Excellency the President conveyed to the Salaries Review Commission his approval for review of the salaries and other terms and conditions of service of all offices within the purview of the Commission.

The Salaries Review Commission undertook the said review and on August 20, 1991, submitted its report to the President. The report was presented to Cabinet on August 29, 1991 and today, August 30, 1991, it is being laid on the Table of this honourable House. The Cabinet has decided that consideration of the report should take place in the overall context of salaries and conditions of service in the entire public sector and proposes to adopt this course in dealing with the report.

BUSINESS OF THE HOUSE

The Minister of Industry, Enterprise and Tourism (Dr. The Hon. Bhoendradatt Tewarie): Mr. Speaker, today we wish to proceed with the debate on the second reading of the bill on the amendment to the Central Tenders Board Ordinance but, before we do so, the Hon. Minister of Social Development and Family Services wishes to withdraw and reintroduce the Child Care Services Bill next week.

The Minister of Social Development and Family Services (Dr. The Hon. Emanuel Hosein): Mr. Speaker, I seek your leave and that of the House to withdraw at this stage bill No. 4 on the Order Paper, "An Act to provide for the regulations of premises to ensure a high standard of child care is provided and to provide for other matters in relation to the caring of children", otherwise known as the Child Care Services Bill. Due to inadvertence the incorrect copy of the bill was circulated to hon. Members. I have been advised that the appropriate procedure would be to withdraw the bill and I wish to do so now and to serve notice that the correct version will be reintroduced at the next sitting. Thank you.

Question put and agreed to.

2.00 p.m.

CENTRAL TENDERS BOARD (AMDT.) BILL

[THIRD DAY]

Order read for resuming adjourned debate on question [August 9, 1991]:

That the bill be now read a second time.

Question again proposed.

The Minister of Finance (Hon. Selby Wilson): Mr. Speaker, on the last occasion, I was making the point that section 24 of the Central Tenders Board Act of 1961 did not necessarily mean that the Central Tenders Board must accept the lowest offer. I also made the point, Mr. Speaker, that section 30 of the Act gave the Central Tenders Board power to consult with others in evaluating bids before making the awards.

It was on those legal premises that I proceeded to develop my argument in respect of the award made to George Wimpey and Company for the Scarborough deep-water harbour. I had also indicated that the lowest bidder, Realsons Limited, was not acceptable to the Central Tenders Board, and I would like to just pick up that link paragraph.

The team found that the firm, Realsons Limited had no experience in marine construction works. Indeed, the expertise, experience, and competence of the foreign partner Carleton Construction Corporation, on which the company intended to draw, was highly suspect and questionable. The team sourced its information principally from a Dunn and Bradstreet report obtained through the Trinidad and Tobago Embassy in Washington. In summary, it found that Carleton Construction Corporation is a small company whose owner, 62-year old Harry M. Carleton Senior, is founder, president and chief executive officer of the company and who, according to Realsons, would be the individual to provide the construction and management expertise for the marine construction component of the project.

Secondly, in respect of the expertise, the Dunn and Bradstreet report indicates that the firm is engaged in the construction of industrial plants, petrochemicals and marine. There is no indication that the firm has the expertise, capability, and track record required for marine works of the nature involved in the Scarborough harbour development project.

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Thirdly, with regard to financial capability, the firm has declined to provide financial information requested. However, the Dunn and Bradstreet report indicates that the company's bank accounts revealed over a ten-year period, an average around the low five-figure level. The report also indicates a trade slowness for this company below the industry average.

Fourthly, the Dunn and Bradstreet report also revealed the following: On April 9, 1986, the federal tax lien in the amount of US \$5,720 was recorded against Carleton HM Construction Company Incorporated and filed by the Internal Revenue Service. On February 23, 1987, a judgment in the amount of US \$1,103 was entered against Carleton HM Construction Company Incorporated in favour of McGraw Hill Information Systems and was unreleased up to April, 1987.

Mr. Speaker, this is a record of the company to which the Member for St. Augustine referred, and which the Member for St. Augustine was advising the Government to recruit because it had the lowest bid for the construction of the Scarborough deep-water harbour.

Mr. Humphrey: On a point of order, Mr. Speaker. I made it absolutely clear that there was no business association between Realsons and Carleton Engineering; and that all Carleton Engineering was doing was assisting the manager of Realsons in locating equipment in Texas and in furnishing two competent engineers to assist them in supervising the project; that was the extent of it. So everything that the Minister said is totally irrelevant.

Mr. Wilson: Mr. Speaker, that indicates the amount of interference that the Member for St. Augustine got involved in, in the award of contracts in respect of the—

Mr. Humphrey: On a point of order. The Member is totally misleading the House. If he wants to talk about interference, he must explain how he has the minutes of board meetings of the Central Tenders Board and also give the dates of those meetings that he quoted on the last occasion.

Mr. Wilson: Mr. Speaker, the Act provides for the use of the information by the Central Tenders Board in the execution of one's official duties, and there is no better place to execute one's official duties but before the Parliament of the country.

Mr. Speaker, the Member for St. Augustine also implied that the evaluation done by the Caribbean Development Bank was done at the request of some Member of Government. I would like to demonstrate that this is not so at all, and

it falls under the provisions of section 30 of the Act, which authorizes the Central Tenders Board to consult institutions to do the necessary evaluations. I am quoting from the notes of the Central Tenders Board:

“Members, after considering all the circumstances concerning the evaluations carried out by the consultancy engineers and the Cabinet-appointed team, felt that a re-evaluation of the tenders should be done. The board agreed to seek assistance of the Trinidad and Tobago Oil Company Limited to carry out an evaluation of the bids. Trinidad and Tobago Oil Company Limited conducted an evaluation of the bids, but concluded that a recommendation for the contract award cannot be made by the Trinidad and Tobago Oil Company Limited as additional information would first be required for evaluation and in addition, such a recommendation would be largely dependent on the contractor’s previous experience and performance history on projects of this nature and on the financial proposals which we have not reviewed.”

On the initiative of the management of the Central Tenders Board, technical assistance was sought from the Caribbean Development Bank to evaluate the bids. Trinidad and Tobago is a founding member of the Caribbean Development Bank and one of the bank’s functions is to seek to provide technical assistance to member countries upon request. The bank has a fairly strong capability, and considerable experience in evaluating projects and tenders for projects in the infrastructure sector, including harbours.

So, Mr. Speaker, the intervention made by the Caribbean Development Bank was done at the request of the Central Tenders Board. I said on the last occasion that the Central Tenders Board made a recommendation in respect of Seereeram Brothers, providing certain conditions could be fulfilled, and I indicated—

Mr. Humphrey: Would the Minister give way to a question? Would the Member indicate the marine engineering experience that Seereeram Brothers has had? I will help him, if he likes—absolutely none!

Mr. Wilson: Maybe he can tell us what marine experience Realsons Limited had.

Mr. Humphrey: Central Tenders Board recommended it.

Mr. Wilson: Maybe the Member for St. Augustine would also advise this House that Realsons was also at that time considering doing some land developments in Tobago.

Mr. Humphrey: That is in their bid. Ask the Central Tenders Board to give you a copy.

Mr. Wilson: So, Mr. Speaker, the recommendation made by the Central Tenders Board to award the contract to Seereeram Brothers was a conditional recommendation which I indicated that Seereeram Brothers failed to fulfil and, therefore, the Central Tenders Board proceeded to award the contract to the next lowest bidder, George Wimpey and Company.

Mr. Speaker, the information that I have would suggest that the Member for St. Augustine, in the handling of these matters, sought to interfere and influence the Cabinet-appointed committee which was chaired by the then general manager of the ports.

Mr. Humphrey: On a point of order, Mr. Speaker. Let the hon. Member present this information. He is making an allegation of interference. I did my job as a Minister, above board, openly, in front of everybody.

Mr. Wilson: Well then, Mr. Speaker, as Minister he sought to influence the report which was—

Mr. Humphrey: On a point of order, Mr. Speaker. That is incorrect. I pointed out the errors of the report, which I pointed out to the Prime Minister, who was really not concerned with errors. He went ahead and brought a note to Cabinet, including errors; errors in fact. All of it is recorded.

Mr. Wilson: Mr. Speaker, this is “Mr. Correct.” Everything the Member for St. Augustine does or interferes with, is always correct, even if he is operating outside of his competence.

Mr. Humphrey: They cannot get off the hook on that one.

Mr. Wilson: But, Mr. Speaker, that is what made the Member for St. Augustine very furious, when he discovered that the Cabinet-appointed committee had submitted, and correctly done so, the—*[Interruption]*

Mr. Humphrey: On a point of order, Mr. Speaker. There was no such thing as a Cabinet-appointed committee. It was a committee that was recommended by me, as Minister, to Cabinet and accepted by Cabinet.

Mr. Wilson: You can now understand why he is sitting where he is sitting.

Mr. Humphrey: You see, you do not understand the working of a real Cabinet. You understand the working of Robinson's Cabinet but not a Westminster Cabinet.

Mr. Wilson: Mr. Speaker, even if I concede that the Member for St. Augustine, in fact, recommended a committee and he sought the approval of Cabinet, he then proceeded to interfere with the workings of the committee.

Mr. Humphrey: On a point of order, Mr. Speaker. The member is misleading the House. I was doing my job, as Minister. I am the one who is responsible, as Minister, for a particular portfolio, under the Constitution. I advised the Prime Minister that he could advise the President very easily to take away that responsibility from me but that is not what he sought to do. He sought to undermine this Minister and he is going to pay for it.

Mr. Wilson: Mr. Speaker, need I say any more? I think the remarks made by the Member for St. Augustine convict him. I need not say any more on that, except to say that the remarks made by the Member for St. Augustine, in fact, summarize his attitude in this matter and, indeed, if there was any interference by the Cabinet at all, it was an interference to protect him, the Member for St. Augustine, from himself.

Mr. Sudama: Would the Member give way to a question? Could he inform this House whether at that particular point in time, in 1987, he was a Member of the Cabinet? How can he speak with such authority as to what went on in Cabinet?

Mr. Wilson: Mr. Speaker, there is a fundamental difference between the Member for Oropouche and myself, and the fundamental difference is that we have different levels of interest in what is going on, as a member of Government. The Member for Oropouche, Mr. Speaker, being what he is, took absolutely no interest in anything else but Oropouche, while he was Minister in the Ministry of Finance, and did no work at all. That is the fundamental difference between us.

There is a procedure that notes are circulated to certain Ministers in certain ministries and I have access to that.

Mr. Speaker: The speaking time of the hon. Minister has expired.

Motion made, That the hon. Minister's speaking time be extended by another 30 minutes. [*Hon. A. Smart*]

Question put and agreed to.

Mr. Wilson: Mr. Speaker, that is the fundamental difference in that I take a very keen interest in my work which the Member for Oropouche never did and is incapable of doing.

Mr. Humphrey: Mr. Speaker, I rise on a point of order. I want to inform this House and this nation that the Member for Oropouche was a member of the Cabinet, and he, in fact, has the honour of being the first member who was fired by the Prime Minister, not me.

Mr. Speaker: What is the point of order?

Mr. Wilson: I would like to tell the Member for St. Augustine that I also attended that first Cabinet gathering so I had no delusions of grandeur that I was a member of the Cabinet, and if the Member for Oropouche suffered from that delusion, it was of his own making.

Mr. Manning: Would the hon. Minister give way?

Mr. Speaker, as you will appreciate, I was not involved in those deliberations. I merely wish to know if there were minutes of that very first Cabinet meeting, the official Cabinet record, in which the Member for Point Fortin and the hon. Member for Oropouche participated.

Mr. Wilson: I see the Member for San Fernando East missed a very subtle statement I made—the first Cabinet gathering. It happened immediately—Mr. Speaker, it stands out very vividly in my mind—after our swearing-in on December 19, and we were invited to Whitehall to sit with the Prime Minister and he made certain announcements to the press. It is quite vivid in my mind.

Mr. Manning: Hon. Minister, are there any minutes in the official Cabinet record of that particular gathering of which you speak?

Mr. Wilson: Wait until you get your own Cabinet, if you ever get one.

Mr. Speaker, the Members of the Opposition, those sitting in the front especially, tended to give the impression that what we were doing by seeking to amend the Central Tenders Board Act, to permit for more expeditious, more satisfactory arrangements to be made for the Ministry of National Security and Justice to acquire certain goods and services in a particular manner, was an extraordinary event fraught with all kinds of accusations, and that we were putting this in place to give the Minister superior authority, setting the stage for corruption, as was said by the Member for Oropouche.

Mr. Speaker, there is nothing further from the truth than that. In the principal Act, there is a body of regulations. There are also provisions in the Act which allow for sub-committees in ministries to meet and evaluate tenders below a certain sum. What we are doing with this is purely extending that facility to the Ministry of National Security, but removing the limits imposed by those authorities that already exist in the Act. Therefore, it is reasonable to expect that appropriate regulations would be put in place compatible with those in the main Central Tenders Board Act that would permit us to pursue this objective satisfactorily, above board, and in accordance with good procedure.

So, Mr. Speaker, I just want to refer to the fact that this is not the first occasion on which the Central Tenders Board Act has been amended. In fact, it was amended and assented to on September 7, 1979—and I do not know whether the Member sat then, but the amendment on that occasion, section 6 of the Ordinance provided as follows:

“Notwithstanding the provisions of section 20(1)...”

And section 20(1) is the principal section, which says that Government must go out to tender and so forth.

“...the Government may act on its own behalf where—

- (a) as a result of an agreement for technical or other co-operation between it and the Government of a foreign state, the latter designates a company to supply the articles or to undertake the works or any services in connection therewith.”

Mr. Speaker, that amendment facilitates the Member for San Fernando East and the Government to which he belonged, to enter into government-to-government contracts; to enter into contracts which led to the construction of the Eric Williams Medical Sciences Complex, which cost this country over \$600 million, and which has an operating cost of over \$300 million a year, a facility which the then Government did not know how to commission; a facility in which there were significant cost overruns and all sorts of accusations made about the propriety of the contracts done in respect of that. It was that provision which allowed them to enter into the contract for the Twin Towers which had a significant overrun. It was that provision which took them into CATTI, again a contract with a lot of overruns, and it was that provision which allowed them to make an award to MBL/Alves for the construction of facilities at Piarco Airport, which saddled this Government with a debt settlement of over \$30 million.

Mr. Manning: Was that also the provision that enabled this Government to enter into the Scarborough deep-water harbour in respect of which there is a significant cost overrun in excess of 100 per cent?

Mr. Wilson: The Member for San Fernando East obviously has just got up from his 20 years of sleep. I said before in this Parliament that the award made to George Wimpey was handled by the Central Tenders Board; it was a competitive bidding situation and we entered into contracts with them. We said on another occasion that the scope of works of that contract was altered for very real reasons and, therefore, there were some costs associated with it. The other elements of that cost overrun to which he refers, relates to the devaluation of the dollar and the introduction of value added taxes which were not originally provided for when the contract was entered into.

So I suggest that the Member for San Fernando East go back up on the mountain and back to sleep while he continues to dream about leading this country.

Mr. Manning: I thank the hon. Minister for giving way, Mr. Speaker.

May I ask whether, in respect of the contracts to which reference has just been made in respect of that amendment to the Central Tenders Board Ordinance, there was an adjustment in the scope of work to justify a cost overrun, as he is now seeking to justify in respect of the Scarborough deep-water harbour? Secondly, was there any realignment of the currency during the construction period of any one of those contracts which could have had a significant effect?

Dr. Hosein: Before the Minister answers, just give way to a question.

Is the Minister aware that the former administration had a report in front of it that said specifically that there was no justification for the increase in the costs of the Mount Hope Medical Sciences Complex and yet it agreed to an increase of over \$200 million?

Mr. Sudama: Could I ask a question of the Minister? Could he inform this House who was the Attorney General at that period of time?

Mr. Wilson: The Member for Oropouche has just got up, too. I thought we only had one Rip Van Winkle here, but obviously there is more than one.

I am not going to indulge, Mr. Speaker, in answering these non questions. I think the Member for San Fernando East has been adequately answered by my

colleague, the Member for Tunapuna and, therefore, as far as I am concerned, in respect of the Eric Williams Medical Sciences Complex, there was absolutely no reason to have an overrun of over \$200 million.

Mr. Wilson: Mr. Speaker, when I hear the Members of the Opposition on the rear benches talk about this particular amendment, I ask myself, where were they when these amendments were passed in September 1979? These amendments were for no other purpose than to avoid the procedures and to enter into fairly significant contracts under the pretext of government-to-government relationships, when, in fact, they were selecting companies and firms to do work on their behalf—and I would not like to say; I had better not say it, Mr. Speaker. I think it is quite clear that the Member for San Fernando East is entitled to hang his head in shame for being part of that Governemnt during the time he served as a Minister and as a Cabinet colleague of those fellows whom he now refers to as the “old brigade”.

Mr. Manning: What then, Mr. Speaker, is the view of the hon. Member for Point Fortin on his colleague for Ortoire/Mayaro, who too was a part of the same Cabinet and, in fact, who was the Attorney General at the time supervising the legal aspects of those contractual arrangements?

Mr. Wilson: The hon. Member for Ortoire/Mayaro had the courage, the conviction, and the strength to say “enough is enough; I am leaving that party”, and that is what he did.

Mr. Manning: Perhaps, Mr. Speaker, the hon. Minister of Finance would be kind enough to let us know the date on which his colleague, the Member for Ortoire/Mayaro, became his party colleague, and what was the difference in time between that date and the election of 1986; we would like to know.

Mr. Wilson: A totally irrelevant question, Mr. Speaker.

Mr. Speaker: There are too many interruptions. I urge the Members of the Opposition to let the hon. Member continue.

Mr. Wilson: Mr. Speaker, I want also to refer to another occasion, quite apart from this amendment, which allowed the Government of the day to do all sorts of things with its government-to-government arrangements which now put us in all kinds of financial difficulties. I would like to refer to another amendment which was made, and this amendment is very akin to the amendment which we seek to make today, in that the First Schedule, the order—there was an order,

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legal notice No. 70 of 1981, which amended the First Schedule to the main Ordinance.

In this amendment, the following corporations or statutory bodies were excluded from the provisions of the Central Tenders Board. Or put differently these statutory agencies were authorized to conduct their own tender procedures. They were the Industrial Development Corporation, the Public Transport Service Corporation, the Water and Sewerage Authority and the Port Authority.

No doubt this was done with good reason, Mr. Speaker, like we are doing today, to amend the provisions to exclude a ministry which, in our present environment, is a highly sensitive ministry, seeking and searching for means to secure the interest of the state and the people of the country. We are seeking to put its officials in a position to handle their affairs in a particular manner, as was done for these other institutions by the amendment to the schedule in 1981.

