

*Papers Laid**Friday, March 20, 1992***HOUSE OF REPRESENTATIVES***Friday, March 20, 1992*

The House met at 1.35 p.m.

PRAYERS[MR. DEPUTY SPEAKER *in the Chair*]**PAPERS LAID**

1. Non-reimbursable Technical Co-operation Agreement between the Republic of Trinidad and Tobago and the Inter-American Development Bank (Programme of Studies on Mined Lands Reclamation, Forestry, Wetlands and Fisheries Ecology)—October 30, 1991. [*The Minister of Planning and Development (Dr. The Hon. L. Saith)*]
2. Public Sector Investment Programme 1992. [*Dr. The Hon. L. Saith*]
3. Report of the Auditor General on the accounts of the National Lotteries Control Board for the year ended December 31, 1988. [*The Minister of Local Government (Hon. K. Valley)*]
4. Report of the Auditor General on the accounts of the National Lotteries Control Board for the year ended December 31, 1989. [*Hon. K. Valley*]
5. Report of the Auditor General on the accounts of the Prize Court for the year ended December 31, 1976. [*Hon. K. Valley*]
6. Report of the Auditor General on the accounts of the Prize Court for the years ended December 31, 1977; December 31, 1978; December 31, 1979; December 31, 1980; December 31, 1981; December 31, 1982; December 31, 1983; December 31, 1984; December 31, 1985; December 31, 1986 and December 31, 1987. [*Hon. K. Valley*]

Papers 3 to 6 to be referred to the Public Accounts Committee.

**WAGE SETTLEMENT
(SAN FERNANDO CORPORATION)**

The Minister of Public Administration in the Office of the Prime Minister (Sen. The Hon. Gordon Draper): Mr. Deputy Speaker, today I wish to inform the Members of this honourable House that following negotiations between the Chief Personnel Officer and the Contractors and General Workers' Trade Union representing the hourly, daily and weekly-rated workers employed

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by the San Fernando Corporation, a settlement has been reached between the parties on issues of wages and cost of living allowance; and a Memorandum of Agreement embodying the terms of settlement has been executed. The negotiations which have been conducted were in relation to outstanding collective agreements for the triennia 1984—1986, 1987—1989 and 1990—1992. The agreement reached is similar to the award by the Special Tribunal in respect of disputes relating to monthly paid public officers and which award is being implemented with effect from March 1, 1992. The terms are as follows:

Wages:

- (a) with effect from January 1, 1989, there will be consolidated with the daily basic wage rate that was payable in 1983, an amount of \$12.84 per day;
- (b) on this consolidated figure, a 2 per cent increase will be applied and the resulting sum will then become the new wage rate of each worker in the bargaining unit with effect from January 1, 1989 and continuing thereafter.

COLA:

With effect from January 1, 1990, each worker in the bargaining unit will be paid a fixed COLA as follows:

- (i) with effect from January 1, 1990 to December 31, 1990—\$1.31 per day for each day worked.
- (ii) with effect from January 1, 1991 to December 31, 1991—\$2.49 per day for each day worked.
- (iii) with effect from January 1, 1992 to December 31, 1992—\$2.76 per day for each day worked.

It is estimated that on the basis of a workforce of approximately 904 workers, the additional annual cost involved in implementing the terms of the agreement is \$4.7 million. Government has decided to implement the agreement with effect from March 1, 1992 at a cost of \$3.8 million for 1992. Provision for this was made in the 1992 Budget. Accordingly, Mr. Deputy Speaker, with effect from March 1, 1992, Government will implement the revised remuneration for the hourly, daily and weekly-rated workers of the San Fernando Corporation as follows:

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- (i) a revised wage rate consisting of a sum of \$12.84 per day consolidated with the basic wage rate that was payable in 1983 followed by a 2 per cent increase on the resulting sum; and
- (ii) a fixed cost of living allowance of \$2.76 per day for each day of service from March 1, 1992.

Also, Mr. Deputy Speaker, it is to be noted that following the suspension of the cost of living allowance of \$12.84 per day in 1987, an adjusted cost of living allowance was authorized for workers receiving lower levels of pay by Ministry of Finance and the Economy Circular No. 10 dated May 19, 1987, and Comptroller of Accounts Circular No. 15 dated June 29, 1987. In the light of Government's decision to implement revised arrangements from March 1, 1992, these adjusted rates which are being paid on the basis of the circulars mentioned would cease to apply.

Mr. Deputy Speaker, I thank you.

**MINISTRY OF HEALTH
(PROGRESS REPORT)**

The Minister of Health (Hon. John Eckstein): Mr. Deputy Speaker, I want to give you and through you this honourable House and, of course, the country at large, a progress report on Government initiatives designed to improve the operations of the Ministry of Health. These initiatives can be grouped under the following heads:

- (1) Administrative decentralization;
- (2) Changes in the accounting system in operation at the major hospitals;
- (3) Urgent upgrade work to hospitals and health centres; and
- (4) Major capital development works.

