

Leave of Absence

Friday, August 28, 1992

HOUSE OF REPRESENTATIVES

Friday, August 28, 1992

The House met at 1.40 p.m.

PRAYERS

[MADAM SPEAKER *in the Chair*]

LEAVE OF ABSENCE

Madam Speaker: Hon. Members, I have granted leave of absence from today's sitting to the Member for Nariva (Mr. Krish Jurai), the Member for San Fernando West (Hon. Ralph Maraj) and the Member for Chaguanas (Miss Hulsie Bhaggan).

PAPERS LAID

1. Report of the Auditor General on the accounts of the Trinidad and Tobago Racing Authority for the year ended July 31, 1987. [*The Minister of Finance (Hon. Wendell Mottley)*]
2. Report of the Auditor General on the accounts of the Trinidad and Tobago Racing Authority for the year ended July 31, 1988. (*Hon. W. Mottley*)
3. Report of the Auditor General on the accounts of the Trinidad and Tobago Racing Authority for the year ended July 31, 1989. (*Hon. W. Mottley*)

Papers 1 to 3 to be referred to the Public Accounts Committee.

4. Report of the Auditor General on the accounts of Investment Recoveries Limited for the year ended March 31, 1991. (*Hon. W. Mottley*)
5. Report of the Auditor General on the accounts of National Agro Chemicals Limited for the year ended September 30, 1989. (*Hon. W. Mottley*)

Papers 4 and 5 to be referred to the Public Accounts (Enterprises) Committee.

6. Fifth Report of the Elections and Boundaries Commission on the boundaries of the electoral districts in the electoral area of Tobago. [*The Minister of Local Government (Hon. Kenneth Valley)*]

FINANCIAL YEAR BILL

Bill to amend the Constitution and certain Acts to give effect to a change in the financial year; and for related purposes [*The Minister of Finance*]; read for the first time.

Motion made, That the next stage be taken at a later stage of the proceedings [*Hon. W. Mottley*]

Question put and agreed to.

STUDENTS CESS (AMDT.) BILL

Bill to amend the Students Cess Act [*The Minister of Education*]; read the first time.

FINANCIAL YEAR BILL

Order for second reading read.

The Minister of Finance (Hon. Wendell Mottley): Madam Speaker, I beg to move,

That, a Bill to amend the Constitution and certain Acts to give effect to a change in the financial year; and for related purposes be read a second time.

The purpose of the Bill is to allow Government ministries and other agencies more time to plan, design and implement projects before the onset of the rainy season and to enable state enterprises time to take Government's policy directives into account in planning for their financial year.

Previously, budgets have been presented in this honourable House in either December or January, and the Appropriation Bill for the following year was then debated in this House, and in another place, before being passed. Government ministries and statutory bodies have previously been obliged to wait until as late as the end of January before final planning and design of new programmes and projects could take place.

With the change in the financial year of the Government to the period commencing October 1 and ending September 30, each ministry will be aware of the amount of money which has been allocated by Parliament for implementation of its proposed projects by October of each year, so that by January, with the onset of the dry season, projects should be ready for implementation and, most

necessary, the procedures of getting releases from the Ministry of Finance should have been advanced.

Clause 2 of the Bill seeks to amend section 3(1) of the Constitution by changing the definition of "financial year" contained in that section of the Constitution, so that it will now refer to any period of 12 months beginning on October 1, or such other date as may be prescribed from time to time.

Under section 113 of the Constitution, the Minister responsible for Finance is required to lay before the House of Representatives, not later than 30 days after the commencement of each financial year, estimates of the revenue and expenditure of Trinidad and Tobago for that year. These heads of expenditure contained in the estimates are then required to be included in an Appropriation Bill which, when passed, provides authority for the withdrawal from the Consolidated Fund of the sums necessary to meet that expenditure.

Clause 3(1) of the Bill refers to a schedule in which amendments are made to the numerous pieces of legislation which require amendment as a result of the proposed change in the financial year. The majority of these amendments relate to the various statutory bodies whose enabling legislation make specific reference to the dates of the financial year. In other cases where the legislation creating the particular statutory body does not refer to the financial year, no amendments have been required.

The Schedule also includes an amendment to the definition of "financial year" in the Interpretation Act, and certain amendments to the Exchequer and Audit Act. The effect of the amendments will be that the Treasury will now be required to transmit accounts to the Auditor General within four months after September 30 of each year and these accounts would be required to be audited within seven months of September 30 each year.

You will observe that no amendment has been made to the year of income for purposes of income and corporate taxes, or for petroleum profits tax. After consultation with the Institute of Chartered Accountants, it was decided that this change was not necessary and, in fact, would cause serious inconvenience to the public which has grown accustomed to preparing accounts on the January to December year. Such a change would also have necessitated a massive and costly exercise to print new forms and alter computer programmes, and so on. In addition, we considered that it would be in the public interest to give a three-month period of notice of any proposed tax changes in the budget.

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No changes are required to the value added tax system since VAT returns are currently filed by registrants every two months. Nor was a change necessary in the case of land and building taxes, since the due date for these taxes is March 31; it bears no relationship to the fiscal year.

Madam Speaker, clause 3(2) of the Bill allows the Minister of Finance to amend the schedule by order, subject to an affirmative resolution of Parliament. While all ministries, departments and statutory boards were requested to submit instructions for amendment to implement the proposed change, and every effort has been made to ensure that the Bill before this honourable House contains a comprehensive list of the necessary legislative amendments, we are aware that there is a possibility that something may have been overlooked in the course of such an extensive exercise. This clause, therefore, has been included out of an abundance of caution to provide for the possibility of such an omission.

Clause 4 of the Bill makes provision for the current financial year to be shortened to the nine-month period beginning on January 1, 1992 and ending September 30, 1992. This is intended to ensure that the Appropriation Act of 1992 will lapse on September 30, 1992, and the unexpected balance of any moneys withdrawn from the Exchequer Account will be required to be surrendered on September 30, 1992.

To make it absolutely clear, Madam Speaker, the 1992 year, therefore, has been a nine-month year and it is absolutely incorrect to state that we are spending 12 months' money in nine months. That is absolutely untrue and we take this opportunity to categorically deny such statements as have been attributed to persons who otherwise should know better.

Madam Speaker, I beg to move.

Question proposed.

Mr. Ramesh Lawrence Maharaj (*Couva South*): Madam Speaker, the Financial Year Bill has obviously been introduced by the Government in what it calls, its attempt to plan better, implement and serve the public interest better, as for as the finances of the country are concerned. Obviously, it would not be responsible for a Member of any party not to support a measure which has this aim. But if it is felt that the Bill, as drafted, cannot effect what it aims to do, then it is the duty, in my respectful view, for us to support it on certain conditions.

Madam Speaker, it cannot be doubted—as the hon. Member for St. Ann's East has stated in his contribution—that this bill will assist in planning, implementing and serving the public interest as far as the finances are concerned. It cannot be doubted that if this measure is to have any effect at all, then there must be a serious commitment on the part of the Government to demonstrate that. Having got this opportunity—if I use that word—to come to Parliament to try to alter the Constitution in order to have this amendment, I think that the Government should demonstrate that it intends to really make the Government more accountable to the population for the spending and borrowing of money and dealing with public assets.

Madam Speaker, I have drafted certain amendments which I would organize to be sent to the other side. I have given the other side notice of certain matters that we want to raise. If we are going at all to think in terms of having implementation of a plan, we must first decide where the plan is and, therefore, it would seem to me that the first step for the Government to take is to induce a measure which would ensure that at the opening of each session of Parliament, there would be a plan by the Government as to what are its plans for the country.

It would seem to me that it does not matter whether it is a monarchical or republican form of Government. The whole concept of a budget debate of finances in the Westminster system is that there would be an opportunity at the beginning of the session for the Parliament and the people to have an idea as to the whole plan of the Government with respect to its policy and legislative matters.

That is a separate debate from the budget debate. That plan which is put forward can then determine whether the fiscal policy which the Government has, would be able to get the approval of the Parliament and through the Members of Parliament, in effect, the public, would then have an input into debating that policy.

In Great Britain and in countries which have followed that system, that debate goes on for three or four days and if the Government is defeated on any aspect of its policy that is mentioned in the plan, the Government owes a duty to resign.

Madam Speaker, if you would permit me merely to refer to what I consider to be some of the leading authors on this topic, Erskine May, in *May's Parliamentary Practice*, the 21st edition, at page 234 states:

"The debate on the Address in the Commons falls into three parts. Debate on the opening day (or days) covers the whole field of government policy, especially in relation to the contents of the Queen's Speech. Thereafter debate

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is usually directed to more specific areas of policy chosen by the Opposition, of which the House is informed, although without prejudice to Members' right to raise other topics. The final part consists of a series of amendments, which are usually moved from the front-bench..."

In the book, *Parliament Today*, by Andrew Adonis, at page 93 states:

"Debate on the Queen's speech: At the start of each new session of Parliament, the first business of the House of Commons is a full-scale debate on the Government's programme as set out in the Queen's speech. The debate is the longest of the Session, spanning six or so sittings and ranging over the whole scope of Government policy. It is also one of the few debates, each session in which the Prime Minister participates. Indeed about a quarter of the entire Commons, including about a dozen or so Ministers, customarily take part in the debate on the Queen's speech. At the end of the debate, votes take place on one or more Opposition amendments to the ministerial programme. These votes are treated as motions of confidence. If the Government fails to secure a majority in any of them, it is obliged either to resign immediately or to call an election. Only once in this century has a Government, in fact, been defeated on the gracious speech."

How Parliament Works, by Paul Silk at page 83 states:

"The new session always begins with the State opening of Parliament. The Queen rides in a carriage..."

Well, I do not think we want the President necessarily to ride in a carriage.

"This is a great State occasion. Peers wear their parliamentary robes of scarlet and a number of wives of peers, the diplomatic corps. The Queen's Speech, written by the Government, outlines, in 1,000 or so words, the Government's programme for the session ahead. The session then begins with a debate, lasting..."

Madam Speaker, at the opening of Parliament, when across the floor, I mentioned that we should really have a throne speech, the hon. Member for San Fernando East said that we do not have a throne in Trinidad. I feel confident that the hon. Member for San Fernando East was not serious when he said that should be a reason for not having a throne speech.

The throne speech has nothing to do with the actual throne; the throne speech has to do with the concept of Government. In England, the Queen represents the head of the Executive; in Trinidad and Tobago, under our Constitution, the

President is the head of the Executive. Therefore, whether we call it throne, Queen or President's speech, the fact of the matter is that, conceptually, the head of the Executive makes a speech in which the Government, in effect, outlines policy.

For the information of the hon. Member for San Fernando East, in the programme that we had on the date, we seem to have a throne, because on page 4 of the programme: "His Excellency will take his place in front of the throne". At page 5: "The national anthem will be played; his Excellency will now take his place on the throne". I am just saying that in the event that the hon. Member for San Fernando East is serious about our not having a throne, may I say that according to the Executive, we do have a throne.

Mr. Manning: Madam Speaker, I wonder if what the hon. Member is saying is that now that he is able to establish that we have throne, we ought to have a throne speech.

Mr. Maharaj: If the hon. Member for San Fernando East is prepared to give an undertaking that at the next session of Parliament—if he is there—he is going to implement having a President's speech in terms of outlining the policy of the Government, obviously we will take his undertaking.

Madam Speaker, one sees that this concept has been followed in Trinidad and Tobago, but unfortunately, it was stopped during a certain period about which everybody knows. I am not on that. The point is: Bygones are bygones. We say that it is a new journey. The question is that if the taxpayers of this country have to know how finances are going to be administered, then it would seem to me that we have to start first—if we are going to speak about implementing a policy or plan, we are going to have management of that plan, then obviously we must have a plan and the plan does not start with the budget. The budget comes after the plan, after the policy. The budget is to implement, as my Leader has said, and the budgets, over the five-year period are, in effect, tools for the implementation of the plan.

Madam Speaker, I think what the Government has to decide to do if it is serious about telling the country that this Bill is intended to improve the administration of finances in this country, it has to go much further than this. They cannot merely come here to say, "listen we have this intention; this proposal is to do this", and merely come with a superficial amendment. We have to go much deeper than that.

It is very revealing that in the manifesto of the People's National Movement, when they went to the country in order to try to get the reins of Government, they

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told the country, in effect, what they were going to do. They spoke about an economic policy, and unless I am wrong, so far we have had no economic policy from the Government. But let us see what it says at page 7:

"The major economic imperative of Trinidad and Tobago is the development and implementation of a plan of action to stimulate economic growth, leading..."

So from the manifesto, you have to have a plan of action. What is a plan of action? A plan of action must be contained in a policy. In effect, what is this amendment going to implement, a budget? A budget debate is merely a debate on, in effect, shifting of amounts, whether it has to do with this or that, but it has allocation of moneys; but it has to relate to something higher than that, it has to relate to something that they are going to implement.

Madam Speaker, I have great difficulties with that and what I have done is, I have asked for section 67 of the Constitution to be amended. May I pass a copy to you, Madam Speaker? I have asked for section 67 of the Constitution to be amended as part of the package:

"(3) (a) Each session of Parliament shall commence with an address by the President the contents of which address shall state *inter alia* the sole scope of the Government's policy for the session."

It may be that the Government may even want to include there the legislative plan for the country.

(b) It shall be the duty of the government to have such a policy document prepared so that the President can comply with the provisions of 67 (3) (a) herein.

(4) The copy of the President's speech shall be the subject of debate in both Houses of Parliament before the presentation of the budget.

Madam Speaker, we used to have five-year development plans and the whole purpose of those five-year development plans was for the country to know what course it was going on, so that the finances of the country could have been planned over a period of five years.

The last development plan we had was for the period 1969 to 1973. When such a plan is produced and laid in Parliament, Members of Parliament have the opportunity to make an input into the formulation of policy, have a say in the future expenses of the country. In effect, the members of the public have that opportunity through the Members of Parliament.

When you have such a plan, also, it is a form of consultation with the population, because you are, in effect, consulting to some extent with the population on matters like that, and the Members of Parliament who represent these people would, in effect, have the opportunity to debate the policy and the plan. It is also a means whereby the public is given information as to what the Government intends to do, what plan of action it has to solve the problems of the country.

For some reason or other, these plans ceased to exist and, therefore, what has happened is that with the absence of these plans, the budget presentations end up being very restricted and, in effect, the budget debate no longer forms an avenue for planned development, but turns out to be a mere ritual for satisfying legal procedures. With such a plan, there will be something geared for planned development of the country.

Madam Speaker, in the absence of these measures, therefore, this kind of planning must have great effect on the financial resources of the country. I can say that it is the lack of planning, or probably it must have caused or contributed in some way, to the financial situation that the country is in. When one looks at the whole situation, I would say, having regard to the fact that the external debt of this country is now over US \$2 billion, the financial situation alone and the fact that we have had no planning in the country are sufficient reasons for us to institute proper planning and to institute measures whereby the country would know what those plans are.

Madam Speaker, it seems to me that what has been happening in this country is that, having regard to the laws as they exist, an Executive can virtually disregard what the budget debate approves in the budget allocations and spend moneys and come back months or years after for approval when the moneys have already been spent. It seems to me that is wrong and defeats the whole purpose of parliamentary approval for expenses.

What I have done in the amendment, Madam Speaker, if I may deal with page 3 first, I have listed, for example, the Exchequer and Audit Act, and under section 17 the Minister has the authority and, in effect, what happens is that authority could be exercised without recourse to Parliament for a long time. We noticed earlier this year that we had a situation in which we had a approve moneys for which powers were exercised under section 17.

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If we are serious about good administration, I have decided to propose an amendment so that the powers can only be exercised under section 17 of the Exchequer and Audit Act if the Minister is authorized to do so by a resolution of Parliament.

Madam Speaker, the Minister of Finance Act, Chap. 69:03, has to do with the Corporation Sole. If one looks at this Act at section 7(2), one sees that the Corporation Sole, who is the Minister of Finance, with the permission of the President, can in effect, sell, lease or dispose of any state undertaking and the people and Parliament would have no say in it. In other words, state enterprises can be sold or disposed of and the people would not have a say in that decision.

I have proposed for that Act to be amended so that the Minister can only do that whenever authorized to do so by a resolution of Parliament. This means that if the Government intends to sell BWIA or any other state undertaking, it can consider and formulate a policy, but it comes to Parliament for a decision on that. So the people decide.

Now, it cannot be said that the Government would be obstructed in its views, but what happens is that democracy is public scrutiny. So when it comes before the event or contemporaneously with the event, the public would have an input and the Government would then decide, in spite of what has been said and put to it or that the public interest might be jeopardized in the sale or lease of it, whatever it is, that they have taken a decision to sell. But, in effect, it is democracy at work.

If the governing party is serious about accountability at all levels, as it says in the manifesto page 7:

"Administrative framework:

- There will be accountability at all levels;
- The public service will be reorganized to facilitate greater effectiveness, efficiency, responsiveness and innovation."

If the Government is serious about this, then obviously in a measure like this, I would expect them to say, they agree with the Opposition, they agree that this would bring accountability to the population of Trinidad and Tobago.

Madam Speaker, then what I have done is, I have gone through most of the Acts which I could find under which the Government can borrow money or raise loans. One will see that there is a General Local Loan Act, the Guarantee of Loans

(Statutory Authorities) Act, the Guarantee of Loans (Companies) Act, the Development Loans Act, the Independence Development Loans Act, and the General Loan and Stock Act. What I have done is, I have drafted amendments to the effect that in respect of companies or bodies, apart from the Guarantee of Loans (Statutory Authorities) Act, that the Government has a leeway of raising moneys in any one application of \$5 million and with that loan, with that application, when it raises it or if it goes ahead with it, within 30 days thereafter, it must lay in Parliament a report about it. A Member of Parliament—and although I have mentioned in draft "Opposition Party"—can ask for that report to be debated and it should be debated. Upwards of \$5 million, the power cannot be exercised unless it comes to Parliament and there is approval of the Parliament.

That would assist in making the Government more accountable to the population and would be giving the population more input in the formulation of decisions and the formulation of policy.

Madam Speaker, we have to understand and face the fact that the administration of financial resources directly affects poverty, unemployment, health, education, salaries, cost-of-living allowances and, therefore, if we are faced with a shortage of finances, it makes the situation even more urgent for us to be prudent in the administration of finances.

If we are to be more prudent, we would want to ensure that moneys can be saved, accounted for, that there would be checks and balances on the spending, mismanagement, misuse or the abuse of spending, so that the extra money which were obtained from those sources can be utilized to alleviate poverty, unemployment, to help with the problems of education and children.