Mr. Speaker, I would like now to refer in a very general way to the whole question of administrative reform of the public service. I raise this issue today, Mr. Speaker, because it seems to me that there are people who feel that one of these days we will get up and the whole public service will be reformed. That is not so, Mr. Speaker. It is very important that this reform exercise proceed on a gradual basis. Exercises such as these which we are addressing today will ultimately lead to reforms in the administration of the public service.

So, one cannot expect that when it suits their convenience they preach administrative reform. But every opportunity this Government takes to put a reform measure in place to increase the efficiency of the services and the productivity level of the services, these Members make—

Mr. Manning: Would the hon. Minister be kind enough to give way.

Mr. Wilson: Mr. Speaker, very often I would have to ask him if it is a point of order, but I will give way on this occasion.

Mr. Manning: Mr. Speaker, I would just wish to ask the hon. Member if the amendment that is before us today which he indicates is part of the Government's programme for public service reform, forms a part of any overall programme and, if so, where can hon. Members of Parliament have access to such a programme?

Mr. Wilson: Mr. Speaker, I never said such a thing, and I do not know—the Member for San Fernando East is really asleep. I thought he had got up after 20

years, but he is still asleep. What I am saying, Mr. Speaker, is that as you go about your work, and as there is need to effect changes, you must have the courage to make those changes. I am saying that these micro steps—you see, Mr. Speaker, these Members on the Opposition Benches expect that there is some macro step to be taken and they will get up one morning and say, “Here is the administrative reform and everything is in place”.

2.30 p.m.

Mr. Speaker, when we move in the direction of changing procedures—and this is what we are doing, changing a procedure in order to accommodate a higher level of performance in a very sensitive area, National Security and Justice—we are criticized. We are told that it is being done for clandestine reasons, and they are not seeing the wider picture.

In that regard, when my colleague Minister presented the bill and made reference to "Tom, Dick, and Harry", the Member for Couva North sought to distort that statement.

Mr. Manning: North.

Mr. Wilson: Mr. Speaker, the kind of things that small minds engage in—the Member for San Fernando East has a small mind; he has no vision of anything. He concentrates on small things and is expert at distorting everything he hears, so I am not surprised by his attitude.

I made a statement the other day, that these distortions affect the human personality in a significant way. Sometimes the distortions are so vast that they cannot be reversed, even when they have to try to do it, and the Member for San Fernando East is fast approaching that position. This is nothing more than a step in changing the administrative procedures, in order to permit a higher level of efficiency.

I was at the point where I was saying that the Member for Couva North indicated, on that occasion and took advantage of the fact to proceed to distort a statement that was made by the Member for Toco/Manzanilla, a statement to the effect that every "Tom, Dick, and Harry" will know what is happening in the Ministry of National Security. The Member for Couva North sought to put that in the context that the Member for Toco/Manzanilla was saying everybody in Trinidad and Tobago is a "Tom, Dick, and Harry". How ridiculous is that statement? When we talk about "Tom, Dick, and Harry", we are talking about the "Abu Bakrs" of this world, the fellows who are bent on finding ways and means

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to deviate from the norms of this society, and the people with whom apparently the Member for Couva North, the Member for St. Augustine, and others, would wish to associate. These are the "Toms, Dicks and Harrys" that we are talking about.

Mr. Humphrey: On a point of order, Mr. Speaker. If the hon. Member has any allegation to make with respect to the Member for St. Augustine in connection with "Tom, Dick, and Harry", with reference to Abu Bakr, I would ask him to withdraw that or come with some kind of tangible evidence, because I was here, bound and gagged, just like him.

Mr. Speaker: Order please!

Mr. Sudama: He is imputing improper motives.

Hon. Member: I will say it on the platform too.

Mr. Wilson: Mr. Speaker, if he says he has no association with Abu Bakr, then he has association with SOPO, and it is the same kettle of fish.

Mr. Humphrey: We know they are trying that for the elections campaign, but they cannot get away with that.

Hon. Member: Did he not swear to an affidavit in favour of Abu Bakr?

Mr. Wilson: It is a distortion of the fact for the Member for Couva North to suggest that everybody in Trinidad is a "Tom, Dick, and Harry". What the Member was trying to say is that there was need to ensure that the requirements of the Ministry of Justice and National Security are handled in such a manner that it protects the security of the state and of the country. If he does not understand what is meant by "Tom, Dick, and Harry", then I am sorry for him, but he should not be allowed to come here and distort the statement, and portray and dramatize that "Tom, Dick, and Harry" means everybody in Trinidad and Tobago. I am not at all surprised.

Mr. Humphrey: That is usually what is meant. You cannot do things in secret because everybody knows your business.

Mr. Wilson: In closing, I want to repeat that:

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1. The Central Tenders Board Ordinance provides for the Central Tenders Board to reject the lowest tender if they are of the view that the lowest tenderer cannot accomplish the job.
2. The Central Tenders Board is authorized, as they did in the case of the Scarborough Deep-Water Harbour, to seek technical assistance in the evaluation of bids from whatever source they think appropriate. They proceeded to do so, first of all, from the Cabinet-appointed committee, whose members we now know that the Member for St. Augustine, in fact, recommended to the committee. They also sought assistance from Trintoc and the Caribbean Development Bank. It is only after they had the opinions of all these technical consultants that they came to the conclusion that George Wimpey and Company should have been awarded the contract.

Mr. Speaker, I have to say, quite clearly, that this particular amendment I support completely because I see it as an amendment which is moving in the right direction. As a matter of fact, one might have to question one of these days, in the total reform, as to whether the Central Tenders Board should continue to operate in this highly centralized position, or whether we should not have all ministries, all agencies, doing their own tendering in such a manner to conform with a total code rather than centralizing everything. When we talk about change, these are changes that one has to consider. So, it is not good to talk about change and when we advocate change, Members opposite are being critical of it, and attribute all kinds of motives to this change.

Mr. Sudama: On a point of clarification, Mr. Speaker. Is the Minister advocating the abolition of the Central Tenders Board?

Mr. Wilson: Mr. Speaker, I am simply saying, as I said before, one might have to consider whether these functions should be highly centralized. I mean, this Government came into power on the basis of decentralizing decisions, devolution of authority—as we have done with the local county bodies—and all that is part of it; ultimately, we might have to give them more power. When one does that kind of thing, one has to ensure that the controls are there for proper accountability, and then one can begin to hold people responsible for their actions. This is what this is all about.

This amendment is purely to facilitate, on this occasion, the activities of a ministry which is highly sensitive, so as to allow that ministry to proceed to execute its mission in the most efficient and effective manner. I have great pleasure in supporting this amendment to the Central Tenders Board Ordinance.

Mr. Patrick Manning (*San Fernando East*): Mr. Speaker, I rise to oppose the amendment that is before this honourable House today. But before doing so, I think it is necessary to make a comment on an attitude that is becoming more and more fashionable in this Parliament from Members on the Government side, particularly the Ministers of Government. It appears as though the Ministers seem to take a particular objection to being questioned by persons on the Opposition Benches.

Mr. Smart: Nonsense!

Mr. Manning: In fact, it is mirrored in the attitude of some of the Ministers, and it is particularly so with the Minister who has just completed his contribution and with the hon. Minister from the constituency of Caroni East.

It is clear that the Ministers of the Government operate from no philosophical base and do not seem to understand the basic fundamentals of the Westminster system of democracy under which we operate.

Mr. Sudama: The Prime Minister does not understand—

Mr. Manning: Permit me, Mr. Speaker, just for the purposes of the record, to indicate that the Westminster system assumes a government and an opposition. To the government, it accords executive authority, and to the opposition, it accords a responsibility to conduct its affairs in such a manner that the other side of the story is brought out; the argument being, that by so doing, the population can listen to all the arguments and, in their own deliberate judgment, come to some kind of conclusion as to what they believe is in the best interest of the country. When Ministers object to answering questions that are placed by members of the Opposition, however trite they might believe the questions to be, however irritated they may be by the direction in which the questioning is going, however they may object in their own hearts to the dangers—

Mr. Smart: On a point of order, Mr. Speaker. The hon. Member is misleading this House. This Government has a record of having answered all the questions that have been put to it by the Members of the Opposition. The record is there. There have been hundreds of questions. If one checks the record, one will see that this Government, in the last four years, has probably answered more questions put to it than the previous Government was asked in maybe 15 or 20 years. That is the record, and I think the Member for San Fernando East is deliberately misleading this House.

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Mr. Manning: Mr. Speaker, I will come to another point that relates to it in a minute. This afternoon the hon. Prime Minister himself in answering—

Mr. Speaker: What is the relevance of this to the Central Tenders Board (Amdt.) Bill?

Mr. Manning: Mr. Speaker, just a brief comment, please, because it is relevant to the totality of the contribution that I wish to make. It was demonstrated this afternoon when the hon. Prime Minister was answering a question that was put by the hon. Member for Oropouche. What they consider to be fun; and what they consider to be humour was, in fact, an attitude that resulted in the concealment of information from the population. Therefore, the population's position in assessing the totality of the facts is being prejudiced.

2.40 p.m.

Mr. Robinson: Mr. Speaker, I strongly object to the insinuation that the Prime Minister was seeking to conceal information. I was clearly seeking to elicit information.

Mr. Speaker: Keep to the subject which deals with the debate that is before this House, please.

Mr. Manning: So, when the hon. Member for Point Fortin adopted the attitude that he adopted just now—and one of the strategies that was used, as indeed it was used in his contribution just now, to ensure that Members of the Opposition do not properly discharge their functions—is a strategy that begins to attack the individuals personally; and to do so in a fashion, the quality of which, deteriorates over time. We have seen it just now. We have just been treated to it. *[Interruption]* Now is not the time to get up and argue, you had your chance.

Mr. Wilson: Mr. Speaker, on a point or order. The Member is misleading the House. I was very clear in demonstrating that accusations made by the Members for St. Augustine and Oropouche on the last occasion, were incorrect accusations and I quoted from official documents to demonstrate that. So, I do not know what attitude he is referring to.

Mr. Manning: To the hon. Minister of Finance, it is a big joke to say that this one was asleep, or that one was asleep. An attitude, Mr. Speaker, it is an attitude. Not that I object in a personal way. As you know, I have sat in this Parliament and I have been the target of the slings and arrows of those on the other side. That is fine with me. I can live with that, but you see, the lesson is that

it has an implication for the system of democracy under which this country operates, and I am sure that the hon. Members of the Government have not taken that sufficiently into consideration in determining the attitude that they will demonstrate in the conduct of their parliamentary business.

The hon. Member for Point Fortin, the Minister of Finance, describes this measure before the Parliament today, as an action in the direction of administrative reform. You see, it is important that we spend some time looking at that because, what is before us? It is an amendment to the Central Tenders Board Ordinance. We have a bill that was laid in the Parliament and when the Parliament met to deliberate on this bill, an amendment was laid; and in the amendment, an adjustment was made to a schedule that is of much greater import than what was put into the original bill.

Then, over and above that, there is a further amendment, so that the bill before us is subject to two amendments, the sum total of which is to significantly expand the areas of responsibility for which the bill sought parliamentary approval in the very first place. What does it smack of? It smacks of *ad hocism*. It is as if they put something before the Parliament and then, while somebody was talking to somebody else, some new ideas came to them and they said, "Look, if we are going to amend the Central Tenders Board Ordinance, let us move most of the things from within the purview of the Central Tenders Board." Therefore, they came with this amendment bill and then with something else.

It is absolutely *ad hoc* and it is characteristic of the way this Government has conducted its affairs from 1986 to the present time.

Mr. Speaker: The Member is being disturbed. Proceed, please.

Mr. Manning: Mr. Speaker, do you understand what I was saying just now? I am being told by the Member for Tunapuna, well, perhaps I should ignore him. Unfortunately, he is in the winter of his political career, so one has to be generous and one has to understand that these intemperate outbursts are nothing more than the machinations of a politically dying man. We understand that.

Mr. Speaker, to say to the Parliament that what is being placed before us today, constitutes part of a programme of administrative reform of the public service is to do a great injustice to the intelligence of the Members of this honourable House. It is quite clear that this Government never had any programme for reform of the public service, and having regard to the time

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available to it between now and the next general election, it is unlikely to have any programme of administrative reform of the public sector.

As the Minister was on his feet, it was clear that a bright idea came to him to seek to put this amendment in the context of administrative reform and consistent with the other acts of *ad hocism* to which this Parliament has been treated from 1986 to the present time. The Minister put his bright idea as part of his contribution in this debate. What administrative reform? There is no programme.

Mr. Speaker, permit me to ask the hon. Minister of Finance, or in fact it should be the honourable Prime Minister, under whose portfolio administrative reform, comes: What is the programme of reform of the public service that this Government is agreed upon? I would like to know specifically, on what date the Cabinet considered such a proposal, and what were the results of the Cabinet's deliberations on this matter, and to what extent was reform of the Central Tenders Board involved in it.

You see, the hon. Minister of Finance, in making the final contribution, apparently forgot what he had said initially, and you begin to see—in fact I think one of the hon. Members of the Opposition, made reference to it in his own contribution—that really, what they are seeking to do is not so much to reform the public service, but to remove all the checks and balances that had been carefully put in place in the context of accountability in the public sector. That is what it boils down to.

They consider the checks and balances, not as mechanisms to ensure the integrity of the Government but they see the checks and balances as unnecessary impediments in the conduct of governmental affairs. Philosophically wrong.

Mr. Wilson: What was the amendment of 1979 doing? What did the amendment do? Did it remove any checks and balances?

Mr. Manning: I would address it in a minute.

Mr. Wilson: There were not even any regulations in respect of it.

Mr. Manning: I will address it in a minute if you would be kind enough to hold on. Would you be kind enough to wait? I thank you for your generosity.

That is the position, that it is *ad hocism*; it is what appears to be right. It is what sounds right. It is no careful thinking through of an approach; it is no vision; it is no action consistent with a direction of something we would like to achieve in some realizable time-frame. It is no question of our vision being set and we

will take this particular route to achieve it; but as an opportunity appears to present itself, then various individuals in the Government—and I am sure the approach is not consistent with any Cabinet decision—get up and advance arguments which they believe, are arguments that sound right and which they believe are arguments that will advance their cause. As their cause is advanced, it is the cause of the people of Trinidad and Tobago that is prejudiced.

2.50 p.m.

There is no way the Minister or anybody else on the Government's side could properly justify the approach, that the Government is taking in respect of the Central Tenders Board Ordinance, where it seeks to remove the scrutiny of the administrative arrangements that have been put in place, however imperfect these arrangements may have been. They seek to remove from those controls certain important aspects of the awarding of tenders in the security services of the country, without—and this is the important part—any commensurate arrangements to ensure the integrity of the conduct of these particular operations. That is the difference.

The hon. Minister talks about 1979. I was a Member of the Government in 1979 and I am not saying the Government was perfect. Indeed, no government is perfect. However, what I am saying is that there was a situation that faced us in 1979. You could call it *ad hocism* if you wish. I will explain. It is for you to come to your own conclusion. I was a Member of the Government in 1979 and I know what the considerations were. For the benefit of this honourable House, the considerations were the need to ensure a rate of development of the country at a level that is consistent with the national aspiration, while at the same time recognizing the constraints of the tendering procedures in the public sector, when dealing with expenditure on the scale on which we were dealing in 1979, and seeking to diversify it and to do it in such a way, that the country did not fall into the pocket of any one country or the next.

It is very important to note that in the government-to-government arrangements, there was a clear mechanism to ensure the integrity of the contractual awards and the integrity of the expenditure associated with that.

Mr. Wilson: I would like to refer the hon. Member for San Fernando East to the report that was produced in 1981, I think, in respect of the government-to-government arrangements and the weaknesses that were identified—not

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allegations—by Mr. Ballah on that occasion associated with the awards of government-to-government contracts.

Mr. Manning: Indeed, there were weaknesses in the arrangement. This is the point.

Mr. Valley: Who set up the Ballah committee and what action was taken following the Ballah report? Who set up the committee? [*Crosstalk*]

Mr. Speaker: Can we give the hon. Member an opportunity to make his contribution please?

Mr. Manning: Thank you very much Mr. Speaker, for your protection.

Indeed, there were weaknesses in the government-to-government arrangements. The government-to-government arrangements did not finally work out in the way that they were envisaged initially. In fact, it was because of a recognition of those weaknesses by the government that a committee was set up under Mr. Ballah, to review the arrangements and to make appropriate recommendations. The records will show that after the Ballah committee reported, the government took a decision to discontinue the government-to-government arrangements. That is the way a responsible government operates.

Mr. Wilson: Why was a report not laid in Parliament? Because you are dealing with people's money, the money of the public of Trinidad and Tobago. That was the responsibility you had. [*Crosstalk*]

Mr. Manning: Mr. Speaker the records will show that it was the Government that instituted the government-to-government arrangements which commissioned the study designed to review these arrangements to identify their strengths and their weaknesses, and to make recommendations as to the future of those arrangements. The Ballah committee recommended that the arrangements be discontinued and the Government accepted those recommendations and the government-to-government arrangements were brought to an end. It just did not work as it was initially envisaged, but it is still important.

Mr. Wilson: Would the Member be kind enough to tell us in what year and how long after the Ballah report was presented that those arrangements were discontinued?

Mr. Manning: If I had the information available to me now, I would have made it available to the hon. Minister. I just do not have that information available. It is important to understand what the intention was in the government-

to-government arrangements because we are talking about accountability; we are talking about the preservation of the integrity of the conduct of public affairs; we are talking about a mechanism that circumvented the arrangements of the Central Tenders Board, in accordance with an agreement between the two governments, the Government of Trinidad and Tobago—

Mr. Myers: Would the hon. Member be kind enough to give us some indication as to how much money might have been siphoned out of the country between the start of the government-to-government arrangement, and the Ballah report and the subsequent action that you talked about.

Mr. Marshall: When are you going back at the Hall of Justice to sit on the steps?

Mr. Speaker: Order please! The hon. Minister of Finance had great difficulty in making his contribution because of the crosstalk. Now I am sensing that the Member for San Fernando East is having the same problem and it takes two sides to make talk. I will ask both sides please to give the Member for San Fernando East his opportunity. The Member for San Fernando East will now continue uninterrupted.

Mr. Manning: I was very generous initially in giving way and you see what it led to. Perhaps I could now ask hon. Members on the Government's side that if they wish to make a contribution, they can do so in accordance with the Standing Orders of Parliament.

Permit me to spend a minute on my good friend from St. Ann's East. I find that the hon. Member for St. Ann's East has become a little vocal within recent times. I do not know if it is that certain arrangements have been brought to a successful conclusion. I advise him that could be a two-edged sword and that it is not just one hurdle, there is a second hurdle. He still has to face the people of Trinidad and Tobago.