Administrative Decentralization:

Mr. Speaker, this honourable House is aware that over the past years, the quality of care provided by the health service has been declining, and I am sure, Mr. Deputy Speaker, that this House will support fully the Government's resolve to take strong and concerted action to reverse this trend. The reasons which have been advanced for the decline in the quality of care have been varied but a consistent theme has been the assertion that the problems of the health care

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system can be laid squarely at the doorstep of a highly centralized system of health care administration and delivery.

1.45 p.m.

At present, responsibility for policy-making, along with budget decisions, equipment purchasing and disciplinary matters is centralized at the ministry's head office. The headquarters of the ministry now has responsibility both for overall planning and administration as well as day-to-day delivery of health care.

Mr. Deputy Speaker, the Government is satisfied that such a high degree of centralization has negatively impacted on the ability of the hospital administrations to effectively handle their daily recurring problems, so much so, that while there have been over the years efforts and substantial sums of money invested in attempts to improve the health services of Trinidad and Tobago, the deterioration in the hospital plant, and the frequent protests by health workers, confirm the impotence of the existing system of administration to effectively maintain the physical infrastructure and manage the human resources within the ministry.

Some of the problems accruing from the present system of administration have been identified as follows:

- (1) Ineffective managerial and information support infrastructures;
- (2) Inefficient materials management and inadequate logistical support system;
- (3) Inability to effectively utilize human resource in the present bureaucratic structure;
- (4) Inadequate and even poorly maintained physical plant and equipment;
- (5) Manpower shortages in technical and professional service areas;
- (6) Inadequate security at the various institutions.

It is not, Mr. Deputy Speaker, that these problems have not been studied and suggestions made for dealing with them. Indeed, they have been the subject of at least four investigations spanning a period of 34 years, all of which recommended that hospital boards be established. The reports referred to are:

- (i) The Julien Commission (1957);
- (ii) National Advisory Council, 1978.

The view of this 1978 Council bears repeating for it has lost none of its relevance. I quote:

"The existing organizational structure for the provision of health services is based on a highly centralized management system, with the Ministry of Health being the apex of that system. The Ministry of Health seems to have responsibility both for planning, policy formulation and administration as well as certain day-to-day functions. This system may have been suitable when the demands for health services were limited and the scope of these services was narrow. The Council is convinced that such a structure is no longer suitable."

Mr. Deputy Speaker, the truth is that these arrangements were never suitable, but if, as the council concluded, they had become unsuitable by 1978, then one can only imagine how much more unsuitable they are today. But to return to a listing of the investigations into the health sector. There is:

(iii) The Toby Commission (1981);

(iv) The Holiday Inn Report (1983) Ministry of Health/PAHO.

Additionally, the National Planning Commission established by the former Government (1986—1991) in a document entitled "Draft Medium-Term Macro Planning Framework (1989—1995)", also made reference to a proposal to vest the responsibility for the running of individual hospitals in local boards or authorities in order to reduce the extent of undue centralization of administration.

Finally, senior officials from the Ministry of Health, following a retreat at Gaspar Grande, in 1989, concluded that in the context of restructuring the health services, the Ministry must withdraw from its traditional executive function and assume a policy-formulating and monitoring role.

Mr. Deputy Speaker, Members will be aware, I trust, that in 1985, the then Government, which incidentally came from the same political party that forms the present Government, began the process of creating a more efficient hospital administration system by agreeing to the creation of posts of Chief Administrative Officer or Hospital Administrator for each of the major hospitals of Port of Spain, San Fernando and St. Ann's. That was a necessary initial step in, first of all, stabilizing and unifying the administrative structure at the hospitals and thereafter providing a focus for further administrative reform. In addition, steps were taken to transfer responsibility for some of the personnel functions to the individual hospitals. After a hiatus of five years, the time has come for this

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Government to resume the work which that predecessor administration had begun.

Mr. Deputy Speaker, you will be aware that in its 1991 election manifesto, at page 33, the party which now forms the Government of Trinidad and Tobago promised to, among other things:

"... improve the management of secondary health care institutions through a system of administrative decentralisation with individual accountability under the umbrella of a national management system."

Specifically, with respect to secondary health care institutions, the manifesto gave a commitment at page 34 to:

- (1) the establishment of hospital boards responsible for day-to-day administration;
- (2) The establishment of a Hospital Corporate Unit at the central level to aid the Minister of Health in the formulation of national health policy to:
 - monitor progress and standards;
 - approve budgets;
 - provide authority for the addition or deletion of services at particular hospitals."

Mr. Deputy Speaker, you will also be aware that a central theme running throughout the said election manifesto was an undertaking to engage in full consultation with all relevant agencies where far-reaching and fundamental changes affecting them were contemplated.

Given our manifesto promise and the commitment to consultation, the Minister of Health consulted by letter with a number of health-related associations/boards enquiring whether they agreed in principle with the concept of administrative decentralization and the establishment of incorporated authorities—hospital boards—as a mechanism for achieving this end. The bodies consulted were:

1. Public Services Association
2. Tobago House of Assembly
3. Dental Association of Trinidad and Tobago
4. Chest and Heart Association of Trinidad and Tobago

5. Trinidad and Tobago Registered Nurses Association
6. Trinidad and Tobago Medical Association
7. Trinidad and Tobago Diabetic Association
8. Society of Radiographers of Trinidad and Tobago
9. Pharmacy Board of Trinidad and Tobago
10. Trinidad and Tobago Medical Board
11. Nursing Council of Trinidad and Tobago.

