

Leave of Absence

Friday, March 19, 1993

HOUSE OF REPRESENTATIVES

Friday, March 19, 1993

The House met at 1.50 p.m.

PRAYERS

[MADAM SPEAKER *in the Chair*]

LEAVE OF ABSENCE

Madam Speaker: Hon. Members, I have granted leave of absence to the Member for Naparima, Mr. Subhas Panday, from today's sitting.

PETITIONS

St. Joseph's Convent Past Pupils' Association

Mr. Desmond Allum (*Port of Spain North*): Madam Speaker, I beg to present a petition on behalf of the members of the St. Joseph's Convent Past Pupils' Association, who are desirous of introducing a private Bill in this House for the amendment of the St. Joseph's Convent Past Pupils' Association (Inc'n) Act.

I now ask that the Clerk be permitted to read the petition and that the promoters be allowed to proceed.

Petition read.

Question put and agreed to, That the promoters be allowed to proceed.

Glory Church

Mr. Hedwige Breaux (*La Brea*): Madam Speaker, I crave your leave to present the humble petition of the members of the Glory Church of No. 21 Angelina Street, St. James, who are desirous of constituting the Glory Church into a corporate body by Act of Parliament.

I now ask that the Clerk be permitted to read the petition and that the promoters be allowed to proceed.

Petition read.

Question put and agreed to, That the promoters be allowed to proceed.

PAPERS LAID

1. Annual Report of the Tobago House of Assembly for the year ended December 31, 1991. [*The Minister of Finance (Hon. W. Mottley)*]

Papers Laid

Friday, March 19, 1993

2. Report of the Auditor General on the Accounts and Financial Statements on the National Settlements Programme—Inter-American Development Bank Loan No. 584/OC—T.T. between the Government of the Republic of Trinidad and Tobago and the Inter-American Development Bank for the period ended December 31, 1990. [*Hon. W. Mottley*]
3. Report of the Auditor General on the Accounts of the Students Revolving Loan Fund for the year ended December 31, 1979. [*Hon. W. Mottley*]
4. Report of the Auditor General on the Accounts of the Students Revolving Loan Fund for the year ended December 31, 1980. [*Hon. W. Mottley*]
5. Report of the Auditor General on the Accounts of the Students Revolving Loan Fund for the year ended December 31, 1981. [*Hon. W. Mottley*]

Papers 2—5 to be referred to the Public Accounts Committee

2.00 p.m.

FINANCE COMMITTEE REPORT

Presentation

The Minister of Finance (Hon. Wendell Mottley): Madam Speaker, I beg to present the Second Report (1992 - 1993 Session) of the Finance Committee of the House of Representatives of the Republic of Trinidad and Tobago on proposals for the expenditure from public revenue which were included in the Annual Estimates 1993.

ORAL ANSWERS TO QUESTIONS

The following question stood on the Order Paper in the name of Mr. Subhas Panday (Naparima)

Solomon Hochoy Highway (Street Lighting)

- 112.** Could the Minister of Public Utilities state:
- (a) Which agent and/or authority is responsible for the street lighting of highways in Trinidad and Tobago and, in particular, the Solomon Hochoy Highway?
 - (b) Is the Minister aware that many street lights on the Solomon Hochoy Highway are malfunctioning?
 - (c) What steps, if any, are being taken to rectify the situation?

Question, by leave, deferred.

**Warren Road
(Disrepair of)**

131. Miss Hulsie Bhaggan (*Chaguanas*) asked the Minister of Local Government and Minister in the Ministry of Finance:

- (a) Would the Minister indicate whether he is aware that Warren Road in the Chaguanas constituency is in a state of disrepair?
- (b) If the answer is in the affirmative, would the Minister indicate whether his ministry intends to undertake improvement works on Warren Road?

The Minister of Local Government and Minister in the Ministry of Finance (Hon. Kenneth Valley): Madam Speaker, Warren Road is the responsibility of the Tunapuna/Piarco regional corporation. The corporation is aware that certain parts of this road require repairs and has scheduled the necessary remedial work for the month of March 1993 under its maintenance programme.

WRITTEN ANSWER TO QUESTION

Students Revolving Loan Fund

The following question stood on the Order Paper in the name of Dr. Carl Singh (Tabaquite):

133. Can the Minister in the Office of the Prime Minister responsible for Public Administration state to this honourable House:

- (a) The total sum of money which was available at the inception of the Students Revolving Loan Fund?
- (b) From what source was the fund made available?
- (c) To whom, i.e. names of students and areas of study and also sums which were made available to each student?
- (d) The conditions under which these loans were granted?
- (e) What measures are in place to recover outstanding debts?
- (f) How many of these students completed their areas of indicated studies and are employed by the national community?

Madam Speaker: Has the Member received the answer to this question?

Dr. Singh: No, Madam Speaker.

Madam Speaker: Is the answer to this question ready and has it been circulated?

The Minister of Local Government and Minister in the Ministry of Finance (Hon. Kenneth Valley): Not as yet, Madam Speaker. The Minister requests a deferral. They are gathering the information but it is rather bulky. Could we get a deferral for two weeks?

Question, by leave, deferred.

ORAL ANSWERS TO QUESTIONS

Board of Caroni (1975) Ltd. (Non-acceptance of Nominee)

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

139. Can the Minister of Agriculture, Land and Marine Resources state the reasons for the non-acceptance by the Government of the Trinidad Islandwide Cane Farmers Association's nominee to the Board of Caroni (1975) Ltd.?

Sale of Natural Gas (NUCOR)

140. Could the Minister of Energy and Energy Industries state:

- (a) The price per cubic metre the National Gas Company will be selling natural gas to NUCOR up and until it embarks upon commercial production of the product "steel carbide"?
- (b) The amount of natural gas the National Gas Company expects to supply to NUCOR during research and development of the product mentioned in paragraph (a)?
- (c) Will the "steel carbide" product developed be patented?
- (d) If the answer to (c) is in the affirmative, could the Minister state who will be the holder of such a patent?
- (e) What returns, if any, does the National Gas Company expect to receive from the proceeds of the sale of the "steel carbide" by NUCOR for the period of one year after it embarks upon commercial production?

Hon. R. L. Maharaj: Madam Speaker, I move that we defer question Nos. 139 and 140 for a period of one week?

Questions, by leave, deferred.

The following question stood on the Order Paper in the name of Mr. Krish Jurai (Nariva) :

**Unemployment
(Reduction of)**

153. With respect to a recent statement made by the Prime Minister in Parliament that "he would take steps to reduce unemployment in Trinidad and Tobago," would the Prime Minister state:

- (a) What specific projects will come on stream to relieve the chronic unemployment plaguing the Sangre Grande, Biche and Rio Claro areas?
- (b) What is the anticipated number of persons to benefit from such programmes?
- (c) How soon will these programmes come on stream?

The Minister of Labour and Co-operatives (Hon. Kenneth Collis): Madam Speaker, I have discussed with the hon. Member for Nariva the need for a deferral of one week in which to respond to this question.

Question, by leave, deferred.

**NUCOR Corporation
(Investment Contract)**

156. Mr. Trevor Sudama (Oropouche) asked the Minister of Energy and Energy Industries:

Could the Minister state:

- (a) The duration of the contract for the delivery of natural gas to the NUCOR Corporation of the USA?
- (b) The tax benefits which would accrue to this Company by allowing it to operate in the Export Processing Zone?
- (c) The number of permanent jobs that would be created by this investment?

The Minister of Energy and Energy Industries (Sen. The Hon. Barry Barnes): Madam Speaker, the contract for the delivery of natural gas to NUCOR is for a period of 20 years certain.

The company will be entitled to all the tax exemptions as detailed in the Trinidad and Tobago Free Zones Act, 1988.

Government expects that some 65 technical jobs will result from plant processing and operations. Additionally, there would be some 35 jobs in ancillary support services. It should also be noted that the construction phase will provide 400 jobs at peak.

Mr. Sudama: Madam Speaker, I wonder if the Minister would consent to answer a supplementary question. Under (b), where we are talking about tax benefits that will accrue to this company, I was wondering if the Minister would care to inform this House at what price natural gas is being made available to the NUCOR Corporation?

Hon. B. Barnes: Madam Speaker, I am informed that the National Gas Company appeared before the Public Accounts (Enterprises) Committee yesterday—the Member for Oropouche is a member of the committee—and that the company, in fact, answered in full a number of questions in respect of NUCOR and the company requested that the information on pricing should be kept confidential at this time since it might adversely prejudice current on-going negotiations with other possible off-takers. I can only add my request to theirs, in saying that public disclosure at this time would not be in the best interest of the company.

Unfortunately, there are a number of other off-takers who are looking at what the going price is. It is a reality.

Penal Rock Road Hindu School

165. Mr. Sahid Hosein (*Siparia*) asked the Minister of Education:

Can the Minister indicate to this House if he is aware that:

- (a) The Penal Rock Road Hindu School is understaffed?
- (b) If the answer is in the affirmative, can he indicate when his Ministry intends to correct this situation?
- (c) The Penal Rock Road Hindu School is in a state of disrepair?
- (d) If the answer to (c) is in the affirmative, can he indicate how soon his Ministry intends to effect repairs?

The Minister of Education (Hon. Augustus Ramrekersingh): Madam Speaker, the Penal Rock Road Hindu School is at present short of two teachers. This, however, needs to be put in its proper context, that the number of teachers

on the establishment of the school and the number of teachers actually at the school, coincide. However, because of an increased intake, it is necessary to have two more teachers.

Since the establishment or the number of teachers for that school is present, it is necessary for the board to look throughout the establishment of teachers for all its schools to see if vacant posts can be identified. The alternative, if none is found, is to create new positions.

The school is not in a state of disrepair. The entire building is structurally sound. The toilets are in good working order. Two pieces of celotex and part of the roof were defective and have since been repaired. However, there is a chain link wire fence which needs repairs. The board of the Maha Sabha and the Education Facilities Management Unit of the Ministry are liaising in an effort to have that matter rectified.

Mr. Hosein: Madam Speaker, is the hon. Minister saying that at present his ministry is not in a position to do anything about the shortage of staff at the school?

Hon. A. Ramrekersingh: Madam Speaker, this is an assisted school and the board of the Maha Sabha, because this is a Maha Sabha school, has to make recommendations for the filling of positions. The point I was making is that each school based on its enrolment at a particular time, is assigned a certain number of teachers. Because of an increased intake recently, the establishment or the number of teachers assigned to that school has been exceeded. It is therefore, necessary for the board to look at its entire teaching establishment, that is, for all the Maha Sabha schools, to see if there are vacancies in other areas so that the posts can be transferred. If that is not possible, then new positions have to be created, and that is a rather cumbersome process.

Mr. Hosein: Am I to understand, Madam Speaker, that if the board does not identify vacancies, the children of this school are going to be short of two teachers for a considerable length of time?

Madam Speaker: I do not think that is what the Minister said. He said, if that is not so, then arrangements will be made for establishing the two new positions in the school.

Mr. Hosein: May I ask a further supplementary question, Madam Speaker? Can the Minister indicate what length of time he considers reasonable in the event that this situation crops up, for those two positions to be filled?

Hon. A. Ramrekersingh: Madam Speaker, because of the procedures involved, I am in no position to give an exact time, but, obviously, we would hope that it would be done as expeditiously as possible.

2.10 p.m.

The following question stood on the Order Paper in the name of Miss Hulsie Bhaggan (Chaguanas):

**Union
(Proposal of)**

167. Would the Prime Minister indicate the exact nature of his proposal of a union between Trinidad and Tobago, Barbados and Guyana?

The Minister of Local Government and Minister in the Ministry of Finance (Hon. Kenneth Valley): Madam Speaker, I request a deferral of one week for this question, please.

Question, by leave, deferred.

**Local Government Corporations
(Funding)**

169. Mr. Sahid Hosein asked the Minister of Local Government:

Can the Minister indicate to this House:

- (a) What criteria are used by his ministry to determine the level of funding to individual local government corporations?
- (b) Whether permanent or regular workers of the local government bodies will have their terms and conditions of employment altered as a result of the reduced allocation to these bodies?
- (c) The mechanism by which workers retrenched by the local government bodies will be hired under the Unemployment Relief Programme?

The Minister of Local Government and Minister in the Ministry of Finance (Hon. Kenneth Valley): Madam Speaker, the level of funding to individual local government corporations is determined by the Ministry of Finance on the basis of estimates submitted by the respective corporations, and after consultations with them and the Ministry of Local Government.

No decision has been taken to alter the terms and conditions of employment of permanent and regular workers at local government bodies as a result of the reduced allocations to these bodies.

Madam Speaker, it is to be noted that it is not a practice of this Government to alter the terms and conditions of Government workers outside the process of collective bargaining. Although corporations have been requested to advise workers who have been laid off to individually register under the Unemployment Relief Programme, the ministry is exploring the possibility of having corporations register separated workers directly with the nearest Unemployment Relief Programme office.

Mr. Hosein: Madam Speaker, a supplementary question, please. The Member indicated that the level of funding is determined by a process of consultation. The mere fact that there is consultation seems to imply that there would be some agreement on the level of funding. Can the Minister indicate whether this is the case, or is it a unilateral decision by the Ministry of Finance as to how much it allocates?

Hon. K. Valley: Madam Speaker, you would agree that that question is better directed to the Minister of Finance.

Mr. Haniff: Madam Speaker, would the hon. Minister of Local Government please state whether workers at the local government bodies have, in fact, been retrenched?

Hon. K. Valley: Madam Speaker, as I said in my reply, there are casual workers who could not be offered employment any longer in the local government system. No permanent or regular employee in local government corporations has been retrenched.

Mr. Haniff: Madam Speaker, one further supplementary question, please. Is the Minister aware that some of these casual workers have been in and out of the employ of local government bodies for a period of 15 years or more?

Hon. K. Valley: The simple answer is yes, Madam Speaker. But, perhaps, I should add that there is a system by which the management of the local government bodies and the union agree on a cadre of permanent and regular employees. As long as that is agreed, that is the basis for the permanent and regular employees. Workers outside that are deemed casual and they were released.

Where there is no agreed cadre, Madam Speaker, we use the concept of the two effective years' service and that is what guided in the case of those local government's casual employees who were laid off.

Mr. Haniff: Madam Speaker, please allow me one other question. Can the hon. Minister state what has happened with the principle of leave relief in these local government bodies?

Hon. K. Valley: Madam Speaker, I would be very prepared to answer that in 21 days.

Mr. Hosein: A further supplementary question, please, Madam Speaker. Is the Minister aware that regular workers have been retrenched at the Chaguanas Borough Corporation?

Hon. K. Valley: Madam Speaker, no regular employee at the Chaguanas Borough Corporation was released.

Truck-Borne Water (Distribution)

170. Mr. Sahid Hosein asked the Minister of Local Government and the Minister in the Ministry of Finance:

- (a) Is the Minister aware that proposals for distribution of truck-borne water have been with his ministry since the beginning of this year?
- (b) Can the Minister indicate what is the delay in inviting tenders for the distribution of water?
- (c) Can the Minister indicate when will the distribution of truck-borne water begin?

The Minister of Local Government and Minister in the Ministry of Finance (Hon. Kenneth Valley): Madam Speaker, complete proposals, that is, with the required documentation for the distribution of truck-borne water, were received from all corporations in February, 1993, and were immediately forwarded to the Director of Contracts. The Ministry of Local Government is liaising with the Director of Contracts to expedite the process so that the distribution of truck-borne water can begin as soon as possible.

Mr. Haniff: Madam Speaker, a supplementary question, please. In the light of the sufferings in the local government bodies, can the Minister say when is "as soon as possible", now that we have gone past the middle of March and traditionally it starts during the dry season in the month of January?

Hon. K. Valley: Madam Speaker, the ministry was held back by the late submission of the proposals from the local government bodies. That is the

information I have. As I have said, the ministry is at present liaising with the Director of Contracts. As a matter of fact, a bit more up-to-date information, because there is another question filed.

Mr. Haniff: Total discrimination against the people of the rural areas. You in particular, as Minister—total discrimination. There is no water all over.

Madam Speaker: The question is when will the distribution of truck-borne water begin? Can the Minister answer yes, no, when or what time so we can move on.

Hon. K. Valley: Madam Speaker, I am merely trying to provide some additional information. I am saying that subsequent to this question the [Interruption]

Madam Speaker: That is very unparliamentary language, Member for Princes Town.

Mr. Haniff: Madam Speaker, I have no apology to make for that; he is telling lies to this Parliament.

Madam Speaker: The word "lie" is unparliamentary.

Mr. Haniff: What he is saying is not true, Madam Speaker.

Madam Speaker: You may say that, but I am advising you that the word "lie" is unparliamentary. Please proceed.

Mr. Haniff: Madam Speaker, since it is unparliamentary, I will withdraw it, but what he is saying is not true.

Airports Authority Calculation (Pegasus Offer)

171. Mr. Trevor Sudama asked the Minister of Works and Transport:

Could the Minister state the basis and details of the calculation by the Airports Authority on the Pegasus offer which appeared in the *Trinidad Guardian* of January 28, 1993, with respect to:

- (a) Potential return in terms of net present value being best by US \$95.46 million?
- (b) A saving in the buyout of shares of US \$21.00 million?
- (c) The capital cost is lowest by US \$6.50 million?

The Minister of Works and Transport (Hon. Colm Imbert): Madam Speaker, the figures which were the subject of the advertisement in the *Trinidad Guardian* of January 28, 1993 were derived from estimates of potential financial returns to the Government which were based on cash-flow projections requested in the Request for Proposals and supplied by the developers.

Those figures were adjusted to derive the total projected returns before finance charges such as debt service and dividends.

The estimate of return to the Airports Authority of Trinidad and Tobago, in each proposal, was based on its proposed shareholding during the tenure of the joint venture, and the ultimate reversion of the shares of the joint venture partner if any such reversion was proposed.

It was assumed that in all cases the value of the assets pledged to the joint venture by the Airports Authority of Trinidad and Tobago amounted to US \$40 million. The net present value of these adjusted cash flows was computed for each proposal, using a discount rate of 9 per cent.

Specifically, the answer to part (a): the potential return in terms of net present value being best by US \$95.46 million. This reflects the difference between these computations of total potential financial return of US \$209.111 million for Pegasus, and that of the next highest proposal from International Airport Development Corporation, US \$113.654 million.

2.20 p.m.

The figures for the other proposals were as follows:

Maritime—US \$65.2 million; Consorzio Airo—US \$18.3

“A saving in the buyout of shares of US \$21 million.”

Now (b) of the question:

This reflects the estimated worth of the shares of the proposed joint-venture partner after a joint-venture period of 15 years. This estimate was computed as six times the net earnings of the core Phase 1 Project. This was an indication of the cost to the Airports Authority if these shares had to be bought out by the authority.

In the case of the Pegasus proposal, their shareholding was to revert automatically to the Airports Authority after that time.

And now (c) of the question:

The capital cost was lowest by US \$6.5 million. This reflects the difference between the estimated capital cost of the Pegasus proposal, Phase 1 project—US \$71.4 million and the next lowest capital programme, that of Maritime—US \$77.9 million. These figures do not include the interests capitalized during construction period. The capital cost for the other proposers are: US \$79.45 million for International Airport Development Corporation and US \$89.23 million for Consorzio Airo.

**NHA (Phase 1)
(Wellington Road, Debe)**

172. Mr. Trevor Sudama (*Oropouche*) asked the Minister of Housing and Settlement:

With respect to Phase I of the NHA lot site development at Wellington Road, Debe, could the Minister state:

- (a) When was this phase commenced and when was it completed?
- (b) How many lots have been distributed to applicants to date?
- (c) Whether there is any restriction by the NHA on the construction of homes on these lots so distributed?

The Minister of Housing and Settlement (Dr. The Hon. Vincent Lasse): Madam Speaker, the Debe Phase 1 project commenced on December 2, 1988 and was completed on May 24, 1990.

To date, 31 of the 101 lots yielded by the project have been distributed.

There are no restrictions imposed by the National Housing Authority regarding construction of houses on lots distributed. However, the following approvals are outstanding:

Fire Services: This approval is subject to the reinstatement of fire hydrants stolen from the site. New hydrants have been procured and it is expected that they will be installed by the end of March, 1993.

Drainage: Final approval has been obtained for 59 lots draining to an outfall constructed by the National Housing Authority to the north of the site, crossing the Wellington Road and into the Goolcharan River. Regarding the remaining lots, the National Housing Authority is currently working with the Drainage Division of the Ministry of Works and Transport with a view to securing approval as soon as possible.

Mr. Sudama: Madam Speaker, could the Minister indicate whether the non-existence of a sewer treatment plant at this site is a constraint on the construction of homes on the site?

Dr. The Hon. V. Lasse: Madam Speaker, it is not a constraint because there is a timetable set for the sewer treatment plant to be installed.

Mr. Sudama: Could the Minister indicate when that timetable is scheduled to expire, when the sewer treatment plant is expected to be completed and be on stream?

Dr. The Hon. V. Lasse: I cannot at this point in time state exactly the date and time the sewer treatment plant will be completed.

Madam Speaker: The Member will provide the answer at a later date.

Mr. Sudama: Would the Minister indicate whether a constraint on the use of the lot site has been the removal of manhole covers from the sewer system? This having been brought to the attention of the NHA, could he advise this House what action has been taken?

Dr. The Hon. V. Lasse: Madam Speaker, the Member for Oropouche visited the site with me a few weeks ago and we looked into that matter.

Constituency Offices (Furniture)

175. Mr. Ramesh Lawrence Maharaj (*Couva South*) asked the Minister of Works and Transport:

- (a) Would the Minister state whether Members of Parliament have been provided with the necessary furniture which was required to be supplied by the Government to them for the discharge of their parliamentary duties pursuant to the decision made by Government on April 14, 1992?
- (b) If such furniture has been provided, would the Minister state the names of Members of Parliament who have received such furniture and the respective dates they were so provided with the furniture?

The Minister of Works and Transport (Hon. Colm Imbert): Madam Speaker, in February 1992, Cabinet agreed that each Member of the House of Representatives be provided, where available, with:

- (i) An enclosed office area of not less than 20 square metres (200 sq. ft.) with essential office furniture, namely a desk and three chairs to be used by the parliamentarian for private discussions with his/her constituents.
- (ii) A suitable waiting area for constituents equipped with basic seating accommodation.

The Minister of Works and Transport wishes to advise that not all the furniture requested by Members of Parliament has been supplied. Furniture is supplied by the ministry only when requests are made by the Member of Parliament.

Information at the ministry indicates that furniture has not been supplied to seven Members of Parliament who have requested furniture. This is owing to unavailability of funding in 1992. These requests will be honoured in 1993, as soon as the necessary funds are received.

The following Members of Parliament have, however, received furniture to date:

| Members of Parliament | Date Issued |
|--|--------------------|
| Member for Fyzabad - Mr. Chandresh Sharma | 11.6.92 |
| Member for Siparia - Mr. Sahid Hosein | 26.6.92 |
| Member for Naparima - Mr. Subhas Panday | 26.8.92 |
| Member for Point Fortin - Dr. Vincent Lasse | 23.9.92 |
| Member for Princes Town - Mr. Mohammed Haniff | 7.10.92 |
| Member for Diego Martin East - Mr. Colm Imbert | 16.10.92 |
| Member for Caroni Central - Mr. Raymond Palackdharrysingh | 27.1.93 |
| Member for San Fernando West - Mr. Ralph Maraj | 27.1.93 |

The following are Members of Parliament who have requested furniture and have not yet been supplied:

Members of Parliament:

Member for St. Joseph -
Mr. Augustus Ramrekersingh

Member for Chaguanas -
Ms. Hulsie Bhaggan

Member for Nariva -
Mr. Kris P. Jurai

Member for Laventille East/Morvant -
Mr. Kenneth Collis

Member for Port of Spain South -
Mrs. Jean Pierre

Member for Couva South -
Mr. Ramesh Maharaj

Member for Caroni East -
Mr. Shamshuddin Mohammed

Mr. Palackdharrysingh: Would the Minister state whether those who have received furniture have received all that was promised to them?

Hon. C. Imbert: Madam Speaker, I repeat: In February, 1992, Cabinet agreed *inter alia* that each Member of Parliament be provided with essential office furniture, namely, a desk and three chairs to be used by the parliamentarians for private discussions, and a suitable waiting area for constituents equipped with basic seating accommodation. As far as I am aware, this has been provided.

Mr. Sudama: I did not hear mention of the constituency of Oropouche. Having made a request, I want to know from the Minister if he has received that request.

Hon. C. Imbert: Madam Speaker, the Member for Oropouche seems to have difficulty in transmission of documentation to Government ministries. My ministry has no record of any such request.

Mr. Hosein: Can the Minister indicate to this House what items of furniture were provided for the office of the Member for Siparia?

Hon. C. Imbert: Madam Speaker, as I have stated twice, furniture, namely, a desk and two chairs, and basic seating accommodation for constituents.

Madam Speaker: I do not think these are the kinds of questions that should occupy this House for too long again. The Member for Princes Town, please.

2.30 p.m.

**URP Projects
(Region 7)**

179. Mr. Mohammed Haniff (*Princes Town*) asked the Minister of Works and Transport:

Could the Minister state:

- (a) How many URP projects have commenced in Region 7?
- (b) Where are these projects taking place?
- (c) What type of works are being undertaken?
- (d) Whether these projects have been decided upon based on consultation with or on the recommendation of the Members of Parliament representing the areas?
- (e) Whether more projects are likely to commence?

If the answer to (e) is in the affirmative, would the Minister state:

- (i) How many projects are likely to commence;
- (ii) Where will these projects take place; and
- (iii) When will these projects commence?

The Minister of Works and Transport (Hon. Colm Imbert): Madam Speaker, 27 projects have commenced in Region 7. The name, location and type of project are as follows:

- 1 Bayshore Basketball Court
- 2 Caratal Road—Footpath
- 3 Cocoyea Village-Forres Avenue/Rosset Village—Box Drain
- 4 Dalketh Avenue/Best Street—Box Drain

Oral Answers To Questions
[HON. C. IMBERT]

Friday, March 19, 1993

- 5 Eleanor Street Drainage/Jack Street—Box Drain
- 6 Fifth Street Bridge/Douglas—Drainage
- 7 Fonclaire Panyard—Upgrading
- 8 Gajadhar Lands/Ayers Avenue—Roadworks
- 9 Gulf City Link Road—Footpath
- 10 Jagville/Sadiville—Roadworks
- 11 La Paille— Roadworks
- 12 Lucy Street Community Centre—Repairs
- 13 Marabella Recreation Ground—Repairs
- 14 Mahogany Drive Basketball Court
- 15 Mon Repos R. C. School—Retaining Wall
- 16 Office and Stock Yard (URP Office)
- 17 Palmiste—Roadworks
- 18 Pierre Phillips—Roadworks
- 19 Pleasantville Avenue Terrace—Box Drain
- 20 Pleasantville Community Centre Complex—Drain
- 21 Rambert—Footpath
- 22 Reform—Box Drain, Footpath
- 23 St. Charles—Footpath
- 24 St. Clement—Footpath
- 25 St. Croix-Duff Road—Footpath
- 26 Ste. Madeleine Circular Road Extension
- 27 Ste. Margaret—Footpath

All Members of Parliament have been invited to submit a list of projects which they would like implemented in their area. Most Members of Parliament have responded to this invitation by supplying a list of projects to the Minister of Works and Transport.

The Ministry of Works considers these recommendations together with other criteria such as demographics, feasibility, costs, benefit to the community and thus determine the location of the projects.

The number of projects in the region would be progressively increased over the year.

Finally, it is not possible at this time to indicate how many new projects are likely to be undertaken in the region, to give their locations or commencement dates since these matters are under review at present.

**Caparo River Course
(Misuse of)**

The following question stood on the Order Paper in the name of Mr. Raymond Palackdharrysingh (Caroni Central):

- 186.** Would the Minister of Works and Transport state whether he is aware:
- (a) That there has been massive tampering with the Caparo River course in the Montrose/Longdenville area?
 - (b) That huge quantities of earth fill have been removed creating very large ponds?
 - (c) That the area is now extremely unsafe to human and animal life?
 - (d) That unprecedented flooding now takes place during the rainy season?
 - (e) That the homes of many of the residents in the area are affected during the rainy season?
 - (f) If the Minister is aware of the tampering with the Caparo River course, would he state whether those who are responsible had his permission?
 - (g) If the answer to (f) is in the negative, would he state what action he intends to take in this matter?
 - (h) What measure he intends to put in place to rectify this serious problem and when?

The Minister of Works and Transport (Hon. Colm. Imbert): Madam Speaker, could I respectfully request a deferral of one week for this question?

Question, by leave, deferred.