3.00 p.m.

When the Government of Trinidad and Tobago and any other government entered into a government-to-government arrangement, the arrangements was worded in such a way that the integrity of the contractual award arrangement was guaranteed by the other government that was a party to it.

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Mr. Wilson: On a point of order, Mr. Speaker. The Member is misleading the House. The Government deliberately, and it was in the document, claimed no responsibility for the contract. [*Crosstalk*]

Mr. Speaker: The crosstalk is becoming a little too audible, even the Speaker is hearing some of the unparliamentary expressions.

Mr. Manning: Mr. Speaker, I was the one who said just now that the arrangements were not perfect. I also said just now that the arrangements did not work as they were anticipated to have worked and that was what prompted the review and I am very well aware that some of the governments involved were quite explicit in not accepting responsibility for contractual arrangements between companies that come under their purview within their own countries and parties outside of their own borders. But you see, there was a clear intention as the arrangements were entered into to ensure the integrity of the conduct of our political affairs were preserved and that accountability remained a hallmark of the affairs of the Government of Trinidad and Tobago.

What are the arguments that have been advanced by hon. Members opposite in seeking to support this bill? The arguments basically are two-fold, one is the need for secrecy and the second argument is the need for expeditious action. Notwithstanding all that has been said, those were the two basic arguments that were advanced by Members opposite as they sought to justify bringing this bill to Parliament and lending their support to it.

Let us deal with secrecy. Mr. Speaker, we are talking about the Defence Force of Trinidad and Tobago. Our forces are defence forces, they are not aggressive forces. We have an army, a coast guard and we have an air wing, not very sophisticated at all. We have no submarines; we have no military fighter and bomber aircraft. We do not use the most advanced aircraft that are available in the army; we do not engage in the construction of submarines nor aircraft carriers and destroyers and large expensive items such as those; we do not engage in those items of expenditure. We are not involved in the cutting edge of technology as it relates to air force development. We are not involved in those things, much of which is quite secret around the world. Our expenditure on defence can in no way compare with the expenditure on defence of the government of the United States of America; nor can it compare with the government of the United Kingdom; nor can it compare with any of the governments of the NATO countries; nor can it compare with the Soviet Union. We cannot even compare with Venezuela.

From time to time, I get a subscription of a magazine called *James Defence Weekly* and another one called *Defence*. This is light reading for me. This is how I relax—read matters of this nature, and I have here with me an issue of *James Defence Weekly* of November 24, 1990. Remember one of the reasons the Government of Trinidad and Tobago does not wish to use the provisions of the Central Tenders Board and to go through the tendering procedure, as set up by the state to ensure accountability, is because of the need to ensure secrecy in their purchases and expenditure in respect of the security forces of Trinidad and Tobago.

"Contracts that have been awarded"

on page 1050, *James Defence Weekly*, November 24, 1990:

"Singaporean Army: Undisclosed amounts of AWA Defence Industries for MV1 MK3 muzzle velocity indicator system..."

Are any of these systems used by the army in Trinidad and Tobago? I imagine, if you sought to introduce a system like that, you can advance the argument that it is sophisticated and, therefore, secret and therefore we do not wish to make public the use by the armed forces of Trinidad and Tobago. The Singaporean army has awarded contracts for the use of this system and these contracts are published in an authoritative defence magazine.

"The US Navy: \$14,400,000 to Vitro Corporation for the Standard Missile 2/New Threat Upgrade Tartar MK 74 Programme, follow on engineering work in support of the medium-range missile Weapon Defence System Division."

Do you understand what it is? A missile system. Do the defence forces of Trinidad and Tobago use any missile system as sophisticated as this? The answer is no, but these have been contracted for and have been made public—US \$14.4 million. Our argument for not wanting to go through the Central Tenders Board provisions is the need to maintain secrecy. That was one of the major arguments that have been advanced by the Government.

We can go on and on. It is not just this one. *James Defence Weekly*, May 11, 1991. Another one, just let me get the contracts page:

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“McDonald Douglas: Electronic Systems—\$40 million to Verity UK for the Topic Real Time Document Retrieval System for the Department of Defence Intelligence Information System operated Message Handling System.”

3.10 p.m.

No, that is not the point. Their argument is that the Central Tenders Board ought to be circumvented in the way they are now seeking to do because of the need to maintain secrecy in the context of the national security of Trinidad and Tobago. That was the point

Mr. Wilson: Thank you for giving way. The mere announcement of a contract award does not disclose to the population the specifications for the utility. The Member is misleading the House. He must also tell us the procedure used in America for the award of tenders.

Mr. Manning: Mr. Speaker, it is clear that the Minister of Finance is now trying to retreat on the argument of the need for secrecy in the context of what is used by the defence forces of Trinidad and Tobago. That was the argument. It was not a question of how it was proposed. They were using that argument to say that as a consequence of that need, nobody must know and, therefore, we must not use the tendering procedure of the Central Tenders Board. That is the argument that was being advanced and that is the argument that we on this side consider fallacious because in countries, with armies and armed forces that are much larger than ours, and which have a much more front-line role to play in terms of international defence and international security, some of the major contractual awards are published as a matter of course, in authoritative defence journals that are read by people all around the world, including people in respect of which they have an active position in terms of aggression and defence.

Mr. Speaker, so if this Government wishes to circumvent the provisions of the Central Tenders Board, the argument cannot be for the need to maintain secrecy. It cannot be and must be that there is some other reason which this Government has not yet made available to the Members of Parliament. The Members of Parliament have not been taken into the Government's confidence when arguing the case for these particular provisions which are here for the special consideration of the Parliament in this sitting this afternoon. It cannot be, Mr. Speaker.

It is a thing in action and yes, Mr. Speaker, as former member of a government I will be the first to admit that there—

Dr. Hosein: Thank you for giving way. May I ask two questions purely for my information? Are you saying that these governments, are the ones who publish in James Defence Weekly or, is it that James Defence weekly finds out about it and publishes it because, as far as I am aware they find out about things that these governments themselves attempt to keep secret and publish it?. Is the Member aware that when his Government was in office, it stopped gazetting the information on forces the defence forces on purpose?

Mr. Manning: Mr. Speaker, the Minister is asking in a manner that suggests a point of view. Just let me find the particular article and then the Minister will understand a little better of what I am speaking. Just give me one minute and I will answer the question in a manner that I hope will meet with the approval of the Honourable Minister.

The US airforce has had a secret aircraft flying since 1981. That aircraft was used for the first time in active combat in the Panama invasion and recently was used very regularly in the United Nations forces invasion of Kuwait as they sought to indict Iraqi forces from that country.

Mr. Speaker, the aircraft is described as the F11 78. It is a stealth aircraft and it utilizes very sophisticated technology. Even photographs of the aircraft were kept secret for a while. This is defence. The magazine is *Defence* and on page 425 of *Defence* of July 1990, there is a photograph of an aircraft that is still secret. It is still secret in the US airforce. There is a photograph of the particular aircraft. I do not believe, Mr. Speaker, that I need say any more. Suffice it to say, this photograph got here, not by surreptitious means but because it was released by the US authorities for that purpose. We need not go into details.

Mr. Speaker, expeditious actions. I will be among the first to agree that the mechanisms of the operations of the Central Tenders Board are in need of review because in many instances the process is one that has retarded the rate of the development of the country. But, we are not blaming the Central Tenders Board. Mr. Speaker, if the Minister of Finance clearly advances, that the Government is of the view that the time has come to review the procedures for awarding contracts of the country, by all means do so.

It would have been better if the Government had come to this Parliament this afternoon and included that in the context of the need to improve the rate at which contracts are awarded, so that the country can have an acceptable rate of

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development and other things being equal, the Government is making certain proposals to the Parliament. Then, Members opposite, certainly we on the PNM side, would have been prepared to sit and examine those proposals as we have done with many other proposals that have been brought by the Government and we would have been able to adjudicate on those proposals and come to some kind of conclusion as to whether the proposals advanced can meet the objective and therefore decide whether we will lend our support to those proposals or not, but we do not have that. What we have is a piecemeal arrangement. They want to remove certain things from the Central Tenders Board and replace it with what? By what mechanism?

Mr. Speaker, by what mechanism will the accountability for which this country aspires, be preserved in the approach that is being advanced by this particular bill, and by the amendments that have been proposed to it? I am particularly interested in hearing the view of the hon. Member for St. Ann's East because as you know, he was the very Minister—

Mr. Myers: I am so happy you have seen the need for accountability finally.
[Crosstalk]

3.20 p.m.

Mr. Manning: Well, I ask for your point of view for a number of reasons, one of which is that I am trying to maximize your exposure in the winter of your political years.

Mr. Speaker, I would like to know what is the view of the hon. Member for St. Ann's East, because, you see, I accepted his sincerity then, as indeed I accept it now. I accepted his honesty when, in the interest of accountability, he spent 40 days and 40 nights—oh, only days. He spent 40 days, no nights, on the steps of the Hall of Justice, in the interest of the preservation of accountability in the conduct of the country's affairs.

It is a pity that the deliberations of the Cabinet are secret, because I would have liked to know what was his contribution when this matter was considered by the Cabinet, if indeed it was considered by the Cabinet all. You see, I would feel more comfortable if the hon. Member were in a position to get up and tell me that in the Cabinet he objected to it, but in the context of Cabinet responsibility he went along with his colleagues. I would understand that. If he says that I would understand that, Mr. Speaker. No such argument has come forward, and,

therefore, I can only assume that the hon. Member for St. Ann's East was a willing partner. *[Interruption]*

Mr. Speaker, you understand what is happening.

Mr. Speaker: Please give the Member for San Fernando East an opportunity to continue.

Mr. Manning: Mr. Speaker, what was the position of my parliamentary colleague from St. Ann's East when this matter came before the Cabinet and when it was abundantly clear that the accountability that in fact, is enshrined in the procedures in the Central Tenders Board arrangements, however imperfect they may be, will be circumvented by the legislation that is now the subject of deliberation of this honourable House.

Mr. Speaker, look at it. "Substitute for Section 2(b), the following ..." Take the original amendment. You amend a certain section to provide for approval by the Minister of items in a particular section. Okay. Items under the exempt list, the Minister must approve, that means a Cabinet decision, okay, Mr. Speaker. Or is it the President, I am not so sure what is exactly meant here, but certainly a Cabinet decision.

They want to exempt from the tendering procedures, "repair and maintenance of aircraft, equipment and vehicles, including coast guard vessels. They want to exempt from the Central Tenders Board arrangements—and do not accept for one minute, Mr. Speaker, that as cumbersome as the Central Tenders Board arrangements might be, that there is not a mechanism enshrined in those arrangements that can permit expeditious action if the Government so desires; they are there, selective tendering, Mr. Speaker, and sole-selective tendering if it becomes necessary.

Mr. Speaker under the local government arrangements there is something called the "bonded contractor", that at the beginning of the year you contract out for certain services and what is agreed on is a particular rate at which these services are provided. So that as and when there is a need for the provision of the services, the various Government departments only have to go to the particular agency that has been the subject of a successful contractual award and have the services provided at rates that have been predetermined in accordance with the Central Tenders Board Ordinance.

Why in those circumstances, then, is it necessary to include as an exemption from the provisions of the Central Tenders Board, the repair and maintenance of

Coast Guard vessels? Now, Mr. Speaker, I am not for one minute saying that there may not be some reason for it. All I am saying is that as of now in this debate, there is nobody on the Government side that seems to be supporting this particular provision, who has come forward and given Members of the Opposition reasons that we can accept and, therefore, Mr. Speaker, we cannot support it. I hope that before the debate ends, somebody, especially my colleague from Toco/Manzanilla—and I will pay him a visit very shortly in Sangre Grande; I am going to say hello to him one of these days, I hope he receives me well.

Replace the words of item 5 of the Third Schedule with the following: ‘vehicles’.” Now, these are vehicles of the protective services. Are the protective services the only department of Government that have vehicles? The answer is, no. Are the constraints applicable to the defence forces similar constraints that are applicable to the repair of vehicles in the rest of the civil service? The answer, Mr. Speaker, has to be, yes. Then on what basis do you exempt vehicles of the defence forces and do not exempt vehicles of the rest of the public sector?

Mr. Speaker, ambulances in the Ministry of Health, are they not as important in terms of maintenance and repair as a fire tender? Are they not as important in terms of the need to have them available because you are dealing with the lives of people? Are they not as important, Mr. Speaker, as jeeps for the defence forces, or jeeps for the army, or jeeps for the Coast Guard? Which is more important, Mr. Speaker?

We go again: “Rations”. In other words, when you want to buy rations for the army or you want to buy rations for the Coast Guard, or you want to buy rations for the police and the fire service and the prisons, I would imagine that you can exempt those from the normal tendering procedures of the Central Tenders Board. But when you want to buy food for the patients at the hospitals, they are not subject to such exemptions because this Government does not believe that feeding the sick is as important as feeding persons in the defence forces. That is the argument. That is what it is tantamount to. Because had they accorded the same priority to hospitals, then it would not have been unreasonable to expect that they would have sought the approval of this Parliament today to get an exemption also for the purchase of rations in respect of the hospitals across the country. That is the fact. *[Interruption]*

Mr. Speaker, I assure the hon. Member for Arouca South that I wish to get into no altercation with her, none at all.

Look at this back-handed one that they are seeking to pull on the Parliament: “Wireless equipment and spares, including radar systems”, a surveillance radar.

The radar is based, not at the defence force headquarters, they have a monitor and an override on it. The radar is essentially an air traffic control radar. It belongs, not to the defence forces, it belongs to civil aviation. But you see they have put it in here. Why have they put it in here? I am in no position to say, but using the argument that the radar is also to be used for surveillance and that the defence force has an override on that radar, they have sought to include it here as an item that is exempt from the arrangements of the Central Tenders Board, which has been carefully put in place with all its imperfections, designed to preserve the accountability, to ensure that the public sector in the conduct of its affairs can account to the taxpayer for the way in which the money has been spent: willy-nilly. “Horses and dogs”—

Mr. President: Yes, your time has expired.

Motion made, That the hon. Member’s speaking time be extended by 30 minutes. [*Mr. M. Marshall*]

Question put and agreed to.

Mr. Manning: I thank my colleagues, Mr. Speaker, and honourable Members for the extension of time.

Mr. Speaker, “horses and dogs”. They want to buy two dogs—it is a national secret to purchase two Alsatians, two Rottweilers—well it is not even a Rottweiler, which is a proper dog, as you know. They want to buy two dogs, four horses or something and they want to be exempted from the provisions of the Central Tenders Board.

Mr. Sudama: May I enquire from the Member for San Fernando East if they have experimental dogs and horses in mind that they might wish to purchase?

Mr. Manning: I am sorry, Mr. Speaker, I am unable to speak for the Government.

They want to purchase horses and dogs, Mr. Speaker, but feel that in so doing they must circumvent the procedures of the Central Tenders Board, which have been put in place to guarantee the integrity of the conduct of our affairs. That is the Government. This is what the law does. They are amending the law to exempt the purchase of these items from the provision of the Central Tenders Board Ordinance. It is tantamount to circumvention.

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Mr. Speaker, why did the Government not consider it necessary to put this bill up for public comment, because of the significance of it? I am getting very suspicious, because to bring a bill like this to the Parliament four years and eight months into a five-year term of office, suggests that what the Government is, in fact, seeking to do is once again, to use the Parliament to legitimize acts which otherwise would have been illegitimate. It suggests that. Check to see what has been done. It suggests that, however much they may wish to protest. That is the clear suggestion.

You see that Government, whenever it comes to food, makes sure that every possible control is put in place, because, it is in the purchase of food that you find much of the hanky-panky taking place. There is a programme called ECHO (Each Community Helping Out). All I am suggesting to the hon. Member for Toco/Manzanilla—I am advising him to stay far from that programme. I do not want to see him having to answer a case before the courts. That is my advice to him, stay far from it. I am giving him friendly advice. If he wishes to ignore it, by all means ignore it.

Mr. Speaker, in that ECHO programme, they are giving to groups between \$2,000 and as much as \$20,000 and some reporting has to take place. I have seen the report of one agency that has been the recipient of a significant quantity of money and reporting on how the money was spent; 36 cylinders of gas purchased in a particular week. When a check was made, the group uses gas at the rate of four cylinders a week. But 36 cylinders were purchased, or so the report says.

The reality is, Mr. Speaker, and I want the Minister of Finance—because you see he is the Minister responsible for financial accountability in Government for expenditure—or the Prime Minister, to get up and tell me that it is not true. That is, that the ECHO programme, as indeed the LID Programme, is being used as a conduit to siphon money to finance the transportation of people to attend meetings in the context of the Patriots Alert Programme that the Government has started.

Dr. Hosein: On a point of order, Mr. Speaker. The Member is misleading the House on a critical aspect of Government's policy, namely, that the objective of the programme is to provide foodstuffs to persons in need. For his benefit I want to let him know that Elmina Clarke-Allen and Sheila Lamorell, and others, known PNM persons, are the heads of groups that receive funds under ECHO. The

same is true for UNC groups, Mr. Speaker. In other words, the Government has studiously avoided playing politics or partisan politics with the feeding of hungry people. I want him to withdraw that statement, because I want to make a point that when it comes to feeding persons who are in difficulty, it is not a matter to joke about. Others watch—I remind him—others higher than us keep a close eye on these matters. Do not mislead the House or anybody else.

Mr. Manning: Mr. Speaker, I thank the hon. Minister for his explanation, but I noticed that he was very careful in denying the allegation that has been made.

Dr. Hosein: What allegation?

Mr. Manning: The specific allegation is this—and I make it again—that the ECHO programme is being used—

Mr. Speaker: What does this have to do with the Central Tenders Board?

Mr. Manning: It has to do with the purchase of food, Mr. Speaker; it has to do with the purchase of rations.

Dr. Hosein: Mr. Speaker, on a point of order. The Government does not purchase food under ECHO. The Government disburses funds to groups which do so, and the Government supervises the programme. That is the programme, it is well known. So that the Government is not involved in purchasing food under ECHO; we monitor.

Mr. Manning: Mr. Speaker, the hon Member for Oropouche, apparently, was reading my mind. I merely want to ask the hon. Member for Tunapuna, who seems to be so vocal on this matter, could he be kind enough in his contribution to explain in detail to this Parliament, the arrangements that have been put in place to ensure the accountability of funds that are spent under the ECHO programme? Let me tell him something. I caution him again. He should be very careful in what he says on this matter, because by now he should realize that I am not talking by guess. If he has not realized that as yet, then I urge caution. Because of the way the ECHO programme is being misused by this Government for political purposes—in fact, money identified for ECHO is being used to transport people to the public meetings. I say it again: I am very concerned when I see legislation coming before the Parliament that seeks to exempt the purchase of rations from the current provisions of the Central Tenders Board Ordinance.