A review of the responses received revealed that there is very widespread support for the principle of administrative decentralization and specifically the establishment of incorporated authorities—hospital boards—for the day-to-day management of the nation's secondary health care system. Accordingly, the Government has adopted as official Government policy, the promise in the manifesto outlined earlier.

To translate this policy position into a concrete set of proposals, the Minister of Health has commissioned a study to determine the precise responsibilities and corresponding authority which will devolve on the various agencies within a decentralized system of administration. The results of the work of this committee—which is chaired by the Principal Medical Officer (Institutions) and which comprises representatives of the administrations of the major hospitals and the Pan American Health Organization/World Health Organization—will be made widely available for discussion in accordance with the consultative policy of this Government.

Changes in the accounting systems in operations at the various Hospitals:

Mr. Deputy Speaker, the determination and apportionment of costs is a critical factor in the delivery of efficacious and cost-effective health care. The current public service systems of accounting which apply throughout the health sector do not allow for the collection and recording of cost information in a manner which facilitates effective resource allocation and decision-making.

Mr. Deputy Speaker, to put it as simple as possible, no one at this time can tell you the cost of a procedure carried out at any of our health institutions. In this situation, it is impossible to rationalize treatment regimes, impossible to use the physical and manpower resources available in the most cost-effective manner. In short, it is impossible to manage.

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A recent study undertaken by a consulting group concluded that the needs of the hospital system are comprehensive requiring changes which suggest a significant departure from their current norms. The consultants recommended that a complete overhaul be undertaken of the existing administrative accounting and reporting systems currently in place at the hospitals.

The Government has considered the report of the consultants and recognizing that the production of cost information is a prerequisite for the introduction of a national health insurance system and, indeed, for any meaningful reform of the health services, has agreed in principle, to authorize the Ministry of Health to effect a transformation of the archaic accounting system operating at present in the nation's hospitals to a system of planning and budgetary control based on the estimation of cost or profit centres by department or area of functional responsibility.

1.55 p.m.

To effect this proposed transformation of the accounting system, the Government has agreed to augment the staff of the Port of Spain, San Fernando and the St. Ann's Hospitals with the following key personnel: A financial comptroller, a cost and budget analyst and a management information systems accounting co-ordinator. These three high level members of staff will begin the transformation of the accounting system currently in place at the hospitals to one which will provide, for the first time in this country's history, the cost of the services provided at the hospitals.

Urgent upgrade works to Hospitals and Health Centres:

Mr. Deputy Speaker, the House is aware of the extensive deterioration that has taken place over the years in the physical facilities—the hospitals, medical and dental centres—making up the state health services.

Given on the one hand the justified and persistent demand for improved health facilities and, on the other, the continuing shortage of Government revenue to effectively address the problem, a mechanism had to be found to enable privately sourced funds to be coupled with state resources to effect improvement to existing health facilities.

To this end, the Ministry commissioned the National Insurance Property Development Company Limited (NIPDEC) to carry out an extensive survey of health sector institutions with a view to determining the upgrade works necessary on all hospitals, health centres and ancillary facilities.

A review of the NIPDEC report revealed such a substantial deterioration of all the health infrastructure that only a strategic long-term programme of meaningful upgrade and maintenance works would have any chance of resuscitating the existing facilities.

The preliminary cost estimates given in the report for executing all the works are \$96 million for hospitals and \$21 million for medical and dental centres, a total of \$117 million. To this must be added the cost of purchasing related equipment conservatively estimated at 15 per cent of the cost of the physical works.

Government, after consideration of the NIPDEC's report has adopted a proposal which constitutes a joint initiative between the Ministry of Health and NIPDEC for the implementation of the more urgent of these works amounting to \$69 million. The proposal agreed to by Government can be briefly summarized as follows:

- (a) NIPDEC is to source \$69 million on a competitive basis through bids from financial institutions on terms and conditions to be approved by the Ministry of Finance;
- (b) NIPDEC is to use its tendering procedures to engage small and medium contractors to perform the various works;
- (c) NIPDEC is to use its technical and project management capabilities to coordinate and implement the necessary works;
- (d) The Ministry of Health, however, has overall responsibility for the upgrade works, and in the discharge of this responsibility is to provide NIPDEC with briefs and approve all architectural and engineering designs prior to commencement of construction.
- (e) The Ministry of Health, as these works progress, to work constantly on defining and redefining the priorities and to draw up a long-term implementation programme.

Mr. Deputy Speaker, there is necessarily a planning/design phase in this exercise which has to precede the actual commencement of physical works. This phase the Ministry is confident will take no longer than six months and, therefore, physical works are projected to commence around the start of the fourth quarter of

this year. Whilst the primary aim of the project is to improve the quality of the health facilities, it goes without saying that one of its side effects will be the not insubstantial contribution it will make to alleviating the unemployment problem in the country.