**Local Government Bodies
(Water Distribution Programme)**

The following question stood on the Order Paper in the name of Mr. Raymond Palackdharrysingh (Caroni Central):

187. Would the Minister of Local Government state:

- (a) Whether the truck-borne water distribution programme by local government bodies has started?
- (b) If the programme has not started, would the Minister state why?
- (c) If it has started, would the Minister state how long the programme would run?
- (d) The cost of the programme in 1993 as compared to its cost in 1992?
- (e) From where would the labour force for this exercise be drawn?

The Minister of Local Government and Minister in the Ministry of Finance (Hon. Kenneth Valley): Madam Speaker, you would note that this question is very similar to question No. 170 which I attempted to answer a while ago. Given that fact, I do not think there is any need to—

Madam Speaker: Are you saying that you are adopting the answer for question No. 170 for No. 187?

Hon. K. Valley: Yes, Madam Speaker. There is a request for additional information which I do not have at present.

Mr. Palackdharrysingh: Madam Speaker, I do not understand what is the final position on the question, whether or not the additional new information would be answered in the future.

How will he determine what parts will be on the Order Paper?

Madam Speaker: Will you give the information in writing to the hon. Member?

Hon. K. Valley: Madam Speaker, he is asking for cost. I can ask for a deferral of that aspect of the question, or if he wishes, we can defer the whole question and answer it on the next occasion.

Madam Speaker: That would be wasting parliamentary time. If the answer is already given, I would respectfully suggest that the Minister answer the parts that are not answered.

Will the Minister provide those answers to the sections that have not been answered please?

Question, by leave, deferred.

**WASA Chaguanas
(Functions of)**

188. Mr. Raymond Palackdharrysingh (*Caroni Central*) asked the Minister of Public Utilities:

Would the Minister state:

- (a) What are the functions of the WASA office in Chaguanas?
- (b) What are the services offered?
- (c) The number and categories of employees deployed at the office?
- (d) Whether there is a complaints section?
- (e) If the answer to (d) is in the negative, how soon would a complaints desk be put in place?

The Minister of Public Utilities (Hon. Morris Marshall): Madam Speaker, the office at Chaguanas is a rate collection centre. The services offered are mainly commercial at the present time. Five persons are employed at the office in the positions indicated hereunder:

| Position | Number |
|----------------------|---------------|
| Cashier | 1 |
| Accounting Assistant | 1 |
| Clerk | 2 |
| Security | 2 |

There is no complaints section at this time.

With respect to the services the Water and Sewerage Authority provides to its customers, the Authority has been establishing systems aimed at improving this role, specifically in the area where it pertains to the treatment of complaints received from its customers.

At the present time, aggrieved customers in Central Trinidad can lodge their complaints with the south regional office between the hours of 6.00 a.m. and 10.00 p.m. Thereafter, at the Head Office, St. Joseph where a 24-hour customer service is provided. The telephone numbers for the head office and the south regional office are 662-9272 and 652-2468, respectively.

The Water and Sewerage Authority has embarked on a restructuring exercise which includes a plan to decentralize most of its routine functions among its divisions, which would as a result render some of the services currently obtained at the Authority's head office.

On the completion of the said exercise a complaints section will be established at Chaguanas which will be responsible for receiving and recording complaints as well as providing feedback to customers.

ADJOURNMENT MOTION (LEAVE)

Freedom of Information

Mr. Ramesh Maharaj (*Couva South*): Madam Speaker, I sent to your office a request to move the adjournment of the House for the purpose of discussing a definite matter of urgent public importance; namely, the need for Government to take immediate and necessary action to ensure that the necessary machinery and provisions are put in place and for Government to bring forward legislation to permit the media and the public to enjoy the right of access to official information.

The essence of democratic government is that the public should have *inter alia* the right to be informed of the full circumstances in which decisions are taken in their names, and for them to at least have the opportunity to express their views and to have access to such information and all material matters relating to the functioning and conditions of state institutions.

In my letter, I stated recent events and in particular the following events have shown a threat to the enjoyment of these rights.

- (1) The stand taken by the Government that detailed facts about the NUCOR investment in Trinidad and Tobago are not matters for public consumption.
- (2) The refusal of the Government to allow the press to have access to certain prisoners on death row who consent to such access for the purpose of interviewing and filming the said interviews.

The freedom of the press whether local or foreign, demands that in the discharge of its duties to inform the public, it has access to state institutions to inform the public about same.

Having regard to what occurred in this House earlier in respect of the Minister not wanting to disclose information about the NUCOR contract, and in respect of a publication in the *Express* dated March 10, 1993 which carried the headline: "Barnes, NUCOR contract cannot be made public":

"The agreement between NUCOR Corporation and the National Gas Company for the supply of natural gas is a commercial contract between private business firms and therefore cannot be made public, Energy Minister Senator Barry Barnes said in the Senate yesterday.

Barnes was responding to a question from Opposition Senator Wade Mark on whether the agreement between the two companies was private and why.

'In accordance with standard accepted business convention and practice, such contracts are treated as confidential and are not considered public documents or available for public information', Barnes said."

It is matters like these which have made this issue very urgent and important because a contract involving the Government or a corporation owned by the Government of Trinidad and Tobago is not a private commercial matter. It is a public matter, it involves a corporation owned by the people of Trinidad and Tobago and they are entitled to know what is happening. The public and the press are entitled to have machinery so that the public can know what is happening with respect to their property. The property does not belong to private persons. It is owned by the people of Trinidad and Tobago with the Government as trustee.

It is in that circumstance I would consider that there is the need for Government to take immediate action because parliamentary democracy and representative government cannot function efficiently unless the public is informed of what is happening. There is need for machinery and even legislation. The request is that this issue be put for debate so that the Government can say whether it intends to do it in the light of what has happened recently, or if it intends not to do it.

2.40 p.m.

Madam Speaker, I do not want to go into the merits of the motion, obviously, but I have to show you some facts on the urgency of the matter and its public importance.

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The Government has contracted itself by international covenant, both under the Universal Declaration of Human Rights and the International Covenant on Civil and Political Rights, for it to provide information to the public—in particular, Article 19 of the Universal Declaration of Human Rights and a similarly worded article, International Covenant on Civil and Political Rights. Therefore, it is important for the Government to take steps to fulfil that promise that it has made by international covenant.

The second matter which has arisen concerns the fact that the British Broadcasting Service made a request of the Government of Trinidad and Tobago to be permitted to enter the prison and film an interview with prisoners on death row who consented to be interviewed, as the BBC is putting together a 30-minute documentary on the judicial system in Trinidad and Tobago. The BBC has already interviewed a Privy Council judge, who has gone on tape. The Privy Council's Registrar has also been interviewed. Several persons in Trinidad and Tobago have been and will be interviewed. There was a request before they came to this country for them to be permitted to do that. I know that the Government has considered the matter and has turned down the request.

Mr. Valley: Madam Speaker, are we getting involved in a debate at this time. If the hon. Member is getting involved in a debate, the Government would want the right to rebutt. As I understand it, he is simply to make a case, rather than get into the merits.

Mr. R. Maharaj: I wish to assure the Member that I am not going into the merits.

The Government's response has been that it is a matter of security—

Mr. Valley: We should like to make our own response. What we want him to do is to set out the case to prove that it is a definite matter of urgent public importance

Mr. R. Maharaj: In order for the Speaker to determine whether the matter is definite and of urgent public importance—

Madam Speaker: You were on the point of definite.

Mr. R. Maharaj: The matter is definite because it is a matter which involves the need for the public to have the right to official information. That is a definite matter. The matter is urgent because the very essence of democracy is for the public to be informed of matters which the Government is doing, to have access to such information, and to the functioning and condition of state institutions.

If the essence of democracy and parliamentary democracy as we know it is that, I would say that it is definite, it is of public importance and it is urgent. It becomes urgent because if the essence of parliamentary democracy is for the population to have information and this information is being cut out, and there is some mechanism, machinery or inaction in not making this information available, it becomes a matter of urgent importance.

So, it is urgent, it is public, it is definite. In those circumstances, when one considers that only in Sunday's newspaper—

Madam Speaker: Those are the points that the Member has to satisfy under Standing Order 12.

I am satisfied that this is a matter which falls within Standing Order 12, and under Standing Order 12(3), if the Speaker is so satisfied, leave of the House has to be given.

Permission is hereby given to the hon. Member to discuss the matter and the motion shall stand over until 6.00 p.m.

Personal Explanation

Madam Speaker: I have granted leave to the Member for Arouca. He has sent a petition to me and leave is hereby granted. Proceed please.

The Parliamentary Secretary in the Ministry of Works and Transport (Mr. Jarrette Narine): Madam Speaker, I thank you for the opportunity to refute allegations made by the Leader of the Opposition in this House with reference to an article which appeared on page 36 of the *Daily Express* newspapers of Thursday, March 4, 1993, under the caption, "A close look at URP".

At the beginning of the 1992 programme, Regional Supervisors were instructed to inform all Members of Parliament for their areas that they, the parliamentarians, were expected to submit recommendations for:

- (1) project location in their respective areas; and
- (2) on an on-going basis, lists of persons to be employed on these projects.

The regional supervisors complied with the instructions. With the exception of the Members for St. Augustine and Nariva, all responded. The validity of this statement is established by our records, and I would like to present to you a set of those records for Parliament, through the Clerk of this House.

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Since last week's statement that I had no communication with the Member for Couva North, I am asking, if he has any problems, that he should liaise with you, Madam Speaker, and those records would be provided. The original documents are with us and if he would like to see them at a further date, I would oblige.

2.50 p.m.

The hon. Member for Couva North's declamations that he did not send names, neither recently nor at any other time, to the Parliamentary Secretary, nor appoint any agent, are not correct. His position is totally discredited by the fact that our department did, in fact, receive recommendations, directly and indirectly, from the Member for Couva North and his party associates. Because the established policy is to depoliticize the Unemployment Relief Programme instructions were issued that all recommendations for employment in the department be dealt with on a regional basis and not sent to the Parliamentary Secretary.

In the instance of the Member for Couva North, the present Mayor of Chaguanas who is also the Chairman of the United National Congress Couva North constituency, and an executive member of that party, did, in fact liaise with the regional supervisors. He also informed—

Mr. Maharaj: On a point of order. Mr. Mulchan is not a member of the executive of the party.

Mr. J. Narine: I stand corrected. He also informed the regional supervisors that he was appointed by the Member for Couva North to deal with the URP, on behalf of the Member for Couva North, on all matters including the submitting of names for employment in the programme. This is evidenced by the use of the party's letterhead from head office on correspondence signed by Mr. Mulchan, the Mayor of Chaguanas.

In like manner, the Couva South parliamentary representative arranged the programme for him to be represented in the submission of recommendations for employment by Mr. Tahir Ali, an executive member of the Ramesh Lawrence Maharaj Foundation and chairman of the Couva South constituency.

Some time in February of 1993, Madam Speaker, the Member for Couva South advised in a telephone conversation with the labour co-ordinator that Mr. Tahir Ali was no longer authorized to recommend names to the programme on his behalf.

The hon. Leader of the Opposition ended his charges with :

“Do not involve me in your corruption.” The questions are:

- (a) What corruption? And
- (b) Is it because the programme extends employment relief to citizens irrespective of political affiliations?

Recommendations for projects and of persons for employment were received from most Parliamentarians. Projects were accordingly considered and persons recommended were usually employed. Are these the bases of the charges?

Bearing in mind that the whole issue was fomented by an article in the press, I take this opportunity to present the evidence requested.

The first letter that I have in my possession is one from No. 24 Waterloo Road, Carapichaima, dated February 11, 1992, telephone 673-0288, that is the home number, and the work number is 623-8842, to:

“Mr. Reyes Rajath,
Engineer, LIDP,
Couva

Dear Sir:

LIDP projects, Couva North.

Greetings. Reference is made to discussion on Saturday the 8th of February, 1992, at MP Hulsie Bhaggan’s office on the above matter.

I wish to advise you that I have discussed the various projects with MP Basdeo Panday for the Couva North area and agreed with the following, continuation of:

- (1) Carli Bay project:
- (2) Orange Valley foot pavement; and
- (3) Waterloo Road pavement.”

Madam Speaker, two out of those three projects were done last year and the Carli Bay project is now being done in the 1993 programme.

There is also a listing of new projects, and of these one was the Carapichaima Muslim School Road which was done last year, and there were contact persons with telephone numbers and so on.

On the other side, Madam Speaker, I should like to read the end of the letter:

“It would be appreciated if you would advise us, whenever you are recruiting labour for these projects, in order that we ...”

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“we”, I stress, Madam Speaker,
“may be in a position to make a few recommendations.
Please be guided accordingly.
Yours sincerely,
Mulchan Seechan,
Co-ordinator of Couva North.”

Madam Speaker, I should like you to remember that this letter was written on February 11, 1993.

Subsequent to that, we received another bit of correspondence:
“Rienzi Complex,
Exchange Village, Couva
February 20, 1992.”

In all this, you would understand that last year’s programme did not start until after Carnival, in March, so this was long before the programme actually started.

“Mr. Rajath
Area Supervisor, Region No. 6 SIB programme (formerly LIDP)
Couva
Dear Sir:
Re: LID Projects, Couva North.

Reference is made to our letter of 11th of February ...”

“Our letter”, I stress.

“1992, on the above subject matter. It would be appreciated if arrangements can be made to tour the various projects recommended to the LIDP in the Couva North area.

We wish to propose the 25th of February, 1992 at ten a.m., starting from the Rienzi Complex, Couva.

Please be guided.

Yours faithfully,

Basdeo Panday.

MP, Couva North.”

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Mr. B. Panday: Madam Speaker, on a point of order. I just want to make it clear that that was an invitation to tour the area, not to appoint people. That is all.

Mr. J. Narine: Madam Speaker, you would remember that reference is made to a letter of February 11, which was asking for projects and recommending people to work on those projects.

I have in my possession another letter dated December 3, 1992 from Mr. Basdeo Panday.

“The Administrative Officer IV, UFS,
Permanent Secretary,
Ministry of Works,
3 Edward Street,
Port-of-Spain”

And that is the head office of the URP.

“Dear Sir/Madam:

This is to introduce to you Miss Dora Seenath of Steven Street, California. She has eight years experience as a domestic. She has four children and is a single parent. She is presently seeking employment as a cleaner in a secondary school.

As a result, I shall be most obliged if this application is taken into consideration and acknowledged.”

Signed by “Mr. Basdeo Panday”.

Madam Speaker—

Madam Speaker: The Member has ten minutes.

Mr. J. Narine: Madam Speaker, this person is presently employed in the programme and this is based on the recommendation and request of the Member for Couva North.

I also have another letter from the office of the Leader of the Opposition that I should like to make public here.

“Mr. Jarette Narine,
Parliamentary Secretary,
Ministry of Works and Transport,
5th floor, Salvatori building,
Frederick Street,
Port-of-Spain:

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“Dear Mr. Narine...”

And I read in the *Hansard* of last week which said that he never had any communication with the Parliamentary Secretary in the Ministry of Works.

“The hon. Leader of the Opposition has directed me to request from you a list of all the LIDP projects with names of the co-ordinators’ telephone numbers and addresses of such region and outlining the constituency falling under each region.

Thanking you,

Yours faithfully,

Beverly Drayton,

Executive Secretary (Political)

To the Leader of the Opposition.”

Madam Speaker—

Mr. B. Panday: On a point of order. I just want to tell the House that I have not got the information yet. I am still awaiting the information, and I want it.

Mr. J. Narine: Madam Speaker, God bless this nation with leaders like the Member for Couva North. He is coming here to say he had no correspondence with me. In *Hansard* he stated that:

“I have no clients to send, I did not send him names, neither recently nor at any other time...”

Mr. Mohammed: Madam Speaker, on a point of order.

It is my respectful submission to this honourable House that what the hon. Member is purporting to say under “Personal Explanations” does not qualify to be a personal explanation.

There are two objectives under “Personal Explanations”: The matter must not be controversial and it must not last more than 10 minutes. This is the subject of a debate. This is not personal explanation.

Mr. J. Narine: Madam Speaker—

Madam Speaker: This purports to a situation last week. So he is entitled. But the Member has 10 minutes.

Mr. J. Narine: Madam Speaker, I am not trying to enter into a debate. I am just replying to what took place last week, particularly where I was called a liar.

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Mr. Maharaj: Madam Speaker, may I enquire then the Member commenced his statement? According to my watch he has passed his 10 minutes.

Mr. J. Narine: The point is, I should like to submit copies of the other documents that we have, plus letters and recommendations, from each Member of Parliament, which are attached.

Madam Speaker: We are dealing with the question of the Member for Couva North. The Member has one minute to wind up. The documents must be relevant to the Member for Couva North.

Mr. J. Narine: Yes, Madam Speaker. I am replying to certain allegations which were made. Last week, they never had anything to do with the programme, yet yesterday's newspaper says from now on they would not have anything to do with the programme.

Madam Speaker, I rest my case and in doing so I must say that I am very much perturbed about this.

Thank you very much.

Miss Bhaggan: Madam Speaker, since the hon. Member is so liberal with information, I am wondering whether he can include in that file the names and addresses of persons registered last year under the LID Programme, because the said ministry has refused to provide that information to this House.

Madam Speaker: That seems to be another question on an entirely different matter, not related to this at all.

**FINANCE (SUPPLEMENTATION AND
VARIATION OF APPROPRIATION) (1992) BILL**

Bill to supplement and vary the appropriation of the sum the issue of which was authorized by the Appropriation Act, 1992 [*The Minister of Finance*]; read 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.

**INTERNATIONAL SPIRITUAL BAPTIST
THEOLOGICAL SEMINARY (INC'N) BILL**

Question put and agreed to, That a Bill to provide for the incorporation of the International Spiritual Baptist Theological Seminary and for matters incidental thereto, be now read the first time.

Bill accordingly read the first time.

Hindu Seva Sangh (Inc'n) (Amdt.) Bill

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**HINDU SEVA SANGH
OF TRINIDAD AND TOBAGO (INC'N) (AMDT.) BILL**

Question put and agreed to, That a Bill to amend the Hindu Seva Sangh of Trinidad and Tobago (Inc'n) Act No. 22 of 1988 be now read the first time.

Bill accordingly read the first time.

ORDER OF BUSINESS

The Minister of Local Government and Minister in the Ministry of Finance (Hon. Kenneth Valley): Madam Speaker, I beg to move that Private Business listed at page 17 of the Order Paper "Bills Second Reading", be taken at this time, before "Government Business".

Madam Speaker: The two bills?

Hon. K. Valley: Yes, Madam Speaker.

Question put and agreed to.

ROTARY CLUB OF ST. AUGUSTINE (INC'N) BILL

Order for second reading read.

Mr. Edward Hart (Tunapuna): Madam Speaker, I beg to move that a Bill for the incorporation of the Rotary Club of St. Augustine and for matters incidental thereto, be now read a second time.

Question proposed.

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 8 ordered to stand part of the Bill.

Preamble ordered to stand part of the Bill.

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

House resumed.

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

SWAHA (INC'N) BILL

Order for second reading read.

Mr. Cyril Rajaram (*Pointe-a-Pierre*): Madam Speaker, I beg to move that a Bill for the incorporation of SWAHA and matters incidental thereto, be now read a second time.

Question proposed.

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 9 ordered to stand part of the Bill.

Preamble ordered to stand part of the Bill.

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

House resumed.

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

CUSTOMS (AMDT.) (NO. 2) 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 Customs Act, Chap. 78:01, be now read a second time.

A number of Bills will shortly be before this Parliament and this is the first of several of them having to do with deep structural changes which are being made to the economy and the way we deal with business.

The Customs (Amdt.) Bill has two principal objectives: The first is to fix the rate of exchange for the conversion of foreign currency into TT dollars, and to do it in a particular way that the rate of exchange be the rate applicable on the date on which the entry document in respect of the goods is first submitted to the Comptroller of Customs, rather than the system which obtains at the present time, where the date used for determining the rate of exchange is the date of actual importation of the goods.

Clause 5 (a) of the Bill seeks to change this to the date on which an entry is first submitted to the Comptroller for approval and clause 5(b) proposes that this

Customs (Amdt.) (No. 2) Bill
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date shall not be earlier than the date of importation of the goods. So that is the first matter dealt with in this Bill.

Madam Speaker, under the Customs Act, the date on which goods are imported is the date on which they are brought into Trinidad and Tobago. However, permission to remit foreign exchange is not given to importers until an import entry has been submitted to the Customs for approval. It is, therefore, more appropriate for the rate of exchange to be determined on the date when the entry is submitted and, indeed, this is the date which is used in several other Caricom states.

The second and perhaps more important aspect of this Bill, Madam Speaker, is to introduce the use of a single consolidated document in Customs for exports and imports, to substitute for the many forms currently being used for import and export of goods into Trinidad and Tobago.

In order to achieve this purpose, clauses 3, 4 and 5 of the Bill propose amendments to those provisions of the Customs Act which refer to documents which will be replaced.

Clause 6 also seeks to amend the "Entry Procedure" set out at the end of the Act, indicating new procedures for the entry of goods. We will also be publishing subsidiary legislation to amend the Customs Regulations simultaneously with the enactment of the Bill to give effect to these changes.

This Government has embarked on a comprehensive programme of trade facilitation. One of the major elements of this programme is the process of reducing the quantity of documentation and bureaucracy involved in transactions. Consequently, the consolidation of a majority of the documents presently used into this single administrative document is what we now propose will replace the myriad of documents presently being used for the import and export of goods.

We see this as one of the measures necessary to ensure that the trading community are afforded the appropriate environment and facility to conduct their business successfully and without unnecessary bureaucratic delays.

The institution of this measure will afford both importers and exporters the following benefits:

- (1) It will dispense with the need to acquire, stock and complete 16 different formats now required to effect 30 separate import and export procedures.
- (2) In dispensing with the need by the Customs and Excise Division, at the same time to record the payment of eight categories of duties and taxes

on four different sets of forms. All these transactions can now be effected with the use of this single form, the "Customs Declaration Import/Export" or C-82 form.

For instance, where previously an importer would be required to complete eight different documents to finalize a transaction which necessitates the collection of duties and taxes under four different categories, with the introduction of the new import/export document, the importer would be required to complete only this single form to effect such a transaction.

The use of this form will also facilitate the exchange of trade data between trading nations not only within the Caricom region, but also with other trading regimes to which this country is affiliated.

This Customs Declaration Form is the cornerstone on which the full automation of the customs declaration procedure is based. It allows for a more comprehensive and efficient collation of trade data, which will greatly support the functions of the Central Statistical Office, the Central Bank and other governmental agencies.

The use of this format is the basis on which the pilot project for the ASYCUDA, or the Automated Systems for Customs Data, will be implemented. This is the computerization of the customs procedures. A pilot project for the computerization under this ASYCUDA system of customs will commence first in San Fernando, and then at Piarco immediately after this new documentation is approved by Parliament and distributed for trade. We will, therefore, start the computerization with a pilot project in San Fernando and then move on to Piarco, before wider and total acceptance of the new system at Port of Spain and Tobago.

3.20 p.m.

This system will also greatly enhance our present enforcement efforts by the division, since importers and exporters will now be required to make more explicit declarations in respect of their trading transactions, thus facilitating and enhancing fiscal and national security controls. The use of this single document also enhances audit controls and enables the division and other related agencies to establish audit trails on their revenue protection activities.

I wish to inform this honourable House that the measures which this Bill seeks to enshrine in law are all part of the Government's efforts to reform the practices and procedures of the Customs and Excise Division in its drive to create a division geared to meet the objectives of trade facilitation and at the same time

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ensuring that Government's and indeed the country's revenues are protected and enhanced.

I wish to remind this honourable House that in the presentation of the 1993 budget we specifically identified over \$50 million dollars in additional customs revenue that we expected to collect in 1993 as a result of administrative improvements. This particular exercise, is but one, although a major one, in a series of measures for the improved administration of Customs that is now in train.

I wish to take this opportunity to advise Members of this honourable House of a number of other measures being pursued by this Government, with respect to our reform programme in the Customs and Excise Division.

Hon. Members will recall that in September, 1992 the Customs and Excise Division undertook an operation, named '*Operation Squeeze*' with the assistance of the United States customs service, which enabled the Customs Division here to develop a slate of criteria to be used in the selection of containers for more rigorous examination, based on the level of risks to the revenue and general security of the nation, presented by circumstances surrounding the particular shipments.

A number of charges had been laid by the Comptroller of Customs against importers since that particular operation. My only wish, is that, following that particular exercise, and in fact—indeed prior to that, the Customs have been stepping up their vigilance; in 1992 alone, 78 charges were laid and brought before the courts. Twenty of those have been determined, but there still remain 58 outstanding.

In 1993, January and February, 11 new charges have been laid, six determined and five still outstanding. In addition, there is a major matter involving several millions of dollars which is presently before the San Fernando Magistrates' Court. I mention these things, because the whole thing has to work together if we are to achieve our ultimate goals.

We are hoping that parallel with the very steady pace that the Customs Division has been making in its own reform process, we would be able to get the support of the courts and other areas of national life including institutions to bring this whole reform of Customs administration to a satisfactory conclusion.

In addition, plans are under way for the establishment of a container examination station at the ports of Port of Spain and Point Lisas. In this station it

is expected that not every container will be stripped and examined. We will follow a procedure of selective examination based on the criteria that have been set up with the United States Customs Service, as to what containers constitute high risks, as against those that are deemed low risk, which would not be, therefore, subject to this detailed examination at the container stripping stations.

These two stations, are being created therefore, with the intention, not only of assisting us in our revenue protection efforts, but also, in safeguarding national security.

Madam Speaker, I do, therefore, wish to give some assurance to the traders, who have been expressing some concerns about the establishment of these stripping stations, that they would be wasteful of time and manpower, that, it is clearly not contemplated that every container that comes into Trinidad and Tobago, would be stripped, unpacked, and re-packed. It is based on certain criteria, and only what we term high risk containers, would be stripped.

In addition, Government has also constructed a number of assessment exercises at the Piarco and Crown Point International Airports to implement measures to facilitate the efficient processing of cargo and passengers at these facilities. We are in the process of reform at both of these airports, as far as customs goes. Moreover, discussions are continuing with the relevant parties in dealing with the processing of those importers involved in the suitcase trade, which will ensure efficient processing without affecting the normal passenger and luggage flow.

It has become the practice for a number of suitcase traders to bring their suitcases—four, five, six, seven, up to the customs desk for examination, duty paying and clearance, and this has the effect of delaying normal passengers who might be behind one such trader, and in addition, the baggage facility and area at both airports have just not been built to cater for that kind of traffic.

Therefore, what we are trying to do, is not to in any way pressure those suitcase traders, but to recognize what we are about, that is, to facilitate normal passenger traffic and to try to build a separate facility adjacent to handle this kind of trade that has grown over the years.

We are making these arrangements right now and have had discussions with the particular parties involved. More on this will emerge later.

As I have mentioned, this Government has benefited from the assistance provided by the United States Customs Service on an ad hoc basis. We have had

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several officers visit us in the course of 1992 and 1993 and we are at present seeking to finalize with the United States customs service a more ongoing programme of assistance, to have three advisers from the United States Customs and Excise Division be with us over a longer term.

These measures are intended to address the restructuring of the Customs and Excise Division to meet the challenges imposed by modern trade practices in a changing global market-place, and to have our division become better geared towards trade facilitation, revenue protection and enhancement, and the improvement of its enforcement capabilities; and in particular to become aware of the latest measures in drug detection.

3.30 p.m.

The realization of these objectives will demand that officers within the division are appropriately trained and are familiar with the required practices and procedures to ensure that they are capable of fulfilling the new mandate for the division. Already, with the help of the United States Customs Service, a number of our own officers have been trained here in Trinidad, especially in customs valuation under the new GATT valuation code that has brought a great deal of self-confidence to our customs officers here in Trinidad and Tobago. In addition to several training projects that have occurred here in Trinidad, there will be other training projects in the Caricom region, and our customs officers are being exposed, widely, to training in the United States and even in Canada, all as part of this effort.

I must report that as part of the wider public service reform, our customs division has been showing great improvement, making great strides, and there is a considerable improvement in the morale of the customs division which has greatly encouraged us at the Ministry of Finance. We are seeing the results in a greater degree of professionalism and, in fact, that is also translating into a higher collection of revenue. We are not over the hill yet, but we are seeing progress and we are pleased with that progress and, personally, I wish to put it on record that, as Minister, I am pleased with the efforts being made by our own customs officers in the reforming and strengthening of the division.