Construction of physical facilities. Suppose the Government takes a decision to construct a dormitory at Chaguaramas for the housing of personnel of the defence force, the dormitory can now be constructed outside—if we agree to this legislation—of the current provisions of the Central Tenders Board Ordinance without any provisions being put in place—because the Parliament has not been advised—to ensure the accountability of the funds that will be expended on the construction of the particular physical facility. Mr. Speaker, is there a limit on the amount of expenditure that could be incurred? The answer is, no. There is no limit. Therefore, if this Government wished to spend \$100 million on a facility, once it is categorized as construction of physical facility, then they can do so, if we agree to the legislation that is before us today, without any question being asked and without any proper provision being put in place for appropriate guarding of the expenditure of taxpayers.

By what mechanism does the Government now propose to ensure in the construction of physical facilities, say, that the country pays the lowest possible price for the service that is to be provided? How? The Members on the Government side continue to make an error and I want to make a point which I want every Member to take into account. The experience of the PNM in Government is just not the experience of the PNM, it is the experience of the people of Trinidad and Tobago. Similarly, the experience of the ruling party today in Government is not just the experience of the NAR, it is the experience of the people of Trinidad and Tobago. That is why notwithstanding all that we say, we look very carefully at what they do to see what they do right and to see what they do wrong. It is easier to identify the latter than the former. There are very few things that they do right. But the reason for that is that the country must not be forced to make the same mistake twice, and if mistakes were made under a PNM administration as indeed they were—mistakes will be made under any government. The responsibility of the Government, is not just to condemn the PNM—they are free to do that; we can deal with that in the hustings—but the responsibility on their part is to learn from those mistakes and to ensure that they conduct their affairs in such a manner that the people of Trinidad and Tobago are not forced to experience the same mistake twice, a mistake that they have been making.

So when we look at the bill that is before us and listen to the arguments that have been advanced by the hon. Members opposite, it is very clear that the secrecy argument cannot stand scrutiny, nor can the argument of expeditious action stand scrutiny either. As it now stands, there is provision in the Central

Tenders Board Ordinance for selective tendering. The Minister of Finance—or is it the Prime Minister now? Is it? Is the Central Tenders Board under the Prime Minister's office? Yes, the Prime Minister—and incidentally I consider that an unwise allocation of portfolios. The Central Tenders Board should never be under the Prime Minister of Trinidad and Tobago. But anyway, that is a matter that we will deal with differently. The Central Tenders Board Ordinance permits for selective tendering, and the Minister responsible, the Prime Minister in this case, can authorize selective tendering to shorten the process by which contracts are awarded, while at the same time ensuring that certain comparisons are made, guaranteeing as far as is possible under the limited arrangement, that the country gets the service at the lowest possible price.

In extreme circumstances, the Prime Minister or the Minister responsible, can go the route of sole selective tendering. In other words, he can select one firm and by prime ministerial authority or by the authority of the Minister responsible, have that firm carry out a particular contract if it is adjudged by the Government that the contract needs to be done expeditiously, in a shorter time-frame than the current arrangements will permit.

The mechanisms are there; they are not perfect. They are in need of review, we all know that. But to seek to review it in this way, and to seek to just take the defence force—the provision of food, the purchase of horses and dogs, the construction of physical facilities, the maintenance of equipment and vessels and aircraft and Coast Guard vessels and so forth—outside of the arrangements that guarantee accountability in the manner that the Government seeks to be doing it today, is just not a direction the PNM can support.

The Minister of Health (Hon. Selwyn Richardson): Mr. Speaker, if I had to deal with the contribution of the Member for San Fernando East, I would simply say I, too, have nothing to say. But I will leave him, in the main, to the Member for Diego Martin East, who, I believe, will be dealing with what little he had to say. Except, I would say that—I am not sure, I believe I heard the Member for Laventille on the last occasion saying that she supported the bill, subject to some questions.

Mrs. Donawa-McDavidson: What I said was that I understand the Government's concern and intention of the bill and made some suggestions for amendments. I neither supported nor objected.

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Mr. Richardson: So when the Member for San Fernando East talks about their operating on a more philosophical base, and talks about our approach being absolutely *ad hoc*, he is just describing himself and the section of the party that he leads for the time being. Because he did say that he is opposing the bill, if I heard rightly. He did start off his contribution by saying he opposed the bill, contrary to the wise approach of the Member of the old PNM, the Member for Laventille, But anyhow, that is their private business. I will not deal with that.

Mr. Speaker, what I would say is, after agonizing on the merits and demerits of this bill, I rise to support this bill as, of course, I did when the bill was brought to Cabinet in the first place. As I said, I agonized on the merits and demerits, because from my 10 years in Cabinet, I know from experience about the vagaries of tendering and the Central Tenders Board Ordinance as it was at first and later, the Act.

As you would remember, Mr. Speaker, the Central Tenders Board Ordinance was first brought to the statute books, if I remember correctly, in 1961. Of course, you and I were not even in Trinidad and Tobago then. What it sought to do was quite commendable. Unfortunately, as you may remember, in 1980, when I was still holding the Office of Attorney General, it came to my attention, through the Law Reform Commission, that the Central Tenders Board Ordinance of 1961 was not properly proclaimed, or was not proclaimed. Therefore, all acts done under that Central Tenders Board Ordinance of 1961, between 1961 and 1980, for a period of 19 years, were not properly done.

As a result, you would remember, Mr. Speaker, I had to come to Parliament immediately, I believe it was on Tuesday, July 1, 1980, to seek approval for a bill which sought to validate all acts done under the Central Tenders Board Ordinance of 1961. This is why it is so surprising that the Member for St. Augustine is saying that he is voting against this amendment. Because I do remember—I got the *Hansard* for that debate, Tuesday, July 1, 1980, when I was then the Leader of the Senate—when I first took action to legalize what was done before 1980, between the period 1961 and 1980, the Member for St. Augustine, who was then a Member of the Senate, voted against what I was seeking to do. And all I was seeking to do was to legalize the Central Tenders Board of 1961. He wanted no part of it.

Mr. Speaker, to set the record straight, because of the experience I gained between 1976 and 1980, I too, even then, was agonizing on the Central Tenders Board Ordinance of 1961. If you refer to the records—and you may remember, Mr. Speaker, because you had by then returned to Trinidad and Tobago; I believe,

you were a Member of the House then—if you remember, I first brought the amendments to the Senate, and then to this House of Representatives on the very next day, when I first sought to legalize what was done, I did not bring the Central Tenders Board Ordinance as part of that package because the package sought to legalize a series of acts, and to validate what was done. Page 1154 of *Hansard* of Tuesday, July 1, 1980, would show, Mr. Speaker, among other Acts, the Conservation of Wildlife Ordinance, 1958; Food and Drugs Ordinance; Town and Country Planning Ordinance; Cocoa and Coffee Industry Ordinance; Narcotics Control Ordinance; Muslim Marriage and Divorce Ordinance, and other Ordinances that we discovered in 1980 which were not properly proclaimed.

3.50 p.m.

I did not include the Central Tenders Board Ordinance, deliberately. As I said, I was agonizing on that because by then I had seen the amount of corruption that had taken place, despite the presence of the Central Tenders Board Ordinance on the statute books of Trinidad and Tobago. It caused me no end of sleepless nights. I did have the support of Cabinet not to include it. I was thinking that we would have to find other ways, other means, other avenues of dealing with the protection of the public purse, then. But wiser counsel prevailed. I remembered Mr. De la Bastide, who was then a member of the Senate, pleading with us, pleading with me, in particular, to include the Central Tenders Board Ordinance because, as he said, at least it is the lesser of two evils. He said, in so many words—I cannot quote him verbatim now—we cannot trust anybody, certainly no politician to deal with people's money like that on such a large scale. Therefore, as he said, until you get something better, let us legalize the Central Tenders Board Ordinance. You will see from *Hansard*, that after much agonizing, at the last minute, I included the Central Tenders Board Ordinance of 1961 in that package, to legalize what was done before, and to get it on the statute books of Trinidad and Tobago.

As I said, the Member for St. Augustine, who was then a Senator, voted against it. He did not want the Central Tenders Board laws on the statute books of Trinidad and Tobago at all. It is a pity he is not here because I wanted to face him. I wanted him to be here. Is he coming back? Of course, you do not know about the members of your party; you do not know who is here or, who is there.

Mr. Manning: Where is the Prime Minister? Is he coming back?

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Mr. Richardson: I know where he is. No, he is not coming back.

Mr. Sudama: Do you know what is happening in Ortoire/Mayaro?

Mr. Richardson: Of course, I do. Come and you will see; you are welcome at any time. I know that you were there. How did you get there? Who supported you? Let the public know. Who paid the cost of your getting there? A Drug Bill is coming, I hope you support it. You know what I am talking about.

Mr. Toney: You must not take money from "Elephant Walk"; that is very bad.

Mr. Richardson: It is heart-rending to have been here on the last occasion, and to have heard the contribution, particularly of the Member for St. Augustine. In no uncertain terms, he used parliamentary privilege to wickedly, maliciously, and without any support, without any—

Hon. Member: Sense of decency.

Mr. Richardson: My friend says without any decency whatsoever, using the cloak of parliamentary privilege to attack the character of the Members of Parliament for Tobago East and Ortoire/Mayaro.

Mr. Sudama: Would the Member give way to a question?

Mr. Richardson: Of course, I will.

Mr. Sudama: Would the Member tell this House why he went to the other place to lay charges against the Member for St. Augustine?

Mr. Richardson: Straightaway, I will. It is unfortunate that he is not here. I love to speak in front of people's faces, but I could not tie him down here. If he thinks that other business is more important than the people's business, well then that is his and his party's business, but I will do my job. As I said, he used the cloak of parliamentary privilege to do what he did.

Mr. Sudama: You should not have gone to the Senate, you should have come here in this House and spoken in front of him.

Mr. Richardson: He defamed the Member for Tobago East and myself, in no uncertain way. I took it very seriously, because this is 19 years I have been in public life—10 years as a Minister—and I say this without fear of contradiction; my record in public life stands second to none. I am very proud of it.

Mr. Sudama: Before you joined the NAR, or after?

Mr. Manning: Is it better than Eric Williams? You said second to none.

Mr. Richardson: Before, during, and after.

Mr. Speaker, I will show you what he did. In the case of *Selwyn Richardson and Carl Tull*—which is in volume 20 of the *Julien's Law Reports 1974, Part I*—Judge Des Isles, in delivering his judgment, in defining "defamation"—he used the *obiter* of Baron Park in *Palmister and Copeland* in 1840. I think you are familiar with that case, Mr. Speaker. He said:

"It is a publication without justification or lawful excuse which is calculated to injure the reputation of another, by exposing him to hatred, contempt, or ridicule."

He went on to say in that said case—Des Isles Justice, as he then was—quoting from Lord Campbell's report in the Select Committee of the House of Lords in 1843—I was tempted to bring this matter to your attention, to have it referred to the select committee of this House, Mr. Speaker, but afterwards I said, I will defend myself here—where "defamation" was defined as:

"Tending to injure and degrade the character of the person who is the object of it."

Using the masquerade, as I said, the cloak of parliamentary privilege, the representative for St. Augustine, for the time being, did just that. He did it with a vengeance in his contribution—if it could be called a contribution—at the sitting of this House on August 16, 1991.

Mr. Speaker, the Member for Oropouche talked about what I did both in the other place and this House. In the other place, I quoted from an opinion given to me as Attorney General by the then Solicitor General of Trinidad and Tobago, who is now a Judge of the High Court, Mr. Lionel Jones. I also quoted them from Professor Wade of Wade and Phillip's *Constitutional Law*, and I stand by everything I did. I will tell you now, this was an attempt to digress and to divert the public from the gist of what I did then.

What happened was that statement was made to the Senate on December 15, 1987, and there was one slight typographical error where the typist attributed the whole quote to Wade and Phillips, whereas part of the quote was from the Solicitor General of Trinidad and Tobago and the rest of the quote was from

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Wade and Phillips. The Member for St. Augustine was such a stranger to the truth, on all occasions, that he did not even let this House know what took place. As soon as this was brought to my attention on April 05, 1988—and *Hansard* bears me out—this is what I said:

"Mr. President, may I with your leave be permitted to correct a quotation error in a statement made to the honourable Senate on December 15, 1987. It was drawn to my attention by you, Sir, and by Dr. Ghany."

I think it must have been Dr. Hamid Ghany. And this is why I insist that what they did was to try to divert the attention of the public from what the Member for St. Augustine did, both as a Minister and as a Member of Cabinet, and what he did after he was dismissed from Cabinet.

Mr. Sudama: That was on December 13, 1987.

Mr. Richardson: Let me correct you. It was not the 13th, it was December 15, 1987. I continue:

"The quote is correct but part of it, on collective Cabinet responsibility, came from the Solicitor General of Trinidad and Tobago in a paper which was sent to me on 24th November, 1987. The rest of it came from Professor Wade, of Wade and Phillips, *Constitutional Law*. Unfortunately, in typing, the whole quote was attributed to Professor Wade."

4.00 p.m.

Mr. Speaker, for the purpose of the record because of course, in keeping with our dignity, we must ensure that every quote is correct. The quote from the Solicitor General should have read as follows:

"The Cabinet-appointed committee means a collective delegation of an assignment to a body deriving their authority from the Cabinet and answerable to the said Cabinet. It is not the agent of a Ministry."

This is why the Member for Point Fortin had to correct the Member for St. Augustine, even today for he is, persisting in his ignorance.

I continue. The rest of the quote was from Professor Wade of Wade and Phillips. As you would remember, Professor ECS Wade, is a Queens Counsel, Master of Arts and Doctor of Laws of Cambridge University. Professor Wade states on page 189 on 'Cabinet Committees':

"All Cabinet committees are served by Members of the Cabinet Secretariat."

Again, he goes on to stated at page 198, under the heading “Cabinet Secretariat”:

"The Cabinet Secretariat serves all Cabinet Committees whether standing or *ad hoc*."

This is why it is so heart-rending to stand here and hear—even today, even though the Member for St. Augustine, after serving in Cabinet for one year and being in the Senate for possibly five years; and after being in this House for five years—the Member persists in his ignorance and arguing with the Member for Point Fortin and still talking today about it although he admits that he brought the recommendation to appoint this committee to Cabinet. As soon as Cabinet appointed this committee, it became a Cabinet-appointed committee. It stands to reason. A five-year old child would know that. But he tells the Member for Point Fortin that when he interfered with that Cabinet-appointed committee, to quote him from what he said today, "I was doing my job as Minister, it was my committee, I recommended the appointment of the committee to Cabinet." Professor Wade of Cambridge tells you that as soon as Cabinet appoints a committee, of course, it becomes a Cabinet committee. Even the servicing of that committee must be done by the Cabinet Secretariat.

That is what I said, on that day, in my statement to the Senate, it makes no difference whatsoever to the definition but for the purpose of the record, as I said, we must be perfectly correct in this House.

On that topic, not only Professor Wade, but S.A.D. Smith, in his book on Constitutional and Administrative Law, on “Cabinet committees” at page 160, states:

"The Cabinet committee system is clearly of first class importance in the machinery of central government. The secrecy enveloping this system is even harder to penetrate than the working of Cabinet itself."

Mr. Sudama: That is why you all are not accountable for anything?

Mr. Richardson: We are accountable for everything and I would show how this Government has shown itself to be accountable for everything.

Dealing with this same Cabinet committee—E.C.S. Wade and A.W. Bradley, on *Constitutional and Administrative Law*, at page 262 state:

"The duty of a committee is often to prepare Cabinet committees, is often to prepare a subject for decision by the Cabinet, defining a common ground

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between possible different departments, different ministries, and the issues is still in dispute. A Cabinet committee may be authorized to take decisions on behalf of Cabinet."

That is to show you how important these committees are.

What the Member for St. Augustine did, was deliberately—and I say so without fear of contradiction because of course, the Member for Point Fortin quoted from documents which have been laid in this House previously to buttress his argument—sought to interfere with the Cabinet-appointed committee.

This scared me no end because—if I may say so—I thought that when I had left Government in 1981, I had seen the back of all of this. But, in 1987, I saw this occurring again with a newly appointed Minister, one year old, interfering with a Cabinet-appointed committee; and interfering with public servants who were on that committee; deliberately interfering, to get his friend a contract. Now, he comes here on Friday 16, to attack my character—after 19 years of public service, unimpeachable, I dare say—because I sought to correct him and to stop the error of his ways; to stop him in his tracks from trying to get his self-admitted friend a contract under this Government.

Mr. Speaker, you would remember from your days as a student in England, Patrick Gordon Walker, famous Labour Minister, wrote a book on Cabinet, I think it was in the seventies—because I think, Labour had just demitted office. He states at page 53:

"Cabinet Secretariat serves all Cabinet committees in exactly the same way as Cabinet itself. Agendas are drawn up, papers circulated..."

So that every authority on constitutional law shows you that Cabinet-appointed committees—it does not matter who recommended the committee, as the Member for St. Augustine confessed today—once they have been appointed by the Cabinet, they become Cabinet-appointed committees, and must be serviced by the Cabinet Secretariat, and all such reports, all their dealings are with Cabinet as a result, thenceforth.

As I said, what the Member for St. Augustine sought to do after that Cabinet committee was appointed, was to interfere with that Cabinet committee. The committee was appointed sometime in 1987. He did say that he recommended it, subsequent to the appointment, what happened was that the committee prepared its report.

Yes, Cabinet Minute 360 dated March 19, 1987. The Cabinet-appointed this committee and the Cabinet of course was awaiting the report of the committee. Before the report of the committee could have come to Cabinet, the Minister, quite wrongly, arrogated to himself the authority to get this Cabinet-appointed committee's report. Not only did he disagree with the Cabinet-appointed committee's report—a committee of top public servants, drawn both from the public service and statutory authorities—but he sought to argue with the committee and, indeed, sought to try to get that committee to change its recommendation, as he himself said, in favour of his friend Arthur Chin Lee, the head of Realsons Company.

4.10 p.m.

The first report of this Cabinet-appointed committee was dated August 17, 1987. The committee did state in no uncertain terms that it rejected the bid of Realsons. It says on page 8 of the Committee's Report:

"In the team's interview with Realsons the contractor Realsons admitted to under-pricing on items."

Realsons, was the lowest bidder, as stated by the Member for Point Fortin. When this high-powered Cabinet-appointed team interviewed Realsons, the contractor Realsons admitted to under-pricing on some items in order to get the contract. The committee had no hesitation in recommending the rejection of Realsons tender.