Forgive me for telling you, Madam Speaker, and telling this House that I do not think this country knows the amount of suffering that children are having now, in that some children who have passed the Common Entrance Examination are unable to go to school because their parents cannot afford the transportation. They cannot afford other expenses in order to go to school in a home where there are probably two or three children and the child lives in Couva and has to go to school in Port-of-Spain. Parents are saying that they will have to keep the children at home.

Mr. Panday: And we repair a house for over \$2 million.

Mr. Maharaj: For example, my leader, the Member for Couva North, no Prime Minister, not the Member for San Fernando East, and not the Member for Couva North, when he becomes Prime Minister—

Mr. Manning: I must protest. Only one of us qualifies at this time.

Mr. Maharaj:—would be able to expend any money on any matters which do not fall within the ambit or the figure; parliamentary discussion would have to take place.

2.20 p.m.

Madam Speaker, with respect to the Constitution, section 113(2), allows the Executive to spend moneys and then have supplementary appropriations, and then have an Appropriation Bill. What happens is that that comes some time after the event. So I have proposed that section 113 (3) be deleted and we have an amendment that a supplementary estimate showing the sums required to be spent shall be prepared and included in a bill to be known as the Supplementary Appropriation Bill, providing for the issue from the Consolidated Fund of the sums necessary to meet that expenditure and the appropriation of those sums for the purposes specified.

The effect of that amendment would mean that the Government, if it needs to spend extra moneys, would prepare supplementary estimates and come to the House to get approval. This would obviate the practice of the Government spending the moneys and then coming months after in order to get formal approval.

We cannot get away from the fact that the parliamentary scrutiny of public expenditure is not only becoming important in the Commonwealth, but it is of great importance now in Trinidad and Tobago. I say that, because when one looks at the high level of public expenditure, the sizeable overspending of parliamentary appropriations, the variations in Government's spending from the amounts originally appropriated by Parliament, the routine requirements for extra allocations in the supplementary estimates, the tendency of some government departments to manipulate internally, expenditure on one activity by underspending on another; and when one considers that Parliament is supposed to be an effective check on the executive spending and, one sees that in recent times the parliamentary expressed intentions of public expenditures in relation to the actual expenditures have differed considerably, I would say that there is an urgent

obligation on the Government, if it cares for the population of Trinidad and Tobago, to include in this bill the appropriate amendments to ensure that there is effective people scrutiny, and parliamentary scrutiny, of the moneys which are expended that belong to the state. It would encourage public scrutiny and ensure that there will be public scrutiny by this Parliament, not only in its spending powers, but in the execution of its borrowing and disposing powers of state assets.

Madam Speaker, in order to assist also in providing some checks and balances against misuse or abuse of power in spending—if I can take your attention to the proposal on page 2—we have proposed, an amendment to include:

“At the commencement of every session of Parliament a Joint Select Committee...”

If my friends on the other side are not happy with a Joint Select Committee, I would be satisfied with a Select Committee.

“of Parliament shall be appointed and it shall have the power to examine the expenditure and administration of all enterprises owned or controlled by the state (including government departments, public bodies statutory authorities and state corporations), to monitor the implementation of fiscal and other measures approved by Parliament and to conduct investigations on its own motion or pursuant to complaints received in respect of the matters referred to above.”

I want to say, at the outset, that legal drafting is a special skill which I do not have. It may be that the other side would be able to improve on my drafting, but, in effect, I am saying exactly what I want. Legal drafting is a skill which is acquired over a period of time and I know that the other side has all the resources available, so I have no doubt that they can take my drafting, and put it into a very nice form, and we can have a beautiful bill—if I can use that expression—in which the people's rights would be properly protected.

Madam Speaker, I do not want to be long in my presentation but I merely wanted to make the point that, yes, we agree that there is need for planning, we agree that there should be greater machinery for examining the implementation of the plans but we cannot start off with this Bill, without getting the other conditions which are conditions precedent for the passing of this Bill. In other words, if the conditions precedent are given by the Government, then obviously, we would support the Bill.

Thank you very much, Madam Speaker.

Mr. Basdeo Panday (Couva North): Madam Speaker, let me make it abundantly clear from the word "go" that this proposal to amend the financial year or the parliamentary year, has been a matter for which we have been advocating a long time. We want such a provision to be introduced and we have given our examples. I see they are now being copied by the hon. Member for St. Ann's East, and I congratulate him for that. It is a pity that he has been in the Government for such a long time and had not seen the necessity for it. It is a pity he had not listened to us before. But that does not matter, he has listened, and that is fine; once he has listened, and they want to change. We have always advocated that if you pass a Budget in December or early January, by the time all the red tape has gone through, and votes have been taken, the dry season would be over and it would be very difficult to do any kind of developmental work and so on. So the arguments are there, I do not wish to repeat them. I want to make it abundantly clear that this is a provision we would like to support.

First of all, I support the amendments of the Member for Couva South. I second his motion to move those amendments and I support his arguments, but I wish to add to them.

2.30 p.m.

Although it is important that the financial year be changed, it is much more important that the management of the country's finances be looked after. Because, as my Friend says, if you are changing the financial year, it is not without purpose. The purpose of changing the financial year is to make the administration of the Government more efficient, to give them the necessary time, having regard to the climatic conditions in the country.

Madam Speaker, equally important as changing the financial year, is the issue of management of this country's finances. In fact, that is more important. This country has gone for 30-odd years of independence, without changing the financial year, and, I am sure that has not been the most significant factor in the inability of the Government to perform. In fact, what has been a more important factor in the problems facing this country, has been the lack of financial accountability by the Government. That is a hundred times more important than this Bill.

We support the proposal but, we also make it clear that there are things which are much more important than mere changing of the financial year. Year after year, we on this side in this House, have complained about the absence of a system that ensures accountability of the country's finances. We have been complaining for

more than a decade, in this House, that under the present arrangement, there is no proper system that allows for genuine accountability of the Government.

The empirical evidence supports us. Budgets are debated in this House, year after year, intense debate, taking place for several days, going into the wee hours of the morning. After these budgets have been debated and passed in the House, the empirical evidence is, that under the present system, the Government is able to change those provisions with impunity, without even having the courtesy of coming to the House before it does. They do not even have the courtesy to inform the House—much less seek its approval. That has been the pattern, year after year.

For example, we read in the newspapers that nearly \$2 million of this country's finances are being used to repair the Prime Minister's residence. I am sure that is not the end of it. When the truth comes out next year, when they come for variation of appropriation, and so on, we shall see.

Two million dollars being spent to repair the residence of the Prime Minister when hundreds of people in this country do not have food to eat. That is an obscene expenditure; it is cruel; it is callous; it is spitting in the faces of people, the very people who supported them. People from the east/west corridor, Laventille and John John who voted for them and who, today, do not have money to feed their children or send them to school—as alluded to, by my colleague from Couva South—and this Government spends almost \$2 million in order to repair a residence for the Prime Minister, without even coming to this House. That is the point I am making. I use that example, merely to say what happens to budgets, and the finances of this country.

As I recall, before the former Prime Minister went into that house, it was refurbished. I seem to recall that. If I am wrong, I stand corrected. After it was refurbished five years ago, the gym suddenly became too small, or there was no gym? While people do not eat in this country, you provide a gym? Every morning I try to walk down in Palmiste; there are so many potholes, I almost break my feet, and you have a gym and people cannot eat? Every person in this country, who voted for the PNM, who do not have a job today, or do not have food for the children and cannot send them to school, let them note that. You spent \$2 million—and I am sure the figure is going to be much more before your game is over—and they do not have food. The point I wish to make, though, is that you can do that without coming to this Parliament, and this Bill is about changing the financial year, but more important, is control of the country's finances. They cannot do that.

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We saw, during the last regime, this House voted a budget, after long and tedious debate. After the budget was approved, then moneys were moved with impunity, from such things as health, that affects the poor; security. We see every day in the newspapers, innocent people being shot through the back of the head by thugs, bandits, crooks, murderers and robbers—the Prime Minister knows what I am talking about—and he spends \$2 million dollars to repair the house when we say police do not have vehicles, tyres or gas. How many vehicles could that money have bought? Could he not wait a little while?

People are being shot and killed every day in this country, and he can spend money with impunity, in that kind of way. Moneys were withdrawn, as I said—under the previous regime—from Widows and Orphans Fund, to put into the LID Programme. We see the same thing happening at the present time. You do not have to come to Parliament. You come to Parliament *ex post facto*. You do it and come here, and use the majority to approve what you have done. That, to me, is 100 times more important than changing the financial year.

Moneys are borrowed by the Government and the people of this country, who must pay it back, do not have an opportunity to voice their views; they do not have a say in the matter at all. This country has moved from a country with reserves of hundreds of millions of dollars, to become a mendicant society; a vagrant Government, looking and scraping in the dustbins of the international banks, for money. They borrow as though it is nobody's business, and as though money is going out of style, and they borrow without the permission of this House. This House does not have a say on the terms on which you borrow, and the moneys you pay to all your friends for finders' fees and all that sort of thing. This country does not have a say about all of that, but it has to pay it.

Over \$10 billion this country is indebted. They borrow money for consumption. This is the only Government I know that borrows money to eat. People do not borrow money for consumption. If you borrow money for consumption, you shall forever be in debt. Whenever you borrow money, it must be for investments from which there will be a return by which you could pay back the money. You do not borrow money to eat. You did that, and that is why you have this country into debt. What has this country to show for over \$10 billion in debt? You consumed it, without the permission of Parliament.

The time has come when that has got to stop; when you can no longer borrow money as and how and when you like, and commit this nation to debt. This nation

has now found itself in inextricable debt, put there by the PNM regime and the former regime. My complaint is, if you have to borrow money, you should let the Parliament know. Let the people know before you do it, so they can exercise some influence upon you. They may be able to put forward alternative plans. They may be able to say, "we are prepared to undergo sacrifice and hardship rather than get deeper into debt." People may be willing to say that, but they must have an opportunity to do so.

2.40 p.m.

How can they have an opportunity to do that when you do not even come to the Parliament? I believe in another place, some concession was squeezed out of the Government, in which it was stated some months after they had borrowed the money, they laid the contract in Parliament. They laid it on the table. I want to go further than that. We would like to see that they come to this House before they commit the nation inextricably into that kind of debt. They must never forget that they are a minority government and it is a minority government that is imposing the majority of indebtedness on this nation. They cannot do it. That is immoral; that is obscene. A minority government has no moral right to commit the people of this country to a debt. If the system throws up a minority government, that is no justification. It merely means that the system needs to be changed. It is not a justification for a minority like themselves. That is pushing this nation deeper and deeper into debt. Do you know what our experience has been? Our experience in this House has been that the planes of BWIA are sold and leased back, without this House knowing. But worse than that, I understand now they cannot even pay the lease. The latest information coming to me is that BWIA is having difficulty paying the lease money. So they sold it. I do not know what they did with the money.

Hon. Member: Which Government?

Mr. B. Panday: The former government sold it and now this government cannot even pay the lease. That is our information. If they want to privatize the airline, there must be an easier way to do it than not paying the lease. That is their business. My business is, I am a representative of the people of this country and I have a right to know when they are doing these things and I have a right to comment upon it. I am not going to support them on any legislation in this House until they begin to remedy these wrongs. They will not get a vote from us on this side. I do not care what the vote is. They are not going to get any support from us on this side until they begin to remedy wrongs.

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In the amendments put forward by my learned colleague which I shall deal with, the first amendment is an amendment to the Constitution which provides:

"Each session of Parliament shall commence with an address by the President, the contents of which address shall state, *inter alia* the whole scope of Government's policy"

We take that to mean, including their legislative programme for the session. It is a travesty of democracy and the system for the Government to begin a session of this House and the country does not know where they are going, and what they are going to do. The country does not know what the parliamentary programme is. The country does not know when the Parliament will go into recess. This Parliament should have a time when it starts and when it ends, so that people of this House can refurbish their physical and intellectual strength. They can read, go on holiday or play music, or something.

The point is, we start a session in this House and we have no parliamentary timetable. We had been promised by the Speaker, I think, that there will be a parliamentary timetable. We will know when we are going on vacation so that we will go on vacation. Members of Parliament have a right to do that, like everybody else. They close the Parliament one week and come back the next week and if they look at their legislative agenda for the past year, they will see it was zilch. It was nothing. It amounted to zilch. They introduced no new legislation into the country. They did theoretically, nothing. No substantial legislation was introduced for one year, but they have a long session of Parliament. That is foolishness which must stop.

I want to support this first amendment for another reason. If we are going to have ceremonial openings, the President, as the position is at the moment, is being called upon to make a speech which is his own opinion. That is putting the President into an invidious position. It is forcing him to publicly express an opinion. That is not right. The President is the symbol of unity in the country, holding it together, its impartiality. He symbolizes everything the nation stands for. It is wrong, cruel and improper to put the President in a position where he must express a personal opinion and he said it on the last occasion that this House met.

I recall in 1976, the then President, Sir Ellis Clarke, read out what was tantamount to a throne speech. Do not laugh at it because it is called a throne speech. Call it a President speech, if they wish, the name is not important. What is important is, as they have an address to the nation by the President of the United

States, a throne speech on the Westminster system; the object is that at the beginning of the Parliament, the country knows where the Government is going for that session; what is going to be its legislative agenda, its policy and its programme.

The Government has really treated this country with absolute and utter contempt. Why has that practice been stopped? It seems to me that practice has been stopped because governments are incapable. Either they do not know or they do not want to tell the people. Maybe they want the whole government policy to be shrouded in secrecy. So it is either the Government wants its policy, if it has one, to be shrouded in secrecy so that nobody knows—surely that is anti-democratic—or if it is not that, then they are ignorant. They have none and they do not know where to go. They do not have any programme and they intend to run the country on an *ad hoc* basis. That is why they put the President in an invidious position. That is a shameful act which should never happen again. Under this Republican Constitution, Parliament in its first sitting, 1976, followed the rule. Why was it broken? We must go back to the rule. So I support this motion that at the beginning of each session of Parliament—ceremonial opening, fine—we must be here. Do not change the year only; that is minor.

Mr. L. Maharaj: That is like moving the dragon.

Mr. B. Panday: As my Friend said, it is like moving the dragon from the top of the Parliament, hoping things will go all right. It does not. Ask the dragon man on the other side, he will tell you—from Diego Martin East. You have to make it right and we intend to make it right. That is what we intend to do.

I will read from a brochure—I do not want the camera to see the picture on the other side, as it might upset them. I think it is Patrick Manning, Member for San Fernando East, a similar picture to one in the manifesto. It says:

"I am particularly upset with the *ad hocism* and self-righteousness with which they have approached the administration of the affairs of the Nation"

Ad hocism or ad hocracy, it does not matter, but surely that is hypocrisy to say that and to continue in the identical vein—*ad hocism*.

2.50 p.m.

I support the motion as moved by my colleague. It may be that when this House convened in January 1992, the reason they refused to give the President a speech prepared by the Government to read is that in the reading of that speech, he

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is entitled to say: "My Government intends to do so and so in this year". He is impartial to whatever government is there. The reason that this Government has not done that, I submit, is because they had deceived the people and had no plans, as it had none in the last opening last week, to deal with unemployment. If you have a plan to deal with unemployment, do not keep it a secret. Let the President broadcast it to the nation on the occasion that he ceremoniously opens the Parliament. The Government had no plan to deal with unemployment—a symposium which led to nothing—and crime.

Crime is on the increase. In fact, it seems to me that the bandits have taken over this country. Over the last week, I have been depressed that so many of my friends' children have been shot by bandits, in San Fernando and Port of Spain. The most depressing week which I have spent in my life was last week. You are responsible for that. I want the Government to know that. You are responsible for every death committed by thugs and bandits.

Nobody can tell me that in a place like Valsayn, where one took place—and this is almost a dead end—this Government does not have a plan so that if the police gets a call of a shooting incident there, it can, within five minutes, cordon off an area of a three-mile radius. Any government with the slightest inkling and interest in the people to save their lives would have that plan ready. The moment there is a call, the government must have standby plans to cordon off an area of three, five, six-mile or whatever radius, so that thugs and bandits are caught.

Do you know why they are killing people like this? They are killing people like this because they know that they can get away with it; because they know that the Government is helpless and hopeless. I am not going to continue to sit in this Parliament and allow them to spend money to repair the Prime Minister's house, when my friends are dying from thugs, criminals and bandits. Not only my friends, as a matter of fact, even those people I do not know.

You obviously did not have a plan to deal with alienation. If you have it, do you intend to keep it a secret? The question of alienation is one of the matters which we spoke about in the last election. When I use the word alienation, the other side, I have noticed, and other racists smiled, because they feel that there are racial implications when I speak about alienation. I want to tell you that you have succeeded in alienating the whole country.

Friday, August 7, 1992 *TNT Mirror*: "Blows For Marshall: Laventille rises up against its darling son".

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“We need a project in Picton. Marshall you playing in your...”

I would not read that.

"Tempers flared in Laventille on Wednesday, as residents of Picton Road went on a literal rampage, directing their collected anger against MP Morris Marshall.

The area, a stronghold of the People's National Movement (PNM) was littered with old stoves, refrigerators, rotting garbage and a telephone pole lay across the main driveway; making passage impossible."

The allegation was that he is discriminating against them. He is discriminating against them.

Sometimes I believe that the only reason the Government does not agree to the setting up of an Equal Opportunities Commission is because it knows that the people from Laventille, John John and La Horquetta will be the ones who will go to that Equal Opportunities Commission to make complaints of discrimination against them by this Government. The reason that they do not want to set it up is because they know it will be those whom they think support them.

"Barricade Goes Up to protest lack of LIDP Jobs".

"Imbert Intervenes"—July 21, 1992 in the *Express*. I heard it called "Im-ber" and Imbert. It does not matter. What is in the name? They are both inefficient.

"Works Minister Colm Imbert intervened yesterday evening to have residents clear roadways in Morvant and Belmont which they had barricaded to protest the lack of jobs on the Labour Intensive Development Projects (LID) in the areas."

They are saying that they are discriminating. Page 10 says:

"More Jobs—not more projects says Minister".

Trinidad Guardian page 14, Tuesday, May 12, 1992, "Malick residents protest closure of LIDP project". Again they are saying that they are discriminating. They are alienating.

Sunday, August 2, the *Mirror*: "WE HAVE HAD ENOUGH. Laventille To Morris Marshall".

Friday, July 17, 1992 *TNT Mirror* "MLIO slams Marshall".

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I do not know why this poor Minister is getting all this blame. You are all to blame. Sometimes I believe that the Prime Minister deliberately put the hon. Member for Laventille in that position, so that he could alienate him too. Organized alienation! All the newspapers are slamming Morris Marshall as though Morris Marshall runs the Government. Morris Marshall does not run the Government. We all know that. As a matter of fact, the Member for San Fernando East does not run the Government.