Major Capital Development Works:

The San Fernando Hospital Extension:

Mr. Deputy Speaker, this project is proceeding smoothly through the pre-construction phases. Bids have been received by the Central Tenders Board from pre-qualified contractors. The bids are being evaluated and very shortly we expect the Central Tenders Board to make a contract award. We are therefore optimistic that a start to construction will be made in another three months.

Arima Ambulatory Care Centre:

With respect to Arima, Mr. Deputy Speaker, you will of course be happy to learn that the ministry has received approval from the financiers of the project, Fincor, to allow the Central Tenders Board to invite bids from pre-qualified contractors. The best estimate for a start up of construction at Arima would be late August, early September.

Such are the initiatives that are being pursued by the Government in the area of health services reform. To summarize administrative decentralization, specifically the establishment of Hospital Boards. It is the continuation of a process of hospital administrative reform begun in 1985, and which will be accelerated by this Government in fulfilment of its party's manifesto promise.

Mr. Deputy Speaker, I do not want to give the impression that this faith in the capacity of administrative decentralization to radically transform the Ministry of Health and increase its operational efficiency, is held by this Government alone. In fact, in the election of 1991—every major party which contested that election, including the parties represented by Members opposite, promised, if elected, to introduce hospital boards as they offered the only real hope for improving the operational efficiency of the hospitals within the Ministry of Health. The Tobago House of Assembly when consulted, gave unconditional support to the principle of administrative decentralization and the establishment of Hospital Boards.

Mr. Deputy Speaker, there is therefore consensus across the entire political landscape on the desirability of going this route. In addition, the principle of administrative decentralization is in keeping with one of the most fundamental

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principles of management. It is that in the exercise of the managerial function, authority and responsibility must be coextensive.

It makes no sense whatever, Mr. Deputy Speaker, to appoint managers at the hospitals, hold them responsible for the functioning of the hospitals and then proceed to place elsewhere the authority for the discharge of the very managerial functions for which they are responsible.

I want to make a promise to this House that this administration and this Minister will not be a party to any arrangement the effect of which will be the emasculation of the authority, such as it is, of the managers of the hospitals. They will be held accountable for the management of their hospital, and must be given the opportunity to operate as managers unfettered by political interference.

I therefore invite the full co-operation of this House so that when the time comes we will put our heads together to provide the required legislative framework to facilitate the establishment of hospital boards.

Let history record that this Parliament made the difference, that it provided through appropriate legislation, the opportunity for the introduction of a system of hospital administration that will see an end to upwards of 30 years of maladministration of our hospitals and the wasting of the financial, physical and manpower resources in the system. The arguments in support of changing the accounting system are compelling and need no further elaboration.

Finally, Mr. Deputy Speaker, I have informed you of the proposal to upgrade the health facilities and have provided you with a status report on the Arima and San Fernando Hospital extension projects.

Once again, let history record that during the life of this Parliament we changed the face of our health institutions; we developed physical facilities where the sick can be treated and can recuperate in dignity, and where our health workers can perform their healing and life-saving miracles in facilities that are second to none.

Let us demonstrate by our combined efforts in this area of caring for people at the time of their lives when they are most vulnerable, that we really care. Thank you.

2.05 p.m.

LAND ACQUISITION

The Minister of Planning and Development (Dr. The Hon. Lenny Saith):
Mr. Deputy Speaker, I beg to move,

That this House approve the decision of the President to acquire the lands described in the Appendix for the public purposes specified.

Mr. Deputy Speaker, there are two portions of land related to this motion. The first concerns three parcels of land containing together 1,253.5 square metres, more or less, situate at Endeavour Estate, Chaguanas, in the ward of Chaguanas, county of Caroni, described in the Schedule hereto and coloured pink and brown on a plan of survey filed in the office of the Director of Surveys.

These lands are being acquired for the purposes of a recreation ground and access paths in the county of Caroni in the Endeavour Estate of Chaguanas. The lands were in fact donated by the De Verteuil family of Chaguanas for use as a children's playground, and in 1987, Mr. De Verteuil gave permission to the Caroni County Council to enter upon the lands to use it for that purpose.

The Commissioner of Valuation, in his report dated December 29, 1987, advised on a value to be placed on the land and this seeks to take advantage of the offer of the De Verteuil family in making the land available for the purpose of a children's playground.

The second relates to a parcel of land of 660.2 square metres situate at Jasper Avenue, Diamond Vale, in the ward of Diego Martin, in the county of St. George. It is land that has been acquired for the realignment of drains and the extension of Jasper Avenue.

The work on the land was in fact done in 1970. In 1986, the land was valued and on the basis of that valuation; recommendations have been made for acquisition, the final process being the acquisition notice which we are seeking to have approved today.

I beg to move.

Question proposed.

Miss Hulsie Bhaggan (*Chaguanas*): Mr. Deputy Speaker, in debating this particular motion before the House, we believe that it is very important to comment on the whole issue of land acquisition in our country.