I want it on the records, because no doubt the Member for St. Augustine and his cohorts continue to try to distort records as they did from 1987, when this occurred, to now. At paragraph 25 of the report dated August 17, 1987 this is what the Cabinet-appointed committee said:

"The team recommends that the contract be awarded to George Wimpey Caribbean Limited, the second lowest tenderer."

That is what the team recommended, yet the Member for St. Augustine stated in no uncertain terms—I do not know if you were here on that Friday—that the two people who sought to get the contract for George Wimpey Caribbean Limited were the Member for Tobago East and the Member for Ortoire/Mayaro. Here is the report dated August 17, 1987, where this high powered Cabinet-appointed committee recommended that the contract be awarded to George Wimpey

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Caribbean Limited, after stating in no uncertain terms, that Realsons, the lowest tenderer admitted even to under-pricing on some items.

Mr. Sudama: As far as I am aware from what has transpired in this debate, George Wimpey was the third lowest tenderer and not the second lowest tenderer. In other words, Realsons was the lowest, Seereram Brothers was a little higher than Realsons and George Wimpey was the third lowest tenderer. On what basis did the Cabinet committee make the statement that George Wimpey was the second lowest tenderer?

Mr. Richardson: I quoted from the records. The records of August 17 as the Member for Oropouche says, show at paragraph 2, Realsons was the lowest tenderer at \$36,160,551—I will lay it on the Table to ensure that there could be no twist of these documents. Paragraph 2 stated George Wimpey Caribbean Limited, \$49,393,871; Seereeram Brothers, \$49,883,800. You must get your facts before you rise. This is why they recommended as they did on that date. They went on to give a second report.

Mr. Sudama: The Minister says these records that will be laid in this House. Will he give an undertaking today that the records—

Mr. Wilson: The second report was dated September 4, 1987. If he does his homework he can go to the Senate and he will see that I laid all these records in the Senate.

Mr. Sudama: I am making a request. I have nothing to do with the other place.

Mr. Richardson: Mr. Speaker, except you give me injury time, I would like to continue please.

Mr. Sudama: I am a Member of this House. I am merely asking the Member if he is quoting from these documents, will he give an undertaking to this House that he would lay these documents in the House for our perusal?

Mr. Richardson: The second report of the team was dated September 4, 1987, and it started:

"Reference is made to the meeting held by hon. Minister Humphrey at 9.00 a.m. on August 25, 1987."

Mr. Valley: I thought I heard the Member saying that he would lay the report in the House.

Mr. Speaker: Order please! Order please!

Mr. Richardson: Mr. Speaker, except it is a point of order, I am not giving way. He could make his contribution after.

Mr. Valley: I thought I heard the Member state that he would lay the report on the Table. I am asking, in fact, whether he would do so.

Mr. Richardson: Is that a point of order, Mr. Speaker? My word has always been my bond. It is well known throughout Trinidad and Tobago and in the wider world. *[Interruption]* Yes, they know that too. Come and you would see.

As I said, the report of the team dated September 4, 1987 documented *[Interruption]* I built a school for Naparima. Ask him. Mr. Speaker, I hope you would give me injury time, because I have a lot to say.

Mr. Speaker: The response was as I understand it, my word is my bond. He did not deny what you said.

Mr. Richardson: If you want a copy now, I would give you as soon as I am finished quoting.

Mr. Sudama: He said that he built a school in Naparima. Is he the Minister responsible for education in the Government of Trinidad and Tobago?

Mr. Richardson: Is that a point of order?

As I was saying, the second report of the committee documents the fact.

"Reference is made to the meeting held by hon. Minister Humphrey at 9.00 a.m. on August 25, 1987 on the above subject, Scarborough Harbour Development Project."

Paragraph 2 states:

"The fears of the Ministry that all pertinent details were not considered by the team in the course of its tender evaluation exercise..."

This is where the rut started because Minister Humphrey, as I said, deliberately tried to interfere with that Cabinet-appointed team to try to get them to change their recommendation in favour of his friend.

At page 4 of that report the Cabinet-appointed team told the Ministry in no uncertain terms that Cabinet Minute page 4, paragraph 8:

"Cabinet Minute No. 360 dated March 19, 1987 when this team was appointed admittedly on the recommendation of the then Minister of Works and whatever, he agreed to the appointment of the project team and its composition as well as that the project team would report to Cabinet within six weeks."

The Cabinet team was telling the then Minister that we are not to report to you, we are to report to Cabinet because the Cabinet Minute said so, but you would not have it. Top public servants and others were correcting the then Minister but he persisted in his ways, but now, he turns around and tries to attack my character and integrity today. *[Interruption]* Mr. Speaker, I went there constitutionally.

4.20 p.m.

I continue to quote from page 4, paragraph 8 of that report. Again, another item to divert the public's attention from the real issue, which is that the Member, for the time being, for St. Augustine, acted improperly, to say the least; the man who tries to champion himself as Honest John. Honest John my eye!

To continue, Mr. Speaker, page 4, paragraph 8(1), this is what the team said:

"The Team in paragraph 16(4) of the letter..."

to the Ministry and the Minister, Mr. Speaker:

"dated 17th August, 1987 had indicated that Realsons had given no clear indication to the ..."

There is a little mistype here; could be "to the team."

"Whereby the dredging aspects of the works will be undertaken. According to the Minister, however, the Realsons tender indicated quite clearly that the Port Authority's dredger would be used."

So that here it is, to show you how improper it is, the team is telling you that Realsons, the Minister, admittedly, I am not saying it, Mr. Speaker, the Minister said it and I will quote, in letters both to the Prime Minister, after he was dismissed I believe, but letters both to the Prime Minister and the Chairman, Tobago House of Assembly, he admitted that the owner of Realsons was his friend of 17 or whatever years' standing and that he had built his house. He is

trying to get the Cabinet-appointed team to change their recommendation.
[Interruption]

As I was saying, the team indicated—

Mr. Manning: Hon. Minister, are you willing to give way to a—

Mr. Richardson: When I am finished. You had your say. I did not disturb you.

The team indicated that Realsons gave no clear indication as to how they would do the dredging, but the Minister—this is in the records—indicated that Realsons' tender indicated that the Port Authority's dredger would be used to do the job. The Minister is telling the team how a contractor would do the job. Could you be more improper, Mr. Speaker? And I do not mean you at all.

The report goes on to say:

"However, having been advised that the pump ashore mechanism on the Authority's dredger was not in working order, Realsons representative indicated that a decision would have to be taken on the matter."

They go on to say at page 5(3) of their report on the matter of pricing:

"The team at paragraphs 20 and 21 of the document already referred to indicated that the Realsons' bid was significantly lower in several critical areas than the engineer's estimate and that in the course of the discussions with the contractor he admitted to underpricing on several items, in particular, on piling and fill. The Minister indicated that in using this low bid against the contractor, the team did not pay due attention to the consultant's report wherein the reason for the low bid was identified, namely, that those costs were taken up in the item "preliminaries" in the Realsons' bid.

Another reason for the low bid, according to the Minister, was the arrangement under which the Carleton personnel would make the required expertise available to Realsons. In that regard, the Minister's investigations revealed that one of the two people from Carleton would be using the opportunity to holiday in Tobago at the same time he was working on the project and was therefore able to cut his rates, while the other Carleton expert would be visiting once a month for very short periods to oversee the project—they really think Tobago people are stupid—again enabling a reduction of charge.

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Mr. Speaker, I would like to emphasize, to show how this Cabinet-appointed committee was above board at all times. Some of them still think “massa” day is still here. In considering the Minister's position, the team wishes to refer to the consultant's report which recognizes that the low bids on piling and fill are made up for in the preliminaries. However, the report also recognizes that Reasons in fact underbid on several items and the consultant to Government was doubtful that these items could be completed for the prices quoted. As a consequence, the team was of the opinion that the contractor would not be able to complete the project at the price quoted. This is your friend who calls himself Honest John.
[Crosstalk]

Wimpey got the job, Mr. Speaker, because Central Tenders Board awarded the contract and the Central Tenders Board's documents were all put in the House—

Mr. Sudama: Would you give way to a question?

Hon. Richardson: Mr. Speaker, I continue. They had their time. They used— *[Interruption]*

Mr. Sudama: How did Wimpey get their award to refurbish the Red House?

Mr. Richardson: Wimpey got the award to refurbish the Red House from the Central Tenders Board and the documents are also here, Mr. Speaker. It was a contract between the Ministry of Works and Wimpey. I was then Attorney General and my part in it was to ensure that the Red House was properly refurbished to ensure that we sit in a place of dignity as we do today. What I know is that it was done by the Central Tenders Board. I know nothing of the contract. I know nothing of how the award was made because it was made by the Central Tenders Board, quite properly.

4.30 p.m.

At page 7 of the report, the team continues at paragraph (4):

"Whereas the Minister's view is that the Dunn and Bradstreet Report reflects the financial position. The Cabinet-appointed team wishes to ... a firm and ought not to be an assessment of technical capabilities. The team wishes to suggest that the financial performance of a firm over time is an excellent gauge of the industry's view of its technical capability in any given area."

In respect of the statement at paragraph (24) of the document under reference, that the contracting firm of Arthur Chin Lee owner of Realsons, was taken off the Malabar Housing project and this project had to be completed by others:

“The Minister indicated that the team was wrong to bring the matter of non-performance on this contract into the criteria for evaluation since the Minister knew personally that Chin Lee was wrongfully taken off the Malabar Project and of the background information regarding that entire matter. In other words, Chin Lee was not to be blamed for non-performance.”

I am quoting from the report.

4.33 p.m.: *Sitting suspended.*

5.05 p.m.: *Sitting resumed.*

[MR. DEPUTY SPEAKER *in the Chair*]

Mr. Richardson: Mr. Deputy Speaker, as I was saying before we had our tea break, the MP for St. Augustine, who likes to call himself “a man of the people”, *et cetera*—I remember in the same year, 1987—I do not know if you remember—whilst he was Minister of Works, Settlements and Infrastructure, his “home”, was in the Sacred Heart Building on Sackville Street. I remember one morning he found himself in my office. So I asked him what he was doing there. He said he wanted a place of refuge, so to speak, because employees, members of his Ministry, were after him. I could not believe it; he wanted a place of refuge, because members of his Ministry were after him. I had to house him in the office which is now the office of the President of the Senate; the refurbishing of that office had just been completed. This man of the people, I had to hide him in what is now the office of the President of the Senate!

Even though I hid him there for one week, on Monday November 30, 1987, at about 9.00 a.m. a crowd of about 50 employees came to that office, they were after him. Mr. Deputy Speaker, he rushed into my office begging me to seek police protection for him. I had to tell him under no circumstances would I involve the police. This was the man who up to last week was attacking the police. The same people who attack the police, when they get into trouble it is the same police they run to, always. Running to me, asking me, in my office, as Attorney General, to seek aid for him from the police. I had to tell him that was not the way to handle the people. I went over, and saw the employees; some were sitting on his desk, some sitting on his chair, others were all over the place. Mr.

Deputy Speaker, if it were not for my presence, they would have had him on that day. My friend said they would have lynched him.

Mr. Deputy Speaker: The speaking time of the hon. Member has expired.

Motion made, That the hon. Member's speaking time be extended by 30 minutes. [*Dr. E. Hosein*]

Question put and agreed to.

Mr. Richardson: Mr. Deputy Speaker, I went alone and I spoke to those people and I reasoned with them, and in about an hour they all left very peacefully; Monday, November 30, I will never forget that date and he says he is a man of the people.

Mr. Deputy Speaker, to continue. This report of the Cabinet-appointed team, at page 7, states:

“In considering this matter, the team is of the view that the statement on the Chin Lee Malabar issue contained in its document is statement of fact. It is not privy to the information which the Minister...”

as he then was,

‘indicated that he had regarding the matter.’”

So, again, a Cabinet-appointed team; very top public servants, telling the Minister in no uncertain terms—telling him off—that he had no right to be doing what he was doing. This is why I said, I agonized. I have nothing against the Central Tenders Board or the Members thereof, I am not attacking them at all, I have no reason to. But because of what I had experienced in my term, particularly from 1977, to 1981, when I left in disgust in 1981, and what I had seen again in 1987, a result of this, I agonized a lot.

Mr. Deputy Speaker, the team's report ended at page 9:

“In the circumstances, the project team wishes to underscore its recommendation regarding the award of contract in its letter to your Ministry of Works, dated August 17, 1987, and advises further that, in its view, the ranking of the two tenders for award of this contract is as follows: Number one, George Wimpey, Caribbean Limited, second lowest bid, and number two, Seereeram Brothers Limited, third lowest bid. The team wishes to reiterate that the firm of Realsons does not appear to have the capability to

complete the project and should therefore be eliminated from further consideration.”

What better do you want? What a good report.

Mr. Deputy Speaker, I remember this man who, last week, said in his debate, “I am Humphrey, every possible step was taken, we had accounting officers. I am not prepared to condemn them the way senior Members of the NAR are condemning them these days”. People have short memories. February 14, 1987 *Trinidad Guardian*—and I think it was the front page:

“Humphrey Charges Sabotage. Charging that Mr. Manning was receiving more information than he, himself, was getting from the Ministry.”

and this is the most pertinent part of the quote:

“This Minister will not tolerate sabotage from anybody in the public service.”

This is the Minister who first went out on a limb to attack public servants; he attacked the whole public service [*Interruption*] Now he is behaving as if he did not do so. He says in the debate of August 16:

“I am not prepared to condemn them [public servants] the way senior Members of the NAR are condemning them these days.”

Mr. Deputy Speaker, of course we cannot say what takes place in Cabinet, but I do remember the Prime Minister, whom he attacked so viciously last week Friday, taking him to task in and out of Cabinet for attacking public servants the way he did, and telling him off because he did it without any justification whatsoever; because the public servants were standing in his way, that is the reason he did it—Honest John.

Mr. Deputy Speaker, do you remember this same Member for St. Augustine—and I quote again, the *Guardian*:

“Humphrey willing to explain his side across the country.”

It may have been the front page, too. He was trying to justify remuneration for members of a board under his control, over and above the remuneration obtained by other board members throughout the country. When, again, he was put down—to use my language—by the hon. Prime Minister for trying to justify what he was doing, he went public. I quote from the *Guardian* of December 11, 1987:

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“The former Minister said that Members of the NHA board were appointed by Cabinet, and that legal advice was sought and obtained from Solicitor General, and Chairman of the Law Reform Commission.”

This is what he said. This was never refuted, Mr. Deputy Speaker. I will show you how honest is this Honest John. The Chairman of the Law Reform Commission was then Mr. Justice Ulric Cross, a Trinidadian of whom we could be all proud. In the *The History of Aviation*, page 92, here is what is said of Ulric Cross:

“Ulric Cross was awarded a Distinguished Flying Cross in June, 1944, after completing a tour as the navigator of a Mosquito bomber in night raids over Germany, going back on a third tour to complete eight operations, he was awarded a Distinguished Service Order.”

Very rare, one man bing obtaining a DFC and DSO in his lifetime. To continue the quotation:

“This was done in November in recognition of his outstanding work as a pathfinder. He was also offered a permanent position in the RAF, but turned it down, electing to do law instead. He went on to a distinguished career in the legal profession in the Commonwealth, spending 16 years in Ghana, the Cameroons, and Tanzania, ending in Trinidad and a Judge of the High Court. Among other things, he is Chairman of the Commonwealth Foundation, in London.”

As you know, he is our distinguished High Commissioner in London now. As a result of that article, Mr. Deputy Speaker, in the *Guardian*, of December 11, 1987, where he said he sought advice from the Chairman of the Law Commission, this is what the Chairman did. The Chairman of the Law Commission wrote to me immediately, and I have never made that public before, in, I suppose, an attempt to protect the Minister, as he then was. The letter is dated December 15, 1987:

“Law Commission,
Park Plaza,
70 St. Vincent Street,
Chairman P.L.U. Cross.

Hon. Selwyn Richardson,
MP, AG and Minister of Legal Affairs,
Red House,
Port of Spain.

Dear Attorney General,

My attention has been drawn to an article on page 3 of the *Trinidad Guardian* of Friday, December 11, 1987, in which Mr. John Humphrey is reported as saying that, legal advice was sought and obtained from the Chairman of the Law Reform Commission'. In order to set the record straight, I must say that no such advice was sought or obtained from me ..."

Honest John! But he comes here and wickedly and maliciously attacks the Member for Tobago East and the Member for Ortoire/Mayaro, saying, after he did all the acts referred to in these documents, that we got contracts for Wimpey.

Mr. Deputy Speaker, as you know, in my 10 years of ministerial life, from 1976 onwards, every year I have declared my assets, publicly, when there was no requirement to declare assets, because although it was in the Constitution, and although I made several attempts to get that constitutional requirement into the laws of Trinidad and Tobago, unsuccessfully—you could refer to the *Hansard*, debate in the Senate on Tuesday, April 11, 1978, when I laid a paper in the House, calling on the public to send their recommendations on integrity. That was a device to get my colleagues, as they then were, including the Member for San Fernando East, to support me in getting integrity legislation on the Table, without success.

I came back, again, using other devices when I realized what was happening. On Tuesday, May 2, 1978, by extending the time to get the public involved, to make sure that the public supported me in ensuring that integrity legislation became part of the laws of Trinidad and Tobago. I refer to page 533 of *Hansard* of Tuesday, May 2, 1978 on integrity legislation. The Attorney General, as I then was, said:

"Mr. President, I wish to announce that the deadline date for comments on the proposals for integrity, which expired on April 28, 1978, has been extended to May 15, 1978, in response to appeals from quite a few persons and associations throughout the length and breadth of the country."

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Without success, apart from, as I said, the enormous support I received from the public I could not get through, until I joined this Government and, in 1987, the first thing that we did was to have integrity legislation in this country; *vide* Act No. 8 of 1987.

We went on, of course, to do other things to ensure integrity in this country, for example Act No. 11 of 1987, an Act to provide for the prevention of corruption, *et cetera*.

Mr. Manning: An Act with a big hole in it.

Mr. Richardson: Better than no Act at all. As far as you were concerned, there should have been no Act at all. He made sure that there were no holes, because he wanted to ensure that there were rocks to protect the people who dealt—*[Interruption]* I have always been charitable to you, I will continue to be charitable to you.

Mr. Deputy Speaker, to rebut the malicious and wicked charges that the Member for Tobago East and the Member for Ortoire/Mayaro had any hand in the award of contracts for the refurbishing of the Red House, to Wimpey, or the several contracts Wimpey Caribbean Limited had in Trinidad and Tobago, I have two documents in my possession. The first is dated September 29, 1977, an agreement made between the Permanent Secretary, Ministry of Works, acting on behalf of the Government of Trinidad and Tobago, and George Wimpey, Caribbean Limited, for the enclosure of the dome and ancillary works at the Red House, in the city of Port of Spain. Ministry of Works, Mr. Deputy Speaker, Ministry of Works and Wimpey, after it went through Tenders Board, *et cetera*.