We know who runs this Government, that is why he cannot get anything done. I told him that a long time ago and he would not listen to me. I told him a long time ago that the PNM sold out and he has no power, but he is carrying all the blame. Poor fellow. I am still with him. I assure you that, we shall fight together if he sincerely believes in ending alienation in this country.

"Sunday Mirror dated July 19, 1992: "WAITING FOR RUPERT and water, electricity, proper transport system and health facilities".

There is a picture of a gentleman with a beard. The caption reads: "Rupert Griffith". There is some slight resemblance to the Member sitting in the Morvant East seat.

Trinidad Guardian dated June 2, 1992 "Behind the Bridge ready to explode. Allum: Action needed on 60 % jobless problem".

He is repairing his house at a cost of \$2 million. Of course they are going to explode and they will explode even quicker when they find that the Government spending money which could relieve them of unemployment, in order to repair the house in which the Prime Minister is going to live.

I want to state publicly that in 1996, or before—I propose not to spend any more money on the Prime Minister's residence. This is an undertaking I give to the public. It is a pity you did not make a same commitment.

3.00 p.m.

The Daily *Express*, Monday, June 15: "Marshall's Long and Short-term Laventille Hope". In another part of the country "No Community". I wonder how many homes could have been built for the homeless with \$2 million; how much more caring that would have been.

I support the amendments moved by my learned colleague and give for the justification of his first amendment, that the President has a duty to perform under 67(3)(a).

Under section 67, we want to include on the summoning, prorogation and dissolution of Parliament, the provision that the President should deliver the speech and we say, just as in other areas in which the Westminster system obtains, that this speech must be debated. It is wrong to say that the Budget Speech is a substitute for it; the Budget Speech is really a speech that deals with ways and means. It indicates basically how much money the Government intends to spend on various projects and how it is going to raise that money. In the past, in this House, it has been used merely as an accounting exercise. We are talking about policy here and we feel that the Budget is an instrument that implements policy—but first you must state policy. If the Budget is going to be a budget for the year, you must say what your policy is going to be and how you are going to implement it by making financial provisions therefor.

The other amendments proposed by my Friend, which I support, are all amendments to deal with the question of finance and they seek, not to curb the borrowing power of the Government—I want to make that absolutely clear. What they seek to do, is to force the Government to come to the House before it borrows to account for borrowing. This amendment cannot be rejected on the ground that it is a provision that seeks to stultify the actions of the Government. If the Government is seeking loans, then it must indicate.

There is an amendment here, for which we shall not bend. If you want our votes today, let us talk. I have heard much talk about consultation; come and consult. Consult now. If you want to pass this Bill today, as far as I am aware you are going to need our votes. These are things about which you must consult. Do not go publicly and renege on promises made and talk about consultation. This is consultation and it exposes the Government and the Prime Minister for what they are, when they speak of consultation—facade, “gambage”, “mamaguy”. The time has come when we are going to put a stop to that and that is why this provision on page 2 of the amendment says:

"At the commencement of every session of Parliament, a Joint Select..."

As I said, let us talk. If you find “Joint Select”, bad, “Select” would be fine; “Special Select” even better. You know what we mean. We mean that a committee of Parliament:

"shall be appointed and it shall have the powers to examine the expenditure and administration of all enterprises owned or controlled by the state (including government departments, public bodies, statutory authorities and state

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corporations), to monitor the implementation of fiscal and other measures approved by Parliament and to conduct investigations on its own motion or pursuant to complaints received in respect of the matters referred to. "

We had moved a motion in this Parliament before seeking that, and they contemptuously "poohooed" us because they had a majority; they threw that motion out. I want to say that the motions we are asking for, are not motions to redound to our personal benefit; they are not amendments so that our Ministers could buy expensive cars cheaper than every other Member of Parliament; they are not amendments for us to travel more than the last regime, for which they were criticized; it is not an amendment to give directives to Mount Hope to give their Ministers special medical attention, to which the rest of the country is not entitled. It is not for that. I will have more to say about that Cabinet decision they took, at another time. Suffice it, for now, to say that these amendments are not for our personal aggrandizement; they are not to put money in our pockets in a back-handed way.

These are amendments which are going to permit the country to scrutinize Government's spending habits. These are amendments which are seeking to have Government enunciate a policy at the beginning of the term before we vote moneys for them. These are provisions which we are introducing to ensure that the Government does not continue this mad rampage of borrowing that they have gone upon, sinking the nation deeper into debt, while selling off the state enterprises and more and more people are becoming unemployed and destitute. Why? Money goes for things like repairing the Prime Minister's house and other things about which we do not know and which we are going to know about, I can tell them that, otherwise, they will never pass this bill. We are making it absolutely clear.

I want to say one other thing, unashamedly. They will introduce these proposals or they will not have our support. I want to tell them one other thing besides, we are prepared to go to the country and debate it to justify our action here today, in every nook and cranny. So, we await the Government's response before we make up our minds on this Bill.

3.10 p.m.

Mr. Robinson: Madam Speaker, with your permission, may I point out that my colleague, the Member for Tobago West, and I have not received copies of amendments proposed, and much of the debate hinges around those amendments. May I ask that we be supplied with those copies.

Mr. Maharaj: My apologies, Madam Speaker, I thought they were distributed.

The Minister of Agriculture, Land and Marine Resources (Dr. The Hon. Keith Rowley): Madam Speaker, you have not missed very many sessions of this Parliament and therefore you must have been here, I think it was in May of this year, when the Minister of Finance informed the House and the country that it was the intention of this Government, after considering the experiences over the years and all that was being said about those experiences, it was his intention, as Minister of Finance, to change the fiscal year from January 1 to October 1.

Madam Speaker, I think you were here on that day. You will recall the stomping of the tables in the Parliament, mainly from the Opposition side, because they had recognized that this action, as signalled by the Minister of Finance, was one which would have the effect of assisting with the management of the affairs of the country.

Having signalled that, the Minister of Finance—they were pointed out the implications, and, as we pointed out, one had to look to see what other aspects of the country's public administration were being affected by the decision.

Today we have come to the House with an amendment to the Constitution to give effect to that very desirable action. Lo and behold, it is the platform and the basis for confrontation, hypocrisy of the highest order and what appears to me to be—I hope I am wrong, Madam Speaker—the naked politics of obstructionism. If it is that the Members on the other side are saying that in the nine pages of substantial amendments ranging from the Constitution; the Exchequer and Audit Act; the Minister of Finance (Incorporation) Act, Chap. 69:03; the General Local Loan Act, Chap. 71:02; the Guarantee of Loans Act and the Development Loans Act—Madam Speaker, the Member for Couva South and the Member for Couva North could not be serious.

Mr. B. Panday: Watch me!

Hon. K. Rowley: Madam Speaker, when one listened to the presentation of the Member for Couva North, clearly he was enjoying himself, playing games as usual, treating the serious business of the country in a manner which makes one wonder whether—

Mr. S. Panday: Two million dollars.

Hon. K. Rowley: Let me talk about this \$2 million and keep you quiet.

Madam Speaker, \$2 million—and when I say hypocrisy of the highest order. One does not get the impression that the Member for Couva North or his side-kick knows for a fact that when he was in the Government, a public building was being repaired for him as Minister of External Affairs, to which he was not entitled, and his Government spent almost \$1 million on that house. So what is all this talk about repairing the Prime Minister's house for \$2 million and your heart bleeding out and your blood running?

Madam Speaker, the point I want to make is this: It started at \$4 million, it came to \$3 million and then \$2 million. The fact of the matter is, there is a public building in this country which is the residence of the Prime Minister of the day. It is not Mr. Manning's house and it will not be Mr. Panday's house. It is a public building which is used as the residence of the Prime Minister of the country.

I commend the Members on the other side, especially Couva North, Naparima and other lesser lights, to read the editorial of today's *Daily Express*. Madam Speaker, the argument is so ridiculous, that if the money was not spent, it would have been used to feed people. When approximately \$800,000 was spent on preparing a house for him, a house to which he was not entitled, \$600,000 of that was on labour and when people labour and they get money that is how they feed themselves. So even then one cannot argue that the money could have been used for food, because when they work on the project they earn money and that is how they feed themselves.

Madam Speaker, if it is that stacks of moneys were used to pave the floor or to cover the roof or to make walls of the building, then his argument would have some merit. But if the expense uses labour in the public sector, how in God's name can they come to Parliament and speak about starving people? That is the kind of ridiculous, hypocritical argument given here as an excuse not to vote for a simple measure.

We are here on the people's business. Every time we come to this House with any part of the public business which requires their co-operation, that is what we get. It is a good thing, Madam Speaker, that it is only on a few occasions that is the case, otherwise we would get absolutely nothing done in this country. The Member for Couva North, in particular, has demonstrated, time and time again, that he has absolutely no interest in doing anything progressive in this country. I can call on my Friend from Tobago East and others who will support me in that.

You find yourself in a position where you can make a positive contribution and you look for everything under the sun to go the other way.

Madam Speaker, all we can do on this side is bring to this House measures of this nature, which, if supported, can have the effect of improving public administration. We are not getting involved in this horse-trading and confrontation. If it is that we have to discuss, talk and consult on matters, fine, but there is a way of doing it. Do not bring 10 pages of substantial amendments to 15 different laws and say they are only going to vote for something they thumped the bench for three months ago if they get all of this today. They cannot be serious. This is irresponsible behaviour of the highest order.

Madam Speaker, let me say to those on the other side, we on this side are prepared to examine every idea that they put forward. They are the Opposition; not one idea that they put forward will be dismissed. However, in terms of chaffing with them in the business of Government, Madam Speaker, you would know there is a place for the Parliament, the Government and the Opposition.

What my Friends from Couva have been trying to do from the day the election results came out is seek to create structures and strictures which would have the effect of obstructing and stymieing the governance of this country.

We had a lengthy debate here before on a motion—on page 2, it appears again—talking about a joint select committee to examine and investigate the budget. This was dealt with at length in this House. The Government's position on that is clear—but they want to talk about it, talk about it and to bring an amendment and say that they are only going to vote for this provision if they get this. They could not be serious.

Madam Speaker, look at their behaviour today. With respect to a clear-cut matter, which had their full support in May, to the extent that they were thumping the benches. Could you imagine their behaviour if we, on this side, agree for them to run the Government and the Parliament? So that every time you are out there and \$5 or \$5 million is needed we come to Parliament for a debate.

Madam Speaker, they have demonstrated before how this kind of approach will grind this country to a halt. The Government will not be able to function. Most of what I am seeing here is another way of getting something which they did not get previously. I do not care what the Member for Couva North says, the underlying argument presented is an argument based on power-sharing.

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We are saying, Madam Speaker, those who drafted our Constitution had a good idea as to what could and could not work. From time to time, you may make adjustments, but, this wholesale concept of power-sharing and this approach of aspects of the American system in our system, where we will only tack this on the bill and vote for it if we get that; that is not our system of Government, it is not our culture, as a matter of fact.

What we have here is an attempt to mix two systems of Government simply because the election results drew up, unfortunately, a situation where we had 21 elected Members on this side and 15 on the other side.

Madam Speaker, we cannot be irresponsible and encourage Members on the other side to believe that we can so change our Constitution to put systems in place which clearly would not redound to the benefit of the people of Trinidad and Tobago.

If it is that we are hearing now about the absolute necessity to have a throne speech, for without it nothing can go on, if they want to talk about a throne speech, we are prepared to discuss and deal with it. We are not saying we are going to agree with it. If it is that ideas are being put forward that we should have throne speeches and have them debated, we do not have a big problem with that. But to come and say they are not going to vote for a measure like this if they do not get support for a throne speech, they could not be serious.

Madam Speaker, the Member for Couva North was the deputy Prime Minister of a Government in this country in 1987 and 1988.

Mr. B. Panday: Fleetingly!

Hon. K. Rowley: As a result of his irresponsible conduct it was fleeting. That irresponsibility continues.

That is why, Madam Speaker, we are reluctant to change our Constitution so as to put that kind of irresponsibility into the daily operations of Government.

I never heard a word about the requirement for a throne speech. I was in the other place and I came to ceremonial openings of this Parliament when he was deputy Prime Minister and there was no throne speech. His Government proceeded to do business, as we have been doing over the years. So he should not come here today and talk about hypocrisy; that is hypocrisy. If he says now that we should have it and it is something that we should use, then say so, but do not give the impression that it is *raison d'etre* for good government.

Madam Speaker, borrowings. There are a number of amendments here which require that, if we accept these amendments, the Minister responsible will come to Parliament and they are being advanced in the name of the people. I want to tell the Member for Couva North and his Friend from Couva South that I got to this Parliament under a law called Representation of the People's Act.

Mr. Sudama: So did I.

Hon. K. Rowley: I am not even sure about that. But now that he has admitted and know it, he too, got here under the Representation of the People's Act. But the system is, the people elect individuals to represent them in their governance. So to come here and say that if the Government borrow, the people have no say in the matter, is a ridiculous and falacious argument—absolutely ridiculous. Where is the sudden awakening? These gentlemen were in Government and had an opportunity to address these things and never did. If they come today and give the impression that without these things there cannot be good Government, it makes one wonder.

Madam Speaker, the Member for Couva North introduced all kinds of red herrings as reasons for not supporting this motion. He went so far as to talk about treatment for Government Ministers at Mount Hope. Where does that come in? The terms and conditions of a Government Minister in this country are that the Government is committed to providing medical attention in or outside of public institutions. To the best of my knowledge, Mount Hope is a public institution and a Government Minister has access to that under the terms of his entitlement. I do not know what the issue is, but seeking to mislead people as usual; he is giving the impression that this Cabinet is acting improperly.

All of that, so as not to vote for a measure which will give no end of satisfaction to the Member for St. Augustine, because he was one of those persons who spoke out, in detail, about the need to make this adjustment from the point of view of the effects it will have on the construction industry.

I have said, Madam Speaker, that we are prepared to listen, examine, discuss and we are prepared to take what is useful and will contribute to good government. What we will not do, is allow ourselves to be blackmailed into positions which will not redound to the benefit of the people of Trinidad and Tobago.

On a matter like this and on many other matters, Madam Speaker, it is required that the other side provides support for the measure. If the support is not provided, then the measure cannot be implemented. We have had budget debates over the

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years, in December, January, whatever else. We are commending to Members on the other side to accept the fact that there is a role for the Government; accept the fact that there is a role for the Opposition; accept the fact that, in establishing policy under the period of governance, the establishment of policy is the prerogative of the Government who will consult and take all the positives as put forth from the other side.

Madam Speaker, the issues raised by my Friend from Couva North are not issues which should cause any reasonable person in this House not to support this motion.

Mr. B. Panday: Oh, yeah?

Hon. K. Rowley: To say that the motion requires these prerequisites before it gets support is simply looking for an excuse to be irresponsible. If it is that we need to amend these Acts, we have given a commitment to deal with their concerns. That was our concern, too, when we examined the expenditure for last year, as it appeared this year in that debate.

We have given the commitment that what is required is a strengthening of the Public Accounts Committee. The Public Accounts Committee is geared to provide the functions as requested by this volume of amendments. We are saying that we are prepared to have consultation with the other side as to the nature of that change for the powers of the Public Accounts Committee so as to give the Public Accounts Committee the additional requirements to be able to carry out these functions. The Government has taken that position; what the Members are calling for is something quite different. In fact, they are even calling for a Joint Select Committee of Parliament which involves the Upper House; which, according to my advice, might not even be proper.

If it is that they are concerned about accountability, what is it that one will not get from a strengthened, revitalized Public Accounts Committee arrived at after appropriate consultation, from that one will get from this volume of amendments? Madam Speaker, I do not want to prolong this debate, because I do not believe it is warranted. It is a plain and simple, straightforward matter. The Minister of Finance would like to change the financial year from January 1 to October 1 for the benefits as he outlined.

All I can do, is ask my friends on the other side to support the measure so that we can get the benefits of that change. To the extent that there are substantial amendments required elsewhere, there is a time and place for everything.

Madam Speaker, the people of this country will ultimately have to judge as to who is looking after whose interests in this House. I commend this Bill to the other side.

Thank you, Madam Speaker.

Mr. Arthur N.R. Robinson (*Tobago East*): Madam Speaker, unfortunately, I was not present for the commencement of the address of the Minister of Finance, so I do not know whether he would have answered some of the questions that I am going to ask in the course of my presentation.

The first matter which I would like to draw to the attention of the House—and I do not know whether the matter has been taken up—is clause 4 of the Bill. What I would like to know is whether my version is an accurate copy of the one presented to the House. My version reads:

"For the period beginning on the first day of January, 1992 and ending on the thirtieth day of September, 1992, that period shall, for the purposes of the Constitution and the Acts specified in the Schedule, be deemed to be the financial year."

I want to know whether this is an accurate version.

Mr. Mottley: Through you, Madam Speaker, I will inquire from the Member for Tobago East whether he is reading from the cyclostyle version of the Bill circulated.

Mr. Robinson: Yes, I am reading from a cyclostyle version.

Mr. Mottley: Then, I believe that is an accurate copy of what is circulated.

Mr. Robinson: May I draw it to the attention of the hon. Attorney General and ask the question whether it is the proper grammar that one would expect in a provision of this kind. I say this because it appears to me that this entire Bill has been drafted in some haste, and it may very well not address some of the critical issues which are involved in a fundamental change of this nature.

In fact, the hon. Member for Diego Martin West did say in his presentation that the Minister of Finance expressed the intention of the Government to make this change and then they proceeded to examine the implications of the change. In the normal course, one would expect that a very careful and thorough examination would be made of the implications of such a fundamental change before a Government commits itself to it, and that ample opportunity would be given to all

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the interests involved and to the country as a whole to explore and understand the implications of the measure.

It does not appear to me that that line of conduct was adopted by the Government in this measure. I say this, also, because I know that on previous occasions the possibility of such a change was examined, and it was felt that it was not possible to introduce a change of this nature with any degree of the efficiency intended and required, if sufficient time were not given to explore all the implications.

Those are two points I begin with: Firstly, the actual wording of the Bill, which I said seems to indicate some degree of haste and, secondly, the pronouncement of the hon. Member for Diego Martin West, which seems to indicate that this fundamental measure was decided on before its implications were fully explored.