Finally, Madam Speaker, I wish to advise this honourable House that Government is committed to providing the necessary infrastructure, systems and procedures in keeping with our policy of trade facilitation and the fostering of the appropriate investment climate. These measures are all coming together, and there will be other measures coming before this House later this year relating, again, to

the same Customs Act as we get further on in our reform programme. They will all be coming together with the idea of making the business community more aware that our customs division has made great strides in the last year and several months, in particular. These measures will greatly support the wider trade facilitation policies, encouraging the achievement of an efficient and productive trading sector, leading to the expansion of an economy that will, ultimately, be fuelled by export-led growth.

With these words, Madam Speaker, I beg to move.

Question proposed.

Mr. Krish Jurai (*Nariva*): Madam Speaker, the main purpose of the Bill before us is to amend the Customs Act, Chap. 78:01 to—

- "(a) fix the rate of exchange for the conversion of foreign currency to Trinidad and Tobago currency for the determination of the value of imported goods, as the rate of exchange applicable on the date on which the entry in respect of such goods is first submitted to the Comptroller of Customs for his approval;
- (b) substitute for the current customs forms of entry for goods imported into or exported from Trinidad and Tobago, a new Customs Declaration (Import/Export) form."

Madam Speaker, no matter what we on this side of the House say today on this Bill, whether we intend to accept or reject it, it is going to be passed by the Government because of the majority it has in this House. But what the Government really seems to be doing today is clearing the way for the easier collection of customs duties here in Trinidad and Tobago. I assume that the aim of this Bill, once it is passed in this House, is to put it into effect immediately so as to generate revenue for the Government.

The amendment to the Act seeks to substitute a new Customs Declaration form and, as the Minister said, reduce the number of forms from 16 to one. But my information is, it will be reduced to four. The form that is in use at present can contain up to 10 items, but I understand that the proposed form can accommodate only two items, or it is required that only two items be placed on the first form and every subsequent form must contain a maximum of four items only. So that what we are doing is reducing the number of forms, but in terms of volume, we are creating additional forms; and for each form submitted, I am also told, you need six additional copies. So on the one hand, you are trying to reduce, but on the other hand, you are creating a bulk of paperwork.

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In addition, I understand that the form is designed mainly for use by computers. I have spoken to several customs brokers who are at present using typewriters to prepare these forms and they said that if you do not have a typewriter and any word or lettering goes out of these boxes, it cannot work in the computers of the Customs Department and this is likely to cause delay in the Customs Department having goods cleared from that department.

The question I ask is: Is the Government really trying to improve the system, or is it trying to clog the works, when you consider the amount of paperwork that is going to be involved? If it is one form, as the Minister said, that is fine; but if we are going to have one form and six additional forms for each item, that is certainly going to cause a large volume of paperwork being accumulated in that department, as well as causing headaches for others.

The present forms are available, in theory, at the Government Printery at a cost of four cents for one; they are never really available at the Government Printery. Customs brokers who go into the Printery to obtain those forms cannot get them, and hence are directed to other printers who will provide those forms at 20 and 25 cents each.

Why does the Government not ensure that the Government Printery has an adequate number of forms to supply to the customs brokers of this country? This would certainly generate revenue for the Government, as well as providing the service that is needed. I am wondering, whether it is only Customs forms that we cannot obtain at the Government Printery. I have been there on several occasions enquiring about a number of papers and publications, only to be told that there is none in stock. So the Government ought to look into this area and ensure that the public are given the adequate number of documents and publications that they are so rightly entitled to.

It is expected I understand, to introduce the new form by April 1, 1993; and I presume that the Government, through its trade liberalization policy, would expect a large volume of transactions to be done both for import and export, hence the reason for putting this change into effect so early. We can see this from the anticipated revenue projected by the Government. In 1993, duty is expected to be \$640 million—an increase of \$45 million over the previous year's estimate.

3.40 p.m.

But, let us examine the Government's trade liberalization policy. Trinidad and Tobago accepted a trade liberalization policy, but this policy came about as a result of a study that was undertaken by an American group of consultants. This

was financed by a World Bank loan of US.\$500,000, or TT \$2.1 million. This foreign firm of consultants was set up to determine whether trade liberalization was a good thing for Trinidad and Tobago. Would you believe that not a single national of Trinidad and Tobago was included on that study team? Here we have a study being undertaken to put trade liberalization into effect in Trinidad and Tobago and we had no one to protect our interest. So we had a situation where the World Bank financed the project and it was implemented to the detriment of Trinidad and Tobago—detriment up to a certain point.

I am not saying that trade liberalization is not a good thing, but, perhaps, in the short run, it is wreaking havoc in this country when you consider the number of people who are being thrown on the breadline daily. If you look at the *Trinidad Guardian* of January 9, 1993: "Heavy Job Loss from Trade Liberalization: TTMA study sees overall negative impact." I will read certain sections from this:

"An estimated 14,000 jobs in the manufacturing sector will be lost as a result of trade liberalisation, says a study commissioned by the Trinidad and Tobago Manufacturers' Association (TTMA) and conducted by UWI economist Dennis Pantin.

This estimated job loss, representing 30 per cent of 1991's manufacturing sector employment, is part of the overall negative impact which, according to the survey, trade liberalisation is likely to have on the sector by 1995—1997.

The related loss in salaries is estimated at some \$260 million..."

Madam Speaker: I am having some difficulty with the relevance of that to the Bill at hand. What aspect of the Bill would you like to refer that matter to?

Mr. K. Jurai: You see, Madam Speaker, we are dealing with customs duties and I am explaining how this is going to have an effect on customs. When the Minister introduced trade liberalization, he said it was going to have beneficial effects on this country, but it is to the contrary, hence this report is saying—

Madam Speaker: You are saying that that is going to prove that point. All right, continue.

Mr. K. Jurai: Very well, Madam Speaker.

"The related loss in salaries is estimated at some \$260 million, while \$434 million worth of exports is expected to be affected.

The study also points to a negative impact on \$470 million worth of commercial bank loans, the collection of some \$120 million in indirect taxes and \$472 million in accumulated investment between 1981—1989...

The main objective of the study was to assess the possible negative impact of trade liberalisation on existing manufacturing sector operations in TT.

Pantin noted that the estimates did not consider the negative impact on economic activities—sale of inputs, demand from employees—which are dependent on the manufacturing sector.

Nor was the impact on the agricultural sector addressed, he added."

He refers to three studies, and he said:

"All three studies concluded that trade liberalisation would have a negative impact on the manufacturing sector in terms of job losses, cuts in salaries, utility payments, export earnings, outstanding commercial bank loans and indirect taxes and accumulated investments.

The study analyses the risks involved in trade liberalisation measures, using 1991 data to show the contribution of the manufacturing sector to the economy.

According to Pantin, data from the Central Statistical Office (CSO) showed some 1,000 manufacturing firms with employment at 43,000 persons whose salaries, wages and benefits amounted to \$865 million and contributed some \$100 million in personal income taxes, national insurance, etc.

The sector contributed 10 per cent of Gross Domestic Product (GDP) in 1991, noted the study.

Pantin also estimated the sector as contributing \$100 million to corporate income tax, and to have been responsible for some \$260 million in indirect taxes, including Value Added Tax.

Utility payments in 1991 have been estimated at \$100 million. Commercial bank loans to the sector were some \$1,000 million as of the first quarter of 1992, and manufacturing exports—excluding chemicals—were \$983 million, close to one billion.

The manufacturing sector invested \$2,300 million between 1981 and 1989—65 per cent of which was in plant and equipment, and purchases of domestic inputs were estimated to be \$150 million in 1991, said Pantin.

Concluding that the negative impact—both direct and indirect—will outweigh any positive impact..."

That was the study conducted by the TTMA, and this is the negative impact I am talking about that it will have on the economy and, as a result, it is likely to decrease the customs duties which the Government forecasts it will collect.

As a result of the trade liberalization policy of this Government, we have many problems arising, because people are being thrown on the breadline daily. Within recent times we have had lots of calls from political commentators, social commentators, economists, university lecturers, church leaders, and so forth, as to why the Government is sacrificing this nation and not seeking the interest of the poor and suffering people. The reason I am saying this is that we are collecting revenues and paying our international debts. The question being asked is: Why does the Government not use part of this debt to create employment for the suffering people of this country, so that more revenue will be collected in the longer term?

What has happened within recent times is that because of the Government's trade liberalization policy, foreign goods in large amounts have been dumped into Trinidad and Tobago, and the Government has not provided the machinery for protecting manufacturers in this country. The Anti-dumping and Countervailing Duties Act was passed in November 1992, but to date the regulations have not been put into effect. At page 32 of the Budget Speech of 1993, the Minister of Finance said:

"The Anti-Dumping and Countervailing Duties Act has been passed and the regulations will soon be promulgated. This will provide for protection against foreign producers who may seek to take unfair advantage of our market. The Government will enforce resolutely the provisions of the Act and the regulations."

3.50 p.m.

Madam Speaker, how serious is this Government? How can they resolutely enforce something which is not in effect? The regulations have not been promulgated to date and, as a result, local producers are finding it very difficult when there is a large inflow of cheap foreign subsidized goods into this country. The Minister needs to look into this system so that it could be put in place as early as possible to protect local manufacturers.

In 1992, the Minister of Finance also stated that the ASYCUDA system, to which he referred a while ago, will be put into effect. This is March, 1993, and this has not yet come into effect. We recently saw a statement appearing in the *Express* of March 17, 1993, "Customs testing gets going in South...". This was promised some time in 1992. May I read:

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"The Customs and Excise department will begin testing the Automated System for Customs Data (ASYCUDA) facility in San Fernando at month's end.

This was revealed yesterday by Minister in the Office of the Prime Minister with responsibility for Public Administration and Public Information Gordon Draper during an address to the Exporters' Association at Sunjet House, Port of Spain.

ASYCUDA is one of several measures which the Government plans to implement to help prevent unfair trading practices in the new liberalised trading environment.

Government has been promising its introduction for close to two years."

Madam Speaker, I ask again, how serious is this Government? Two years now they have been promising this nation that they are going to implement this. *[Interruption]* This is what it says here.

Mr. B. Panday: Two years? You can see that you are new. It has been promising this for 30 years.

Mr. K. Jurai: Madam Speaker, the question I ask is: why San Fernando? Their American advisers, are accustomed to doing business in large cities all over the United States. However, when they come to Trinidad, they are taken to San Fernando. I take it to mean Point Lisas Port. My information is that the Government does not have the necessary machinery, specialized computers, trained personnel in Port of Spain, so how can they introduce this system in Port of Spain? Hence the reason for the delay. While they are twiddling their thumbs, revenue is also falling out of the hands; and manufacturers in this country are suffering tremendous loss because of the Government's policy of dilly-dallying and not putting effective machinery in place for collecting revenue.

In 1992, also, the Minister of Trade, Industry and Tourism announced that a revenue protection agency would be coming on stream shortly. Today, I understand, from what the Minister said, this is also not in effect. If there is a revenue protection agency, this will prevent over and under invoicing, money laundering etc. This would also protect our local manufacturers from going under.

In 1992, it was estimated to cost approximately \$20 million to introduce this revenue protection agency, by providing warehousing facilities, trained personnel, machinery, equipment. In March, 1993, there is still no positive action on this. As a result, this is also causing serious damage to our local economy. Local manufacturers have been complaining that there is an urgent need for a revenue

protection agency. To date, all we get from this Government are promises and more promises. These are the reasons why many firms have to close their doors and the unemployment lines are growing longer day by day.

On several occasions in this House, I have appealed to the Government, to upgrade the Food and Drugs Division and to provide the kinds of facilities to assist businessmen so that they can be prepared to meet the challenges of international trade. That division is starved of funds; it does not have the personnel, machinery and equipment to provide that type of service.

The Government is saying to businessmen, "Export and meet the challenges of the developed world; export and earn foreign exchange", but here at home, where we should be preparing ourselves to meet those challenges, we are not getting that benefit from the Government because of their failure to provide those services that are so important.

Similarly, the Bureau of Standards, which is supposed to perform a vital role in assisting businessmen to penetrate foreign markets by providing them with the kind of service so that they could improve their products to compete with the outside world, has been starved of funds and cannot perform its function. In the *Trinidad Guardian* of March 15, 1993, at page 4, "Standards Bureau to get 'more teeth'"—I do not know what sort of teeth they are going to put into it. It says here:

"Amendments are being drafted in the Standards Act of 1972 which provide for the preparation and promotion of standards for goods, services, processes and practices by the Bureau of Standards.

Bureau director Gene Hutchinson disclosed recently that the proposed changes were designed to give 'more teeth' and 'to close those loopholes' in the current Act, around which 'recalcitrant retailers and manufacturers continue to operate.'

Hutchinson told the *Guardian* the revisions had already been prepared by the Parliamentary Counsel, and the revised Act was expected to be tabled in Parliament later this year.

Hutchinson said, for the first time, the bureau will be given the right to publicise the names of those who had contravened the Act.

In addition, the organisation will be given the authority to recall products which are sub-standard and about which 'fears may be expressed by consumers in the market.'

He added, 'The bureau will thus be seeking, by law, to force manufacturers to provide proof of 'non-danger' in some products, while at the same time attempting to control the dumping of inferior goods from overseas markets.'

Hutchinson stressed that the organization had always been concerned over its authority to intervene 'only where there is a compulsory standard for a particular product.'

According to the bureau's director, this year will mark an intensification in consumer-related work and issues based on greater contact with industrialists and manufacturers.

The system and procedures for testing products in which there is high consumer interest as well as complaints will be regularized to maintain a sustained intervention programme.

'Our beefed-up programme and pro-active approach to standards will be supported by a systematic publication of reports following the completion of on-site analyses, comparisons and performance tests,' he added.

Hutchinson said every effort will be made to guard against manufacturers attempting to defraud customers, and this will be reflected through the expansion of compulsory labelling standards.

A wider range of household products, electrical appliances, garments and general apparel will fall under the purview of the bureau as long as there is strong evidence of consumer interest, he said.

According to Hutchinson, the bureau remains seriously constrained by having to share its meagre resources in many directions.

'The answer lies obviously in our ability to get involved in self-funding projects, in which it will be possible to deploy dedicated Standard Officers instead of being constantly involved in a juggling act.

The bureau's budgetary allocation for 1993 remains unchanged at \$5 million while requests for additional professional staff remain unfulfilled."

4.00 p.m.

They are saying that the bureau is to get more teeth; they are starved of funds and they do not have the professionals to handle the kind of job that is needed there. How can manufacturers be prepared to meet the challenges of the outside world if they do not get support from organizations like these? The question one asks is: Are the Government really serious in promoting export trade?

Furthermore, when we examine all these problems it is evident, as I said, that the Government are not assisting manufacturers and exporters. They have not provided this country with a trade or an export policy. As a result, policies are formulated on an ad hoc basis and as such, manufacturers are always in a dilemma as to what is coming next.

I appeal to the government to ensure that these organizations are given the kind of funding that would enable them to assist manufacturers of this country to prepare themselves for the challenges of the international market.

That is one of the reasons why the unemployment rate in this country is growing. If manufacturers were geared for the export market, it would mean that they would have had to produce more for export and for the domestic market also, hence they would have been able to retain their employees. But because there is no protection in place, goods of foreign origin are being dumped into this country at a cheaper rate and, as a result, our local manufacturers are going under and, as I said, more and more people are thrown on the breadline daily.

Whenever you go to Piarco Airport very late at nights, particularly, you would see three or four aircraft landing in quick succession, and this causes a huge build-up at the airport. And very seldom do we see sufficient customs officers to handle that situation and, as a result, there is undue delay in the collection of revenue at the Customs hall.

I am, therefore, asking the Government to ensure that sufficient officers are placed at the airport so that they may be able to speed up the process and at the same time *[Interruption]* The questions I ask are these: is this Government really serious in promoting trade with the emphasis on export? Is the Government really serious about helping businessmen in this country? Does this Government really care about collecting customs duties in order to protect local manufacturers and businessmen from collapse? The answers to these questions are simply that the Government does not care.

How can the Government say they care when they have imposed a five per cent duty on the importation of raw materials which are used for manufacturing purposes? How can they say they care when they have imposed a 0.5 per cent surcharge on gross sales? There have been steep increases in WASA and T&TEC rates. To date, the Government has not yet implemented the ASYCUDA programme. The Revenue Protection Agency is not yet in place. The Chemistry, Food and Drugs Division is not fully geared to assist local businessmen, and there is a virtually toothless Bureau of Standards which cannot assist businessmen,

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anyway. The regulations to give effect to the Anti-dumping and Countervailing Duties have not yet been proclaimed, and no facility has been provided to date for the stripping station which the Minister spoke of earlier in his contribution, and which is so urgently needed in this country to protect our local manufacturers.

If the Government are really serious in assisting the economy and businessmen, they would take note of the ten points and ensure that these are implemented immediately in order to ensure a better productive capacity for this country so that we can export more and earn more through their customs rates and charges. Thank you.

The Minister of Trade, Industry and Tourism (Sen. The Hon. Brian Kuei Tung): Madam Speaker, I am quite pleased to be in this House this afternoon to lend my support in the passage of this amendment to the Customs Act.

I am pleased because there is no doubt that this is a major plank in assisting the trade facilitation which obviously impacts very heavily upon the effective workings of the Ministry of Trade, Industry and Tourism.

You will agree that the People's National Movement came into Government at a time when we all recognized that we would be going through a very difficult trade and economic period, a period that is fraught with a number of problems, and that since the Government has come into power it has moved in a very positive and forthright manner, in addressing some of these problems.

There is a feeling among many people that these approaches that have been made, have been forced upon us. We have taken pains Madam Speaker, to try to inform members of the public that these trade reform programmes must be viewed in the context of what is happening on the international scene.

My friend, the Member for Nariva, attempted in a rather frail way to touch on the topic but, unfortunately, it seemed that he had acquired very little knowledge which obviously, is very dangerous for him.

The problem is, if we look at what is happening, even with the current Uruguay Round of talks for the General Agreement on Tariffs and Trade, one would see quickly that there is a new movement globally in which an attempt is being made to destroy trade barriers and to facilitate as far as possible free trade.

4.10 p.m.

The question of trade facilitation obviously is going to assume greater proportions than we make it out here today. This customs amendment is

obviously, as I said, a major plank in the trade facilitation. It allows us to be able to meet the competition from international organizations such as the General Agreement on Tariffs and Trade to be able to deal with trade facilitation.

If one looks at the most recent round of talks, the suggestion is that the General Agreement on Tariffs and Trade may very well go by the wayside and in its place a new organization will emerge. This new organization is a multilateral trade organization. The whole genesis of this multilateral trade organization is built on trade facilitation. In other words, the new members of the General Agreement on Tariffs and Trade will become members of this multilateral trade organization only if they demonstrate beyond any reasonable doubt that they are serious about trade facilitation and that barriers to trade have been removed.

My contribution will focus not so much on the rate of exchange element of this amendment, but rather on this single administrative document. I hope to be able to demonstrate that this single administrative document is a very simple and straightforward measure which is going to bring serious gains to our approach to trade facilitation.

Mr. B. Panday: One form? Why not three or ten?

Hon. B. Keui Tung: The point about it is that I have said publicly that one of the main areas in which we are most vulnerable in achieving trade facilitation is customs. Unless we attempt to bring customs reform, we would achieve trade facilitation in a very vulnerable way.

It is not a question of whether it is one form. This one form, believe it or not, paves the way for the computerization of customs. It is well recognized that we are way into the age of technology and the computer age. Already, we are talking about how one form, a single administrative document, which facilitates the computerization of customs is blocking the entire administration of customs from moving into that age which I have just described. One has to recognize that trade reform and facilitation must be seen in the context of an entire range of reforms which are all going to come together and in which there are serious linkages.

I think by now we all recognize that Minister Draper has already approached public sector reform in a meaningful way. We have seen public sector reform in terms of an improvement in the delivery of services which is expected from the public sector, but, more importantly, what is going to happen is that we are approaching—and as I said in a very positive and forthright manner—reform in almost every aspect of public administration to ensure that we can turn the

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economy of Trinidad and Tobago along a route which has been described by the Minister of Finance as "from stabilization to sustained growth." We are not going to achieve that unless we have and demonstrate the will to be able to bring changes even where there is resistance to change.

I am quite pleased to see the efforts that every Minister has made to bring about change, whether it be the Minister of Public Utilities or the Minister of National Security, so that we can ensure that at the end of the day we can carry Trinidad and Tobago forward within the context of taking advantage of opportunities which are going to come our way if we recognize the international scenario and demonstrate the will to be able to bring about these changes.

For the sake of argument, again, only yesterday at Cabinet, because of the concerns expressed by me with respect to the difficulty that businessmen from overseas have in visiting Trinidad and Tobago, I have asked the hon. Minister to bring a note to Cabinet to ensure that we can facilitate visiting businessmen. To do so, Cabinet has decided that we will allow visiting businessmen permission to enter Trinidad and Tobago for a period of not more than 30 days in the first instance without requiring a work permit.

This measure will take effect at a date to be announced and it is intended to ensure that the business environment which we are trying to create, one that I spoke about with respect to the reform of customs, will allow not only a business environment, but also encourage business, and ensure that business can flourish and prosper. We are on record as saying that we recognize the private sector will become the engine of growth in Trinidad and Tobago.

When one considers the concerns of local businessmen, that a foreign businessman is treated at the airport in a manner as if he is not welcome, we need to address measures like that. This measure, which I understand is going to come into effect from April 2, is one that is intended to free up the whole environment in a way to make it conducive to the encouragement of foreign businessmen.

One of the problems that we have lived with for too long is that as soon as a foreign visitor turns up at any one of our ports and says that he is here on business, automatically under our law, he is required to have a work permit; yet, that very businessman may be a joint venture partner who is coming for talks with local businessmen. He is stopped at the airport and is not encouraged to come into Trinidad and Tobago.

That kind of trade facilitation works hand-in-hand with what we are seeking to achieve here with the customs. Customs, immigration, police, public utilities,

whatever they may be, need to address their *modus operandi* to ensure that they can deliver the kind of service, and create the kind of environment which will facilitate the flourishing and prospering of business in Trinidad and Tobago.

Without that, given the fact that the Government cannot now provide the capital investment to provide jobs, we are going to fall by the wayside, because other countries which are doing these measures will be one step ahead of us in being able to take advantage of foreign investment opportunities. One small measure, which seems almost as if it is just a change in form at this point, plays a very critical part in that whole jigsaw puzzle which is going to create the environment we are seeking.

Overall, we are able to see that we have implemented the question of the Common External Tariff which was agreed upon in Trinidad and Tobago by the heads of the member countries and we have attempted at the same time to simplify these tariffs.

Let me make one excuse on behalf of customs with respect to this ASYCUDA programme. Let us understand that before the ASYCUDA programme which is a software programme—and many of us would realize now that ASYCUDA stands for the Automated Systems for Customs Data—cannot go forward unless we are able to capture the master files which are all the data with respect to customs. That means that the entire customs tariff by description, heading and number must be captured before the customs computerization can go forward.

What caused this particular exercise to be slowed somewhat—it was started towards the end of last year—was the fact that we had introduced a new Common External Tariff and literally we had to recapture the entire master files over again. It is not fair to say that this exercise is being delayed unduly. What happens here is that this exercise had to be literally redone with the change and reduction in duties that came into effect from January 1, 1993.

4.20 p.m.

As you know, these tariffs have been agreed upon by heads of governments. In general terms, we would see the maxima which were at 45 per cent last year and which are being reduced to 35 per cent coming all the way down to 20 per cent by 1997.

In essence what this means is that the reduction in duties and the simplification of the customs is not only going to allow us an opportunity to improve revenue collection at Customs, but it will also ensure that we achieve a fairly level playing field with respect to business.

On that score, maybe I can give an example. If two importers, importer “A” and importer “B” bring in the identical products, but importer “A” happens to pay the wrong duty—either less or none—and importer “B” pays the full duty, we have an opportunity here where one businessman can charge much lower prices for the same product than another businessman. In that kind of situation it is totally difficult to encourage business—when one person is being allowed a capitalistic opportunity which is not afforded to another businessman. That kind of situation does not encourage people to get into business, and, therefore, the effective administration of customs is going to be critical for us to be able to encourage local businessmen to come into business.

It is within the context of those measures that we seek to bring about efficiencies in every sector, so that ultimately our business environment is one in which people:

- (1) will know the rules;
- (2) will understand that the rules are as transparent as they can be; and
- (3) can expect that those rules will be enforced equally and fairly for all. That cannot be done unless customs are given the tools in which they can administer their operations effectively.

This single administrative document is one of the red-letter days for us in terms of customs administration because customs, as has been said before, has been faced with as many as 16 forms, whereas one single form is now going to replace those forms. In essence, the form has been designed so that it lends itself to be captured on computer very quickly; it allows customs officers to retrieve information very quickly. Can you imagine, having filed away 16 forms for a particular importation, and one person wanting to access that information three months later, the difficulty he would have in a manual system? There are clear advantages to be derived from our moving forward with a customs administration that is computerized.

One final note: The point is being made that ASYCUDA is not necessarily *avant garde* technology. What that means is that there is a possibility that one can find even better software systems for customs administration. However, the advantages that we have in using ASYCUDA that cannot be compared with any other is the fact that major trading countries with whom we do business already have used the ASYCUDA, and it is going to have great benefits for Trinidad and Tobago in dealing with customs from other countries. I may take a while to mention, just as an aside, that all of the Caricom member countries, barring one or

two, have agreed to use ASYCUDA. That is a major breakthrough, in ensuring that customs can speak to one another in terms of the problems that are faced by Caricom, in general, and that they can speak knowing that they are using the same systems, the same tariffs and the same headings and are able to allow cross-border facilitation in trade.

So you see, the single form allows us, today, to be able to move, in my view, by a quantum leap into the age of technology and to allow customs an opportunity to improve their own administration. Madam Speaker, I can assure you that the Customs Division is waiting anxiously for this piece of legislation so that they can continue into the age of computerization.

Furthermore, I have been able to establish that businessmen are going to welcome this move. We see here a situation in which both customs and businessmen are seeking to have this particular measure in place in order to allow customs to be able to streamline their operations. I believe this can best be described as a win, win, win situation—a win for customs, a win for businessmen and a win for Government.

I thank you very much, Madam Speaker.

Mr. Trevor Sudama (*Oropouche*): Madam Speaker, I have listened to the hon. Minister of Industry, Trade and Tourism, Sen. the hon. Brian Kuei Tung. He has tried to create the euphoria that one form is going to project us into the age of computerization; that we are going to take a quantum leap as a result of the introduction of this ASYCUDA form and the statistical system that it will incorporate. It seems to me that while we are here to try to agree on the things that will improve the administrative efficiency of the Government, to present these things in the manner they were presented, gives me the impression that the Government is trying to catch on to straws in the wind, and the latest is this ASYCUDA form. They want to leap to catch it to make a quantum leap into the age of computerization.

We have a problem here and that is the confusion of this Government in identifying administrative efficiency with ideology. There is real confusion. In any system that you are operating you need to improve the administrative efficiency of that system. You need to be able to get the information out in limited time and to be able to speed up the system to facilitate the people who use it. Whether you are using ASYCUDA, or any other system in dealing with customs documentation, you need to have and to look at the issue of administrative efficiency on an on-going basis.

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The impression we are being given here today is that if you did not have trade liberalization and trade facilitation, there would be no need for an ASYCUDA Programme and that the ASYCUDA programme, we are trying to implement here today, is being put into effect only because we need to have trade facilitation and trade liberalization and we need to adopt this international free market ideology and, therefore, it is in that context that we have come here to sing the praises of one programme—the ASYCUDA programme. Madam Speaker, I am really amazed. As I said, this Government really seems to be catching at straws.

What we have to question here is this issue of trade facilitation which we have heard about for a very long time, and the form which is going to implement that. The question has been raised on many occasions: Is this trade facilitation going to be a one-way street? In other words, what they are trying to do is to facilitate the importation of as many things as possible into Trinidad and Tobago. This seems to be the real object of putting this form into effect. Facilitation, yes, trade facilitation, but not a one-way street to see how many goods you can import into Trinidad and Tobago, regardless of the effect it will have on the economy.

Madam Speaker: The sitting of this House will be suspended until 5.00 p.m.

LEAVE OF ABSENCE

Madam Speaker: For purposes of the record, I have received a note from the hon. Member for St. Augustine and so his absence is excused from the sitting of this House today.

4.30 p.m.: *Sitting suspended.*

5.15 p.m.: *Sitting resumed.*

CUSTOMS (AMDT.) (NO. 2) BILL

Mr. T. Sudama: Madam Speaker, before I take up from where I left off, I just want to make a statement to you that when other Members and I come here, we do so to do our public duty on behalf of our constituents.

During the tea interval, I was subjected to some measure of abuse by some members of the public gallery. They come here, apparently supporters of the PNM, they have a right to their views and they may express them whenever it is appropriate. But I think in this Chamber we ought to have the protection of the Chamber and the protection of the Speaker's office when we come here to carry out our public functions. I just wish to make that statement.