I have a second document, an agreement made May 9, 1984. Of course, I was in private practice then, having left Government in 1981. An agreement made on May 9, 1984, between the Permanent Secretary, Ministry of Works, Maintenance and Drainage, as it then was, and George Wimpey, Caribbean Limited, for phase two of the rehabilitation of the Red House.

So that all the documents would attest to the fact that what was done was properly done in accordance with the Central Tenders Board Ordinance, as it was at that time. Here is what he said about that.

“There are certain people in the Cabinet who had a vested interest in giving this contract to Wimpey. The two men in the Cabinet, Mr. Speaker, who did everything possible to frustrate the awarding of this contract to the lowest tenderer were the Prime Minister and the Member for Ortoire/Mayaro.”

How wicked, how malicious can he be! What depths would someone sink to when they want to vilify people or to tear them apart! This is what the Member for St. Augustine tried to do last week.

Mr. Deputy Speaker, as I said, I declared my assets every year from 1976 to 1981, when I was in this Parliament. I came back in 1986 and I have declared my assets to the Integrity Commission annually without query. I have all my records here; there have never been queries.

The Member for St. Augustine implied that moneys were paid. He continued:

“These were the two men, Mr. Speaker, who had determined that the contract should not be awarded to the lowest tenderer, or even to the second lowest.”

This, in the face of the documents showing how he attempted to interfere with contracts. To continue, the Member for St. Augustine stated:

“Wimpey had to get the contract by the hook or by the crook and I think it is by hook and by crook.”

Then he went on to state that:

“I can only come to one conclusion, that there was a monumental pay off.”

Of course, implying that there was a monumental pay off to the Member for Tobago East and the Member for Ortoire/Mayaro.

As I said I was tempted to refer this to the Ethics Committee—whatever you call it—but I thought that it was better to come here and lay all the documents on the Table to show the real reasons why the Member for St. Augustine took the course that he did, including the course that he took last Friday to try to impeach my character.

If he knows that I have one cent more than what I have declared, firstly to the members of the public through this House and through the Senate from 1976 to 1981, and from 1986 to date through the Integrity Commission, let him make it public. I challenge him. If he knows that there is any money or anything else apart from what was declared I urge him to make it public.

I think I have dealt with him at length, and I think the documents would speak volumes. I do not think I need go into that any more. Just a few more words, Mr. Speaker, on this matter.

I support the member for Toco/Manzanilla. As I said, after agonizing, I realize human beings are weak. I know that from experience, from what I have

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done in public life and private life, in public life; particularly from 1976 to the present time. No doubt, there are reasons for the vicious attacks, increasingly so, on the Member for Tobago East, in particular, and on the Member for Ortoire/Mayaro. I have no cocoa in the sun, as my grandmother would have said, and I do not have to look for rain. I sleep comfortably at nights. When anyone knocks on my door, I welcome them, because I have no cocoa in the sun. I am afraid of no one except the Almighty, and I am not afraid of him. *[Interruption]* We are dealing with him and we will continue to deal with him. I am not supported by drugs or drug lords, let me make that very clear. I have never been in their company, and you know what I am talking about.

Mr. Speaker, I support the Member for Toco/Manzanilla, particularly, and Government in this, because it is the lesser of two evils.

Mr. Deputy Speaker, I came across this document recently—*[Interruption]* the Member for San Fernando East, I am always very charitable to him, he deserves charity, and I will continue to be charitable to him. When we assumed office—here is the man who talks about helping. Up to recently, I think I remember reading that he went to the Chamber of Commerce and talked about what he would do for the police and for the army, and to stop crime in this country. When he had a chance to do so for 20 years, he did nothing. The records are there. Go all over the country and you will see what I have done: Point Fortin, Mayaro, Port of Spain, this Red House, Hall of Justice, the law books, everything.

Let me quote from this recent letter I have received. This is from the firm of Wilmer, Cutler, Pickering, one of America's premier law firms, with over 200 lawyers with offices in Washington—*[Interruption]* Aagin, he is trying to divert and digress—London, Brussels, *et cetera*. Here is what the lead lawyer for our case wrote, Mr. Speaker:

“Wilmer Cutler, Pickering, Washington, D.C., Selwyn Richardson.

Dear Selwyn,

Thank you for the articles concerning the wonderful victory in Ontario. This is a culmination of many years of fine and persistent work on your part. You have done a great thing for your country, and you should feel very proud.”

Mr. Speaker, several such letters came from the Canadians, *et cetera*. That is what I have done. After 14 years of hard work, sometimes being frustrated by

others whom you have now joined including your colleague from San Fernando East, to whom I am very charitable—

5.35 p.m.

Mr. Deputy Speaker, when we took office in 1986, this is the state of affairs we met in the police service, the same police service which the Member for San Fernando East wants to embrace now. It was totally run down, as the whole of Trinidad and Tobago was. This is why we have to deal with St. Ann's Hospital now, after 30 years of neglect, with every building on its knees. You will be shocked. I have no reason to defend it. It is not our fault. It is not my fault. We are trying to get solutions now. Unfortunately, as I said publicly, when protest should have been made—because no moneys were being spent there.

Instead of spending \$1.2 billion, as the *Lancet* magazine of June 1991 said, on Mount Hope, we should have had a nice facility at Mount Hope—it was a good idea—but not the quantum of money that was wasted there. As the *Lancet* said, at least \$300 million of that should have been spent on upgrading the Port of Spain,

San Fernando and Scarborough General Hospitals. You cannot send all your people to Mount Hope. *[Interruption]* Of course, I had left a long time. I was there at the beginning of the idea. The idea was good, as the *Lancet* said. It went out of order—

Mr. Valley: Mr. Deputy Speaker, the Minister is misleading the House. He was in the Government in 1980 when the decision was taken to start Mount Hope.

Mr. Richardson: That is what I am saying.

Mr. Valley: He cannot come now and say that we spent too much on Mount Hope.

Mr. Richardson: Mr. Deputy Speaker, this is a bit of dishonesty, if I may say so. That is exactly what I am saying.

Miss Nicholson: Mr. Deputy Speaker, I just want to clear the air. That representative for Diego Martin Central was the main negotiator of the People's National Movement government, in the Ministry of Finance where all our money was skullduggered.

Mr. Valley: Mr. Deputy Speaker, more than that. They would not tell you about the transaction which was used to reduce the cost of Mount Hope.

Miss Nicholson: He should be ashamed to rise here this afternoon.

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Mr. Deputy Speaker: Hon. Members, please take your seats. Hon. Member, for Diego Martin Central, please take your seat. Can we proceed with the debate in an orderly manner? The Chair recognizes the Member for Ortoire/Mayaro.

Mr. Richardson: Mr. Deputy Speaker, I hope I get injury time. This borders on dishonourable conduct. This is exactly what I am saying. This is what the *Lancet* magazine, the premier medical magazine, possibly in the world, says. The decision was a good decision. I was part of the original decision to build Mount Hope, and I stand by it. It went wrong after, when hundreds of millions of dollars were spent on extra facilities. All they are saying is that it was a good decision originally—like the Hall of Justice; a necessary decision—which went awry.

Mr. Valley: Since you left, they began to understand.

Mr. Richardson: Mr. Deputy Speaker, with people like the Member for Diego Martin Central, who was then in the driving seat in project financing, it must have gone bad. *[Interruption]* You should know.

Mr. Deputy Speaker: Order please! Please address the Chair.

Mr. Richardson: He was there, Mr. Deputy Speaker. He tried to mislead me and I did not fall for it, so he must know. If \$300 million of that was taken to refurbish places like St. Ann's, Port of Spain, San Fernando and Scarborough, Tobago, we would not have been in the quandary that we are now in. That went throughout the whole of Trinidad and Tobago—Mount Hope, Twin Towers, Hall of Justice—moneys just escalated; moneys went out of Trinidad and Tobago allegedly to have been spent on those projects but some of the moneys were not spent on the projects.

Mr. Manning: Mr. Deputy Speaker, would the hon. Minister—

Mr. Richardson: Let me finish. It was not only in the health sector. This is a paper on police. We met the police “on the floor”, not only with respect to vehicles. I remember, when I acted as Minister of National Security in June 1987, I saw policemen without shoes. They were wearing sneakers because they were not even provided with boots. That is a fact. You have policemen all around you, ask those with more than five years service and they would tell you that.

Mr. Manning: I appeal to the hon. Minister, let me—

Mr. Richardson: Let me finish make this point. This was the position on June 24, 1987 re the police:

Division	No. of Vehicles	Money needed for
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	out of order	repairs
Transport Branch, St. James	66	\$715,000
Southern Division, San Fernando	7	\$ 75,000
South Western Division	8	\$170,000
Central Division, Couva	6	\$60,000
Northern Division, Arima	13	\$208,000
Eastern Division, Sangre Grande	6	\$50,000
Tobago	10	<u>\$150,000</u>
	Total:	<u>\$1,428,000</u>

They were left on their knees. I want to make sure that I get injury time with all these interruptions.

Mr. Manning: I thank the hon. Minister, very sincerely, for giving way. Mr. Deputy Speaker, the hon. Minister has just alleged impropriety in all the circumstances surrounding the construction of the Hall of Justice [*Interruption*] What was it? If that were so, why did his Government refuse to include the Hall of Justice for investigation by the Alexander Commission of Inquiry, on the suggestion of the PNM? Why was it not included?

Mr. Deputy Speaker: Before the hon. Member answers, I want to let him know that he has three more minutes to wind up.

Mr. Richardson: Does that include injury time?

Mr. Deputy Speaker: Yes.

Mr. Richardson: Mr. Deputy Speaker, this is what I said in a paper, dated October 12, 1989:

"Severe constraints have been imposed on the efforts of the protective services to procure additional equipment or to replace unserviceable equipment. The implications of this situation for the mobility and deployment of the services in a situation of national emergency are extremely grave. I am of the view that this is a situation which, as a matter of greatest urgency,

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should be dealt with, with a view of having consideration being given to providing allocations to protective services."

As a result, Cabinet agreed with me and ordered 20 motorcycles, 40 short-wheel base jeeps, three long-wheel base jeeps, 14 cars, prison van, riot van, mobile canteen, minibus, wrecker, *etc.* It went through the Central Tenders Board. This is why I want to support strenuously the Member for Toco/Manzanilla who now has these arduous duties. In October 1989—even before the attempted coup—this is what I stated. Cabinet agreed with me, took all the necessary action, and sent it on its merry procedural way, to make sure that the protective services got on its feet. It was only recently that the Minister of National Security started getting results from these actions. You know what happened in July, 1990. The protective services were on their knees at that time.

Mr. Deputy Speaker, I cannot go into any more details because, as you said, I only have three more minutes. Because of my experience, I had, as I said, much agony before coming to the conclusion that I should support this, agony because of the weaknesses of human beings, particularly when people get power, particularly when it deals with taxpayers' moneys and public moneys. But under the circumstances, rather than wait until an emergency like July 1990—because of the situation we inherited throughout the country in every facet: health, army, police, coast guard—you just have to look at any sector of the country and you will see what we inherited, and which we cannot cure in five years. But no matter, we will be getting another five years to make sure that we cure these defects which we inherited.

Mr. Deputy Speaker, under the circumstances, I have no hesitation—it is the lesser of two evils—in supporting the Member for Toco/Manzanilla and Minister of National Security in this quest.

5.45 p.m.

What I would add to the Member for Barataria/San Juan, I was a bit bothered about the fact that I did not see the documents to say what replaced it. Now that I have seen the documents, without hesitation, looking at it as a whole, with my 10 years' ministerial experience, I add to what the Member for Barataria/San Juan said, I have seen the documents; the steps he has taken to make sure that taxpayers' moneys are well protected. I am sure that no Minister would have an input into this. He has protected himself, he has protected his ministerial colleagues; he has protected taxpayers' money. Under these circumstances, unhesitatingly, I support this bill. Thank you.

Mr. Raymond Palackdharrysingh (*Naparima*): Mr. Deputy Speaker, it is very pathetic to hear a Government say, very openly, it has to choose the lesser of two evils. It leaves the nation to wonder what has happened to its political foresight—if ever there was any—and it leaves us to wonder how can we knowingly support a situation that is acknowledged by the Government to be an evil, lesser as it may seem.

I also heard, in a previous contribution in the House, that one Member cautioned “be careful least you leap from the frying pan, into the fire.” Again, it is an admission that the country was in the frying pan and it was clear that the direction in which the Government was moving was certainly going to be in the fire.

Mrs. Donawa-McDavidson: Mr. Deputy Speaker, on a point of order. The term “from the frying pan, into the fire” was made by the Member for Laventille and the term was made strictly in the context of the bill before the House, drawing attention to the honourable Minister to be cautious of the changes that he is making with the bill, least he moves “from the frying pan into the fire”. It has nothing to do with any Government, previous or present.

Mr. Palackdharrysingh: Mr. Deputy Speaker, I accept totally, the explanation. [*Interruption*] Not on my behalf, it just reiterates what the position was and is.

The Central Tenders Board Ordinance No. 23 of 1961 obviously had its genesis in an attempt to bring about some measure of accountability. It had its genesis in trying to set down methods, procedures and principles whereby Government would award contracts for projects in the national interest. This Central Tenders Board has sole and exclusive authority in accordance with the Ordinance, as is provided in section 27B of the Central Tenders Board (Amdt.) Act of 1979:

- "(1) ...to act for, in the name and on behalf of the Government and the statutory bodies to which the Ordinance applies in inviting, considering and accepting or rejecting orders for the supply of articles and for the undertaking of the works of any services in connection therewith, necessary for carrying out the functions of the Government or any of the statutory bodies;
- (b) To dispose of surplus or unserviceable articles belonging to the Government or any statutory bodies;"

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I was appalled to hear in the presentation made by the hon. Member for Toco/Manzanilla that the reason for attempting to modify the Central Tenders Board Ordinance was that it had become necessary to maintain law and order for the Ministry to outfit and equip itself. I heard also that time had changed and so must the law and the real world of security and safety demanded it; therefore, the Ministry must have tools at its disposal. He went on to elaborate and tell us how the United States had donated 25 jeeps and he indicated that there was going to be training and refresher courses for members of the security system.

What I think interested me the most was his statement that in order to access funds for use by the Ministry, there were too many channels to be passed through, and therefore, it was necessary to amend the Central Tenders Board Ordinance and to handle in-house, the provision of the range of goods and services for the protective services. I think what was sad though, that there was not an inkling of an approach to be used in the in-house arrangement. Here is the crux of the matter,

when it comes to accountability, with all the arguments for law and order, secrecy and security, I want to agree with the point previously made in this House by the Member for San Fernando East. What do we really have to be secret about in this society in terms of the security forces?

5.55 p.m.

What is of great concern, as I said, there was not even a suggestion as to how the in-house arrangements were to be handled. Is it fair to say at this moment that we have witnessed over the years a watering-down of the provisions of the Central Tenders Board? I believe to water-down the scope of the Board is to tell those who serve on it, that their method of operation is not desirable any more and that the rationale for the establishment of such a Board in 1961, is no longer applicable. It would seem that the logical conclusion is to repeal the ordinance and to open the floodgates to arbitrary decisions, nepotism and corruption. That would seem to be the logical conclusion, because when you look at section 20 of the Central Tenders Board Ordinance, you would see the provision for the request for invitation of offers to be in writing, and the manner in which offers are to be made. I just want to look at section 20 of the Ordinance:

- "(1) Whenever articles or works or any services in connection therewith are required to be supplied or undertaken on behalf of the Government or a statutory body to which this Ordinance applies, the Government or such statutory body shall make written request to the Board to invite on its

behalf offers for the supply of those articles or for the undertaking of the works or services in connection therewith.

- (2) The request referred to in subsection (1) shall contain a sufficient description of the articles, works or services to be supplied or undertaken.
- (3) On the receipt of any such request, the Board shall either—
 - (a) invite members of the public in general to make offers for the supply of such articles or for the undertaking of such works or services, as the case may be, by notice published in the *Royal Gazette* and in local or oversea newspapers, or
 - (b) subject to the approval of the Minister, invite such bodies or persons as may be selected by the Board to make offers for the supply of such articles or for the undertaking of such works or services, as the case may be, whenever the Board considers it expedient or desirable so to do.
- (4) The notice shall contain:
 - (a) a sufficient description of the articles required or of the works or services to be undertaken and shall whenever necessary also contain the place where and the time when additional information relating thereto can be obtained;
 - (b) the form or manner in which an offer is to be made;
 - (c) the date and time within which an offer is to be made;
 - (d) the place where and the manner in which the offer is to be submitted.”

It is a provision not to exclude the public, but to give sufficient description of articles required and for the obtaining of additional information.

We cannot allow the experience that we have been through under the previous Government to go unnoticed. By 1978, the PNM moved in a direction to negate, as they said, infrastructural bottlenecks and in so doing threw the baby out with the bath water. Money was no problem as they said, but men and materials were not available. To this extent, those of you who could remember the contents of the Ballah Committee Report on the government-to-government arrangements would say that these sentiments have been expressed in that document.

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Did not the Minister of Finance in 1978 express the view that the domestic construction sector was unable to cope with the level of developmental activity? In 1978, he indicated the manifestations of this scenario. He pointed out that the award of contracts was time-consuming, the tendering procedures was a hindrance; and there were delays in an erratic delivery of materials to government projects, coupled with poor management of the work-force and shortage of staff, particularly engineers and quantity and land surveyors; materials and machinery to key implementing agencies such as the Ministry of Works.

Let me again remind the House of the rationale of the PNM Government in its attempt to bring about government-to-government arrangements, shortage of legal staff to prepare necessary legislation to permit implementation of government policy and the rigidity of the field structure of local consultants. Again, they pointed out the opportunity which the state of the market gave to local contractors to engage in price-fixing on government contracts; the inability of local contractors to maintain agreed schedules; poor workmanship and the use of shoddy materials by contractors. There were also the identification of the lack of response to public notices of tender and selective tendering in respect of important government projects, and the failure of government ministries and agencies to pay consultants promptly for services rendered.

6.05 p.m.

This, I believe, became the case made out for tampering with the Central Tenders Board Ordinance to enter into government-to-government arrangements and then the Central Tenders Board Ordinance was amended in 1979 to give power to the Government to act on its own behalf.