I wish to refer, in passing, to statements made about appropriations and variation of appropriations. I think I should say something on the subject, because I happened to be the Minister who introduced the provision for variation of appropriations in the course of the financial year. That provision was introduced in the first period of independence because of the fact that the practice of previous Governments had been to introduce supplementary appropriations at the end of the year and those supplementary appropriations kept adding to sums appropriated by Parliament, without any relation whatsoever to actual expenditures. At the end of the year, after the supplementary appropriations were passed, one would find that Parliament had appropriated, say, \$150 million but, in fact, only \$100 million was spent.

If one were to look at the statistics which are to be found in the book which I wrote, *The Mechanics of Independence*, one would find that a high proportion of sums appropriated were not expended. So the provision was introduced to enable the Government to move money from areas where it was not likely to be spent into areas where it was needed. So at the end of the year, accounts more adequately and accurately reflected the transactions of the Government.

Fundamentally, I am satisfied that it was a measure which was necessary and which, indeed, did have the effect of introducing a greater measure of efficiency in Government operations. Whether it has been carried too far is a matter, I think, which is a legitimate concern of the Parliament. So any consideration of this matter should not, in my view, lead to a repeal of the basic measure which was

introduced, but rather to the extent to which it is necessary and whether any limits should be placed upon the ability of the Government to move moneys from where it is not needed or cannot be spent, to areas where it is needed and can be spent.

The next matter I would refer to is the matter of the throne speech. Here, again, may I say, Madam Speaker, that as one who sat, not only in the previous Government but other Governments, I certainly agree with the stand taken by the Leader of the Opposition and the Chief Whip, that the throne speech, in principle, is necessary and covers ground which is much wider than a budget debate.

A budget debate, however, does not only deal with appropriations or allocations. It concerns itself with broad policies of economic management, the economy as a whole and, in fact, any Government or Parliament that seeks to limit the debate to the question of whether money should be spent in one area or another is not doing its job. It has to deal with the question of what is the effect, for example, of the economic measures on the cost of living, inflation, and on employment.

3.40 p.m.

What is the effect on employment? What is the effect on the balance of payments? What is the effect on economic growth? All these which the Member for Oropouche, I am sure, would consider the macro measurements and considerations of economics are matters which come into play legitimately into a budget debate and consequently, expand the scope of the budget debate much more widely, than in relation to mere allocations of expenditures.

But a throne speech goes beyond this and deals also with the philosophy of the government and broader policies of the government in other areas and, consequently, is necessary, in my view, in indicating to the population at large, the general direction of the government and the likely measures that the Government will adopt in the course of the year, which would involve matters of national security, matters of education; matters which are not normally considered in any great length and in any great degree within the scope of the budget debate.

May I say that the reason the throne speech was not adopted previously, that is to say, in the Government which I represented, was that the two measures came in proximity. A throne speech tends to be a lengthy speech, and followed by a budget debate it means that there can be a situation where Members can repeat themselves; Parliament can become an exercise of a boring nature, if the two debates approximate one another in any considerable degree. So the way in which

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I suggest one can avoid that is having the prorogation of Parliament in a period which is apart from the likely presentation of the budget. There should be some distance between the prorogation of Parliament, the resumption of Parliament, and the budget debate.

The next point I will like to raise is that of consultation and, in that respect, I would like to ask spokesmen for Government whether they are really serious about this measure. Are they serious about it? How important really is it, to the Government? These questions do have implications. If they regard it as a very important measure, maybe an essential measure to the programme of the Government and the efficiency of the Government's operations, then it would seem to me that the life of the Government is on the line. If it is not a serious measure, then it is otherwise, therefore, I question the strategy adopted in the presentation of this bill. It seems to me that far from the Opposition causing confrontation, the manner of presentation by the Government, in particular, the Member for Diego Martin West, is designed to cause confrontation.

Having regard to its assessment of the political consequences, is it that the Government intends to go to the country on this measure? These are questions that need to be answered, because, apart from the actual posture during the course of this debate—the posture of the Government—there is also the very important issue of consultation, the much flogged issue, and it is not only the Government that is involved in this, it is also the Opposition.

I wish to make it clear that I am not sounding any alarm. What I am trying to do is to raise, what I consider to be legitimate issues which arise from this legislation, and from the debate in this House, from what I consider to be normal procedures and practices to a democratic Parliament. One would have expected that even before this measure was announced, there would have been consultation; but let us say one can excuse the Government for not consulting at that stage. At what stage was it discovered that a two-thirds majority of Parliament would be required for the passing of this bill? Why at that stage, belated as it may have been, did the Government not make an effort to consult and arrive at some kind of understanding, in relation to what would be the position with the Opposition in this matter? These are questions that would legitimately arise, because someone could not assume that it would get a two-thirds majority just like that. It would be an egregious mal-exercise of political judgment to assume a two-thirds majority for a measure of this type. So that I am really puzzled as to why this approach is being adopted.

Why wait until today, to find out whether the Opposition would support this motion, or sufficient votes would be obtained for the support of this bill? You cannot assume the votes of Members of Parliament. You cannot assume, you cannot expect, you cannot take for granted, the votes of Members of Parliament—Members of Parliament are free to exercise their judgment. So that I am considerably perplexed by the strategy adopted in this matter.

I must say, that when the debate began, I assumed that, even though my colleagues and I were not consulted in any way, the Leader of the Opposition had been consulted, and that some agreement had been arrived at, between the Government and the Opposition, and I thought that this was just a formality. So, you can understand my surprise when I heard all the conditionalities, which have been attached by the Opposition, for their support to this measure.

The next question I would like to ask, is about CARICOM—and I believe it is the Minister of Finance who referred to this matter—I do not know, to what extent, because I was not present for his whole contribution.

3.50 p.m

The final issue I would like to raise, is an issue in respect of our Caricom colleagues. Now, it happens that a very meaningful exercise is taking place in this country today. That is the event, celebration or however you may describe it, known as Carifesta. The essence of Carifesta is togetherness. The whole purpose of having Carifesta—the original intention, anyway—has been to emphasize that togetherness in a very creative, vivid, expressive and graphic way, so as to carry forward the movement towards Caribbean integration, and that is now taking place.

Trinidad and Tobago is committed to undertaking the necessary measures to bring about a common currency—apart from a common market—in Caricom. May I ask: Has the Government considered to what extent this measure assists, facilitates or makes more difficult, the achievement of the common currency, which would come about through co-ordination of financial management? Can the Minister state, for example, what dates have been selected by other Caricom countries for the beginning and end of their financial year? Has he considered it? Most Caricom countries, at the moment, have two months in which budgets are presented, the month of April and the month of December. We are moving now to the month of September. What effect does this have in terms of promoting, or otherwise?

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Is it not desirable that we all should move towards coincidental financial years and co-ordinate our financial management, as much as possible, in our movement towards, not only the common market, but also the common currency? Have all these matters been considered? They are important matters, if we are serious. This is the point. If we are serious, they are important matters.

Madam Speaker, you can understand the extent to which I am puzzled by this whole development on this exercise. All I can say is that the work that has not been done before, if the Government is serious, it seems to me, would now have to be done; unless it is a confrontational approach that is desired, or unless it is an electoral solution that the Government requires.

I wish to assure the Parliament that I, certainly, am in no position to consider the effect of all these amendments, at the present time. I wish to assure the Parliament that I am willing to assist in whatever way I can, in order to see that the country's interest predominates, but, at the moment, I must confess that I see no precise course of action—and certainly no line of voting—that I can adopt in this particular matter.

The Minister for Local Government and Minister in the Ministry of Finance (Hon. Kenneth Valley): Madam Speaker, I find this debate is taking a very interesting turn. I remember, quite vividly, the fact that when this measure was announced in May this year, every Member in the House thought it was the best thing, since sliced bread. Everybody clapped and pounded the desks, because, as a fact—

Mr. Robinson: Madam Speaker, may I say, on behalf of myself and my colleague, that what the Member is saying does not apply to us.

Hon. K. Valley: Madam Speaker, that is correct—every Member in the House, on that day. Even so, since May until this time, not one Member of this House raised any objections or raised any issue with respect to that proposal.

As late as on the day when we prorogued this House, I said it quite clearly that we would be coming, in the new term, with legislation with respect to change in the fiscal year. Even at that time, neither the majority Opposition, nor the minority Opposition, had any objections. Today, however, we are faced with a nine-page document suggesting certain constitutional changes with respect to the legislation.

First of all, I want to agree with the point made by the Member for Tobago East, that in fact, the budget speech, today, is much wider than simply talking

about appropriation. In fact, the budget speech outlines Government's policy across the range of a number of areas, and to the extent that it does not, one has to wonder, what is the relevance of the requirement that there be a throne speech in a Bill which seeks to change the fiscal year. What is the relevance between the two? Are we simply trying to tag on a bit here, simply because we have the right to do so? Are we getting involved in the pork-barrel politics of the United States? Is that what we are talking about? Tagging on; that is the issue.

Mr. Maharaj: On a point of order. The hon. Member for Diego Martin Central first spoke to me about this Bill this morning, and in response to that first conversation, I sent him a document. That is the true picture.

4.00 p.m.

Hon. K. Valley: Madam Speaker, my conversation with the hon. Member, this morning—let me just say, that I spoke with him in the context of the sitting today. I was asking, how long we were going to be in the House because, honestly, I thought that this would have been—Madam Speaker, perhaps the Member is saying, it is arrogance and, perhaps, naively, I believed that when they thumped their desks, that, in fact, they supported the Bill. Now, I know that when they say, “yes”, perhaps, they mean “no”.

Mr. Maharaj: Madam Speaker, is the hon. Member for Diego Martin saying that he did not speak to me this morning about the proposed bill and in response to that, the note was sent to him as to our stand?

Hon. K. Valley: Madam Speaker, all I am saying is that my conversation with the hon. Member pertained to the sitting of the day. During a conversation the matter of the day came up, and he mentioned clearly that they had certain proposals and he would send them to me. To me that is a private conversation and I do not know why we are getting involved with that. I do not want to make an issue about it. My conversation was merely with respect—that was not fundamental to my conversation. My conversation dealt with the sitting today and, of course, the matter to be debated came up in the conversation.

I got up to assure the Member for Tobago East that we are not planning, at this time, for any change with respect to the taxation year for the business community or for the individual. The taxation year for businesses as well as individuals will remain January 1 to December 31. The business community would have no fundamental changes to make in the manner in which they conduct their affairs.

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I have a difficulty in understanding why it is necessary that all Caribbean countries should have their fiscal period begin and end at the same time, if we want to move to a higher level of financial co-ordination. I do not think that is a necessary pre-requisite for such a move.

I thank you, Madam Speaker.

Mr. Trevor Sudama (*Oropouche*): Madam Speaker, I rise merely to respond to a couple points which were made by the Member for Diego Martin Central when he spoke about the issue of representation. I want to make it absolutely clear that all of us who find ourselves in this House, have come here by virtue of the Representation of the People's Act and we, too, represent people in this House.

Mr. Valley: Excuse me, Madam Speaker. Is he saying the hon. Member for Diego Martin Central?

Mr. Sudama: The Member for Diego martin West, I beg your pardon. He is so touchy on this issue or he does not want to take blows for Diego Martin West? We, on all sides, represent people but when we come to this House, what happens is, a budget is presented for a certain fiscal year in which the Opposition has absolutely no input. We represent people too. They have interests, needs and, yet, we cannot get any ounce of influence in determining the distribution of public resources in a budget.

Dr. Rowley: I just want to ask the hon. Member a question and I hope he would respond. When the PNM had three seats in the House what option did they give them to have an input in their budget?

Mr. Sudama: I am not discussing the PNM's role in Opposition and what options were given. I am not discussing that. I am discussing the PNM being in office for 30 years—now 31 years—and their attitude towards the people whom the Opposition represents. There is absolutely no attempt to look at the needs and incorporate them into the provisions of a budget. Yet, they come and talk about representing people as if it is only on the Government side people are represented. Nowhere else are people represented in this country. They have the right to represent and they were sent there by the people. That is the implication of what he is saying.

Dr. Rowley: On a point of order, Madam Speaker. The Member is imputing motives that are not correct and is misrepresenting me. What I said, with respect to the statement that the people have no inputs in decisions of the Government, is

that it was that Act which caused people to be here. I did not say that only Members on this side represent people. His implications are quite wrong and he is insinuating some very, very unpleasant things.

Mr. Sudama: As a representative of the people of Oropouche, I have no input in any critical decisions with respect to the distribution of public resources in this country. Therefore, when we come to this House and we say, "look here, we want this system to be changed, the system that you are operating where you dictate to this House; where, as an Executive, you come here and railroad legislation to this House, we have said, time and time again, we want that system changed. We are moving towards the evolution of a system where this House exercises some authority over the Executive.

Madam Speaker, they talk about this system and how we want to change it, this parliamentary and this Westminster system that we have inherited as if it is written in stone. We have said, time and time again, in this House, that the Westminster system as it exists is not suited to the kind of plural society which we have in Trinidad and Tobago, where sectors of this population are permanently excluded from decision making. We have said so time and again. So they come here to tell us that this Westminster system is the "word of God" presented here, because they believe in secret government, in executive dominance of the legislature. This system serves no purpose and we want to evolve into another system which serves the democracy in Trinidad and Tobago, which serves the interest of all the people in Trinidad and Tobago. That is the signal we want to send to them today in this debate.

Madam Speaker, the attitude reflected here—and I want to agree with my colleague, the Member for Tobago East as I have said before, and I do not know whether, in fact, he has agreed with my previous statement, that they take this House for granted. They come here, requiring a special majority and sit down and say, yes, once we give the signal, the Opposition would rally like sheep to the call of the PNM Government. We will tie a rope and we will pull them like camel. The gross arrogance of their attitude is what is in question here today. The Parliament is merely a large rubber stamp and when they bring legislation, whether we talk or not, they put their stamp of approval and it goes through. It is a clearing house, so to speak. This PNM is clearing the House of whatever you may wish to bring to it. It does not have an existence of its own, a purpose of its own. It does not have a status of its own. It is there at the beck and call of the Executive and that is one of the reasons why we say that this Westminster system is not functioning in the

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best interest of the people of Trinidad and Tobago. This is total dominance of the Executive over the Legislature.

4.10 p.m.

This is one of the things which is an issue today in this debate, the talk about irresponsibility. The country which boasts about being the greatest democracy in the world, the United States of America, is the country from which they choose to take economic instructions. They talk about whether we want to cross-trade as in the United States system. It is as if politics in Trinidad and Tobago is about the PNM law and politics does not go beyond that. There is no room for difference of opinion, negotiation, compromise and give-and-take in the PNM concept and philosophy of autocratic government.

We on this side are saying that this culture has operated to the detriment of politics in this country and has not served the needs of the people. We would like this system to evolve over time. This afternoon, we take the opportunity to strike one more blow for the evolution of our system into a more relevant, meaningful and desirable political process in Trinidad and Tobago. Irresponsibility of the Opposition, they say.

Let me recall what happens in the United States of America. In the United States of America, the President presents a budget proposal to the Congress. If they do not agree with that budget proposal, they will debate it and go on for weeks debating it, despite whatever deadline the President or the Constitution may propose, because they feel that in the interest of the people they represent, those budget proposals are not satisfactory. Yet, they are prepared to face any charge of irresponsibility, because they know that they act on behalf of the people whom they represent.

That is what we are doing this afternoon. We are acting on behalf of the people we represent, in saying that the system for the formulation and input into budget making—of course it has to do with the fiscal year—is totally unsatisfactory for the purposes of treating the needs, interests, desires and welfare of the people in Trinidad and Tobago, particularly those whom we represent. Is that irresponsible? The Leader of the Opposition says: “Let us go to the people and discuss irresponsibility.” Let us go to the people and tell them how we come here sitting after sitting, to ask for little things.

Later on, I will talk about the Member for Diego Martin East and the total arrogance and insensitivity of that Minister. Little things we come to talk about and we cannot get through to the Government Ministers and public servants. There is absolutely no response from them. People in my constituency suffer on a daily basis, whether it is from the ravages of flooding, bad roads, drainage, lack of water supply, communication, unemployment in the area or depressed agricultural prices.

When you come here, you face this arrogance, hostility and insensitivity. They come and tell me about irresponsibility of the Opposition. If there is any irresponsibility in this House, it is the irresponsibility displayed by Members of this Government. They are totally irresponsible to the cries of the people of Trinidad and Tobago, crying out in desperation for leadership for the purposes of alleviating their desperate conditions and economic financial position in this country.

Never in the history of this country has there been so many crimes and suicides. This is a reflection of the state of this nation. It does not matter how many pictures are hung up at the entrance of the Carifesta festival, it is not going to change the price of cocoa as to what is happening in this country. Unemployment, crime and suicide are at record levels in the history of this country. There is a breakdown in the public utilities. Never before have we faced such tragic circumstances in which the people of this country have to live.

Fortunately, we have been spared the ravages of a hurricane. I think the efforts of the PNM are even worse than the ravages of the last hurricane which struck. A hurricane strikes one or two days; they have been striking at this population for 30 years with autocracy, incompetence, insensitivity and arrogance. Today, this society is on the brink of moral, social and economic collapse. All they can think about is little palliatives of trying to get some releases here, and hand out a five-days or 10-days to their chosen people. That is not going to solve the problem.

The Member for Diego Martin West says when people are employed, they get income in their pockets, when they work on construction in the Prime Minister's house, therefore they are able to look after themselves, as a result of that. I have no problem with people getting incomes in their pockets, but let us do something to improve the productive infrastructure of this economy and country.

I do not see how building a gym for the Member for San Fernando East is improving the productive infrastructure for the people of Trinidad and Tobago. I cannot see the relevance of that. If you had taken that money and had built a few

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access roads; cleared a few drains and acquired a few scores of acres of land for productive use, which is not so at the present time, you would have been assisting the economy in a meaningful way and creating employment on a more permanent basis. That kind of expenditure would have borne fruits in the future; not whether you build a gym.

I am not sure that the Member for San Fernando East would use that at all. I suppose when you go to visit the Prime Minister's house, he will show that he has a gym built at public expense. When he was not Prime Minister, he used to walk in Marabella to keep himself active. Now, he becomes Prime Minister, he wants a personal gym at taxpayer's expense.

The *Daily Express* and *Trinidad Guardian* defend that kind of expenditure. Of course, they have their axes to grind. They are part of this parasitic oligarchy which is stultifying and killing the growth of this country; the big business and the Government sit at the top of the society and prevent any progress in Trinidad and Tobago. All they are concerned with is making themselves comfortable at the expense of the masses of Trinidad and Tobago.

We come to discuss a measure about changing the fiscal year. We have said in principle, we shall support such a measure, but we are supporting it with amendments. We have no problem with that. If they want to agree with our amendments and they feel our amendments have merit, let us talk about them now. Now is the time. As the song says, it is now or never.

4.20 p.m.