Madam Speaker: I should like to add that several reports have been coming to me and I think it is happening a bit too often now that members of the public have really been quite discourteous to Members of the Opposition.

I want to advise members of the public that this is Parliament, this is where the nation's business is being debated. This is the highest forum of the land. Therefore, if you are to be allowed to continue to sit in this forum, your conduct must be above board. Whether it be Government Ministers or Opposition Members, they must be treated with the same courtesy. They are all members serving their constituencies.

I am warning members of the public that if at any time Members of the Opposition or Members of the Government were to bring this complaint to me again, I am going to have to clear this gallery and allow nobody to sit here. I am asking Members of this honourable House—maybe what they can do is get the names of the people who have been discourteous to them or who have abused them and point them out to the police officers. And when I return I would deal with them in the manner as I see fit. I advise members of the public to pay attention to this warning.

Mr. T. Sudama: Madam Speaker, when we took the tea break, I was commenting on the Minister of Trade's euphoria about what this single form will do for the economy of Trinidad and Tobago and how it will spur us in making a quantum leap into a new era, a new age. I was saying that the Government was merely grasping at straws, having very little to present to the population. Here it is now the introduction one single form is regarded as a panacea for all the ills of the economy, the Customs Department and all the obstacles to trade facilitation. I just wanted to put that statement and the Minister's comment in some sort of perspective.

When the Minister of Finance was introducing this measure, he said that they are in the process of instituting deep structural changes in the economy of Trinidad and Tobago. We have no problem with an economy changing and the introduction of measures to introduce change, movement, progress and so on. The question we have to ask ourselves is: Whom will this trade facilitation and onward thrust toward trade facilitation benefit? Who will be the major beneficiaries? Will it be all the people of Trinidad and Tobago? Will it be to the benefit of the whole economy of Trinidad and Tobago? What, in effect, will be some of the consequences of this trade facilitation on which we are headlong bent?

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I think this question has really not been either addressed or answered by the Government. All that we are hearing is statements of what has happened in some other countries and what is the new ideology, mood and fad, so to speak, and the new fad is trade facilitation and liberalization, opening up this economy.

Sometimes when I hear talk about opening up the economy and society, I wonder whether in the past we were a closed society like China or the Soviet Union. The society of Trinidad and Tobago, one of the most open economies in the world, was somehow closed until now that we have the new PNM coming in and opening it up to the outside world.

Madam Speaker, I believe that what we were treated to this evening is a lot of propaganda, euphoria; and we have to look at the institution of this new form objectively. If we are going to introduce this new system, if it is going to have the advantages which it is purported to have, we must also look at some of the problems involved with the introduction of those forms.

Let me disabuse this House of some of the claims made that the introduction of this form, this new system of customs entry, is going to meet the competition, so to speak. Merely the introduction of a form does not meet the competition. There is more that has to go with making our economy more productive and efficient.

Secondly, we are told that the introduction of this form, this ASYCUDA form and system will help to prevent unfair trade practices, but I should like to know how. Yes, it requires a more detailed description of the goods being imported, but the whole question of unfair trade practices has to do with a whole mechanism, structure, system and the economic intelligence we have as to how goods are produced and at what price goods are being produced overseas and being imported and sold in Trinidad and Tobago. What system of intelligence gathering do we have here to determine standards and prices, if we are, in fact, to prevent unfair trade practices in this country?

According to Minister Draper, ASYCUDA is one of the Government's plans to prevent unfair trade practices in a new liberalized trading environment. So this is the pitch which is being sold to the people of Trinidad and Tobago.

Another issue I want to talk about is what is happening in the global economy. Yes, there is a greater competitive spirit which, I must say, has been imposed by the ideology which has been adopted. It is the industrialized countries which are forcing the opening up of the economies. It is the industrialized and developed

countries which are forcing Third World countries to open up their economies and while they are doing this, they are not opening theirs in any significant way.

The Uruguay round of talks is going on—and I think the Minister did mention it—and when you go to these talks you understand the international politics of economic power, where the industrialized countries gang up and force you to adopt policies and programmes of their own making and in their own interest. This is not to say that we must become a closed society and proceed towards oligarchy.

What I have been saying in this House and in previous Parliaments is that what is required in Trinidad and Tobago is a dynamic interaction with the outside world and not one where you just sit down here and accept everything coming in and you go to foreign lands—a recolonization of the mind—for the solution of all your problems. If it is a national security problem, they run to Scotland Yard; a customs problem, they run to the United States Customs Office. Here we are being told this evening that if this country does not get foreign investment—the Minister agreed that the Government cannot create jobs. It cannot stimulate this economy for the purpose of job creation; he has indicated that in very plain terms. If we do not get foreign investment coming here and if we do not facilitate every foreign businessman from the time he arrives at Piarco, give him the red carpet treatment, this country would die.

In other words, what the PNM is telling us is that we are in an option-less situation as regards job creation and the growth and stimulation of this economy. If that is the case, Madam speaker, if we are option-less and all they require is to go and beg overseas, beg for everything, whether it is foreign investment, solving the national security problem, whatever it is; they look to the outside for the solution to the problem.

If that is the case, I wonder what they are doing as representatives of the people of Trinidad and Tobago. Apparently, we cannot have any change on the basis of either our own resources, our own people, or the competence and skill which we have here. Nothing can be instituted, no initiatives can be taken which come from the people of Trinidad and Tobago. In fact, this is what they are telling us in so many words.

I am saying that it is a wrong perspective they have. They are just going hook, line and sinker and accepting this propaganda from Washington and other places. We on this side do not advocate the closing off of this economy. We do not advocate indiscriminate protection of our manufacturers here, but, as I said, we

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have to look at this thing in a way where our resources will be effectively utilized, both by our own efforts and by the efforts of other people coming in from the outside.

It is a fact of life that any country which has really progressed in this world has done it, by and large, on the basis of its own efforts, savings, human and technical resources; and what has come from the outside has been additional, a supplement to that process.

I get the impression from what the Government have been saying for a year and three months now is that their perspective is the other way around, that nothing good can come from the people of this country, no real stimulus, growth or progress, and everything has to be stimulated from outside. Others have to come and do for us, whether it is investment, the savings of foreign nationals, the expertise of foreign nationals, everything must come from outside. It is in that context that this measure is being introduced, not simply as an administrative measure to facilitate ease of imports and exports.

So that is a bone of contention we have with the Government and a basic element, an alternative philosophy, which we are proposing and by which we stand on this side. We have an alternative perspective and view as to how this country ought to progress.

A representative from India who attended the Uruguay round of talks had this comment to make:

“The multilateral trading system...”

which we understand now is going to be opened up and of which we must form an internal part—

“is a system tailored to serve the interests of industrialized countries.”

They apparently do not seem to understand that: “a system tailored to serve the interests of the industrialized countries”.

He asks:

“What is liberal about propitiating the monopoly interests of the industrialized countries by prescribing higher norms and under threat of cost retaliation?”

What is liberal about that?

“What is liberal about cleverly skirting the issue of restrictive business practices as the transnational corporations are, in fact, doing today? What is liberal about keeping the restraint on the import of textiles, more or less intact to the end of the century?

These are all negotiations going on in the Uruguay round of talks. But here we have the Senator and the Minister of Finance telling us that these things are not happening out there. Just taking a form and putting it onto a computer and you solve all the problems.

After hearing the other Senator, Gordon Draper, the Minister of Finance and now the Minister of Industry, Trade and Tourism, I have come to the conclusion that all we need to do is replace this Government by a computer. Get a computer in place, get rid of all these Ministers and their high salaries and perks and let us operate Government by computer. That is where we ought to be now, because of the emphasis being placed on computerization. They do not seem to understand that what you put into the computer is what you get out of it. The computer is going to make no difference to the basic structural and other problems which we face in this country.

So if we are going to open up, liberalize and so on. Let us understand clearly what the effects will be on our economy: whether in the long run we would become just a nation of traders, people buying goods—that is all we are capable of doing—produced by other people and selling our natural resources in their raw form; whether in the form of petroleum, natural gas or some agricultural produce, we sell our raw materials in this raw form, import all our own needs and we go back to the old days of the colonial economy. Is this what is being proposed? Is this the vision they have for the economy of Trinidad and Tobago?

Let me now look at some particular problems associated with this form, and later on I want to have a word to say about the operations of the Customs Department. We understand that the form is going to streamline the procedures. They are saying that it has had all the advantages without any disadvantages. According to the Minister, it is a win-win-win situation. Under the PNM nobody loses. Nobody loses, except the majority of the population.

To the extent that there is some administrative efficiency to be introduced by the form, we all welcome this in the interest of the people of Trinidad and Tobago. I have been speaking to some brokers and they are saying that in the preparation of this form, they will have to spend much more time than they have been spending with the previous forms. Therefore, what we are going to see as a

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result of the implementation of this form is an increase in brokerage costs. That is going to be a fact of life.

There will be an increase in brokerage costs which eventually will be borne by the consumer, because, of course, these things are passed on. There is more work to be done and there is a time factor involved and when that happens there is a longer time factor involved in selling the goods, because the brokerage time involved is longer. We are going to have added costs of storage until the goods are finally cleared, after the forms have been approved. So we are foreseeing some problems with the implementation of this system.

One of the problems—and this has to do with how much education has gone into the preparatory work—is that this form has many codes which are required for computer purposes. For every single item on the form there is a code. In order for this system to work properly, everybody has to be thoroughly educated in that code. If you put a wrong code on one system, you are going to have reports which are totally useless, and that, again, the brokers have indicated is going to take time in order to codify and give the additional description. Not that this may not be necessary. What I am arguing here is that there are costs involved and whether these costs have been taken into account in having to determine this form, in having to put this form and the outline of this form in place.

Now, I understand furthermore that an undue amount of information that is really unnecessary, is required on this form for the purposes of Customs processing of goods and so on. When we look at what is done in other Caribbean jurisdictions, we find that in Trinidad and Tobago the Government has decided that much more information has to be accessed on that form, which would make the process much more cumbersome.

In other Caribbean Countries it is a simpler form and we ask the question: Why is it in Trinidad and Tobago they could not have introduced a simpler form with less information but still serve the purpose of expediting entry procedures?

There is another factor here—and today I plead for the public servants being displaced and I want to find out what alternatives there are for them. If we go through with this form, what would happen is that directly from the form you can input into the computer and the CSO would be able to pull out statistics.

At the moment, there are scores of people at the various ports of entry, in the customs division, etc, from the CSO who are involved in the process of codifying the various goods which are coming in for the purposes of central statistical reports. Now, what is going to happen to these people? Not, because some people

will be laid off and dispensed with, we should not attempt to achieve some measure of progress. But at least the government, in a situation where the unemployment situation is so critical—they have admitted that they can do nothing about it.

Mr. Valley: It is coming down.

Mr. T. Sudama: It is coming down! Really! Was the Member here when the Minister of Trade, Industry and Tourism was saying that the Government of Trinidad and Tobago can do nothing about unemployment? Was he here and did he listen to him? This is what he said. Or is the Member not on speaking terms with the Minister of Trade, Industry and Tourism? He said the PNM government can do nothing about increasing employment opportunities. Do not confuse this “ten-day” business—as they have attacked the previous regime—with the reduction of unemployment in this country. That is not a solution. I have said that 1,000 times. It is not a solution.

They are taking those figures and putting them into the employment figures and saying “we are reducing employment”. Whom do they think they are fooling? They are fooling the starving population out there, the 20 per cent below the poverty line and the 22 per cent who are unemployed? They are not fooling them; they are only fooling themselves in a desperate attempt to try to win electoral support because that is their whole plan, as we well know.

They are going to displace some people in the Central Statistical Office as a result of the introduction of this form. I am not saying that we ought to stand in the way of progress; what I am saying is that in a situation where there are no alternative employment opportunities available, all they are doing is adding to the unemployment problems we already have in this country.

Madam Speaker, the situation as it affects traffickers, people who go and shop and so on, suitcase traders, traffickers in legal goods, and they are trafficking, they go and buy goods—

Madam Speaker: They may not like that term applied to them. I think they might prefer “traders”.

Mr. T. Sudama: Except we develop a system which specifically looks at the problems of small suitcase traders, what we are going to have is enormous delays with respect to these people clearing these goods in customs. This may even involve leaving their goods overnight and coming back to have them cleared another day and the problem of cost, hardship, delays and so on that may be experienced.

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Now, I am dealing with practical problems. The Government do not like to think of how things affect people. They have an idea, they come here to pass a bill and we must pass a bill and get it out with speed. They want to computerize the House of Representatives as well, so we would have speed in the passage of bills. They do not like to hear arguments of how legislation will affect the average man. *[Interruption]*—You know what has happened to the utilities—they are in the same state as the Minister. He is entitled to his legitimate sleep, which apparently he does not get at night.

I understand that this ASYCUDA system and the form filling will also be applied to goods which are being trans-shipped. Now, I want to ask the question, why is it necessary to put trans-shipment goods through this process when the goods are really not coming into Trinidad and Tobago? It is merely the point at which they are dropped off and they should be trans-shipped somewhere else. Is there another system to facilitate the trans-shipment of goods, rather than putting them through this ASYCUDA system which will cause enormous delays and so on. What we will have, as a result of that, is this country getting a bad reputation with respect to its status as a port of trans-shipment and fewer and fewer people will utilize it and we shall lose business as a result of this country not being able to handle expeditiously its trans-shipment procedures.

I am arguing that the trans-shipment—I understand that it has to be accommodated within the same procedure. It is not really necessary, they do not need all this information for the purposes of trans-shipment and some other system has to be devised to deal with the goods which are being trans-shipped, otherwise we are going to lose business and this whole question of making Trinidad and Tobago a big trading centre will be seen to be the illusion that it really is.

Let me turn to the question of “Operation Squeeze” and the functioning of the Customs Department of Trinidad and Tobago. The Customs Department of this country, because it is one of those areas where you have some of the more lucrative jobs—and lucrative in very many ways—is one of the very sought-after appointments in the public service in Trinidad and Tobago. It is a fact of life. It is a department in which there is high politics. The politics of the Customs Department, in terms of bureaucratic politics, is second to none in the bureaucracy of Trinidad and Tobago.

I have had letters coming to me—copies of letters, copies of memoranda circulated in the Customs Department—accusing the former Commissioner of

customs and Excise of all sorts of wrongdoings—maybe, maybe not—and it made ethnic charges against him. Given the fact that he was immediately removed upon the new Government taking office, I am wondering how far that politics has gone in determining who gets squeezed in “Operation Squeeze”. It is a very important question.

How do they selectively determine which containers are going to be searched and stripped? Surely the names of the people are there. They know them by the customs entry, who they are and it is this selected operation of selective examination where we are told there are high risk containers. How is it decided which are high risk and which are low risk containers? If they know how it is decided upon, perhaps they could let the public of Trinidad and Tobago know. But could this be used as a means of victimizing some and facilitating others?

5.45 p.m.

We are talking about the use of governmental power and you have that power, if you so want to use it, to destroy some importers and businesses, and to allow others to survive. That is the power the Government has under the terms of determining which containers and importers it selects to go and strip and which it does not; who has, and who does not have freeway in the system.

This is not to say, that we must not carry out this exercise in terms of revenue protection and national security. We must carry it out. My concern is, how it is used and whether it is used for certain purposes in order to victimize some people and to facilitate others. That is my query and concern, as indeed, with other discretions that the Government of Trinidad and Tobago and indeed the bureaucracy.

I have not raised this here simply because I feel to raise it. I have raised this, on the basis of concern expressed to me as a representative. How, in fact, this is done, and whether there is some measure of transparency in the system as to how you determine high risk and low risk and who gets away with low risk and who has to pay the consequences of so-called high risks in the selective examination of the containers.

There is the question of bringing in samples and if you are going to facilitate and promote trade—I would imagine it sounds reasonable—you will facilitate the bringing of samples into this country. How is that going to be dealt with? Are you going to put the bringing in of samples through this system? Are you going to request all the information that is required on the ASYCUDA system, thereby

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creating delays and negative responses from people who are bringing in samples for the purposes of imports and distribution of goods?

We have not had any enlightenment as to how the question of samples for the purposes of trade, will be dealt with under the new ASYCUDA system. This is not valuing things for the purposes of charging an import duty or otherwise, this is merely bringing in samples for the purpose of demonstration. Would there be a disincentive if these samples have to be put through this ASYCUDA system and procedure? I am merely asking that question with the hope of getting some response.

Then you have this question of the indiscriminate import of used tyres into this country. We have been circularized by the Caribbean Tyre Company as to the problems which they face and which the Government is refusing to acknowledge. If under certain conditions, you give people the impression, yes, they can go ahead and establish manufacturing facilities here, and then you change the rules, in other words, the playing field to which they were accustomed, you changed around and you put some hurdles, as far as they are concerned there is no longer a level playing field.

The Caribbean Tyre Company has been sending communication to all Members—I do not know if they sent to the other side given the kind of response they get—but they have been sending correspondence to us and putting their case as to the question of the indiscriminate importation of used tyres and they claim that there is a racket in the operation. And there is also the question of safety standards and dumping involved.

Madam Speaker, it seems to me that if we are not careful and we go through this procedure and facilitate everything that is to be facilitated, Trinidad and Tobago, indeed the Third World countries, would become the dumping grounds of the disused products of all these industrialized countries. Is that a situation that we want to encourage in Trinidad and Tobago? Is that what is going to happen as a result of our measures to facilitate trade?

We seem to have a monolithic vision—trade facilitation, regardless of the consequences, nothing else matters; we want to streamline the systems and expedite the procedures. Trade facilitation! Trade liberalisation! Freeing-up the market! This is the new ideology the new PNM is waving.

I want to also deal with the question of the trade in Caricom origin goods. It seems to me that these rules are changed every other day, or that, the people who

interpret them do not know what they are doing. I am talking about the customs officers at the lower end of the hierarchy going right up.

If you are making rules and the people who have to implement them do not know what they are doing, it is as though you did not make any rules.

I have with me a baggage slip, form of the Customs and Excise Division of Trinidad and Tobago. There is a gentleman who comes from Guyana and he is bringing school bags into Trinidad and Tobago. The value placed on the school bags was \$300.00, and the VAT \$76.50, but he has been charged duty, stamp duty, import surcharge. I want to know whether all this is a valid taxation of imports from a Caricom member country. If it is, then what has happened to the Caricom rules to facilitate inter-Caricom trade?

If these duties and taxes that are charged on this form are not valid, then somebody in the Customs and Excise Division of the Ministry of Finance does not know what he or she is doing. The Minister does not seem to know what he is doing as the head of that Division, but lower down the line—and he comes and makes all sorts of statements, about how things are being restructured and how things are being run efficiently in the Customs and Excise Division. I merely want to query: is this a valid imposition of duty? Is it a valid imposition of stamp duty? Is it a valid imposition of import surcharge on the importation of school bags from a Caricom country?

As far as I understand, Madam Speaker, these school bags, in fact, did originate in Guyana. That is the kind of confusion you have in the operation of the system as it presently exists. Unless we have proper training—and the period of training for the introduction of the ASYCUDA system has been very limited. In the Customs Division today not very many people understand the system. Among the brokers and their clerks, not everybody is *au courant* with the intricacies of this ASYCUDA system and the means and methods to adequately fill in the forms.

5.55 p.m.

What you are going to have, is a situation of mass confusion on the introduction of this form, because the basic preparatory work has not been done for the proper introduction of this ASYCUDA system, to the extent, as I say, that it will facilitate. And there are costs and problems attached to this. There are the increased brokerage costs, the time the brokers will have to spend on this form, increased cottage costs that may be the consequence of this and other problems that are associated with the introduction of this form.

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So, Madam Speaker, I merely wish to advise this House that it is our duty on this side to inform the Government, indeed, to educate the Government. That is our function here to inform and educate, not to entertain the whims and fancies of the Government. It is our duty to come here today and say, as much as we would like to see administrative efficiencies, we should like to see the expediting of the importation of goods and the work and the reports on trade statistics churned out at a more decent interval than they are at this time. We understand that the time span between the goods being imported and the trade statistics emanating from that year of trade is something like two years.

Therefore, I am asking the Government to look at the whole question of the introduction of this, whether the date of introduction should not be deferred in the light of the problems which are likely to arise with this system, and whether public information could not be more widely disseminated as to the intricacies of the ASYCUDA system. But more so, whether those who are directly involved—customs brokers, customs clerks, employees of the Customs and Excise Division of the Ministry of Finance, and all those people, all the ancillary services, people who are engaged in the transport of customs goods, the importers, the business people who are to be affected as a result of the introduction of this system, with the greater burden of additional information required in order to facilitate the operation of this system—whether, in fact, a deferral would not have been in the best interest of all concerned, so that this new system is properly understood, has a proper basis in the bureaucratic structures and procedures that are put in place, in order to facilitate its entry into the system.

So I merely wish to give the Government these words of advice. I am fully aware that you do not cast aspersions. I offer the position of this side: I ask them not to be so euphoric about this trade liberalization and trade facilitation that they are hung up on. It is going to have consequences for Trinidad and Tobago and its economy and people that they never dreamed of—or perhaps they do not care.

Madam Speaker, with these few words, I thank you.

ADJOURNMENT LEAVE

Madam Speaker: At this point we will attend to the matter raised by the Member for Couva South—a matter of urgent, public importance.

Freedom of Information

Mr. Ramesh Lawrence Maharaj (*Couva South*): Madam Speaker, the present position in relation to this motion is that if a member of the public of

Trinidad and Tobago, a member of the press, a journalist, or a Member of Parliament wants to know what are the particulars of the NUCOR contract, that member—whoever he is—is unable to get that information. Despite the fact that the contract is entered into between a foreign company and the people of Trinidad and Tobago, through the Government, the representatives of the people of Trinidad and Tobago are unable to get the particulars of that contract. It would mean, therefore, that in that contract if there are matters which ultimately turn out to be not in the public interest, the public of Trinidad and Tobago would suffer, despite the fact that there may be a change of Government. In the final analysis, the public's rights are being affected.

It is because of matters like those that systems with democratic parliamentary institutions and judicial institutions like ours have taken, over the years, a step forward in introducing measures and legislation in order to give the public, or parliamentarians, or the press access to official information. The underlying reason for that is that it is recognized that parliamentary democracy cannot function unless there is information, unless the public has that right to information and is supplied with that information. You see, it is recognized that if the public does not have that right, or if that access to information is not given to the public, confidence in democracy goes and, ultimately, democracy may be replaced by some other form of government.

In a recent article on *Parliamentary Accountability and Government Control of Information*, written by a man called Maurice Frankel of the United Kingdom, Chairman of the Campaign for the Freedom of Information, he gave the history of how countries all over the world have gone for giving access to official information to the public. If I may quote from his article. It says—

"Many countries have already adopted such laws, including the USA, Australia, Canada, New Zealand, Sweden, Norway, Holland, Denmark and France. The law takes the form of a general right of access to government information, available to any citizen."

It goes on—

"The impressive variety of uses to which the US Freedom of Information Act has been put has been well-documented. (Hendricks 1982). It is used by individuals seeking government records held on them to ensure that they are not being denied benefits through error or arbitrary action. Consumer and environmental groups constantly uncover safety hazards known to but ignored by government inspectors; companies use it to protect themselves against

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discrimination in the allocation of contracts or the enforcement of standards; accident victims use it to help prepare for litigation; historians, authors, journalists, pressure groups from the left and right all rely on it, and it has produced a steady stream of revelations about the improper and wasteful use of government funds.

In both Australia and Canada ministers have been forced to resign after freedom of information disclosures revealed improprieties (Hazell 1989). One celebrated disclosure under the Australian Act forced the cancellation of an expensive military project for the establishment of a tank training area after internal documents revealed that the site was totally unsuitable for the purpose. The amount saved—more than £250 million—represented nearly 40 times the annual cost of the Australian FOI Act."

So, Madam Speaker, one sees that it is not without precedent that countries throughout the world, with systems similar to ours, recognize that there should be changes in the system, if it is deficient, in order to ensure that the public is satisfied with information.

6.05 p.m.

Under Article 19 of the Universal Declaration of Human Rights, everyone shall have the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.

Similar provision is made in the International Covenant on Civil and Political Rights. The question which arises is that it has been recognized by the framers of these documents, by governments which subscribe to these documents, that it is imperative for democratic principles to be sustained, for the access to public information to be in operation.

As it applies to Trinidad and Tobago, one can think, not only of the NUCOR contract, but if we take divestment policy, for example, without going into the policy of divestment—if the Government is contemplating selling particular enterprises, the public cannot know—unless the Government agrees to give the information out of the act of mercy—exactly who are the bidders, what is the bid, whether it was a fair and reasonable price, what was the valuation. Therefore, what happens, when decisions are made on the basis of secrecy, is that public confidence in these decisions are undermined. That is how you then have a perception being developed by the public that something is wrong, when in truth and in fact, probably, nothing is wrong.

One has to look at these factors. This motion was based on recent events which have brought these matters to light. We on this side of the House have been clamouring for accountability, and this is an additional form of accountability. This motion asserts that openness and freedom of information are essential if we are to have an efficient democracy, where our people can be involved in that democracy.

When I say: "The need for Government to take immediate and necessary action to ensure that the necessary machinery and provisions are put in place and for Government to bring forward legislation to permit the media and the public to enjoy the right to access of official information," and when in the letter requesting leave for this motion, I stated: "The essence of democratic government is that the public should *inter alia*, have the right to be informed of the full circumstances in which decisions are taken in their names and for them to at least have an opportunity to express their views and to have access to such information and all material matters relating to the functioning and conditions of state institutions", it is because this motion recognizes that openness, of government public participation in government is the essence of government, that the motion is brought here. If one agrees—how can one disagree with it—that in order for there to be a proper pillar of democracy, the people must participate in it, then the people cannot effectively participate unless they have facts and information on what is happening with respect to their affairs.

The principle behind this motion is simple: In a democracy free access to information is a basic fundamental right, as enshrined in the Universal Declaration of Human Rights. Under the Right to Freedom of Information and Expression, one sees the right to information as an integral part of the right to freedom of opinion and expression.

If that is a basic fundamental right and it is authorized and it forms part of the Universal Declaration of Human Rights, one asks oneself the question: Why would a government be reluctant; why would a government not want to introduce measures in order to ensure that the public gets information which the public is entitled to?

An American President, Mr. James Madison said these words—and I wrote it down as I was reading just now:

"A people who mean to be their own government must arm themselves with the power knowledge gives."

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How can a people arm themselves with the power knowledge gives unless they can get the information? Unless they have information about the things that affect their lives, their pocket, their destiny, their future, they cannot make the right decisions. Make no bones about it, the people of Trinidad and Tobago are involved in every decision made which affects their interest. Therefore when the Government is entering into a contract, giving out a contract, giving concessions to foreign companies not having any mechanism for environmental protection, all these matters are matters which the public is entitled to know as they affect their lives. The motion is, therefore, based on the premise that we, the members of the public, have a right to know what the Government is doing in our name, with our money and on our behalf.

I should have expected that on a motion like this, the Government would have said, even before its representative stands up, that "we agree with the Opposition in a matter like this", because I would expect the Government to recognize that this is not a party matter; this is a national matter; this is a matter which affects the lives, the future and the rights of people. It is a matter which affects the rights of human beings, the right to human development, human and fundamental freedoms. I should have expected that it would not have been necessary for me to stand up here to be advocating a motion like this.

There is precedent for this. In most of the countries in which these matters were agitated, Australia, Canada, New Zealand and, quite recently, in England—although the English system has been improved—the government side, when even the frontline did not do it, the back benchers got up and said, "we support a measure that is in the national interest."

About a month ago a Freedom of Information Bill was introduced in the British Parliament by an Opposition M.P. It was introduced in order to improve what they already have, which is much more than we have. When it was introduced, before the debate the government back benchers said they were supporting that measure because it was in the public interest and the national interest. When we go through the Commonwealth countries that have been mentioned, we see in measures to improve the right of the press, the public, of anyone living in a society to get governmental information, that has not been opposed. But probably Trinidad and Tobago would be an exception to the rule. I would ask the question, why? I should hate to think that it is because we do not want revelations like what happened in Australia and Canada which showed that there were improprieties and projects which should not go on and Ministers had to resign. I do not know what is the objection.

6.15 p.m.

Mr. Valley: Madam Speaker, I wonder if the hon. Member would inform us whether similar motions were opposed in Canada and Australia?

Mr. R. Maharaj: Madam Speaker, from my reading of the history of these matters, when motions of freedom of information were first introduced in some of these countries, there was much opposition from governments. But, ultimately, governments saw the light of day and decided that they were going to go along with it because it was going to improve the public interest.