The Land Acquisition Act, under which authority these parcels of land would be acquired, is an Act which, in my opinion, is very outdated. We have inherited this particular Act from our old colonial masters, and we on this side believe that it has to be repealed in all fairness to the people who own lands in this country.

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It is customary that the Government in question come to this House and indicate with a lot of enthusiasm that a parcel of land has been acquired, but to date, hundreds of people who are living in our country are still unpaid for lands acquired by the state. These lands have been acquired many years ago, sometimes in excess of 10 years, and the *Hansard* records will indicate that we on this side, over the past maybe 10 years, have been speaking on the whole question of land acquisition, and no real action has been taken by the Members on the other side.

We sometimes challenge the whole issue of squatters. We want to say to this good House that the biggest squatter in this country is the Trinidad and Tobago Government because, in effect, they have moved into lands, have so-called acquired these lands but have not duly paid those persons to whom the lands belonged. So, we are making an appeal to this good House that the Land Acquisition Act should be looked at very carefully so as to introduce a human face to the law. As it is, the state has full powers to enter these lands, but the persons to whom these lands belong do not seem to have any rights.

I can stand in this House and say so with a great degree of confidence, having come from a situation where my whole village at one time suffered as a result of that Land Acquisition Act. I must say that over the years, throughout world history, one will recognize that many wars have been fought on the whole issue of land occupation. If we want to ensure that there is justice in this land; if we want to ensure that people's assets are protected; if we want to ensure that we have what is called a caring government, then I believe that in this term at least, this particular Government has a moral responsibility to ensure that the Land Acquisition Act is looked at and amended or appealed, whatever legal term you may wish to use, but the point is that it has to be so designed and drafted that people may feel protected under this Act.

Secondly, when we look at the whole question of compensation, we have found that usually the state has full powers to determine the kinds of compensation it will give to someone whose lands have been acquired. My own experience has revealed that quite often this is a "rip-off" on the part of the Government since the land owners do not get any real kind of compensation. Once a building is on that land what you find is that the house is valued, the lands are valued, but the whole question of relocation is never considered. So, if you are on a piece of land and your house is supposed to be valued at \$10,000 and your lands probably at \$10,000, you may get \$20,000, but you are expected to

break your home, leave, find another piece of property and build another home somewhere, and then you are expected to settle in. That whole system is totally unjust because the question of relocation has to be tied in to the compensation. This is particularly important when it is an issue of land acquisition which has to do also with properties on which people are actually residing.

The other issue we have to look at is the whole procedure in which the state deals with people. What you find is that the person whose lands are being acquired becomes a victim. So the onus is on you to seek someone to value your property. You are supposed to go from ministry to ministry because sometimes it may fall under a particular ministry and you are told, "Well, I am not in charge of that particular parcel of land, you should go to the Ministry of Finance or the Ministry of Health or Agriculture". Persons whose lands have been acquired are usually subject to all sorts of ridicule, in many cases, to humiliation and total discomfort because they are not sure what is the procedure. We sit in the House here and we assume that people whose properties are being acquired actually know the procedure under which they can go and get some kind of redress. So, quite often, we publish this in the *Gazette*, we come to the House and we announce it but many of those people are not aware that their properties or their lands are being acquired.

To date, those persons whose lands have been acquired along the Uriah Butler Highway still come to me complaining that they have not been compensated for their lands, and parts of those lands have been acquired for more than 10 years. I have on my desk scores of cases of people who have been going to the Land Acquisition Department week after week and are told to come back, because their matter is somewhere in somebody's department.

2.15 p.m.

I remember a situation in the case of Guayamare when we settled. When we received the final compensation cheque, Mr. Deputy Speaker, the date had already expired. Then we had to take that cheque back to the Treasury to get it changed. If we did not go and quarrel—and I use the word quarrel—and “carry on”, we would not have received that cheque in time. The whole question of land acquisition has to be handled in the same way as that of hospital administration. I believe the same kind of situation and system has to be put in place to deal with the issue of land acquisition.

Secondly, we cannot come to this House and speak about land acquisition without making a statement as to what we are going to do with respect to those

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people to whom we still owe money, not for one and two years but for 10 years. I feel the Government has to make a statement at a very early stage with respect to; how and when they are going to pay those persons who are still standing there waiting outside for money owed to them. Quite often people die and, of course, the families then have to go through the whole legal procedure to be able to get the compensation due to them. So this issue, Mr. Deputy Speaker, has to be handled with seriousness.

The next issue I want to deal with is the whole human interaction. Because when we talk about the state, we talk about the laws and the rules and the regulations and so forth, but the people who are dealing with land acquisition must be people who are very humane. They must be people who can sit with someone and talk with them and feel some sort of empathy for these individuals. When you go to these offices sometimes you are insulted; you are made to feel as if you are somebody off the streets who came in to beg for a favour. You are supposed to cajole, you are supposed to sit there and take insults from people who are dealing with those issues. I believe that the whole issue, therefore, has to be addressed to ensure that the people who are dealing with the public—because the issue of land is a very emotional one—those people must be trained to handle these things in a delicate manner.