I am saying that there is a larger issue involved here, and perhaps it is not getting over to the Members on the other side. It is not simply a matter of changing the fiscal year; it is a larger issue of budgetary formulation, input of Members of this Parliament into proposals; the question of secret Government, where you make decisions as Corporation Sole, behind the backs of the population, but when it comes to bearing the burden of taxation and the consequences of your action, whether it is borrowing, divesting or going on some kind of binge, it is the population who has to bear the burden of your measures. Always remember that.

To come here and say that you have the right to run the country as you see fit; that this is the system we have inherited and so on, without giving due regard to the people who have elected you and their concerns, interests, sufferings and

deprivations, is to treat the people who have put you into office with the utmost contempt, as if they do not have a view as to what you are doing whether it is right or wrong, and the consequences they will have to face.

Every time you take a loan and you cannot service that loan properly from the expenditure of that money, it is the taxpayers who will have to find the additional money to pay back. It is not as if you knew best. If you knew best what to do and if you have been in power for 30 years, then this country would not have been in the position in which it finds itself today. We have had foreign reserves here which countries 10 and 100 times our size never had, and you have frittered it away and now you are telling the Opposition that they are irresponsible. Gross fiscal irresponsibility and profligacy over the last 30 years; today, you hear talk about the Opposition being irresponsible.

The time is now; you will have to decide what you are going to do. We have made our proposals. We feel that they are reasonable in the light of the current demands we have been making over the years for a change in the system under which we operate, for a greater input of the collective voice of this Parliament, which includes all Members—Government and Opposition.

The Member for Diego Martin West says that the Government and Opposition have their roles to play. Well, I want to know what, in his view, is the role of the Opposition. Everytime he gets up and says, vote, we say, “aye”. Is that his concept of the role of the Opposition? I want to tell him that we have a different concept of the role of the Opposition and come what may, we are determined to change the system and make it evolve into a more meaningful and relevant system to serve the needs of the people of Trinidad and Tobago. Thank you, Madam Speaker.

The Prime Minister (Hon. Patrick Manning): Madam Speaker, I gave very careful thought before rising to enter this debate. I assure you and hon. Members, that I do not propose to be long.

Permit me to draw your attention and the attention of hon Members to Standing Order No. 36(1) of this House, which reads as follows:

"Subject to the provisions of Standing Order No. 12 (Adjournment—Definite Matter of Urgent Public Importance), debate upon any motion, Bill or amendment shall be relevant to such motion, Bill or amendment, and a Member shall confine his observations to the subject under discussion".

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What is the Bill before us? The Bill before us and the purpose of the Bill before us is clearly articulated in the explanatory note, and for the benefit of hon. Members, I would just like to read it in part. It goes as follows:

"The purpose of this Bill is to provide for a change in the financial year from 1st January to 31st December in each year to 1st October to 30th September in the year following."

It is a clear purpose; it is not ambiguous. It is very clear indeed that the bill before us has a particular objective which is clearly defined. When you look at that in relation to Standing Order No. 36(1), you come to the inescapable conclusion that the so-called "amendments" of the Member for Couva South go way beyond that and violate the Standing Orders of the Parliament.

Mr. B. Panday: Let the Standing Orders vote for you.

Hon. P. Manning: The Leader of the Opposition is saying, "let the Standing Orders vote for you". It is a clear statement on his part that he is not concerned with rules; he is not concerned with principle.

Mr. Maharaj: Madam Speaker, if there was a violation of the Standing Orders, it was open at the time for the Members on the other side to object and ask for a ruling so that your views could have been sought, but the hon. Member for San Fernando East knows fully well that it is totally relevant and I do not think that he should, at this stage, raise the issue as to whether anything was relevant or not. He accepted it.

Hon. P. Manning: The hon. Member for Couva South wants to come with purely a legal position in circumstances where he knows, as indeed I believe his colleague from Couva North also knows, that the approach is entirely improper. In fact, it is not the same position as existed in respect of the Maxi-Taxi legislation. On that item, the amendments that were suggested by hon. Members opposite were amendments that were very relevant indeed to the matter under consideration and you can understand, in those circumstances, the Government saying, whether we agree with you or not, you are raising matters that are relevant, so let us discuss them and see whether there can be a meeting of minds, as any reasonable Government will operate.

On this occasion, if the Government makes the error of going along with the approach as outlined by hon. Members opposite, not only are we subverting the principles on which we meet here as a Parliament and on which we are all elected

to serve the people of Trinidad and Tobago, but we are opening a floodgate, the end to which we cannot at this point in time contemplate. We are discussing apples, but because the Opposition has some objective, they feel they must import oranges into debates, that is what it really is.

4.30 p.m.

Madam Speaker, however desirable their suggestions might be in terms of the adjustment in the administration of the country's affairs, the fact is that the matter that is before us is a simple matter designed to improve the efficiency of the conduct of governmental affairs. More than that, when it was raised three months ago, it received the favourable approbation of hon. Members. In fact, the comment of the Member for Oropouche at the time—and I remember it quite clearly—was: "I don not know why he could not have done that before"—pointing to the Member for Tobago East.

Mr. Sudama: Madam Speaker, on a point of order. I do not wish the Prime Minister to mislead this House. The Member for Tobago East was not even in the House at the time that this announcement was made. How could I have pointed to the Member for Tobago East and say, "why we could not have done that before..." He is misleading the House and he should stop misleading this House.

Hon. P. Manning: Madam Speaker, I am not being side-tracked by this side issue. It is a clear position that all of them reiterated this evening. It is not that they disagree with the measure. In fact, it is a measure with which they are in total agreement.

Mr. B. Panday: We are, sure.

Hon. P. Manning: The hon. Member for Couva North, in making his contribution on this matter, referred to a pamphlet circulated as part of our election campaign on the condemnation of *ad hocism*. Madam Speaker, I condemn the approach, because three months ago we said it—not three months ago not two months ago, not last month, not last week, it is today, as we come to the Parliament, we are presented with 10 pages of amendments that are entirely irrelevant to the matter under consideration by the House. It is that kind of *ad hocism* that I condemned in that pamphlet that was circulated to the electorate in the run-up to elections.

Madam Speaker, perhaps one could say we were naive. We assumed that we had a responsible Opposition which, having signified its total concurrence with the

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Bill—that was our assumption. Even now they continue to make the point that they do not disagree with it and, therefore, one asks oneself the question: What is the bone of contention? Do they continue to insist that is a proper way to operate, especially in circumstances where what they have put before us violates the Standing Orders?

I draw your attention, Madam Speaker, to Standing Order No. 53(3):

"The following provisions shall apply to amendments relating to Bills:

- (a) An amendment must be relevant to the subject matter of the bill, and to the subject matter of the clause to which it relates."

Madam Speaker, what they have done violates yet another Standing Order and then they expect that the Government must succumb, merely because they believe the Government needs their votes to pass the measure.

Madam Speaker, if this were a fundamental matter to the Government, we would know how to deal with it. We simply tried, in the conduct of our affairs, to bring a greater measure of efficiency to this aspect of operations, as indeed we are seeking to do over the entire range of governmental activity. If, in those circumstances, we are going to be hampered and impediments are going to be put in the way of the Government by the Opposition, then the Government has a responsibility to ensure that this is known to the people of Trinidad and Tobago.

Madam Speaker, I could easily have gotten into some of the details, but I did not want to get involved in it except to raise just one issue on the throne speech. For years, there has not been a throne speech. I think the last one may have been the first parliamentary opening after the country became a Republic. All of a sudden, 15 years later, a commotion is being made about throne speech or no throne speech; especially from persons who had an opportunity, while they were in Government, however fleetingly, Madam Speaker, to either make the suggestion or not make it. The question that immediately arises is the sincerity of their approach.

The reality is, Madam Speaker, that when the throne speech was no longer applicable, the budgets were presented in such a way that the total Government policy forms a part of the budget debate. So that I am saying that the matter is one for discussion. I am not defending anything, I am merely explaining and trying to ensure that the population does not get an impression that is entirely incorrect as a result of the statements of hon. Members opposite.

It is not that the country has lost, at all. If one goes back to a throne speech, Madam Speaker, as the Government and the Parliament in its wisdom could consider if we do that, then one of the effects of it is a restrictive budget and a restrictive budget debate that addresses itself only to the financial issues of the day.

Madam Speaker, Members opposite have indicated that they are prepared to go up and down the country and argue their case; they will have their wish. I now wish to announce that local government elections will be held on Monday, September, 28, 1992.

Mr. Maharaj: Madam Speaker, was that relevant to the Standing Orders?

Madam Speaker: Hon. Members, the sitting of this House is now suspended. We will resume at 5.05 p.m.

4.37 p.m.: *Sitting suspended.*

5.10 p.m.: *Sitting resumed.*

The Minister of Finance (Hon. Wendell Mottley): Madam Speaker, this afternoon I brought what I thought was a simple Bill, merely for the purpose of providing for change in the financial year from January 1 to December 31, in each year, to October 1 to September 30 in the year following. Apparently, it has not been such a simple matter.

Just for the record, Madam Speaker, I think, especially with so many on both sides who had their incipient years in politics in local government, that it is especially in local government areas that we saw great benefit to be derived from this legislation.

Madam Speaker, after the Finance Bill is passed in this House, it goes to the next House, there are a whole series of debates and motions and for that reason there is a provision whereby one can drawdown on one month in anticipation of this being passed. The law contemplates the bureaucracy, before actual releases are made.

My own experience, in speaking to councillors in my own constituency, for instance, is that very often, those funds are not available until March and in those circumstances, where there are drainage works, repairs to bridges and so forth, the usual things that are required of county councils, that work starts at the end of the dry season and with the first rains—again, I refer to the Member for St. Augustine, somehow who is experienced in construction. I have had experience in

construction and it is true to say, especially in Trinidad and Tobago, and especially in certain areas of Trinidad and Tobago where there are heavy clays, that productivity in construction in the rainy season is probably only 15 to 20 per cent of what it is in the dry season. This is a fact, Madam Speaker.

These were some of the considerations that led us to bite the bullet, because much of the public service advice, based on the normal inertia, is to leave things as they are. We felt that we would take the bull by the horns; we investigated the feasibility of this before we brought it to Cabinet, and we saw that it could work. We tested some of the parameters. We understood that there would have to have been certain consequential changes, but they were not major.

In particular, we investigated that where there might have been major changes would have been in changing the income tax year and, for that reason, as we said after consultation with the people in the business, with the accountants and so forth, we decided to leave that and deal with just these attendant changes.

A budget also early in this particular year would have given the country and especially the business community a change, after a year of stabilization—a year in which we have succeeded in stabilizing the economy—a chance now to signal our movement towards growth and send the whole country in that direction. These were some of the things that we had anticipated in May and which, in fact, have been borne out in circumstances since then.

Therefore, Madam Speaker, in response, in particular, to the Member for Tobago East, I would say that it is not true to say that we have not come here prepared. We have prepared, we have looked into this thing thoroughly. All the departments were circulated. They came back with their concerns, which we discussed with them and then they came back to the areas where specific amendments were required. Just out of an abundance of caution, we had a particular clause inserted, just in case there was some oversight or human error.

It has only been since May, but let me assure this House that the Ministry promptly circulated every department, we went after them and there were, in fact, two submissions to Cabinet on this particular matter that led to the amendments here proposed. So it is nothing that was done in haste, or that was ill-prepared. We used the time well in-between May and now to get feedback from within the bureaucracy and spoke to people in the business community and so forth, relating to what is here.

The Member for Couva South raised a particular matter about Government signalling its broad direction. I think the Member for Tobago East indicated that the budget speech had been used hitherto almost as part of the evolving tradition to merge the throne speech into the budget speech and that is why we have such wide debate on the budget speech.

In fact, in other Parliaments, such as the Canadian Parliament, the budget speech is something, perhaps, no more than five or 10 minutes—it is just that—because it is a purely financial document. With our differing tradition, the budget speech is somewhat different.

Mr. Maharaj: Madam Speaker, I wonder if the hon. Minister would give way. Would the hon. Member for St. Ann's East tell this House whether the Budget Speech of 1992 can be considered to be a policy statement of the Government?

Hon. W. Mottley: Yes, Madam Speaker, it clearly is. Not in as wide a term as it has been in the past and there were obvious reasons why that was so.

Madam Speaker, I will tell the Member for Couva South that, irrespective of how this particular matter is decided, I gave this House an assurance that I would use the time in between that budget and when I came back with the next budget to properly inform this House of the medium-term strategy and the broad economic policy in which we hope to carry the people of Trinidad and Tobago.

I wish to inform the House that the plan is now almost complete. In fact, I hope to get it approved at the first stage at Cabinet, next week, in which we would set the economic parameters for the next four years, at least, in the very broadest sense. That document will be laid in this House so that hon. Members will have a clear view of not only the immediate one-year perspective of the budget, but of the wider considerations, looking into the medium term, that will impact the 1992/93 budget and subsequent budgets for, at least, the next four years. It will be on a rolling basis so that we can revise it in the light of criticism and experience.

Clearly, Madam Speaker, we have complied with the spirit of what the Member for Couva South was aiming at when he spoke about the concerns that would lead to a throne speech. We have a slightly different tradition that is still evolving and I am saying that we are addressing it in our own way. It is not fixed in terms of everything being set, but we are clearly addressing those kinds of concerns.

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On the other matters raised in the amendments by the Member for Couva South, and also touched on by the Members for Couva North and Oropouche, these were issues that were raised in the context of a motion in this House. I spoke on that, Madam Speaker, and the Government's view at the time was that we needed to strengthen certain existing committees in this House. In fact, I agreed with the Members on the other side that there were certain kinds of accountability required, and that, again, in our evolving tradition we needed to address these matters. We, on this side, felt that was the particular channel within our evolving democracy to deal with those concerns.

Within the narrow perspective, however, of the purpose of this Bill, we did not expect those particular matters to be raised. I would only say, Madam Speaker, that it would be a great shame if we lost this opportunity at this time to deal with an important, fundamental and far-reaching change in how we budget, administer and serve the people of this country. At the end of the day, when only 20 per cent of the dollar spent is realized in actual work done, we can be taken to task at the polls, those of us on either side of this House.

Ultimately, it is the people of Trinidad and Tobago who get only 20 per cent of the value of the dollar spent. I will say that we agree with the other side: there are other areas of concern. They raised areas of concern about accountability. They are other areas of concern, as well, about the actual value, irrespective of the season, of work for the dollar spent. In the county councils, the Ministry of Works and this House we have arguments and discussions about that.

Mr. Humphrey: I thank the hon. Minister for giving way. If the financial year is not changed and the Government establishes funds for county councils, enabling those councils to carry forward their balances, would that not accomplish exactly the same thing that the Minister is speaking about? However, will that not diminish the control of the central Government over local government?

Hon. W. Mottley: Madam Speaker, that is an argument that the Member for Diego Martin Central has raised, but it is controversial. We are looking at it, but, at the same time, we are trying to see, if we did that, how we would avoid certain obvious abuses. There is real danger of certain abuses, so that it is not as cut and dried as that.

Where I left off before that interruption is that we are saying that there are other areas to be addressed, Madam Speaker, not only the question of accountability and the change in the budget year, but also getting the various

Government departments and regional corporations organized in a better fashion to deliver the goods that the citizens expect. That is a separate and distinct item of reform agenda that will be coming here. We are merely saying that this is but one piece and we expected it to be treated as one piece. There are several areas of reform that we have to address in this country if we are to move into delivering the quality of services that the people in this country expect of their representatives whether of central or local government.

Madam Speaker, I would urge Members on the other side to consider what I have said. I am sure that their own experiences will move them in a certain direction and I would hope that we can all proceed in good faith and that we can count on their support.

Madam Speaker, I beg to move.

5.30 p.m.

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 to 4 ordered to stand part of the bill.

Question proposed, That the Schedule stand part of the bill.

Mr. Sobion: Madam Chairman, I beg to move that the Schedule be amended as follows:

Delete the first entry in the second column opposite the item “Exchequer and Audit Act, Chap. 69:01” in the first column and substitute the following entry—

“In section 2 delete the definition of ‘period of account’ and substitute the following definition—

‘period of account’ means, in respect of the period 1st January 1992 to 30th September, 1992, the period of nine months ending on 30th September and thereafter in respect of the accounts referred to in section 24(1) the period of twelve months ending on 30th September in each year and in respect of other accounts such period of twelve months (or lesser period) as may be prescribed;’ ”.

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The amendment is designed to take care of the period January 1992 to September 1992. In the Exchequer and Audit Act, a period of account is described as a twelve-month period. So without that amendment which would limit the period of account in 1992 to a nine-month period, there would have been a defect in the draft as we have it in the bill.

Question put and agreed to.

Schedule, as amended, ordered to stand part of the Bill.

Mr. Maharaj: Madam Chairman, I see we have already dealt with the —

Madam Chairman: We are going through the schedule at the moment.

Mr. Maharaj: My amendments would obviously go after clause 4.

Madam Chairman: Are you proposing a new section?

Mr. Maharaj: Several new sections.

Madam Chairman: What are they?

Mr. Valley: They cannot be taken Madam Chairman, as they are not fundamental to the Bill. They are not in the nature of amendments.

Mr. Maharaj: I want to make it quite clear to the Leader of the House that when I deal with the proposals, he would be entitled to make whatever comments he wishes. I am entitled to show how they are relevant.

Mr. Valley: Madam Chairman, if one were to look at Standing Order 53 (3) it states:

"(3) The following provisions shall apply to amendments relating to Bills:

- (a) An amendment must be relevant to the subject matter of the Bill, and to the subject matter of the clause to which it relates."

Mr. Maharaj: Am I not entitled to demonstrate how the amendment is to be relevant to the subject matter—as I understand the rules—unless I am wrong?

Mr. Valley: The type of amendment proposed must be relevant to the Bill.

Mr. Maharaj: That is the function of the Speaker, to rule. It has not yet become your function.

Madam Chairman: The Member is proposing an amendment and naturally, he is entitled to show that it is relevant. The other side, in the course of their argument, will indeed show that it is not relevant.

A vote will be taken and the matter will be dealt with at that stage. But in the proposing of any amendment, the Member must be given the opportunity to show its relevance or, irrelevance.

Mr. Maharaj: Madam Chairman, I propose as part of this Bill, to ask that Section 67 of the Constitution be amended, as shown on page 1 of my list of amendments. This is relevant because the subject matter we are dealing with, concerns the administration of finances. The changing of the financial year is merely incidental to the subject matter. When one is altering the Constitution, one has to consider what is the relevant in relation to what "alteration" means in the Constitution. If one looks at section 54 (6) of the Constitution, it says:

"In this section references to the alteration of any of the provisions of this Constitution or in the Trinidad and Tobago Independent Act, 1962, include references to repealing it, with or without re-enactment thereof or the making of different provisions in place thereof or the making of provisions for any particular case or class of case inconsistent therewith, to modifying it and to suspending its operation for any period."