We in Trinidad and Tobago have the benefit of history, and we have people in the Government who can look at the history and see several countries, I have quoted, Australia, Canada, New Zealand, similar systems like ours; and other systems like those in Sweden, Norway, Holland, Denmark and France.

I am glad the hon. Member for Diego Martin Central mentioned this. In America there is the Freedom of Information Act. What has been happening in Britain is that some of the information which one can normally get in America cannot be had from the Government in England. In Britain, there is now a movement to be able to get more and more information. What the British people have recognized and realized is that the same information which is withheld in respect of American contracts, or Americans' association with Britain, British people can go to or write to the American agencies and be supplied with the information, but they have to pay for it.

It may be that if the Government refuses, we may have to raise funds and, under the Freedom of Information Act in the United States, get the particulars of contracts entered into in Trinidad between American firms and Trinidad companies; but it will cost the people of Trinidad and Tobago much money. Does the Government want a situation where we will have to resort to American machinery to get matters which affect Trinidadian contracts with American firms sorted out when we, as a people, who want to say that we control our destiny, that we can show the world that we are a people who recognize when we have gone wrong, when we have failings, and we do what is right in order to put the wrongs right.

I should think that a government which sees this information clear in its face would at least give a commitment to the people of Trinidad and Tobago that it is going to take immediate steps in order to ensure that there is public access to official information.

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In Australia, before the Freedom of Information Act was passed, whenever the public wanted to know about matters involving contracts which the Australian government entered into with local persons and foreign companies, the government came out and said that there is commercial confidentiality in respect of those transactions. That was being used as a smokescreen in order to prevent the public from getting information.

There was a clamour from the press. The press felt that in its role as being the guardians of the people, it ought to challenge the government. The press took up the battle, the public followed the press, and the government were put under pressure, and they had to introduce freedom of information legislation. They had to introduce measures in order that the press and the public would have a general right and access to information. It is because of that legislation—the matters I just read about—that the country saved more than £250 million in respect of a contract.

Madam Speaker, it is because the people agitated that the governments, in those countries reacted. We on this side of the House, have been agitating. We are now agitating a step further. We are saying, "Listen, this kind of democracy cannot work, if you go along how you are going. The public interest demands that you must take steps immediately in order to give that access to official information."

One cannot but recognize that if the Government sets up such a machinery it would lead to better decision making. Ministers, local council representatives, public servants, would, in effect, make better decisions because they would know that the public would be entitled to have access to the basis of their decisions.

Under some of the legislation which has been passed, a member of the public merely has to pay a nominal fee and request whether there is any matter or guideline affecting public servants or any particular contract; any information with respect to if one is allowing a certain drug to come into the country, what are the ingredients of that drug; whether one has done any tests on that. Public servants are entitled to say, "Listen, I should like to know why I was not promoted. Can you give me a copy of my file? I would pay for it. I am entitled to get a copy of my file." People would be entitled to get information. If one imagines what can happen, one can see that we would be living in a better society.

In the *Sunday Guardian* we read that a man in the condemned cell committed suicide. We have had no statement from the Government—it is probably not an important matter—but if a journalist wanted to find out, in a society in which

there were no barriers, that journalist would have been entitled to know what went wrong; what caused that; what were the conditions. He should be able to see what happened; interview people to find out what happened.

Madam Speaker, do you know that for the press to get into the prison, it has much red tape to go through and, in effect, depends upon the discretion or act of mercy of the Government. It is in that context that one is not only entitled to be supplied with information, but anyone, is also entitled to see how state institutions work; their performance and the conditions under which they operate.

Therefore, we should have more open government. We should open up the system. That is why in systems which have been opened up there are fewer allegations of governmental misuse of power, abuse of power, corruption and all sorts of things. As the system is opened up people can see for themselves that Government is acting in the interest of the people.

I suspect that I am hitting my head against a wall, because this Government is not interested; and I have not seen any signs so far, of great accountability. Therefore, if there is no greater accountability, then, obviously the credibility of the Government would deteriorate more and more. I should have thought that the Government would have recognized that if there is greater accountability, not only will there be the advantage of the public having confidence in the institutions, but there will also be greater credibility in Government.

6.25 p.m.

For let us make no bones about it, the public as a whole is losing confidence in the institutions. Whatever the causes are—I am not here for the causes, but what I am sure about is that where the institutions have deteriorated, the public is lacking that confidence. I am sure that one of the ways and one of the most effective ways of dealing with the problem of restoring confidence in the institutions is to open up the system and to demonstrate to the public that we have nothing to hide. That is the only and the most effective way. And with that kind of openness you will have better decisions, better understanding and you will have a more efficient use of money and human resources.

The latter part of the motion has to deal with access to the prisons. I merely want to say that I was asked to intervene on behalf of the BBC to try to persuade the Government to permit them to go into the prisons. I must say that the Attorney General showed all the concern that I would expect of him. There was a meeting and I got back the response from the BBC team that they were not permitted to

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enter. I understand that the reason, from what the BBC told me, was national security.

I am of the view that whether it is the BBC or any member of the press, all members of the press, both local and foreign, should be entitled at all times to have access to the prisons and to all public institutions. The grounds of national security can be used as a smokescreen. One knows that people go into the prisons. What national security can be affected with the press interviewing prisoners or the press filming persons in the prisons? Many systems in the world have opened up their systems. There is nothing wrong. The British and the Americans have opened up their systems; Commonwealth countries have opened up their systems. What do we as a Government and a people have to hide?

I would respectfully submit that this motion should really be taken seriously by the Government. If the Government wants to continue to take these matters lightly, I want to sound a word of advice and caution to them. If they consider the history of Trinidad and Tobago, they are going to regret every moment when they had opportunities of building confidence in government, but instead used them to undermine and to destroy, and to demonstrate that they do not want the public to participate in any democracy. Thank you, very much, Madam Speaker.

The Attorney General and Minister of Legal Affairs (Hon. Keith Sobion): Madam Speaker, I want to agree with the Member for Couva South on one point—that the rights enshrined in our Constitution and particularly the rights relating to freedom of thought and expression, and freedom of the press, not only involve the right to disseminate information but also the right to acquire information.

The whole premise of the motion happens to be fatally flawed and indeed, the argument, as it was presented by the Member for Couva South, is similarly flawed.

The way the motion is expressed seeks to suggest that these freedoms are without limit and as any good human rights lawyer knows, and as my friend the Member for Couva South undoubtedly will know, these rights and freedoms are not without limit.

I was very pleased to hear his discourse and his exposition on matters relating to developed countries such as Australia, the United States and Denmark. He travelled far afield in attempting to develop the case which he has presented.

I want to look specifically at the matters raised in the motion and to invite this House to look at the arguments on the basis of conditions in Trinidad and Tobago as they stand.

Before I deal with that, reference was made to the Universal Declaration of Human Rights, the International Bill of Human Rights and the International Convention on Civil and Political Rights. The Member for Couva South, perhaps omitted, in his haste to complete his contribution, to read all of article 19. I will read Article 19(3), merely for the purpose of reinforcing the point which I made, that these rights are not without limit.

Article 19(2) is the article which was read by the Member for Couva South. It states:

"Everyone shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of his choice."

Article 19 (3) states:

"That the exercise of the rights provided for in paragraph 2 of this article carries with it special duties and responsibilities. It may therefore be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:

- (a) For respect of the rights or reputations of others;
- (b) For the protection of national security or of public order (*ordre public*), or of public health or morals."

So that the very article to which he referred sets up some of the universally recognized limits on the right of freedom of expression.

We have heard about non-disclosure of non-contractual arrangements. Specifically the motion addresses the NUCOR investment in Trinidad and Tobago. About two weeks ago the Minister of Energy had cause in the other place to respond to a question raised. In that reply he stated that the natural gas supply contract between the National Gas Company and NUCOR Corporation is a commercial contract between two business firms.

In accordance with standard accepted business convention and practice, such contracts are treated as confidential and are not considered public documents or available for public information.

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What that response suggested is the matter to which the Member for Couva South referred, and that is, the question of commercial confidentiality, which he said was raised in opposition to the introduction of a freedom of information measure in Australia.

In a developed country like Australia, with resources that are far more expansive than those available to the people of Trinidad and Tobago, it is clear to me that if that argument was raised there, there must have been some recognition that there is some validity for it. I can tell you, if the Government of Trinidad and Tobago, through a state enterprise such as the National Gas Company or such other agency were not to abide by the kinds of principles which surround commercial confidentiality then we would be exposing ourselves to a situation where we would not be able to function on the international commercial market.

I will give you an illustration. If for instance, we are dealing with a number of international oil companies and we were to strike a drilling arrangement with one of the larger companies, then they would be put in a very difficult position if the extent of the royalties which they were paying to Trinidad and Tobago were disclosed and then they had to go and negotiate similar type drilling arrangements with other countries. There is some merit in the concept of commercial confidentiality. I am saying that we must look at the position of Trinidad and Tobago as a developing Third World country and what we stand to lose if we do not adhere to that principle of commercial confidentiality. I may say that there are in our arrangements avenues for the information to be made available.

6.35 p.m.

Earlier this week, as I understand it—and correct me if I am wrong—the National Gas Company made available to the Public Accounts (Enterprises) Committee full disclosure with respect to the NUCOR agreement. I may say, that the disclosure was made, even though from my understanding—

Mr. Sudama: On a point of order. I just want to correct the Member for Ortoire/Mayaro. Some disclosure was made, but not full disclosure because there were still some matters which they said could not be disclosed.

Hon. K. Sobion: Some disclosure was made. I am not as fortunate as the Member for Oropouche to sit on that committee.

The information which was provided to me this afternoon was that the National Gas Company made available to the Public Accounts (Enterprises) Committee the information which they were requested to provide in relation to

that NUCOR agreement. I want us to note, because the Member for Couva South keeps suggesting that this Government does not want to have a regime of disclosure. The disclosure made to the Public Accounts (Enterprises) Committee need not have been made, as I understand it.

Perhaps, the Member for Oropouche will correct me again if I am wrong, because the enquiry that the Public Accounts (Enterprises) Committee was conducting was in relation to matters with respect to 1990. These arrangements with respect to NUCOR were made in 1992, but nonetheless, they volunteered the information when asked by the members of that Committee.

Mr. Palackdharrysingh: That just goes to show how useless those committees are.

Hon. K. Sobion: I do not chair the committee and I am not a Member.

This Government has to adopt a responsible approach. It is not a question of hiding information. It is a question of whether we can damage our own international commercial activity by making certain information available.

I want to repeat the call made by the Minister of Energy and Energy Industries which itself was a repeat of the call made by the officials of the National Gas Company that the disclosures should be treated as confidential as there are other pending matters which may be adversely affected by a premature disclosure. That is responsible government. All we are asking is that we understand what is involved in a matter of principle.

On the other matter raised in the motion, the Member for Couva South points out that the refusal of the Government to allow the press to have access to certain prisoners on death row who consent to such access, for the purpose of interviewing and filming the said interviews, demonstrates a failure to provide information, and a breach of the fundamental right of freedom of expression and the press.

The refusal to permit to enter to film was made on the grounds of national security. As I referred to earlier, the international conventions all recognize national security as one of the limiting factors on those fundamental rights. If one refers to the Prisons Rules, Rule 262 (1) states:

"Communication between prisoners and their relatives and friends shall be allowed in accordance with the following rules, subject to such restrictions as may be necessary for the maintenance of discipline and order in prison, and the prevention of crime. No other person shall be allowed to communicate with a prisoner except by special authority."

There is one other relevant rule. Rule 262 (5) states:

"Not more than three persons shall be allowed to visit a prisoner at one time."

I want to look at it from another point of view, because the question would arise as to whether the prisoners' rights are being affected as well. What these Prison Rules recognize and accept is that there is inherent in the operation of prisons, concerns about national security.

I refer to one authority in which a Canadian court was asked to consider the question of prisoners' rights in relation to restriction and visits et cetera. Two of the judges had to make very strong statements about it. The applications of the prisoners were dismissed. I want to read one excerpt from this judgment. It is the case of Maltby against the Attorney General of Saskatchewan. It states:

"I do not agree with the applicants' position that they should be able to see who they want, when they want and do whatever they want with a visitor. The restrictions imposed are incidental to another legitimate government purpose, *i.e.*, security, rather than punishment. In determining whether restrictions are reasonably related to the government's interest in maintaining security and order and operating the institution in a manageable fashion, courts must heed that such considerations are particularly within the province and professional expertise of corrections officials."

Mr. Maharaj: I wonder if the hon. Attorney General could just give us a little idea of the facts of the case. Was it the press?

Hon. K. Sobion: Some of the concerns which had been raised by the prisoners were restrictions placed on number and types of visits; access to telephone and restrictions on searches following visits. Those were two of the concerns which were raised and the court held that they were reasonable restrictions imposed as measures for national security.

Some concern was expressed by the Member for Couva South as to what questions of national security could be involved in a prison. Let me give him an idea. Prisoners have always sought to break out of areas of confinement, either by violent means or stealth. Over the last 10 years, there have been 56 escapes and 33 attempted escapes in prisons in Trinidad and Tobago.

Mr. Maharaj: I wonder if the hon. Attorney General would give way?

Did any one of those escapes take place whilst any member of the press was visiting the prison?

Hon. K. Sobion: I was addressing the broad question of national security and giving an illustration of the conditions that the prison officials have to deal with. I will get to the more relevant points shortly.

Reading from a memorandum issued by the Commissioner of Prisons:

“We have been able to unearth drawings done by prisoners of various strategic sections of our prisons intended for dispatch to their colleagues on the outside. On April 24, 1992, a detailed sketch of Golden Grove Prison was found on an inmate in the institution.

6.45 p.m.

On April 25, 1992, another inmate was found with drawings of the remand prison.

We are all aware that in recent times there have been numerous instances of prisoners attacking officers and, as recently as 1988, two officers were killed in the line of duty.

The memorandum goes on to talk about dangerous items being smuggled into prisons, live rounds of ammunition, as recently as April, 1992. So, Madam Speaker, it is a determination which the prison authorities have to make, and, on the basis of their advice, this Government took the position that the BBC ought not to be allowed to film the inside of the prisons.

We did not seek to enforce the other rule which prohibited more than three persons, and we agreed that they could interview any of the prisoners they wished to interview, provided that no filming took place.

I want to deal with one other matter. I am a little worried about the timing of this particular motion. I wondered—and when I say so, I am not questioning your ruling that it was an urgent matter, but I am questioning the motivation of the mover of the motion. I say so because the Minister of Energy and Energy Industries, early in 1992, in response to a question in this Parliament in relation to the Amoco contract, raised the question of commercial confidentiality. It was raised as early as 1992.

Two weeks ago, in the other place—and I read the response by the Minister of Energy and Energy Industries—again he raised the question of commercial confidentiality. I find it a little strange, Madam Speaker, and I must express the concern that I have, that the BBC, having been refused the right of access to the prisons a few days ago, on March 16, which was Tuesday of this week, we are

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suddenly faced with a motion of this nature, and included in that motion is reference to the BBC.

Some time in early March, I received a request from the BBC for an interview and for permission to be allowed to film the prison. On March 11, I responded to that request and I also spoke with them on the telephone. It is a short letter so perhaps I had better read the entire letter:

"I refer to your communications regarding the proposed documentary on the workings of the Judicial Committee of the Privy Council.

As I indicated to you on the telephone today, your original communication was forwarded to the Minister of National Security, whose portfolio includes the prisons. The Minister has informed me that, for security reasons, it will not be possible for him to allow your film crew access to the prisons. However, on your arrival in Trinidad and Tobago, I will be prepared to meet with you to determine areas in which we will be able to provide assistance."

I arranged to meet with the representatives of the BBC, including their English lawyers, on March 16, 1993. On the morning before that meeting, I received a communication, under the letterhead of the Office of the Leader of the Opposition and, if I did not tell you that and I only read the letter, you would imagine that this letter was written by a lawyer acting on behalf of the BBC. It says:

"We have the following instructions..."

A note coming from the Office of the Leader of the Opposition. It starts that way.

Madam Speaker: The gentleman at the front in the public gallery, I am afraid, if you do not behave yourself you will be put out of this House. Will you please restrain yourself!

Mr. Maharaj: If the hon. Attorney General is imputing motives that either the Office of the Leader of the Opposition or the Member for Couva South was involved in any legal matter, I think that is highly improper.

I anticipated how the Government would react to that. This matter was taken up by the Opposition because the BBC felt that the Government was not granting them access to the prisons, and that is our duty. What the hon. Attorney General is doing is what they have done in the past—when they cannot respond, they try indirectly to impute improper motives. I am objecting. If the Attorney General is imputing improper motives, let him put what he has in support of it, that either the

Leader of the Opposition, his office or us, as lawyers, were involved in a matter of law—

Madam Speaker: I gather that this was a complaint made to the Opposition in their office and role as Opposition, bringing it to the attention of the Attorney General.

Hon K. Sobion: I have not sought to impute any improper motives. I started by saying that I was a little concerned about the timing of this particular motion and I was demonstrating why that concern arose.

Mr. Maharaj: On a point of order. The Attorney General was offended because the BBC contacted the Opposition. The members of the BBC were, in effect, ridiculed by the Minister of National Security for contacting the Opposition.

Hon. K. Sobion: I do not know why my friend is getting riled up. Perhaps, he is seeing a cap that fits that I am not dealing with. The simple point that I am making is my concern over the timing of this motion, in the light of the fact that I had responded to the BBC and had arranged a meeting with them to see what arrangements could be put in place to facilitate their requirements. Before that meeting, I received a letter under the letterhead of the Office of the Leader of the Opposition, and I was merely making the point that if I had not said that, one would have been concerned as to whether this letter was not written by a lawyer. That is the only point that I am making.

6.55 p.m.

The letter says:

"We have the following instructions:-

- (1) By letter dated 26th day of February, the B.B.C. informed you that they were making a documentary on the workings of the committee of the Judicial Committee of the Privy Council as the final court of appeal for a number of Commonwealth countries and among the topics the documentary is expected to deal with, is death penalty cases from Trinidad and Tobago. The BBC stated that they would like to look at some cases from Trinidad to illustrate the Privy Council's role and request access to certain prisoners on death row who had been granted leave to appeal to the Privy Council.
- (2) By letter dated 11th day of March, 1993 the request was repeated and by letter of even date the government refused permission to the BBC on the

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ground that Security reasons will not make it possible to allow film crew access to the Prisons.

The Universal Declaration of Human Rights guarantees the rights of the Press as against the State to have access to information in order that it may discharge its duties to the public. The Constitution of Trinidad and Tobago also guarantees this right. The refusal by the Government to accede to the request of the BBC is a naked contravention of the right to the freedom of the Press.”

All I am saying, Madam Speaker, is that this letter, written in almost legal language, arrives on March 15, 1993 and this motion comes before this House on March 19.

Madam Speaker: It gives you an opportunity to clear the air.

Hon. K. Sobion: There have been instances previously—no, I will express my concern in clear terms. I am concerned as a Member of the independent Parliament of Trinidad and Tobago this Parliament’s time is being used to deal with a request of the BBC and it seems to me that is the only—

Mr. Maharaj: Madam Speaker, if the hon. Attorney General is saying that the Opposition should not take up the causes of the press, both national and foreign, let him say so. But this Motion deals not only with the BBC.

Hon. K. Sobion: Madam Speaker, with respect, the Member for Couva South is not going to tell me what to say and when to say it.

As a Member of the independent Parliament of Trinidad and Tobago, I have a concern that this whole debate is being sponsored by the BBC. That is what I am concerned about. The time of the people of Trinidad and Tobago in this Parliament is being wasted.

Mr. Maharaj: Madam Speaker, I object to “sponsored by the BBC”, and that is the point I am making. Because if the Attorney General, expressly or impliedly, is saying that they sponsored this, what is the imputation? A law for one is a law for the other. I think it is highly improper—

Madam Speaker: I am trying to follow the argument.

Hon. K. Sobion: Madam Speaker, the word ‘sponsor’, if it connotes in the mind of the Member for Couva South some sort of payment, I can assure him that this word in any English dictionary does not necessarily involve payment.

If he wants me to say “encouraged by” or at the behest of”, I can use those words. But the fact of the matter is that since early 1992, the Opposition has been advised that for certain commercial reasons certain matters cannot be disclosed. He lets that ride for all of 1992. Two weeks ago, a similar statement was made by the Minister of Energy. He does nothing. Suddenly, the BBC comes down here from England. The Government tells them that they cannot go into the prisons for national security reasons, a reason which is recognized validly in the law as a limit to the right of freedom of expression and we have this Parliament wasting its time trying to deal with BBC’s request.

Madam Speaker, the BBC have been told firmly that they are not going to go into the prisons.

Mr. Sudama: Madam Speaker, on a point of order. I think the Attorney General is casting aspersions on your ruling that this matter ought to be debated, by saying that this Parliament’s time should not be wasted in such a way.

The Speaker has given permission that this matter should be debated as a matter of urgent public importance. Is the Minister saying that the Speaker has given a ruling which is wasting the time of Parliament?

Hon. K. Sobion: Madam Speaker, you cannot be expected to know the motives which come from the other side. If they disguise the motion by introducing, as paragraph one, Nucor and putting the BBC as paragraph two in an attempt to say, “Well, that is not the important one, the important one is Nucor”, that commercial activity explanation was given since January or February, 1992. So if that were the reason, then we should have been debating this in 1992. But the BBC come on March 15, they get a refusal on March 16 and they are told firmly that it is for national security reasons, and we end up here with a debate.

Our law recognizes avenues for information to the press and we will be prepared to consider any legitimate request for changes in the law which deal with that. But, as a Member of this Parliament, I am not going to waste my time debating the BBC.

Madam Speaker, I cannot accede to the request contained in the Member’s motion.

Mr. Breaux: (Expunged from the record)

Mr. Maharaj: Madam Speaker—

Madam Speaker: Would the Member please take his seat. I would ask that the Member for La Brea's statement be expunged from the record. It is irrelevant.

CUSTOMS ACT (AMDT.) (NO. 2) BILL

The Minister of Finance (Hon. Wendell Mottley): Madam Speaker, both the Member for Oropouche and the Member for Nariva implied that this Bill which is before us is singular, unrelated to a whole series of other measures being put in place to assist trade facilitation, and implied that a single form was going to usher us into the 21st century. That is not true; it is a misrepresentation.

I started off my presentation by saying that we were going to bring a series of Acts to this Parliament very shortly, of which this is merely the first. Again, I want to inform this Parliament that we intend to accelerate the process of economic change in Trinidad and Tobago, especially over the next few months and that outside other measures, not the least of that acceleration, will be the legislative programme. And I assure this House, as I have done already, that besides this Customs Act (Amdt.) Bill, there are the Securities Bill, the insurance and the banking legislation, all in train and virtually complete right now, which will be before this Parliament next month. So that the Customs Act (Amdt.) Bill is not a singular Bill with some computer wizardry which is going to carry us into the 21st century. That is a patent misstatement of our case.

It was also stated that we are for trade facilitation, and meaning by that only import facilitation, and that we are not seeking to have level playing field and, in particular, to protect our manufacturers and promote exports. Well, for one, the single administrative documents is an import and export document. It facilitates both imports and exports.

I should go on to say that apart from the legislative programme, over the next few weeks a bundle of measures will be brought which will significantly improve our export competitiveness. Therefore, I want to clearly refute the arguments being advanced that the measure is only for import facilitation. Clearly, it is not.

Our whole medium-term economic strategy is based on export performance. We have already put several legislative measures in place and in addition, other measures to come over the next several weeks and months in support of our export programme.

Specific items were raised by the Member for Oropouche. He asked whether samples were going to be included and whether the import of samples to assist trade was going to be hindered by this document. Clearly not. Samples are going

to be allowed in under the traditional provision of entry, which is not new to Trinidad and Tobago. Deposit entry will be paid and samples dealt with in that particular fashion. No change to that.

Much concern was expressed about the import of tyres. Madam Speaker, it is a concern in the Ministry of Trade that under trade liberalization there has been a mushrooming in the trade of used goods.

Miss Nicholson: “Dumping”! Use that word; “dumping of used goods”.

Hon. W. Mottley: Much of it is helping section of the population. For instance, some people can get imported used engines, or used car parts at prices and in quality which assist ordinary motorists. But then there is the particular matter of tyres. Tyres are being imported, supposedly to have them recapped, but, in fact, they end up straight, untouched, on vehicles in Trinidad and Tobago and this is a problem, and we have been seeking the best way to address this. We are loathe to go back and take a broad-sheet measure and ban the importation of used goods altogether or put used goods back on the negative list. We believe that it is a better approach to find the specific problems and try to deal with the specific instances.

For instance, with tryes, we will be moving against used tyres through the standards approach, by defining what kinds of tyres with what depth of tread and so forth will be permissible. The idea is that the importer must get a certification in the country of origin, satisfactory to our people, before the goods are allowed to leave the exporting country. We will examine the certificate here, check it against the few samples in the container and move on that basis.

It is a difficult problem, Madam Speaker. But if we overreact, we feel that we may be doing more harm than good. So we are concerned about types and especially the safety implications. But, at the same time, if we ban all used automobile parts, we may be doing a disservice to the Trinidad motorist and we may be actually promoting the stealing of motor cars to fill a particular void for cheaper parts. These are some of the concerns that we do have as we have attempted to address this particular concern.

The Member for Oropouche again raised a serious concern and I would want to let him know that we addressed this. He is expressing concerns as to whether in the selection of containers for closer scrutiny, that could give rise to discrimination on whatever grounds. He raised ethnic, but for whatever grounds that it becomes an arbitrary decision of the Customs Department. I was concerned about this. On the one hand, you do not want to do 100 per cent inspection. It is

costly and so forth. At the same time, you therefore, want to do a kind of audit approach. We have been seeking the assistance of the US experience in trying to develop transparent criteria by which this is going to be done.

Therefore, the reputation of the particular trader, how long he is in business et cetera, clearly must be a criteria. The source of goods, not only the country of origin, but the particular firm and the capability of the Customs Department, especially through international contacts, to source the bill of lading of the goods and to check it out in the country of origin, to make sure—and, therefore, the whole question of customs intelligence comes into play.

I will confess, though, even after the recitation of a number of criteria, there is nevertheless going to be some element of discretion and, therefore, we will have to pay very close attention to how this operates so that abuse does not come into the picture in any widespread form. So that I hear the Member. It is an intelligent concern and we will be seeking to make the criteria public by which the selection will be done.

With regard to the small traders, the suitcase traders, as I did mention, we are trying to set up special facilities at Piarco for them; that is for baggage storage while they go through their documentation and so forth. Because they have expressed concern about the security of their baggage while they go through the paperwork. So we will be doing that and intend to construct a structure next to the baggage room which will not hamper ordinary passengers.

However, the Food and Drug people have expressed concerns in that this trade, quite apart from the narrow customs concerns, is bringing into the country expired drugs and things of that nature that we need to have some sight of. So it is not purely a customs matter but, again, standards and food and drug administration to protect the wider population. There are cases of a large amount of film recently being brought in and when they checked it, the film had long expired. It is not known, therefore, whether anything would develop once that film is exposed. So we do have these concerns.

The Member for Oropouche again raised the question of whether the country was ready for this document. In this regard, he did seem to conflict somewhat with the Member for Nariva, who said that the Government was merely operating on promises and promises. But now that we are about to deliver, the Member for Oropouche is saying perhaps we should defer again.

Customs has produced a document. This document is entitled: "Instructions for the completion of the customs declaration for imports and exports and other

related forms". This has detailed instructions. It is printed by the Government Printer and is available for \$50.00. This is one of the fees that we raised.

The booklet is available but, in addition to that, Customs has gone out to the Trinidad and Tobago Manufacturers' Association, the Mercantile Committee, they have addressed the Chamber of Commerce and, in addition the Customs and Excise Division has trained 600 customs clerks and brokers in the use of the form. The form has also been introduced on a trial basis so that mistakes could be corrected and pointed out to members of the trading community, so that we have attempted to do as much preparation as possible. Some of that training and the forms and so forth started since November 17 of last year.

As with any new system, there are going to be glitches and some problems, but we think that we, as a responsible Government have taken the necessary steps to minimize them, and we hope that shortly after this measure is passed, that early in April the form will become standard throughout Trinidad and Tobago.

Mr. Sudama: April, or later?

Hon. W. Mottley: April 1, is when the Member has constituency day, I understand.

Madam Speaker, with these words, therefore, I beg to move.

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 5 ordered to stand part of the Bill.

Clause 6.

Question proposed, That clause 6 stand part of the Bill.

Mr. Sudama: Madam Speaker, under clause 6, I see (b).

Madam Chairman: Clause 6(b).