I can tell you in my own experience that the situation of Guayamare would not have taken that long if the people were treated humanely. I want to state in this House that if that kind of approach is adopted in land acquisition, I believe there would be less friction in relocating, resettling and compensating people.

I am hoping that on the whole issue of land acquisition this Government would see it fit, at least in this five-year term, to ensure that it looks at that Act and bring some kind of reform with respect to that issue.

Now, I notice that we are acquiring two parcels of land. I am very pleased that the Endeavour Estate has agreed to grant these lands to that community. But I want to ask this House: Are we going to acquire the said land for a recreational centre or ground and just let it be a piece of property lying there with grass growing, with no kinds of fencing, no facilities for sports and recreation? Or are we going to ensure that when we acquire recreational grounds that we actually put in place some kind of infrastructure where the grounds can be used properly for the community at large? Because I believe in the case where we are going to pay for lands and they are going to set up this facility, it should not be just a public relations gimmick, where we are happy to announce that we have a recreational

centre in Endeavour Estate. It should be said, as a Government, what its responsibilities are towards ensuring that some kind of facilities are given to the people who are going to benefit.

Of course, in the constituency of Chaguanas, we also have many requests outstanding and I am very surprised that this matter is on the table, yet we have at least 10 requests for recreational grounds and those matters have not reached the Parliament. I believe that will have to be looked at.

In discussing this matter with my colleagues on this side, they have informed me that for more than 10 years they have requested to have lands acquired for recreational grounds and those lands have not been acquired by the state.

I must also mention that the Charlieville ASJA School, in my constituency, has also been asking for a plot of land. It has been approved, I understand, but no real action has been taken. I wonder what is the delay. I know that this particular ground has been acquired, maybe I can be corrected here, but this is to service the new development that is taking place by the Orchard Housing Development which I believe is being developed by a very large insurance company. So I hope that preference is not being given to this particular acquisition just because it happens to belong to some big business. I hope, also, that kind of acquisition could be tied in to the other communities where we have some very poor people living and where people need to have facilities available to them.

So Mr. Deputy Speaker, this side is not against this particular motion. We are very happy when we have recreational centres being built, or when we are going to have public works for the benefit of the country. Our contention is that when we are going to undertake this kind of action, we must ensure that we put in place the mechanisms and we must, at the same time, adopt an approach which would allow a human face to land acquisition.

As I said, I am standing in this House as an example of what can happen to people when their rights are not respected and when, in fact, they are disrespected as a people. So I hope this good House will take our views into consideration and very soon they will place before this House for debate, an amendment of the Land Acquisition Act, which I said before, gives the power of the devil to the Government. It actually is against the interests of our people; it is against all forms of human rights; it is against the principles of social justice. It is really an inheritance from our old colonial masters.

I believe that we are a modern society, and while we may have inherited some of their traditions, I believe we have got to develop our laws in our own context

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and the Land Acquisition Act is one of those pieces of legislation which must be developed in thinking about the rights of our people as far as the question of democracy is concerned. Mr. Deputy Speaker, I thank you very much.

Mr. Sahid Hosein (*Siparia*): Mr. Deputy Speaker, I am of the view, and I stand corrected, that with the proclamation of Act 21 of 1990, the county councils would have gone out of existence and what you would have had in place is a system of regions. So what I would have expected to see here, instead of in the county of Caroni, the lands would have been described in some region, whether it be the region of Chaguanas or what have you. The same applies for the acquisition in Diego Martin, which states that it is in the county of St. George. I would have thought that it would have been in some other region where the lands actually fall into, seeing that you no longer have these county councils in existence. But as I said, I stand to be corrected on that point.

Mr. Deputy Speaker, there is a crying need to get our youths off of the street corners, out of the rum shops and into positions where they can channel their abounding creative energies into some productive areas. One of the best ways we can do that is to channel our youths into the sporting arena, providing a ready-made avenue to give vent to this abundant energy that they do possess. To my mind, the establishment of recreation grounds should be a priority for any government, and I stand here fully in support of the motion. However, there are several concerns which I wish to express.

Over the years, it has been demonstrated time and time again, unless there is a particular interest in a particular piece of land, especially when it relates to recreational ground, there is an inordinately long delay between the time that a motion is moved and the time that a ground is actually acquired by the authorities. In some cases it spans 10 to 15 years. To my mind, this time delay should be cut down. The bureaucracy should be minimized or eliminated as much as possible to ensure that recreation grounds are established on a speedier basis.

Another area which we need to look into is that archaic regulation that states that there should be no more than one recreation ground within a three-mile radius. I mean, that has to be absolute rubbish, because we all know in this day and age, that within a three-mile radius there are a number of sporting and recreational organizations, which are in need of recreational facilities.

Much has been said by the last government, Mr. Deputy Speaker, on the question of the acquisition of recreation grounds which are on the lands that are owned by Caroni (1975) Limited and to date we have yet to see this come to

fruition, in that one would have thought, given the fact that these lands are more or less state-owned, there would not have been a long delay in the acquisition of these lands. So that, as long as they have been acquired or they have been proclaimed, the relevant authorities, the local government bodies could then go in and develop these grounds to a standard where they would be fit for use by people in the specific communities.