We are dealing under two heads: making of different provisions in place thereof, or the making of provision for any particular case or class of case. The case we are dealing with and the class of case is with respect to administration of finances. When one is coming with a bill to alter the Constitution, it would appear to me that matters relating to the administration of finances—that is to say, whether it will give greater efficiency to the administration of finances—become very relevant.

It is not unusual in the history of this House, that whenever there have been proposals to amend the Constitution, we have had other sections proposed to be amended. So, in my respectful submission, the issue as to whether the session of Parliament should commence with an address by the President in which the policy of the Government is enumerated, is a matter which relates to the subject matter. When we are dealing with a constitution, we do not deal with it in a narrow sense. We deal with a constitution in a very wide sense to give effect to its spirit and its purpose. Therefore, one cannot attempt to alter the Constitution and in attempting to alter it say, that other sections which are proposed to be amended which relate

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to the same class of case—that is to say, the administration of finances—are not relevant.

There is another point I would like to put on the record in this matter. The motion for the amendment was moved and, seconded, without any objection. There was no ruling by the Speaker, at the time when the matter was agitated, that it was irrelevant. The first time any issue of relevance arose was when the hon. Member for San Fernando East made his contribution. Not that that in itself is a reason for allowing it, but I am saying that it is a clear case in which it is relevant and it is a matter that should be decided by this House, as to whether it should be included or not.

Madam Chairman, with respect to section 67, insert the following after subsection (2):

- "(3) (a) Each session of Parliament shall commence with an address by the President the contents of which address shall state *inter alia* the whole scope of Government's policy for the session.
- (b) It shall be the duty of the Government to have such a policy document prepared so that the President can comply with the provisions of section 67 (3) (a) herein.
- (4) The copy of the President's speech shall be the subject of debate in both Houses of Parliament before the presentation of the Budget."

With respect to subsection (5):

- "(5) At the commencement of every session of Parliament a Joint Select Committee of Parliament shall be appointed and it shall have the power to examine the expenditures and administration of all enterprises owned or controlled by the State (including government departments, public bodies, statutory authorities and State corporations), to monitor the implementation of fiscal and other measures approved by Parliament and to conduct investigations on its own motion or pursuant to complaints received in respect of the matters referred to above."

This has to do with the setting up of a joint select committee. The fact that the Senate cannot stop a finance bill has nothing to do with this, because it is a joint select committee and it is not mandating anyone to become a member of the

committee. What it is doing is making provision for a machinery whereby such a committee ought to be set up.

In my respectful submission, it has been admitted by the other side, that the measure which they have before us, is a measure which deals with the administration of finances, and it is a measure which they intend would give better implementation to whatever policy they have and to improve financial accountability. That is the purpose. This proposed amendment is in effect, to do just that, and if passed, could provide financial accountability by the Government, to the Parliament.

Mr. Valley: Madam Chairman, we are quite willing to look at these—

Madam Chairman: So far as the issue of amendments is concerned, I wish to draw the hon. Member's attention to Standing Order 53 (3) (f) and (h) which is within the Speaker's discretion:

- “(f) The Chairman may refuse to allow an amendment, which is, in his opinion, frivolous or meaningless, to be moved.
- (h) The Chairman may at any time during the discussion of a proposed amendment withdraw it from the consideration of the Committee if, in his opinion, the discussion has shown that the amendment violates the provisions of the Standing Order.”

Mr. Maharaj: I am not speaking of discretion. But the discretion should be exercised in a manner in which public confidence would be rooted in it.

Mr. Valley: Madam Chairman, I just want to make the point that the Bill before us really deals with changing the financial year. Even if we were to extend that to say, “yes we are talking about the administration of finance,” one has a difficulty in understanding how the throne speech fits into that type of definition.

With respect to his subsection (5) there are Joint Select Committees, Public Accounts Committee and the Public Accounts (Enterprises) Committee. Even with respect to the administration of finance, there is already machinery in place to take care of that. Then of course, it goes on to talk in terms of control on borrowing.

5.40 p.m.

Madam Chairman, you would know, that in fact, in the budget one has to approve borrowing in the budget. Even if we are talking with respect to the

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administration of finance, machinery exists already, to deal with this. We are dealing here, simply with the change in the financial year.

Having said that, we are quite willing and, in good faith, prepared to set up a committee to meet with the Opposition to talk about the matters listed here. We are quite prepared to look at it, in good faith. We are saying, however, that given the need at this time, that we should, in fact, pass this legislation to change the financial year.

Mr. B. Panday: Madam Chairman, may I respond to the hon. Member for Diego Martin Central?

Madam Chairman: Yes,

Mr. B. Panday: If the Member is genuine about his undertaking to set up a committee to meet and discuss this matter, would he agree to set up the committee now, and let us discuss the matter over the weekend and come here on Tuesday and pass the bill?

Mr. Valley: Madam Chairman, even if we are willing to set up the committee now, we want to pass this legislation now. The committee can meet. Our position, quite simply, is that these amendments have nothing whatsoever to do with this bill, and we want to keep it, as far as possible, from this bill. In good faith, however, we will meet and sit with you, because we too—if you believe there is need for a higher level of accountability—are interested in that. We are quite willing to meet with you on this, but this has nothing to do with the Bill.

Mr. B. Panday: Madam Chairman, may I also ask the Member if the Government was willing, why did they reject it when such a similar proposal came before the House?

Mr. Valley: We did not. We said that we were quite willing to strengthen the Public Accounts Committee and we are still of that view. We would meet with you, at any time. If you want, we are willing to set up the committee now, to do so.

Mr. B. Panday: I withdraw what I was saying. I was under the impression that the Member was genuine about it. When he talked about the Public Accounts Committee, of course, he is not. I withdraw what I was saying.

Mr. Manning: Madam Chairman, I just want to make a comment here. On the question of accountability, that has been the subject of some very detailed

scrutiny and discussion among certain Members of the Cabinet. Our commitment is to improve the system by which we govern the country, as best we can, and there is a clear need to attend to the accountability arrangements of the Government. It is so important, that we have been looking at the matter over time, and it is not the kind of matter we would want to rush into.

Recently, there have been arrangements with the IADB in respect of the energy sector loan, that involves the establishment of a group of people. One of the things we have been considering, for example, is whether that mechanism could be used to bring greater accountability in the state enterprise sector, in the companies in the energy sector. In respect of companies outside of the energy sector, we have, ourselves, been considering other mechanisms. It is very much in our minds.

However—and while we are committed to examining arrangements, and improving them as best we can—we have a great difficulty in tying those considerations to the bill before us. They are just not relevant to the bill. All this bill seeks to do is to change the financial year. That is all.

Mr. B. Panday: Madam Chairman, if the objection of the Member for San Fernando East is that he finds it difficult to tie this in, then I am saying, let us meet over the weekend and bring two bills on Tuesday; one incorporating ours and one about the changing of the year. I am prepared to work over the Independence holiday.

Mr. Valley: Madam Chairman, that is untenable as far as we are concerned. Even if we were to do that, the mere fact of the association implies that there is a connection between the two bills.

We are telling the Opposition, quite clearly, that yes—we have said it before—we are for consultation. If you believe that this would lead to higher accountability, we are willing to meet on Tuesday or Wednesday, but not in connection with this. This is quite different. We are prepared to meet next week and talk with you, in good faith.

Mr. Maharaj: Madam Chairman, in response, it would appear that the Government is not prepared to seriously consider whether there should be this proposal. The hon. Member for Couva North has stated that—assuming, but not admitting that they are correct—it is irrelevant. They did not take that posture when the debate was going on. Are they saying that the Government—if they feel that there is serious concern for public accountability—that the measure cannot do any public harm. What harm can a select committee to monitor spending do? Is

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the Government saying that it cannot in this bill—which I do not agree with them, but assuming that they are right—give an undertaking to have a bill drafted in terms of what the amendment is, and come before the House? Are they saying that they cannot do that?

Mr. Manning: Madam Chairman, with respect, I think that to do it will create great harm, contrary to what the hon. Member says. What the Member is forgetting is that it establishes the precedence of using one issue to raise issues not tied to it, over perhaps the entire range of governmental activities. What prevents the Opposition, if we agree to this arrangement—but which we cannot agree—from coming on the next occasion that we have a bill requiring a special majority, to raise matters relating to almost anything else in the Government? It really is tantamount to blackmail, and perhaps, I can ask you Madam Chairman, to rule at this stage.

Mr. B. Panday: Madam Chairman, let me answer the hon. Member before you rule. The answer to what prevents us from doing it again is, nothing. That is the answer; because, the whole essence of politics is about negotiation and bargaining—democratic politics is about that. We want things and you want things, and we bargain over them. If you do not want to do that, reject the amendments as we put them forward, and that is good.

Mr. Humphrey: Madam Chairman, before you make a decision on this, can I just address the attention of the Members of this House to section 75(1) of the Constitution:

"There shall be a Cabinet of Trinidad and Tobago which shall have the general direction and control of the government of Trinidad and Tobago and shall be collectively responsible therefor to Parliament."

This is the principle that is in contention now.

We have been in the Opposition for a very long time and we are not satisfied that the Executive is showing the required constitutional responsibility to the Parliament. It is using the Parliament as a rubber stamp for its positions and the Members of this Parliament on this side, today, want to put our feet down and bring an end to it. To improve the system of being responsible to Parliament and being accountable thereby, to the people of Trinidad and Tobago, we would use everything in our power to achieve that.

Madam Chairman: Hon. Members, my role at this point is simply to look at the purpose of the Bill, as stated in the explanatory note, to look at the nature of the amendments which are being proposed and to determine whether—having regard to the purpose of the Bill—these amendments are relevant or not. It is a very simple legalistic approach, in my view. I am sure that the points raised are very valid. They have their place in the democratic system that we are, both sides, striving to achieve, but as I said, mine is a very simple role.

5.50 p.m.

As I look at it, the purpose of this Bill is to provide for a change in the financial year from January 1 to December 31 in each year, to October 1 to September 30 in the following year. The amendment before us is that each session of Parliament—we are talking here about a financial year, which is something, a far cry from a session. There is no rule of law which says that a financial year is to begin with a parliamentary session. I am looking at it from a legalistic point of view.

“Each session of Parliament shall commence with an address by the President, the contents of which shall state *inter alia* the whole scope of Government's policy for the session.”

I think this might be a very valid point if Members sit and consider it. But having regard to the nature of this Bill, I have to rule that it is not relevant to the issue at hand. A similar situation arises with the select committee. A very good point taken by itself and in conjunction with other situations, but when read, in view of the purpose of the Bill which is simply to change the financial year, I am afraid I cannot hold that it is relevant. So, in effect, it is 3 (a) of Standing Order 53:

"An amendment must relate to the subject matter of the clause to which it relates".

Mr. Maharaj: With respect to section 113, Madam Chairman, you would notice that we are proposing that in section 113, subsection (a), be deleted and as a continuation—with respect to subsection (3) (a) you would notice that the last word is “or”. I am asking for the word, “or” to be deleted and in place of it that you have what is stated at page 3.

"a supplementary estimate showing that the sums required to be spent shall be prepared and shall be included in a bill to be known as the Supplementary Appropriation Bill providing for the issue from the Consolidated Fund and of

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the sums necessary to meet that expenditure and the appropriation of those sums for the purpose specified".

Madam Chairman, you would probably notice in that section of the Constitution, the word "financial year" appears. You would also notice according to section 113 (2) presently as the law exists now, that the Parliament can receive supplementary estimates, moneys can be spent and then, at some later stage, approval is sought.

I am sure you have a good memory as to what is the purpose and the subject matter of this Bill. I am sure that your memory would tell you that the subject matter of this Bill, although it talks about the financial year, is not really changing for three months. The whole purpose and spirit of the bill is an alteration of the Constitution. The purpose of the Bill is, in effect, to provide more accountability to the people of Trinidad and Tobago by improving the management of the finances.

What happens is that lawyers, judges and people—and even bush lawyers—can take a very narrow interpretation of matters. I would ask that in the light of the fact that constitutions are always interpreted very widely and where you have a section which deals with the financial year and, in effect, that section relates to what is being amended—because what ever arguments there may have been with respect to the previous clause, one is now faced with a section in which the financial year is being dealt with head on. So, in this country we are dealing with the financial year and what is the purpose of this proposed amendment? The purpose is to prevent government from spending money without prior approval; that is the purpose of this amendment. The purpose of this amendment is so that the measures would come to the House, there will be a Supplementary Appropriation Bill and the people, the public and the Parliamentarians who represent them would be able to debate it.

I want to know if the Government is going to say that in proposing an amendment to the Constitution, this is irrelevant. I want to know whether they would object to such a proposal and say that this is irrelevant, it is wrong. I want to know whether they would want to say that the Standing Orders prevent them, although, they have the powers to effect such a measure. I want to know whether there could be any serious objection to such a proposal. Since the hon. Member for San Fernando East has announced the local elections—probably that was relevant

to the the financial year—probably having that response may be very important for the local elections.

Mr. Valley: It seems to me one is at a loss as to what the Member is trying to achieve by this amendment.

Madam Chairman: Before the hon. Member speaks, I was looking at the section the hon. Member was referring to and I see that there is a condition to be fulfilled, “if in respect of any financial year it is found...” There is a condition precedent here—

Mr. Maharaj: If, after the budget is passed during that year, there is, in effect, additional expenditure going to be incurred and they want to change it they would have to come back, but this section permits them to do it and then come back. The proposal is to prevent that and to compel them to come for approval before.

Madam Chairman: The amendment maybe—I am sure it has its merit—but how does it relate to providing for a change in the financial year?

Mr. Maharaj: Madam Chairman, I think, perhaps, there is where we are not seeing eye to eye, in that if one looks at it in a very narrow way then one would interpret it in that way. But if one looks at it—

Madam Chairman: I have listened to the argument of the Opposition. I shall listen to the arguments of the Government so that I can make a ruling on the matter. At this moment, we have to maintain some dignity in the House. We cannot keep arguing and cross-talking. Could you present your argument?

Mr. Valley: Madam Chairman, the amendment goes to the root of the mechanism that is in place at present. There is a mechanism in place with respect to supplementary appropriations. The amendment proposed goes to the root of that which has nothing to do with the Bill before us. Therefore, I ask that you rule that it is irrelevant.

Mr. Sobion: Madam Chairman, I wonder if you would permit one observation. The hon. Member for Couva South speaks about the spirit and the intent of the amendment which is before the House today. If one looks at the definition section of the Constitution dealing with the definition of the word “financial year”, that is all that is being done. There is a change in the definition section of the Constitution. It has nothing to do with financial accountability or any

such matter. It is pure administration and the arguments are the same for all the amendments that are being proposed by the Member for Couva South.

6.00 p.m.

Madam Chairman: I am taking a legalistic approach. Listening to the arguments on both sides, I cannot hold that this amendment is really relevant. I shall have to withdraw if from the Committee.

Mr. Maharaj: I have been accustomed to this all my life. As a matter of fact, I have been accustomed to where people have ruled and ruled and—

Madam Chairman: Let us continue the business of the day. I think that the hon. Member is a very professional person in his profession.

Mr. Maharaj: I am very professional in my comments, I wish to assure you.

Madam Chairman: May we continue with such professionalism please.

Mr. Maharaj: I know what I am entitled to say, and when.

The next proposal is the Exchequer and Audit Act, Chap: 69:01. I do not know if you are familiar with this piece of legislation. If I may be permitted to read it, section 17 of this Act says:

"Pending repayment or application to the purposes for which they were deposited, the Minister may authorise use of the balances held on deposit in respect of any special funds established by Act or otherwise or of any other deposits (other than trust funds or the balances of the Consolidated Fund) to make advances—

- (a) on behalf of, and recoverable from other Governments;
- (b) to or on account of trusts or other funds administered by the Government, or to, or on behalf of, public bodies, institutions or individuals, where the advances are in the public interest and are recoverable within a period not exceeding twelve months after the close of the financial year in which the advances are made."

You will see that this gives blanket approval to the Executive to utilize this section to incur debt to the people of Trinidad and Tobago.

We have a history in this Parliament, where some months ago, there was a situation where—I cannot remember how many hundreds of millions were

involved—we had to use this section as the authority, by which the Executive could have expended those sums of money.

It seems to me that when we look at the Standing Order, the Constitution or rules we must ask ourselves whether the subject matter is not really people. The subject matter of these things is people. One cannot say that the subject matter is the year. What does this proposal attempt to achieve? It attempts to legislate that the Minister cannot do it on his own. He can only do it whenever authorized to do so by a resolution of Parliament. He cannot act on his own; he must come to Parliament and get the approval to spend \$200 or \$300 million on whatever projects, then use it.

In other words, is the subject matter of the amendment, the bill and the proposals of the Government, people or year? If the subject matter is year, and it is looked at in such narrow terms, then obviously, everything we say would be irrelevant. The subject matter is people, and here we are on different courses.

I can understand the other side in that, if their concern is not people; if they do not care for people, then they would adopt the attitude that it is irrelevant. I would ask you to show this House that your interpretation of the Constitution can be interpreted to benefit people and not be restricted to tabulated legalism.

We are dealing with people in respect of financial year. Therefore, we are asking for amendments in which the people's rights would be protected. That is accountability. If we are on the right footing and the subject matter is people, we could never go wrong.

Madam Chairman: I think the hon. Member understands that my role here—when it comes to the interpretation of the Standing Orders—is to interpret it to the best of my ability, in the interest of all concerned which is finally in the interest of the nation. That does not debar me however, from taking a very close look at the wording of the purpose of a bill, of the amendment proposed, and determining whether or not such amendment really has any relevance to the bill under consideration.

I am looking at all these amendments proposed by the hon. Member. I see that they probably have some merit and all these matters, amendments to the Constitution and Acts, have their place in the forum, but not on this occasion.

On this occasion, we are simply dealing with trying to provide for the change in the financial year. How does the Exchequer and Audit Ordinance have any

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relevance on the change of the financial year? I am afraid that this offends section 3 (a) of Standing Order 53. I have to withdraw it from the Committee.

Mr. Bereaux: Can I have a copy of the list of amendments? I have been trying to get one.

Madam Chairman: I thought the Member had circulated them.

Mr. Maharaj: If the Member was really interested in a copy, he could have come during the tea break.

Madam Chairman: Will the hon. Member proceed please.