Mr. Deputy Speaker, when you look at the amendment in 1979 to the Central Tenders Board Ordinance, you will see in section 6:

"The Ordinance is amended by adding immediately after section 20, the following section—

20A.(1) Notwithstanding the provisions of section 20(1), the Government may act on its own behalf where—

- (a) as a result of an agreement for technical or other co-operation between it and the Government of a foreign state, the latter designates a company to supply the articles or to undertake the works or any services in connection therewith;

- (b) the articles or works or any services in connection therewith are to be supplied or undertaken by a company which is wholly owned or controlled by a foreign state;
 - (c) it enters into a contract with a company which is wholly owned by the state, for the supply of articles or for the undertakings of works or services in connection therewith; or
 - (d) it enters into contract with a company for the purchase of books for official purposes;
- (2) The President may by Order published in the *Gazette* exclude from the provisions of the Ordinance any company which, having successfully undertaken one phase of a project, has expressed a desire, and is able financially and otherwise, to complete the project or any other phase thereof."

This was, in my view, the famous amendment in 1979 that gave rise to government-to-government arrangements, but, I saw nowhere in any sort of concerted manner, an attempt being made to really contain what was to follow. Agreements, and probably as they say, memoranda of understanding, were undertaken, and the sort of arrangement that was stipulated in the Ballah Report indicated that the Ministry of External Affairs would have the responsibility for contact with a foreign government in the area of co-operation, the negotiation of an umbrella agreement, and the Permanent Secretary of the Ministry of External Affairs, was to be designated Chairman of the negotiation and signatory on behalf of the Government of Trinidad and Tobago. The Ministry of Legal Affairs and the Ministry of Finance would participate and advise in the negotiations.

For the Government of Trinidad and Tobago then, Mr. Deputy Speaker, the executing agency would have been the ministry under whose responsibility the project fell, together with the statutory authority or any other related agency where relevant. That was stated. The Permanent Secretary of the nominated ministry or designated official of the executing agency would have been responsible for negotiating all specific contracts. The Ministry of External Affairs and the Ministry of Finance were to participate in all negotiations. I now ask: Is this the type of in-house arrangement that would be implemented by the Government of Trinidad and Tobago as it seeks to amend the Ordinance and bring under its purview matters of expenditure related to the Ministry of National Security? We need those answers and I hope that the goodly Minister, in his

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reply, would at least spend some time in enlightening this House about the procedures that are envisaged to carry out the business of the Ministry of National Security, lest we continue to be in a frying pan situation where we are going to be led into the fire. I hope that we will not go from bad under the PNM to worse under the NAR.

The country has to know about these particular arrangements. I wonder whether the Permanent Secretary of his ministry will be the chairman of negotiations with overall responsibility for the ministry's project; I wonder if there is going to be an appointed projects officer to assist the Permanent Secretary; I wonder whether the Ministry of National Security would be the executing agency responsible for making the technical and financial evaluation of proposals for projects. Will the Ministry of Legal Affairs vet contracts? Which ministry would monitor and co-ordinate inputs by other ministries? Let the Hon. Minister report to the House on these matters.

In that same report, the Ballah Report, an evaluation of government-to-government arrangements shows that the advantages were more illusory than real and the cost outweighed practical benefits. You see, what the report indicated, was that the government-to-government arrangements created a series of monopolists in respect of each project with no predisposition to negotiate and that, of course, is a lesson for us to learn. Contract negotiations under that project dragged on when the Government of Trinidad and Tobago was unable to accede to the demands of foreign enterprise and I am wondering whether the Ministry of National Security would be employing some of these foreign firms and consultants, because in the amendment to the bill before us, they have brought in the physical infrastructural needs of the ministry.

6.15 p.m.

What was found out was government-to-government arrangements succeeded in implanting another layer of bureaucracy and that layer of bureaucracy was the foreign government. There was, as they pointed out, delayed motivation because foreign firms cannot assimilate local conditions of culture quickly and that is also an important thing when thinking about development. Because when people get to your country at the initial stage, they are likely to experience some measure of being unsettled because of cultural differences. It may not be a cultural shock, but at least they would need time to settle into the norms and mores of our society and, therefore, with the best of foreign expertise sometimes, you would find that

because of the cultural variation they are not able, really, to grasp what is likely to happen in your own society.

Again, one cannot overlook the possibility of lobbying with a view for awarding contracts and I do not think we need to remind ourselves about the lessons of kickbacks and corruption and so forth. It is ever before us like a ghost to haunt us and maybe to remind us of what we ought not to do or even think about doing.

What, therefore, Mr. Deputy Speaker, will be the minimal standards for projects by the Ministry of National Security and what guarantee is there that substandard work and material will not be used? Because again, when you look at a number of the projects involved in government-to-government arrangements, in the end this is what they got, substandard materials and substandard projects on their completion. Again, we found out that many of the foreign contractors refused in so many ways, to comply with the tax laws of our country. It also meant that packages were arranged which then resulted in huge outflow of currency to buy the foreign equipment and the foreign companies derived extreme foreign exchange benefits.

Mr. Deputy Speaker, also, when expenditure is involved in the Ministry of National Security and to the extent that the amendments are made in the bill—and one would see the range of matters to be acted upon—it is no doubt that millions of dollars would be spent on equipment, arms and ammunition, repair and maintenance of aircraft equipment and vehicles including coast guard vessels, security equipment including scanners, detectors and safe fax machines, uniforms and protective gear; vehicles, aircraft, marine craft, mechanical equipment and parts thereof, wireless equipment and spares including radar system. Again, as you say, horses and dogs, rations and construction of physical facilities.

The construction of physical facilities would, of course, normally involve a whole range of complex construction works, in the provision of buildings and therefore, it seems very likely that a significant part of the national budget, particularly at a time when the Government is really looking for scapegoats—would be allocated as a diversion to tell the people that their security is of paramount importance, when we know fully well that there are other areas in the community that need to be addressed in order to put citizens at ease.

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Mr. Deputy Speaker, what that report concluded is very telling. It concluded that in the government-to-government arrangements made possible by the amendment of the Central Tenders Board Ordinance, section 20(a)(1), were exploitative monopolistic, inflationary, discriminatory, especially among all professionals. It also indicated that it had a negative impact upon the local expertise and it gave foreign firms the opportunity to maximize their foreign exchange earnings and led significantly to higher local unemployment.

Mr. Deputy Speaker, no matter what are the signals being sent out, I am going to speak and speak at length, so I do not care how many teeth are being sucked and whatnot. It is not for me. It will be for the electorate to have mercy on you. They should have relieved you of your burdens and responsibilities.

We saw in that situation also, that exploitation was perpetrated and there were big cost overruns; complete misunderstanding of local conditions and ineptitude; foreign monopolists dictating the prices; discrimination in favour of foreign firms; the flouting of local regulation in negotiations and also there was no reciprocal goodwill in marketing. Perhaps it was expected that in the arrangement of government-to-government contracts certain reciprocal arrangements will be made for us, maybe to sell some of our goods and that was not forthcoming.

Most important, there was substandard foreign financial transfers and very little transfer of technology. That also is important because since we do not manufacture aircraft and ships we are going to have, at least, to procure people or the transfer of technology that might be appropriate to us on the way to handle and service that technology. That is something which is important and the Government owes the country an explanation on how it intends to deal with technology that is going to be important anyway. How will they service it? How will we get replacement parts? How will our personnel be trained for maintaining these equipment? Because, as we see, in so many instances, so much equipment, be it in the coast guard or the army, millions of dollars of equipment are lying idle because they cannot be serviced; maybe they cannot find the parts. Maybe the type of technology that was sent to us was outdated technology; of course, those things must be explained. You see, that is where accountability is important, Mr. Deputy Speaker.

6.25 p.m.

We must keep the local people with a measure of confidence. I think the need for the great secrecy that this Government wants is ill-founded, because I am sure that within the ranks of our trained people, we have the type of skill that is necessary to give us the fillip in the maintenance of our equipment.

Mr. Deputy Speaker, when all of this was done, the report made certain recommendations, and this is important. These recommendations are important. The report stated that:

“The system of open competitive bidding, including prequalification where appropriate, should be used to secure the best offers for the implementation of projects. Bids should be insisted on basis of adequate preplanning and complete design, and preference should be given to local consultants and contractors.”

Again, as the Leader of the Opposition mentioned:

“Steps should be taken to review the operations of the Central Tenders Board so that it functions efficiently and expeditiously. Tenders Committee must be set in ministries similar to those in state companies and statutory boards which do not fall under the purview of the Central Tenders Board.”

So, since 1982, Mr. Deputy Speaker, it was felt that what was really required was making the Central Tenders Board more effective in order to do the work, rather than trying to emasculate it. Mr. Deputy Speaker, you would see that until a better system of accounting is found, there is still merit in the Central Tenders Board, unwholesome as it is being made out to be. In-house arrangements of the previous governments with their ministries and whatnot and foreign contractors have shown how much is left to be desired.

Mr. Deputy Speaker, when we look even at the operations of ministries in the present situation, we find that certain accounting procedures are not followed. The Auditor General's Report of 1990, has indicated in the Ministry of Justice and National Security many irregularities. Frauds and losses, for example, and other irregularities are indicated in section 506 of the Report; four fire hydrants amounted to \$182,000; and, when we look at what has happened in Camp Ogden, there were many losses there. When you look at section 506, Appendix A, it says that close to \$1 million was lost. You see where other things cannot be accounted for, Mr. Deputy Speaker.

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So, under the present system, difficult as it is, we still have some loopholes, but the government-to-government arrangement has shown us that with some measure of reconstructing, the Central Tenders Board is a system that will possibly work better.

Mr. Deputy Speaker, you know that the NAR in 1986 indicated that it was going to put in place an accounting system that should have been quite adequate, and probably out of the experience of their term of office prior to 1986, we have seen some very good recommendations coming from the Public Accounts Committee.

I recall, Mr. Deputy Speaker, that in 1988, the Public Accounts Committee laid its report in the House drawing upon the wealth of information by the previous Public Accounts Committee in which the Member for Chaguanas and the Member for Tunapuna served and in the end, the Government said that it noted the contents. Now, how effective is the Auditor General, Comptroller of Accounts and also the Public Accounts Committee with respect to accountability? And that, Mr. Deputy Speaker, has to be looked at. I want to use the second report of the Public Accounts Committee for the 1981—1986 term, which was House Paper No. 6 of 1985, and to indicate what the Public Accounts Committee then was finding.

That Public Accounts Committee indicated that some of the problems encountered were:

“The examination of the statutory authorities, ministries and departments by the Public Accounts Committee revealed the following problems:”

Mr. Deputy Speaker: The speaking time of the hon. Member has expired.

Motion made, That the hon. Member’s speaking time be extended by 30 minutes. [*Mr. T. Sudama*]

Question put and agreed to.

Mr. Palackdharrysingh: Thank you very much, Mr. Deputy Speaker.

Some of the problems encountered, Mr. Deputy Speaker were:

- “(a) a delay in the preparation and submission of detailed income and expenditure budget for the approval of the appropriate Minister to the large number of qualified audit reports by the Auditor General, resulting

- from over-expenditure of budgeted items due to a failure to exercise budgetary control;
- (b) an absence of the necessary approval of the appropriate Minister for variation of provisions or items in the budget;
 - (c) inability to provide on a timely basis documentary evidence of expenditure and control;
 - (e) untimeliness of reports to the Public Accounts Committee;
 - (f) many of the financial statements presented to the committee are outdated. The Exchequer Audit Act, Chap. 69:01, provides that financial statements be presented to Parliament on an annual basis, no later than six months after the end of the financial year;
 - (g) inadequacy of operations and accounting systems to provide operation support, appropriate reporting and budgetary and accounting controls;
 - (h) lack of adherence to established procedures, for example, to seek approval for overseas visits and the failure to collect or account for many outstanding debtors or debts of great age and dubious value;”

Mr. Deputy Speaker, the Committee went on to indicate what its findings were, and this is important because it would seem that out of this experience, certain actions were taken by some of my colleagues on the other side, and having gotten into office, they forgot what accountability really meant.

- “(i) adequate information is not readily available to Members of the Committee to enable them to interpret properly the documents handed to them;
- (j) there is no effective mechanism for obtaining additional information from the organization concerned, and in many cases the reports presented to the Committee were of outdated vintage;
- (k) the officers in attendance were in many instances unable to answer about the organization’s activities, and they were not the officers in charge at the time;
- (l) there are certain constraints about discussing the affairs of current periods not covered by the documents. As a corollary, result of the untimeliness of financial submissions, there is a grave difficulty in

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identifying responsibility for the efficiency, effectiveness, economy, and integrity of public expenditure;

- (m) there is a considerable backlog of financial reports to be examined by the Committee. At the current rate, this backlog will increase rather than diminish;
- (n) The Committee lacks an independent research staff, organization to perform important research, and investigators to equip the Committee with the information necessary to support its findings and recommendations in the current affairs to Government bodies;
- (o) the activities of the Committee placed a heavy work-load on Members of the Committee, and the work-load would have been welcome if the Committee were of the opinion that it was contributing meaningfully as an instrument of control over the operations of the Government;
- (p) in light of the foregoing, the Committee doubts the value of its recommendations in securing any operational improvement or impact on the organization which it examines. The Committee is, therefore, unanimously of the opinion that unless specific and effective reforms are instituted as a matter of urgency, the Public Accounts Committee will be unable to perform its role and function effectively;
- (q) The prevalence of the violation of regulations and other widely encountered deficiencies point to a deeper problem endemic in the fabric of organization of Government bodies. This is the existence of antiquated, inefficient systems which have long outgrown their effectiveness. General recommendations which address this universal problem of inefficient systems cannot be implemented at departmental level, but require the active participation of the central Government to initiate and direct the development of systems which satisfy the organizational objectives.”

Mr. Deputy Speaker, I took the pains to go through this list of recommendations made by that Public Accounts Committee, because I believe out of its own experience and frustrations in that period, it was prompted to make these recommendations. As a matter of fact, I cannot forget that because of the lack of accountability, the hon. Member for St. Ann's East carried on a 40-day fast in front of the Hall of Justice, highlighting some of the problems.

Since this third Parliament met—and already this report has been there, one has been laid in 1988, and debated—what steps were being taken by the Government, at least to improve one of its committees with some measures for effective operation as to ensure some sanity of accountability? In spite of the information available to the Government about these matters, we would see that the public service has grown tremendously over the years and that the Auditor General's Department has always been complaining in their reports that they have not been provided with enough adequately trained staff to do their jobs. This, Mr. Deputy Speaker, has to be looked into, because, you see, it is when we strengthen some of these parliamentary committees, then it can give us the option to review the operations of other accounting bodies such as the Central Tenders Board. But I am afraid, Mr. Deputy Speaker, that what has been happening here is that there is a failure of the Government to implement some of its promises in the manifesto with respect to accountability, and now wanting to create the impression that they are so concerned about national security, therefore, it is now coming to emasculate the powers of the Central Tenders Board, and to put an arrangement in-house that might be even fraught with greater dangers for accountability.

Mr. Deputy Speaker, I cannot see this provision at all helping in the expediting of business in the Ministry of National Security. As a matter of fact, it might very well be that if some of the parliamentary institutions are not provided with the adequate financing, staff, research personnel, some of these reports might take years, as has been the practice, to reach the Parliament before any action is taken. And sometimes when they reach, Mr. Deputy Speaker, some of the actors involved might have migrated, destination unknown, or they might have passed on to the great beyond and, therefore, the matter is closed.

So, Mr. Deputy Speaker, I could not understand why the Member for Ortoire/Mayaro, who has claimed to have had a history of searching to prevent corruption, could not address himself to a philosophy and a mechanism for improving the operational efficiency of accountability. Rather, in his own self-biased ways, he tried to knock down "Honest John" for almost three-quarters of his presentation, and to say how good he is as a representative.

I also cannot understand the Member for San Fernando East when he comes here and says, "Okay, so what? We have been at fault but in spite of that, we still deserve a chance to maybe prove our worth".

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Mr. Deputy Speaker, I think that we are faced with two evils, and whether or not one is greater and one is lesser does not do anything for their credibility to the nation, nor for their approach to the community to be given another chance; I do not think that is the issue because nothing has been done, really.

I am wondering what is the approach taken by the Ministry of Finance with respect to internal auditing and so forth. Again, I would like to indicate that a Report of the Auditor General of the Republic of Trinidad and Tobago, on a Comprehensive Audit on the Internal Audit Function of Government Ministries/Departments and Statutory Boards of April, 1987, which was laid before the House of Representatives on April 24, 1987, indicated its findings in the summary, and I want to quote this, Mr. Deputy Speaker, because at even the level of internal management, much is left to be desired. What initiatives have been taken by the Ministry of Finance, and the Minister, to make sure that better accounting systems are put in place? In the findings of this Report, Mr. Deputy Speaker, it says.

“The findings indicate that the internal audit sections were affected seriously by several unsatisfactory features. Major findings are highlighted hereunder:

- (1) a central authority was not appointed to establish internal audit in the public service and to control and direct its operation;
- (2) guidelines, standards, and procedures were not established;
- (3) audit manuals were not prepared;
- (4) audit plans did not cover all areas of operation;
- (5) audit programmes were deficient;
- (6) audit programmes were not prepared;
- (7) time budgets were not prepared;
- (8) financial budgets were non-existent resulting in the absence of financial control;
- (9) job specifications were not available;”

I leave out 10 and 11,

- “(12) special investigations were undertaken at the expense of completion of planned programmes;
- (13) adequate and competent staff were not provided;

- (14) training programmes were lacking in most instances;
- (15) departmental training programmes were not designed to include changes from manual to computer drive systems;
- (16) control records for queries were not maintained;
- (17) there were lengthy delays in replying to audit queries;
- (18) there was an absence of departmental evaluation on internal audit performances;
- (19) benefits derived from operating internal audit systems were not commensurate with the cost involved; and,
- (20) several entities were without internal audit sections.”

So, Mr. Deputy Speaker, those were the findings; the recommendations are on the next page. Since that report was laid here, what has been done in the ministries to really give some measure of internal efficiency to government departments?

Mr. Deputy Speaker, these days, auditors are not merely concerned with mere historic auditing. They are now focussing their attention on value-for-money auditing, performance auditing, and unless we can get some of these things going, then much of our resources would be wasted, and once they are wasted, we will never be able to get out of the syndrome that we are in, where corruption at some time is possible, where the state of the economy is going to be on the decline, and rather than be able to expand, to make optimal use of our resources and expand productivity, we are going to continue to have receding goods and services.

So, it is time that we take a very serious approach to the entire system of accounting and today I think we should learn from our experiences where it is possible to go wrong. Therefore, it is my contention that just amending this Central Tenders Board Ordinance is watering down the power and the authority of the board, opening up the Ministry of National Security to systems that are unknown, and we do not have a clue as to what is going to happen and, therefore, one cannot, granted historical experience, rule out the possibility of corruption, mismanagement and waste.