We have another disquieting situation which has arisen in recent times, Mr. Deputy Speaker, in that the local government bodies within the past year have been called upon to pay for these acquisitions out of their meagre allocation for development funding. To my mind, this is extremely unjust and unfair because it defeats the purpose for which the development funds have been released to develop infrastructure in the area. Also, to alleviate the problem of unemployment to a certain extent.

So I would hope, Mr. Deputy Speaker, these few matters that I have raised this afternoon would be considered at some future date when I hope legislation will be brought to Parliament to streamline the whole question of land acquisition. I thank you.

The Minister of Planning and Development (Sen. Dr. The Hon. Lenny Saith): Mr. Deputy Speaker, let me start off by saying I am very sensitive to the issues raised by the Member for Chaguanas. Like her, I have personal knowledge of the system. Unlike her, my matter is still not settled. In 1966, a portion of my mother's land was taken for the construction of the Solomon Hochoy Highway. My mother has since died and the compensation is not yet paid. The point I wish to make is that it is an issue that needs to be looked at. I assure the Member for Chaguanas that within my ministry a bill is now being prepared to replace the present Ordinance. It is the Land Acquisition Bill, 1991.

It is a bill which is seeking to touch on a number of issues raised by her, one of which is basically to balance the rights of the state to acquire lands for public purposes in the interest of the national community, against the rights of the individuals whose lands would be so affected. A number of things are being addressed in the bill, including a provision which relates to lack of information on the part of the public. You will have a system of wider publication of information in respect of acquisition, or intended acquisition, so that people have enough notice that lands are going to be acquired. We are also trying in that bill to give people a chance—I think a period of two months is being considered—to make

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representations before the first phase of the acquisition, which gives the state the right to enter lands, takes effect. In other words, there is a period in which some dialogue can take place even before the state moves onto the land.

The bill would also seek to lay down a strict timetable for the acquisition process. Right now, as you have noticed, it is possible to publish a section 3 notice and a section 4 notice which allow you to go onto the land for the purpose for which you are acquiring it and 10, 15 years later the final notice is published or comes to Parliament under section 5. What we are seeking to do in the bill is to lay down a timetable or guidelines by which certain actions should take place.

The question of compensation is very valid. It is not only the question of relocation, for you sometimes move onto lands for which you pay 10 or 12 years later at a valuation that is 10 or 12 years old. The value of the money which you receive 10 years later is really in relation to current market prices. Where you have to replace your land this is not sufficient. So there must be a speedy method of valuation or, if not, then when the money is paid it must take into account the fact that it is being paid at a different time from when the land was acquired.

So that I assure the Member for Chaguanas, and the honourable House that this matter is engaging the attention of my ministry. The Bill was put out for public comment in July of 1991. Comments have been received and a team of officials in the ministry has been set up to review these comments. They have been asked to report by the end of April. Once they report, I will review the comments and take recommendations to the Cabinet. It is my hope that before the end of the year, we would be in a position to place before Parliament the revised bill. It is absolutely necessary; I agree totally with the Member for Chaguanas, that we need to look at the way we acquire land in this country.

The Member for Siparia, I believe, is confusing geographic location with political institutions. The counties remain as part of the laws of Trinidad and Tobago. What he is talking about is the political and institutional framework for administering the counties and therefore the way it is presented is quite correct; it is the county of Chaguanas. Now, it may be administered by a borough, by a regional council, but it is the county of Caroni that remains.

Mr. Deputy Speaker, I do not think that there are any other matters which were raised to which I need to respond. On that basis I beg to move.

Question put and agreed to.

APPENDIX

Description of Land	Public purpose for which to be acquired
<p>1. The following parcels of land containing together 1253.5 square metres, more or less situate at Endeavour Estate, Chaguanas, in the ward of Chaguanas, in the County of Caroni, described in the Schedule hereto and coloured pink and brown on a plan of survey filed in the office of the Director of Surveys.</p> <p style="text-align: center;">THE SCHEDULE</p> <p>Three (3) parcels of land containing together 1253.5 square metres, situate off Yard Road, Endeavour Estate, in the ward of Chaguanas, in the country of Caroni and said to belong now or formerly to the De Verteuil family and comprise as follows:-</p> <ol style="list-style-type: none"> 1. Plot No. 32 comprising 1156.1 square metres and bounded on the north partly by Plots 37 and 38, on the south partly by Plots 32 and 33, on the east partly by Plots 29 and 30 and a footpath 1.83 metres wide and on the west partly by Plots 35 and 36 and a footpath 1.83 metres wide; 2. A footpath 1.83 metres wide bounded on the north by Plot 36, on the south by Plot 35, on the west by a road reserve and on the east by a children's recreation park; and 	<p>A recreation ground and access paths</p>

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<p>3. A footpath 1.83 metres wide bounded on the north by Plot 29, on the south by Plot 30, on the west by a children's recreation park and on the east by a road reserve.</p>	
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APPENDIX—cont'd