Mr. Maharaj: The next one is of great significance. It deals with the Minister of Finance (Incorporation) Act. I am sure that you are familiar with this and we would like to see a change. This is an ideal opportunity for change.

Section 7 (2) says:

"The Corporation shall have power—

- (a) with the permission of the President to acquire, purchase, take, hold and enjoy movable and immovable property of every description, and to convey, assign, surrender and yield up, mortgage, demise, re-assign, transfer or otherwise dispose of, or deal with, any movable or immovable property vested in the Corporation upon such terms as to the Corporation seems fit;
- (b) to accept surrenders, assignments or reconveyances and to exchange any property and to enter into contracts."

In effect, this merely gives the Corporation Sole, the Minister, the permission of the President to dispose of any assets of the state. We come back again—and I hope that you would forgive me if I make the point again—to the position: which yardstick do we use?

6.10 p.m.

When there is a bill to alter the Constitution in respect of rights being given to people, the question arises as to whether the Corporation Sole can dispose of property with merely the permission of the President. We are proposing an amendment in which it says that we do not want the President and Minister alone to have that authority—because this is too important—and the state assets that they talk about here relate to any state asset. What happens here is the Corporation

Sole can, with the permission of the President, sell any asset in Trinidad and Tobago. What we are asking for—I know it is irrelevant. You are not concerned with people. I want to put on the record, what the other side is saying. I am saying that this is relevant because we are asking for the Minister and the President not to have that power; we are asking for the people to have that power, so that the Minister can only do it with the authority of Parliament.

It is totally irrelevant if one looks at it that this financial year has no relevance; if one looks at it blindly like that. If one looks at it in the context that these provisions or the lack of provisions or the omission to make provisions has direct impact on the lives of people and on the issues of poverty and unemployment, then, in my respectful submission, what is before this House as alteration to the financial year, the subject matter being people, all these matters are relevant. I ask you to consider it in that context.

Mr. Valley: This matter and some of the others, for example, are matters of substance and we would want to consider them. All I am asking is to give us a chance to meet and consider those matters, but with respect to this Bill, obviously, he knows that is irrelevant. There is substance in what he is saying. Let us meet and talk about it. We cannot meet now. We will meet next week.

Madam Chairman: I am sure that certain aspects of these sections are offensive and need some serious thought. I am sure that the hon. Member knows the methods but, unfortunately, having regard to the nature of the matter before us, I cannot see the relevance to the Bill on hand.

Mr. Valley: Could you rule on all of the matters?

Madam Chairman: Well, I have to give the hon. Member the opportunity to—

Mr. Maharaj: I will assist him in that. The other matters with respect to the loan, we can do all that together.

Madam Chairman: I think, the hon. Member is well aware how legislation can be amended in this House and, maybe, the hon. Member would like to pursue that course.

Mr. Maharaj: I am aware of the other avenues, but I am the kind of person who likes to explore avenues to the fullest, and the legal history in this country would show that very rarely have there been complaints about it.

Madam Chairman: Are you saying that the provisions with respect to the loan will be all taken together? Are you making your submissions on all those?

Mr. Maharaj: Quite recently, in Barbados there was a Speaker who gave a ruling and one of the Members of Parliament went for judicial review and the Supreme Court held that judicial review can apply to the Speaker. I am not saying that we are thinking of going for judicial review.

Madam Chairman: It is a very healthy situation.

Mr. Maharaj: Recently, in Barbados, news that a Cabinet decision was taken to give a contract and there was a judicial review against the Cabinet.

Madam Chairman: That shows that we have a thriving democracy in the Caribbean. Will the hon. Member please proceed.

Mr. Maharaj: We have here the General Local Loan Act, the Guarantee of Loans (Statutory Authorities) Act, the Guarantee of Loans (Companies) Act, the Development Loans Act and Independence Development Loans Act, the General Loan and Stock Act.

The cumulative effect of these proposals are, in effect, to achieve three main objectives. One, that the appropriate Minister would have a leeway, in certain cases, of \$5 million that can be utilized and, basically, within 30 days of that particular transaction, to disburse that money in any way appropriate to the legislation being entered into, a report has to be laid in Parliament and there is an option that it can be debated. I would ask for a Member of Parliament to have that right to have it debated.

Upward of \$5 million, in cases where that is relevant, one is asking for parliamentary approval before that is effected. The whole purpose of that, obviously, is having the interest of people at heart. The people's interest means that if there is to be public spending, then there must be some checks and balances. If there is an application to amend the Constitution in which the amendment has to deal with the financial year and which, in relation to some of these matters the financial year has to be adjusted, it would appear to me that if the motivating consideration is people, as I have submitted, that these matters become relevant.

Here it is that there is a proposal to restrict in some way the Government from borrowing indiscriminately, without prior approval of the people, and they, full well knowing that since they have the majority they can get that approval if it

comes to Parliament, it seems to me that if they are committed to people and accountability they would agree with this proposal so that we can come to Parliament and have the measure scrutinized and get parliamentary approval to have it effected. Again, the yardstick would be the rights of people—human rights, fundamental rights and social rights. If that is the yardstick, then this is relevant. If the yardstick is tabulated legalism, standing orders, I am sure they would say that it is not relevant.

Mr. Valley: Quite apart from the fact that it is, in fact, irrelevant, let me just really disabuse the Member's mind that, every time the Government must get prior approval of Parliament. Quite simply, when the Government comes with a budget, there is revenue, expenditure and deficit, and the Government says clearly how that deficit is going to be financed; how much is going to be borrowed on the local and foreign markets, so it is a fundamental part of the budget. When it is approved, what Parliament approves, in effect, is the borrowing by the Government up to that amount for the year in question. More than that, under every one of these legislation there is a ceiling and the Government, whenever it is up to that ceiling, has to seek parliamentary approval to increase it. It is irrelevant with respect to the Bill before us, but I simply want to let the Member know that there is the mechanism in place already.

Mr. Maharaj: If that is the response and if the Minister is saying that the Government normally does that, then what is the objection to having it put as law so that there will be a must to do it? Is the Minister saying that Government has always come to Parliament in the budget before it borrowed?

Mr. Valley: *Inaudible.*

Madam Chairman: I am sure that with the evolution of time and conditions there will be need for amendments of legislation. The hon. Member for Couva South's submission here this evening may be very valid at the proper time and place. Unfortunately, with the greatest of respect to the Member for Couva South, I have to disagree and hold that these proposed amendments are contrary and that they violate Standing Order No. 53 and I will have to withdraw them from the Committee.

6.20 p.m.

Mr. Maharaj: I am much obliged to you, Madam Chairman.

Mr. Valley: Madam Chairman, I simply want to inform the Opposition, once more, that we are prepared to set up a committee to start meeting next week to look at some of these issues.

Preamble ordered to stand part of the bill.

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

House resumed.

Bill reported with amendment.

Question put that the bill be read the third time.

House divided: Ayes 18, Noes 11

AYES

Valley, Hon. K.

Manning, Hon. P.

Sobion, Hon. K.

Mottley, Hon. W.

Ramrekersingh, Hon. A.

Rowley, Dr. the Hon. K.

Marshall, Hon. M.

Griffith, Dr. R.

Baboolal, Dr. the Hon. L.

Collis, Hon. K.

Imbert, Hon. C.

Lasse, Dr. the Hon. V.

Pierre, Hon. J.

Casimire, A.

Narine, J.

Hart, E.

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Bereaux, H.

Rajaram, C.

NOES

Maharaj, R.

Panday, B.

Humphrey, J.

Sudama, T.

Palackdharrysingh, R.

Mohammed, S.

Singh, Dr. C.

Panday, S.

Sharma, C.

Haniff, M.

Hosein, S.

Question negatived.

ADJOURNMENT

Motion made and question proposed, That the House do now adjourn to Friday, September 4, 1992, at 1.30 p.m. [Hon. K. Valley]

Drainage (Oropouche)

Mr. Trevor Sudama (*Oropouche*): Madam Speaker, this is a Motion of some long-standing before this House and I want to be brief this afternoon. But in my brevity, I also want to be as effective as possible.

Madam Speaker, I have been forced to bring this Motion to the House on account of two things: Firstly, because it deals with a critical problem in my constituency which is low-lying, geographically; has a severe drainage problem for most of that constituency; and is an agricultural constituency. Therefore, if the drainage issue is not addressed in that constituency, what we are going to have is the livelihood of thousands of people jeopardized. We are talking about the survival of many people, farmers, those who depend on agriculture and their families.

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I bring this Motion to the House to show the gross insensitivity of the Ministry of Works and the Drainage Division and that Minister, in particular, the Minister of Works and Transport, the Member for Diego Martin East. As I go through and give a history of the representation, you will understand my frustration in standing here in this House to address people who do not care a jot about what happens to some people in this country.

Madam Speaker, drainage has to be addressed during the dry season if we are going to get any measure of productivity. I spoke to the Minister on February 24.

Mr. Casimire: You just voted against it.

Mr. Sudama: Why does he not just listen? The Member for Toco/Manzanilla does not say anything in this House. He is another Hardeo Hardath in this House.

Madam Speaker: Will the Member desist from insulting Members, please.

Mr. Sudama: I am speaking in this House. He would not keep his mouth shut and listen. He just keeps interrupting me.

Madam Speaker: Insulting language is what is offensive.

Mr. Sudama: That is not insulting language, that is a compliment to describe him.

Let me just give a history of my representation on the drainage issue in Oropouche during the current term of this grossly arrogant Government and that Minister, in particular.

I spoke to the Minister on February 24 of this year, at the height of the dry season and after several attempts in order to try to even speak to him, I called again on March 25 to arrange a day for a visit to my constituency to look at the problem on a first-hand basis. I spoke to the Director of Drainage on April 7 and then, finally, after all these attempts, Madam Speaker, on April 16, the Minister condescended to visit the constituency of Oropouche to look at drainage and other problems in that constituency, after four months trying to get his attention and trying to bring to the attention of the Government the problems in the constituency of Oropouche.

The purpose of that visit, Madam Speaker, was to ask him and his Drainage Division to effect maintenance work on critical watercourses. I am not unreasonable to expect that he could address all the drainage problems on one visit, or within a certain limited period of time. But I asked him to come to look at some of the critical problems. He finally condescended to come on April 16, and he spent approximately one hour and a half on that visit and cut short his visit, saying he had urgent matters in Port of Spain.

On that occasion, he looked at four problems. After his visit, not a single thing has been done with respect to even those problems that he looked at on his visit on April 16. One of the problems that I brought to his attention is the Duck Pond River in the constituency of Oropouche, which is supposed to flow under the La Fortune/Pluck Road. What has happened is that this viaduct has sunken to the level where that river cannot flow any more. So when you have an unusual amount of rainfall, the whole area is flooded because the water has nowhere to flow. It backs up and it floods hundreds of acres of farm land and destroys people's crops.

I took him to the 14 gate, the sluice gate on the Trinidad River, where there is an intrusion of salt-water; nothing done. I took him to Batchia Trace, Branch No. 2—and his is the most galling of all—where someone has blocked a natural watercourse for about 150 yards. I asked them, particularly, to look at that problem, because it meant serving a notice and if the owner did not respond to go in there and to clear that watercourse, which, as a result of that blockage, is causing flooding to hundreds of acres of agricultural farm land, rice cultivation lands in that area. At this point in time, that whole area is under water. But let me go back a bit.

All this representation was being made in the dry season. Then came the wet season and the deluge on July 8, which we all indicated was unusual and so on. In the following days, I called the Drainage Engineer at Penal and I also called the acting Director of Drainage, to accompany me to visit the critical areas of flooding and to see what temporary relief measures could be implemented.

These critical areas, I want to point out, again, were in the La Fortune/Pluck Road area, where the Duck Pond River flows; in the Batchia Trace area; in the area between Suchit Trace and Gopee Trace and between Gopee Trace and Batchia Trace, where there are scores and scores of acres of land which is cultivated when the water level subsides.

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Madam Speaker, the response from the Drainage Engineer at Penal was, he could not come with me without specific approval from the Minister over the telephone. When I spoke to the Director of Drainage, the same response: He cannot accompany me to visit the critical areas without specific approval from the Minister. So I said, all right.

I have been calling the Minister's office on a daily basis for the past two weeks. I could not contact him. I spoke to this secretary and he is always busy. What he is busy doing or where he is, nobody seems to know. He cannot be contacted at his office. I do not know whether he is there and tells his secretary, "look, when the Member for Oropouche rings, I am not here at all". I asked the secretary to tell him that I wanted to speak to him with respect to giving approval for his engineers to come and visit with me.

Up to today, after two weeks of continuous calling, this Minister who is supposed to be responsible to this Parliament, did not have the courtesy to respond to a Member of Parliament. Then they come here today to talk about how they represent the people, as if we are here to represent nobody. No response whatsoever to me, whether he will give approval, come himself, or tell his engineers to go with me to look at the problem. There are thousands of suffering people who depend on agriculture and the little that they plant for a livelihood mainly to survive. But when you sit in an air-conditioned office in Port of Spain, what do you care this Government about the starving people in Oropouche and their conditions of existence? They do not count, as far as this Government is concerned. They do not belong to this society, as far as this Government is concerned. They have no place here.

Numerous messages were left and at the penultimate sitting of the last Parliament, I sent him a note in this Parliament, written in my own handwriting, on my own letterhead and no response has come from "Stonewall Jackson". Madam Speaker, this is arrogance and intransigence compounded by incompetence, indifference and inertia. That is, in a nutshell, the very philosophy and culture of the PNM, which the Minister of Works and Transport so aptly represents. How he ever became a Minister of Works and Transport is a matter of some speculation and, having given this performance, that he continues to be the Minister of Works and Transport is a mysterious question, a matter of the greatest speculation.

Madam Speaker, up to today people who depend on the cultivation of rice for a livelihood in my constituency, hundreds of acres, continuously being under water

since July, have received no relief whatsoever, not even a visit from the Drainage Division. Some of the problems do not require a great deal of expenditure. As I pointed out to him, this matter of the deliberate blocking of a natural watercourse, which is the responsibility of the Drainage Division, which he saw for himself, is also the matter of a court judgement.

The court has given a ruling to certain defendants there: the defendants to maintain at all times, an existing watercourse approximately 75 feet west of point (b) in the survey. A court order is being disobeyed. The Ministry of Works and Transport and the Drainage Division, whether they have any authority—I do not know what authority the law gives them—but what I know is that they are irresponsible, in the sense that they do not respond and, secondly, they are inert, inactive, they do absolutely nothing. I want to ask the question here today whether the money that was spent on the Drainage Division, a department which is grossly non-functional, whether, we are not wasting the taxpayers' money.

Now, this Minister of Works and Transport had an estimate in the budget of \$588 million, probably the third largest amount, in terms of what the Ministries' allocations are. Of that figure, Madam Speaker, the Drainage Division was allocated \$36,422,776, for personnel expenditure; that is to pay people to sit on their behinds in the Drainage Division. Goods and services, \$3,363,700; minor equipment purchase \$77,000. So that on recurrent expenditure, they had \$39,863,000, close to \$40 million being spend on a Drainage Division and if you ask the country what they do, nobody can tell you what that Drainage Division does, under that Minister.

Over and above that, they had an amount of \$2,200,000 to spend out of an allocation of \$65 million for development expenditure, almost \$2.5 million to spend on development expenditure in the Drainage Division. From all this, he could not even make a visit to that constituency, nor could he get any action initiated by this Drainage Division which is grossly non-functional. In fact, Madam Speaker, if we had no Drainage Division, it would make no difference to the drainage conditions in this country. Better still, if we had no Minister of Works it would make no difference to the drainage conditions and the problems which people are confronted with on a daily basis.

The Member for St. Augustine was able to clear up the major watercourses in this country in the matter of a few months and did it with a minimal amount of expenditure. But, Madam Speaker, I have come to the conclusion that the people

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in the Oropouche constituency, whom I represent, are in a way being singled out for a certain type of victimization by this Government.

I am not going to raise this matter of flooding and drainage again in this House. The next time I speak about flooding and drainage it will be outside on the pavement with some of my constituents. I might be wasting parliamentary time to raise this question in the House again, because politics is not really in the House, it is outside. The sooner we understand this, the better.

I am going to organize protest after protest, to come to confront whichever Ministry, particularly that minister, to confront him with the stark realities of the problems which are faced on a daily basis by people in my constituency and the gross inactivity and insensitivity of that Minister.

I want to also state that it is my firm conviction that if that was a problem which existed elsewhere, perhaps in Morvant, he would have gone down there in a flash to see what the problem was. Not that I envy the people of Morvant for the swift attention of that Minister, but when it comes to Oropouche, I wonder if it is because it is only a certain ethnic group which is involved in agriculture in Oropouche, and that is why. Why else are they not responding? A group that has been alienated and suffers the grossest alienation.

Mr. Haniff: That is the reason.

Mr. Sudama: I am getting support. That is the reason. For 30 years they have been discriminated against, they have been alienated and, perhaps, unfortunately for them, they have not outgrown their alienation because, to date, they have not been willing to sell their souls for a mess of PNM pottage. So they still suffer from alienation. They have not outgrown that yet.

That is his attitude, sitting here in Port of Spain, and telling his engineers that they must have ministerial approval to come and visit to see what they could do about rectifying the problem. To date, no one has visited; it is as if the Drainage Division in this country does not exist. All that has happened is that these people sit there and draw this gross amount of emolument for productivity. What I am saying is, let them be productive. We are spending too much money in this country, money which we can ill-afford to spend. But as a result of their inactivity there are hundreds of acres of productive land in this country lying idle; and there is deprivation and destitution as a consequence of that, visiting hundreds of families in my constituency.

There is no employment in Trinidad and Tobago. People try to help themselves by getting involved in agriculture. Yet, the basic infrastructure that is required for them to grow something and to get produce at the end of the season, this Government deliberately and insensitively ignores their plight. As I say, I know the reason, For 30 years they have been doing it. It is part of the PNM culture to discriminate in this society and discriminate openly.

I do not want to mention the case of Lake Asphalt yet, but that will come and that will be dealt with on the hustings. This is why, when they talk in this country about national Government, when they talk about they represent the nation and so on, I wonder which nation they talk about. We probably have two nations in Trinidad and Tobago.

Madam Speaker, I have told my constituents that I am going to raise the matter of their plight, the drainage problems in the House of Parliament. This is the last time I am going to do it. I am not going to do it again, because I know how we have to try and get some real action in this country. I am prepared, as I have always been prepared, to go to the bitter lengths to deal with this problem.