Mr. Sudama: Yes, it says:

“in clause 5 by deleting the words ‘Entries should be made up in triplicate at least, with supporting documents in duplicate’ and substituting the words ‘Entries should be made up with supporting documents in as many copies as may be required by the Comptroller.’ ”

Now, how would the average member of the public know how many copies the Comptroller would want? I mean, my own view is that the number of copies should be standardized; we ought to know the number of agencies to which they would want to distribute copies and so on. But this further adds to the uncertainty in the new system and I wonder if the Minister is willing to consider a definite number of copies here.

Madam Chairman: Is it that the administrative machinery will be provided with this information, or what?

Mr. Mottley: Yes. I do not see that there would be more than three. We do not want to be tied to the case that we may find some particular, unforeseen reason—

Madam Chairman: I think this would be covered by the administrative process.

Mr. Sudama: It ought to say so. Because as it is, it is left hanging and then people who have to import may not know and in trying to find out, they may not even be told. Because very often you go to Government departments for information and nine times out of 10 they do not know or they cannot tell you what the information is. If the Minister gives an undertaking, that ought to be put here to be determined by regulations.

Madam Chairman: Is the Minister saying that the Comptroller is still to determine how many supporting document copies, or is that something to be determined?

Mr. Mottley: Madam speaker, because of the uncertainty, the Comptroller, it is expected, would by publication in the *Gazette* make known how many copies are required.

Clause 6 ordered to stand part of the bill.

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

House resumed.

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

ORDER OF BUSINESS

The Minister of Local Government and Minister in the Ministry of Finance (Hon. Kenneth Valley): Madam Speaker, I beg to move that the House now consider Motion No. 2 on the Supplemental Order Paper and, because it is

connected to Bill No. 1 on the Order Paper, I am asking that the debate be joined. Of course, we will have to take the vote separately.

Madam Speaker: All right. The Finance (Supplementation and Variation of Appropriation) Bill be taken with the motion under “Government Business”, is that it?

Hon. K. Valley: Yes Madam Speaker.

Mr. Maharaj: Madam Speaker, I wonder whether, having regard to the time, that we can really have any effective debate with the Government starting a debate like this at almost eight o’clock.

I know that the Leader of the House has indicated to us that he would try to do two, but if the Government really wants effective debate, I do not think that after having been here since half past one in the afternoon, starting a debate at this time can be very effective.

I have also spoken to my colleague from the National Alliance for Reconstruction, the other Opposition party in Parliament, and we share that view. So that there is a united feeling on this side that if the Government really wants—it is an important measure. There are voluminous figures and I am asking the Government—through you, Madam Speaker—I know that you cannot compel them to do it—if they are truly committed to accountability in some form or the other, to consider—

Hon. K. Valley: Madam Speaker, as you know, every Friday before we adjourn I state the business for the following week. As you know, the Member for Couva South took an hour of our time this afternoon. I want to propose, Madam Speaker, that we proceed.

Madam Speaker: Let bygones be bygones.

Hon. K. Valley: Yes, Madam Speaker, but I want to suggest that we proceed and we review the situation around 9.30.

Miss Nicholson: Madam Speaker, I should like to support the Member for Couva South here, because we received one of these documents only this evening. We did not even know anything about this one, the Finance (Supplementation and Variation of Appropriation) Bill. We did not get this in our—I am talking about this.

Hon. K. Valley: Madam Speaker, those are the documents circulated in Finance Committee last week.

Miss Nicholson: You did not allow me to finish. I received them only this evening, when I can here.

Hon. K. Valley: We are going to proceed, Madam Speaker.

7.25 p.m.

FINANCE COMMITTEE REPORT

Adoption

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

That this House adopt the Report (1992-1993 Session) of the Finance Committee of the House of Representatives of Trinidad and Tobago on proposals for the expenditure from public revenue which were not included in the Annual Estimates.

The Finance Committee of the House of Representatives met on Friday March 12, 1993 and agreed to a number of proposals relating to the 1992 accounts. Before I indicate some of the significant variations, I wish to emphasize that the total appropriation of \$8,232,968,497.00 was increased by \$77,967,466.00. The 1992 appropriation will therefore be \$8,310,935,963.00. The increased sum of \$77 million plus, is reflected under Head 18—Ministry of Finance.

Increases under some Heads of Expenditure are matched by decreases under other Heads of Expenditure. The significant proposals are:

- (1) An increase in the 1992 appropriation, amounting to \$77,967,466.00. This increase is reflected under Head 18: Ministry of Finance and represents disbursements made under loan facilities for the secondary recovery of oil and refinery modernization; and
- (2) The Eric Williams Medical Sciences Complex, for equipment. Those two items make up the \$77 million increase.

It would be recalled, that during the debate on the first Supplementary Appropriation Bill which was laid in this honourable House on October 30, 1992, it was pointed out that although the loan was for on-lending to the energy sector, it was necessary for an allocation to be included in the estimates, since all drawdowns must be brought to the accounts in the book of the Republic, and credited as receipts under borrowing, and all disbursements must be reflected as expenditure under an appropriation account.

Madam Speaker, at that time, the projected disbursement of \$218,450,000.00 in respect of the secondary recovery of oil and refinery modernization was appropriated. However, as at December 31, 1992, the actual disbursements were as follows: From the IDB loan \$257,119,937.00 and the disbursement from the European Investment Bank loan \$11,700,818.00, added together, amounted to \$268,802,755.00, thus an amount of \$49,747,755.00, which was disbursed to Trintoc, still had to be brought to account as distinct from what we apprised this House was the position on Friday October, 30, 1992.

The Comptroller of Accounts has also advised that the sum of \$28,219,711.00 which represents a disbursement under the Eric Williams Medical Sciences Complex loan facility for equipment, was not brought to accounts in the books of the Treasury, when that loan was made back in 1990. It is therefore now necessary to bring the disbursement of \$28,219,711.00 to account as receipts and to make a corresponding book entry in the Treasury to regularize the public debt records.

The amount of \$49,747,755.00 with reference to secondary recovery of oil and refinery modernization, plus this \$28,219,711.00, with reference to the Eric Williams Medical Sciences Complex, has resulted in the increase in the appropriation of \$77,967,466.00. It should be emphasized, Madam Speaker, that this increase would not result in any cash outflow, as there was a matching cash inflow. This, therefore, is merely a book entry.

I turn now to the provision of supplementary funds to meet interest charges on overdraft facilities at the Central Bank. The sum of \$155 million was provided in the 1992 Estimates of Expenditure to meet interest charges on overdraft facilities at the Central Bank. This provision provided, proved to be inadequate as the actual interest charged was \$260.2 million thus causing a shortfall of \$105.2 million. The main causes for the additional expenditure incurred, was servicing the overdraft facility at the Central Bank, and this came about as a result of high net financing requirements during the year, and an increase in the rate of interest charged from 11.05 per cent up to January 14, 1992, to 13 per cent from January 15, 1992. As a consequence, Cabinet agreed that supplementary funds be provided to meet the shortfall.

The financial restructuring of Trinidad and Tobago Electricity Commission: Provision of supplementary funds. Cabinet agreed that the indebtedness to T&TEC as of May 31, 1992, of the Central Government; statutory boards; state enterprises and other agencies be offset against loans and advances received by

T&TEC from Government as of May 31, 1992; that the outstanding balances of Government's loans and advances to the Commission as at May 31, 1992, be converted to equity. The accounting arrangements to give effect to the set-off, had to be worked out by representatives of the Ministry of Finance and T&TEC.

The Treasury instructed that accounts to be settled on behalf of the ministries, departments and statutory boards, should be charged against a 1992 appropriation, while the indebtedness of state enterprises and other agencies be dealt with in a bloc vote for the purposes of effective settlement.

Instructions were issued to the ministries, departments and statutory boards to seek supplementary provision where necessary. Government's indebtedness to T&TEC, as at May 31, 1992, stood at \$88,322,137.00 and Cabinet agreed that this should be settled by the respective ministries, departments and statutory boards.

Head 41—Ministry of Community Development, Culture and Women's Affairs. Members will remember at the Finance Committee, the debate on the first Supplementary Appropriation 1992, Bill. It was disclosed that amounts of \$1,253,000.00 and \$3.5 million were transferred from goods and Services; and Current Transfers and Subsidiaries to meet expenses for CARIFESTA V and the Year of the Arts. Of the total sum of \$4,753,000.00, \$253,000.00 was for the Year of the Arts and \$4.5 million was for CARIFESTA V, which proved inadequate, as there remained outstanding bills.

The ministry was unable to source funds to settle these bills, so it was necessary for Cabinet to authorize the use of fund from the Contingency Fund in the sum of \$1,096,776.00 on the understanding that the advance would be retired.

It should be noted, that at the end of 1992, the actual expenditure was as follows: CARIFESTA V—\$4.5 million and the Year of the Arts—\$1,861,000.00.

Head 44—Ministry of Public Utilities: It was necessary to provide supplementary funds to the Water and Sewerage Authority to enable it to:

- (i) meet its indebtedness to Trinidad and Tobago Electricity Commission; and
- (ii) meet part of the arrears of salary to its monthly paid workers.

Among the conditionalities to be fulfilled for access to the second tranche of the World Bank structural adjustment loan is that the indebtedness by Government and its agencies to T&TEC must not exceed 60 days. In discussions with the Ministry of Finance, T&TEC disclosed that WASA was owing \$11 million

but a payment of \$7 million towards this account would be sufficient to bring the debt owed to the Commission to below the target of 60 days set by the World Bank.

Due to the extreme urgency to meet the payment due to T&TEC and to enable the drawdown on the second tranche, Cabinet authorized an advance of \$7 million from the Contingency Fund. The World Bank's second tranche loan was received in two portions as follows: The first portion was from the Exim Bank and was received on December 31, 1992, in the amount of US \$20 million. The actual portion from the World Bank itself was received on January 11, 1993, in the amount of US \$20 million.

With respect to payment of arrears of salary increases to its monthly paid workers, it should be pointed out, that on December 03, 1992, a settlement was reached in a dispute between the Water and Sewerage Authority and the Public Services Association, and among the agreements concluded was payment of part of the arrears of two percent salary increase, over the period 1987 to 1992, approximately \$7 million to be paid by December 15, 1992.

The Ministry of Public Utilities was only able to source \$3.8 million from savings. It was necessary, therefore, for Cabinet to authorize an advance of \$3.2 million from the Contingency Fund to meet this overdue amount that had been due since 1987. It has, therefore, now become necessary to retire the total sum of \$10.2 million advance from the Contingency Fund which is being met by a transfer of funds as indicated in the schedules provided to Members.

With respect to the aforementioned, the following are submitted for the information of hon. Members:

7.35 p.m.

The provision of supplementary funds to meet interest charges on overdrafts, the shortfall of \$105.2 million was met by savings under Head 19, Charges on Account of the Public Debt, \$30,883,000; Head 20, Pensions and Gratuities in the amount of \$8.2 million; Head 24, Ministry of Legal Affairs, \$10.884 million; Head 45, Ministry of Agriculture; \$5.4 million; Head 26, Ministry of Education, \$26 million; Head 36, Ministry of Housing and Settlements, \$23.833 million—adding up to the respective \$105,200,000.

Regarding the financial restructuring of T&TEC, the debt due to T&TEC was met from savings in the amount of \$88,322,137, as follows:

Head 28, Ministry of Health, \$83,439,231.

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Head 36, Ministry of Housing and Settlements, \$3 million.

Head 47, Ministry of Foreign Affairs, \$1,882,906.

Totalling the amount required, \$88,322,137.

As regards the transfer of funds between subheads under the same head of expenditure with respect from August 1, 1988, Cabinet delegated this authority to approve transfers between subheads to the Minister of Finance when it agreed *inter alia* as follows:

“Request for transfer of funds between separate subheads under the same head of expenditure should no longer be submitted to the Cabinet, but can be decided by the Minister of Finance on the advice of the Budget Division.”

Consequently, Madam Speaker, the hon. Minister of Finance authorized the transfer of funds between subheads, under the same head of expenditure as shown in the Schedule.

In closing, I wish to remind Members that this Bill will increase the 1992 appropriation by \$77,967,466 and, therefore, the total amount to be appropriated for 1992 will, therefore, be \$8,310,935,963.

I beg to move, Madam Speaker.

Question proposed.

Mr. Basdeo Panday (Couva North): Madam Speaker, what we are witnessing here, I think, is known, I have been told, as a trade union strategy. The Minister will probably agree with me. That is, you carry the negotiations way into the night, about 3 o'clock or 4 o'clock in the morning, and by that time everybody is so tired, they are willing to sign anything. I hope this is not a strategy, because I am afraid it is not going to work tonight.

As I understand this Bill before the House, it is really a Bill in the pattern of Bills that have been coming before this House for almost every year for the 16 years that I have been here. Year after year, we come before this House to engage in a kind of ritual re-enactment of situations such as this one before the House today, where what we actually do is condone and rubber-stamp Government's violation of its budget proposal.

And for the 16 years that I have been here, the same speech is made on the Government side and the same speech is made on the Opposition side—even when the PNM was in the Opposition, that was no different. It seems to me that the

1992 budget was no different. The 1992 budget was delivered, we stayed in the House and we debated it—a lot of fury—meaning nothing, really, because as soon as our backs are turned the Government does what it thinks is in its interest to do, at a particular time, knowing that it can come to the House and vary the appropriations.

I want to take a different kind of argument tonight, from the kind that has been taken in the past. But I think I cannot do that without making reference to some of the measures that are being introduced, or that we are being asked to condone. For example, we see here in the 1992 budget, that provisions were, in fact, made for the payment of interest, and now the Government has found itself in the position where it needs more money, and so it is moving some \$105,200,000, or has moved, rather, to pay this increased interest. I think it is significant for the public to know where these moneys were moved from; and it gives an indication to the public of the attitude of the Government—its thinking—when it needs money, where it will go to transfer it from.

My records indicate that in order to do that, they took money from Charges on Account of the Public Debt; they took money from Pensions and Gratuities, that is to say, under Head 20, subhead (4), some \$8 million; under General Administration, over \$3 million; under General Administration, again, \$3 million; under Law Commission, \$84,000; Social Infrastructure, \$3,200,000; multi-sector and other services, \$10,884,000; from the Statutory Boards, \$1,400,000—and that is from the Ministry of Agriculture, I think; from the Development Programme, economic infrastructure, some \$4 million, which amounts to about \$5,400,000 from that department.

In the Ministry of Education. We have just seen that a Green Paper came before this House with all the grandiose plans for education. But in 1992, what happened was that some \$26 million was moved out of education in order to pay the interest on these debt charges that were incurred. Under National Housing Authority they took \$2.5 million; Social Infrastructure, \$21 million.

7.45 p.m.

So it seems that every time the Government needs money to do anything, it is the people who get hurt. Things, like social infrastructure, which have to do with the well-being of our people—this very safety net that they keep talking about so much they take money from that to pay interest. Maybe they have to take the money to pay interest. Maybe they could not anticipate that they were going to need that kind of money to pay this additional interest. But they take it out of

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Social Infrastructure; they take it out of the development programme; they take it out of the Ministry of Agriculture; they take it from the multi-sector social infrastructure. That is the kind of area from which they take it.

The Minister mentioned that some \$88,322,137 is being moved from one head to another in order to meet the bill of the Government to the Electricity Commission. But do you know where these moneys come from? They come from the Ministry of Health: \$17 million—moneys which were allocated for hospitals and laboratories, some \$6.5 million of it, they move out to pay debts. Allocations to the District County Health services, \$24 million; from General Administration, \$450,000; Hospitals and Laboratories, \$5,300,000, and so on, an amount totalling some \$13,200,000.

So that we see who suffer when the Government decides that it has to find money to pay its interest. It takes out from the statutory boards, from the social infrastructure, some \$30 million; from the Ministry of Housing, \$3 million all totalling this \$88 million it has been looking for. If you go through the documents that the Government has presented—I found it very strange and I could not understand because they just chop off, as though the budget meant nothing. That is the point I am making. If you chop off \$24 million from something you had voted for, education and health then it means nothing. There is no explanation to the people at the time. Having delivered a budget and raised their hopes and told them that there would be allocations for hospitals and schools and so forth, you change that without telling them a word and you come here very insidiously, like a thief in the night, and say, we come to this Parliament for approval.

What I could not understand though—I am reading from the minutes of the Finance Committee. It says that some \$280 million was included in the estimates for 1992 in respect of only the ADB loan, but the Comptroller of Accounts has pointed out that at December 31, they had actually forgotten to include \$49,747,000. I do not understand how that can happen. I do not want to labour on it. I am sure they will have an explanation for that as we go along. I cannot imagine how something like \$28,219,000 would not be reflected in their costs relating to the Mount Hope Medical Complex. I find that extremely difficult to understand.

The point I really wish to make is, we shall always be in this kind of trouble, where, during the year we are scrambling for money to pay interest on loans which we have borrowed, because either there is a change in the interest rates or we have omitted some debt that we did not think of, and we come to the House

and we pass a budget, argue about it, and having done that, during the year, in this scramble for money, they take moneys out of hospitals and old age pensions and all sorts of things.

That situation, as far as I know, goes on all the time, and has been going on for a long time and will continue to go on. What we ought, really, to be talking about, is probably not this Bill at all, not how to move money out of one head and put it under another head, what we ought to be talking about is something very much more fundamental, that is, the cost of running the Government. It seems to me that as long as the Government persists in its concept that it has got to keep the cost of running Government at the present level, it will always be in financial trouble or it will have to tax the population. There is no way it can get out of that. Once you decide that you are going to maintain that cost of running the Government, then I cannot see how you will ever get out of situations like the present one.

If you look at the figures, you will notice something. In 1970, the total amount of revenues in the country was \$327.9 million; in 1971, \$363 million; in 1972, \$415 million. Those are part of the Central Government's revenues in those years upon which the budgets were based. In 1974, it went to \$1.387 billion; in 1975, \$1.847 billion; 1976, \$2.303 billion; 1977, \$2.991 billion, 1978, \$3.126 billion, 1979, \$4.059 billion; 1980, \$6.495 billion.

If you look at the corresponding figures you will see what happened to the moneys they collected from taxes in those years. In 1970, the Government collected in taxes on incomes, \$132 million; 1971, \$145 million—I am rounding off the figures—in 1972, \$171 million; 1973, \$216 million; 1974, \$906 million; 1975, \$1.2 billion; 1976, \$1.4 billion; 1977, \$2 billion; 1978, \$1.9 billion; 1979, \$2.6 billion; 1980, \$4.6 billion; 1981, \$5 billion.

7.55 p.m.

If one goes on, one would see that taxes on incomes and profits for 1985 were \$4 billion; in 1986, it came down to \$2.9 billion; 1987, \$3.9 billion and so on. What are these figures showing? These figures show that prior to the oil boom the population of this country was called upon to pay taxes in relation to the Government budget which was in the region of \$300 or \$400 million, because the cost of running the Government at that time was related to these figures.

What happened, obviously, was that during the oil boom, the Government increased its cost of running the Government and it satisfied the shortfalls by its revenues from oil. So, although it had a deficit budget—the Prime Minister was

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famous for saying that expenditure equal income, which was not really correct. What was happening was that the money that was coming in from oil went into special funds, but they were being used to finance a high cost of running the Government. Now the bottom has fallen out of the boom and the Government is left with a high cost of running the Government, what is the result of that? The result is a tax burden that the community is unable to bear.

I am not saying that alone. In today's newspapers, *Trinidad Guardian*, of March 17, 1993, at page 3, it states "Rooks sees return to PNM high tax policy".

Mr. Maharaj: They may say that Mr. Rooks sponsored this debate.

Mr. B. Panday: Mr. Rooks did not sponsor this debate. We did not receive any cash either in contribution or otherwise.

"Independent Senator John Rooks views the measures in the Finance Bill, 1993, as 'a return to the old PNM policy of increased taxation.' "

I would leave out the part where he talks about business and so on.

"...Government should be ensuring that the people who provide the jobs have the maximum funds available so that they can expand.'

Rooks said higher taxation did not provide jobs. 'In fact, it does just the opposite,' he declared. He said it results in a loss of jobs because the business sector cannot afford to expand, nor can it afford the total quality programmes, overall efficiency and training required..."

He went on to add that:

"...the PNM had not learnt a thing from the 30 years that they were in power.

'We should not blame the IMF, World Bank, Japan, and all the lending agencies for all the country's problems. Our problem has just been found by Minister Valley,..."

I thought he found the problem and he found Valley, but that is besides the point.

The point I am making whether he is an expert or not, it is a serious comment. It is a comment that this Government is returning to its old policy of higher taxation. I am saying that the reason is that when the Government comes here to just talk about shifting money—that is all it does—what is it shifting money for? The Government is shifting money to pay \$105 million in interest and taking it out of health, people's pensions, public assistance and so on. But the Government has to do that as long as it continues to keep its expenditure that high. Let me put

it clearly. I am talking about the cost of running the Government. By keeping the cost of running the Government that high, it is forced to impose high taxation, and when it imposes high taxation it has a tendency to depress the economy.

Mr. Mottley: Madam Speaker, bearing in mind that the debt service of the country is over 30 per cent and the cost of paying wages and salaries is almost 40 per cent now, and the clear recommendation from the Leader of the Opposition to shrink Government's expenditure, I wonder how he is marrying that with his trade union position.

Mr. B. Panday: Madam Speaker, I anticipated the hon. Member would fall for that one. What I am talking about is the cost of running the Government. I would come to the point he is making later, and I am glad he did.

As one knows, this is not a moot point, because this is the very point that is engaging the Government of the United States at the moment. President Clinton is trying to find out how to reduce his deficit on the one hand, and on the other hand how he is going to stimulate the economy. That is the problem. Is it not? How to reduce the deficit, and at the same time, how to trigger the economy? How to deal with the depression, recession or whatever it is? I am saying that is what the Government should be doing.

If the Government does that, and the cost of running the Government is reduced, then that may be the answer it is looking for. It means that it will not have to impose so much taxation. If less taxation is imposed, demand may increase, and if the demand increases, it may be able to trigger the economy upward.

I have said it before in this House that the Government can decrease the cost of running this Government if it is able to eliminate corruption, waste and mismanagement.

Mr. Maharaj: Accountability; access to information.

Mr. B. Panday: That is it. It is believed that approximately 20 to 25 per cent of total Government expenditure goes in corruption, waste, and mismanagement. If the Government reduces that, it would reduce the budget immediately by \$2 billion, and therefore, taxation would fall by \$2 billion. That is the answer, but it is the one thing the Government does not wish to hear.

Maybe the Government believes it cannot do it, and I believe it is right. It cannot do it because of the present situation in this country. I have said it before, and I would say it again: The Government is part of the problem and it cannot be

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part of the solution. It is not possible. It would have to go. All the problems with respect to corruption, the Government created them. *[Interruption]* Leave Tobago out of this.

All the corruption that is taking place in this society, the PNM created it. How can the PNM ever deal with eliminating corruption? It cannot! Inflating the Public Service; blowing it out of proportion. Who did that? The PNM did that for political patronage. How can the Government undo it. The Government is part of the problem, so it cannot be a part of the answer. That is not possible. *[Interruption]* You are talking about the Port. The problems at the port were created by the PNM; the problems at WASA were created by the PNM; the problems at the PTSC were created by the PNM. All those buses that have been cannibalized. One can look around this country and see buses cannibalized to the point of obscenity. *[Interruption]* Yes, you created that as well.

8.05 p.m.

All these buses being cannibalized. If the Government were efficient, do you think all that money would have been spent on this country? The Government would not need so much money to run the Government and it could provide the services. That is my answer. I would come to another point; the Government can even provide better services. *[Interruption]*

You are taking my advice. We want to say that it was too much. We give you only a little bit *[Interruption]* Every time we talk about reducing the cost of running the government they try to put us in a bad light by saying we are talking about LIDP, Special Works.

I am saying that LIDP takes of about \$140 million. The Government's budget for 1992 was \$8.3 billion for the year. To govern 1.2 million people the cost of running your government is \$8.3 billion. Do you know something? I do not know what is happening at the Statistical Office, but this is the only population that I know has remained constant at 1.2 million people for the past ten years—you cannot blame it on the population because it has remained constant for quite a while.

If that is the case it is costing more per head of population to run the government and the only way you are going to get out of these kinds of problems is that you have got to reduce the cost of government, and there is no way you are going to do that unless you are able to deal with that problem of corruption, the problem of waste and the problem of mismanagement.

Unless you are able to tackle very seriously these problems at that kind of level, every year we are going to come to this House with a budget proposal like this in order to vary. I am not talking merely of administrative reforms. It seems as though the Minister responsible for Public Administration thinks that his talk of administrative reforms is going to be the panacea for all ills. He is true to form. As a university lecturer—and I have nothing against lecturers, of course—he languishes in the realm of theory and cannot extricate himself from theory into practice. He advises everybody what to do. If the NAR failed to deal with the problem it is because they took his advice.

My point is that you have got to move out of the realm of that theory. Let me give you a good example of what I mean. I am going to give you the most ridiculous example. Because it is only when you reduce it to that level that the point is made. Papers are laid in this House from time to time. Do you know how much it really costs to lay a paper like this in this House? People preparing it and a lot of money for the paper. This is a reconciliation statement for the year ended December 31, 1991. And do you know what it deals with? It is an income statement for the year ended...for the 'Custodian of Enemy Property'.

I used this deliberately, like when I used my sucrier fig and had all of you getting all the farmers in the country angry by saying that we have oil and gas. What are you talking about sucrier fig? Tell me something. Why in God's name are we persisting in keeping these archaic, outdated and costly items as part of the administration? *[Interruption]* I found this was absolutely funny when I read it. They keep running a book account of \$123,416,051.00. I want to know where that money is. Where is that money? They took money from Mr. Simmer and Schmit—\$226.00; from Mr. Stein Brenna \$2.63; Mr. Augar Schinder \$14.11—there is a credit.

I raised that matter merely to highlight the point I am making. Do not tell me you have to fire somebody in order to stop this nonsense. I referred to this since this is the one I came across. If you cut out mismanagement, waste and, of course, the corruption at all levels, you may not have had to move a single cent in this Bill that is before the House.

I move to another situation that is only less ridiculous but equally insignificant. In an answer to question No. 19 filed by the Member for Fyzabad. We spend this kind of money for no service. In a contract do you know what they call that? That is money paid for which we have received no consideration.

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| Overseas Mission | Total Expenditure |
|---------------------------------|--------------------------|
| LONDON | \$6,889,284.00 |
| WASHINGTON | \$2,822,507.00 |
| NEW YORK | \$3,559,030.00 |
| (Mission to the United Nations) | |
| NEW YORK (Consulate General) | \$4,135,178.00 |
| TORONTO (Consulate General) | \$1,964,250.00 |
| OTTAWA | \$2,053,019.00 |
| CARACAS | \$890,117.00 |
| KINGSTON | \$1,051,920.00 |
| GENEVA | \$2,995,211.00 |
| (Mission to the United Nations) | |
| BRASILIA | \$1,053,156.00 |
| NEW DELHI | \$1,121,693.00 |
| BRIDGETOWN | \$953,732.00 |
| BRUSSELS | \$2,670,665.00 |
| LAGOS | \$ 855,518.00 |

This is money for which we received no consideration. What you can do is — we are not talking about firing people. We are taking about making them productive and if you convert them into productive units whereby they attract investment and improve trade in the economy, that too, is a form of reducing the cost of governments.

8.15 p.m.

I want you to distinguish the point that I am making with spending as opposed to the cost of governing. I looked at these reports that you gave me and I see many areas in which we can deal with the problems raised by the Member for St. Ann's East. On the question of the prisons, we on this side have said many times that the prison should be self-sufficient. It does not matter whether the BBC goes in or not. The prisons should not only be self-sufficient, but should also be providing goods and services for many other institutions for which we would not have to pay. That

is a method of reducing costs by millions of dollars. [Interruption] I am very happy.

This reminds me that I wanted to walk with a document this week. My problem is that these files get bigger and bigger. This is *en passant*. Someone from San Fernando gave me a document in which it is stated that hundreds of thousands of dollars of drugs were given to the Government and it refused to accept it. It was not the Jamaat. This was a group from San Fernando. I will raise it one day when I have time and when I remember.

Mr. Maharaj: Dole Chadee?

Mr. B. Panday: No! No!

There seems to be a problem in this country in connection with the receipt of gifts and donations. There are many areas if you look at this country, for example, in the port the people themselves want it to be efficient. I have received a copy of a proposal for rationalizing the port from the Port Authority itself.

Mr. Sudama: They bypassed him.

Mr. B. Panday: I cannot help if they bypass him. Everybody comes to me; they do not go to Mr. Keui Tung.

Of course, they will agree with me that in nearly every single state enterprise they can reduce the cost of running the enterprise without reducing the services.

Mr. Sudama: Look at Iscott.

Hon. Member: Stop paying the bills.