Mr. Deputy Speaker, I found a clipping here from the *Sunday Express* dated July 21, 1979 headlined “ANR: I am fed up with this society.” It states:

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“ ‘I do not care to stay in this Parliament very long, I am fed up. This society is totally corrupt. It is the most wasteful society I have ever known.’ The dramatic outburst came as Mr. Robinson was winding up his contribution on a Government motion...”

I am quoting from the newspaper here—

“seeking to up the Republic’s borrowing power to four billion. ‘We are totally fed up with the corruption in Trinidad, with the complete disregard for human and material resources’, Mr. Robinson said, criticizing the National Fisheries Company for buying fish from Tobago and dumping it into the sea. He supported Opposition leader Basdeo Panday in arguing that the Government was increasing its borrowing power from fifty million in ‘67 to four billion in ‘79. Mr. Robinson said this was a staggering increase in liabilities being incurred in the name of the people of Trinidad and Tobago and a recipe for bankruptcy. He warned that other oil-producing countries had also gone for steel plants and energy-based industries only to find themselves in serious economic trouble later on.”

How could a Member of the Parliament say this and now as the Prime Minister of the country will not give any serious attention to the matter of accountability? One wonders, with a foreign debt of \$5 billion and \$4 billion locally, and this increasing amount of payment by 16 per cent every year, where we are going.

Mr. Deputy Speaker, in all sincerity and out of a total conviction, I, like my colleagues, cannot support the provisions of this bill before us, and I am afraid the Government will find it difficult to justify to the population its intention to further water-down the provisions of the Central Tenders Board.

Thank you, very much.

6.55 p.m.

Mr. Kenneth Valley (*Diego Martin Central*): Mr. Deputy Speaker, what appeared to be a simple amendment is turning into a very heated debate. I would like to start this evening by saying that I am one of those who have the greatest respect for the protective services, whether they be the armed forces, which include the Defence Force and the Coast Guard, the police or the fire brigade.

As a matter of fact, I want to place on the record this evening, my thanks for a job well done in my constituency with respect to the tornado which struck the Pinewood and other areas yesterday afternoon. I was there this morning, and I

understood that both the fire service, as well as the police, acted expeditiously and efficiently, and I thank those services for a job well done.

Mr. Richardson: Under the guidance of the hon. Minister of National Security.

Mr. Valley: Fine, no problem. I want to make the point that perhaps at times we do not pay sufficient regard to the protective services. July 27, last year, for example, were it not for these services, I think we would have been in a very difficult situation. I think it is only in cases of emergencies, such as July 27, or perhaps when a tornado strikes, that we see the importance of these men of uniform.

Mr. Richardson: July, 1970.

Mr. Valley: Yes, and 1970. Mr. Deputy Speaker, when I looked at the amendments at face, I said, yes, anything that would make the job of these people easier, one ought to support. But then, on a closer examination, one has to ask exactly what are we doing. You see, consider this afternoon. We have spent quite a bit of time on the government-to-government arrangements.

Mr. Toney: *The Ballah Report.*

Mr. Valley: Yes, the *Ballah Report*. My leader, the Member for San Fernando East, made the point this afternoon that the experiences of the NAR or the PNM, really belong to our country, rather than to any particular political party.

Hon. Member: Is that so?

Mr. Valley: Given the experience we have had with the government-to-government arrangements, one wonders whether we ought to go down the same road again. The Member for Ortoire/Mayaro and Minister of Health—he has been so many things over the years, it is difficult to keep track—made the point that in 1981 there were a number of bills which were not proclaimed since 1961, and it was his job to do that, and I remember the incident.

Mr. Richardson: They were proclaimed, but improperly.

Mr. Valley: He had to do the correction. He told us this afternoon that one of those which he did, with a hard heart, was the Central Tenders Board legislation. We are asked to believe all types of things in this House. Earlier on, the Minister of Finance, my good friend, spoke about the amendment to the Central Tenders Board Ordinance.

Mr. Wilson: On a point of order, Mr. Deputy Speaker. I think the Standing Orders say that the Members must be referred to by the constituency they represent. I was just bringing it to your attention—the Member for Point Fortin.

Mr. Deputy Speaker: The Standing Orders say so.

Mr. Valley: I stand corrected, Mr. Deputy Speaker. The Member for Point Fortin, for the time being. I thank my friend for the correction.

As I was saying, the Member for Point Fortin made the point earlier on, that the Central Tenders Board legislation was amended in 1979, and Members may ask—because there are some people who want to come here and have us believe all types of things. I have here the debate of the Senate on Tuesday, August 14, 1979, listed at column No. 1712, as the first reading of the Central Tenders Board (Amdt.) Bill. When you look at this, you will see that the first reading was done by the Attorney General and Minister of Legal Affairs in 1979—I think we all know who that was—the person who now holds the position of Minister of Health. One week later, the same Attorney General moved the second reading in the Senate, and I quote:

"That a bill to amend the Central Tenders Board Ordinance 1961 be now read a second time."

In the first paragraph, a very short introduction of the bill, he said:

"This bill seeks to amend the Central Tenders Board Ordinance, 1961 by excluding from the provisions of that Ordinance certain contracts entered into by the Government of Trinidad and Tobago with the governments of other states or other agencies. That is provided for in Part I."

Then there was Part II. The introduction was very short, such that Sen. de la Bastide, when he rose to speak, said:

"Mr. President, it seemed to me, when I listened to the hon. Attorney General proposing the second reading of this bill, that with all due respect to him, he was as unprepared, as I am, to debate it. All the hon. Attorney General did was to read the Explanatory Note, which I think we are all capable of doing for ourselves."

Sen. de la Bastide, as he then was, went on to explain the provision. He pointed out that, yes, in part, he understood what the Government was attempting to do but he warned, at that time, that the amendment, opened a system for graft and corruption. He said that.

Mr. Deputy Speaker, the mover of the motion, in his closing contribution took Sen. De la Bastide to task.

Mr. Richardson: I have more faith in human beings than he.

Mr. Valley: He says, he has more faith in human beings. This guy has got to be a "twenty-four hours." Talking about the Central Tenders Board legislation in the opening of his closing statement, he said:

"Let me assure you and Members of this Senate, that in keeping with my promise, all the laws of Trinidad and Tobago are being revised. This is a short-term measure. The Central Tenders Board Ordinance is not exempt. It is being comprehensively revised and possibly, not this year, but early in the new year..."

We are talking about 1979.

"we shall be able to present to you a comprehensive draft bill on the Central Tenders Board Ordinance."

7.05 p.m

Now, I am sure my honourable friend would claim that the PNM held his hand when he wanted to act, but you would remember that when the new Government came in 1986, he was Attorney General, he was in that post for some time, so he could have done that comprehensive review of the Central Tenders Board that was required, at that time. The question is, the concept of system. *[Interruption]* I am hearing some noise from "Pit", but of course we would ignore that.

He said—

"The hon. Minister of External Affairs has been comprehensive in his contribution. He went much further than I would ever have dared to go, but let me state that I endorse fully every word that he has said."

"Every word". Talking about the—*[Interruption]* Yes, for the PNM, the same way he talks now, you will see it in a while. They say when he joins UNC, then he will be cursing NAR as well as PNM. *[Interruption]* I am not losing my point.

He continued—

"Sen. de la Bastide again raised the point about corruption. Corruption is something that in this world, unfortunately, possibly will never be wiped out; unfortunately, Sir."

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Sen. de la Bastide objected and said that what he was saying is that it opens the way, and not that they are corrupt.

Sen. Richardson, continued:

"I would not be deterred, Sir. What Senator de la Bastide raised on the question of government-to-government arrangements was the question of corruption on an unimaginable scale. He was talking about this matter of government-to-government arrangements.

Let me state emphatically that I have no cocoa in the sun. . ."

We heard that this evening, did we not?

". . .so I do not have to look for rain. I have declared my assets. . ."

We heard that this evening too, did we not.

". . .publicly and I intend to do so in the very near future again. I certainly have nothing to hide. I endorse the words of my friend, Senator Donaldson. And I am sure that I speak not only for myself, but if not for all, for most Members on this Government side when I say we have absolutely nothing to hide. We have nothing to fear, certainly not from this bill, or from the government-to-government arrangements."

The point is that in 1979, the honourable Minister came, and he believed in an idea. The Government had a certain policy and was facing certain constraints and thought that the best way to deal with that was to deal via government-to-government arrangements. The concept was good, we went for that, but you see, it is difficult—and this is what this Government has not understood as yet; that businessmen, whether they are in Trinidad and Tobago, whether they are in Moscow, whether they are in France; wherever they are, they look out for their interests; only for their interests and they have every right to do so; and any Third World country had better protect its interests.

So that when we entered the government-to-government arrangement, trusting, and we entered into contracts with the French government and they sent down someone to do the Mount Hope Medical Complex—I was there, I can tell you—you found that they would look after their own interests, the same way they would find out that Cable and Wireless are only looking after their interests and not our interest. They do not understand that. But after negotiating contracts all over this world, I can tell you that you had better protect your interests.

Miss Nicholson: You caused oil to run out like salts.

Mr. Wilson: Thank you for giving way. It is a very interesting point the Member for Diego Martin Central is on. I would like to ask him whether he can identify in what manner the Government of the day protected the interests of Trinidad and Tobago when it entered into these government-to-government arrangements.

Mr. Valley: Mr. Deputy Speaker, as I was saying—*[Interruption]* I am answering his question, after all, he is my friend. There were clear aims and objectives. The concept was very simple, to the extent that we dealt with the government. Legislation provided that governments of the foreign countries—quite unlike what I heard him say this evening—were supposed to identify the firms with which the Government of Trinidad and Tobago would deal. So that going that way, because the firm was recommended by the government of a friendly nation—*[Interruption]*

Naive; you are talking about naivety. You get so much clout in you four years that you do not even know up to now. You should be “bazodee” with the amount of clout you got with Cable and Wireless. You gave away our Telco. You would not realize it now, but 10 years from today you would still be alive; you would realize what you did. Could you imagine, you talking about getting \$40.5 million in dividends? You should be getting \$95 million that is what you should be getting, rather than giving away our firm. He does not understand that. It is a good thing I negotiated some contracts so it can help him now. *[Interruption]* Mr. Deputy Speaker, ask him who negotiated the contract. Ask him, he will tell you; he was there; he was the General Manager of the firm; he was the big boy. Ask him who negotiated, do not ask me.

Mr. Wilson: Mr. Deputy Speaker, just to clarify a position, and I have no qualms about it. I was removed and Mr. McKay was installed. It was a conspiracy between those and the then Minister in the Ministry of Finance; I would not call names, but I have the correspondence which went to the Minister and he has proved it; that Mr. Wilson should be removed and Mr. McKay should be installed; political interference at the highest order.

Miss Nicholson: McKay sucked out all the money and run away. *[Interruption]*

Mr. Deputy Speaker: For ease and progress, could I urge the hon. Member for Diego Martin Central to speak with the Deputy Speaker; we would progress better that way.

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Mr. Wilson: Mr. Deputy Speaker, I am not ashamed of that at all; because when I was there, I served to the best of my ability and I served honestly.

Mr. Valley: The people of Trinidad and Tobago did not think so. *[Interruption]* Remove from where? He was removed, I thought it was me because people do not remove me.

The point I was making is that we tried something back in 1978; we had a problem and we thought we had the solution. In 1981—*[Interruption]* It is Selwyn who introduced the legislation. Tell Selwyn about it.

Mr. Deputy Speaker: Order please, the hon. Member is being disturbed.

Mr. Valley: Mr. Deputy Speaker, in 1981, when we realized what was happening—

Mrs. Donawa-McDavidson: Mr. Deputy Speaker, I think it is most unfortunate for us to say that it was designed to thief. I believe that it has been based on an example of—*[Interruption]* No, Mr. Deputy Speaker, I have gone to Saudi Arabia and the governments out there in Egypt adopted the same measure. It was a method to do as much as you can in the country with oil resources, in the shortest possible time. So they can argue other points but please do not say that it was designed for that purpose.

Mr. Valley: A voice of experience, Mr. Deputy Speaker; someone who was there. The point I was making is that by February 1982, Cabinet appointed a committee. After seeing what was happening with this arrangement, the Chambers administration said, "Let us look at that" and set up a committee to do it. Lennox Ballah; Amelia Carrington, Treasury Solicitor; Harold Atwell; Professor Imbert; Ainsley Tim Pow; Farfan; Lingston Cumberbatch, a committee of five public servants. They made a big thing about this. I would tell you Mr. Deputy Speaker, we had a problem. Everybody in Trinidad will tell you the overheating we had in our economy. We could not get people. We tried government-to-government arrangements. In 1982, the Government said, let us look at that. They reported in late 1982. Since 1982, which government-to-government arrangement have we entered? They make a very stupid point. I am sure "stupid" is a parliamentary word.

7.15 p.m.

I am in business; the board of a company asked for a report; they commissioned a report; they got a report; what is their obligation? Their obligation is to take action to correct the problem, not to send it to shareholders.

This is what my government did. When the Government got the Ballah Report it acted.

Mr. Smart: On a point of information. Is the Member saying that the Government had no responsibility to report to the people?

Mr. Valley: I am saying that the Government had a responsibility to correct the error which was triggered by the government-to-government relations. That was their obligation. What they are looking for is straw, but you can look for a straw from now until forever, it is a straight case of blows whenever you call the election. You can run but you cannot hide. Whether you call it now or you wait until March, it is just naked blows, take that because that is the fact. Take that as a fact. All we have for you this year is naked blows, that is what it is. *[Interruption]* Robber talk!

Mr. Toney: All you want is a big straw hat now.

Mr. Valley: The problem with them is that they are on their way out. I am on my way in.

Mr. Wilson: Thank you for giving way. Would the Member for Diego Martin Central say what is his concept of accountability? Having spent taxpayers' money does he not think it appropriate that having found the error, that they needed to publicly account through Parliament to the people of Trinidad and Tobago? Is he suggesting that there is no concept of accountability? To whom does he report?

Mr. Valley: Did you account when you brought Telco down to its knees? To whom did he account when he bankrupt the people's insurance company?

Mr. Wilson: I am not surprised that the Member goes down to those depths and becomes personal. I want to tell him that I invested \$20,000 in the insurance company and the insurance company went through and I lost my \$20,000.

Mr. Valley: Could you imagine they made him Minister of Finance to bankrupt that ministry of Government? I am merely trying to be of some assistance to them in their dying days. That is all I am trying to do.

The point I am making is very simple. I am saying that we have some experience. We have the tried and tested way in which the Central Tenders Board has served us well. In 1979, we deviated and we got blows but more than that, in 1987 you would remember the second amendment to the Central Tenders Board Ordinance, when the NAR Government came in and they said they wanted to

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amend it for emergencies. Our good friend, the Member for St. Augustine, when he was part of the other side, when he came to the Upper House, do you remember what he did? I understood he was in a room; he called some friends; he said listen we have a problem: you take contract "A"; you take that contract over there and then after the pact he came to the House. Do you remember Mr. Deputy Speaker? When he came Sen. Furness-Smith, his friend in the other place, had to help him and said what he is doing there will not solve the problem because those contracts were already given out. They had to make it retroactive.

Do you remember when I said they were institutionalizing corruption? There was a certain editor of a Sunday newspaper who gave me an editorial. I sat in the same Senate and it was in December that my good friend came there to say, in fact, he was institutionalizing corruption in another matter. That other matter that they spent a lot of time talking about this afternoon in the House, this deep-water harbour issue about which contractor it should go to. I do not really know. What I find really relevant in that whole thing, is whether or not we have a deep water harbour in Tobago, because I was there in Tobago the week before they opened what they said is this deep-water harbour. Everybody in Tobago could tell you that they know it is not a deep-water harbour. Do you think Mr. Robinson does not know there is no deep-water harbour?

Miss Nicholson: On a point of order, Mr. Deputy Speaker. He is misleading the House and breaking the Standing Order. There is a deep-water harbour because we saw a big boat docking there with the crushing plant for Tobago and he will be seeing a number of cruise liners in the month of October docking there. Tobagonians will be telling you to shut your mouth, when you come to Tobago.

Mr. Valley: I want to see them. Whenever a real cruise ship goes inside there, I am going to come to this House to apologize, because they are going up and down the place trying to fool people.

Miss Nicholson: On a point of order, Sir. The crushing plant is there. I saw it. I saw the boat and the containers being taken off. Please tell him to apologize.

Mr. Valley: What was the size of the boat? Do you know? What is happening is that every day they are dredging and as they dredge more water comes in. That is what I find relevant, whether in fact they have a deep-water harbour, because they want to run up and down the place with their hypocrisy.

The point is that the Central Tenders Board Ordinance has served us well. It has served us well so far. There is absolutely no reason to move away. If there is need to tighten the legislation, let us tighten it, but let us continue with the current legislation. The Minister of Health, the Member for Ortoire/Mayaro promised—*[Interruption]* Last week there was no debate on this bill. I was not here the last time this matter was discussed, so I could not agree with him. It is a motion. You are sleeping in the House.

Mr. Richardson: On the last debate you agreed with it when Muriel asked you if you agreed.

7.25 p.m.

Mr. Valley: I was making the point that since 1979, our colleague from Ortoire/Mayaro promised comprehensive legislation. There might very well be—

Mr. Richardson: On a point of information, Mr. Deputy Speaker, if he looks at the laws of Trinidad and Tobago, Volume I, 1980, he would see on page 12, paragraph B—“Enactments omitted as scheduled for early replacement or substantial amendment” and among them he would see Act No. 22 of 1961, Central Tenders Board Ordinance. When I left, we did all the publication of the laws in 16 or 17 volumes. We could not do more at that stage. I left in 1981 and left them to do it. It was properly done.

Mr. Valley: Mr. Deputy Speaker, he left and he has been out ever since so he could not do anything. The problem is very simple. The Member came back in the government of 1987. If he had unfinished business, he had four and one-half years but they had to move him. Remember they had to move him.

If we have to deal with the matter, let us deal with it on a systematic approach. Not like my good friend who wanted us to believe this afternoon that this is part of the administrative reform in the public service. Let us not come here to try and fool people. I think my colleague dealt with that adequately. *Ad hoc* legislation without a general plan cannot aid administrative reform. Let us not fool ourselves. Let us be serious with the people's business. Let us treat with it honestly and that is what we need to do.

Mr. Deputy Speaker, obviously we cannot support this legislation. I thank you.

Motion made and question proposed, That the House do now adjourn to Friday, September 6, 1991 at 1.30 p.m. [Hon. J. Toney]

Question put and agreed to.

House adjourned accordingly.

Adjourned at 7.30 p.m.