When one gets involved in the kind of politics I get involved in, one does not fear consequences, Madam Speaker, one does one's duty. I have come here to do my duty and I will do my duty regardless, and part of that is to deal with the Minister of Works and Transport and his arrogance and incompetence as a Minister in this House and his discriminatory attitude to certain sectors of the population. He comes here and represents no one. He is given a ride by the Member for San Fernando East to come here to sit in this House and behave in this arrogant fashion.

Madam Speaker, as I said, I am going to deal with this matter from now on, differently. I just merely wish to bring the attention of this House to what the plight is in that constituency, affecting hundreds of families and hundreds of acres of farm land which is their only livelihood. They cannot get any work on the 10-days programme because they belong to another political party. There are no jobs created in the society elsewhere, in the country. Nothing is going on. This country is at a standstill. The little jobs that they are creating are reserved for their party supporters. But when people try to help themselves in the agricultural sector, they have to face this kind of hostility from a PNM Government which history has shown is bent on destroying that community and its source of revenue.

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Madam Speaker, I have made my statement. I do not even know whether he wishes to respond, and I do not care whether he wishes to respond, but I have made my statement in this House.

Thank you very much.

6.50 p.m

The Minister of Works and Transport (Hon. Colm Imbert): Madam Speaker, I came here to this House today, presumably to participate in the passage of a very straightforward piece of legislation, and I must say, that I am finding it difficult to find words to describe what has taken place, when Members on the other side are well aware of what we are seeking to do—*[Interruption]*

The Member for Oropouche has raised a number of points in his address, including allegations that certain members of staff in the Ministry of Works and Transport, particularly the Drainage Division, are unwilling to go out with him on tours to look at problems in his constituency. All I will say to that, is that there are Members on the other side, for example, the Member for Caroni East, who do not appear to have that kind of problem. It is my understanding that the Member for Caroni East has gone on tour with members of my Drainage Division and has therefore received full co-operation. I would therefore ask the Member for Oropouche to look within and see if he can discover what the problem is, because there are no instructions to my officers not to go out on tours with Members of the Opposition.

I now wish to state the works done by the Drainage Division during the years 1990 to 1992 to alleviate the problem of flooding in the Oropouche constituency. In 1990, works were done on the Backwater Channel in Penal, 320 metres of clearing, widening and maintenance of embankments. In 1991, the Goocharan River in Debe, 475 metres of clearing, widening and maintenance of embankments. In 1992, on the New Cut Channel, 668 metres of embankment restoration. On the Trinidad River, in 1992, 488 metres of embankment restoration. On the Cunapo River, 119 metres of diversion and river training works. On the Kassie Persad River, in Debe, 220 metres of widening.

Flooding in the Oropouche constituency comes mainly from the Oropouche River and its tributaries. In pursuance of its responsibility for the alleviation of flooding, the Drainage Division continues to implement maintenance works on the Oropouche River and its tributaries.

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Madam Speaker: The Member for Siparia raised a matter on the adjournment of the House.

Mr. Sahid Hosein (Siparia): Madam Speaker, I express my shame and disgust at what passes for democracy in this Parliament; but, that I will speak about on another occasion. I express my shame and disgust, that citizens of this country can be treated in the cavalier manner, like the manner in which the citizens of Mohess Road and environs have been treated. I am sure you would have seen, in the media recently, both in the print and the electronic, the plight of the citizens in Trinidad and Tobago, I must stress, being highlighted. The final straw, that broke the camel's back, was the condition of the pathway—it can no longer be called a road—which links these villages and communities together; conditions which both the Minister of Works and the Minister for Local Government have seen. It is not only the question of roads; it is the general collapse of the infrastructure. What makes that “collapse” more unconscionable, is the fact that if you go into these villages, you will see oil wells, pumping jacks on either side of the road. In fact, Trintoc has a very large gathering station in the area, where they collect the oil from the area and pump to different destinations.

Not only that, but the citizens in that part of the country make a further contribution to the Exchequer, in that the area is very highly agricultural, be it rice, sugar, small crop produce, whatever. So it is only normal, being tax-paying citizens of this country, making such a contribution to the national welfare of this country, that they would expect—as citizens of this country, and as human beings—something in return.

I would try to deal with some of the problems in the area, because I indicated to you, it is not only the question of roads. Water has been a chronic problem, as far as I could remember. When I got into Parliament, I made representation and I want to put it into the record. By letter dated March 17, 1992, to the Regional Manager, WASA, copied to the Minister of Public Utilities, and to the Technical Director, I stated that the residents were suffering undue hardships due to their irregular, or non-supply of water through the WASA mains. I went on to state the most affected areas: Mohess Road, the high points of Panhoo, Cheetal, Transfer, Dicity Village.

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Again on March 17, I informed WASA that the villages of Transfer and Digits off Mohess Road were serviced with water from a well given by Trintoc to WASA and that this is no longer in service, resulting in very serious hardships for these villagers.

Another letter was sent on April 7, 1992, written to the Regional Manager, copied to the Minister. I stated that the water situation had deteriorated considerably. I went on to identify the areas: Upper Boodoo Trace, Mohess Road, Digits Transfer. In all these letters Mohess Road is like a recurring decimal. This is a problem which exists in dry season and wet season, over the years—and I have reason to believe that something will be done very shortly about the water situation. If I were to look at the Members of that side and say that there is a Member who is constantly trying to do something about the representations made to him, he is the Member for Laventille West. He is the only beacon of hope and ray of light on that side. He is totally unlike the Member for Diego Martin East.

7.00 p.m.

Madam Speaker, normally, in the dry season, what this area has to do is to resort to ponds and rivers. What is happening, because of effluent from Trintoc's drilling operations, even that facility now, is not available to the people in this area. So, you have an accumulation of several problems and grievances that resulted in the blockage of Mohess Road.

In addition to that, you have the bridges in the area. Two, in particular, the Boodoo No. 2 and Boodoo No. 3 bridges, have broken down completely. In fact, the day the Minister of Local Government and myself visited, there was a gentleman who brought rice seed in his car. He was taking it out from his car, putting it on a wheelbarrow, taking it to a walkway to take it over to the other side, then go on the other side, with his car—a detour of five or six miles—to put it back into his car trunk to take to his land.

The Minister saw that for himself. In addition to these two bridges, there are several other wooden bridges in the area. In fact, there is a report that was done recently, by the Penal/Debe Regional Corporation, which highlights several other wooden bridges which are on the verge of collapse. The Panhoo Trace to Sanahee Trace bridge, which is off Mohess Road; the Lutchmandass Trace bridge which is on the verge of collapsing into the river—Lutchmandass Trace has been closed, but because it is the only outlet for about 30 or 40 families, we can expect, any

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day, to hear that the bridge has collapsed into the river, with somebody's vehicle and endangering somebody's life. There is the Cheetal Trace bridge.

So, there are a number of bridges in the area that are in a deplorable condition. There was one which broke down as recently as last week, and despite the assurances by the Minister of Local Government that releases will be made under a bridges programme, to this date, not a single bridge has been repaired in the Debe/Penal region.

Mr. Valley: Madam Speaker, I missed what the hon. Member said. I know he mentioned the Minister of Local Government. Could he kindly repeat?

Mr. Hosein: Madam Speaker, I am not surprised, since the matter falls under his Ministry and here I am, presenting this issue, it shows what I said, about what passes here for democracy. It shows clearly, what their position is. I am going through the motions, for the records, and it is like water off his back.

Madam Speaker, I was talking about the bridges. There was supposed to be an allocation, especially for bridges, to this date—whether that allocation was made or not—not a single bridge has been repaired.

Mr. Valley: Madam Speaker, I wanted to know whether the Member said that the Minister informed him that some releases were to be made for bridges. Basically, that is what I want to know. Did I inform you?

Mr. Hosein: Yes. Earlier this year, under a special vote that was to go to most of the regions for bridges, specifically.

Hon. Member: You were not serious then?

Mr. Valley: Madam Speaker, I want to clear that, immediately. Some time earlier in the year, the Ministry of Local Government got some extra funding from the Central Government, and that was given out to the regions, based on priorities established by the regions. I do not know what Penal/Debe asked for, but I know that whatever they asked for, that is what they got.

Mr. Hosein: Madam Speaker, I have this up-to-date status report on Mohess Road, Penal, that was done only recently, and you would see that over the years, the Victoria County Council has done certain works. In fact, I want to make the point, that this road was closed in 1979 at the height of the boom days, when money was no problem. The intention was, in 1982, that the Secondary Roads Company would have sheetpiled along Mohess Road, to the tune of \$1 million,

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and thereby start restoration work. However, the Government did not release the money, and the company was unable to do it.

In 1985, an estimate of \$350,000 was sent up by the Victoria County Council, under the long-term development. Again, this was not released. It goes on and on, over the years, where requests, indeed, were made by the Victoria County Council for releases, but none was forthcoming.

Madam Speaker, I anticipate, as the Minister has indicated, that he would stand and say, "Look, these roads are the responsibility of the Local Government Authority and indeed, we have given them funds". Let us look at the funds and see what the picture is.

In the Debe/Penal Regional Corporation, of an allocation of \$1.376 million for Goods and Services, approximately \$1 million goes to scavenging. So, you are left with \$376, 660 to perform other works, of which \$240,605 is provided for buying materials to repair the roads; for buying materials to repair the wooden bridges, because most of the bridges in that area are indeed wooden; to change cylinders when they become broken, and do inverting and what have you. You are talking about \$240,000 for over 500 secondary roads and bridges. It does not make sense.

What is worse, as I mentioned, in the boom days, a lot of money was spent, especially in the run-up to the 1981 elections, where practically every road in this country—save and except those in that area—were paved. I was a witness in the run-up to that election, to see hot asphaltic mix being laid on dirt and mud, in the Santa Cruz area. I was witness to that. Yet, in these areas that were producing oil—the same oil that provided the boom—the roads were not paved, during the good days. So, as a result, the roads and bridges in these areas have deteriorated to the extent that they are no longer usable.

With regard to the Boodoo Trace Nos. 2 and 3 bridges, when I raised the issue in this Parliament on the last sitting of the last session, I was told it was the responsibility of the Regional Corporation, under the development programme, to repair the bridges. What you are telling me, as the representative of the people of that area, is that you are not prepared to do anything. While the allocation under the development programme is \$1 million, the release is substantially less than \$1 million, and not a single one of the bridges that I mentioned could be constructed for under \$1 million.

So, you are telling me two things: that it is the responsibility of the Local Government body, but at the same time, they did not have the funds, so they could

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not do anything about it. If the Government is not able to do anything for the people of Mohess Road, then who is?

Madam Speaker, do you know what is most unfortunate? We are reasonable people. If you tell us up front that because of so and so, something cannot be done, we would understand your constraints, but do not have us living in hope. When the Member for Diego Martin Central came there earlier this year, he promised the people of Mohess Road that yes, he saw the intolerable condition of the road and he would do something about it. In fact, when I spoke to him recently, he said, yes, he understood. He understood Mohess Road was a special case, because he saw the situation for himself. I intervened with the Minister of Local Government and said, "I understand the constraints under which you all are operating, can you ask the Minister of Works to see if he can get a LID Programme started, to bring some measure of relief?" He told me, he was going to see—suddenly to read in the newspaper a most contradictory statement: on the one hand, he was looking for resources in his ministry, and on the other hand, he cannot do anything until next fiscal year. Even then he may not do anything.

7.10 p.m.

What is most painful about this whole episode is that on the inception of my being in Parliament, I kept raising this matter in Parliament, both informally and formally, with a view to having something done. It was not as a result of my intervention, I want to assure you; it was a spontaneous reaction on the part of the people. They simply had enough and decided to block the road. Do you know what they were saying Madam Speaker? They were saying, "you give us the material and we will fix the road". They did not block the road in order to get jobs or "ten days". If people are doing that, then maybe you cannot fault them because people in this country have been promised that the unemployment situation will be dealt with. A number of promises were made to people. So that if, today, they are blocking roads in order to get "ten days" then, so be it.

The people of Mohess Road were not blocking the road to get "ten days". They were blocking it and saying, "give us the material. and we will fix the road ourselves". Do you know what they did? They sent out the forces of the state, the army and the police, and on the very first day, the army jeep came and just drove willy-nilly through the crowd, without due regard to whether anyone was going to be hurt.

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Unemployment is rampant in the area. I did a personal survey. Between the 17 to 25 age group, unemployment is as high as 73 per cent and they did not block the road for jobs. They said, “give us the material and we would fix the road”.

Finally, because of the nature of Mohess Road, because of the extent of repairs, but moreso because of the fact that Mohess Road links several villages: Transfer, Digny, Boodoo, Laltoo, the Barrackpore and Penal oilfields, I feel the time has come when Mohess Road, because of the volume of traffic—in fact, to a certain extent the volume of traffic is responsible for the condition of the road—must be moved from under the jurisdiction of local government and placed under the ambit of the Ministry of Works. I thank you very much.

The Minister of Local Government and Minister in the Ministry of Finance (Hon. Kenneth Valley): Madam Speaker, until that time when the Government accepts the Member for Siparia's recommendation that Mohess Road be moved from the local government and placed under the Ministry of Works, the responsibility is with local government. So that I rise to respond to the Member's concern with respect to Mohess Road. You would note that he said, in fact, I visited with him in that area. The Member for Oropouche was there with us on that visit also. So that I am well aware of the problems the residents in that area are experiencing.

The Mohess Road was closed in 1979, and as the Member said, it was supposed to have been fixed by SRC in 1982 at the cost of approximately \$1 million. Quite simply, as I understand it, it was a question of funding and as we moved along, by 1985, the cost to fix the road had gone to \$5.6 million. Certain works have been done to alleviate the problem over the period 1982 to 1984. They have done some patching, but the fundamental issue is really: Whose responsibility is this Mohess Road? Previously it fell under the Victoria County Council region; at present it falls under the Penal/Debe region.

What I have been trying to do since I went to the Ministry of Local Government, is to improve the efficiency of the organization, knowing very well that finance was a problem. We attempted earlier in the year to obtain some of the balances in the accounts of the various councils by way of supplementary appropriation and we got about \$16 million. That \$16 million was shared among all the regions. We asked them to determine their priorities. Some of them were concerned about repairs to bridges, about repairs to vehicles, some had to top-up

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their scavenging votes and all these things. But the \$16 million went to the various regions in terms of priorities established by the region.

I have taken the position in local government that we are moving towards autonomy; and my concern is that if we are doing that, what would be the position of the Member who seems to want to hold the Minister responsible for whatever happens in the region? I have said on a number of occasions that in terms of establishing priorities in those regions, that councils run their business, and I give an example. For the new budget year, 1992/1993, which was supposed to start on October 1, my colleague in the Ministry of Finance allowed the Ministry of Local Government some flexibility. He said, "we are going to give you the flexibility; we are giving you "X" million dollars and you determine how you are going to share that among the regions and the split between the development programme and the recurrent programme".

We met at the Ministry and we were able to improve or to increase the development programme by 50 per cent. But more than that, because of the fact that some regions were combined, we are now dealing with fewer regions in some cases. Penal/Debe has been one of those where the increase in allocations was some 80 per cent. That was the Ministry's recommendation—80 per cent higher than what they had last year. So that we were talking about a bigger capital expenditure programme being available to that region from October 1, so that they would have been able to do a number of things. They had \$1 million last year and they would have had more available from October 1, but that Member got up this afternoon and voted "no" for a change in the financial year.

7.20 p.m.

Mr. Sudama: Would the Member give way? Are you confusing allocations with actual releases? I think that is your problem. The Debe/Penal region has not received any more releases than it did last year.

Hon. K. Valley: The development expenditure budget for the year—I am talking about January 1, to December 31—the original estimate was \$1 million for Penal/Debe.

Quite simply, the point I am making is that for the period 1992—93, the allocation which was approved by the Ministry of Local Government was \$1.8 million. That would have been available from October 1, if the Member had seen the wisdom to vote for that piece of legislation. Because he came from a local government background, one expected him to know the importance of that

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legislation, but being misguided, he gets up afterwards and cries crocodile tears about the problems in Mohess Road. The money would have been available.

We, in local government would continue to move towards autonomy; to provide resources to the regions and hold them accountable. Only last week, Cabinet approved a management audit team structure for the Ministry of Local Government, because we are saying that we ought to see about monitoring; to see clearly that the moneys or resources placed at the disposal of those councils are properly spent and that we get value for our money. We should set some policies to have some co-ordination. Other than that, we would allow the regions to manage their own affairs. That is the way we are going.

I am aware of the problem in Mohess Road. I can tell you that at this present time, they have not included it in their programme for 1992—93.

Mr. Sudama: Whose responsibility is it to send that programme to the Ministry? Is it not the Chief Administrative Officer?

Hon. K. Valley: There is an advisory body of former councillors chaired by Mr. Alvin Mahabir who is a member of that party. They have all the power to perform as though they were councillors. That is a fact. The problem should be placed squarely at the Penal/Debe region. They must set their priorities.

I will say something else. The Member spoke about the people who said to give them the material and they will fix the road. I say “bravo” for that. I want to ask him, given that, why has he not organized the people into a group and apply to the Self-Help Commission? We also had that problem in Diego Martin. In such a situation, what we do is to organize the people into a group and apply to the Self-Help Commission. I can tell you that is a very efficient Commission.

Mr. Hosein: The nature of the extent of the work which is required to be done in Mohess Road cannot be done under self-help. In fact, what we have done is to break up into little components. We have sent in three applications for self-help but the road cannot be repaired under self-help. The Member is misleading the House.

Hon. K. Valley: When I went to Mohess Road, I told the Member that given the state of that road we have to try everything. I told him I would speak with my colleague with respect to LIDP. I spoke with my colleague and he assured me that in the new fiscal year, he would include a new LID Programme there, but then they

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voted “no”. They cannot come and tell us now. I gave him my word because I saw what was happening. We have to use LIDP and everything.

Mr. Sudama: I want to ask one question. If this fiscal year is going to start in January 1993, does that mean that no releases are going to be made? If the fiscal year does not start on October 1, but in January, that promise made to make releases in the new fiscal year, does not hold. Am I to understand that?

Hon. K. Valley: I am not talking about releases, but allocations. I am saying that there is a certain allocation or budget for this year which may be spent. If you were starting a new fiscal year, one can include that, because one may get a higher allocation. That is a simple point. I am sure the Member understands that. He was in the Ministry of Finance.

Quite simply, what I am saying is that as we move towards autonomy, the various regions would be held accountable for their actions. They have been asked to prioritize their projects and development programmes. It is on that basis that they would be funded. I advise the Member—I understand that he attends meetings of the council—that the next time he goes to a council meeting to ask the councillors or the members of the advisory team, to ensure that they include the Mohess Road project in their programme.

I thank you.

Question put and agreed to.

House adjourned accordingly.

Adjourned at 7.30 p.m.