Mr. B. Panday: We are not saying to stop paying the bills. That is not the point. I do not think that you understand. I had better sit down. At this hour of the night you have gone to sleep.

How are you going to ensure that any kind of thing like that takes place in the country at this stage? Surely, the initiative to do that does not only belong to the Government. That is the second leg of my argument. The initiative to ensure that we reduce the cost of running the government need not necessarily be on the Government alone. It should be upon the entire Parliament. This entire Parliament should concern itself with the problem of the high cost of running the Government.

So, I make another suggestion. Let us set up a standing committee. From the moment I say that everybody on the other side starts trembling. Let us set up a

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standing committee of Parliament to identify the areas where the cost of running the Government can be reduced. We are prepared to do that.

Mr. Maharaj: They would not agree to do that. That is taking away power. Standing committee?

Mr. B. Panday: The argument I am really trying to make is that with more efficient utilization of less resources, we can provide greater benefits than are being provided today. To do that, not only do you have to take the measures which have already been taken, but also you have to do something else in this country.

You might find it strange that it should come from this side. You have to change the work ethic in the country. There is no way you are going to get away from that. Do not ask, how can I say that as a trade unionist, because we have always said it. In any case, the union which I represent the workers are paid by the task. If they do not have any ethic, they are not paid. That is beside the point. We have to improve the work ethic in the country so that there would be greater productivity.

How can you increase and enhance the work ethic when the Prime Minister tells a large section of the community that they only have to behave bad and they would be given a URP job? [*Interruption*] You did not read it? You must read. You are culturally incapable of looking after yourselves. When the Prime Minister tells a large section of the population that they are culturally incapable of looking after themselves, some other group can look after themselves, he is destroying the work ethic. That is the argument.

Once you destroy the work ethic and you make people in this country believe that if they get up rant, rave and play bad-John, and block up the road, they will get handouts not only are you digging your own graves, but also you are denying yourselves the opportunity of dealing with that question of the work ethic.

These, humbly, are the points I wish to raise. At this hour of the night I do not think I can take my 75 minutes. I put this out as a suggestion. It has always been said that we on this side, the Opposition, destructively criticize. Tonight, we have put forward suggestions, and I shall be grateful for any kind of response. Maybe they are not worthy of thinking about and if they are not, then say so. I do not mind. It would not be the first time that my advice has been ignored at the peril of the advisee, not the advisor.

I hope to hear from my friends, Madam Speaker.

Mr. Raymond Palackdharrysingh (*Caroni Central*): Madam Speaker, tonight, I want to look specifically at what has transpired in the Ministry of Education in 1992.

When you look at the Bill, you would see that moneys were removed from the development programme of the Ministry of Education to the tune of \$26 million. What was the total of that development programme? I want to look at the 1993 Draft Estimates that give you the figure for 1991 and 1992. In 1991, the actual expenditure on the development programme was \$73,699,504.00; 1992 estimate was \$61,100,000. That meant that the Ministry of Education, for 1992, in terms of developmental work, had merely \$5.844 million at its disposal. If that is wrong, the Minister of Education should be kind enough to correct me, but these are the figures I am seeing here.

8.25 p.m.

The question that has to be asked tonight is: What is the priority of education in this country by this Government? What concerns do the PNM Government have about the future of this nation as it relates to the entire school system? If they are going to have the transfer of \$26 million from the Development Fund that would include the social infrastructure, school buildings and other services, what, therefore, is that saying to us in this country? It says, very clearly, that this Government has very little concern for education, more particularly, for the development of the youths of our country.

That is a significant point. It has to be noted. The Ministry of Education consumes a significant part of the budget—it might be the biggest slice—but it also deals with a population that it has to sustain whether it likes it or not. How can we ever think about moving this country forward when we have a very low priority for education?

If you look at the net increase in population in this country each year, you will see that it is approximately 20,000. Almost every year, there will be 20,000 new persons in this society and, therefore, that population has to be taken care of. If they budget money for use in a particular ministry, and during the term of office slash it because they have to meet commitments of a public debt, they are saying that their priority is really balancing their budget, but in terms of the human response, there is no concern about that.

Madam Speaker, you have to agree that if the educational sector of the society is neglected, the ultimate progress of this country will be retarded, the quality of life will deteriorate, and, of course, the social cost of that will be irretrievable, as

we are seeing today. The onus is now on the Government to justify and explain to the country why in the face of crisis after crisis in the educational system, they have the gall to withdraw \$26 million out of the Development Fund in education to pass it on to paying the public debt. It is immoral. It is unthinkable in a modern society like this, to give education that type of treatment.

When you look at what is estimated in 1993 for development, you will see in that development pattern a number of projects that were targeted in 1992, recurring. The Government, for example, is not able to say how many new schools they have built. The Government is not able to say how many additional teachers have been trained. The furniture in many schools is extremely bad and, of course, when you look at 1992 and continuing in 1993, you will see a number of schools with vacancies, particularly at the levels of principal and vice-principal, that have not been filled. If that is the concern for education, then it is a very sorry sight for us. It has to be because it is the same thing that is continuing.

You will recall, not long ago, that principals came together and said that they could not function in the senior comprehensive schools because where they used to have quite a bit of money in the years gone by, they are now finding it very difficult. Crash crunch for comprehensives. You will see the crisis that education is in because they are reducing the budgetary allocations and they are not giving education the treatment it deserves.

Secondly, I want to restate a concern that has been expressed from this side time and again. When Parliament takes a decision, that is, budgetary allocations are approved, that means that it is expected that moneys so approved would be expended for the particular Heads they are appropriated to and, therefore, it would seem logical that before these transfers could be made, at least there ought to be the endorsement of this Parliament. But, here, sizeable amounts of money are being transferred by the Executive and we have to come back and now deliberate on this. Is there not something wrong with that?

8.35 p.m.

Madam Speaker, there has to be something wrong with that, because here it is that the Parliament has indicated its preference or given its mandate for moneys to be spent in special areas, but contrary to what is expected, it is moved. The rubber-stamping begins again. So this would suggest to me, very clearly, that because of the importance of education in this society, as in any other society, the size of expenditure on education and the age group we are dealing with, it is necessary to monitor the spending on education so that the country would be

assured of value for its money. And those who have to be protected at a particular age would be given the sort of support necessary. Going through this exercise tonight would show that the system under which we operate today is far too inadequate.

As a matter of fact, the size of expenditure on the education system has to justify the setting up of a parliamentary committee to monitor the education system. If it cannot, then we will have to go through this rigmarole all the time. I want to indicate that because of our failure to treat the education system with the seriousness and the recognition it deserves, we are reaping the whirlwind out of the system. Whatever this society is going to be, five, 10, 15 years from now, always remember it has its genesis in the education system, maybe beginning from the home, but, of course, being buttressed and reinforced by the education system. But we are not seeing that.

What we are seeing today is young people 15, 16, in their 20s who are now slit-throaters. You go in your taxis and whatnot and when you discover the criminals, they are people who should have still been within the confines of the education system, but because the education system has failed, there are now young people on the streets of this country who have gotten nothing from the system and whose only way to survive is through crime and violence.

If the crime rate is soaring, the education system has to accept part of that responsibility because it is failing this population. If that is the case, then we have to do something about it. If the resources that we have cannot meet the needs and the requirements of the society, it is because we are planning badly, not making the optimum use of the resources or the population is just too large. If the population is too large, it seems to suggest that the population itself has seriously flawed government's planning.

When I read the Minister of Health's statement that health cannot be a free service any longer to the general public, and he then makes the statement that too many people who are not nationals of this country are now tapping the social services provided for its citizens, it is suggesting that in this society we have a problem with the population. We have not identified whether the birth rate is too great or if it is eating up the gains that we make or it has not been identified whether or not we have a population of immigrants that we have not catered for. That is important for us to determine.

I have been trying for the past few months, really, to get copies of the census report done in 1990 and up to this present day I have not been able to get that comprehensive report. I do not know why its publication is so slow. We cannot know the truth about this society unless we begin to find out these things.

I have made those general points but, you see, only today in the newspapers one educator has shared his experience. I am merely using his experience not to verify how correct he is, but to take his experience as a person who has been in one area of education. Fr. Gerry Pantin has said in the newspapers today that some time ago, this country could have boasted about 15 per cent illiteracy. Today, the illiteracy rate has gone up to about 40 per cent and he calls it "functional illiteracy". That is, even though people might be able to write their names and so on, in terms of some skill, in terms of being able to do things to earn a living, perhaps, they are not able to do it. This is a most serious observation in the society. What is this society producing students to do?

When you go through all that has been stated in some of the recent pronouncements in the newspapers, you are going to see so much confusion in the PNM camp about education. One moment they are saying that they are so proud about their educational heritage, then the Minister of Education has to admit there are so many mortal sins in the education system, among them being student indiscipline. Then you would hear the Prime Minister making statements that there must be moderization of the education system and, at the same time, that the Common Entrance Examination has to go. So all these things and yet with all the difficulties which are existing in the school system at the moment, the Government is going to slash \$26 million away from its development thrust to pay debt. Is there another way the Minister of Finance and economists can find and leave the school system alone?

Mr. Ramrekersingh: Palack, you are talking foolishness.

Mr. R. Palackdharrysingh: Get up and reply if I am talking foolishness; that is why you are the Minister of Education.

I am saying these things and apart from that, I do not know if the Minister of Education lives in Trinidad. He has not seen the number of children of school age who have been wandering and straying on the streets of Trinidad and Tobago, more particularly in the urban areas, when they should be in school? What is the education system doing about it? Nothing at all.

What happened? Does the Minister not have a conscience or can he not deal with the PNM? This is a serious thing. Any time there is a Ministry of Education they are the conscience of the nation. If their view and their will cannot be expressed, then pack it in. Do not come and tell me I am talking foolishness and not get up and show it.

As a matter of fact, the most recent study done with respect to the poverty line would show that the poverty line has moved from 20 per cent to something nearer to 30 per cent. So let me just look at what is happening. Headlines from March 14, 1993: “Blades in the nation’s school bags”, and then later on the next page “War is brewing”. And the Minister of Education has the gall to say I am speaking foolishness. Then they talk about “When war babies grow up”.

Madam Speaker, this Government have shown that in spite of the social consequences in this country, they are not prepared to give even the minimum to education.

I recall when the PNM was in Opposition and we looked at what the NAR was then doing in terms of education. We opposed the Cess Act. Today, it is still there and then when it is going to be removed, it is going to be increased—and they opposed it. So you see, if you are moving money from education, it might have been reasonable to move it from education to education, but that is not happening. Now we hear students are being urged to unite to protest increases in fees.

I want to suggest to you that all that has been happening is not by mistake. They have a calculated plan to put surplus labour on the market—labour that is not skilled, labour that will not demand a high reward for its training and, therefore, when you have the surplus on the market, then, according to trade liberalization, when you need cheap labour, you are going to have it. That is the ultimate. This is the education system now being fashioned to meet the needs of the new economic order.

I might have thought that the education system would have been fashioned in such a way that it would have been the initiator of new methods and technologies and whatnot for the market-place in terms of innovation, creativity and so on but that is not happening. With all the problems we already have in the education system, the PNM is exacerbating them.

A Green Paper on education has been laid in this Parliament. No matter what is being said in that Green Paper, we are going to see two major considerations recurring:

- (1) the finance to put it together; and,
- (2) whether or not the Government has the political will to do anything about it.

We are going to see that 1995/1996 will be around and we are going to be in the same position or even worse.

There is also now a move to privatize education to some extent because when the Government cannot or will not provide, they are now going to contract secondary schools to take up the slack. But that is reverting to the position that we came from. Any society that does not put a high premium on the educational development of its people would be a doomed society, and this is where we are going.

What is important to note is that the nature of the society that we existed in built its education foundation from slavery to the present time on some of the tenets that existed in the metropolitan countries then. That is the foundation. Basically, it still pervades the society. But we have been a multi-ethnic, multicultural society and the education system is failing to respond to that situation, although we have had independence for so long.

The education system ought to have been the liberating experience of this society, but sadly it is merely in the back pockets of other education systems. When you look at the education system, for the Minister to say the cost of education is too high and that we have to step up security in our schools, and at the same time indicate that indiscipline is a real problem and then to look, see and hear the statements coming that we need to go back to moral values, it is distressing to say the least, and this is the point.

It means to say the education system all through the years has been existing in a psychological, philosophical and moral vacuum. This education system is failing because it is not rooted in the ethos and character of the society. Do we not see that?

Madam Speaker, I want to indicate today that they cannot take moneys away from the education system because our young people are crying out daily for some measure of sustenance with respect to preparing them for life. We have to admit that while so many big plans went up, those of us who worked in comprehensive schools, would realize how debilitating it could have gotten because, while people were present in the schools, there were not the support systems to deal with the students.

Education is not like many other things in society. Education has to be special in its own right. Education has to be the sort of electricity that drives the nation to its goal and destiny. When we play with the lives of our young people, then we do not care.

In 1992, for example, it is reported that pupils were on endless recess, 46 schools were closed for health reasons, "School under attack", bright children

who cannot learn normally, all these things, lot of literature on the education system, but yet no proper response.

I find it passing strange that the PNM Government is aware of all that I have said, in spite of the pronouncement of the Minister of Education that I am being nonsensical. All their utterances are here in the newspapers and so on and yet they are not taking the necessary steps, but are brutalizing the system by removing such huge sums away from education.

Education is now becoming the preserve of a special group in the society and the more education becomes the preserve of a special group in the society and the more masses of children are marginalized into being street people, being little beggars all around, we are going to have a society that is destined to have many social problems.

Sometimes I wonder whether or not young people who have involved themselves in crime, have any consciousness or perceptions at all of whether they violate a moral code or not. If they do not, then it means that the basic values have not been passed on, and when our young people have reached that stage, then it is easy for anyone to put guns in their hands and tell them anything that might seem exciting to them because they cannot make a simple moral judgment as to good or bad or as to the sanctity of life.

The education system has done nothing at all to alter this. I often wondered, having worked in a secondary school and seeing for myself how it operates, how it is that students were able to find a locus in the society in terms of what their own worth was. In that scenario, I found that people did not care. I see a new thing—I do not know if it is a new concept—but something that I have been, in my own former profession, trained to handle a bit, something called pastoral care, that kind of thing.

Madam Speaker, you would recognize that when you are dealing with students, if you do not deal with their social, emotional and even spiritual problems you can make no advancement with them in terms of learning other disciplines. That is so important and it is only today I hear them talking about this.

Apart from that, one would recall, as often as I have spoken in this Parliament, I have said that there is always the need for what I consider to be a moral, ethnical education for all our students in the schools. I put it that way, because I do not want to be a religious or a denomination bigot. But I want you to understand is that one does not have to adhere to any special creed in order to have inculcated moral and spiritual values. The education system could devise a value system that

does not have to be labelled in a particular way and still use it effectively to humanize and moralize our young people, and that is extremely important.

I have said previously—and I want to repeat it, again—that unless the education system can harness some of the more generally acceptable points in the value system by having the various theologians come together without a label and give it to us as part of an education package, the educational system in this country is going to fail. But, Madam Speaker, more than that—

Madam Speaker: Are we still on the Finance Committee Report?

Mr. R. Palackdharrysingh: I am on that, because I want to show you how when you take resources away from the education system, you are not able to provide for what ought to be provided. I think that is very simple and clear to see. If that cannot be seen, Madam Speaker, I hope that you will have your indulgence to make these points because they are very important.

Madam Speaker: I note your points on the Green Paper, but I am looking at the Finance (Supplementation and Variation of Appropriation) (1992) Bill, actually.

Mr. R. Palackdharrysingh: Madam Speaker, 1992 is not so far gone.

Madam Speaker: Those are beautiful comments for the Green paper on education.

Mr. R. Palackdharrysingh: Madam Speaker, in due course, you will hear me at length on the Green Paper.

Let me come back to 1992. I want to ask the Minister of Education and the Government, of course, to tell us what they have done or why they have not done certain things to improve the education system.

Madam Speaker, what is the present situation in comprehensive schools?

Madam Speaker: I cannot allow you to go into that at this point. We are dealing here with the transfer of \$26 million. I do not see how the situation in the comprehensive schools is applicable. I think the Member has strayed. That is why I was asking if we were still on this motion.

9.05 p.m.

In 1992, the Development Fund dealt with social infrastructure; and if you think well about developmental funds, it means that you ought to have been in a position to bring about additional amenities, services and equipment: that is the

nexus. You cannot have problems identified by the school authorities, the press and public at large, and not ask, why has something not been done about it. Or, if you had development funds, were they spent on the projects that were identified? If those projects were identified, could someone from the Government respond and explain?

Madam Speaker, as I have said before, how can you have \$32 million for development purposes and \$26 million is being transferred? In that context, you are beginning to see the connection, and because education is such a dynamic area of endeavour, they are all related. I think the hon. Minister would agree with me on that. In terms of development funding, we had several complaints in the primary school system...

Madam Speaker: The Member for Caroni Central is very experienced, but probably, he has forgotten: Standing Order No. 70 (1) states—

"If from time to time, whether in the course of a particular financial year, or after its close, a Supplementary Appropriation Bill is presented appropriating only proposals which have been approved by the Finance Committee and agreed to by the House, under Standing Order No. 69, (Supplementary Financial Provisions), then the debate on the second reading of the said Bill shall be strictly confined to the matter for which additional expenditure is required; and, when the question thereon has been agreed to, the Bill shall not be committed..."

This is Standing Order No. 70. You have strayed far and wide, and I am trying to get your attention back to the subject matter of the Bill. I cannot allow you to go ahead into that question of the Composite Schools at all.

Mr. R. Palackdharrysingh: Madam Speaker, I have indicated very clearly that...

Madam Speaker: I could have understood your point with respect to the transfer of \$26 million, and the effect it would have, but I now think you are becoming a bit irrelevant.

Mr. R. Palackdharrysingh: Just permit me to clarify my position. If you are transferring money, obviously that money was voted or allocated for particular reasons, and if those reasons have not been satisfied, then the onus is on the Government to indicate to us, why they were not satisfied and why were the funds removed from their original allocation. Of course, it is stated, that these funds are going to be allocated towards meeting interest on the public debts. If that is so,

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Madam Speaker, it simply means, that the development areas to which the moneys were allocated have now been frozen. Therefore, it affects the projection of where the education system should be. That is my point.

Madam Speaker: That is what I am saying: You have already made your point twice over, in that, it should not have been transferred from the heading of Education to the Ministry of Finance, but when you begin to meander into the comprehensive schools, you are way off beat.

Mr. R. Palackdharrysingh: Madam Speaker, am I not permitted to justify the negative impact on the system? When I talk about development in the education system...

Madam Speaker: You are expected to confine yourself to the matter for which the additional expenditure is required. There is no additional expenditure here.

Mr. Valley: Madam Speaker, one wonders whether under strict interpretation of the Standing Orders, one could in fact talk about that matter?

Madam Speaker: The Member wishes to make a point. At this stage of the debate, however, I think he is very irrelevant. The 45 minutes speaking time of this Member has expired.

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

Question put and agreed to.

Mr. R. Palackdharrysingh: Madam Speaker, having taken \$26 million to pay for the debts, I want now to focus my attention on the necessity to meet the debt obligations in such a manner as to deny the education system that portion of money allocated to it. Was it not possible for the Government, perhaps in this instance, if it could not meet its debt obligations, not to interfere with the education system and find other options?

The Government has indicated that we have an obligation to meet and honour our debts to foreign institutions, because it is important for our creditworthiness; but at the same time, it is also important to remember, that it was not the only option to take. Because taking that option, we are now following an economic path that would lead to serious repercussions in the society.

What was the real difficulty in trying to reschedule some of the debts? I am asking this, because that could have been an option? The Government has

followed an option that has put the squeeze on education and some other systems in the society, and has caused us to suffer very negatively. In that scenario, today, not only in the education system, but with all the other cuts, we, in the society, are heading in the direction of more and more social disequilibrium.

9.15 p.m.

Madam Speaker, when they say we have to meet the foreign debt, it became obvious that we had to meet serious repayment debts to our international institutions, and because we were not able to mobilize resources in the country, the Government went for the option of reducing the work-force, as is very evident, and all those are prescriptions of the International Monetary Fund.

But, more seriously there has to be a consideration of where we are going in this society today, because if year after year the pattern is followed and next year the same thing happens and you have a population beginning to become more marginalized and alienated from the resources of the country or from a better and more dignified lifestyle, you are going to find that there is going to be more and more social disorder. I do not wish that that will be so, but we have seen it happen in the past; we have heard mutterings recently that there is discontent in the society and, to some extent, I dare say, it would seem that the state is becoming very high-handed in many instances.

So, Madam Speaker, because this parliamentary system that we have is not working, and because of the political system in which we are operating in a hostile environment, rather than co-operating and using our resources, this society is heading for the abyss and when this society moves in that direction, it is going to be very difficult for those who care about it to retrieve it from where it is going. I want to indicate that I am very concerned about what is happening. You see, there might be others in the society and in the system who might be trying their best, to some extent, but if we do not attempt to address some of the fundamental weaknesses in the system, we are going to be like a recurring decimal, year after year.

This Bill being piloted by the Minister of Finance might indicate that this is an economic measure, but economic measures indicate to us what is going to be done in the society; how the goods and services are going to be produced and distributed; what the forces of supply and demand are going to do; and, of course, at the same time, who are able to demand. If we look at the transfers from the various ministries and see cuts that ought not to be there, it is very indicative that today the system that we have is not working to give us adequate machinery to

develop our resources and use them. At the same time, the other systems that are in place, particularly the political and administrative systems, are not geared towards meeting the needs of the society and, more and more, we are going to find that this society is going to be torn asunder, and when that happens it is going to leave us in a position where we are not able to produce. We are going to consume much more than we produce and in that situation we are going to be in the debt trap.

I have said that we care about the society, but because of the way it functions we are going to be in this situation. I hope that from now on we are going to adopt postures that will redound to the credit of the society and more particularly to the young people of Trinidad and Tobago.

Thank you very much, Madam Speaker.

Mr. Trevor Sudama (*Oropouche*): Madam Speaker, I thought I should say something on the issue of the Public Accounts (Enterprises) Committee, since that came up here during the course of this afternoon; and to say that what transpires in a committee of this House is confidential to that committee. To hear in this House today a Minister of Government repeating what transpired in that Committee—

Mr. B. Panday: They are now free to give all the information that they got.

Mr. T. Sudama:—is a breach of the confidentiality under which that Committee, the Public Accounts (Enterprises) Committee, operates. As to what questions were asked in that Committee; as to what answers were given—those are matters of concern only to the Committee.

Mr. Sobion: Madam Speaker, on a point of order. I believe the hon. Member is referring to certain remarks I made. I did not refer to any specific questions that were asked nor to any specific answers. I merely stated that I understood that the National Gas Company appeared before the Committee and that they responded to the questions that were raised; and that is all I said, Madam Speaker. I myself have no details of the questions or the answers.

Mr. T. Sudama: Madam Speaker, it is a matter of some concern as to whom he got that information from. It had to be a Member of the Committee. Whether he requested it or whether it was volunteered from that Committee that I got all the information. From whence did he get that knowledge that I got all the information with respect to the NUCOR contract with the National Gas Company?

Madam Speaker: Hon. Member, I want to understand what is happening here. You are not speaking on the Motion, are you?

Mr. T. Sudama: Yes, yes, I am speaking on the Motion, Madam Speaker. I just thought I would clarify that point.

Madam Speaker: But that is something that has passed. Please proceed.

Mr. T. Sudama: But I think, as Speaker of the House—

Madam Speaker: You can mention it under Personal Explanations on the next occasion.

Mr. T. Sudama: I think I will have to do that because I think the integrity of this Committee—

Madam Speaker: I have decided that the matter can be dealt with under Personal Explanations; the Member can proceed.

Mr. Sobion: But you see it is not a Personal Explanation either.

Mr. T. Sudama: Madam Speaker, the first point I want to make is that when you vary money from one head to another head or from one sub-head to another, it is not just an accounting transaction. It reflects the priorities of the Government at any given point in time. In the same way when this 1992 budget was presented to us with all the figures under the various heads, it reflected certain priorities of the Government at that point. Now, we understand, through these variations, they are in some way changing their priorities. They ought to come here and tell us why they are changing those priorities and not just come and read out the notes here and say, "We are moving from one head to another head." It is a gross discourtesy to this Parliament.

Miss Nicholson: Amen!

Mr. Sudama: It is a gross discourtesy to come here and merely take this and read out move from Head A to Head B and from subhead B to subhead C and this is what we have done and the Cabinet considered it and now we are pushing this down your throats in the House of Representatives. Cabinet, having considered and given its approval, you come here now—it is a little classroom—and you have to accept the lesson that has been given by Cabinet in this matter. I strongly object to this attitude. So often it has been said—the way this House has been treated; the functions of this House have been undermined and eroded and it has become the handmaiden of executive action. That is all we are performing here, and no other function, Madam Speaker.

Mr. B. Panday: What do you do with a handmaiden?

Mr. Breaux: You do not know about that.

Mr. T. Sudama: You know about acquiring houses and getting promotion on the basis of your party ticket. That is what you know. Why did you not stay outside this House and perform that function, because you perform no function here.

Mr. Breaux: Do not worry about that. Worry about the corruption in the Priority Bus Route pass.

Mr. T. Sudama: Madam Speaker, let me go back to the minutes. *[Interruption]* La Brea is a special case! Nobody could get work at La Brea until that Member approves. If your name is Ramrattan, you are dead!

9.25 p.m.

Page 3 of the minutes I have before me: Head 18, Ministry of Finance. I had asked a question. I wanted to be informed of the breakdown between the secondary recovery of oil and the refinery modernization with respect to the disbursement that was discussed under this heading. To date, I have not been able to get that information. I have not been so advised. So the other question you want to ask is: Why do you speak here and you request information and it is totally ignored by the Ministers and by the Government? What is the function then of getting up and speaking here? I wanted to know the breakdown because it is important. This is money that we are borrowing at a high rate of interest from the Inter-American Development Bank. I was not able to get that information.

With respect to the transfer of funds between subheads in the Ministry of Education, I had enquired as to the time when the transfers of \$40,758,372 between subheads took place, and I wanted to know why my request for furniture for the Picton Presbyterian School was not accommodated under that transaction. I am happy to tell this House that as a result of that aggressive representation on behalf of my constituents, today new furniture has been provided for the Picton Presbyterian School. It is here in the minutes of the Finance Committee that that representation was made. I had to use all my powers of persuasion to get the Government to provide the little amenity of new furniture for the Picton Presbyterian School in my own constituency.

What this exercise points to is the need for an ongoing system of monitoring of governmental expenditure. The Government should not come periodically and have, as a matter of formality, these transfers laid before this Parliament for its

formal approval, without any probing as to why it was necessary to make these transfers; what was the perspective of the Government, why it felt that these were the priorities; why it felt that the priorities which were determined at the beginning of 1992 were changed and had to be amended in this way. But these are matters you cannot probe in a parliamentary debate. It is not possible. Therefore, if we had such a standing committee which had access to expertise and which met on a regular basis, maybe weekly, maybe fortnightly, to review changes and amendments to governmental expenditure on an ongoing basis, that would be one of the ways that this Parliament would perform its functions of oversight and supervision.

In fact, if we had such a system in place, we would not be here at half past nine tonight. All the concerns and queries that I am going to raise here tonight, could have been done in such a committee which would have before it the Minister of Finance, the senior officers in the Ministry of Finance, for questioning, as, in fact, it is done, for example, in the Senate committees in the United States system.

Mr. R. Maharaj: Madam Speaker, we had raised an issue and it was agreed that at 9.30 we would review the situation. The Leader of Government Business is not here, but in a conversation he had indicated to me that we go right through. I want to renew my call to the Government, in that, we are here debating important measures; we are here at 9.30; I notice that some of the Members have been going to the back and refreshing themselves; we have not been extended that invitation. Apart from that, I want to know whether the Government could consider putting this matter to next Friday, because Members on this side would like to make contributions. I do not know if it is that they want to railroad us and make us get tired and sleepy and things like that.

We are debating the nation's business, and I think it is a contempt to the people for us to be subjected to this. Unless they want us to get up and leave and they figure that is the best strategy, I do not know. It may be that they want confidence in the institution to be so subverted that other people may want to come in and take over the Parliament. I do not know! I do not know!

Dr. Griffith: Madam Speaker, on that point, I want to suggest that we continue for another five minutes, at which time we would have the Leader of Government Business here so an appropriate decision can be made.

Madam Speaker: Continue, please.

Mr. T. Sudama: Madam Speaker, I was emphasizing the point that I think what we are doing here tonight at this late hour could have been avoided, to a large extent if we had a proper functioning committee system to investigate the details of government expenditure, transfers, and to monitor expenditures under the various budgets that we have approved in this Parliament. We approved at the beginning of 1992, a budget to the tune of, roughly, \$8,240 million. This is what we approved.