Description of Land	Public purpose for which to be acquired
<p>These parcels are more particularly shown coloured pink and brown on a survey plan filed as A.K. 89 in the vault of the Lands and Surveys Department, Red House, Port of Spain.</p> <p>2. The following parcel of land containing 660.2 square metres, more or less, situate at Jasper Avenue, Diamond Vale, in the ward of Diego Martin, in the county of St. George, described in the Schedule hereto and coloured raw sienna on a plan of survey signed by the Director of Surveys and dated June 17, 1986, executed under Survey Order No. 30/83 and filed in his office.</p> <p style="text-align: center;">THE SCHEDULE</p> <p>A parcel of land comprising 660.2 square metres situate between and linking Jasper Avenue with the Diego Martin Road, in the ward of Diego Martin, in the county of St. George and said to belong now or formerly to R. Chin, Yvonne Arneaud-Marcoviche and Gokool.</p> <p>This parcel is more particularly shown coloured raw sienna on a survey plan filed in Book 1140 as Folio 25 in the vault of the Lands and Surveys Department, Red House, Port of Spain.</p>	<p>Re-alignment of drains and extension of Jasper Avenue</p>

Order for second reading read.

The Attorney General and Minister of Legal Affairs (Hon. Keith Sobion): Mr. Deputy Speaker, I beg to move that the Sakina Juman Pension Bill 1992 be read a second time.

Mr. Deputy Speaker, as the explanatory note of the bill says, the object of the bill is to provide for certain service performed by Mrs. Juman during a short period in 1982, to be deemed to have been service in a pensionable office that can be counted for pension purposes. In the absence of such a provision the period concerned would constitute a break in service and Mrs. Juman would thereby be deprived of her right to pension.

On previous occasions, Mr. Deputy Speaker, this House has had to entertain bills of this nature which are essentially designed to relieve hardships which are caused to persons who have spent time in the public service, and who, for one reason or the other, lose their entitlement to a pension. It has also been used to resolve anomalies where they may exist and to ensure that persons who have given the better part of their working lives in the public service are not deprived of their entitlement to pension.

In the instance of this particular bill, the retired public servant served in the public service for a period of 15 years and 10 months, commencing on May 18, 1972, until her retirement on February 24, 1988. In the course of that service, for a period just short of two months, she served in a non-pensionable post. That period is referred to in clause 2 of the bill, and that is the period between January 18, 1982, and March 9, 1982.

This bill is, therefore, introduced for the purpose of ensuring that Mrs. Juman retains her entitlement to a pension after close to 16 years of service, even though she served in a non-pensionable position for a period of just under two months.

I am certain that the purport of this bill is one which the entire House would want to support, having regard to the fact that it is introduced in order to ensure that those who give public service in whatever position in the public service, their rights to pensions are retained, even in circumstances where there may have been a small break and particularly where that break did not occur through any fault of the retired public servants.

In those circumstances, Mr. Deputy Speaker, I so move.

Question proposed.

Sakina Juman (Pension) Bill
[HON. K. SOBION]

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Mr. Basdeo Panday (*Couva North*): On a point of information, Mr. Deputy Speaker. Many people come in the office of the Opposition with problems similar to the one the Member spoke of; that is, there has either been a break in their service, people have been, let us say, put on contract. The last government did some terrible things, you know. They broke people's service, put them on contract and then took them back. We have an enormous amount of these problems that come up. I want to find out from the hon. Minister, what is the procedure of having these people's problems remedied? What do I say as Leader of the Opposition, if someone comes and says: "The last Government ended my permanent appointment and put me on contract and after they put me on contract I worked for three or four years and now I have lost all my service, my job is no longer pensionable and so on because I substituted it for a contract"; what do I do? How do I proceed to get that facility that Mrs. Juman is getting?

Mr. Sobion: Mr. Deputy Speaker, to inform the Member for Couva North, the Minister in the Prime Minister's Office responsible for Public Administration is the person responsible for those matters. I, myself, have had some concern about having bills of this nature take up the time of Parliament, and we are considering, as well, introducing an umbrella provision which would make it easier for persons in that position to ensure that their benefits are secured.

Mr. B. Panday: But what do I do, write to the Minister?

Mr. Sobion: Yes.

Question put and agreed to.

Bill accordingly read a second time.

Bill committed to a committee of the whole House.

House in committee.

Clauses 1 and 2 ordered to stand part of the bill.

Question put and agreed to, That the bill be reported to the House.

House resumed.

Bill reported, without amendment; read the third time and passed.

ADJOURNMENT

Sakina Juman (Pension) Bill

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The Minister of Local Government (Hon. Kenneth Valley): Mr. Deputy Speaker, based on a request from our friend on the other side, I beg to move that the House do now adjourn to Friday, March 27, at 1.30 p.m. Before taking the adjournment, Mr. Deputy Speaker, I would just like to remind Members that the House Finance Committee will meet at 10.00 a.m. on Monday in the Parliament Chamber.

Motion made and question proposed, That the House do now adjourn to Friday, March 27, 1992 at 1.30 p.m. [Hon. K. Valley]

Question put and agreed to.

House adjourned accordingly.

Adjourned at 2.45 p.m.