We are here today to make amendments, transfers from one subhead to another, and to add to that amount an additional appropriation of \$77,960,000 odd thousand. I believe that this is a matter which requires detailed and specific scrutiny, because this is a parliamentary function. It is the function of this House to monitor the policies, the expenditure patterns, the programmes of the Government, particularly as they relate to expenditure and raising of revenue, because this is the authority that is higher than the Executive.

9.35 p.m.

Madam Speaker, what, in fact, has happened in our system is that in here, the executive dominates the legislature. Therefore, this is why the Minister of Finance could come here as a matter of course and say, "Cabinet has decided ...". The executive arm having decided, we, in the Opposition, have to go along because it is the executive that dominates the Parliament.

Madam Speaker, theoretically, we should be overviewing and supervising the executive, but, it does not happen. Therefore, a committee, such as I am proposing, ought not to be dominated by Government Members. It would have as its function, investigation of accounts on a current basis. *[Interruption]*

Madam Speaker, I do not know if the Member for Diego Martin Central, the Leader of Government Business, has made any decision as to an adjournment.

Mr. Valley: Madam Speaker, we have decided to adjourn the House when the hon. Member has completed his contribution.

Mr. T. Sudama: We would be here for the next hour and fifteen minutes, if that is going to be the attitude the Government has towards Members of this House.

Madam Speaker: The Chief Whip and the Leader of Government Business has agreed that ...

Mr. Valley: There is no problem, Madam Speaker. The Member is on his feet and all we are saying is that we do not want him to break his trend of thought, so we will adjourn when he is completed.

Mr. T. Sudama: Madam Speaker, this is more the reason why we ought to have an overview committee that meets on an ongoing basis to look at the accounts on a current basis. That means that as expenditures are made, a review takes place and one is able to investigate; not as it is done under the PAC and the PA(E)C. Do you know that under the PAC and the PA(E)C we are reviewing expenditures of seven to 10 years ago, when the documents before us can be described as historical? It is a pointless exercise to review accounts which are 10 years old, and after the horses have bolted from the stables. What we are saying is that one comes as a committee of this House, to review something over which one has very little control.

We are saying that if we had such a committee in place, then we would have had monitoring on an ongoing basis which would be a more functional, relevant and useful exercise for this Parliament to perform. That is not being done, and it does not seem that the Government is willing to accede to a reasonable request of that nature to have a minimal degree of parliamentary reform with respect to governmental expenditure.

There is another point which has been made by Members, but not as explicitly as I should have liked that is, the erosion of the financial provision for the Development Programme for 1992. I ask the Minister and his Government: Do you put provisions down merely for the sake of a joke, in the sense that you never meant to implement what you provided for under the various heads of the Development Programme? When I look through these notes and transfers, there are 13 amounts transferred from various heads in the Development Programmes totalling \$74,739,000.

In 1992, the Government already had a relatively reduced Development Programme, but from that reduced allocation for development, it is transferring a total of \$74,739,000 for other purposes; \$54,833,000 out of that is to pay interest on overdraft to the Central Bank. As far as this Government is concerned, development of economic infrastructure or social infrastructure has to play second fiddle to paying interest on the overdraft on the Central Bank.

The Central Bank, in relation to the Government is, of course, a creditor. It has lent Government money; there is money outstanding and there is interest to be paid. So it stands in the position of a creditor; but so are other people. So are the public servants, teachers and thousands of other people who are domestic creditors of the Government. In terms of its priorities, the Government has seen it fit to allocate and take out money from very, very necessary provisions in order to pay interest to one of its domestic creditors.

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The question I ask is: Was there any other way we could have dealt with this issue since we have pressing problems of development and other governmental expenditure? The Government could have approached the Central Bank and devised another way, or asked for a deferral of interest payment. If one owes the bank—one cannot pay the interest and so on—one goes and negotiates with the bank and says “Look here, I have so many other commitments, I have a commitment to you, can I make some arrangement?” But no; the Government has to get \$105 million from elsewhere in 1992 to pay the interest on the Central Bank overdraft.

If that is a statutory obligation, I ask the Government: Are the other obligations to their domestic creditors not statutory ones? Why is the Government choosing to pay one statutory obligation, if that is the case, and not the others? Why has the Government put this in top priority when, in fact, that expenditure is not going to do anything to boost the productive capacity of the economy to meet some of our social and economic needs and to stimulate growth and whatever.

Mr. Valley: Madam Speaker, because of the lateness of the hour, perhaps, I should put the hon. Member on the right path. I simply want to tell him that, in fact, he is looking at book transactions, not actual payments. I mean, the overdraft at the Central Bank simply increases the overdraft; it is not actually paid at this time. In fact, the Bill is a cleaning-up exercise, after the fact.

Mr. T. Sudama: Madam Speaker, since the Member wants to adjourn this House, I do not want him to cut into my time. If he wants to make a contribution, let him do so on his own time, not on my time.

Madam Speaker, I make that point and I should like the public to understand it. If it is a book transaction and the money was never intended to be spent in the first place, why did the Government make a provision in its budget? Did the Government bring accounts to this House for the purposes of a joke? Why does the Government present a budget to this House in the first place? *[Interruption]* Everything is a book transaction. Does it have any impact on the economy? Is it supposed to have an impact on the economy, in the provision of goods and services? Was it intended for that purpose at all? I cannot understand that reasoning. *[Interruption]* I wish you would stick to your legal expertise, such as it may be. Do not get involved in other things about which you know very little. I wish you understood your law as you think you understand other things.

9.45 p.m.

Madam Speaker, it seems to me that what also is required is some greater measure of internal controls over the accounting in government departments. The number of instances I have come across of pilfering, of things having to be written off for which nobody seems to be accountable. There is this recurring case of the missing NIS stamps and in so many instances you will see they were forced to write off a few thousand dollars because NIS stamps have been missing. It seems that there are a number of public servants with sticky fingers but they do not leave any fingerprints in the wake of these missing stamps on a number of occasions. It has happened not only in this variation of appropriation, but before. Why has no attempt been made to strengthen the internal controls? It seems to me that there is a continuing laxity of control and management in the government departments, especially when it comes to accounting—continuing laxity in view of the items which keeps cropping up from time to time.

One of the critical issues we have to deal with is the supplementary funds that are required to meet interest charges on overdraft facilities at the Central Bank. Really, this ought to be discussed in the overall context of Government's domestic indebtedness. The overdraft of the Central Bank to the Government is a domestic indebtedness of the Government to the Central Bank. The interest also comprises the domestic indebtedness. I want to look at that in the whole picture of the indebtedness being created and the deficit to which it leads, and has led in the past, and the concerns of the Minister of Finance.

Before I press on to discuss the question of the overdraft in detail, I want to put it in the context of what he himself said in his 1992 Budget Speech. He made a great play of the permissiveness of fiscal policy under the previous regime. He said:

"The permissive link between fiscal and monetary policy is also demonstrated in the status of the banking relationship between the Government and the Central Bank. Under the Act establishing the Bank, there is provision for it to make advances to the Government and to hold securities issued by the Government up to specified limits. The Bank's audited accounts for the year ended 31 December, 1986 showed advances of \$1,003.2 million and securities in its portfolio to a value of \$103.5 million, both within the statutory limits."

In other words, he was making a case for the financial scrupulousness of the PNM Government of 1986.

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"Subsequently, its holdings increased beyond the relevant statutory limits, a fact highlighted in the reports of the Auditor General which were tabled each year in this honourable House. Preliminary data for 1991 indicate that the level of advances had increased to \$1,442.3 million and portfolio of securities to \$946.8 million, both well beyond the relevant limits."

Madam Speaker, what he was saying was that the previous Government of the NAR broke the law. That was what the Minister of Finance said in his 1991 budget presentation.

"The Government, in the words of the 1987 Budget Statement, "... has been surviving on overdraft from the Central Bank".

"Of course, the real issue is the economic consequences of such considerable use of Central Bank financing. This Administration will seek to rectify this undesirable situation within the shortest possible time."

What I am going to say has to be taken in the context of the commitment made by the Minister of Finance in presenting the 1992 budget.

Under section 46 of the Central Bank Act, the Bank is authorized to make temporary advances to the Government. These temporary advances have never been repaid so, in fact, they have become a permanent loan to the Government. The idea was that as you borrow, you pay back and you borrow again, so there is a movement in the account. That was the idea behind making the temporary advances for specific periods. These advances must not exceed 15 per cent of recurrent revenues and capital receipts for any given year as indicated in its budget—and that is exclusive of the internal or external loans.

When the original budget was presented in 1992 it provided for a provision of revenue on capital receipt of \$6,595,058,545. The revised budget estimates were lower at \$6,219,347,315. Fifteen per cent of \$6,595,058,545, in my calculation, amounts to \$989,259,000; but I give them the benefit of the doubt at the higher figure. The payment is to be made as soon as possible. I want to get an assurance from the Minister of Finance whether in 1992 the overdraft of the Government at the Central Bank exceeded or was within \$989,259,000. If you exceeded that figure at any point in time in 1992, you too broke the law. If you broke the law, what authority do you have to come and talk about other regimes not being within the specified limits?

9.55 p.m.

Let us look at the explanation for this amount. I am certain that the overdraft amount at the Central Bank was exceeded; the limit was exceeded in 1992 under this provision of section 47 of the Central Bank Act.

Let us look at what this note says.

“The matter for the consideration of the Finance Committee is the provision of supplementary funds in the sum of \$105.2 million, to meet interest charges for the Government overdraft facility at the Central Bank of Trinidad and Tobago incurred during the year ended December 31, 1992—

that is when the new PNM was in charge.

“The sum of \$155 million was provided in the 1992 estimates of expenditure, which proved inadequate as the actual interest charge for the year was \$260.2 million just causing a shortfall of \$105.2 million.

The main causes for the additional expenditure incurred for the servicing of the overdraft facility at the Central Bank were the high net financing requirement during the year.”

In other words, the overdraft which was projected in the budget was exceeded. He projected \$155 million and went to \$260 million. I am asking whether in the course of the year, that limit of 15 per cent of recurrent revenue and capital receipt was exceeded.

This is why these matters cannot be dealt with in the course of a debate. We need a committee, where you summon the Minister and documents as well to verify whether section 47 of the Central Bank Act has been violated. This cannot be done in this House because I cannot force him to produce documents here and people from the Central Bank to answer this question and verify what he has done. This is why we need the monitoring of governmental expenditure and transactions on an ongoing basis.

This question of whether there was an exceeding of 15 per cent of Government's recurrent revenue and capital receipts in 1992—if there was any relevance, it had to be looked at in 1992, and not in 1993, when 1992 accounts have already been dealt with. You understand this point of the need for a committee system with specific powers of investigation, scrutiny and monitoring of governmental expenditure.

Has he or has he not exceeded the limit in 1992 because of his need for very high net financing of the requirement of Government? If he has done that, then

all this talk that he gave us in the 1992 budget about fiscal rectitude is what it is. I cannot get this information from the Minister of Finance. I do not know whether that information can be prised out of the Government, and whether the point I am making can be verified by reference to the Government's accounts.

Quite apart from the assets under section 33 of the Central Bank Act, where the Bank is obliged to hold assets to cover the issue of notes and coins, the Central Bank can hold government's securities including treasury bills and there is also a specified limit. If you do not specify a limit for the holding of government securities including Treasury Bills, then the Government can create money at random and will. All it has to do is issue securities and then ask the Central Bank to hold these securities. When the Central Bank takes up these securities, the Government's accounts would be credited and it would have money to splurge. Now, of course, there ought to be a limit on the capacity of the Government to borrow in that way. This is why some of these limits were put in the Central Bank Act.

Section 47 states:

"Apart from the assets held under section 33, the Bank shall not hold securities (including Treasury Bills) issued or guaranteed by the Government as calculated on the nominal value thereof, which at any time, exceed the greater amount of—

- (a) seven times the authorised capital of the Bank; or
- (b) seven times the sum of the paid up capital of the Bank and the amount standing to the credit of its General Reserve Fund."

The authorised capital from the 1991 accounts of the Central Bank was \$30 million; seven times \$30 million equal \$210 million. The paid up capital according to the 1991 accounts was \$3 million, and its General Reserve Fund was \$30 million; so that seven times \$33 million equal \$231 million; that is the higher figure.

My question to the Minister of Finance is: During the course of 1992, did the Central Bank hold Government's guaranteed securities including Treasury Bills in excess of \$231 million? If it did, then again, he is violating the provisions of section 47 of the Central Bank Act. All this has to do with the manner in which they operate government with the relationship with the Bank and the indebtedness which was incurred and the need for that indebtedness to be satisfied at the expense of other more urgent expenditure.

When we look at the overall domestic indebtedness of the Bank, we see that there are Treasury Bills outstanding to the tune of \$975 million, and the other securities amount to a total of \$4.96 billion. That is the domestic indebtedness throughout. That is the money he has taken and utilized. The question is: For what purpose?

When you borrow money—and we have made this point time and time again—the act of borrowing is itself not something to be decried. It is for what you borrow money and how you utilize it. If you run a deficit, what is the purpose of the deficit? If you utilize that deficit to create the infrastructure for productive activity, then, there is nothing wrong with such deficit financing or borrowing. When, however, as this Government has done over its term, borrow for the purpose of consumption expenditure; splurging; trying to win elections; when the Treasury has been raided and the Central Bank has been forced to give additional credit for those purposes, then, that is the reason our deficit has gone to the level it has gone and our domestic indebtedness is where it is today.

Madam Speaker: The speaking time of the Member has expired.

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

10.05 p.m.

Mr. T. Sudama: I raised the issue because this question of the interest payment and overdraft facility to the Central Bank has to do with a government's relationship with the Central Bank. That is a very critical relationship in the monetary and financial system of a country. That is a relationship that ought to be monitored on an ongoing basis.

The Central Bank of Trinidad and Tobago is supposed to be independent of the Government, that is, to take only general policy directives from the Minister of Finance, but in other matters of its functioning be independent. At the same time it ought not to be at the beck-and-call of the Government. If it is not to be so, and it ought to exercise certain independence, it is still subject to supervision because no institution should be put in a position where it does not account for its actions.

If you look at the situation with the Central Bank of Jamaica, you will note that at this time it is indirectly involved in a currency scam in terms of the auctioneering of foreign exchange. If we had a committee system we could have performed this exercise of monitoring the activities of the Central Bank, its

relationship with the Government, the manner in which it hands out credit to the Government and whether, in fact, it is within the limits of the credit it is supposed to give under the Central Bank Act.

Take the question of the Bank of England, and see what has happened there with its relationship to BCCI. In England, a highly industrialized country, the government and the population have seen the need for a closer monitoring of the activities of the Central Bank in that country—a country with as old a practice and tradition as theirs. I am saying that here we need to have this monitoring system and to look at the transactions between the Government and the Central Bank of this country on an ongoing basis to determine whether, in fact, the role and function of the Central Bank is being subverted.

I have asked certain questions to which I do not expect responses, given the way this Parliament operates, but it is my duty to contribute, ask questions and to do what I can within the very limited options available to me as a Member of this Parliament, to do what I can to maintain parliamentary democracy in this country. Sometimes I feel that it is useless coming here; I feel that it serves no function. We come here and talk, they giggle and laugh and feel that all we are doing here is wasting their time. They want to go home. They are unable or incapable of listening to any kind of reason or argument. Whatever anybody else says, has absolutely no validity. The parliamentary system was not supposed to function in this way. It has gone into a rut under the PNM Government, and that is another reason we need parliamentary reform. I do not want to refer to what happened in 1990. That is the consequence of a loss in credibility in your system.

I should like to raise another issue here which relates to the IADB loan. You will recall, in an earlier meeting of the Finance Committee of which these are the notes, I had asked the question—they were trying to bring into account \$218 million as a disbursement from the IADB loan to pay for the Secondary Recovery Programme and the upgrading and expansion of the Trintoc Refinery at Pointe-a-Pierre. The question I asked was: How come they could disburse money and not account for it? How is it that money was spent and there was no accounting? Where was the accounting for its receipt? There was no accounting, and, therefore, they had to bring it into account. I asked the question then. The Minister of Finance gave some explanation as to an oversight on the part of some people, either the Central Bank or somewhere else. How could they have an oversight of \$218 million? If they can have an oversight of \$218 million, then they cannot see at all.

Apparently, that was not the end of the story. Hear what they are doing now! In fact, it was not \$218,450,000 they should have brought into account, but really \$257,119,937 under the IADB loan. In the last meeting we had, they said that the \$218,450,000 was an oversight. But, apparently, the oversight has increased, and from \$218 million it has gone to \$257 million, which was really what they should have brought into account. Apart from that, they had a further oversight in that the first disbursement on the European Investment Bank loan was not taken into account.

I want to know what is happening with the accounting system wherever these accounts are supposed to have been kept. How is it that you can make disbursements of \$268,197,755 and it is only now that you are bringing these amounts into account? If they are having all these discrepancies and inability to bring things into account, how do we know that our foreign loan figures are correct? How do we know that what we really borrow from foreign sources is, in fact, correct? How do we know that our indebtedness to the Inter-American Development Bank, according to the accounts that we have here, is, in fact, what the Government is telling us that it is? What guarantee do we have that two years from now, they would not come back and say that they had disbursed \$500 million but did not bring it into account? I want to know, whenever these things are done, whether they are reflected in the statistical reports of the Government, the Central Bank reports and the official reports as to our international indebtedness and, indeed, our local indebtedness as well.

Madam Speaker, whenever we ask for scrutiny and for ongoing current accountability, these are things that we have in mind. Having said that it is not only \$218 million they should bring into account—that is a shortfall—it is really \$268 million, they are now coming to this House to account for \$49,747,755. What confidence can we have in the capacity of this Government to account to this House and to provide to the public accurate accounts of its financial transactions, of its indebtedness and borrowings? I certainly have none. Every time they present figures to me, I take it all with a grain of salt because I am not so sure that they will not come back a year or two later and say they forgot something. That is the way the Government has been running.

10.15 p.m.

When we ask for reform, monitoring and supervision, we are faced with a stonewall on the other side and they laugh and they ignore. They have a mandate to rule and they will rule as they see fit, according to the Member for San

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Fernando East. They see fit to ignore everybody and rule because ever so often they may win an election, regardless of what they do after the election.

The bigger concern for us as a country is what is this money being spent for. I asked for a breakdown between secondary recovery and upgrading and expansion at the Pointe-a-Pierre refinery and it is just ignored, as if I did not ask anything. There is no explanation or information given.

Now, Madam Speaker, there are many questions. We are putting ourselves into a lot of indebtedness. I have said many times in this house that the overwhelming portion of investment by this Government goes into the energy sector. This has created an imbalance in the economy and this is one reason why we cannot have a thrust towards diversification.

We have no problem if people from overseas or even domestic investors want to take a risk in the energy sector. When the Government takes taxpayers' money or borrows money in order to invest and to put the taxpayers of this country under liability, then it ought to have a greater sensitivity as to whether the project in which it is investing is likely to be profitable, viable and bring about a return to the Government and, therefore, not saddle the taxpayer with additional burdens.

The upgrading and refining of the Pointe-a-Pierre refinery has been something which has been subject to much speculation. Many people have expressed different views as to the viability of that project. Here we are borrowing and when we are finished, when all of these disbursements under the IADB loan are made, we would have borrowed something like \$1.2 billion, for the upgrading and expansion of the Point-a-Pierre refinery. Whether, after having spent that money, the economics of that will result in a rate of return which will pay back the loan and the interest and so on, we do not know, because there are many "ifs", "buts" and "unknowns".

Let us not forget, they will argue, "well" feasibility studies have been done by the IADB and other people and so on". I want to tell this Government: The IADB, when they lend money, will get that money back by hook or by crook. Whether the project in which you invest is profitable or not, the country pays back. So that the IADB could do a hundred feasibilities, they know at the end of the day they are getting their money back. So they are not really concerned, the country pays.

They did many feasibility studies for the Trintomar project. A few months before we went into this heavy investment in Trintomar, they said that they expected a rate of return of 24 per cent on that investment. A few months later, they came to this House and reported that the gas was not there and the project

went bust. After all these high sounding feasibility studies and so on, the gas was not there, and, therefore, the project became non-viable as a result of that.

How are we to know that the refinery upgrading etc., will be viable? Here we are talking of upgrading capacity from roughly 100,000 to 160,000 barrels per day. Our indigenous production is anything like 70,000 barrels. So, first of all, we are on the assumption that we shall either produce additional crude to the amount of 85,000 barrels per day, or have that crude imported.

Now, when we produce that additional crude, the question of its marketing—the configuration of the Trintoc refinery at Pointe-a-Pierre is that it produces 50 per cent fuel oil and 20 per cent gasoline and some other products. So that when you add to the capacity of a refinery which has the configuration of producing 50 per cent fuel oil, what are you telling yourself? Where are you going to market this? We know nothing about the marketing arrangements. And it is just that these matters cannot be handled in the course of a debate. This is why that project and that investment for upgrading and refining should have been dealt with at committee level where you can get expert information—you have access to expertise, you have access to the people who are making decisions, you call them in front of a committee to ask them to justify the decision they have made, to get documents, and subpoena people to give evidence. It cannot be done here, but they come here to treat this House as a kind of *mamaguy* that, yes, they have the power to approve these loans. The basis on which the decision has been made, we are not in a position to probe here in this House.

So, as I said, it makes me wonder whether, coming here, talking and making a contribution makes any sense. Because you cannot go behind it. You see this note they present here, this Appropriation Bill, that is it. They present it, we sit here, we vote yea or nay; that is the end of the story, we have finished the formality and we go home. What is the justification for this expenditure? We cannot probe, we do not know, and we have no means under the present system to do that. I make that point.

Sometimes I tell myself that this is the last time I am going to speak on the provisions. What is the point of coming here and talking and it makes no difference to the price of cocoa. It makes no difference whatsoever. I mean, you attempt to reason, but apparently the other side is incapable of any rational thought or any kind of appreciation or rational argument.

So I tell myself, I say I will come here and I will sit down and I will make my presence felt and not participate and that is it and I serve my purpose and then do

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my other work of mobilizing the population, my constituents and so on, if that, in fact, is a better option, rather than coming here in this frustrating exercise of speaking and trying to influence the other side. The original concept of Parliament was that you get up here, you argue, and you try to influence, and at the end of the day, your arguments will have some weight and decisions will be made on that basis. They come here with preconceived decisions and notions and that is the end of the story.

Now, Madam Speaker, let me move to the Medical Sciences Complex. We are told here that we need to include a provision of \$28,209,711 in the 1992 Estimates of Expenditure because there was a certain loan facility for that complex for the period December 20, 1989 to July 8, 1990, which was not brought to account.

I mean, I really cannot understand. It is becoming a bit of a habit, getting loans, not bringing those loans to account, but having disbursements made. That is a kind of voodoo accounting on the part of the bureaucracy—M&M accounting. I cannot understand it, given the fact, as I mentioned on a previous occasion, that the cost overrun on the Mt. Hope Medical Sciences Complex ran into hundreds of millions of dollars.

We thought that when the facility was handed over somewhere around the end of 1985, the expenditures for developmental activity on that facility would have ended and after that the question of maintenance and whatever. Today, we have been told that loan facilities have still not been brought to account for the period December 20, 1989 to July 8, 1990. Therefore, do we know what is the real cost of the Mt. Hope Medical Sciences Complex to the population of Trinidad and Tobago. Will we ever know that if from year to year we have these things coming up before us that we have to bring certain additional amounts to account?

We sit here and we act on behalf of the people, so to speak; we are the custodians of the taxes and we have not the slightest clue, as Members of the Opposition, how these moneys are being disbursed, in what manner, how much corruption is involved, whether it is malpractice, irregularity and so on; why it is that it is as long as three and four years later we have to bring into account in our books, moneys which have been disbursed so long ago.

If this is not an indictment of governmental operations, because it is the Executive which is in control of the elections and the bureaucracy and which ought to have reform to have better accounting systems—and it is not a Government of a party which has been in power for a term, you know; it is of one which has been there from 1956 to 1986, for 30 long years. In very few countries of the world do you have governments with such longevity.

Let me tell you how that has been achieved. Over the years they have used two planks. Firstly, they have appealed to ethnic sentiments and, secondly, they have used the resources of the Treasury. But having been in power for 30 years and reduced this economy to what it was at the end of 1986, today you have a society, 30 years of PMN legacy—31 years now—an economy which has been shattered; unemployment rates nearing 25 per cent; a poverty rate in excess of that crime and illiteracy, our schools have become a battle-ground and the attitude of our youths, is frightening. This is their legacy, this is the way they run this country. It is their mismanagement, arrogance, authoritarianism and emasculation of the Parliament of Trinidad and Tobago. It is all these things which have resulted in this society being what it is today in 1993. They cannot escape that one at all.

Mr. Valley: Best society in the Caribbean.

Mr. T. Sudama: Best society in the Caribbean? He must be fooling himself to think so.

Madam Speaker, I just have a few questions on the way matters are handled in government departments when it comes to investigating irregularities and so on. It is as if nobody investigates anything, as if nobody is accountable and they come here, report, and say “we could not get any further with this” and that is the end of it. They come to this House for a write-off.

I have asked before, why do they come to this House to write off \$400 and \$500? Why do they waste the time of this House with respect to such negligible things and when we come to the larger issues we have to discuss with respect to the direction of this society, economy and so on, they do not have time. They feel the Opposition people are here to waste their time. They have no time for that.

Madam Speaker: The Member has five minutes more.

Mr. T. Sudama: As I said, many people seem to have sticky fingers, because a number of these NIS stamps get lost.

I want to raise a matter about the larceny of fixtures valued at \$16,823.79 from Government quarters at No. 12 Pleasant Crescent in Siparia. Now, we were told some time in October 1990, the keys to the Government quarters at No. 12 Pleasant Crescent, Siparia, were handed over by personnel from the Ministry of Works to a Member of Parliament for use as a constituency office. I do not think it was the Member for La Brea, but if these things were in occupation of these quarters, because, of course, he needed to furnish his other houses.

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The Member did not take up the occupancy. However, on April 19, 1991, a visit was made by officers of the ministry who discovered that several articles valued—*[Interruption]* Does the Member want to make a contribution?

Madam Speaker: The Member for La Brea is disturbing the Member for Oropouche.

Mr. Bereaux: Madam Speaker, on a point of order. The Member is misleading the House. He said that that office had something to do with the Member for La Brea. It could not have had, because it was not in my constituency.

Mr. T. Sudama: I said it did not. He was not a Member of the House at that time. But the fact that fixtures were missing I do not know if he felt that was something related to him.

However, on April 19, 1991, a visit was made by officers of the ministry, who discovered that several articles valued at \$16,823.79 were missing. A report was made to the police who made enquiries but without success. I should have thought that the person who was holding the keys at the time, should have been made accountable for this loss, because if you are holding the keys, then you ought to have some kind of control over the premises. How is it that the police could make enquiries without success?

That shows you, Madam Speaker, at this level, there is no accountability, let alone at the level of ministerial actions and the expenditure of millions of dollars. If you cannot be accountable in small things, would you be accountable in big things? It does not stand to reason.

Then we are told, for example, that the amount of \$1,700 had to be written off as a cash loss from the Rio Claro Post Office. The amount of \$700 which represented a remittance from the Rio Claro Post Office to the Tabaquite Post Office was sent on February 24, 1971, but was not received. I do not know how these post offices make their remittances, but I should have thought that there would be some documentation, some record as to how the post office made its transfer and how mail was delivered and not leave the matter to something which could not further be investigated and therefore we have to write it off as a loss.

What I am indicating, is that this leaves much to be desired about the accountability within our various departments of government and the fact that we take very lightly public property in Trinidad and Tobago. And it starts at the head of Government, and this attitude has prevailed for 30 long years.

Today, I thought I would make these brief comments on this very important subject because finance including expenditure of money is perhaps the most important thing we could talk about, given its relevance to governmental operations and the economy of Trinidad and Tobago, particularly with respect to governmental indebtedness. The most important thing we can talk about, and yet it is the thing which they have the least interest in talking about.

Madam Speaker, I come here to make my humble contribution to this debate, to raise some issues and to continue the fight for parliamentary reform, for greater accountability and the setting up of a committee system to probe into these questions of irregularities, these questions of amendments of expenditure on an ongoing basis—not five or six years after—on an ongoing basis to really carry out the functions for which this Parliament was designed.

Thank you very much.

Mr. Valley: Madam Speaker, I must say that that was a very good contribution.

Motion made, That the House do now adjourn to Friday, April 2, 1993 at 1.30 p.m. [Hon. K. Valley]

Question put and agreed to

House adjourned accordingly

Adjourned at 10.35 p.m.